

COUNTY BOARD REFERRALS TO COMMITTEE - BOARD YEAR 2005-2006

ORD. AMDT. 1, 05-06

AMENDING CHAPTER 2 OF THE DANE COUNTY CODE OF ORDINANCES, REGARDING ENFORCEMENT OF COUNTY ORDINANCES BY ISSUANCE OF CITATIONS

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 2.02 is amended to read as follows:

2.02 ORDINANCES AFFECTED. Citations may be issued in the enforcement of the following chapters or sections of the Dane County Ordinances:

- (1) Chapter 10, County Zoning.
- ~~(2) Chapter 60, Outdoor Theaters.~~
- (3) Chapter 53, County Parks.
- (4) Chapter 54, ~~Exposition~~ Alliant Energy Center.
- (5) Chapter 61, Nonresident Solicitors.
- (5m) Section 62.60, Fee For Use Of The Dane County Tenney Park Lock.
- (6) Chapter 71, ~~Vehicles on~~ Regulation of Icebound Inland Waters.
- (7) Chapter 47, Animal Control.
- (8) Chapter 46, Private Sewage System Ordinance and Health Ordinance.
- (9) Chapter 59, Regulation of Large Assemblies.
- (10) Chapter 34, Public Peace and Order.
- (11) Chapter 67, Dane County Regional Airport Regulations.
- (12) Chapter 70, Dane County Parking Ramp.
- (13) Chapter 11, ~~County Shoreland And Floodplain Management~~ Shoreland, Shoreland-Wetland and Inland-Wetland Regulations.
- (14) Chapter 39, Alcohol Beverage Control.
- (15) Chapter 37, Alarm Regulation ~~Ordinance~~.
- (16) Chapter 48, Miscellaneous Health Provisions Ordinance.
- (17) Chapter 32, Statutory Offenses.
- (18) Chapter 80, Regulations for Lawn Fertilizer Application and Sale.
- (19) Chapter 14, Manure Management, Erosion Control and Stormwater Management.
- (20) Chapter 17, Floodplain Zoning.

[EXPLANATION: This amendment authorizes issuance of citations for violations of Chapters 14 and 17 and corrects the titles of various chapters.]

ARTICLE 3. Section 2.03 is amended to read as follows:

2.03 PERSONS AUTHORIZED TO ISSUE CITATIONS. The following persons may issue citations authorized under this ordinance:

- (1) Any county law enforcement officer.
- (2) The following county officials with respect to the enforcement of only those chapters or sections of the ordinances specified:
 - (a) Chapter 10, County Zoning: Zoning Administrator.
 - (am) With respect to sec. 34.23: Environmental Health Director.
 - (b) Chapter 53, County Parks: Parks Director.

- (c) Chapter 54, ~~Exposition Alliant Energy~~ Center: ~~Exposition Alliant Energy~~ Center Executive Director.
 - (d) Chapter 47, Animal Control: Humane Officer.
 - (e) Chapter 46, Private Sewage System Ordinance and Health Ordinance: Director of Environmental Health.
 - (em) Section 62.60, Public Works Director.
 - (f) Chapter 67, Dane County Regional Airport: Director.
 - (g) Subchapter I of Chapter 70, Parking: Ramp Manager.
 - (gm) Subchapter II of Chapter 70, Parking: Facilities Manager.
 - (h) Chapter 11, County Shoreland ~~and Flood Plain~~, Shoreland-Wetland and Shoreland-Inland Regulations: Zoning Administrator.
 - (i) Chapter 41, Solid Waste Collections: Public Works Director.
 - (j) Chapter 48, Miscellaneous Health Provisions: Environmental Health Director.
 - (k) Chapter 80, Regulations for Lawn Fertilizer Application and Sale: Environmental Health Director.
 - (l) Chapter 14, Manure Management, Erosion Control and Stormwater Management: Zoning Administrator.
 - (m) Chapter 17, Floodplain Zoning: Zoning Administrator.
- (3) Any county employee under the supervision of an above-named official who has been delegated such authority by that official, provided that such delegation of authority is in writing and is kept on file in the office of the county clerk.

[EXPLANATION: This amendment authorizes the zoning administrator to issue citations for violations of Chapters 14 and 17 and corrects the titles of various chapters.]

Submitted by Supervisors Hulsey, Eggert, Graf, and Jensen, April 21, 2005 (p. 2, 05-06).
 Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

 ORD. AMDT. 2, 05-06

AMENDING CHAPTER 14 OF THE DANE COUNTY CODE OF ORDINANCES,
 REGARDING EROSION CONTROL AND STORMWATER MANAGEMENT

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 of Chapter 14 is amended from "MANURE STORAGE" to "MANURE MANAGEMENT, EROSION CONTROL AND STORMWATER MANAGEMENT."

ARTICLE 3. Section 14.401 is amended to read as follows:

14.401 SUBCHAPTER II. Subchapter II of this chapter consists of sections 14.40 through ~~14.59~~14.81, inclusive.

ARTICLE 4. Section 14.41 is amended to read as follows:

14.41 DEFINITIONS. As used in subchapter II:

(1) Affected means that a regulated activity has significantly:

(a) caused negative impacts on water quality or the use or maintenance of land or business; or

(b) endangered health, safety, or general welfare.

~~(1)(2)~~ (2) Agricultural means related to or used for the production of food and fiber including, but not limited to, general farming, livestock and poultry enterprises, grazing, nurseries, horticulture, viticulture, truck farming, forestry, sod production, cranberry productions and wild crop harvesting and includes lands used for on-site buildings and other structures necessary to carry out such activities.

~~(2) Affected means that a regulated activity has significantly:~~

~~(a) — Caused negative impacts on water quality or the use or maintenance of one's property or business; or~~

~~(b) — Endangered one's health, safety, or general welfare.~~

(2g) Average annual rainfall means measured precipitation in Madison, Wisconsin between March 12 and December 2, 1981.

(2m) Bank erosion means the removal of soil or rock fragments along the banks or bed of a stream channel resulting from high flow after rain events.

(3) *Best management practice* means a practice, technique, or measure that is an effective, practical means of preventing or reducing soil erosion or water pollution, or both, from runoff both during and after land development activities. These can include structural, vegetative or operational practices.

(4) *Cold water community* means surface waters capable of supporting a community of cold water fish and other aquatic life, or serving as a spawning area for cold water fish species (NR 102.04(3)(a) Wisconsin Administrative Code).

(4m) Connected Imperviousness means an impervious surface that is directly connected to a separate storm sewer or water of the state via an impervious flow path.

(5) *Construction site erosion control* means preventing or reducing soil erosion and sedimentation from land disturbing activity.

(5m) Effective infiltration area means the area of the infiltration system that is used to infiltrate runoff and does not include the area used for site access, berms or pretreatment.

(6) *Erosion* (soil erosion) means the detachment and movement of soil or rock fragments by water, wind, ice or gravity.

(7) *Excavation* means any act by which organic matter, earth, sand, gravel, rock or any other similar material is cut into, dug, quarried, uncovered, removed, displaced, relocated or bulldozed and shall include the resulting conditions.

(8) *Existing development* means buildings and other structures and impervious area existing prior to ~~ordinance adoption~~ August 22, 2001.

(9) *Fill* means any act by which earth, sand, gravel, rock or any other material is deposited, placed, replaced, pushed, dumped, pulled, transported, or moved to a new location and shall include the resulting conditions.

(10) *Financial security instrument* means a surety bond, performance bond, maintenance bond, irrevocable letter of credit, or similar guarantees submitted to the local approval authority to assure that requirements of the ordinance are carried out in compliance with the stormwater management plan.

(11) *Gully erosion* means a severe loss of soil caused by or resulting in concentrated flow of sufficient velocity to create a defined flow channel.

(12) *Heavily disturbed site* means a site where an area of land is subjected to significant compaction due to the removal of vegetative cover or earthmoving activities, including filling.

(13) *Hydrologic soil group (HSG)* has the meaning used in the runoff calculation methodology promulgated by the United States Natural Resources Conservation Service Engineering Field Manual for Conservation Practices.

(14) *Impervious surface* means any land cover that prevents rain or melting snow from soaking into the ground, such as roofs (including overhangs), roads, sidewalks, patios, driveways and parking lots. For purposes of this chapter, all road, driveway or parking surfaces including gravel surfaces, shall be considered impervious, unless specifically designed to encourage infiltration and approved by the local approval authority.

(15) Infiltration, means the process by which rainfall or runoff seeps into the soil for the purposes of this ordinance, refers to any precipitation that does not leave the site as surface runoff.

(15m) Infiltration system means a device or practice such as a basin, trench, rain garden or swale designed specifically to encourage infiltration, but does not include natural infiltration in pervious surfaces such as lawns, redirecting of rooftop downspouts onto lawns or minimal infiltration from practices such as swales or road side channels designed for conveyance and pollutant removal only.

(15r) Karst feature means an area or surficial geologic feature subject to bedrock dissolution so that it is likely to provide a conduit to groundwater, and may include caves, enlarged fractures, mine features, exposed bedrock surfaces, sinkholes, springs, seeps or swales.

(16) *Land conservation committee* or *LCC* means the Dane County Land Conservation Committee created under sec. 92.06 of the Wisconsin Statutes.

- (17) *Land disturbing activities* means any land alterations or disturbances that may result in soil erosion, sedimentation, or change in runoff including, but not limited to, removal of ground cover, grading, excavating, and filling of land.
- (18) *Lightly disturbed site* means a site where an area of land is subjected to minor compaction due to the limited removal of vegetative cover or earthmoving activities.
- (19) *Local approval authority* means the Dane County Zoning Administrator in areas under the direct jurisdiction of Dane County as described in sec. 14.44(2) and (3). In incorporated areas that have adopted a local ordinance under sec. 14.44(3) and are in compliance, the term means the municipal staff, agency or contracted entity charged by the local unit of government with responsibility for enforcing stormwater and erosion control ordinances.
- (20) *Local land division ordinance* means any county, city, village or town ordinance adopted under Chapter 236, Wis. Stats., to regulate the division of land.
- (21) *Local zoning ordinance* means any county, city, village or town ordinance adopted under sections 59.69, 59.692, 59.693, 60.61, 60.62, 61.351, 61.354, 62.23, 62.231, or 62.234 of the Wisconsin Statutes to regulate the use of land.
- (22) *New development* means any of the following activities:
- (a) Structural development, including construction of a new building or other structures;
 - (b) Expansion or alteration of an existing structure that results in an increase in the surface dimensions of the building or structure;
 - (c) Land-disturbing activities; or
 - (d) Creation or expansion of impervious surface.
- (23) *Non-erosive velocity* means a rate of flow of stormwater runoff, usually measured in feet per second, that does not erode soils. Non-erosive velocities vary for individual sites, taking into account topography, soil type, and runoff rates.
- (24) *Peak flow* means the maximum rate of flow of water at a given point in a channel, watercourse, or conduit resulting from the predetermined storm or flood.
- (25) *Pervious surface* means any land cover that permits rain or melting snow to soak into the ground.
- (26) *Plan* means an erosion control plan required by sec. 14.45 or a storm water management plan required by sec. 14.46.
- (27) *Plan review agency* means the Dane County ~~Land Conservation~~ [Land and Water Resources](#) Department, [or its successor](#), in areas under the direct administrative jurisdiction of Dane County as described in sec. 14.44(2). In incorporated areas of Dane County that have adopted a local ordinance under sec. 14.44(3) and are in compliance, the term means the municipal staff, agency or qualified contracted entity charged by the local unit of government with responsibility for reviewing stormwater and erosion control plans under the local stormwater and erosion control ordinance.
- (28) *Plat review officer* means the county or municipal staff, agency or contracted entity charged by the local unit of government with responsibility for reviewing land divisions, certified survey maps or subdivision plats, or any combination thereof, under chapter 236 of the Wisconsin Statutes.
- (29) *Post-development* refers to the extent and distribution of land cover types anticipated to occur under conditions of full development of the submitted plan. This term is used to match pre- and post-development stormwater peak flows as required by the ordinance.
- (30) *Pre-development* refers to the extent and distribution of land cover types present before the initiation of [the proposed](#) land development activity, assuming that all land uses prior to land disturbing activity are in “good” condition as described in the Natural Resources Conservation Service Technical Release 55, “Urban Hydrology for Small Watersheds” (commonly known as TR-55). This term is used to match pre- and post-development stormwater peak flows as required by the ordinance. In a situation where cumulative impervious surface created after ~~the adoption of this ordinance August 21, 2001~~ exceeds the 20,000 sq. ft. threshold, the pre-development conditions shall be those prior to [any the proposed](#) land disturbance.
- (31) *Redevelopment* means any construction, alteration or improvement exceeding four thousand square feet of land disturbance performed on sites where the entire existing site is predominantly developed to commercial,

industrial, institutional or multifamily residential uses. [Projects may include a mix of redevelopment and new impervious surfaces. New impervious surfaces added as a result of redevelopment are subject to s. 14.46\(1\).](#)

(32) *Runoff curve number (RCN)* has the meaning used in the runoff calculation methodology promulgated by the United States Natural Resources Conservation Service Engineering Field Manual for Conservation Practices.

(33) *Sediment* means solid earth material, both mineral and organic, that is in suspension, is being transported, or has been moved from its site of origin by air, water, gravity or ice, and has come to rest on the earth's surface at a different site.

(34) *Sedimentation* means the deposition of eroded soils at a site different from the one where the erosion occurred.

(35) *Sheet and rill erosion* means a loss of soil caused by sheet flow or shallow concentrated flow, and characterized by an absence of channeling or a relatively uniform loss across the exposed upper layer of the soil or shallow irregular scouring of the soil surface.

(36) *Site* means the bounded area described in an erosion control plan or stormwater management plan.

(37) *Slope* means the net vertical rise over horizontal run, expressed as a percentage, which represents a relatively homogeneous surface incline or decline over the area disturbed.

(38) *Soil loss rate* means the rate, usually measured in tons per acre per year, at which soil is transported beyond the perimeter of a given control site and which occurs as a result of sheet and rill erosion. This term does not apply to soil movement resulting from concentrated flow such as gully or bank erosion.

(39) *Storm events* mean the precipitation amounts that occur over a 24-hour period that have a specified recurrence interval for Dane County, Wisconsin. For example, one-year, two-year, 10-year and 100-year storm events mean the precipitation amounts that occur over a 24-hour period that have a recurrence interval of one, two, 10 and 100 years, respectively.

(40) *Stormwater* means the flow of water which results from, and which occurs during and immediately following, a rainfall, snow- or ice-melt event.

(41) *Stormwater management* means any measures taken to permanently reduce or minimize the negative impacts of stormwater runoff quantity and quality after land development activities.

(42) *Stormwater runoff* means the waters derived from rains falling or snowmelt or icemelt occurring within a drainage area, flowing over the surface of the ground and collected in channels, watercourses or conduits.

(43) *Street reconstruction* means removal and replacement of the road subgrade, where existing stormwater conveyance systems are modified.

(44) *Structure* means any human-made object with form, shape and utility, either permanently or temporarily attached to, placed upon, or set into the ground, stream bed or lake bed.

(45) *Unnecessary hardship* means that circumstance where special conditions, which were not self-created, affect a particular property and make strict conformity with regulations unnecessarily burdensome or unreasonable in light of the purposes of this ordinance.

[EXPLANATION: This amendment adds or revises necessary definitions for purposes of Subchapter II.]

ARTICLE 5. Section 14.44 is amended to read as follows:

14.44 JURISDICTION AND ADMINISTRATION. (1) This ordinance ~~shall become effective in~~ [applies to](#) all areas of Dane County ~~no later than 12 months after it is published.~~

(2) *Unincorporated areas.* This ordinance shall become effective in all unincorporated areas of Dane County 12 months after it is published. The Dane County Zoning Administrator, in consultation with the Dane County Conservationist, shall be responsible for administration and enforcement of this ordinance.

(3) *Incorporated areas.* (a) Cities and villages wholly or partially in Dane County may assume administration and regulation of soil erosion and stormwater control programs if they have adopted stormwater and erosion control ordinances that include standards at least as restrictive as those described in ss. 14.41, 14.45 —~~14.54~~ [14.53 and 14.71 – 14.73](#). Any such ordinance shall supercede any less restrictive or conflicting provision of a minimum standard, ordinance or local regulation previously adopted by that municipality and shall include effective measures for consistent administration and enforcement. Cities and villages shall have the discretion to adopt by ordinance their own equivalent internal procedures for administration of county standards.

(b) Cities and villages that have enacted local ordinances pursuant to par. (a) or entered into s. ~~66-30~~ 66.0301, Wis. Stats., intergovernmental cooperative agreements with the county consistent with this ordinance may assume responsibility for administration and regulation of soil erosion and stormwater control programs. When a city or village assumes responsibility for administration and regulation of soil erosion and stormwater control consistent with this ordinance, references in this chapter to the Dane County Zoning Administrator shall mean the local approval authority as designated by the municipal government.

(c) If a municipality does not enact an ordinance pursuant to par. (a) by the effective date of this ordinance, or if the Dane County Lakes & Watershed Commission, after notice and hearing, determines that a municipality has enacted an ordinance that fails to meet the standards of ss. 14.41, 14.45 – 14.51, 14.53 and 14. ~~54.71-14.73~~, the Dane County Zoning Administrator shall enforce the provisions of this ordinance within the limits of the municipality. The Dane County Zoning Administrator shall continue to administer and enforce the provisions of this ordinance until the municipality adopts and enforces an ordinance at least as restrictive as the county ordinance.

(d) If the Dane County Lakes & Watershed Commission, after notice and hearing, determines that a municipality is not providing effective administration and enforcement of an ordinance adopted under this section, it may make a finding of noncompliance with this ordinance. If a municipality is found to be in noncompliance, the Dane County Zoning Administrator shall administer and enforce the provisions of this ordinance within the limits of the municipality, to the extent necessary to assure compliance. The Dane County Zoning Administrator shall continue to administer and enforce the provisions of this ordinance until the Dane County Lakes and Watershed Commission rescinds its finding of noncompliance.

(4) Where the standards of this ordinance differ or conflict with applicable local land division, zoning, shoreland zoning or other applicable local ordinances or state regulations, the more restrictive standards shall apply.

[EXPLANATION: This amendment corrects ordinance and statutory references.]

ARTICLE 6. Section 14.46 is amended to read as follows:

14.46 APPLICABILITY OF REQUIREMENT FOR STORMWATER CONTROL PERMITS. [INTRO.] Unless otherwise exempted by sec. 14.47, a stormwater control permit under sec. 14.49 shall be required and all stormwater management provisions of this chapter shall apply to any of the following activities within Dane County:

(1) Any development(s) after ~~the adoption date of this ordinance August 22, 2001~~ that result(s) in the cumulative addition of 20,000 square feet of impervious surface to the site;

(1m) Agricultural development that creates new impervious surface area exceeding 20,000 square feet on the site;

(2) Any development that requires a subdivision plat, as defined in applicable local land division ordinance(s);

(3) Any development that requires a certified survey map, as defined in the applicable local land division ordinance(s); for property intended for commercial or industrial use;

(4) Redevelopment, as defined in s. 14.41(31), ~~shall meet the following stormwater management performance standards: 14.51(2)(a)2., (2)(b), (2)(d), (2)(e), and (2)(f).~~

(5) Other land development activities including, but not limited to, redevelopment or alteration of existing buildings and other structures, that the local approval authority determines may significantly increase downstream runoff volumes, flooding, soil erosion, water pollution or property damage, or significantly impact a lake, stream, or wetland area. All such determinations shall be made in writing unless waived by the applicant.

[EXPLANATION: This amendment modifies the activities requiring a stormwater control permit.]

ARTICLE 7. Section 14.47 is amended to read as follows:

14.47 EXEMPTIONS AND CLARIFICATIONS. (1) The following activities are exempt from all requirements of this ordinance:

(a) Any activity directly related to the planting, growing and harvesting of agricultural crops; ~~and~~

~~(b) Construction of agricultural buildings, provided the resulting new total impervious surface area does not exceed 20,000 square feet.~~

- (2) The following activities are exempt from the construction site erosion control provisions of sec. 14.45:
- (a) ~~One- and two-family dwelling units regulated under the Wisconsin Uniform Dwelling Code; Land disturbing activities in excess of one (1) acre, or not associated with the construction of a dwelling, are not exempt from this chapter. Dane County shall regulate these sites during the period that residential building permits are in effect under its authority under sec. 14.60, consistent with then existing Wisconsin Uniform Dwelling Code requirements.~~
- (b) ~~Construction of public buildings and buildings that are places of employment relating to activities specifically regulated by the Wisconsin Department of Commerce during the period that Department of Commerce authorized building permits are in effect and specific erosion control procedures on these construction sites are effective, pursuant to s. 101.1205, Wis. Stats.~~
- (c) ~~State building projects subject to s. 13.48(13) Wis. Stats., and state highway projects subject to Wis. Admin. Code Chap. Trans 401.~~
- (b) Projects specifically exempted from local erosion control ordinances under state or federal statute. It is the responsibility of the landowner to demonstrate such exemption with documentation acceptable to the local approval authority.
- (c) Projects subject to an approved shoreland erosion control permit under Chapter 11.
- (d) Agricultural development not subject to s.14.46(1m).
- (e) Municipal road or county highway projects not exempted under s. 14.47(2)(b) are exempt from s. 14.51(2)(c) where all of the following conditions are met:
1. The purpose of the project is only to meet current state or federal design or safety guidelines;
 2. All activity takes place within existing public right-of-way.
 3. All other requirements of s. 14.51 are met; and
 4. The project does not include the addition of new driving lanes.
- (3) ~~Notwithstanding the language of sub. (2)(b), activities unrelated to actual building construction shall be subject to all the requirements of this ordinance. These activities shall include, but are not limited to:~~
- (a) ~~Land disturbing activity prior to excavation for foundation work;~~
- (b) ~~Landscaping;~~
- (c) ~~Installation of driveways, parking areas and sidewalks;~~
- (d) ~~Earthwork on an area greater than 4,000 square feet on sites not directly related to structural concerns; and~~
- (e) ~~Development of ponds and channelized watercourses, commercial parks, and landing strips or airport runways.~~
- (4) ~~Notwithstanding the language of sub. (2)(c), the following activities are subject to the requirements of this ordinance:~~
- (a) ~~Buildings and activities of municipalities;~~
- (b) ~~Buildings and activities of school districts;~~
- (c) ~~Local highway projects; and~~
- (d) ~~Municipal streets.~~
- (3) The following activities are exempt from the infiltration standards described in s. 14.51(2)(e):
- (a) Redevelopment sites with no increase in exposed parking lots or roads.
- (b) New development sites with less than 10% connected imperviousness based on complete development of the post construction site, provided the cumulative area of all impervious surface is less than one acre.
- (c) Agricultural facilities and practices.
- (d) Areas where the infiltration rate of the soil is less than 0.6 inches/hour measured at the bottom of the proposed infiltration system where the soil layer is not easily removed or manipulated.
- (e) Parking areas and access roads less than 5,000 square feet for commercial and industrial development.
- (f) Roads in commercial, industrial and institutional land uses, and arterial roads.
- [EXPLANATION: This amendment revises the exemptions to the ordinance.]*

ARTICLE 8. Section 14.48 is amended as follows:

14.48 PRELIMINARY REVIEW LETTER. (1) *Purpose and intent.* A preliminary review letter provides a potential permit applicant with an initial simple evaluation of whether erosion and stormwater control standards can be met for a proposed site, lot layout, construction design. This review is intended to assist applicants in preparing general site plans and other submittals necessary to obtain an erosion control and stormwater permit. A preliminary review letter does not guarantee that an erosion or stormwater control plan will be approved or that a permit will be issued. Erosion and stormwater control plans and permit applications must meet all applicable standards and criteria for approval.

(2) *Application procedure.* (a) The local approval authority may adopt an application procedure and fees for provision of a preliminary review letter.

(b) The local approval authority may charge a fee to compensate for the cost of the preliminary review letter process.

(c) Any person may apply for a preliminary review letter by submitting an application that contains the information required by the local approval authority.

(d) The local approval authority may require a preliminary review letter prior to accepting an application for a zoning permit, [petition to rezone](#) or conditional use permit under applicable ordinance(s), or the plat review officer may require a preliminary review letter prior to accepting an application for a certified survey map under applicable local land division ordinance(s) where any of the following apply:

1. The proposal would involve one or more acres within either the current or proposed boundaries of a commercial zoning district;

2. Proposed lot or rezone area configuration would necessitate driveways, access roads or other construction that would clearly require an erosion control plan or stormwater management plan under sec. 14.45 or 14.46;

3. Natural features of the site including, but not limited to, slope, soils, wetlands, or hydrology are such that, in the opinion of the local approval authority, substantial risk of erosion, flooding or other environmental or public safety hazard exists; or, in the opinion of the plat review officer, consultation with plan review agency staff is necessary to determine land suitability requirements under local subdivision ordinances.

(e) Unless expressly waived by the applicant, decisions by the local approval authority to require a preliminary review letter shall be made in writing and shall detail the reasons why the authority believes there to be a substantial risk of erosion, flooding or hazard.

[EXPLANATION: This amendment authorizes the zoning administrator to require a preliminary review letter for a rezone petition.]

ARTICLE 9. Section 14.49 is amended to read as follows:

14.49 EROSION AND STORMWATER CONTROL PERMITS AND ADMINISTRATION. (1) No activity meeting the criteria described in ss. 14.45 or 14.46 shall occur and no zoning permit may be issued, until an erosion control and stormwater control permit is issued by the local approval authority.

(2) The applicant must provide the following when requesting a permit:

(a) Completed application form;

1. The application must be signed by the landowner or include a notarized statement signed by the landowner authorizing the applicant to act as the landowner's agent and bind the landowner to the terms of this ordinance.

2. If a landowner appoints an agent to submit an application pursuant to (2)(a)1., the landowner shall be bound by all of the requirements of this ordinance and the terms of any permit issued to the agent.

(b) Fees as required by sec. 14.55;

(c) Copy of preliminary review letter, as described in sec. 14.48, if applicable;

(d) If required by sec. 14.45, an erosion control plan meeting all the standards of sec. 14.50, or a simplified checklist as described in sec. 14.50.

(e) If required by sec. 14.46, a stormwater management plan meeting all of the standards of sec. 14.51 and a draft maintenance agreement as described in sec. 14.51(1)(i);

(f) Copies of permits or permit applications or approvals required by any other governmental entity;

- (g) A proposed timetable and schedule for completion and installation of all elements of approved erosion control and stormwater management plans and a detailed schedule for completion of construction.
- (h) An estimate of the cost of completion and installation of all elements of the approved erosion control and stormwater management plans.
- (i) Evidence of financial responsibility to complete the work proposed in the plan. The local approval authority may require a financial security instrument sufficient to guarantee completion of the project.
- (3) *Approval process.* (a) The local approval authority shall verify that the permit application is complete under s. 14.49(2). The local approval authority shall then forward plan(s) to the plan review agency for review and approval. Plan review staff shall review the plan(s) for compliance with the standards identified in ss. 14.50-14.51.
- (b) Within the timeframe set by the local approval authority, plan review staff shall either approve the submitted plan or notify the local approval authority of any deficiencies. Staff engaged in this review and approval process shall be certified where appropriate by the Wisconsin Department of Commerce for this purpose.
- (c) The local approval authority shall notify the applicant in writing of any deficiency in the proposed plan and the applicant shall be given an opportunity to correct any deficiency.
- (d) Where installed stormwater practices will be privately-owned, an affidavit which describes the property by legal description, notifying future prospective purchasers of the existence of a stormwater permit issued under this ordinance and applicable plan, timetables and potential liability imposed by sec. 14.73(3) sub. (8)(c) for failure to bring the property into compliance with this ordinance after notification, shall be recorded with the Dane County Register of Deeds prior to issuance of an erosion and stormwater control permit. The foregoing information shall also be noted on every plat and certified survey map.
- (e) Upon approval of the plan review agency, the erosion control or stormwater management permit shall be issued by the local approval authority after the applicant has met all other requirements of this ordinance.
- (4) *Permit conditions.* (a) The plan shall be implemented prior to the start of any land disturbing activity and shall be maintained over the duration of the project. Stormwater components of the plan shall be maintained in perpetuity.
- (b) The permittee is responsible for successful completion of the erosion control plan and the stormwater management plan. The permittee shall be liable for all costs incurred, including environmental restoration costs, resulting from noncompliance with an approved plan.
- (c) Application for a permit shall constitute express permission by the permittee and landowner for the local approval authority to enter the property for purposes of inspection under sub. (5) or curative action under sec. 14.73(3) sub. (8)(c). The application form shall contain a prominent provision advising the applicant and landowner of this requirement.
- (d) All incidental mud-tracking off-site onto adjacent public thoroughfares shall be cleaned up and removed by the end of each working day using proper disposal methods.
- (e) A copy of the approved permit and erosion control plan shall be kept on the project site, in a place readily accessible to contractors, engineers, local approval authority inspection staff and other authorized personnel.
- (5) *Inspections.* (a) Application for a permit under this ordinance shall constitute permission by the applicant and landowner for the local approval authority to enter upon the property and inspect during the construction phase prior to the inspections pursuant to paragraphs (d) and (f), as necessary to confirm compliance with the requirements of this ordinance.
- (b) As part of the plan approval process, the local approval authority shall determine the minimum number of inspections required to assure compliance. The site of any regulated land disturbing activity shall be inspected once every 30 days, or more frequently as determined by the local approval authority during the construction phase with assistance from the plan review agency staff.
- (c) Within 10 days after installation of all practices in an approved erosion control plan and achievement of soil stabilization, the permittee shall notify the local approval authority.
- (d) The local approval authority shall inspect the property to verify compliance with the erosion control plan within 10 days of notification of soil stabilization.
- (e) Within 10 days after installation of all practices in an approved stormwater management plan, the permittee shall notify the local approval authority and submit drawings documenting construction. The person who

designed the stormwater management plan for the permittee shall submit as-built certification to ensure that constructed stormwater management practices and conveyance systems comply with the specifications included in the approved plans. At minimum, as-built certification shall include a set of drawings comparing the approved stormwater management plan with what was constructed. Other information shall be submitted as required by the local approval authority.

(f) The local approval authority shall inspect the property to verify compliance within 10 days of notification.
(g) Maintenance is the responsibility of the owner, and facilities are subject to inspection and orders for repairs.

(6) *Permit transfers.* (a) When a permittee and landowner act to transfer an interest in property subject to an approved plan prior to completion of the proposed steps to attain soil stabilization, the permittee must secure approval from the local approval authority.

(b) When a permittee and landowner transfer ownership, possession or control of real estate subject to either or both an uncompleted erosion control stormwater management plan, the successor in interest to any portion of the real estate shall be responsible to control soil erosion and runoff and shall comply with the minimum standards provided in this ordinance.

(c) When ownership, possession or control of property subject to an uncompleted erosion control or stormwater management plan, or both, is transferred, the former owner (seller) shall notify the new owner (buyer) as to the current status of compliance with notice to the authority, and provide a copy of the erosion control plan or stormwater management plan, or both.

(d) Transfers of interest in real estate subject to an approved, uncompleted plan may be conducted consistent with this ordinance under any of the following arrangements:

1. The transferee shall file a new, approved erosion control or stormwater management plan, or both, with the authority;

2. The transferee shall obtain an approved assignment from the authority as sub-permittee to complete that portion of the approved plan regulating soil erosion and runoff on the transferee's property.

3. The permittee shall provide the authority with a duly completed and executed continuing surety bond or certified check in an amount sufficient to complete the work proposed in the approved plan; at the time of transfer the permittee may seek to reduce the surety bond or certified check to the appropriate amount to complete remaining work. If the transferor enters into escrow agreements with transferees to complete an approved plan, these funds shall be available to the authority to attain plan compliance. When an approved erosion control plan and, if required, a stormwater management plan is or are not completed as proposed, the authority may use the surety bond to complete remaining work to achieve plan compliance.

(7) *Plan or permit amendments.* Any proposed modifications to approved plans, construction schedules or alterations to accepted sequencing of land disturbing site activities shall be approved by the local approval authority in consultation with the plan review agency prior to implementation of said changes.

~~(8) *Enforcement.* (a) *Stop Work Order.*~~

~~1. Whenever the local approval authority finds any noncompliance with the provisions of this ordinance, the local approval authority shall attempt to communicate with the owner or person performing the work to obtain immediate and voluntary compliance if such person is readily available. If the owner or person performing the work is not readily available, that person refuses to voluntarily comply immediately or the noncompliance presents an imminent danger or will cause or threatens to cause bodily injury or damage to off-site property including, but not limited to, off-site run-off, the local approval authority shall post in a conspicuous place on the premises, a stop work order which shall cause all activity not necessary to correct the noncompliance to cease until noncompliance is corrected.~~

~~2. The stop work order shall provide the following information: date of issuance, town and section number, or equivalent identifying information within a municipality, reason for posting and the signature of the inspector posting the card.~~

~~3. It shall be a violation of the ordinance for the unauthorized removal of the stop work order from the premises.~~

~~(b) In addition to posting a stop work order, the local approval authority shall provide notification to the owner or contractor by personal service, written notice by certified mail, or facsimile transmission.~~

~~1. The permittee, landowner and contractor shall have 24 hours from the time and date of notification by the local approval authority to correct any noncompliance with the plan when notification is by either personal communication of noncompliance to owner or contractor or their respective agents or written notice sent by certified mail to owner or contractor.~~

~~2. If notice is not provided under s. (8)(b)1., the permittee and landowner shall have 72 hours to correct any noncompliance with the plan when notification is by posting notice in a conspicuous place on the site or sending notice by facsimile transmission to owner or contractor.~~

~~(c) If any noncompliance is not corrected within the time periods specified in s. (8)(b)1. or 2., the permittee and landowner authorize the local approval authority to take any action, to perform any work, or commence any operations necessary to correct conditions upon the subject property where notice of noncompliance has been issued to bring the property into conformance with plan requirements. The permittee and landowner further consent to reimburse the authority for the total costs and expenses of the aforementioned actions, said reimbursement may be collected as a special charge upon the property for current services rendered as provided by law.~~

~~(d) If the permittee has filed an appeal under s. 14.54(1)(a) prior to the expiration of the time for compliance under s. 14.49(8)(b), the local approval authority may take action, perform work or correct conditions only to the extent necessary to protect against or correct an imminent hazard or a condition that will cause or threatens to cause personal injury or damage to off-site property.~~

~~(9) Penalties. (a) Any person or persons, firm, company or corporation, owner, occupant or other user of the premises who violates, disobeys, omits, neglects or refuses to comply with or resists the enforcement of any of the provisions of this ordinance shall be subject to a forfeiture of not less than \$50 nor more than \$500 and costs. Each day that a violation exists shall constitute a separate offense.~~

~~(b) Any person who has the ability to pay any forfeiture entered against him or her under this ordinance but refuses to do so may be confined in the county jail until such forfeiture is paid, but in no event to exceed thirty (30) days. In determining whether an individual has the ability to pay a forfeiture, all items of income and all assets may be considered regardless of whether or not such income or assets are subject to garnishment, lien or attachment by creditors.~~

~~(c) As a substitute for or as an addition to forfeiture actions under sub.(9)(a) or corrective action under sub.(8)(c), the corporation counsel is authorized to seek enforcement of any part of this ordinance by court action seeking injunctive relief. It shall not be necessary for the county to take corrective action or prosecute for forfeiture before resorting to injunctive relief.~~

~~(10) Fees. The permit fee shall be payable at the time an application for either an erosion control or a stormwater management permit, or both, is submitted.~~

[EXPLANATION: This amendment adds a requirement that a copy of required permits and plans be kept onsite and deletes the provisions regarding enforcement, penalties and fees that are transferred to s.14.73.]

ARTICLE 10. Section 14.50 is amended to read as follows:

14.50 EROSION CONTROL PLAN REQUIREMENTS. (1) *Plan materials.* Erosion control plans required under section 14.45 may include consideration of adjoining landowners' cooperative efforts to control transport of sediment and except as specifically exempted below, shall include at a minimum, the following information:

(a) property lines, lot dimensions, and limits of disturbed area;

(b) limits of impervious area; including buildings. Include all public and private roads, interior roads, driveways, parking lots, and indicate type of paving and surfacing material;

(c) All natural and artificial water features including, but not limited to, lakes, ponds, streams (including intermittent streams), and ditches; and areas of natural woodland or prairie. The plan must show ordinary high-water marks of all navigable waters, 100-year flood elevations and delineated wetland boundaries. A certified flood zone determination and/or wetland delineation may be required at the applicant's expense;

~~(c)(d)~~ cross sections of and profiles within road ditches of channels, swales, and road ditches;

~~(d)(e)~~ culvert sizes;

~~(e)(f)~~ direction of flow of runoff;

~~(f)(g)~~ watershed size for each drainage area;

- ~~(g)~~(h) design discharge for ditches and structural measures;
- ~~(h)~~(i) runoff velocities;
- ~~(i)~~(j) fertilizer and seeding rates and recommendations;
- ~~(j)~~(k) time schedules for stabilization of ditches and slopes;
- ~~(k)~~(l) description of methods by which sites are to be developed and a detailed land disturbance schedule including time schedules for stabilization of ditches and slopes;
- ~~(l)~~(m) provision for sequential steps mitigating erosive effect of land disturbing activities to be followed in appropriate order and in a manner consistent with accepted erosion control methodology suitable to proposed sites and amenable to prompt re-vegetation, including runoff calculations as appropriate;
- ~~(m)~~(n) provisions to prevent mud-tracking off-site onto public thoroughfares during the construction period; ~~and~~ (o) provisions to disconnect impervious surfaces, where feasible;
- (p) provisions to prevent sediment delivery to, and accumulation in, any proposed or existing stormwater conveyance systems;
- (q) copies of permits or permit applications required by any other unit of government or agency;
- (r) existing and proposed elevations (referenced to the National Geodetic Vertical Datum of 1929) and existing and proposed contours in the area, where deemed necessary;
- ~~(n)~~(s) any other information necessary to reasonably determine the location, nature and condition of any physical or environmental features of the site.

(2) *Simplified plan checklist.* Applicants may submit erosion control proposals using simplified checklists of standard erosion control practices, on a standard form approved by the local approval authority, wherever all of the following conditions exist:

- (a) The site does not exceed 20,000 square feet in area; and
- (b) the slope of the land does not exceed six percent (6%) ~~throughout the site~~.

(2m) Simplified plan checklists shall be reviewed by the local approval authority for completeness and accuracy.

(3) *Erosion control performance standards.* (a) Proposed design, suggested location and phased implementation of effective, practicable erosion control measures for plans shall be designed, engineered and implemented to achieve the following results:

- 1. Prevent gully and bank erosion; ~~and~~
- 2. Limit total off-site permissible annual aggregate soil loss for exposed areas resulting from sheet and rill erosion to an annual, cumulative soil loss rate not to exceed 7.5 tons per acre annually; ~~and~~

3. Discharges from new construction sites must have a stable outlet capable of carrying designed flow as required in s. 14.51(2)(cm), at a non-erosive velocity. Outlet design must consider flow capacity and flow duration. This requirement applies to both the site outlet and the ultimate outlet to stormwater conveyance or waterbody.

(b) Plan compliance under par. (a) shall be determined using the U.S. Natural Resources Conservation Service Technical Guide or another commonly accepted soil erosion methodology approved by the Dane County Conservationist, that considers season of year, site characteristics, soil erodibility and slope.

(c) Erosion control measures for plan approval need not attempt to regulate soil transportation within the boundaries of the applicant's site.

[EXPLANATION: This amendment modifies erosion control plan requirements.]

ARTICLE 11. Section 14.51 is amended to read as follows:

14.51 STORMWATER MANAGEMENT PLAN REQUIREMENTS. (1) *Plan materials.* Stormwater management plans shall satisfy all of the requirements in 14.51(2), and shall address at a minimum the following information:

- (a) A narrative describing the proposed project, including implementation schedule for planned practices;
- (b) Identification of the entity responsible for long-term maintenance of the project;
- (c) A map showing drainage areas for each watershed area;
- (d) A summary of runoff peak flow rate calculations, by watershed area, including:
 - 1. Pre-existing peak flow rates;
 - 2. Post-construction peak flow rates with no detention;

3. Post-construction peak flow rates with detention;
 4. Assumed runoff curve numbers (RCNs); and
 5. Time of concentration (Tc) used in calculations.
- (e) A complete site plan and specifications, signed by the person who designed the plan. All plans shall be drawn to an easily legible scale, shall be clearly labeled, and shall include, at a minimum, all of the following information:
1. Property lines and lot dimensions;
 2. All buildings and outdoor uses, existing and proposed, including all dimensions and setbacks;
 3. All public and private roads, interior roads, driveways and parking lots. Show traffic patterns and type of paving and surfacing material;
 4. All natural and artificial water features including, but not limited to lakes, ponds, streams (including intermittent streams), and ditches. Show ordinary high water marks of all navigable waters, 100-year flood elevations and delineated wetland boundaries, if any. If not available, appropriate flood zone determination or wetland delineation, or both, may be required at the applicant's expense;
 5. Depth to bedrock;
 6. Depth to seasonal high water table;
 7. The extent and location of all soil types as described in the Dane County Soil Survey, slopes exceeding 12%, and areas of natural woodland or prairie;
 8. Existing and proposed elevations (referenced to the North American Vertical Datum of 1988, where available) and existing and proposed contours in the area requiring a grading and filling permit;
 9. Elevations, sections, profiles, and details as needed to describe all natural and artificial features of the project;
 10. Soil erosion control and overland runoff control measures, including runoff calculations as appropriate;
 11. Detailed construction schedule;
 12. Copies of permits or permit applications required by any other governmental entities or agencies;
 13. Any other information necessary to reasonably determine the location, nature and condition of any physical or environmental features;
 14. Location of all stormwater management practices;
 15. All existing and proposed drainage features;
 16. The location and area of all proposed impervious surfaces; and
 17. The limits and area of the disturbed area.
- (f) Engineered designs for all structural management practices;
- (g) A description of methods to control oil and grease or written justification for not providing such control;
- (h) If required under sub. (2)(f), a description and plans to control temperature of runoff;
- (i) A maintenance plan and schedule for all permanent stormwater management practices as recorded on the affidavit required in sec. 14.49(3)(d).
- (2) *Stormwater management performance standards.* Proposed design, suggested location and phased implementation of effective, practicable stormwater management measures for plans shall be designed, engineered and implemented to achieve the following results:
- (a) *Sediment Control.*
1. For new [construction development](#), design practices to retain soil particles greater than 5 microns on the site (80% reduction) resulting from a one-year 24-hour storm event [\(2.5 inches over 24-hour duration\)](#), according to approved procedures, and assuming no sediment resuspension;
 2. For redevelopment resulting in exposed surface parking lots and associated traffic areas, design practices to retain soil particles greater than 20 microns on the entire site (40% reduction) resulting from a one-year 24-hour storm event, according to approved procedures, and assuming no sediment resuspension. Under no circumstances shall the site's existing sediment control level or trapping efficiency be reduced as a result of the redevelopment.
- (b) *Oil and grease control.* For all stormwater plans for commercial or industrial developments and all other uses where the potential for pollution by oil or grease, or both, exists, the first 0.5 inches of runoff will be treated

using the best oil and grease removal technology available. This requirement may be waived by the plan reviewer only when the applicant can demonstrate that installation of such practices is not necessary.

(c) *Runoff rate control - hydrologic calculations.* All runoff calculations shall be according to the methodology described in the Natural Resources Conservation Service's Technical Release 55, "Urban Hydrology for Small Watersheds" (commonly known as TR-55), or other methodology approved by the Dane County Conservationist. For agricultural land subject to this section, the maximum runoff curve number (RCN) used in such calculations shall be 51 for HSG A, 68 for hydrologic soil group B, 79 for HSG C, and 84 for HSG D. The TR-55-specified curve numbers for other land uses shall be used. hHeavily disturbed sites will be lowered one permeability class for hydrologic calculations. Lightly disturbed areas require no modification. Where practices have been implemented to restore soil structure to pre-developed conditions, no permeability class modification is required.

(cm) *Runoff rate control - design standards.* Except for redevelopment projects, Aall stormwater facilities shall be designed, installed and maintained to effectively accomplish the following:

1. Maintain predevelopment peak runoff rates for the 2-year, 24-hour storm event (2.9 inches over 24-hour duration).
2. Maintain predevelopment peak runoff rates for the 10-year, 24-hour storm event (4.2 inches over 24-hour duration).
3. Safely pass the 100-year, 24-hour storm event (6.0 inches over 24-hour duration).

(d) *Outlets.* Discharges from new construction sites must have a stable outlet capable of carrying designed flow as required in sub. (2)(cm), at a non-erosive velocity. Outlet design must consider flow capacity and flow duration. This requirement applies to both the site outlet and the ultimate outlet to stormwater conveyance or waterbody.

(e) *Infiltration.* ~~All downspouts, driveways and other impervious areas shall be directed to pervious surfaces, where feasible, unless the applicant can demonstrate that the practice is likely to result in groundwater contamination.~~

1. Residential development. For residential developments, design practices to infiltrate sufficient runoff volume so that post-development infiltration volume shall be at least 90% of the pre-development infiltration volume, based upon average annual rainfall.

2. Nonresidential development. For nonresidential development, including commercial, industrial and institutional development, design practices to infiltrate sufficient runoff volume so that post-development infiltration volume shall be at least 60% of the pre-development infiltration volume, based on average annual rainfall.

3. Pre-treatment. Before infiltrating runoff, pretreatment shall be required for parking lot runoff and for runoff from new road construction in commercial, industrial and institutional areas that will enter an infiltration system. The pre-treatment shall be designed to protect the infiltration system from clogging prior to scheduled maintenance and to protect groundwater quality.

4. Prohibitions. Notwithstanding subparagraphs 1. through 3., infiltration systems may not be installed in any of the following areas:

i. Areas associated with tier 1 industrial facilities identified in s. NR 216.21(2)(a), Wis. Admin. Code, including storage, loading, rooftop and parking.

ii. Storage and loading areas of tier 2 industrial facilities identified in s. NR 216.21(2)(b), Wis. Admin. Code.

iii. Fueling and vehicle maintenance areas.

iv. Areas within 1,000 feet up gradient or within 100 feet down gradient of karst features.

v. Areas with less than three feet separation distance from bottom of the infiltration system to the elevation of seasonal high groundwater or the top of bedrock, except that this provision does not prohibit infiltration of roof runoff.

vi. Areas with runoff from industrial, commercial and institutional parking lots and roads and residential arterial roads with less than five feet separation distance from the bottom of the infiltration system to the elevation of seasonal high groundwater or the top of bedrock.

vii. Areas within 400 feet of a community water system well as specified in s. NR 811.16(4), Wis. Admin. Code, for runoff infiltrated from commercial, industrial and institutional land uses or regional devices for residential development.

viii. Areas where contaminants of concern, as defined in s. NR 720.03(2), Wis. Admin. Code, are present in the soil through which infiltration will occur.

ix. Any area where the soil does not exhibit one of the following characteristics between the bottom of the infiltration system and the seasonal high groundwater and top of bedrock: at least a 5 foot soil layer with 10% fines or greater. This provision does not apply where the soil medium within the infiltration system provides an equivalent level of protection and does not prohibit infiltration of roof runoff.

5. Alternate use of runoff. Where alternate uses of runoff are employed, such as for toilet flushing, laundry or irrigation, such alternate use shall be given equal credit toward the infiltration volume required by this section.

6. Minimizing groundwater pollution. According to ch. NR 151, Wis. Admin. Code, infiltration systems designed in accordance with this section shall, to the extent technically and economically feasible, minimize the level of pollutants infiltrating to groundwater and shall maintain compliance with the preventive action limit at a point of standards application in accordance with ch. NR 140, Wis. Admin. Code. However, if site-specific information indicates that compliance with the preventive action limit is not achievable, the infiltration system may not be installed or shall be modified to prevent infiltration to the maximum extent practicable.

(f) *Thermal control.* The stormwater management plan shall include provisions and practices to reduce the temperature of runoff for sites located within the watershed of a river or stream identified by the Wisconsin Department of Natural Resources as:

1. A Cold Water Community as identified through NR 102.04(3)(a), NR 104, Wisconsin Administrative Code, and Class I, Class II, and Class III Trout Streams identified in "Wisconsin Trout Streams," DNR publication ~~6-3600(80)~~ PUB-FH-806-2002 or its successor.

2. Rivers or streams proposed by the Wisconsin Department of Natural Resources as Cold Water Communities and Class I, II, and III Trout Streams.

(g) *Thermal control; continued.* The stormwater management plan does not have to meet the requirement in sub. (2)(f) if the applicant can justify by use of a model approved by the Dane County Conservationist that practices are not necessary because the temperature increase of runoff from the site post-development will be zero.

(h) *Thermal control; continued.* A current list and maps of affected watersheds shall be available for reference at the office of the local approval authority and the plan review agency.

(3) *Stormwater management goals.* The following standards shall be met whenever possible, and proposed design, suggested location and implementation of practices to meet these goals shall be included in plans:

(a) For existing development, design practices to retain soil particles greater than 40 microns on the site (20% reduction) resulting from a one-year 24-hour storm event, according to approved procedures, and assuming no sediment resuspension.

(b) For street reconstruction, design practices to retain soil particles greater than 20 microns on the site (40% reduction) resulting from a one-year, 24 hour storm event, according to approved procedures, and assuming no sediment resuspension.

[EXPLANATION: This amendment revises the stormwater management plan requirements, particularly regarding infiltration.]

ARTICLE 12. Section 14.53 is amended to read as follows:

14.53 TECHNICAL STANDARDS AND SPECIFICATIONS. The design of all best management practices designed to meet the requirements of this subchapter shall comply with the following technical standards:

(1) Natural Resources Conservation Service's "Wisconsin Field Office Technical Guide, Chapter 4" or its successor;

(2) Applicable construction or erosion control standards by the Wisconsin Department of Natural Resources: "~~Wisconsin Construction Site Best Management Practice Handbook~~" or its successor;

(3) Any other technical methodology approved by the Dane County Conservationist.

[EXPLANATION: This amendment changes the reference to applicable DNR standards.]

ARTICLE 13. Section 14.54 is rescinded and incorporated into existing sections 14.71 and 14.72.

[EXPLANATION: The provisions for appeals is recodified as s. 14.71.]

ARTICLE 14. Section 14.55 is amended to read as follows:

14.55 PERMIT FEES. (1) The local approval authority may establish a fee schedule for erosion control and stormwater management permits.

(2)(a) For areas under Dane County jurisdiction according to s. 14.44(2) and s. 14.44(3)(c) and (d), the erosion control and stormwater management permit fee shall be a ~~\$50~~ \$200 base fee.

(b) Late filing fee. When an applicant or landowner begins work requiring a permit before obtaining the permit or appropriate approvals, the fee shall be doubled.

(3) The fee for preliminary review letters shall be \$50.

(a) If a preliminary approval letter has been obtained, the erosion control and stormwater management base fee shall be waived reduced by \$50.

(4) For sites required to obtain an erosion control permit under s. 14.45, there shall be an additional fee of \$.004 per square foot of disturbed area.

(5) For sites required to obtain a stormwater control permit under s. 14.46, there shall be an additional fee of \$.005 per square foot of impervious area, and \$.0025 per square foot of redeveloped impervious area.

(6) Nonmetallic mining sites that have been issued a permit and have paid fees under ch. 74 of the Dane County Code of Ordinances are exempt from fees required in this section.

[EXPLANATION: This amendment modifies fees and imposes a late fee for failure to obtain a permit before commencing work.]

ARTICLE 15. Section 14.60 is rescinded.

~~14.60 ONE AND TWO FAMILY DWELLING EROSION CONTROL. (1) Authority. Section 14.60 is adopted under the authority of sec. 59.70 and sec. 101.65 of the Wisconsin Statutes.~~

~~(2) Purpose. This ordinance serves as the county erosion control ordinance for one and two family dwelling construction consistent with the Wisconsin Uniform Dwelling Code ("UDC"). The county shall exercise jurisdiction for UDC construction site erosion control by plan review, permitting and inspections to promote public health, safety and general welfare.~~

~~(3) Scope. This ordinance shall apply to all one and two family dwellings whose initial construction is commenced hereafter and new additions to pre-existing dwellings. The county shall administer and enforce this ordinance in any town, village or city within the County of Dane which has not adopted the Wisconsin UDC as well as any municipality in the county which enters into an intergovernmental cooperative agreement with Dane County pursuant to sec. 66.30, Wisconsin Statutes, for this purpose.~~

~~(4) Adoption. Wisconsin Administrative Code Chapters ILHR 20 through 25 are hereby adopted by reference, incorporated herein and made a part of this ordinance. Future amendments and revisions to the Wisconsin UDC or successor provisions relating to one and two family dwelling construction site erosion control are also made a part of this ordinance by reference to promote statewide uniformity. Copies of the Wisconsin UDC shall be kept on file in the offices of the zoning administrator and county conservationist.~~

~~(5) Enforcement. The county shall only administer and enforce pertinent administrative and technical sections of the Wisconsin UDC related to construction site erosion control measures and procedures (i.e., Ch. ILHR 20, administration and enforcement, and s. ILHR 21.125, technical requirements, Wis. Admin. Code) through this ordinance.~~

~~(6) Zoning administrator and county conservationist. The county's zoning administrator and county conservationist, who shall be state certified inspectors pursuant to department of industry, labor and human relations requirements for this purpose, or other zoning and land conservation committee staff with appropriate state certified inspection status, shall administer this UDC construction site erosion control ordinance. The zoning administrator shall maintain all records related to UDC plan review, permit and inspection activity for periodic DILHR review and performance audits.~~

~~(7) Permit required. No person shall cause soil to be disturbed for construction within the scope of this ordinance without first obtaining a permit for that work from the zoning administrator.~~

~~(8) Permit fee. The fee for review of a UDC construction site erosion control plan shall be made payable to the county zoning administrator in the amount of one hundred ten dollars (\$110.00) upon submittal of an application.~~

~~(9) Violation and penalties. (a) Orders. The zoning administrator or his or her designee shall be empowered to issue written citations for violations of this ordinance. Violations shall be promptly corrected by the appropriate party. The zoning administrator or his or her designee may also issue "stop work" orders at construction sites when soil disturbance and erosion occurs. Construction activities may resume when the site is in compliance with UDC rules and the zoning administrator or his or her designee authorizes resumption of obstruction activities. The zoning administrator or designee shall inspect a site subject to a "stop work" order to determine compliance with UDC rules within two (2) working days after receiving a request from a permittee or other appropriate party. (b) Penalties. Any person who violates, neglects or refuses to comply with, or resists the enforcement of, any of the provisions of this ordinance shall be subject to a civil forfeiture of not less than \$25.00 nor more than \$500.00, 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 erosion control permit. Each day that a violation exists shall be a separate offense.~~

~~[EXPLANATION: State law has rescinded county authority to enforce the Uniform Dwelling Code.]~~

ARTICLE 16. Section 14.71 is amended to read as follows:

~~14.71 APPEALS. Under authority of chapter 68, Wis. Stats., the Dane County Board of Adjustment, created under section 59.694, Wis. Stats., and under section 10.26 of the county zoning ordinance, and acting as an appeal authority under section 59.694(7)(a), Wis. Stats., is authorized to hear and decide appeals where it is alleged that there is an error in any order, requirement, decision or determination by the zoning administrator in administering this ordinance.~~

~~(1) County jurisdiction. (a) Any person aggrieved by any decision of the zoning administrator pursuant to this ordinance may appeal to the Dane County Land Conservation Committee (hereinafter "committee"). Such appeal shall be taken within 30 days after the challenged decision. Notice of Appeal setting forth the specific grounds for the appeal shall be filed with the zoning administrator and the committee. The zoning administrator shall forthwith transmit to the committee the record upon which the action appealed from was taken.~~

~~(b) The committee shall fix a reasonable time for the hearing of the appeal and publish a class 2 notice thereof under ch. 985, Wis. Stats., as well as give due notice to the parties in interest, and decide the same within a reasonable time. Upon the hearing any party may appear in person or by agent or attorney.~~

~~(c) The committee may, in conformity with the provisions of this ordinance, reverse or affirm, wholly or partly, or modify the order, requirement, decision or determination appealed from and may make such order, requirement, decision or determination as ought to be made, and shall have all the powers of the officer from whom the appeal is taken.~~

~~(d) The concurring vote of a majority of the committee shall be necessary to reverse the decision of the zoning administrator.~~

~~(2) Municipal jurisdiction. A municipality adopting and administering an ordinance pursuant to s. 14.44(3), shall be governed by the appeals process described in s. 62.23(7)(e), Wis. Stats.~~

~~[EXPLANATION: This amendment adopts the language of the rescinded sec. 14.54(1) and adopts a provision for municipal jurisdiction.]~~

ARTICLE 17. Section 14.72 is amended to read as follows:

~~14.72 PROCEDURE ON APPEALS. The rules, procedures, duties and powers of the board of adjustment and chapter 68, Wisconsin Statutes, shall apply to this ordinance. VARIANCES. (1) An applicant may include in the application a request for a variance from the requirements of sec. 14.50 or 14.51. No variance shall be granted unless applicant demonstrates and the zoning administrator and the county conservationist find that all of the following conditions are present:~~

~~(a) Enforcement of the standards set forth in this ordinance will result in unnecessary hardship to the landowner;~~

~~(b) The hardship is due to exceptional physical conditions unique to the property;~~

~~(c) Granting the variance will not adversely affect the public health, safety or welfare, nor be contrary to the spirit, purpose and intent of this ordinance;~~

(2) If all of the conditions set forth in sub. (1) are met, a variance may only be granted to the minimum extent necessary to afford relief from unnecessary hardship, with primary consideration to water quality and impact to downstream conditions.

(3) A person aggrieved by a variance determination by the zoning administrator may appeal that decision to the committee pursuant to s. 14.71.

(4) A person aggrieved by a decision of the committee regarding a variance may appeal that decision to the board of adjustment pursuant to s. 10.26.

[EXPLANATION: This amendment adopts some of the variance standards from rescinded s. 14.54(2)]

ARTICLE 18. Section 14.73 is amended to read as follows:

~~14.73 WHO MAY APPEAL. Appeals may be taken to the LCC by any person having a substantial, material interest in an erosion control plan which is adversely affected by an order, requirement, decision, or determination made by the zoning administrator. The LCC may adopt appropriate written rules of procedure for this erosion control plan appeals process.~~

VIOLATIONS AND ENFORCEMENT. (1) Stop Work Order. (a) Whenever the local approval authority finds any noncompliance with the provisions of this ordinance, the local approval authority shall attempt to communicate with the owner or person performing the work to obtain immediate and voluntary compliance if such person is readily available. If the owner or person performing the work is not readily available, that person refuses to voluntarily comply immediately or the noncompliance presents an immediate danger or will cause or threatens to cause bodily injury or damage to off-site property including but not limited to, off-site runoff, the local approval authority shall post in a conspicuous place on the premises, a stop work order which shall cause all activity not necessary to correct the noncompliance to cease until noncompliance is corrected.

(b) The stop work order shall provide the following information:

1. date of issuance;

2. town and section number or equivalent information within a municipality;

3. reason for posting; and

4. signature of inspector posting the order.

(c) Unauthorized removal of a stop work order from the premises shall be a violation of this ordinance.

(2) In addition to posting a stop work order, the local approval authority shall provide notification to the owner or contractor by personal service, written notice by certified mail, electronic mail, or facsimile transmission.

(a) The permittee, landowner and contractor shall have 24 hours from time of notification by the local approval authority to correct any noncompliance with the plan when notification is by either personal communication of noncompliance to the owner or contractor or their respective agents, or written notice sent by certified mail to owner or contractor.

(b) If notice is not provided under sub. (2)(a), the permittee and landowner shall have 72 hours to correct any noncompliance with the plan when notification is by posting notice in a conspicuous place on the site or sending notice by facsimile transmission to the owner or contractor.

(3) If the noncompliance is not corrected within the time periods specified in sub. (2)(a) or (b), the permittee and landowner authorize the local approval authority to take any action, to perform any work, or commence any operations necessary to correct noncompliance on the subject property where notice of noncompliance has been issued to bring the property into conformance with plan requirements. The permittee and landowner further consent to reimburse the authority for the total costs and expenses of the corrective actions. Reimbursement may be collected as a special charge upon the property for current services rendered as provided by law.

(4) If the permittee has filed an appeal under s. 14.71(1)(a) prior to the expiration of the time for compliance under sub. (2)(a) or (b), the local approval authority may take action, perform work or correct conditions only to the extent necessary to protect against an imminent hazard or condition that will cause or threatens to cause personal injury or damage to off-site property.

[EXPLANATION: This amendment establishes guidelines for enforcement of violations.]

ARTICLE 19. 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 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.~~

~~(1) Any person, firm, company or corporation who violates or refuses to comply with the provisions of this ordinance shall be subject to a forfeiture of not less than \$200 nor more than \$1,000 and the costs of prosecution. Each day that a violation exists shall constitute a separate offense.~~

~~(2) Any person who has the ability to pay any forfeiture entered against him or her under this ordinance, but refuses to do so, may be confined in the county jail until such forfeiture is paid, but in no event to exceed thirty days. In determining whether an individual has the ability to pay a forfeiture, all items of income and all assets may be considered regardless of whether or not such income or assets are subject to garnishment, lien, or attachment by creditors.~~

~~(3) The corporation counsel is authorized to seek enforcement of any part of this ordinance by court action seeking injunctive relief. It shall not be necessary for the county to seek other remedies before seeking injunctive relief.~~

[EXPLANATION: This amendment establishes a forfeiture range for violations, and authorizes the corporation counsel to seek injunctive relief.]

ARTICLE 20. Section 14.99 is rescinded.

~~14.99 EFFECTIVE DATE. This ordinance shall become effective upon its adoption by the Dane County Board of Supervisors and publication.~~

[EXPLANATION: This language is no longer required in the ordinance.]

Submitted by Supervisors Hulse, Eggert, Graf, and Jensen, April 21, 2005 (p. 19, 05-06).

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

ORD. AMDT. 3, 05-06

AMENDING CHAPTER 15 OF THE DANE COUNTY CODE OF ORDINANCES,
REGARDING THE PUBLIC SAFETY COMMUNICATIONS CENTER 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 15.34(1) is amended to read as follows:

15.34 PUBLIC SAFETY COMMUNICATIONS CENTER BOARD. (1) As used in this section, the following words have the meanings indicated:

(a) *Advisory committee* means the Dane County Public Safety Communications Center Operating Practices Advisory Committee.

(b) *Center board* means the Dane County Public Safety Communications Center Board.

(c) *City* means the City of Madison.

(d) *Commission* means the Dane County Emergency Medical Services Commission.

(e) *County board* means the County Board of Supervisors of the County of Dane.

(f) *Department* means the Dane County Department of Public Safety Communications Center.

(g) *Director* means the Dane County Public Safety Communications Director.

(h) Technical committee means the Dane County Public Safety Communications Center Technical Committee

[EXPLANATION: This amendment provides a definition for technical committee.]

ARTICLE 3. Section 15.34(2) is amended to read as follows:

(2) The center board shall have 6 voting and 2-3 non-voting members. Voting members consist of the sheriff or designee; the city's police chief or designee; the city's fire chief or designee; a representative ~~or designee~~ recommended jointly by the fire chiefs' association and the commission, appointed by the county executive; an aldermanic member of the city's public safety review board, appointed by the city's mayor; and a member of the county board's public protection & judiciary committee who represents a district outside the city, appointed by the county executive. Non-voting members consist of the chair of the advisory committee, the chair of the technical committee and a representative ~~or designee~~ recommended by the Dane County Emergency Medical Association, appointed by the county executive.

[EXPLANATION: This amendment adds the chair of the technical committee as a non-voting member of the center board.]

ARTICLE 4. Section 15.34(12) is amended to read as follows:

(12) The center board shall receive input and consider agenda items submitted by the advisory committee and by the technical committee. The advisory committee, under direction of the center board, shall review issues and recommend action to the center board. The advisory committee shall participate in all planning for changes in the center's operation. The technical committee, under the direction of the center board, shall review technology issues and projects pertaining to public safety communications and forward recommendations to the center board.

[EXPLANATION: This amendment adds the duties and responsibilities of the technical committee.]

ARTICLE 5. Section 15.34(13n) is created to read as follows:

(13n) The technical committee shall have 12 members, consisting of the Sheriff or designee; a representative of the Dane County Police Chiefs Association or designee, selected by the Association; a representative of the Dane County Fire Chiefs Association or designee, selected by the Association; the city's police chief or designee; the city's information services director or designee; the county's director of administration or designee; the city's radio shop manager or designee; the city's fire chief or designee; the director of Dane County Public Safety Communications or designee; director of Dane County Emergency Management or designee; a representative of the Dane County EMS Association or designee, selected by the Association; and the Dane County Land Information Officer or designee.

[EXPLANATION: This amendment sets forth the membership of the technical committee.]

ARTICLE 6. Subsections 15.34(14) through (17) are amended to read as follows:

(14) County executive appointments to the advisory committee and technical committee shall be subject to confirmation by the county board.

(15) Advisory committee and technical committee members appointed by the county executive shall serve two-year terms ending in May of even-numbered years.

(16) The advisory committee and technical committee shall each select ~~its~~ their own chairperson and vice-chairperson to serve a two-year concurrent term no later than during the month of June of even-numbered years.

(17) Members of ~~both~~ the advisory committee, the technical committee and the center board shall serve until a successor is appointed and confirmed.

[EXPLANATION: This amendment adds reference to the technical committee to the provisions regarding appointment, length of term and other procedural matters.]

Submitted by Supervisors Martz, Salov, de Felice, and Hanson, April 21, 2005 (p. 20, 05-06).
Referred to PUBLIC PROTECTION/JUDICIARY and EMS COMMISSION.

RES. 4, 05-06

AGREEMENT FOR CONSTRUCTION OF A BICYCLE/PEDESTRIAN OVERPASS
ALONG THE CAPITAL CITY TRAIL

In September of 2004, the City of Fitchburg received a Federal Transportation Enhancement grant from the Wisconsin Department of Transportation for \$860,000 for 80% of design and construction costs to build a bicycle/pedestrian overpass at Fish Hatchery Road along the Capital City Trail. The City, DNR, and County will cost share the remaining 20%, with the County and DNR each paying \$50,000 and the City \$102,000. If project costs exceed estimated costs, all parties agree to negotiate in good faith to reach a resolution.

Design and engineering for the project will commence during the summer of 2005, with construction scheduled for 2006. Costs will not be incurred by the County until the 2006 budget cycle and will be paid out of Park Improvement Account 313-696-7790-8036 that historically has had an annual appropriation of \$175,000.

NOW, THEREFORE, BE IT RESOLVED that Dane County enter into an Agreement with the DNR and City of Fitchburg that will govern cost share responsibilities for the design and construction of bicycle/pedestrian overpass at Fish Hatchery Road along the Capital City Trail.

BE IT FURTHER RESOLVED that the County Executive and County Clerk are hereby authorized to execute the agreement.

Submitted by Supervisors Martz, Ripp, Kostelic, and Erickson, April 21, 2005 (p. 21, 05-06).

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

RES. 5, 05-06

AUTHORIZING REQUESTS FOR STATE AND FEDERAL GRANT FUNDING FOR THE LAND
AND WATER RESOURCES DEPARTMENT LAND ACQUISITION & PARK DEVELOPMENT PROJECTS

Several state grant programs administered by the Department of Natural Resources fund acquisition and development costs for projects identified in the *Dane County Parks and Open Space Plan*. Dane County Parks intends to apply for these funds in order to off set expenditures made through the Conservation Fund and the Parks operating budget. These programs include: the Knowles-Nelson Stewardship Program, the Lake Protection Program, the River Protection Program, and the federal Land and Water Conservation Fund and Recreational Trails Program. Any grant funds awarded through these programs will be taken to the County Board for approval.

NOW, THEREFORE, BE IT RESOLVED that the County Board of Supervisors and County Executive hereby authorize the Dane County Parks Director, Conservation Fund Manager, and Parks Planner to act on their behalf to submit applications to the Wisconsin Department of Natural Resources for financial assistance under the Stewardship, Lake Protection, River Protection, Land and Water Conservation Fund, Recreational Trails, and other programs that become available for the following projects:

1. McCarthy County Park Acquisition
2. Dorn Creek Natural Resource Site Acquisition
3. Patrick Marsh Natural Resource Site Acquisition

4. Brigham County Park to Military Ridge State Trail Acquisitions
5. Black Earth Creek Natural Resource Site Acquisition
6. Fish Lake Natural Resource Site Acquisition
7. Walking Iron County Park Acquisition
8. Babcock County Park Boat Launch Development
9. Cam-Rock County Park Bicycle/Pedestrian Trail & Bridge Development

BE IT FURTHER RESOLVED that the County Board of Supervisors and County Executive hereby authorize the Dane County Parks Director, Conservation Fund Manager and Parks Planner to sign documents, provide correct information, and to take action necessary to undertake, direct, and complete approved Stewardship, Lake Protection, River Protection, Land and Water Conservation Fund and Recreational Trails Projects.

BE IT FINALLY RESOLVED that the County Board of Supervisors and County Executive recognize and acknowledge the long-term ownership and management responsibilities of the Stewardship, Lake Protection, River Protection, Land and Water Conservation Fund and Recreational Trails Programs, and will comply with all Stewardship, Lake Protection, River Protection, Land and Water Conservation Fund and Recreational Trails laws and regulations and will meet their obligations under any grant agreements for the projects, including the financial obligations under any grants.

Submitted by Supervisors Ripp and Kostelic, April 21, 2005 (p. 22, 05-06).

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

RES. 6, 05-06

ADOPTION OF DANE COUNTY LAND INFORMATION PLAN

The Wisconsin Land Information Program (WLIP) was formed in 1989 to assist local governments with land information modernization and the development of modern geographic and land information systems. By participating in the WLIP, Dane County retains a portion of real estate recording fees; use of these funds are guided by county land information plans. Dane County has updated its plan according to the Wisconsin Department of Administration's *Uniform Instructions for Preparing County Land Information Plans*, December 2004.

Dane County has benefited greatly from the Wisconsin Land Information Program and has received many advantages from the use and application of a modern land information and related technologies. As GIS/LIS grows from collection and design systems into decision support systems, more and more Dane County departments, communities, and citizens will be involved with modernized land information and GIS/LIS technology and services.

WHEREAS, Dane County Board of Supervisors Resolution No. 295, 1989-1990 created the Dane County Land Information Office per Wisconsin Statute 59.88(3), now known as 59.72(3) and;

WHEREAS, under Wisconsin Statute 59.88(3)(b), now known as 59.72(3)(b), Dane County prepared a County-wide Plan for land records modernization and;

WHEREAS, the Wisconsin Land Information Board issued statewide instructions to update Land Information Plans in December 2004, and;

WHEREAS, under Wisconsin Statute 59.72(5), the Dane County Register of Deeds Office collects fees that must be used to develop, implement and maintain the County Plan, and;

WHEREAS, the Register of Deeds will be able to continue to collect fees and the County will be eligible for continued participation in the Wisconsin Land Information Program by updating our Plan, and;

WHEREAS, the Dane County Land Information Office Committee recommends acceptance and approval of the *Dane County Land Information Plan*, April 2005, by the Dane County Board of Supervisors.

NOW, THEREFORE, BE IT RESOLVED the Dane County Board of Supervisors hereby accepts and approves the *Dane County Land Information Plan*, April 2005.

Submitted by Supervisors Brown, O'Loughlin, and Bruskewitz, April 21, 2005 (p. 23, 05-06).
Referred to ENVIRONMENT/AGRICULTURE/NATURAL RESOURCES and ZONING/LAND
REGULATION.

RES. 7, 05-06

ESTABLISHMENT OF COUNTY SURVEYOR MEMORIAL AND SURVEY CONTROL MONUMENT

Dane County maintains a precise geodetic survey control network to support the geographic referencing of surveys, maps, and other information to known locations on the earth. In the 1980's, Dane County worked with the National Geodetic Survey, the Wisconsin Department of Transportation, and the University of Wisconsin-Madison Civil and Environmental Engineering Department to design and establish the survey network. Station Ripp was planned as part of the Dane County Survey Network but was not measured or adjusted with the other stations in the network. As a result, Station Ripp is currently not part of local or national survey databases.

Ron Ripp, Dane County Surveyor for over 20 years, died in office in 2004. In commemoration of his service to the County and the local survey community, the County seeks to re-establish Station Ripp as a geodetic survey control point and as a navigational waypoint for recreational trail users. A location near the parking lot in Indian Lake Park has been selected because of its accessibility and usability as a survey station, as well as to minimize any impact on park resources. This project is a collaborative effort with the Wisconsin Department of Transportation and the Madison Area Surveyors Council who are providing staff time. County costs of approximately \$3000 are anticipated. These costs will be funded using Land Information Office/Wisconsin Land Information Program retained earnings and does not involve County tax levy funding.

NOW, THEREFORE, BE IT RESOLVED that Dane County wishes to recognize the service and dedication of County Surveyor Ron Ripp to Dane County and the Dane County surveying community; and

BE IT FURTHER RESOLVED that \$3000 be transferred from the Land Information Office General Fund to the Mapping Services account.

BE IT STILL FINALLY RESOLVED that on behalf of the citizens and surveyors of Dane County, the Dane County Board of Supervisors and the Dane County Executive authorize the establishment of a geodetic control station and commemorative plaque at Indian Lake Park.

Submitted by Supervisors Wendt, Ripp, and Kostelic, April 21, 2005 (p. 23, 05-06).
Referred to PERSONNEL/FINANCE and ZONING/LAND REGULATION.

RES. 8, 05-06

RENEWAL OF WILEMAN AGRICULTURAL LEASE ON PUBLIC WORKS LANDS IN COTTAGE GROVE

In June 1994 Dane County acquired approximately seventy-seven acres of land in Section 33 of the Town of Cottage Grove for the extraction of clay for the Rodefild landfill. In the relocation plan filed with the Department of Industry, Labor and Human Relations, the county recognized that a tenant was farming the land and agreed to allow the continued farming on those areas not affected by the clay extraction project.

In 2003 the portion of the land mined for clay and restored was sold as surplus. We subsequently negotiated a lease for the use of the remaining 35 acres at a rate of \$115 per acre with the existing tenant, DESK, LLC (fka Wileman Farms, Inc.) Anticipated revenue for the use of the remaining land in 2005 is \$4,025.

NOW, THEREFORE, BE IT RESOLVED that the County of Dane enter into a one-year lease for cropland in the Town of Cottage Grove with DESK, LLC, and

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

Submitted by Supervisors Brown, O'Loughlin, Wiganowsky, and Bruskewitz, April 21, 2005 (p. 24, 05-06).
Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

RES. 9, 05-06

AUTHORIZING INTERGOVERNMENTAL AGREEMENT FOR ART EXHIBITION COORDINATOR SERVICES
AT THE DANE COUNTY REGIONAL AIRPORT

In keeping with the national and international trend, when completed, the Terminal at the Dane County Regional Airport will provide space designated as an art exhibition area. The Airport has negotiated an intergovernmental agreement with Tandem Press, University of Wisconsin at Madison, pursuant to which Tandem Press will provide services as a consultant and hands-on Art Exhibition Coordinator. The Agreement will allow the County to take advantage of the expertise of Tandem Press, which is part of the University of Wisconsin, in developing and implementing art exhibits with educational and regional emphasis. In addition, the relationship with Tandem Press provides access to Tandem Press's extensive art collection as potential exhibition subject matter. The Agreement is for a term of 19 months, with half the funding presently budgeted as a Terminal expansion project start-up cost and the remainder to be included in the Airport's 2006 budget.

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, an Intergovernmental Agreement for Art Exhibition Coordinator Services at the Dane County Regional Airport.

Submitted by Supervisors O'Loughlin, Brown, Wiganowsky, and Bruskewitz, April 21, 2005 (p. 24, 05-06).
Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION. (AIRPORT recommended adoption on 4/20/05.)

RES. 10, 05-06

AWARD OF CONTRACT FOR COURTHOUSE TECHNOLOGY EQUIPMENT,
INSTALLATION AND TRAINING

The new Dane County justice center project includes a budget for courtroom technology equipment. This equipment includes audio, visual, and teleconference equipment. In an effort to procure this equipment and the installation thereof, the County issued RFP #7808. The County received four responses to the RFP. An evaluation committee reviewed these responses and recommends that the contract for purchase and installation of the courtroom technology equipment be awarded to DOAR, Inc., of Lynbrook, New York.

THEREFORE, BE IT RESOLVED that a contract for the purchase and installation of courtroom technology equipment be awarded to DOAR, Inc., of Lynbrook, New York, and that the County Executive and County Clerk are hereby authorized to execute the necessary documents pursuant to the contract.

Submitted by Supervisors Brown, O'Loughlin, Wiganowsky, Bruskewitz, and Vogel, April 21, 2005 (p. 25, 05-06).

Referred to PERSONNEL/FINANCE, PUBLIC WORKS/TRANSPORTATION, and JUSTICE CENTER OVERSIGHT.

RES. 11, 05-06

AUTHORIZING EXECUTION OF AN AIR SERVICE PROMOTION AND MARKETING AGREEMENT
WITH AMERICAN EAGLE AIRLINES, INC. -- DANE COUNTY REGIONAL AIRPORT

On June 9, 2005, American Eagle Airlines, Inc., will begin offering twice daily non-stop round trip air service between the Dane County Regional Airport and the Dallas-Fort Worth International Airport. The Dallas-Fort Worth area is the fourteenth most popular airline passenger destination in the nation and is not currently served from the Dane County Regional Airport by non-stop scheduled airline service. Non-stop service to the Dallas-Fort Worth International Airport will offer convenience and time savings to passengers making domestic and international connections at this major American Airlines hub, as well as to those whose final destination is the Lone Star State. The service to be offered by American Eagle will allow the business traveler to fly to the Dallas-Fort Worth Metroplex for a meeting and return to Madison on the same day.

With the execution of an Air Service Promotion and Marketing Agreement, American Eagle Airlines, Inc., will be eligible for up to \$60,000 in local promotional support offered under the Airport's Community Air Service Support Program. In addition to promotional and marketing assistance during the critical start-up period for Dallas-Fort Worth flights, the Airport will provide a waiver of landing fees for American Eagle non-stop flights arriving from Dallas-Fort Worth International Airport.

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 American Eagle Airlines' newly initiated round trip non-stop passenger air service between the Dane County Regional Airport and Dallas-Fort Worth International Airport; and

BE IT FURTHER RESOLVED that \$60,000 be transferred from the Airport Retained Earnings Account to the Airport Marketing-Economic Development Account, AIRADMIN 31494, to provide funding as authorized under this resolution.

Submitted by Supervisors O'Loughlin, Rusk, and McDonell, April 21, 2005 (p. 26, 05-06).
Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION. (AIRPORT recommended adoption on 4/20/05.)

RES. 12, 05-06

CONTRACT FOR SECURITY SERVICES AT THE ALLIANT ENERGY CENTER OF DANE COUNTY

The agreement with the current security services provider at the Center expires in June 2005. Bids were advertised and solicited by the Purchasing Division of the Department of Administration and six bidders responded. The low bid was submitted by Per Mar Security Services. The bid was reviewed by Center staff and found to be the most advantageous.

NOW, THEREFORE, BE IT RESOLVED that Per Mar Security Services, 5005 University Avenue, Madison, WI, be awarded a one-year agreement beginning January 13, 2005, with four one-year County options for security services at the Alliant Energy Center of Dane County.

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

Submitted by Supervisors Ripp, Kostelic, Opitz, Matano, Willett, Schoer, and de Felice, April 21, 2005 (p. 26, 05-06).
Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

RES. 13, 05-06

APPROVE CROP LEASE ON COUNTY PARK LAND - DORN CREEK RESOURCE AREA

Dane County leases land for cropping that currently is not being used for prairie restoration or recreation. The primary reason for cropping the land is to control the spread of weeds, brush, and invasive woody species for later prairie restoration and/or recreational use. The leases are for limited periods and are renewed as needed.

The following lease is on lands recently acquired by the County. The lessee had been renting the property from the previous owner.

Dorn Creek Resource Area – Walsh (Town of Westport)

Acreage: 20
Lessee: James Acker
Amount: \$2,000

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 contract set forth above.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the payment of the lease contract 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 Bruskwitz, Ripp, and Kostelic, April 21, 2005, 2005 (p. 27, 05-06).
Referred to PERSONNEL/FINANCE, PUBLIC WORKS/TRANSPORTATION, and PARKS.

RES. 14, 05-06

AUTHORIZING EXECUTION OF AN AIR SERVICE PROMOTION AND MARKETING AGREEMENT
WITH ALLEGIANT AIR, LLC -- DANE COUNTY REGIONAL AIRPORT-

On May 26, 2005, Allegiant Air, LLC, will begin offering four non-stop round trip flights per week between the Dane County Regional Airport and Sanford International Airport in Orlando, Florida. Currently, Orlando is the number four destination for airline passengers departing from the Dane County Regional Airport. The new service will not only provide direct non-stop access to Orlando for the vacation travelers, who make up well over half of the passengers leaving from the Dane County Regional Airport, it will also provide the business traveler with convenient access to central Florida for conventions and meetings. It is anticipated that the initiation of non-stop flights to Orlando will enable the Airport to capture travelers who previously had to enplane from other airports to take advantage of non-stop service.

With the execution of the Air Service Promotion and Marketing Agreement, Allegiant Air, LLC, will be eligible for up to \$60,000 in local promotional support offered under the Airport's Community Air Service Support Program. In addition to promotional and marketing assistance during the critical start-up period for Orlando flights, the Airport will provide a six-month waiver of landing fees for Allegiant's non-stop flights arriving from Orlando.

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 Allegiant Air, LLC's newly initiated round trip non-stop passenger air service between the Dane County Regional Airport and Orlando, Florida; and

BE IT FURTHER RESOLVED that \$60,000 be transferred from the Airport Retained Earnings Account to the Airport Marketing-Economic Development Account, AIRADMIN 31494, to provide funding as authorized under this resolution.

Submitted by Supervisors O'Loughlin, Rusk, and McDonell, April 21, 2005 (p. 27, 05-06).
Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION. (AIRPORT recommended adoption on 4/20/05.)

RES. 15, 05-06

AMENDING 2005 BUDGET TO DELETE CASE MANAGEMENT FEE FOR SENIOR CITIZENS

The 2005 Budget included a \$10,000 revenue line to administer user fee on case management services. Case management services are primarily for citizens over 60 years of age with mild functional impairments who

are just beginning to interact with long term care system. Case management is also needed for the elderly with substantial physical or functional impairments who are waiting for admission to higher level care.

HH&N staff is preparing to implement a tiered fee ranging from \$0 to \$50.00 per month for senior citizens depending on household monthly income to pay for case management services. There is concern that fees will deter seniors from participation in case management services, including deterring frail elderly who are in great need of the service. There is also concern that charging a fee may also mean that prevention and early intervention services will not be used, leading to more substantial and costly future care. Placing this burden on frail elderly who are too proud to ask for assistance is contrary to the spirit of our mission to reach out to and assist elderly Dane County citizens.

There is significant concern that the case managers will have to take time from providing services to explain the collection procedure and to continuously re-qualify participants. There is also concern that the fee may not cover the overhead to sustain the program and may result in increased costs to all elderly. This fee for service program may be an unnecessary obstacle to providing services to the elderly and will discourage contributions from local municipalities and donations from private individuals. The net effect will be the creation of a needless bureaucracy that reduces services.

Some local community's focal points have surveyed the family members of the elderly. There is significant support and commitments to cover some of the costs of services on a voluntary donation basis. This will require a coordinated effort to educate and inform potential donors and to manage the contributions to offset elderly services costs.

NOW, THEREFORE, BE IT RESOLVED that the following amendments to the 2005 budget are hereby adopted pursuant to sec. 65.90, Wi. Stats.:

<u>Revenue Account</u>	<u>Account Number</u>	<u>Amount</u>
ACBADMIN	Account #81531	-\$10,000

BE IT FURTHER RESOLVED that the following expense accounts be adjusted as indicated below:

<u>Expenditure Account</u>	<u>Account Number</u>	<u>Amount</u>
_____	Account # _____	-\$10,005

NOW, THEREFORE, BE IT FURTHER RESOLVED that an ad-hoc committee of the Area Agency on Aging be formed to study ways in which voluntary donations and municipal contributions can be maximized so that no fees for case management for the elderly will be charged in 2005. The ad hoc committee will include Focal Point Directors. The ad hoc committee will also look at ways in which fees for these services may be charged in the future without posing an obstacle to service delivery.

Submitted by Supervisors Vogel, Hitzemann, Wiganowsky, Jensen, de Felice, Matano, Salov, Gau, Wendt, Bruskewitz, Schoer, Willett, Rusk, and Hanson, April 21, 2005 (p. 28, 05-06).
Referred to HEALTH/HUMAN NEEDS and PERSONNEL/FINANCE.

RES. 16, 05-06

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 Hawk Investments, and be managed by Meyer Management and Realty Inc. and this space is located at 2349 Allied Drive, Apartment #125, Madison, Wisconsin. The JFF has acquired grant dollars to provide home visitation and employment services in this community. This resolution is to pay for the monthly rental payment of \$500 per month to cover costs related to occupying this space during the lease term of nine months (4/1/05 to 12/31/05). There are no renewal terms at this time.

The negotiated rental rate for the designated JFF space is presently at below market at \$500 per month for one unit at which HS-JFF will 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 \$4,500. All utilities will be paid by Dane County.

NOW, THEREFORE, BE IT RESOLVED that Dane County enter into a lease with Hawk Investments, Mayer Management and Realty Inc., 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 Supervisor Fyrst, April 21, 2005 (p. 29, 05-06).
Referred to HEALTH/HUMAN NEEDS and PERSONNEL/FINANCE.

RES. 17, 05-06

ACCEPTING AN AWARD SUPPORTING TOBACCO PREVENTION - PUBLIC HEALTH DIVISION

The Madison Rotary Foundation offered Dane County a grant award up to the amount of \$2,480 for the period from January 1, 2005, through December 31, 2005, 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 \$2,480.00.

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 \$2,480 for the period from January 1, 2005 through December 31, 2005. 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>Fund:</u> 2360	<u>Account:</u> 3-54-312-86-000-00	<u>Org:</u>	PHNurse
<u>Obj:</u> 83850	<u>Description:</u> Tobacco Rotary	<u>Line Amt:</u>	\$2,480

EXPENSE ACCOUNT:

<u>Fund:</u> 2360	<u>Account:</u> 3-54-312-86-000-00	<u>Org:</u>	PHNurse
<u>Obj:</u> ABPRAA	<u>Description:</u> Prt Sta & Off Supp	<u>Line Amt:</u>	\$2,480

Submitted by Supervisors Gross, DeSmidt, and Wheeler, April 21, 2005 (p. 29, 05-06).
Referred to HEALTH/HUMAN NEEDS and PERSONNEL/FINANCE.

RES. 18, 05-06

AUTHORIZING TRAVEL OUTSIDE THE CONTINENTAL UNITED STATES -
DANE COUNTY REAL ESTATE OFFICER

The International Right of Way Association, IRWA, an association of real estate professionals in utility, transportation, pipeline, and governmental enterprises, is conducting its 2005 Education Conference in Toronto, Ontario. The primary purpose of the seminar is to share ideas and concepts regarding the special treatment of real estate acquired for public purposes. A major emphasis of this year's conference is environmental aspects and concerns in the acquisition and management of public lands.

Dane County Real Estate Officer, Gaylord Plummer, is currently serving as a member of the IRWA International Membership Committee. He is expected to make a membership orientation presentation at the conference. Members of the organization encountered at similar seminars and IRWA sponsored educational courses have provided invaluable information and advice to Mr. Plummer regarding governmental real estate matters during his tenure at Dane County.

Travel outside the continental United States requires County Board and County Executive approval. The total estimated cost to attend the conference is about \$2,000. The real estate officer will arrange for his own conference expenses, some of which are covered by the International Membership Committee, but requests approval to travel outside the country for this conference. No county funds are requested for attending this conference.

NOW, THEREFORE, BE IT RESOLVED that the County of Dane does hereby approve and authorize the Dane County Real Estate Officer Gaylord Plummer to attend the 2005 International Right of Way Education Conference in Toronto, Ontario.

Submitted by Supervisors Ripp and Kostelic, April 21, 2005 (p. 30, 05-06).
Referred to PERSONNEL/FINANCE.

RES. 19, 05-06

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

Don Hoffman, 6230 Kuehn Road, Waunakee 53597 (849-7119-H), to be reappointed. This term will expire 5/1/08.

Barb Perkins, 4628 CTH FF, Blue Mounds 53717 (767-3860-H), to be reappointed. This term will expire 5/1/08.

Judy Hageman, 1170 Hageman Drive, Belleville 53508 (424-3296-H), to be reappointed. This term will expire 5/1/08.

Board of Health for Madison and Dane County (BHMDC)

Dr. Alan Schwartzstein, 929 Harding Street, Oregon 53575 (835-9191-H, 835-3156-W), to fill the seat of a Joint Member residing outside the City. Dr. Schwartzstein is a Family Physician with the Dean Medical Center-Oregon Clinic. He is on the Board of Trustees and has served as President of the Dane County Medical Society and is chair of its Public Health Advisory Council and serves on the Board of Directors of the Wisconsin Medical Society. He currently serves on the Dane County Board of Health. This term will expire 4/21/09.

Mark Miller, 4903 Roigan Terrace, Monona 53716 (221-2701-H, 266-9170-W), to fill the seat of a Joint Member residing outside the City. Mr. Miller is a member of the Wisconsin State Senate, serving his first term. He served three years in the State Assembly, was a Dane County Board Supervisor, and currently serves on the Dane County Board of Health. This term will expire 4/15/08.

William Sonzogni, 3731 Pioneer Road, Verona 53593 (829-2552-H, 224-6200-W), to fill the seat of a Joint Member residing outside the City. Mr. Sonzogni is the Director of the Environmental Health Section at the Wisconsin State Laboratory of Hygiene. This term will expire 4/15/08.

Supervisor Jeff Kostelic, 1701 Michigan Ave., Sun Prairie 53590 (825-2156-H), to fill the seat of a supervisor residing outside the City of Madison appointed by the County Executive. Supervisor Kostelic currently serves on the Dane County Board of Health. This term will expire 4/17/07.

FYI only, members appointed by the Mayor of Madison include:

Linda Oakley, 360 West Washington Avenue, #901, Madison 53703 (258-9789-H, 263-5866).

Susan Zahner, 3118 Oakridge Avenue, Madison 53704 (243-9250-H, 263-5282-W).

Judy Wilcox, 620 East Dayton Street, #10, Madison 53703 (255-8913-H, 266-9388-W).

Aldersperson Judy Olson, 518 Clemons Avenue, Madison 53704 (245-0557-H).

City of Madison Long Range Transportation Planning Commission

Supervisor Dave deFelice, 6302 Dominion Dr., Madison 53718 (222-0319-H), to replace Supervisor Erickson. This seat must be filled by a County Board Supervisor who resides in the City of Madison and serves on the Dane County Public Works & Transportation Committee. This term will expire 4/17/07.

Emergency Medical Services Commission

Bonnie Stamm, 6712 Redstone Lane, Verona 53593 (845-9845-H, 267-6206-W), to be reappointed. This term will expire 4/17/07.

Dr. Marvin Birnbaum, 5887 Woods Edge Dr., Madison 53711 (271-6560-H, 263-7094-W), to be reappointed. This term will expire 4/17/07.

Gary Ziegler, 695 Village Dr., Belleville 53508 (424-1419-H, 280-2667-W), to be reappointed. This term will expire 4/17/07.

Harold Krantz, 3419 CTH P, Mount Horeb 53572 (798-0384-H), to be reappointed. This term will expire 4/17/07.

Dr. Paul M. Stiegler, 7555 Welton Drive, Madison 53719 (827-5522-H, 266-4330-W), to be reappointed. This term will expire 4/17/07.

Human Services Board

Carousel Andrea Bayrd, 1715 Hoyt Street, Madison 53726 (442-6294-H), to fill the expired term of Maureen Torphy. Ms. Bayrd is a Civil Rights Attorney, advocating for elderly rights, those with disabilities, for employees, and union workers. She is also a Lobbyist/Public Policy Organizer for the Smoke Free Wisconsin/Tobacco Free Dane County Coalition. She has served as a Prisoner Civil Litigation Staff Attorney for the Dane County Circuit Court, and as a Legal Writing Lecturer at the University of Wisconsin Law School. She currently serves on the M.A.T.C. District Board, the Madison Equal Opportunities Commission, the NARAL Pro-Choice Wisconsin Board, and the Legal Association for Women. She is a volunteer at the Madison Fair Housing Center and the Tenant Resource Center. This term will expire 4/15/08.

Public Safety Communications Center Board

David Bloom, 5387 Mariners Cove Drive, #314, Madison 53704 (241-0011-H, 257-4550-W), to be reappointed. This term will expire 5/1/07.

Tree Board

Wayne Glowac, 4472 Celestial Cir, Cross Plains 53528 (271-5464-H, 232-9696-W), to be reappointed. This term will expire 4/15/08.

Jeff Gorman, 120 Robyn Ridge, Mount Horeb 53572 (437-7064-H, 437-7190-W), to be reappointed. This term will expire 4/15/08.

W-2 Community Steering Committee

Kristine A. Ashe, 2717 Willard Avenue, Madison 53704 (241-0771-H, 240-3201-W), to be reappointed. This term will expire 5/1/07.

Nan Cnare, 4913 Twin Oaks Drive, Madison 53714 (221-2125-H, 246-4350-W), to be reappointed. This term will expire 5/1/07.

Carol Medaris, 1918 West Lawn Avenue, Madison 53711 (251-2757-H, 284-0580-W), to be reappointed. This term will expire 5/1/07.

Judy Wilcox, 620 East Dayton Street, #10, Madison 53703 (255-8913-H, 266-9388-W), to be reappointed. This term will expire 5/1/07.

Submitted by Supervisor Kesterson, April 21, 2005 (p. 32, 05-06).
Referred to EXECUTIVE.

RES. 20, 05-06

**SUPPORT STATE AND FEDERAL LEGISLATION FOR EXTENDED PRODUCER
RESPONSIBILITY OF CONSUMER ELECTRONICS**

A 2003 report of the Solid and Hazardous Waste Education Center of UW-Extension has estimated that there are over 2.5 million computer systems and 5.0 million televisions in Wisconsin and approximately 36,000 tons of scrap electronics discarded a year in Wisconsin. Computers, televisions, and other consumer electronics contain lead, cadmium, mercury, hexavalent chromium, polyvinyl chloride, brominated flame retardants, and other toxic materials that pose hazards to human health and the environment if they are not properly managed.

Reuse and/or disposal of these materials is both a local and a national issue. For example, Chapter 41 of the Dane County ordinances prohibits the landfilling of toxic or hazardous materials without prior written approval.

At the same time, the states of California, Minnesota, Maine, and Massachusetts have recently prohibited the disposal of cathode ray tubes from televisions and computer monitors in municipal landfills or incinerators.

The Wisconsin Council on Recycling has recommended that a system be developed to divert computers, computer components, and televisions from landfills in Wisconsin with the cost of diversion built into the price of the product. The National Electronics Product Stewardship Initiative, which includes leading electronic manufacturers, had been working to establish a national system for managing the reuse, recycling, and disposal of electronics products since 2001, but recently announced that it was unable to come to a consensus.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors supports state and national legislation requiring producers of computers, televisions, and certain consumer electronics to take financial responsibility for unwanted products, phase out hazardous materials use in products where alternatives exist, utilize environmentally sound practices for recycling these products, and recycle or dispose of computers in a manner that protects the confidentiality of consumer information.

BE IT FURTHER RESOLVED that legislation should establish an infrastructure and funding for recycling computers, televisions, and certain consumer electronics, encourage cooperation between producers, retail stores, recyclers, municipalities, non-profit organizations, and provide for public education on proper disposal of electronics.

BE IT FINALLY RESOLVED that a copy of this resolution be sent to President Bush, Congresswoman Baldwin, and Senators Feingold and Kohl, as well as Governor Doyle and members of the Dane County legislative delegation.

Submitted by Supervisors Matano, Willett, Ripp, Kostelic, Olsen, Erickson, Opitz, Hendrick, Vedder, McDonell, Worzala, Rusk, Hulse, Wheeler, and Schoer, April 21, 2005 (p. 33, 05-06).

Referred to EXECUTIVE.

RES. 21, 05-06

URGING STATE AND FEDERAL GOVERNMENTS TO REQUIRE WEALTHY EMPLOYERS LIKE WAL-MART
TO PAY THEIR EMPLOYEES' HEALTH INSURANCE COSTS

Wisconsin taxpayers are providing at least a \$1.8 million annual health subsidy by providing Wal-Mart workers and their families with BadgerCare, the state Medicaid health insurance program for low-income working families with children. Federal tax dollars provide an even larger share of the cost to provide health care to Wal-Mart workers and their families, estimated at approximately \$1.5 billion per year nationwide.

Wal-Mart has essentially increased its profits, estimated at \$10 billion last year, by shifting the cost of the most basic employee benefit – health insurance – to taxpayers. At the same time, the state of Wisconsin is struggling to fill a \$1.6 billion budget deficit and a \$480 million Medicaid shortfall in the next biennium.

Other states are acting on legislation to require Wal-Mart and other wealthy corporations to spend more on health care for workers. For example, earlier this month the Maryland legislature passed a bill known as the “Fair Share Health Care Bill,” which mandates that Wal-Mart spend at least 8 percent of its Maryland payroll on health care. More than 60 percent of Wal-Mart’s 600,000 workers nationwide do not have health insurance coverage, and the monthly premiums for employees who elect family coverage run as high as \$3,000 per month. This has prompted other states, including Oregon, Washington, Colorado, Iowa, Illinois, New Hampshire, and Rhode Island to consider “Fair Share Health Care” bills of their own.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors hereby urges the Wisconsin State Legislature and the United States Congress to require wealthy companies like Wal-Mart to pay their employees' health insurance costs so these employees do not have to resort to taxpayer-supported public services.

BE IT FURTHER RESOLVED that copies of this resolution be presented to Senators Feingold and Kohl, and to Rep. Tammy Baldwin; as well as to Governor James Doyle and the Dane County state legislative delegation.

Submitted by Supervisors Hulse, Brown, Gross, DeSmidt, Rusk, Vedder, Wheeler, Kesterson, de Felice, Eggert, Olsen, Erickson, Worzala, Matano, and Richmond, April 21, 2005 (p. 34, 05-06).
Referred to EXECUTIVE.

RES. 22, 05-06

AUTHORIZING ACCEPTANCE OF DONATIONS FOR PURCHASE OF ARTWORK FOR THE JUSTICE CENTER AND CREATING JUSTICE CENTER PUBLIC ARTWORK REVENUE AND EXPENDITURE ACCOUNTS IN THE CLERK OF COURTS BUDGET

The Dane County Justice Center will be completed in January 2006. There are many organizations and individuals in Dane County who have an interest in providing financial contributions to assist in the purchase of artwork for the public areas of the justice center.

The Dane County Bar Association recently held a silent auction that raised \$4,068.00 for art in the Justice Center.

There are also organizations and individuals who are willing to make various in-kind contributions of either services or artwork on a temporary or permanent basis.

NOW, THEREFORE, BE IT RESOLVED that the Clerk of Courts is authorized to accept financial donations to help support the purchase of art for the public areas of the new justice center.

BE IT FURTHER RESOLVED that the Clerk of Courts is also authorized to accept in-kind donations in support of the efforts of placing artwork in the public areas of the new justice center.

BE IT FURTHER RESOLVED that a new revenue account be created in the Clerk of Courts-General Court Support Program entitled Public Art Donations to receive donations of funds for public art in the justice center building and that \$4,068.00 be deposited into this account.

BE IT FINALLY RESOLVED that a new expenditure account be created in the Clerk of Courts-General Court Support Program entitled Public Art Expenditures. Expenditures from this account are hereby authorized, at the direction of the Chief Judge, to the extent that revenue is received. At the end of each fiscal year, the amount of revenue, less actual expenditures and encumbrances, shall be carried forward to the following fiscal year.

Submitted by Supervisor O'Loughlin, April 22, 2005 (p. 35, 05-06).
Referred to PERSONNEL/FINANCE, PUBLIC PROTECTION/JUDICIARY, and JUSTICE CENTER OVERSIGHT COMMITTEE.

COMMUNICATIONS

- Harmony Park Condominium Assoc., Inc., vs. Louise Smith, Dane County, Anchor Bank, MG&E, and Citizens Finance Co. Case No. 05CV1239. Referred to PUBLIC PROTECTION/JUDICIARY.
- Claim for Public Improvement Lien, Courthouse Project, Advance Mechanical Contractors. Referred to PUBLIC PROTECTION/JUDICIARY.
- Claim from Scott Wolfgram against Highways – claims vehicle was damaged by snowplow. Referred to PUBLIC PROTECTION/JUDICIARY.
- Notice of Circumstances from Diamond Nolen against Joining Forces for Families. Referred to PUBLIC PROTECTION/JUDICIARY.
- Langlade Co. Res. #26-2005, Opposing Further Limitations on Langlade County's Ability to Levy Necessary Taxes. Referred to EXECUTIVE.
- Langlade County Res. #25-2005, Reduce Youth Smoking. Referred to EXECUTIVE.
- Eau Claire Co. Res. 04-05/200, Opposition to the Dept. OF Natural Resources Use of Wildlife Damage Funds for Chronic Wasting Disease. Referred to EXECUTIVE.
- Juneau Co. Res. 05-16, Opposition to Dept. of Natural Resources Use of Wildlife Damage Funds for Chronic Wasting Disease. Referred to EXECUTIVE.

ZONING PETITIONS

- Petitions for Zoning reclassification. Referred by Clerk Ohlsen to ZONING & LAND REGULATION.
- Petition 9231 – Town of Cottage Grove – John Copenhaver
 - 9232 – Town of Roxbury – Leslie E. Ballweg
 - 9233 – Town of Westport – Peter Leege ET AL
 - 9234 – Town of Montrose – Rufus & Patricia Legler
 - 9235 – Town of Rutland – Bernard & Cynthia Peterson, Jr.
 - 9236 – Town of Oregon – Arnold D. Alme Living Trust
 - 9237 – Town of Mazomanie – Lynda Litzkow
 - 9238 – Town of Springfield – Lloyd & Mary Meinholz
 - 9239 – Town of Vienna – David & Carmen Kaltenberg
 - 9240 – Town of Cottage Grove – Donald P. & Marilyn R. Viney
 - 9241 – Town of Montrose – David Judd
 - 9242 – Town of Rutland – Noreen Parreti
 - 9243 – Town of Dane – Richard Eberle
 - 9245 – Town of Dunkirk – Elaine Possin
 - 9246 – Town of Cottage Grove – Louisa Murphy
 - 9247 – Town of Dunkirk – Maple Lane Farms, Inc.
 - 9248 – Town of Cottage Grove – Orlow & Lorraine Johnson Revocable Trust
 - 9249 – Town of Sun Prairie – Alden J. & Pamela A. Bosben
 - 9250 – Town of Cottage Grove – Wilmer & Barbara Larson
 - 9251 – Town of Black Earth – Charles R. & Arlene Turk
 - 9252 – Town of Cottage Grove – Door Creek LLP
 - 9253 – Town of Cottage Grove – Grove Acres LLC/Dan Stranse
 - 9255 – Town of York – Clark Bomkamp

RES. 23, 05-06

AWARD OF CONTRACT FOR CAPITOL SQUARE SOUTH PARKING RAMP 2005 RESTORATION

The Department of Public Works, Highway & Transportation reports the receipt of bids for the 2005 Restoration of the Capitol Square South Parking Ramp, 113 So. Henry Street, Madison, Wisconsin, BID NO. 105054.

A complete tabulation is on file at the Department of Public Works office. 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 2005 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 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, and Opitz, May 5, 2005 (p. 36, 05-06).
Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

RES. 24, 05-06

CHANGE ORDER #2 FOR REMODELING OF PLUMBING & FIXTURES IN THE 6TH & 7TH FLOOR JAIL

Res. #140, 2004-05, awarded a contract to McCullough Plumbing, Inc., for Remodeling Plumbing and Fixtures in the 6th and 7th Floor Jail of the City-County Building, Bid #7437. The amount of the award was \$196,500.00.

The following changes are being made to the original contract:
C.O. #2—Replace Plumbing and Fixtures in Additional Cell Blocks: TOTAL ADDITION: \$79,688.00

There are sufficient funds in the budget.

NOW, THEREFORE, BE IT RESOLVED that Contract Change Order #2 to McCullough Plumbing, Inc., for the Remodeling Plumbing and Fixtures in the 6th and 7th Floor Jail 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, and Opitz, May 5, 2005 (p. 37, 05-06).
Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

RES. 25, 05-06

CHANGE ORDER #1 FOR LEAD ABATEMENT IN THE 6TH AND 7TH FLOOR JAIL

Sub. 1 to Res. #208, 2004-05, awarded a contract to Balestrieri Environmental and Development, Inc., for the Lead Abatement in the 6th and 7th Floor Jail of the City-County Building, Bid #7777. The amount of the award was \$42,210.00.

The following changes are being made to the original contract:

C.O. #1—Labor to Perform Additional Abatement TOTAL ADDITION: \$8,780.00

There are sufficient funds in the budget.

NOW, THEREFORE, BE IT RESOLVED that Contract Change Order #1 to Balestrieri Environmental & Development, Inc., for the Lead Abatement in the 6th and 7th Floor Jail 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, and Opitz, May 5, 2005 (p. 37, 05-06).
Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

RES. 26, 05-06

AUTHORIZING A CONTRACT TO ACCEPT ADDITIONAL HIGHWAY SAFETY GRANT FUNDS
“YOUTH ALCOHOL ENFORCEMENT”

The Department of Transportation, Bureau of Transportation Safety, State of Wisconsin, is making additional funds available for participation in a highway safety program aimed at increasing the enforcement of the existing Youth Alcohol laws. The goal is to reduce the number of youth alcohol involved crashes.

NOW, THEREFORE, BE IT RESOLVED that the Sheriff's Office is authorized to accept \$5,000 from the Department of Transportation, Bureau of Transportation Safety, for the “Youth Alcohol Enforcement Project” contract.

BE IT FURTHER RESOLVED that \$5,000 be set up as additional revenue in the Sheriff's Office Field Services “Youth Alcohol Enforcement” (SHRFFLD-80560) revenue account and be credited to the General Fund.

BE IT FURTHER RESOLVED that \$5,000 be transferred from the General Fund to the following Sheriff's Office accounts:

Field Services Division:

Overtime – Safe/Sober (SHRFFLD-10055)	\$	2,910
Social Security (SHRFFLD-10108)	\$	220
Retirement (SHRFFLD-10099)	\$	550
Workers Comp (SHRFFLD-10189)	\$	90
Veh. and Equipment (PBTs) (SHRFFLD-48935)	\$	1,230
Total :	\$	5,000

BE IT FINALLY RESOLVED that all funds not expended in the fiscal year 2005 be carried forward to fiscal year 2006 budget accounts.

Submitted by Supervisors Olsen, Martz, Rusk, and Hanson, May 5, 2005 (p.38, 05-06).
Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

RES. 27, 05-06

AUTHORIZING A CONTRACT TO ACCEPT HIGHWAY SAFETY GRANT FUNDS
“CLICK IT OR TICKET”

The Department of Transportation, Bureau of Transportation Safety, State of Wisconsin, is making funds available for participation in a highway safety program aimed at increasing the enforcement of the existing Mandatory Safety Belt laws. The goal is to obtain at least a 78 % compliance rate statewide by January 1, 2006, and to reduce the crash injury severity index by 15%.

NOW, THEREFORE, BE IT RESOLVED that the Sheriff's Office is authorized to accept \$8,000.00 from the Department of Transportation, Bureau of Transportation Safety, for the “Click It or Ticket” contract.

BE IT FURTHER RESOLVED that \$8,000.00 be set up as additional revenue in the Sheriff's Office Field Services “Safe & Sober” (SHRFFLD-80560) revenue account and be credited to the General Fund.

BE IT FURTHER RESOLVED that \$8,000.00 be transferred from the General Fund to the following Sheriff's Office accounts:

Field Services Division:

Overtime – Safe/Sober (SHRFFLD-10055)	\$	6,120
Social Security (SHRFFLD-10108)	\$	468
Retirement (SHRFFLD-10099)	\$	1,175
Workers Comp (SHRFFLD-10189)	\$	237
Total :	\$	8,000

BE IT FINALLY RESOLVED that all funds not expended in the fiscal year 2005 be carried forward to 2006 as the program is scheduled for completion in August 2005.

Submitted by Supervisors Olsen, Martz, Rusk, and Hanson, May 5, 2005 (p. 38, 05-06).
Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

RES. 28, 05-06

AUTHORIZING A CONTRACT TO ACCEPT HIGHWAY SAFETY GRANT FUNDS
"YOU DRINK & DRIVE. YOU LOSE"

The Department of Transportation, Bureau of Transportation Safety, State of Wisconsin, is making funds available for participation in a highway safety program aimed at increasing the enforcement of the existing Alcohol-related laws. The goal is to reduce the number of alcohol-related and aggressive driving crashes, deaths, and injuries in Dane County.

NOW, THEREFORE, BE IT RESOLVED that the Sheriff's Office is authorized to accept \$15,000.00 from the Department of Transportation, Bureau of Transportation Safety, for the "You Drink & Drive. You Lose" contract.

BE IT FURTHER RESOLVED that \$15,000.00 be set up as additional revenue in the Sheriff's Office Field Services "You Drink & Drive. You Lose." (SHRFFLD-80560) revenue account and be credited to the General Fund.

BE IT FURTHER RESOLVED that \$15,000.00 be transferred from the General Fund to the following Sheriff's Office accounts:

Field Services Division:

Overtime – Safe/Sober (SHRFFLD-10055)	\$	7,200
Social Security (SHRFFLD-10108)	\$	550
Retirement (SHRFFLD-10099)	\$	1,400
Workers Comp (SHRFFLD-10189)	\$	240
Equipment - Lasers (SHRFFLD-49498)	\$	5,610
Total :	\$	15,000

BE IT FINALLY RESOLVED that all funds not expended in the fiscal year 2005 be carried forward to fiscal year 2006 budget accounts.

Submitted by Supervisors Olsen, Martz, Rusk, and Hanson, May 5, 2005 (p. 39, 05-06).
Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

RES. 29, 05-06

AUTHORIZING A CONTRACT TO ACCEPT ADDITIONAL HIGHWAY SAFETY GRANT FUNDS FROM SAFE
COMMUNITY COALITION OF MADISON AND DANE COUNTY "RURAL SEAT BELT ENFORCEMENT"

The Safe Community Coalition of Madison and Dane County is making additional funds available for participation in a highway safety program aimed at increasing the enforcement of the existing Mandatory Safety Belt laws. The goal is to obtain at least a 75% compliance rate statewide by January 1, 2006, and to reduce the crash injury severity index by 15%.

NOW, THEREFORE, BE IT RESOLVED that the Sheriff's Office is authorized to accept \$2,600.00 from the Safe Community Coalition of Madison and Dane County for the Rural Safety Belt Grant.

BE IT FURTHER RESOLVED that \$2,600.00 be set up as additional revenue in the Sheriff's Office Field Services "Rural Safety Belt" (SHRFFLD-NEW) revenue account and be credited to the General Fund.

BE IT FURTHER RESOLVED that \$2,600.00 be transferred from the General Fund to the following Sheriff's Office accounts:

Field Services Division:

Overtime – Rural Safety Belt (SHRFFLD-New)	\$	1,980
Social Security (SHRFFLD-10108)	\$	155
Retirement (SHRFFLD-10099)	\$	400
Workers Comp (SHRFFLD-10189)	\$	65
Total :	\$	2,600

BE IT FINALLY RESOLVED that all funds not expended in the fiscal year 2005 be carried forward to fiscal year 2006 budget accounts.

Submitted by Supervisors Olsen, Martz, Rusk, Hanson, and Worzala, May 5, 2005 (p. 40, 05-06).
 Referred to PERSONNEL/FINANCE and PUBLIC PROJECTION/JUDICIARY.

 RES. 30, 05-06

ACCEPTING REVENUE FOR MENTAL HEALTH SUPPORTED LIVING ARRANGEMENTS
DCDHS - ACS DIVISION

The purpose of this resolution is to adjust revenue and expenditure for 2005. \$100,262 in Medicaid Crisis Stabilization, CIP 1B Medicaid Waiver and Supplemental Securing Income (SSI) revenues are being earned and will be used for supported living arrangements for high need mental health consumers. Also, \$14,918 is being reallocated from the Mendota Mental Health Institute account to fund community supported living. \$75,600 is allocated to the Mental Health Center's Crisis Home Program to serve two people who recently had lengthy hospitalizations at Mendota Mental Health Institute (MMHI). \$36,000 is allocated to the mental health Adult Family Home account for one individual who had a lengthy MMHI hospitalization in 2004 and who was placed in an AFH late in the year, so late that the revenue and expenses associated with this placement were not incorporated into the 2005 Adopted Budget. \$3,580 is allocated to the clothing and personal account for these three individuals.

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.

<u>Revenue Account Number</u>	<u>Account Title</u>	<u>Amount</u>
ACFMHLTH 81439	MH MA Crisis Intervention/Stabilization	\$61,201
ACFMHLTH 80996	MH CIP 1B	\$16,188
ACFMHLTH 80870	MH SSI	\$22,873
	Total	\$100,262

<u>Expenditure Account Number</u>	<u>Account Title</u>	<u>Amount</u>
ACFCRSDN IPCHAA	MHCDC Crisis Home Program	\$75,600
ACFCRSDN AZIPAA	MH Adult Family Homes	\$36,000
ACFCRSDN PLCAAA	MH Clothing & Personal	\$3,580
ACFIIMMH INMDAA	MMHI Inpatient	(\$14,918)
	Total	\$100,262

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.	\$75,600

Submitted by Supervisors Gross and Worzala, May 5, 2005 (p. 41, 05-06).
 Referred to HEALTH/HUMAN NEEDS and PERSONNEL/FINANCE.

 RES. 31, 05-06

AUTHORIZING THE CARRY FORWARD OF EDI GRANT FUNDS FROM 2004 TO 2005

On July 11, 2002, the Dane County Board of Supervisors approved Resolution 41, 2002-2003, Authorizing the Acceptance of the HUD Economic Development Initiative (EDI) Grant for the East Badger Road Redevelopment Project. The resolution was signed by the Dane County Executive on July 15, 2002.

The purpose of the East Badger Road Redevelopment Project is to transform blighted, environmentally contaminated sites into a center of high technology businesses, which will provide over 100 jobs; and to connect neighborhood residents to new job opportunities through training and outreach. The EDI grant will be used to fund a training facility in the Novation Technology Campus portion of the East Badger Road Redevelopment area and assist tenant improvements. The Novation Technology Campus (at E. Badger and Rimrock Roads) is a \$35 million (Phase I) redevelopment, by the Alexander Company, of a former landfill into a high technology campus with adjoining office and retail uses.

To accept and expend EDI grant funds, \$370,000 was placed in revenue and expense lines in the Dane County budget for the year 2003. The EDI grant amount was carried forward in expense and revenue lines into budget year 2004.

Dane County entered into a Grant Agreement on January 14, 2004, with Mid-Town Center, LLC, a subsidiary of The Alexander Company, for the purpose of constructing the training center and assisting tenant improvements of Tech Building I on the Novation Technology Campus. In 2005, Mid-Town Center, LLC, completed the training center and tenant improvement work under the Grant Agreement.

The EDI grant amount of \$370,000, however, was inadvertently not carried forward into 2005. In order to accept and expend EDI grant funds, the amount of \$370,000.00 will need to be added to the appropriate expense and revenue budget lines.

NOW, THEREFORE, BE IT RESOLVED that expense line PDCOMDEV 30982 be increased by \$370,000 and revenue line PDCOMDEV 82907 be increased by \$370,000 to enable receipt and expenditure of EDI grant funds.

Submitted by Supervisors Eggert, Brown, Bruskewitz, Vogel, Matano, Richmond, and Worzala, May 5, 2005.

Referred to PERSONNEL/FINANCE.

RES. 32, 05-06

APPROVING AGREEMENT FOR COMMUNITY DEVELOPMENT BLOCK GRANT LOAN FOR
WISCONSIN WOMEN'S BUSINESS INITIATIVE CORPORATION

Dane County administers a Revolving Loan Fund for Economic Development (RLF-ED), 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. In 2004, the RLF-ED was increased by an additional \$422,337 with funds transferred to Dane County from RLFs in other Dane County municipalities.

The purpose of the RLF-ED is to provide financing to businesses that create jobs for low- and moderate-income persons. The objectives of the RLF are to: expand or modernize existing or locally owned and managed enterprises; encourage the creation or retention of employment opportunities for low and moderate-income County residents; leverage new private investment in downtown business districts and traditional business districts; assist businesses with high-value added products or services, especially in the agricultural sector; and assist dairy farmers with capital improvements resulting in an increase in milk production.

In March, the Wisconsin Women's Business Initiative Corporation (WWBIC) applied for a RLF-ED loan of \$100,000 to help capitalize their micro-enterprise loan fund. The micro-enterprise fund provides loans of up to \$25,000 to graduates of WWBIC's entrepreneur training programs, which are funded in part with Dane County CDBG. A growing demand for micro-loan assistance prompted WWBIC's loan application.

The Dane County RLF Loan Committee met on April 4 to consider WWBIC's request. Based on the qualifications of WWBIC and the match between the proposed loan and RLF-ED objectives, the Loan Committee recommended approval of a loan of \$100,000 with a five-year term, at an interest rate of 3.5 percent and a loan fee of 0.25% points, with interest-only payments during the term and a balloon payment at the end of the term. The balloon payment could be rolled over to a new term upon approval of the Loan Committee and CDBG Commission. The CDBG Commission met on May 4 and voted to approve the Loan Committee's recommendation.

NOW, THEREFORE, BE IT RESOLVED that a RLF-ED loan of \$100,000 with a five-year term, at an interest rate of 3.5 percent and a loan fee of 0.25% points, with interest-only payments during the term and a balloon payment at the end of the term, 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 Wheeler, Hendrick, Erickson, Pertzborn, and Bruskewitz, May 5, 2005 (p.42, 05-06).

Referred to PERSONNEL/FINANCE.

AN INITIAL RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF GENERAL OBLIGATION BONDS OR NOTES TO FUND CAPITAL PROJECTS

The County Board has determined that certain capital projects are to be funded with borrowed funds (general obligation bonds or notes).

Public Financial Management, Inc., has been awarded a contract for financial advisor services to the County. The Controller and Public Financial Management, Inc., request authorization to proceed with the offer to sell general obligation corporate purpose bonds for the 2005 capital projects.

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 \$14,122,700 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.

<u>Administration Projects</u>	<u>Amount</u>	<u>Term</u>
Automation Projects	\$331,000	5 years
CCB Fire Alarm	\$105,000	5
Juvenile Detention Center	\$6,841,000	20
Hum. Ser. Building Repairs	\$86,100	5
 <u>Public Safety Projects</u>		
Radio System Repl. Study	\$100,000	5
AODA Huber Facility Planning	\$500,000	5
In-squad Video System	\$50,000	5
Patrol Boat	\$65,000	5
 <u>Alliant Energy Center</u>		
AEC-Coliseum Seating	\$51,000	10
AEC-Coliseum HVAC	\$500,000	10
AEC-Expansion Study	\$100,000	10
 <u>Public Works and Highway</u>		
Highway Projects	\$1,043,000	10
Parking Ramp Rehab	\$500,000	10
 <u>Land and Water Resources</u>		
Conservation Funds	\$3,646,600	20
Park Devel. Projects	\$75,000	10
Lake Mgt. Projects	\$129,000	5
 Project Total	 \$14,122,700	

Submitted by Supervisor Brown, May 5, 2005 (p. 43, 05-06).
Referred to PERSONNEL/FINANCE.

URGING CONGRESS TO FULLY FUND THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

The 2006 federal budget proposed by the President would eliminate the Community Development Block Grant (CDBG) as it currently exists. Under the President's proposal, CDBG will be merged with 17 other programs, funding for the replacement program would be cut significantly, and oversight would move from the U. S. Department of Housing and Urban Development (HUD) to the Department of Commerce. This approach basically eliminates the emphasis on community-based economic development.

Dane County became an "urban county" for the CDBG program in 1999 and the County has received approximately \$1.1 – 1.3 million annually in CDBG funds. This money is invested in communities and projects that address a wide variety of housing, public service, and job creation needs. For example, \$510,000 of Dane County's 2005 CDBG funding, about 40 percent, has been allocated to assist with the development of the new Boys and Girls Club on Allied Drive, the county's most impoverished neighborhood. The elimination of the current CDBG program, as proposed by the President, would hurt the County's redevelopment efforts in targeted neighborhoods such as Allied Drive.

CDBG-funded projects have strengthened target neighborhoods within Dane County, including the Town of Madison and the City of Fitchburg. Dane County has targeted these funds to the poorest areas of the County. Projects have included services to homeless individuals and families, promotion of agricultural enterprises through low interest loans, transportation for senior citizens throughout the county, and seed money for new businesses and job creation.

In March, after a strong effort by the National Association of Counties (including Capitol Hill visits by county supervisors from across the country), a bipartisan coalition of U. S. Senators led by Sen. Norm Coleman (R-MN) and Sen. Patrick Leahy (D-VT) voted 68-31 to amend the Senate budget resolution (S. Con. Res. 18), calling for the restoration of the CDBG program and opposing its transfer to Commerce. The future of CDBG now rests with the House and Senate budget and appropriations committees.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors strongly urges the Wisconsin Congressional delegation to support the retention of the Community Development Block Grant Program in the U. S. Department of Housing and Urban Development at its current funding level, with its current format of entitlement grants to cities, counties, and states focused on the challenges of community development.

BE IT FINALLY RESOLVED that a copy of this resolution be sent to Congresswoman Baldwin, and Senators Feingold and Kohl.

Submitted by Supervisors Brown, Eggert, Vedder, Rusk, Hulsey, Olsen, Wheeler, Salov, Wiganowsky, DeSmidt, and Erickson, May 5, 2005 (p. 44, 05-06).

Referred to EXECUTIVE.

DANE COUNTY CONSERVATION FUND GRANT PROGRAM AWARD – FRIENDS OF PHEASANT BRANCH

The Friends of Pheasant Branch (FOPB) have applied to the Dane County Conservation Fund Grant Program for acquisition of 19.27 acres that border the Pheasant Branch Creek Conservancy. 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 *Dane County Parks & Open Space Plan*.

The Pheasant Branch Creek Conservancy is identified in the *Dane County Parks & Open Space Plan* as a natural resource site, and the creek itself is identified as a priority stream. Acquisition of the property will help protect the water quality of the Pheasant Branch Creek and Lake Mendota in addition to providing plant and wildlife habitat. The property provides an easily accessed natural area, both to the property itself and to the Conservancy as a whole.

Due to the project location and development pressure in the area, the purchase price has been established at \$3,000,000. The seller, the Middleton Cross Plains Area School District, has given the FOPB until November of 2005 to raise funds for the purchase. Thus far the FOPB have received a contribution of \$150,000 from the City of Middleton, over \$240,000 in private funding, and they are being considered for a Knowles-Nelson Stewardship Grant Award of \$565,000.

In recognition of the conflict between the recreational and ecological importance of the property with the steep purchase price, the Park Commission, with input from the Conservation Fund Grant Advisory Committee, recommends a matching grant of \$565,000 (18.8% of project costs). While this amount is less than the eligible funding level outlined in the Conservation Fund Grant Guidelines, it provides a solid base from which the FOPB can hope to raise the remaining \$1,480,000. Should the FOPB purchase less than the total acreage, County responsibility would remain at no more than 18.8% and would be subject to approval by the Park Commission.

The Conservation Fund Grant Award, if approved, will not be released until the remaining funds have been raised and the transaction is ready to close. The funds will lapse on December 31, 2005, and will revert back to the Conservation Fund if the FOPB are unsuccessful in raising the remaining funding.

NOW, THEREFORE, BE IT RESOLVED that a grant to the Friends of Pheasant Branch per the terms and conditions listed above is 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.

BE IT FURTHER RESOLVED that the grant award totals \$565,000 and is subject to the terms and conditions identified above and the 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 Manager 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 the grant award.

Submitted by Supervisors Opitz, Ripp, and Kostelic, May 5, 2005 (p. 45, 05-06).

Referred to PERSONNEL/FINANCE and ENVIRONMENT/AGRICULTURE/NATURAL RESOURCES. PARK COMMISSION recommended adoption on 4/27/05.)

RES. 36, 05-06

AUTHORIZING APPLICATION FOR A PHASE II LAKE CLASSIFICATION GRANT

On May 22, 2003, the Dane County Board of Supervisors approved Resolution 342, 2002-2003, authorizing the Dane County Department of Planning and Development to apply for a grant from the Wisconsin Department of Natural Resources to develop a waterbody classification system for Dane County. Phase I of that project has been completed, and the report has been published and disseminated. On March 10, 2005, the Lakes and Watersheds Commission unanimously recommended that Dane County seek additional funding to develop a set of management and policy recommendations appropriate to each class of waterbody identified in the Phase I report.

In a separate effort, the Dane County Comprehensive Plan, scheduled for completion and adoption in mid-2006, is expected to include general support for ecologically-sound surface water management based on local characteristics of each waterbody. Discussions among comprehensive planning workgroups have emphasized the need for continuing dialog and public participation to develop and refine implementation tools, even after the comprehensive plan is adopted. Phase II of the waterbody classification project would provide an opportunity to flesh out broad recommendations included in the Dane County Comprehensive Plan.

The Department of Planning & Development is qualified to carry out the responsibilities of the Phase II Waterbody Classification project, which will solicit broad community and stakeholder input to develop programs, priorities, policies, and guidelines appropriate to each waterbody classification.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors requests the funds and assistance available from the Wisconsin Department of Natural Resources under the "Lake Protection Grant Program." The Board authorizes the Dane County Department of Planning & Development to act on behalf of Dane County.

BE IT FURTHER RESOLVED that Dane County will comply with state rules for the program, and may use existing county staff time to fulfill the county's financial obligations under the grant in terms of matching amounts.

Submitted by Supervisors Jensen, Hulsey, Eggert, and Graf, May 5, 2005 (p. 46, 05-06).

Referred to PERSONNEL/FINANCE, PUBLIC WORKS/TRANSPORTATION, ENVIRONMENT/AGRICULTURE/NATURAL RESOURCES, and LAND CONSERVATION.

RES. 37, 05-06

ACCEPTANCE OF FUNDS FOR NORTH AMERICAN LAKE MANAGEMENT SOCIETY
2005 PROCEEDINGS PUBLICATION

The Wisconsin Department of Natural Resources has approved a \$3,000 grant to help offset costs of producing and mailing more copies of the proceedings of the November 2005 "Madison Lakes and Nearby Waters" special session at the North American Lake Management Society Conference that will be held in Madison. Dane County staff are involved in planning this special session and will strongly encourage local elected officials, conservation group representatives, and interested citizens to attend and learn from this session. The session proceedings will be published in LakeLine, the quarterly publication of the North American Lake Management Society.

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

BE IT FURTHER RESOLVED that \$3,000 be set up as a Department of Land and Water Resources, Office of Lakes and Watersheds "NALMS Proceedings" revenue account and credited to the General Fund, and

BE IT FINALLY RESOLVED that \$3,000 be transferred from the General Fund to the Office of Lakes and Watersheds "NALMS Proceedings" expenditure account.

Submitted by Supervisors Eggert, Graf, Jensen, and Hulsey, May 5, 2005 (p. 47, 05-06).

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

RES. 38, 05-06

ACCEPTANCE OF FUNDS FOR NORTH AMERICAN LAKE MANAGEMENT SOCIETY
2005 REGISTRATION FEE SUBSIDY

The Wisconsin Department of Natural Resources has approved a \$3,000 grant to help offset registration costs for local residents to attend the November 2005 "Madison Lakes and Nearby Waters" special session at the North American Lake Management Society Conference that will be held in Madison. Dane County staff are involved in planning this special session and will strongly encourage local elected officials, conservation group representatives, and interested citizens to attend and learn from this session. The registration fee subsidy will help ensure that cost is not a deterrent to local participation in this special session.

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

BE IT FURTHER RESOLVED that \$3,000 be set up as a Department of Land and Water Resources, Office of Lakes and Watersheds "NALMS Registration Subsidy" revenue account and credited to the General Fund, and

BE IT FINALLY RESOLVED that \$3,000 be transferred from the General Fund to the Office of Lakes and Watersheds "NALMS Registration Subsidy" expenditure account.

Submitted by Supervisors Eggert, Graf, Jensen, and Hulsey, May 5, 2005 (p. 47, 05-06).

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

RES. 39, 05-06

SUPPORTING STATE LEGISLATION ALLOWING TOWNS TO DECIDE WHETHER OR NOT
TO ISSUE CONDITIONAL USE PERMITS

Under current law, in counties that have a county zoning ordinance, towns may exercise zoning powers only with approval of the county board. If a town has adopted the county zoning ordinance, there is some legal opinion holding that the county may not lawfully delegate the county's power to approve or deny conditional use permits (CUPs) to the town.

CUPs, by definition, are land use issues that are particularized to a specific parcel and town. Whether or not a CUP should be issued turns on the impact the proposed conditional use would have on property values,

health safety and welfare of the local community. These decisions are highly local in character and should be made locally.

In order to allow towns to decide whether or not to issue CUPs, it would be necessary to amend state law. Allowing towns the power to approve or deny CUPs without a county veto would allow towns to have final say over land use decisions which have a major impact on the town and limited impact on the region. Such a change may also make it easier to work out a process for updating the County's zoning ordinance because an updated ordinance could make more land uses conditional uses. That would, in turn, allow more land use issues to be decided locally, leaving only the uses which have major regional impact to be decided by both the county and the town.

NOW, THEREFORE, BE IT RESOLVED, by the Dane County Board of Supervisors, that:

1. Dane County hereby goes on record in support of amendments to sec. 59.69 and 59.692, Wis. Stats., which would provide that, in counties with a population of more than 425,000, towns which have a plan commission and which have adopted a comprehensive plan would be authorized to decide whether or not to grant or deny conditional use permits without any county oversight of those decisions.
2. The Dane County Legislative Platform is hereby amended to include support for legislation described in paragraph 1.

Submitted by Supervisors Wendt, Vogel, Martz, Schoer, Jensen, Hitzemann, Opitz, Wiganowsky, Gau, Willett, Matano, Hendrick, Vedder, Brown, O'Loughlin, and Bruskevitz, May 5, 2005 (p. 48, 05-06).

Referred to EXECUTIVE and ZONING/LAND REGULATION.

RES. 40, 05-06

REMOVING SUPERVISOR KEVIN KESTERSON AS DANE COUNTY BOARD CHAIR

Under Chapter 7.02(2) of the Dane County Code of Ordinances, "[a]ny supervisor may be removed from the position of chairperson, vice-chairperson, sergeant-at-arms, chairperson of any committee or any other position or appointment by the county board, chairperson or a committee, by a two thirds vote of the supervisors for the following reasons: inefficiency, neglect of duty, official misconduct or malfeasance in office."

"Malfeasance" is defined in Black's law dictionary as "evil doing; any wrongful conduct which affects, interrupts, or interferes with performance of official duty, or an act for which there is no authority or warrant of law or which a person ought not to do at all, or the unjust performance of some act, which party performing it has no right, or has not contracted not, to do."

WHEREAS; Chair Kesterson committed "malfeasance in office" by attempting to use his position to impede a Dane County law enforcement investigation, by interfering with the Sheriff's performance of his official duty. On May 14, 2004, the Dane County Sheriff was investigating a matter that implicated Chair Kesterson. In an apparent attempt to intimidate the Sheriff's office into dropping the investigation, Chair Kesterson issued a written statement to the press stating in part that the investigation was "an unbelievable waste of public resources, at a time when the Sheriff's Office is asking the county for more funding. I hope they do a better job identifying public safety priorities before asking our taxpayers for any more money in the future. I'll be keenly interested at budget time to watch the requests of some of these agencies as they try to secure additional funding and staff resources...;"

AND WHEREAS; After Chair Kesterson's press release, the District Attorney refused to prosecute Chair Kesterson's case, and instead referred the case to the State Department of Justice. The District Attorney stated

that a conflict was caused by “the direct funding and budgetary decisions the County Board makes.” These actions provide evidence that Chair Kesterson’s threats to the Sheriff’s budget constituted “malfeasance in office;”

WHEREAS; Chair Kesterson in the January 20, 2005, issue of the Isthmus Newspaper attacked the character and motives of a Dane County law enforcement investigator who was assigned by the Sheriff to investigate Chair Kesterson’s actions, while the investigation was ongoing. That attempt to interfere with the investigation constitutes “malfeasance in office;”

AND WHEREAS; in the same Isthmus article, Chair Kesterson misused the credibility of his office by advising citizen non-cooperation with law enforcement investigations, by stating “never agree voluntarily to talk to the police about anything without an attorney present, unless the crime has been committed against you.” This conduct constitutes “malfeasance in office” because if the public follows Chair Kesterson’s wrongful advice, it will interrupt and interfere with the efforts of law enforcement in investigating and solving crimes;

AND WHEREAS; in addition to the acts of “malfeasance in office,” the Dane County Board of Supervisors is deeply concerned about the cynicism and distrust in citizens and Dane County employees that has resulted from Chair Kesterson’s actions;

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors has lost all confidence in Chair Kesterson’s ability to represent and lead the Board and hereby removes him as the Board Chair, pursuant to section 7.02(2) of County Ordinances due to malfeasance in office. Removal shall be effective upon the adoption of this resolution.

Submitted by Supervisor Rusk, May 6, 2005 (p. 49, 05-06).
Referred to EXECUTIVE.

COMMUNICATIONS

Claim from Steven E. Macaulay against Sheriff Dept.- claims injury from coffeemaker. Referred to PUBLIC PROTECTION/JUDICIARY.

Claim from Margie Mills against Juvenile Detention-claims injury by staff to her daughter, Makayla Phillips. Referred to PUBLIC PROTECTION/JUDICIARY.

Claim from Steven Wagner against Highways – claims windshield damaged by rock from county truck. Referred to PUBLIC PROTECTION/JUDICIARY.

Claim from Wisconsin Office of the Commissioner of Insurance on behalf of City of Fitchburg, Claim #WI0500096. Referred to PUBLIC PROTECTION/JUDICIARY.

Marinette Co. Res. 186, Supporting State Efforts to Address the Non-native Aquatic Invasive Species Problem. Referred to EXECUTIVE.

Dunn Co. Res. 48-2005, regarding cigarette tax. Referred to EXECUTIVE.

ZONING PETITIONS

Petition for Zoning Reclassification. Referred by Clerk Ohlsen to ZONING & LAND REGULATION.

Petition 9244 – Town of Bristol – Duane & Carol Gau

AMENDING CHAPTER 9 OF THE DANE COUNTY CODE OF ORDINANCES,
REGARDING DOMESTIC PARTNERS OF COUNTY OFFICIALS AND EMPLOYEES

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 9.03(1) is amended to read as follows:

~~(k)~~ (k) *Domestic partner* means a person, other than a spouse, with whom a person cohabitates and shares a common domestic life.

~~(k)(L)~~ (L) *Elected official* shall mean any person who holds an elected position and whose salary is funded in full or in part by Dane County.

~~(m)~~ (m) *Immediate family* means:

1. An individual's spouse or domestic partner; and

2. An individual's relative by marriage, lineal descent or adoption who receives, directly or indirectly, more than one-half of his or her support from the individual or from whom the individual receives, directly or indirectly, more than one-half of his or her support.

~~(n)~~ (n) *Organization* means any legal entity other than an individual or body politic.

~~(o)~~ (o) *Respondent* means a person against whom has been filed a complaint alleging a violation of this chapter.

~~(p)~~ (p) *Substantial financial interest* means any interest required to be placed on a disclosure statement by s. 9.61(2)(b), (c), (d) or (e) of this ordinance.

[EXPLANATION: This amendment adds a definition of "domestic partner" and adopts the definition of "immediate family" in s. 19.42(7), Wis. Stats., with the addition of the term "domestic partner."]

ARTICLE 3. Section 9.21 is amended to read as follows:

9.21 CONDUCT REGULATED. (1) No county official or employee shall engage in any act which is violative of s. 19.59, Wis. Stats.

(2) The definition of *immediate family* in s. 9.03(1)(m) shall be used to apply s. 19.59, Wis. Stats., to county officials or employees pursuant to this section.

[EXPLANATION: This amendment directs that the definition of "immediate family" in s. 9.03(1)(m) be used to apply s. 19.59, Wis. Stats., to county officials and employees.]

ARTICLE 4. Section 9.61 is amended to read as follows:

9.61 FORM OF STATEMENT. (1) The disclosure statement shall be verified by the official or employee signing it and shall be made on a form developed by the board.

(2) Officials and employees required to file disclosure statements shall provide the following information, which shall be placed on the form.

(a) The identity of every organization, including nonprofit organizations having a contractual agreement with Dane County, with which the person or his or her immediate family members ~~is~~ are associated and the nature of his or her association with the organization. No identification need be made of any organization of a social, religious or political nature which is not organized for the purpose of supporting a profit-making venture or profession.

(b) The identity of every organization in which the official ~~or~~ employee or his or her immediate family members owns, directly or indirectly, securities having a value of \$5,000 or more and an identification of the nature of such securities. No identification need be made of a security or issuer of a security when it is issued by any organization not doing business in this county or by any government or instrumentality or agents thereof, or an authority or public corporation created and regulated by an act of such government, other than the State of

Wisconsin, its instrumentalities, agencies and political subdivisions or authorities or public corporations created and regulated by an act of the legislature of this state.

(c) The name of any creditor, except a bank, savings and loan association or other commercial lending institution, to whom the official ~~or~~ employee, or his or her immediate family members, severally or in the aggregate, owes \$5,000 or more.

(d) The identity of each payor or organization from which the official ~~or~~ employee, or his or her immediate family members received \$5,000 or more of income in the taxable year preceding the year of filing.

(e) The real property located in this county in which the official ~~or~~ employee, or his or her immediate family member, holds any ownership interest, other than the principal residence of the official ~~or~~ employee, or immediate family member, and the nature of the interest held. An ownership interest in real property does not include a pro rata share of interests in real property if the official's ~~or~~ employee's or immediate family member's share is less than 10% of the outstanding shares or is less than an equity value of \$5,000.

[EXPLANATION: This amendment requires disclosure regarding potential conflicts of interest involving immediate family members of county officials and employees.]

ARTICLE 5. NON-CODE PROVISION. Elected county officials affected by this amendment shall file an amended Statement of Economic Interest within 30 days of the effective date of this ordinance.

Submitted by Supervisors Eggert, Rusk, Hulse, Gross, Richmond, Erickson, McDonnell, Olsen, Hanson, and Wheeler, May 19, 2005 (p. 51, 05-06).

Referred to EXECUTIVE, PERSONNEL/FINANCE, and ETHICS BOARD.

RES. 44, 05-06

RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF \$14,260,000 GENERAL OBLIGATION BONDS, SERIES 2005A

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):

	Amount	Term
<u>Administrative Projects</u>		
Automation Projects	\$ 331,000	5 Years
CCB Fire Alarm	105,000	5 Years
Juvenile Detention Center	6,841,000	20 Years
Hum. Ser. Building Repairs	86,100	5 Years
<u>Public Safety Projects</u>		
Radio System Repl. Study	100,000	5 Years
AODA Huber Facility Planning	500,000	5 Years
In-Squad Video System	50,000	5 Years
Patrol Boat	65,000	5 Years
<u>Alliant Energy Center</u>		
AEC-Coliseum Seating	51,000	10 Years
AEC-Coliseum HVAC	500,000	10 Years
AEC-Expansion Study	100,000	10 Years
<u>Public Works and Highway</u>		

Highway Projects	1,043,000	10 Years
Parking Ramp Rehab	500,000	10 Years
<u>Land and Water Resources</u>		
Conservation Funds	3,646,600	20 Years
Park Devel. Projects	75,000	10 Years
Lake Mgt. Projects	<u>129,000</u>	5 Years
 Total Capital Projects	 \$14,122,700	

WHEREAS, the County is in need of funds aggregating \$14,260,000 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 \$14,260,000 Dane County, Wisconsin, General Obligation Bonds, Series 2005A (the "Series 2005A 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 _____, 2005 (the "Preliminary Official Statement") describing the Series 2005A Bonds and the security therefor; and

WHEREAS, in accordance with the Official Notice of Sale for the Series 2005A Bonds (the "Official Notice of Sale"), written bids for the sale of the Series 2005A Bonds were received and delivered to the County Board of Supervisors (the "Governing Body") at the commencement of its meeting, all on June 16, 2005; 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 2005A Bonds (the "Purchase Price"), to bear interest at the rates shown herein for Series 2005A 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 \$14,260,000 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 July 1, 2005;

“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 \$_____ (\$14,260,000.00 principal amount of Series 2005A Bonds, plus reoffering premium of \$_____, less Underwriter’s discount of \$_____, plus accrued interest from July 1, 2005 to July 7, 2005 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 2005A Bonds” shall mean the County’s \$14,260,000 General Obligation Bonds, Series 2005A.

Section 2. Authorization of the Series 2005A 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 \$14,260,000; and fully registered general obligation bonds of the County are authorized to be issued in evidence thereof.

Section 3. Sale of the Series 2005A 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 \$14,260,000 for the Purchase Price.

Section 4. Terms of the Series 2005A Bonds. The Series 2005A Bonds shall be designated “General Obligation Bonds, Series 2005A”; 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 2005A Bonds shall accrue from the Dated Date on a 30-day month, 360-day year basis, and shall be payable commencing on June 1, 2006 and semi-annually thereafter on June 1 and December 1 of each year.

MATURITY SCHEDULE

<u>Maturity Date</u> <u>(June 1)</u>	<u>Principal Amount</u>	<u>Interest Rate</u>
2006	\$630,000	_____ %
2007	865,000	_____
2008	900,000	_____
2009	925,000	_____
2010	950,000	_____
2011	675,000	_____
2012	700,000	_____
2013	725,000	_____
2014	750,000	_____
2015	780,000	_____
2016	530,000	_____
2017	550,000	_____
2018	570,000	_____
2019	595,000	_____
2020	615,000	_____
2021	640,000	_____
2022	670,000	_____
2023	700,000	_____
2024	730,000	_____
2025	760,000	_____

At the option of the County, the Series 2005A Bonds maturing on June 1, 2014 and thereafter shall be subject to redemption prior to maturity on June 1, 2013 or on any date thereafter. Said Series 2005A 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 2005A Bonds are in book-entry-only form, and less than all of a particular maturity of the Series 2005A Bonds is to be redeemed, selection of the beneficial owners of the Series 2005A 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 2005A Bonds are not in book-entry-only form, and less than all of a particular maturity of the Series 2005A Bonds is to be redeemed, selection shall be by lot.

So long as the Series 2005A Bonds are in book-entry-only form, notice of the redemption of any of the Series 2005A 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 2005A Bonds are not in book-entry-only form, (i) a notice of the redemption of any of the Series 2005A 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 2005A 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 2005A 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 2005A 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 2005A 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 2005A Bonds. The Series 2005A Bonds shall be issued as registered obligations in substantially the form attached hereto as Exhibit A and incorporated herein by this reference.

The Series 2005A 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 2005A Bonds shall be paid by the Financial Officer.

Both the principal of and interest on the Series 2005A 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 2005A Bonds will be payable upon presentation and surrender of the Series 2005A Bonds to the Financial Officer. Payment of principal on the Series 2005A Bonds (except the final maturity) and each installment of interest shall be made to the registered owner of each Series 2005A 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 2005A 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 2005A, 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 2005A 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 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

(b) 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

(c) 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

(d) 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

(e) 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

(f) 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

(g) 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

(h) 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

(i) 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

(j) 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

(k) 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

(l) 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

(m) 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

(n) 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

(o) 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

(p) 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

(q) 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

(r) 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

(s) 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
_____ for interest due on December 1, 2024

(t) Levy for the year 2024 in the amount of \$ _____, being the sum of:

\$ _____ for interest due on June 1, 2025; and
_____ for principal due on June 1, 2025
_____ for interest due on December 1, 2025

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 2005A 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 2005A 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 2005A 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 2005A 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 2005.

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 2005A, Debt Service Fund" (hereinafter referred to as the "Debt Service Fund"), and such fund shall be maintained until the indebtedness evidenced by the Series 2005A 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 2005A Bonds; (ii) the taxes herein levied for the specific purpose of meeting principal of and interest on the Series 2005A Bonds when due; (iii) such other sums as may be necessary at any time to pay principal of and interest on the Series 2005A Bonds when due; (iv) any premium which may be received by the County above the par value of the Series 2005A Bonds and accrued interest thereon; (v) surplus moneys in the Borrowed Money Fund for the Series 2005A 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 2005A 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 2005A 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 2005A 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 2005A 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 2005A 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 2005A 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 2005A 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 2005A 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 2005A Bonds. The terms, conditions and provisions of the Series 2005A Bonds are, in all respects, authorized and approved. The Series 2005A 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 _____, 2005, and the Official Statement dated _____, 2005, 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 2005A Bonds to the Purchaser, as soon after adoption of this Resolution as is convenient.

Section 11. Book-Entry-Only Bonds. The Series 2005A Bonds shall be transferable as follows:

(a) Each maturity of Series 2005A 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 2005A Bonds. During the term of the Series 2005A 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 2005A Bonds (a "Beneficial Owner") shall receive bond certificates representing their respective interest in the Series 2005A 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 2005A 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 2005A 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 2005A 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 2005A Bonds, the registered Series 2005A Bondowner may make a notation of such redemption on the panel of the Series 2005A Bond, stating the amount so redeemed, or may return the Series 2005A Bond to the County for exchange for a new

Series 2005A Bond in a proper principal amount. Such notation, if made by the Series 2005A 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 2005A Bond outstanding, unless the Bond Registrar initialed the notation on the panel.

(c) Immediately upon delivery of the Series 2005A Bonds to the purchasers thereof on the delivery date, such purchasers shall deposit the bond certificates representing all of the Series 2005A Bonds with the Securities Depository. The Securities Depository, or its nominee, will be the sole owner of the Series 2005A Bonds, and no investor or other party purchasing, selling or otherwise transferring ownership of any Series 2005A Bonds will receive, hold or deliver any bond certificates as long as the Securities Depository holds the Series 2005A Bonds immobilized from circulation.

(d) The Series 2005A 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 2005A 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 2005A 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 2005A Bondowner other than the Securities Depository (or its nominee) is no longer in the best interest of the Beneficial Owners of the Series 2005A Bonds.

(e) The Depository Trust Company, New York, New York, is hereby appointed the Securities Depository for the Series 2005A Bonds.

Section 12. Compliance with Federal Tax Laws.

(a) The County represents and covenants that the Public Purpose financed by the Series 2005A Bonds and their ownership, management and use will not cause the Series 2005A 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 2005A 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 2005A Bonds, provided that in meeting such requirements the County will do so only to the extent consistent with the proceedings authorizing

the Series 2005A 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 2005A 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 2005A 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 2005A 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 2005A Bonds and shall make such records available upon reasonable request therefor.

Section 14. Defeasance. When all Series 2005A 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 2005A 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 2005A Bond to its maturity or, at the County's option, if said Series 2005A 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 2005A Bond at maturity, or at the County's option, if said Series 2005A 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 2005A 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 2005A Bonds, and after issuance of any of the Series 2005A 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 2005A Bonds have been paid in full as to both principal and interest. The owner or owners of any of the Series 2005A 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 2005A 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 2005A 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 2005A Bonds.

Section 18. Not Bank Qualified. The Series 2005A 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 2005A Bonds, no change or alteration of any kind in the provisions of this Resolution may be made until all of the Series 2005A 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 2005A 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 2005A 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 2005A Bond issued hereunder, or a reduction in the rate of interest on any Series 2005A 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 2005A 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 2005A 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 2005A 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 2005A 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.

Adopted June 16, 2005.

EXHIBIT A

FORM OF SERIES 2005A BOND

REGISTERED
NO. R-__

UNITED STATES OF AMERICA
STATE OF WISCONSIN

REGISTERED
\$ _____

DANE COUNTY, WISCONSIN,
GENERAL OBLIGATION BOND, SERIES 2005A

<u>Interest Rate</u>	<u>Maturity Date</u>	<u>Dated Date</u>	<u>Principal Amount</u>	<u>CUSIP</u>
____%	June 1, ____	July 1, 2005	\$ _____	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 2005A 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, 2006 and semi-annually thereafter on June 1 and December 1 of each year.

The Series 2005A 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 2005A Bonds maturing on June 1, 2014 and thereafter shall be subject to redemption prior to maturity on June 1, 2013 or on any date thereafter. Said Series 2005A 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 2005A 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 2005A Bond shall be payable only upon presentation and surrender of this Series 2005A 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 2005A Bond is registered at the close of business on the 15th day of the calendar month next preceding each interest payment date.

This Series 2005A 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 2005A 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 2005A 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 2005A 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 2005A Bonds are issuable solely as negotiable, fully registered Series 2005A Bonds without coupons in authorized denominations of \$5,000 or any whole multiple thereof.

This Series 2005A Bond is one of an issue aggregating \$14,260,000 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 2005A 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 June 16, 2005, 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 2005A 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 2005A 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 2005A 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 2005A 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: _____
_____, Chairperson

Attest: _____
_____, 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 2005A Bond and all rights thereunder, hereby irrevocably constituting and appointing

(Please print or typewrite name of Attorney)

attorney to transfer said Series 2005A 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 2005A Bond in every particular without alteration or enlargement or any change whatever.

Signature(s) guaranteed by:

Submitted by Supervisors Brown, O'Loughlin, and Fyrst, May 19, 2005 (p. 65, 05-06).
Referred to PERSONNEL/FINANCE.

RES. 45, 05-06

CHANGE ORDER #6 TO DURRANT FOR DANE COUNTY COURTHOUSE

The Durrant Group, Inc., was awarded the Agreement for Professional Services for the Dane County Courthouse, #3141. The amount of the award was \$2,348,070.00.

The following changes are being made to the Agreement:

C.O. #6 – Provide additional construction administration services:
ADD: \$70,000.00

There are sufficient funds in the budget.

NOW, THEREFORE, BE IT RESOLVED that Contract Change Order #6 to The Durrant Group, Inc., 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 the Contract Change Order.

Submitted by Supervisor Ripp, May 19, 2005 (p. 65, 05-06).
Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

RES. 46, 05-06

AUTHORIZATION TO PURCHASE LANDS AT FISH LAKE NATURAL RESOURCE SITE – B. MARX

Dane County recently negotiated the fee purchase of approximately 72 acres in the Town of Roxbury from Bernice Marx. The property surrounds Mud Lake, a unique seepage lake that has been threatened by degraded water quality in recent years. The acquisition will provide opportunities for public recreation, permanent water quality improvement, preservation of scenic vistas, and greatly enhances other County holdings.

The purchase price has been established at \$7,800/acre for approximately 72 acres. Actual acres will be based on a survey. The County will only pay for acres above water at the time of the survey. The property

appraised at \$8,000/acre. The County has applied for matching grant funds from the State of Wisconsin to offset the cost of the purchase.

Should the Mud Lake water level recede, the County's acreage will increase. Additionally, the Marx family will be keeping 35 acres, most of which is underwater, but will grant the County a public access and management easement should it ever be dry ground.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Executive and the Dane County Board of Supervisors hereby authorize the purchase of a fee acquisition of approximately 72 acres for \$7,800 per acre, which includes an easement, from Bernice Marx, for an estimated total of \$561,600.

BE IT FURTHER RESOLVED that the Dane County Clerk and County Executive are authorized to execute documents necessary to effectuate the purchases of the easement and fee purchase by Dane County.

BE IT FURTHER RESOLVED that these land interests be held by Dane County Parks in accordance with Wisc. Stats. Chapter 27.05(3).

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 Wendt, Ripp, Kostelic, and McDonell, May 19, 2005 (p. 66, 05-06).

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

RES. 47, 05-06

CONTRACT FOR SECURITY SERVICES AT THE DANE COUNTY JOB CENTER

The agreement with the current security services provider at the Dane County Job Center has expired. Bids were advertised and solicited by the Purchasing Division of the Department of Administration, and six bidders responded. The low bid was submitted by Per Mar Security Services.

NOW, THEREFORE, BE IT RESOLVED that Per Mar Security Services, 5005 University Avenue, Madison, WI, be awarded a one-year contract, with four one-year County renewal options for security services at the Dane County Job Center.

BE IT FINALLY RESOLVED that the County Executive and County Clerk are authorized to execute this agreement.

Submitted by Supervisors Brown and O'Loughlin, May 19, 2005 (p. 66, 05-06).

Referred to HEALTH/HUMAN NEEDS and PERSONNEL/FINANCE.

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, which increases funding, and a small decrease in funding for the Farmers Market project. The division's current 2005 budget includes a total of \$321,854. The new award from the state totals \$351,786. These categorical funds can be used at the discretion of the local program, in support of that program. We calculated at the beginning of the year that \$296,853 will be required to meet current staffing costs for 2005. An additional \$6,000 is required to meet the division's ongoing obligation for language translation services; and \$900 for anticipated equipment maintenance and Res. 270, 2004-05 allocated funds accordingly. That resolution allocated the remaining \$18,101 to a project contingency line that can be used to meet allowable project expenses as required and appropriate during the course of the grant period.

The present increase totals \$29,932 more than the current budget. The program has determined that its most pressing need is for an additional Public Health Nutritionist. Based on numbers from the Department of Administration, the cost for such a position at .8 FTE for the period from August through December 2005, will total \$20,435. It is proposed that such a project position be created at this level, which will be sustainable in 2006. Further, it is proposed that the program temporarily increase the FTE for 2005, only, to 1.0. The total cost of the position for 2005 would therefore be \$26,062. This amount can be met entirely by the current increase.

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:

<u>Line Number:</u> 83780	<u>Line Name:</u> WIC	<u>Line Amount:</u> +\$29,932
<u>ORGN</u> PHNURSE		

Expense Accounts in ORGN

<u>PHNURSE:</u>		
<u>OBJECT:</u> AAYAAA	<u>Line Name:</u> SAL & WAGE	<u>Line Amount:</u> +\$18,447
<u>OBJECT:</u> AAYMAA	<u>Line Name:</u> RETIRE FUN	<u>Line Amount:</u> + 2,103
<u>OBJECT:</u> AAYPAA	<u>Line Name:</u> SOC SEC	<u>Line Amount:</u> + 1,411
<u>OBJECT:</u> AAYSAA	<u>Line Name:</u> HEALTH	<u>Line Amount:</u> + 3,980
<u>OBJECT:</u> AAZBAA	<u>Line Name:</u> DENTAL	<u>Line Amount:</u> + 449
<u>OBJECT:</u> COYDAA	<u>Line Name:</u> INSURANCE	<u>Line Amount:</u> + 2
<u>OBJECT:</u> AAZQAA	<u>Line Name:</u> WKRS COMP	<u>Line Amount:</u> + 39
<u>OBJECT:</u> AAZXAA	<u>Line Name:</u> SAL SAVINGS	<u>Line Amount:</u> - 369
<u>OBJECT:</u> WICCAA	<u>Line Name:</u> WIC CONTINGENCY	<u>Line Amount:</u> + 3,870

BE IT FURTHER RESOLVED that the following project position authority be created in the Division of Public Health and that continuation of this position be contingent on continuing availability of grant funds.

<u>Pos. Classification</u>	<u>Unit Code</u>	<u>Pay Grade</u>	<u>FTE</u>
Public Health Nutritionist	MGR-PROF	08-00	0.8

BE IT FINALLY RESOLVED that any of these funds that are left unexpended at the end of 2005 be carried forward to 2006.

Submitted by Supervisor Kesterson, May 19, 2005 (p. 67, 05-06).
 Referred to HEALTH/HUMAN NEEDS and PERSONNEL/FINANCE.

RES. 49, 05-06

OPPOSING ANY BILLS IN THE WISCONSIN LEGISLATURE THAT RESULT IN PRE-EMPTING LOCAL COMMUNITIES FROM REGULATING SMOKING AND SMOKE-FREE ENVIRONMENTS

Numerous studies have found that tobacco smoke is a major contributor to indoor air pollution and that breathing secondhand smoke (also known as environmental tobacco smoke) is a cause of disease in healthy nonsmokers, including heart disease, stroke, respiratory disease, and lung cancer.

The most effective way to protect the public from the hazards of secondhand smoke is to create smoke-free environments. Recently, on Tuesday, April 5, the residents of Appleton, Wisconsin, voted YES to a referendum for 100% smoke-free workplaces (including restaurants and bars). Citizens in local communities believe they should have the power to protect themselves and their families from secondhand smoke and protect children from tobacco. State pre-emption language prevents local governments from passing stronger, more comprehensive regulations concerning clean indoor air. The Wisconsin Legislature should not act to deprive local governments of the authority to protect people from the harmful effect of secondhand smoke.

NOW, THEREFORE, BE IT RESOLVED that the County of Dane urges the State Legislature to preserve the rights of local government to enact and enforce tobacco-related laws.

BE IT FURTHER RESOLVED that the County of Dane urge the Wisconsin Legislature not to pass the Smoke Free Dining Act as long as it pre-empts local government from enacting and enforcing laws to protect people from the harmful effects of tobacco.

AND BE IT FURTHER RESOLVED that a copy of this resolution be promptly distributed to Sen. Fitzgerald, to Rep. Fitzgerald, to the members of the Dane County legislative delegation, and to Governor Jim Doyle.

Submitted by Supervisors Gross, Matano, Hendrick, Vedder, Richmond, Wheeler, McDonell, Olsen, Erickson, Opitz, Rusk, Hulsey, Eggert, and de Felice, May 19, 2005 (p. 68, 05-06).

Referred to EXECUTIVE and HEALTH/HUMAN NEEDS.

RES. 50, 05-06

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

William White, 2708 Lakeland Ave., Madison 53704 (244-6690-H, 257-3501-W), to be reappointed. This term will expire 6/30/08.

Civil Service Commission

Percy Julian, Jr., 2613 Waunona Way, Madison 537 (222-8441-H, 255-6400-W), to be reappointed. This term will expire 6/30/08.

Wayne McGown, 160 Nautilus Drive, Madison 53705 (238-8670-H), to be reappointed. This term will expire 6/30/08

Election Commission

David Schreiner, 1333 Prairie Village Road, Deerfield 53531 (764-5910-H, 920-648-3466-W), to be reappointed. This term will expire 6/30/08.

Bill Kraus, 946 Spaight Street, Madison 53704 (258-1511-H), to be reappointed. This term will expire 6/30/08.

Emergency Medical Services Commission

Adam Plotkin, 304 North Pinckney Street, Madison 53703 (320-1949-H, 266-2500-W), to fill a citizen seat due to the resignation of Mary Polenske. Mr. Plotkin is a Legislative Assistant in the state capitol. He has a B.S. degree in Political Science from the University of Wisconsin-Madison. He has several years of volunteer experience at a local ambulance department. This term will expire 4/18/06.

Parks Commission

Tom Dawson, 624 Orchard Drive, Madison 53711 (271-9004H, 266-8987W), to be reappointed. This term will expire 7/1/10.

Reclassification Appeals Board

M. Fran Tryon, 924 Roosevelt St., Stoughton 53589 (873-5956-H), to be reappointed. This term will expire 6/30/08.

Zoo Commission, Henry Vilas

Supervisor Chuck Erickson, 1541 Jefferson St., Madison 53711 (251-3622-H, 298-1167-W), to be reappointed. This term will expire 4/18/06.

Alder Isadore Knox, 1735 Baird St., Madison 53713 (255-4302-H), as the Mayor's designated alderperson, replacing Alder Heidt. This term will expire 4/17/07.

Submitted by Supervisors Kesterson and McDonell, May 19, 2005 (p. 69, 05-06).
Referred to EXECUTIVE.

RES. 51, 05-06

RESOLUTION SUPPORTING MEMORANDA OF UNDERSTANDING BETWEEN THE COUNTY OF DANE AND ANY MUNICIPALITIES REQUESTING A RESOURCE SHARING RELATIONSHIP FOR USE OF THE STATEWIDE VOTER REGISTRATION SYSTEM

WHEREAS, Congress passed the Help America Vote Act of 2002 (HAVA) to create a more uniform voter registration and voting system in the United States; and

WHEREAS, the Wisconsin State Elections Board (SEB) is charged with implementing a Statewide Voter Registration System (SVRS) that complies with HAVA; and

WHEREAS, local units of government understand their obligations and commitments as mandated by HAVA and state statutes to administer, implement, and maintain local voter registration information within a centralized SVRS; and

WHEREAS, the State Legislature has enacted legislation which allows local units of government to share technology and resource with the County or other municipalities to maintain the local voter registration information within the centralized SVRS;

THEREFORE, BE IT RESOLVED that the County of Dane directs the County Clerk, upon the request of a municipality, to enter into a Memorandum of Understanding with that municipality that will comply with the requirements of HAVA and provide a more efficient and cost effective implementation of SVRS through the sharing of technology and resources.

FURTHER BE IT RESOLVED the County of Dane directs the County Clerk to follow the technology, security, maintenance, support, and process guidelines developed by the State Elections Board relating to the Statewide Voter Registration System (SVRS).

FURTHER BE IT RESOLVED that a copy of these Resolutions and Memorandums of Understanding be sent to the State Elections Board.

Submitted by Supervisors Brown, O'Loughlin, Fyrst, and Worzala, May 19, 2005 (p. 70, 05-06).
Referred to EXECUTIVE and PERSONNEL/FINANCE.

RES. 52, 05-06

AUTHORIZING TRAVEL OUTSIDE THE CONTIGUOUS UNITED STATES FOR
NATIONAL ASSOCIATION OF COUNTIES CONFERENCE

Dane County's expense ordinance requires that conference and training expenses outside the continental United States can only be paid or reimbursed with specific authorization by the County Board and County Executive, under chapter 20.09(4) of the Dane County Ordinances.

The National Association of Counties has scheduled its annual conference in Honolulu, Hawaii, from July 14 to July 19, 2005. Supervisor Brett Hulsey and Supervisor David Wiganowsky have requested approval for Dane County to pay some of the costs associated with attendance at the conference. The County Board Chair has authorized their attendance, as provided for in Chapter 6 of the Dane County Code of Ordinances.

Funds are available in the County Board budget to pay for the expenses. Reimbursement will be limited to the average of expenses paid in the previous seven years for supervisors to attend the NACo annual conference, in order to limit the costs to the county.

NOW, THEREFORE, BE IT RESOLVED that the County of Dane does hereby approve and authorize Supervisor Brett Hulsey and Supervisor David Wiganowsky to attend the 2005 National Association of Counties annual conference in Honolulu, Hawaii, from July 14-July 19, 2005.

Submitted by Supervisor Kesterson, May 19, 2005 (p. 70, 05-06).
Referred to PERSONNEL/FINANCE.

AUTHORIZING TRAVEL OUTSIDE THE CONTINENTAL UNITED STATES-DANE COUNTY TREASURER

The National Association of County Treasurers and Finance Officers (NACTFO) meets in July in Hawaii for its annual conference (in conjunction with NACo). The conference provides continuing education for county treasurers, updates on issues in Congress affecting treasurers, and networking opportunities with treasurers from across the US.

Dane County Treasurer Dave Gawenda chairs the NACTFO legislative committee. He is expected to make a committee report at the conference. In addition, Dane County has benefited in the past by learning about practices in other counties that can be used to improve the operations of the Dane County Treasurer's Office.

Travel outside the continental United States requires County Board and County Executive approval. Treasurer Gawenda expects to pay all of the expenses of travel and lodging himself. However, he requests this resolution be passed, so that Dane County can pay the \$415 registration fee. The money is in the Treasurer's conference and training budget.

NOW, THEREFORE, BE IT RESOLVED that the County of Dane does hereby approve and authorize the Dane County Treasurer, David Gawenda, to attend the 2005 NACTFO Conference in Hawaii.

Submitted by Supervisors Brown, O'Loughlin, Bruskevitz, Vogel, Pertzborn, Willett, Matano, Olsen, Fyrst, Eggert, Rusk, Hulsey, and Wheeler, May 19, 2005 (p. 71, 05-06).
Referred to PERSONNEL/FINANCE.

COMMUNICATIONS

Claim from Judith Coleman – vehicle damaged by CCB garage door closing on car. Referred to PUBLIC PROTECTION/ JUDICIARY.

Claim from American Family Ins. Group on behalf of their insured, George & Deloyce Steinborn. Referred to PUBLIC PROTECTION/JUDICIARY.

Correspondence from Miron Construction re: claim filed by subcontractor. Referred to PUBLIC PROTECTION/JUDICIARY.

Notice of Appearance and Claim to Surplus, Harmony Park Condominium Assoc. vs. Louise Smith, Dane County, et al, Case #05-CV-1239. Referred to PUBLIC PROTECTION/JUDICIARY.

Summons & Complaint, Town of Madison vs. Co. of Dane, Case #05CV1484. Referred to PUBLIC PROTECTION/ JUDICIARY.

Claim from Kathryn Lindsay against Airport-claims her mother was injured at airport. Referred to PUBLIC PROTECTION/ JUDICIARY.

Document from Scott Arnold, Bodley. Referred to PUBLIC PROTECTION/JUDICIARY.

GRANTING SALARY ADJUSTMENTS FOR LIMITED TERM STAFF ATTORNEYS

The Clerk of Courts budget includes funding for LTE Staff Attorneys. Currently, there are eight LTE Staff Attorneys who perform preliminary reviews, research the law, draft orders and recommendations for the assigned judges. As the circuit court in the state capital, Dane County receives filings other state courts do not, including a majority share of prisoner litigation. Without the assistance of assigned staff attorneys, judges would have great difficulty meeting statutory time limits. Failing to do so can result in fines assessed on the county.

It is required that Staff Attorneys be a law school graduate and admitted to the Bar in the State of Wisconsin. The last pay increase was \$.25/hr. in 2001. As LTEs, these employees receive no benefits.

The 2005 budget resolution set the current rate for LTE Staff Attorneys positions in the Clerk of Courts at up to \$12.50 per hour.

NOW, THEREFORE, BE IT RESOLVED that the limited term staff attorneys receive the following salary schedule increase, consistent with increase negotiated for bargaining unit employees: June 26, 2005 – 2.5%.

BE IT FINALLY RESOLVED that county officials take appropriate action to implement this resolution.

Submitted by Supervisor Brown, May 26, 2005 (p. 72, 05-06).
Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

ORD. AMDT. 5, 05-06

AMENDING CHAPTERS 2 AND 70 OF THE DANE COUNTY CODE OF ORDINANCES,
REVISING THE PARKING RAMP ORDINANCE

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 2.06(579) through (587) are amended, created and renumbered as follows:

(579)	70.07(1)	Improper parking	25.00
(580)	70.07(3)	Overtime parking	6.00 15.00
(581)	70.07(2)- or (5)	Unlawful parking	40.00 15.00
(582)	70.07(4)	Unlawful parking in 'disabled' or 'veteran' stall	50.00 125.00
(583)	70.07(5)	Unlawful parking	25.00
(584)	70.09(2)	Permit misuse	50.00
(583) 585)	70.60	Unlawful parking	20.00 25.00
(584) 586)	70.53(1)- or (2)	Unlawful parking in CCB basement	20.00 40.00
(585) 587)	70.53(3 2)	Unlawful parking in CCB basement reserved stall	25.00 50.00

ARTICLE 3. Section 70.01 is amended to read as follows:

70.01 PURPOSE. This ordinance is intended to establish parking regulations in the Dane County Parking Ramp and in other designated parking lots areas owned or leased by the County of Dane, and to create and establish procedures for the control and enforcement of parking regulations, the collection of revenue, and the imposition and collection of forfeitures for violations of the provisions hereof.

ARTICLE 4. Section 70.035 is amended to read as follows:

70.035 DEFINITIONS. As used in this chapter, the following words have the meanings indicated:

(1) *City-County Building* means that structure located in the City of Madison bounded by West Wilson Street, South Carroll Street, West Doty Street and Martin Luther King, Jr., Boulevard. The basement of the city-county building is that floor of the city-county building used for motor vehicle parking and the entrance to which is located on West Wilson Street.

(2) *Commissioner* means the public works, highway and transportation commissioner.

(3) *Committee* means the public works and transportation committee of the county board of supervisors of the County of Dane.

(4) *Ramp* means that certain multi-level motor vehicle parking facility fronting on the 200 block of West Main Street and bounded on its southwesterly side by South Henry Street and on its northeasterly side by South Fairchild Street.

ARTICLE 5. Section 70.04 is amended to read as follows:

70.04 PARKING SYSTEM, GENERAL. (1) Parking control and regulation shall be based on the meter system with designated vehicle stalls for each meter. Each stall shall be designated by suitable lines or marks. Entrance to and exit from the parking ramp shall be by designated routes which shall be suitably posted for expeditious handling of the traffic. Specific regulations concerning the designation of stalls, the routing of traffic and the control of traffic shall be determined by the committee, or its designees, and the same shall be prominently posted for public notice. Vehicles authorized to lawfully park and operate in the parking ramp shall be limited and restricted to those vehicles which the ramp was designated to accommodate. Entrance may be refused to any vehicle deemed unsuited for operation or parking in the ramp.

~~(2)(3)~~ No person shall, without permission of the committee, leave or park any motor vehicle or vehicles in the Dane County Parking Ramp contrary to a posted sign thereon if there is in plain view on such property a "No Parking" sign or a sign indicating limited or restricted parking.

~~(3)(4)~~ The committee is authorized to designate a-parking areas exclusively for the use of Dane County employees who have obtained the necessary permit from Dane County.

~~(4)(5)~~ The committee shall designate parking space in the Dane County Parking Ramp for the exclusive use of vehicles with disabled or veterans' license plates issued pursuant to sections 341.14(1), (1a), (1e), (1m), (1q) or (1r) of the Wisconsin Statutes. The number and location of spaces so designated shall be within the sole discretion of the committee.

~~(5)(6)~~ The commissioner or his or her designee is hereby authorized to lease excess parking space in the Dane County Parking Ramp under such terms and conditions as the committee determines provided that in no event shall the monthly lease rate be less than \$115. Said leases shall contain a termination clause in the event said space is needed for parking purposes by the general public.

ARTICLE 6. Section 70.05 is amended to read as follows:

70.05 PARKING METERS, TIME AND RATES. (1) Parking meters shall be placed at each stall and shall be set ~~for the hours and zones designated in subsection (4)~~ at the rate of sixty (60) seventy-five (75) cents per hour for all meters. All ~~ten-hour~~ meters shall be operable on quarters, only dimes, and nickels.

(2) ~~Between the hours of 12:00 midnight Saturday through 12:00 midnight Sunday, there shall be no charges imposed for the parking of motor vehicles in the ramp.~~ Meters shall be enforced 24 hours per day, 7 days per week, including holidays.

~~(3) The Dane County Parking Ramp personnel shall periodically survey and record the comparative usage of parking stalls among the various parking zones. The data so recorded shall be reported to the highway and transportation commissioner at regular intervals as the committee shall hereafter direct. The highway and transportation commissioner shall analyze these reports and upon determination that one or more parking zones are overutilized or underutilized with respect to the remaining zones, or that other good reasons for adjustment exist, he or she shall report such findings along with his or her recommendations to the committee. If the committee finds that the recommendations of the highway and transportation commissioner are in conformity with the county's transportation policy, it shall forward the highway and transportation commissioner's findings and the recommendations to the county board for its consideration.~~

~~(4) Parking zones in the ramp are established as follows:~~

Floor	Meters	Length of Time
No.	Covered	Parking Permitted
(a) First	all	up to 10 hours
(b) Second	all	up to 10 hours
(d) Third	no. 328	up to 4 hours
	to 428	
(e) Fourth	all	up to 10 hours
(f) Fifth	all	up to 10 hours
(g) Sixth	all	up to 10 hours
(h) Seventh	all	up to 10 hours

ARTICLE 7. Section 70.06 is amended to read as follows:

70.06 PARKING METERS, OPERATION. The public works, highway and transportation department, under oversight of the committee, shall provide for the installation, regulation, control, operation and use of the parking meters provided for in this ordinance and shall maintain said meters in good operating condition. Each said parking meter shall be so set as to display a signal showing legal parking upon the deposit of a 5 cent, 10 cent or 25 cent coin or combination thereof for the period established, and within the limitations imposed by section 70.05 of this ordinance, ~~provided that 10 hour meters shall accept only 25 cent coins.~~ Each meter shall by its signal clearly set out and continue in operation from the time of depositing such coin or coins until the expiration of the time fixed as the parking limit for the coin or coins deposited. Each meter shall be so set as to display a signal indicating the expiration of the time fixed as the parking limit for the coin or coins deposited.

ARTICLE 8. Section 70.09 is amended to read as follows:

70.09 UNLAWFUL USE OF METER OR PARKING PERMIT. (1) It shall be unlawful and a violation of this ordinance to deposit or cause to be deposited in any parking meter any device as a substitute for a 5 cent, 10 cent or 25 cent coin of the United States.

(2) It shall be unlawful and a violation of this ordinance to use any Dane County Parking Ramp permit assigned to another person or vehicle, or that is expired, voided, cancelled or is in any manner invalid at the time it is used.

ARTICLE 9. Section 70.12 is amended to read as follows:

70.12 ENFORCEMENT OF PARKING REGULATIONS. **(1)(a)** Parking regulations established by this ordinance shall be enforced by means of a violation notice for overtime or otherwise improper parking of vehicles. Such violation notices shall be issued to the owner or operator and shall be attached conspicuously to any vehicle found in violation of the provisions of this ordinance.

(b) The violation notice shall consist of a computer generated citation and a payment envelope.

(c) The form and composition of violation notices shall be determined by the committee.

(2) Forfeitures shall be collected by means of "courtesy boxes", suitably labeled and conveniently located in the ramp to permit for the deposit of the envelopes provided for in section 70.12(1). Forfeitures may also be paid by United States Mail or the Dane County webpage when available.

(3) (a) The issuance of violation notices shall be by such personnel or attendants as determined by the committee.

(b) The recording of violations and the collection of unpaid forfeitures shall be through the office of the Dane County Public Works, Highway and Transportation Department.

(4) The collection of unpaid forfeitures shall be enforced by appropriate complaint and warrant issued in the name of Dane County in conformity with section 345.28(2) of the Wisconsin Statutes. Complaints and warrants so issued shall comply with section 288.10 of the Wisconsin Statutes.

(5) Revenues from imposition of forfeitures shall be deposited with the county treasurer and accounted for by such methods and procedures as the board, upon recommendation of the committee, shall determine or as otherwise established by law.

(6) Revenues from use of meters shall be collected and accounted for by such methods and procedures as the board, upon recommendation of the committee, shall determine. Such revenues shall be deposited with the county treasurer along with revenue obtained from forfeitures for violation of this ordinance as determined by the board.

ARTICLE 10. Section 70.13 is amended to read as follows:

70.13 PENALTIES. (1) *Overtime parking.* Any person violating the parking regulations established by section 70.07(3) of this ordinance shall be subject to an initial forfeiture of \$40_15 and shall be subject to additional forfeitures at the rate of \$40_15 for each hour or fraction thereof the vehicle remains in violation, provided that there shall not be more than 2_three (3) citations issued in any one 24-hour period at any one meter. In the event such forfeiture is not paid within five (5) days from the date of the violation, said forfeiture shall be increased to the amount of \$45_22.00 for each offense. In the event that such forfeiture is not paid within 30 days from the date of the violation, said forfeiture shall be increased to the amount of \$32.00 for each offense. In accordance with section 346.50(2) and 346.50(2a) of the Wisconsin Statutes, overtime parking regulations prescribed herein shall not apply to those persons issued special registration plates pursuant to section 341.14(1), (1a), (1e), (1m), (1q) or (1r) of the Wisconsin Statutes.

(2) *Improper parking.* (a) Any person violating the parking regulations established by section 70.07(1), ~~(2)~~ or (5) shall be subject to a forfeiture of \$20_25.00 for the initial violation, and shall be subject to additional forfeitures at the rate of \$20_25.00 for each 24 hours thereafter that the vehicle remains in violation of said section. A separate violation notice shall be issued for each additional 24-hour period after the first violation and each violation shall constitute a separate offense under this ordinance. In the event such forfeiture is not paid within five (5) days from the date of the violation, said forfeiture shall be increased to the amount of \$35.00 for each offense. In the event that such forfeiture is not paid within 30 days from the date of the violation, said forfeiture shall be increased to the amount of \$50.00 for each offense.

(b) Any person violating the parking regulations established by section 70.07(2) shall be subject to a forfeiture of \$15.00 for the initial violation, and shall be subject to additional forfeitures at the rate of \$15.00 for each 24 hours thereafter that the vehicle remains in violation of said section. A separate violation notice shall be issued for each additional 24-hour period after the first violation and each violation shall constitute a separate offense under this ordinance. In the event such forfeiture is not paid within five (5) days from the date of the violation, said forfeiture shall be increased to the amount of \$22.00 for each offense. In the event that such forfeiture is not paid within 30 days from the date of the violation, such forfeiture shall be increased to the amount of \$32.00 for each offense.

(3) *Removal of vehicles.* Vehicles parked overtime in excess of three (3) days are subject to removal at the expense of the owner or operator, in addition to any other forfeitures incurred under this ordinance. Vehicles improperly parked in violation of section 70.07(2) and (4) or any regulation passed pursuant to section 70.04 may be moved into a proper parking position or removed from the ramp at the owner's expense, in addition to any other forfeitures issued under this ordinance, where such action is deemed necessary to the proper operation of the parking ramp.

(4) *Use of cheating tokens or improper use of parking permit.* (a) In addition to penalties imposed by state statute, any person violating section 70.09(1) hereof ~~may~~shall be subject to a forfeiture of ~~not more than \$50~~ 75.00.

(b) Any person violating section 70.09(2) shall be subject to a forfeiture of \$50.00.

(5) *Damage to county property.* In addition to penalties imposed by state statute, any person violating section 70.10 hereof ~~may~~ shall be subject to a forfeiture of ~~not more than~~ \$200.00.

(6) *Other regulations.* Any person violating any of the regulatory or restrictive provisions established pursuant to section 70.04 hereof shall be subject to a forfeiture of not less than ~~\$50~~15.00 nor more than ~~\$400~~ 125.00.

(7) Any person violating section 70.07(4) of this ordinance shall forfeit ~~not less than \$30.00 nor more than \$300~~125.00. In the event such forfeiture is not paid within 5 (five) days from the date of the violation, said forfeiture shall be increased to the amount of \$135.00 for each offense. In the event that such forfeiture is not paid within 30 days from the date of the violation, such forfeiture shall be increased to the amount of \$150.00 for each offense.

(8) Any person violating ~~s-~~ection 70.075(4) shall forfeit not less than \$10.00 nor more than \$100.00.

(9) For forfeitures received pursuant to sec. (4), (5), (6) and (8) above, in the event such forfeiture is not paid within 5 (five) days from the date of the violation, such forfeiture shall be increased by the amount of \$10.00 for each offense. In the event such forfeiture is not paid within 30 days from the date of the violation, such forfeiture shall be increased by the amount of \$25.00 for each offense.

ARTICLE 11. Section 70.19 is amended to read as follows:

70.19 RETURNED CHECKS. There is hereby imposed a handling charge of ~~twenty-five-thirty~~ dollars (~~\$30.00~~) against an issuer of a check which is payable to the County of Dane, which has been accepted in payment of a fee, charge, rate, rental, or penalty and which is returned unpaid by the payor's financial institution. Each issuance of such a check is a separate offense.

ARTICLE 12. Section 70.51 is amended to read as follows:

70.51 ADMINISTRATION. Administration of subchapter II shall be under the direction of the ~~facilities manager commissioner and or~~ his or her designees.

ARTICLE 13. Section 70.53 is amended to read as follows:

70.53 BASEMENT PARKING REGULATIONS. (1) It shall be unlawful to park any motor vehicle in the basement parking area of the city-county building unless there is displayed on such vehicle, clearly visible from outside the vehicle, a parking permit issued by the County of Dane and then only in accordance with posted regulations.

~~(2) During the hours of 7:00 a.m. through 4:00 p.m., Monday through Friday, it shall be unlawful to park any motor vehicle in any city-county building basement parking stall unless there is displayed on such vehicle, clearly visible from outside the vehicle, a numbered parking permit issued by the County of Dane which bears the number corresponding to the stall in which the vehicle is parked, provided that any county-issued parking permit may be used for those stalls which are clearly marked for 30 minute parking.~~

~~(2)(3) It shall be unlawful to park any motor vehicle at any time in vehicle parking stalls numbers 1, 11, 39 and 41 of the basement of the city-county building designated as reserved parking 24 hours per day, seven days per week or in parking stalls specifically reserved for Dane County Board Supervisor, Dane County Clerk, Dane County Board Chair, Dane County Executive, City of Madison Alder or City of Madison Municipal Judge, unless there is displayed on such vehicle, clearly visible from outside the vehicle, a numbered valid parking permit issued by the County of Dane which bears the number corresponding to permits parking in the specific stall in which the vehicle is parked.~~

~~(3)(4) Any person violating sub. (1), (2) or (3) above shall forfeit not less than \$10.00 nor more than \$50.00 \$40.00 for each violation. Each hour of a violation shall constitute a separate violation provided that no more than 2 3 citations may be issued in any 24-hour period.~~

~~(4) Any person violating sub. (2) above shall forfeit \$50.00 for each violation. Each hour of a violation shall constitute a separate violation provided that no more than three (3) citations may be issued in any 24-hour period.~~

~~(5) For forfeitures received pursuant to this section, in the event such forfeiture is not paid within 5 (five) days from the date of the violation, such forfeiture shall be increased by the amount of \$10.00 for each offense. In the event such forfeiture is not paid within 30 days from the date of the violation, such forfeiture shall be increased by the amount of \$25.00 for each offense.~~

(56) In addition to the penalties prescribed in subs. (3), (4), and (5) above, the offending vehicle may be towed at any time and the owner thereof shall be liable to the County of Dane for the cost of towing.

ARTICLE 14. Section 70.60 is amended to read as follows:

70.60 OTHER PARKING AREAS. (1) This section shall apply to all property owned or leased by the County of Dane unless parking thereon is regulated by other provisions of the Dane County Code Of Ordinances.

(2) Consistent with the needs and best interests of the County of Dane, users of agency services and county staff, the ~~public works and facilities management~~ committee is authorized to adopt regulations concerning the parking, routing and control of motor vehicles on property owned or leased by the County of Dane.

(3) The ~~public works and facilities management~~ committee is further authorized and directed to erect and maintain signs, signals and markings at such locations that the public shall be given notice of the regulations adopted hereunder.

(4) No person shall park or operate a motor vehicle contrary to the provisions of any sign, signal or marking erected and maintained under this section.

(5) Any person violating sub. (4) shall forfeit not less than \$20 25.00 nor more than \$100.00- 125.00 for each violation. If the violation involves parking, each hour of a violation shall constitute a separate violation provided that no more than 2 3 citations shall be issued in any 24 hour period. For forfeitures received pursuant to this section, in the event such forfeiture is not paid within 5 (five) days from the date of the violation, such forfeiture shall be increased by the amount of \$10.00 for each offense. In the event such forfeiture is not paid within 30 days from the date of the violation, such forfeiture shall be increased by the amount of \$25.00 for each offense.

(6) In addition to the penalties prescribed under sub. (5), any offending vehicle may be towed at any time and the owner thereof shall be liable to the County of Dane for the cost of towing and storage of the vehicle.

[EXPLANATION: The amendments made by Articles 2 through 14 revise Chs. 2 and 70 to reflect reorganization of county departments and to adopt fees included in the 2005 budget.]

Submitted by Supervisors Ripp, Opitz, Matano, Willett, Schoer, and de Felice, June 2, 2005 (p. 77, 05-06).
Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

RES. 55, 05-06

AWARD OF CONTRACT FOR INTERIOR SIGNAGE FOR THE DANE COUNTY COURTHOUSE

The Public Works, Highway & Transportation Department reports the receipt of bids for the Interior Signage at the Dane County Courthouse, Bid No. 105055.

The low qualified bidder is:

Contract Amount: \$ _____

The Public Works staff finds the amount to be reasonable and recommends the Contract be awarded to _____.

There are sufficient funds in the Budget for this project.

NOW, THEREFORE, BE IT RESOLVED that the Contract be awarded to _____ in the amount of \$ _____ for the Interior Signage Package; 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 Public Works & Transportation Department 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, Matano, and Schoer, June 2, 2005 (p. 78, 05-06).

Referred to PERSONNEL/FINANCE, PUBLIC PROTECTION/JUDICIARY, PUBLIC WORKS/TRANSPORTATION, and JUSTICE CENTER PLANNING OVERSIGHT COMMITTEE.

RES. 56, 05-06

AUTHORIZING EXECUTION OF ADDENDUM TO LEASE OF WRIGHT STREET, LLC
INVOLVING LAND AT TRUAX AIR PARK -- DANE COUNTY REGIONAL AIRPORT-

Under Lease No. DCRA 97-3, Wright Street, LLC leases from Dane County 2.206 acres of land in the Truax Air Park adjacent to the Dane County Regional Airport. In light of a change of ownership, Wright Street, LLC has requested that approval be given for an assignment of its lease as provided for under its terms. It is the policy of the Airport to grant such requests, conditioned on financial approval and clarification of the existing lease language involving mortgaging or otherwise encumbering the fee simple interest in the leased land. The subject Addendum clarifies the lease language to require that each member of the LLC personally and unconditionally guarantee payment of any obligation secured by a mortgage or other encumbrance on the leased premises.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Executive and the Dane County Clerk are authorized to execute on behalf of Dane County an Addendum to Lease DCRA-97-3 clarifying and restricting the circumstances under which the leased premises may be encumbered.

Submitted by Supervisors Rusk, Gau, and McDonell, June 2, 2005 (p. 78, 05-06).

Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION. (Airport Commission recommended adoption on 6/1/05).

RES. 57, 05-06

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

Ruben Ernesto, 67 Lakewood Garden Lane, Madison 53704 (446-6957-H, 310-8978-W). Mr. Ernesto is a real estate loan officer and CRA officer for Guaranty Mortgage. Prior to that, he was a Mortgage Loan Officer and Collections Representative for M&I Marshall Ilsley. He has a B.A. degree in Criminal Justice from the University of Wisconsin-Platteville. He has also worked for the Nicaraguan Migrant Workers Union, the American Multi-Cultural Student Leadership Conference, and Raza United. He also serves on the Millionaires Club-Financial Education Youth, WHEDA-Immigrant Lending Program, The Money Conference, the North Side Family Center, the United Way of Dane County's Rosenberry Society, the Latino Support Network Community Focus Group, and MAGNET, a community leaders group. This term will expire 4/1/07.

E. David Locke, 4001 Monona Drive, Monona 53716 (223-1850-H, 838-3141-W). Mr. Locke is Chairman of the Board, President, and Chief Executive Officer of the McFarland State Bank. Prior to that, he worked at Northern Bankshares, Germania Federal Savings & Loan, First National Bank of Wood River, and Godfrey State Bank. He is a member of the Greater Madison Chamber of Commerce Collaboration Council, American Bankers Association, the Salvation Army, the Wisconsin Bankers Association, CTM Productions, the Dane County Greenspace Advisory Committee, the Independent Community Bankers Association of Wisconsin, the Wisconsin Bankers Association, the American Bankers Association, the World Dairy Center, the Ice Age Park & Trail Foundation, and numerous other community/civic organizations. This term will expire 4/1/08.

Cindy Martinelli, 2215 West Ridge Road, Cottage Grove 53527 (839-5348-H), to be reappointed. This term will expire 4/1/08.

Salli Martyniak, 5117 Caton Lane, Waunakee 53597 (849-8954-H), to be reappointed. This term will expire 4/1/08.

Terrence R. Wall, 57 Cambridge Road, Madison 53704 (663-7659-W). Mr. Wall is founder and President of T. Wall Properties, a portfolio of commercial properties. Wall has over twenty-one years experience in the real estate industry. Prior to focusing on commercial properties, Wall developed apartments, condominiums, and a Section 42 tax-credit senior housing complex. Wall received a B.A. degree in Economics and a M.S. degree in Real Estate Appraisal and Investment Analysis from the University of Wisconsin-Madison. Wall is the President and a founder of Smart Growth Madison, a local developers' association and also serves on the board of the Building Owners & Managers Association of Wisconsin and Neurognostics, Inc., a medical start-up company founded by the Medical College of Wisconsin. Wall is also Executive Vice President of the Board of the Four Lakes Council Boy Scouts of America. This term will expire 4/1/07.

Housing Authority Board, Dane County

Matthew D. Weber, 6963 Apprentice Place, Middleton 53562 (826-0667-H, 283-1744-W), due to the resignation of Lauren Azar. Mr. Weber is an attorney with the law firm of Boardman, Suhr, Curry & Field. He is a graduate of the University of Michigan Residential College with a B.A. degree in Philosophy, the University of Wisconsin La Follette Institute of Public Affairs with a M.A. degree in Public Affairs and Policy Analysis, and a J.D. degree from the University of Wisconsin Law School. He is a volunteer member with the Capacity Building Committee of Local Initiatives Support Corporation and is a member of the Development Committee of Ecumenical Housing Corporation, Inc. This term will expire 4/17/07.

Monona Terrace Convention & Community Center Board

Thomas J. Ziarnik, 9225 Eaglewood Drive, Verona 53593 (845-8740-H), to fill the expired term of Cal Worrell. Mr. Ziarnik is Director of Hotel Operations, overseeing the Doubletree Hotel Madison and the Holiday Inn Milwaukee City Centre and General Manager of the Doubletree Hotel in Madison. Mr. Ziarnik has over twenty years in the food service and hospitality industry. He serves on the M.A.T.C. Advisory Board for the Hospitality and Tourism Program, the GMCVB Board and has is Treasurer, the Wisconsin Innkeepers Association Board,

and is a past president of the Madison Chapter of the Wisconsin Innkeepers Association. This term will expire 5/1/08.

Youth Commission

Joseph Clausius, 18 Clarendon Court, Madison 53704 (244-5066-H, 249-2111-W), to be reappointed. This term will expire 4/17/07.

Joseph Gothard, 17 Rustic Ridge Court, Madison 53716 (250-9949-H, 204-3610-W), due to the resignation of Joe McClain. Mr. Gothard is the Dean of Students at LaFollette High School in Madison. He is involved in school discipline, school safety, and youth gang activity prevention. He is a former Biology teacher and Head Football Coach at LaFollette High School. He has a B.S. degree in Biology and Secondary Education and an M.A. degree in Educational Administration. This term will expire 4/17/07.

Kathy Price, 5 North Rosa Road, Madison 53705 (233-3088-H, 261-9006-W), to be reappointed. This term will expire 4/17/07.

Submitted by Supervisor McDonell, June 2, 2005 (p. 80, 05-06).
Referred to EXECUTIVE.

RES. 58, 05-06

**APPROVING LEASE AMENDMENT BETWEEN DANE COUNTY AND USDA FARM SERVICE AGENCY
AT LYMAN F. ANDERSON AGRICULTURE AND CONSERVATION CENTER**

Dane County Land Conservation and the Dane County Extension have enjoyed a close working relationship with the local United States Department of Agriculture offices since before they were all located in the City-County Building in the early 1950's. The agencies moved together to the Extension Building on the Expo grounds in 1979. Upon the completion of the Lyman F. Anderson Agriculture and Conservation Center on the World Dairy Campus in 1996, the county and federal agencies once again moved into collocated space.

The Dane County Committee of the Farm Service Agency (COC) lease expires on September 30, 2005. COC has reduced its leased space from 4,176 square feet to 2,687 square feet for the USDA local offices at the Lyman F. Anderson Agriculture and Conservation Center to better reflect its reduced staff and to accommodate the expanded Dane County Land and Water Resources Department. An amendment lease has been submitted to exercise its option for a thirty-six month period at the rental rate of \$14.15 per square foot or \$38,020 per year retroactive to April 1, 2005. The amended lease will terminate, unless renewed, on September 30, 2008. The county and the agricultural constituencies benefit from having these agencies collocated.

NOW, THEREFORE, BE IT RESOLVED that the County of Dane does hereby approve and authorize the above-described lease amendment, and

BE IT FURTHER RESOLVED that the Dane County Clerk and the County Executive are hereby authorized to execute the lease amendment with the Dane County Committee of the Farm Service Agency on behalf of the County of Dane.

Submitted by Supervisors Ripp, Kostelic, Opitz, Matano, Willett, Schoer, and de Felice, June 2, 2005 (p. 80, 05-06).

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

RES. 59, 05-06

AUTHORIZING THE PURCHASE OF DEVELOPMENT RIGHTS ON ~175 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.

Gary and Ruth Ziegler desire to place approximately 175 acres of their Roxbury farm in the PDR program. WisDOT and USDA approvals are pending for the county to purchase the development rights on the ~175 acres for the appraised value of \$2,900 per acre times the actual acres surveyed, or about \$507,500 (subject to the results of a second appraisal).

NOW, THEREFORE, BE IT RESOLVED that the County of Dane does hereby approve and authorize the purchase of development rights on ~175 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 property rights by the County and to request 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 Supervisor Ripp, June 2, 2005 (p. 81, 05-06).

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

RES. 60, 05-06

AUTHORIZATION TO EXERCISE OPTION TO PURCHASE – SUNNYSIDE PHASE II

Res. 128, 2004-05, authorized the purchase of 73 acres (Phase I) along with an option to purchase an additional 221 acres (Phase II) from Sunnyside Seed Farms, Inc. Both Phase I and Phase II are located within the Black Earth Creek Resource Area in a critical area of the watershed that is under extreme development pressure.

Phase I successfully closed in November of 2004, and the County must exercise its option to purchase Phase II by July 31, 2005. The purchase price of Phase II will not exceed \$3,535,000 (\$15,995/acre). The Town of Middleton will contribute \$1,250,000 towards the purchase, contingent upon the following:

1. Dane County will not sell any of the land without consent of the Middleton Town Board.
2. \$100,000 of the Town's contribution will be segregated by the County to be used first to pay a consultant to create (with appropriate public and Town input) a Master Plan for the acquired land and then used to pay for the initial development of the property. The balance of the \$1.25 million is to be used for acquisition of the land.
3. Dane County recognizes the importance to the Town of Middleton of the proposed Twin Valley Road extension from Highway 14 to Airport Road and further recognizes that the preservation of Phase II will reduce the Town's Impact fee revenue for building the road extension. Therefore, Dane County will not seek DNR Stewardship or any other reimbursement for the 33.1 acres in the Southeast corner of Phase II identified as Areas 1 and 2 on the accompanying plat of survey, in order to have good faith negotiations with the Town regarding the possibility of using Areas 1 and 2 for storm water management, road construction (including use of materials on-site) and road right of way for the extension of Twin Valley Road. Area 1 may possibly be used for all three purposes and Area 2 may possibly be used for road right of way purposes if no other route is practical or if the County's Master Plan identifies the Twin Valley Road extension as a desirable amenity for the property. The Town is not required to build the road extension through these areas.
4. The Town will continue to maintain Low Road at its present level. If the usage of the County's land or the County's Master Plan necessitates an upgrade to the road, the Town and County will discuss the appropriate level of upgrade and the contribution to be made by the benefiting parties.

Staff has also applied for DNR grant funding (Stewardship) to help offset a portion of the purchase price. The Natural Heritage Land Trust has participated in the grant process in order to maximize the funding opportunity. This partnership may require property interests in Phase II to temporarily vest in the Natural Heritage Land Trust.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors and the Dane County Executive hereby authorize the exercise of the option to purchase approximately 221 acres for the Black Earth Creek Resource Area from Sunnyside Seed Farms, Inc., for approximately \$3,353,000, 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 an Assignment Agreement with the Natural Heritage Land Trust and other 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 purchase is contingent upon receiving \$1,250,000 from the Town of Middleton and that the County will abide to the Town's contingencies as listed above, including a restriction against the sale of the property without the consent of the Town of Middleton Board that can be recorded in the Office of the Dane County Register of Deeds.

BE IT FURTHER RESOLVED that, in accordance with the Town's contingencies, \$100,000 be set up as additional revenue in the 2005 Land and Water Resources - Land Acquisition Revenue Account LWPKLNAQ-NEW to receive funds from the Town of Middleton and be credited to the 2005 General Fund and that \$100,000 be transferred from the 2005 General Fund to the 2005 Land and Water Resources - Land Acquisition Expenditure Account LWPKLNAQ - NEW and that these funds be carried forward until expended.

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, June 2, 2005 (p. 83, 05-06).
Referred to PERSONNEL/FINANCE, ENVIRONMENT/AGRICULTURE/NATURAL RESOURCES, and
PARKS.

RES. 61, 05-06

AUTHORIZING THE PURCHASE OF DEVELOPMENT RIGHTS ON ~69 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.

Alfred and Sandy Wildenberg desire to place approximately 69 acres of their Roxbury farm in the PDR program. WisDOT and USDA approvals are pending for the county to purchase the development rights on the ~69 acres for the appraised value of \$2,600 per acre times the actual acres surveyed, or about \$179,400.

NOW, THEREFORE, BE IT RESOLVED that the County of Dane does hereby approve and authorize the purchase of development rights on 69 acres of land from the Wildenbergs 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 property rights by the County and to request 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 Supervisor Ripp, June 2, 2005 (p. 83, 05-06).
Referred to PERSONNEL/FINANCE, ENVIRONMENT/AGRICULTURE/NATURAL RESOURCES, and
PARKS.

COMMUNICATIONS

Ord. Amdt. 5, 05-06 – Amending Ch. 2 & 70, Revising the Parking Ramp Ordinance. Submitted by Supervisors Ripp, Opitz, Matano, Willett, Schoer, and de Felice. Referred to PERSONNEL/FINANCE and PUBLIC WORKS/ TRANSPORTATION.

Res. 55, 05-06 – Award of Contract for Interior Signage for the Dane County Courthouse. Submitted by Supervisors Ripp, Kostelic, Opitz, Matano, and Schoer. Referred to PERSONNEL/FINANCE, PUBLIC PROTECTION/JUDICIARY, PUBLIC WORKS/TRANSPORTATION, and JUSTICE CENTER PLANNING OVERSIGHT.

- Res. 56, 05-06 – Authorizing Execution of Addendum to Lease of Wright Street, LLC, Involving Land at Truax Air Park – Dane County Regional Airport. Submitted by Supervisors Rusk, Gau, and McDonell. Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION. (AIRPORT rec. adoption on 6/1/05.)
- Res. 57, 05-06 – County Executive Appointments. Submitted by Supervisor McDonell. Referred to EXECUTIVE.
- Res. 58, 05-06 – Approving Lease Amendment Between Dane County and USDA Farm Service Agency at Lyman F. Anderson Agriculture and Conservation Center. Submitted by Supervisors Ripp, Kostelic, Opitz, Matano, Willett, Schoer, and de Felice. Referred to PERSONNEL/FINANCE and ENVIRONMENT/AGRICULTURE/NATURAL RESOURCES.
- Res. 59, 05-06 – Authorizing the Purchase of Development Rights on ~175 Acres of Land in the Town of Roxbury. Submitted by Supervisor Ripp. Referred to PERSONNEL/FINANCE, ENVIRONMENT/AGRICULTURE/NATURAL RESOURCES, and PARK COMMISSION.
- Res. 60, 05-06 – Authorization to Exercise Option to Purchase – Sunnyside Phase II. Submitted by Supervisors Ripp and Kostelic. Referred to PERSONNEL/FINANCE, ENVIRONMENT/AGRICULTURE/NATURAL RESOURCES, and PARK COMMISSION.
- Res. 61, 05-06 – Authorizing the Purchase of Development Rights on ~69 Acres of Land in the Town of Roxbury. Submitted by Supervisor Ripp. Referred to PERSONNEL/FINANCE, ENVIRONMENT/AGRICULTURE/NATURAL RESOURCES, and PARK COMMISSION.
- Claim from Glen Odom against Jail – claims personal property is missing. Referred to PUBLIC PROTECTION/JUDICIARY.
- Claim from Edward W. Peirick against Highways – claims vehicle damaged by item falling off truck. Referred to PUBLIC PROTECTION/JUDICIARY.
- Marinette Co. Res. 187-Opposing 2005 Senate Bill 114 and Assembly Bill 225 Classifying County Jailers as Protective Occupation Participants. Referred to EXECUTIVE.
- Wood Co. Res. 05-5-5 – to fully restore the fuel tax user fee concept. Referred to EXECUTIVE.
- Douglas Co. Res. #52-05 – Assembly Bill 412 Opposed. Referred to EXECUTIVE.
- Waupaca Co. Res. 5 (2005-2006) – Opposition to the DNR Use of Wildlife Damage Funds for Chronic Wasting Disease. Referred to EXECUTIVE.

ZONING PETITIONS

Petitions for Zoning Reclassification. Referred by Clerk Ohlsen to ZONING & LAND REGULATION.

- Petition 9254 – Town of Roxbury – David C. & Diane T. Frey
- 9256 – Town of Dunn – Catherine Outhouse
- 9257 – Town of Verona – Joel & Jamie Grant
- 9258 – Town of Montrose – Mary L. Short Rev. Trust
- 9260 – Town of Dunn – Ross J. Molot
- 9261 – Town of Medina – Schroeder Farms of Wisconsin, Inc.
- 9262 – Town of Deerfield – Sandra Weger
- 9263 – Town of Springfield – Wagner Family Trust
- 9265 – Town of Springfield – Norman & Lorraine Maly
- 9267 – Town of Middleton – Candy S. Pollock & Roger Patrick
- 9268 – Town of Oregon – Jean & Gayel Larsen
- 9269 – Town of Primrose – Eleanor J., Robert D. & Roger R. Snider & Carol M. Isely
- 9270 – Town of Springfield – Steven Ripp
- 9271 – Town of Sun Prairie – Jousa Vang
- 9272 – Town of Vermont – Donald & Marguerite Parrell
- 9273 – Town of Sun Prairie – Mary Sue & Charles E. Miller, Jr.

9274 – Town of Springdale – Gary & Kathleen Lutz
9275 – Town of Deerfield – Teddy A. Schlueter
9276 – Town of Montrose – The Bruce Company of Wisconsin, Inc.
9277 – Town of Rutland – William & Suzette Waters
9278 – Town of Sun Prairie – Barbara & Richard Swenson ET AL
9279 – Town of Dunn – JMS Farms, Inc.
9280 – Town of Deerfield – Russell & Janice Pohlman
9281 – Town of Albion – John Kelch
9282 – Town of Windsor – Parkside LLC

RES. 62, 05-06

RESOLUTION APPROVING HOUSING PROJECT OF THE HOUSING AUTHORITY OF DANE COUNTY,
WISCONSIN (SUNNY HILL APARTMENTS PROJECT)

WHEREAS, on June 28, 2005, a public hearing was held before a representative of the Housing Authority of Dane County, Wisconsin (the "**Authority**") with respect to the acquisition and rehabilitation of a housing project (the "**Project**") located at 708 Frances Court, City of Sun Prairie, in Dane County, Wisconsin (the "**County**"), known as the Sunny Hill Apartments; and

WHEREAS, notice of the public hearing, in the form attached hereto as Exhibit A and incorporated herein (the "**Notice**"), was published by at least one insertion in the official newspaper of the Authority for the publication of notices pursuant to Chapter 985 of the Wisconsin Statutes, which is a newspaper of general circulation in the locality of the Project, no less than fourteen (14) days prior to the date of the public hearing; and

WHEREAS, the public hearing was conducted in a manner that provided a reasonable opportunity to be heard for persons with differing views on both issuance of the bonds referred to in the Notice (the "**Bonds**") and the location and the nature of the Project, which is to be financed by the Bonds; and

WHEREAS, the Authority has made a report of the public hearing to the County Board (the "**Governing Body**") of the County, which report the Governing Body has considered; and

WHEREAS, the Governing Body is an elected legislative body of the County; and

WHEREAS, Sections 59.53(22) and 66.1201 to 66.1211 of the Wisconsin Statutes, as amended (the "**Act**"), provides that the Governing body shall approve any housing project to be undertaken by the Authority; and

WHEREAS, the Bonds shall not constitute an indebtedness of the Authority or the County within the meaning of any State of Wisconsin constitutional provision or statutory limitation, and shall not constitute, or give rise to, a pecuniary liability, direct or contingent, of any kind or degree whatsoever, of the Authority or the County or a charge against their general credit or taxing powers;

NOW, THEREFORE, for the purposes of Section 147(f) of the Internal Revenue Code of 1986, as amended, and the Act, this body hereby approves the Project and the issuance of the Bonds therefor.

Submitted by Supervisor Brown, June 16, 2005 (p. 86, 05-06).
Referred to HEALTH/HUMAN NEEDS and PERSONNEL/FINANCE.

RES. 63, 05-06

ACCEPTING AN AWARD FOR SERVICES RELATED TO PUBLIC HEALTH PREPAREDNESS –
PUBLIC HEALTH DIVISION

The Division of Public Health was selected by a consortium of local health departments (Dodge, Green, Jefferson, and Rock counties, and the cities of Beloit, Madison, and Watertown) in south-central Wisconsin to serve as fiscal agent for a grant of funds from the state Division of Public Health from the Public Health Preparedness funds the state is receiving from the Centers for Disease Control. These funds are categorical in nature and may be used to support the consortium's work in related areas.

Since the contract for the period from January 1, 2005, through December 31, 2005, was executed for the amount of \$389,220, several factors have become clear. First, the resolution that accepted these funds for 2004 (Res. 232, 2003-04) carried forward unexpended funds from 2004 to 2005. It has now been determined that the amount of funds that should have been carried forward totals \$285,855. However, of this amount, \$23,582, which was originally awarded in 2003 and carried forward to 2004, was not subsequently carried forward to 2005. Similarly, \$134,882 of 2004 funding that was allocated to salary and fringe benefits was also not carried forward from 2004 to 2005.

Second, late in 2004 Dane County received an incentive bonus applicable to the 2004 grant in the amount of \$30,458. That amount was credited as 2004 revenue and increased total revenue available to carry forward to \$316,313.

Accordingly, \$158,464 of the total available funds were not actually carried forward, and this needs to be accomplished now.

Finally, the Board of the consortium has directed that this amount should be allocated to the partner local health departments according to a formula that provides a basic amount to each agency that is then supplemented by an additional amount that proportionately represents the population served by each agency. According to this formula, grants will be made to each partner agency in the following amounts:

Madison Department of Public Health	\$ 80,510
Dodge County Human Services and Health Dept.	33,833
Green County Health Department	15,611
Jefferson County Health Department	24,074
Watertown Department of Public Health	11,811
Rock County Public Health Department	41,748
Beloit Health Department	<u>26,182</u>
Total	\$233,769

In addition, the Dane County Division of Public Health will receive an allocation totaling \$82,544. These funds will be available for Dane County to use in support of its direct services in the area of public health preparedness and bio-terrorism prevention and response rather than in support of the multi-jurisdiction consortium.

NOW, THEREFORE, BE IT RESOLVED that \$23,582 in 2003 funds previously carried forward to 2004 now be carried forward to 2005 and allocated to the new contractual line.

BE IT FURTHER RESOLVED that \$134,882 of 2004 funding that had been allocated to salary and fringe benefits but not carried forward to 2005 now be carried forward to 2005 and allocated to the new contractual line:

BE IT FURTHER RESOLVED that the carry forward funds totaling 233,769 intended for the partner agencies be reallocated to a new Bio-Terrorism contractual expense line from which funds will be made available to pay the amounts listed above for the partner local health departments.

BE IT FURTHER RESOLVED that these funds be contracted to the local public health agencies in the amounts specified above and that the following expense lines be decreased to reflect the reallocation of current carry forward amounts to the new contractual line:

Organization	Object	Amount
PHNURSE	BITEAA	-\$ 42,957

PHNURSE	BISEAA	-\$ 26,998
PHNURSE	BITRAA	-\$ 23,381
PHNURSE	BIOSAA	-\$ 4,142
PHNURSE	BIRTA	-\$ 3,685
PHNURSE	BITLAA	-\$ 2,258
PHNURSE	TETRAA	-\$ 23,970
PHNURSE	New Contractual Line	+\$233,769
PHNURSE	BICCAA	+\$ 82,544

BE IT FINALLY RESOLVED that any of these funds that remain unexpended as of December 31, 2005 be carried forward to 2006.

Submitted by Supervisor Gross, June 16, 2005 (p. 88, 05-06).
 Referred to HEALTH & HUMAN NEEDS and PERSONNEL/FINANCE.

 RES. 64, 05-06

EXTENSION OF AGREEMENT FOR ADVERTISING RIGHTS AT THE ALLIANT ENERGY CENTER OF DANE COUNTY

The Center has four major advertisers on its electronic signage that includes the marquee on John Nolen Dr., scoreboards and message centers in the Coliseum and banner ads on touch-screen information stations. The agreement with WP Beverages LLC is due to expire December 31, 2009. As part of its agreement for exclusive soft-drink pouring rights at the Center, WP Beverages LLC agreed to extend its advertising agreement on the electronic signage to June 30, 2012 at the rate of \$50,000 per year.

NOW, THEREFORE, BE IT RESOLVED that an amendment for extending the term of the advertising agreement of WP Beverages LLC, 6176 Pepsi Way, Windsor WI 53598, to June 30, 2012 at the rate of \$50,000 per year is hereby approved.

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

Submitted by Supervisors Ripp, Kostelic, Opitz, Willett, and de Felice, June 16, 2005 (p. 88, 05-06).
 Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

 RES. 65, 05-06

AGREEMENT FOR POURING RIGHTS AT THE ALLIANT ENERGY CENTER OF DANE COUNTY

As part of the Center's contract with Centerplate for food, beverage and merchandise rights, the Center retained the pouring and serving rights. This allows the Center to determine the brand of product served within certain guidelines. The Center requested and received information and two proposals for exclusive pouring rights for non-alcoholic beverages. The proposal submitted by WP Beverages LLC was deemed most advantageous for the County. An agreement was negotiated with WP Beverages that includes the following conditions: seven-year

term; the Center receives \$23,500 per year; WP Beverages will provide new menu boards for all concession stands; WP Beverages will continue support of current AEC events in the amount of \$31,500 per year and advertising in the amount of \$50,000 per year; the Center receives new coolers, vendors and fountain equipment in all concession stands; and an extension of the electronic signage advertising agreement at the Center.

NOW, THEREFORE, BE IT RESOLVED that an agreement for exclusive non-alcoholic beverage pouring rights be awarded to WP Beverages LLC, 6176 Pepsi Way, Windsor WI 53598, expiring on June 30, 2012.

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

Submitted by Supervisors Ripp, Kostelic, Opitz, Willett, and de Felice, June 16, 2005 (p. 89, 05-06).
Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

RES. 66, 05-06

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

Jessica L. Thompson, 3405 Marino Court, #8, Middleton 53562 (669-4570-H). Ms. Thompson is an Inside Sales Representative for Inacom Information Systems and Co-chair of their Recruitment and Retention Committee. Prior to that, she served as a Customer Care Manager at Sunrise Medical. She has a B.A. degree in Organizational Communication and a minor in Psychology from the University of Wisconsin-Stevens Point. She is a member of MAGNET (Madison Area Growth Network) and a board member of Art Partners, a subgroup of the Madison Museum of Contemporary Art. This term will expire 4/1/08.

Cultural Affairs Commission

Jerry Minnich, 821 Prospect Place, Madison 53703 (255-2611-H). Mr. Minnich is retired from the University of Wisconsin Press. He also established Prairie Oak Press, before retiring. He is a current member of the Madison Rotary Club, the Board of Directors of Olbrich Botanical Society, the Friends of the University of Wisconsin-Madison Libraries, the Board of Directors of the Seth Peterson Cottage Conversancy. He has authored numerous books and magazine articles on gardening, food, and travel, and current writes restaurant reviews for *Isthmus*. This term will expire 6/30/08.

Georgene Pomplun, 8778 Oak Grove Road, Mount Horeb 53572 (832-6448-H). Ms. Pomplun is active in the arts community as a designer and art director as well as an oil painter. She is currently a member of the Wisconsin Academy of Sciences Arts & Letters, Wisconsin Painters & Sculptors, Design Madison, and Madison Ad Federation. She serves on the Advisory Board for the Commercial Art program at Madison Area Technical College, and has served on the Dane County Cultural Arts Grants Advisory Board for the last three years. This term will expire 6/30/08.

Patricia Takemoto, 5130 Minocqua Crescent, Madison 53705 (233-0670-H), to be reappointed. This term will expire 6/30/08.

Emergency Medical Services Commission

Cheryl Glomp, 1705 Redwood Lane, Madison 53711 (271-9531-H, 258-5055-W), to be reappointed. This term will expire 4/17/07.

Long Term Support Committee

Deborah Garrett Thomas, 6828 Tottenham Road, Madison 53711 (273-2938-H), to be reappointed. This term will expire 4/15/08.

Judith T. Hunter, 1810 Vilas Avenue, Madison 53711 (257-5710-H), to fill the seat of the AAA Board Chair or designee, replacing Jim Wrich. This term will expire 4/15/08.

Kathleen Nichols, 722 Bruce Court, Madison 53705 (231-3859-H, 261-2574-W), to be reappointed. This term will expire 4/15/08.

Submitted by Supervisor Kesterson, June 16, 10025 (p. 90, 05-06).
Referred to EXECUTIVE.

RES. 67, 05-06

APPROVING THE MASTER PLAN FOR SCHUMACHER FARM

Schumacher Farm Park is classified as a Historic Site in the Dane County park system. Marcella Schumacher Pendall donated the original 40 acres to Dane County Parks in 1978. Schumacher Farm functions as a living history museum, representing farm life during the early 1900's, and as a place of prairie restoration and passive recreation. In 1998 a Master Plan was completed for the park for the original 40-acre farmstead. The park boundaries were recently expanded with the purchase of the 77.7-acre Raemisch parcel; therefore, a plan was needed to create a seamless boundary between existing and future park developments. Recreational use of the site will be secondary and limited to passive activities such as hiking, cross-country skiing, picnicking, and nature observation.

Master plan workshop meetings were held with the Friends of Schumacher Farm from December of 2003 through present. Periodic updates on the planning process were presented to the Dane County Parks Commission throughout the entire planning process. Dane County Parks presented the master plan to the Village of Waunakee and Town of Westport Plan Commissions for review in the spring of 2005.

NOW, THEREFORE, BE IT RESOLVED that the Master Plan will provide shared vision for future acquisition, development and operation of the park and enable the Friends of Schumacher Farm and Parks Department to apply for certain state and federal grant programs.

BE IT FINALLY RESOLVED that the Dane County Board of Supervisors adopts the Master Plan for Schumacher Farm as an element of the Dane County Parks and Open Space Plan.

Submitted by Supervisors Ripp, Kostelic, and Fyrst, June 16, 2005 (p. 90, 05-06). Fiscal and Policy Notes not required.

Referred to ENVIRONMENT/AGRICULTURE/NATURAL RESOURCES.

RES. 68, 05-06

APPROVE CROP LEASE ON COUNTY PARK LAND – DONALD PARK

Dane County leases land for cropping that currently is not being used for prairie restoration or recreation. The primary reason for cropping the land is to control the spread of invasive woody species, weeds and brush for later prairie restoration and/or recreational use. The leases are for limited periods and are renewed as needed.

The following lease is for the cropping of hay on fields at Donald Park in the Town of Springdale. The lessee had been renting the land directly from The Friends of Donald Park.

Donald Park – Town of Springdale

Acreage: 18.5
Lessee: David Hughes
Amount: \$370.00 per year
Term: one year, 2005

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 contract set forth above.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the payment of the lease contract set forth above be accepted as revenue in the 2005 Land and Water Resources revenue account LWRPKOP 84245.

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 and Kostelic, June 16, 2005 (p. 91, 05-06).

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

RES. 69, 05-06

ACCEPTING DONATION AND NAMING OF A PICNIC SHELTER AT POPS KNOLL IN DONALD PARK

Delma Donald Woodburn was born on June 2nd, 1899. Delma was married to James G. Woodburn in 1923 and had two sons, James and Robert. Delma was very involved with the operations of the family farms in the Town of Springdale. Her family's love of the land and her deep roots in the history of the area around the family farms prompted Delma to establish a legacy to her family that could be shared by many. She did this by donating the initial 105 acres for what has become Donald Park. The family has since made several additional donations of money for planning and development of this park.

It was a joyous moment when the Woodburns took a day off to picnic at their Springdale farms and when a picnic was suggested, the word was "let's go out to Pop's Knoll" named for James Woodburn who was fondly called "Pop." The picnic site at Donald Park was named for this by County Board Resolution 79 in the summer of 2001. Delma passed away November 8, 2001 at the age of 102.

The Woodburn family continues to actively farm in Springdale township under the incorporated business of Vernon Valley Farms. The family wishes to donate all funds necessary for materials to construct a shelter at Pops Knoll in memory of Delma, to be called the "Delma's Shelter." Dane County Parks staff, with the help of

volunteers, would provide all labor necessary to construct the shelter in the fall of 2005. They have requested the donation be made in the name of Vernon Valley Farms, and the shelter include an interpretive display explaining where the name Donald came from, who Pop and Delma were, and what Vernon Valley Farms, Inc. is.

NOW, THEREFORE, BE IT RESOLVED, that the Dane County Board of Supervisors, County Executives Office, and Dane County Parks Commission recognize the many significant donations of land and money made by the Woodburn family and Vernon Valley Farms for the creation of Donald Park.

BE IT FINALLY RESOLVED, that the Dane County Board of Supervisors, County Executives Office, and Dane County Parks Commission graciously accept the Vernon Valley Farms donation of money to help fund construction of a shelter at Pops Knoll in Donald Park and that the shelter be named "Delma's Shelter."

Submitted by Supervisor Kesterson, June 16, 2005 (p. 92, 05-06).

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

COMMUNICATIONS

Claim from James R. Schultz against the Clerk of Circuit Court for fees charged. Referred to PUBLIC PROTECTION/JUDICIARY.

Claim from Sarah B. Ihm against Parks for damage to her vehicle. Referred to PUBLIC PROTECTION/JUDICIARY.

Claim from W. Thomas Penn against Highway for damage to his vehicle. Referred to PUBLIC PROTECTION/JUDICIARY.

Claim from Chai Thao against Dane County for damage to his vehicle. Referred to PUBLIC PROTECTION/JUDICIARY.

ZONING PETITIONS

Petitions for Zoning reclassification. Referred by Clerk Ohlsen to ZONING & LAND REGULATION.

- Petition 9264 – Town of Verona – Jeffrey Peterson & Mary Buckman
- 9283 – Town of Blue Mounds – Dwight D. Anderson
- 9284 – Town of Black Earth – Henry & Dolores Flogel
- 9285 – Town of Blue Mounds – State of Wisconsin DOT
- 9286 – Town of Oregon – Prairie Home LLC
- 9287 – Town of Blue Mounds – Donna Bigler & Jack Bigler
- 9288 – Town of Springfield – Cyril Meier
- 9289 – Town of Cottage Grove – Roger & Lynn Korfmacher
- 9290 – Town of Sun Prairie – Claudia & Daryl Ketterhagen
- 9291 – Town of Cross Plains – Wayne & Tabitha Aeschbach
- 9292 – Town of Blue Mounds – William Hitzemann
- 9293 – Town of Berry – Lucas & Tiffany Francois
- 9294 – Town of Dunkirk – Dennis Harried
- 9295 – Town of Dunkirk – Sundby Sand & Gravel et. al.
- 9296 – Town of Roxbury – David Haas & Heather Roundy
- 9297 – Town of Black Earth – Dennis, John & Vernon Halverson
- 9298 – Town of Verona – Howard & Alicia Zweifel
- 9299 – Town of Black Earth – Marlin & Debra Barsness & Shawn Statz
- 9300 – Town of Dane – Ralph Jesse
- 9301 – Town of Springfield – Harold & Betty Spahn & Franklin Niesen

- 9302 – Town of Cottage Grove – Duane & Viola Rathert
- 9303 – Town of Bristol – TCD Builders & Park Avenue Homes
- 9304 – Town of Blue Mounds – Jesse Straubhaar
- 9305 – Town of Christiana – Michael & Nadine Lecture
- 9306 – Town of Westport – Randall R. Kippley
- 9307 – Town of Sun Prairie – Keith & Joan Rademacher
- 9308 – Town of Vienna – Nature Valley Conservancy Neighborhood LLC

RES. 70, 05-06

AWARD OF CONTRACT FOR FUEL TANK REPLACEMENT
AT BADGER PRAIRIE HEALTH CARE CENTER

The Public Works, Highway & Transportation Department reports the receipt of bids for the Fuel Tank Replacement at Badger Prairie Health Care Center, Bid No. 105070.

The low qualified bidder is:

GTD, INC.
202 WEST STATE, #502
Rockford, IL 61101

Base Bid Contract Amount: \$47,325.00

Alternate Bids (remediation, fill,
fuel transportation); priced on unitary
basis; final amount to be determined
based on need; estimated at \$16,175.00.

The Public Works Staff finds the amount to be reasonable and recommends the Contract be awarded to GTD, Inc.

There are sufficient funds in the Budget for this project.

NOW, THEREFORE, BE IT RESOLVED, That the Contract be awarded to GTD, Inc. in the amount of \$47,325.00 (plus alternate bids) for the Fuel Tank Replacement; 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 Public Works, Highway & Transportation Department be directed to ensure complete performance of the Contract.

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 Supervisor Ripp, June 20, 2005 (p. 94, 05-06).

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

ORD. AMDT. 6, 05-06

AMENDING CHAPTER 35 OF THE DANE COUNTY CODE OF ORDINANCES,
HUBER LAW PRISONER 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 35.03 of the Dane County Code of Ordinances is amended to read as follows:

35.03 HUBER LAW PRISONERS. Each Huber prisoner who is confined in the jail shall be liable for the cost of his or her maintenance and board in the amount of \$15.34 per day for the period during which he or she is so confined and gainfully employed. The rate shall be reduced by one-half for prisoners employed less than ~~20~~ 30 hours per week.

[EXPLANATION: This amendment updates the Huber board rate charged for prisoners working less than 30 hours per week.]

Submitted by Supervisors Olsen, Rusk, McDonell, Vedder, Kostelic, and Salov, July 7, 2005 (p. 95, 05-06).

Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

ORD. AMDT. 7, 05-06

AMENDING CHAPTER 12 OF THE DANE COUNTY CODE OF ORDINANCES, EXEMPTING PUBLIC SCHOOL DISTRICTS FROM 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. Subsection (1)(c) of s. 12.06 is amended to read as follows:

12.06 EXEMPTIONS FROM FEES. (1) The following types of petitions and permits shall be exempt from fees:

(a) Petitions to amend the text of the ordinances when filed by a county board supervisor.

(b) Petitions to amend the zoning maps and applications for conditional use permits, special exception permits and variances if the land is owned by a municipality and the governing body thereof submits the petition or applications.

(c) Zoning permits for municipally owned buildings. For the purpose of this section municipally owned buildings shall include those buildings owned by a public school district.

[EXPLANATION: This amendment includes public school districts in the list of entities exempt from zoning permit application fees.]

Submitted by Supervisors Bruskewitz, Ripp, Jensen, and Vogel, July 7, 2005 (p. 95, 05-06).

Referred to PERSONNEL/FINANCE and ZONING/LAND REGULATION.

ORD. AMDT. 8, 05-06

AMENDING CHAPTER 35 OF THE DANE COUNTY CODE OF ORDINANCES, MAINTENANCE AND BOARD FEES OF PRISONERS

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 35.02 of the Dane County Code of Ordinances is amended to read as follows:

35.02 MUNICIPAL PRISONERS. (1) The cost of maintenance and board for a municipal prisoner in the jail is deemed to be ~~\$14.79~~ \$16.68 for each day that the prisoner is confined.

ARTICLE 3. Section 35.03 of the Dane County Code of Ordinances is amended to read as follows:

35.03 HUBER LAW PRISONERS. Each Huber prisoner who is confined in the jail shall be liable for the cost of his or her maintenance and board in the amount of ~~\$15.34~~ \$17.04 per day for the period during which he or she is so confined and gainfully employed. The rate shall be reduced by one-half for prisoners employed less than 20 hours in a week.

[EXPLANATION: The amendments made herein increase the fees charged by the Dane County Sheriff's Department for maintenance and board of various types of prisoners.]

Submitted by Supervisors Olsen and Fyrst, July 7, 2005 (p. 96, 05-06).

Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

RES. 71, 05-06

AUTHORIZING A PURCHASES OF SERVICES AGREEMENT
WITH SBC TO PROVIDE NEW PHONE EQUIPMENT

Dane County Public Safety Communications is in the process of replacing its existing telephone equipment including the E9-1-1 ALI/ANI Controller. After a review by a staff committee and receiving the highest score in the RFP process, the County has entered into Contract negotiations with SBC to purchase the needed hardware, software, and maintenance agreements.

NOW, THEREFORE, BE IT RESOLVED that Dane County enter into this Agreement with SBC, with the total cost not to exceed \$582,547.20, which has been authorized for this purpose in the 2005 Capital budget.

FINALLY, BE IT RESOLVED that the Dane County Executive and the Dane County Clerk authorize the finalized Agreement with SBC.

Submitted by Supervisors Martz and Salov, July 7, 2005 (p. 96, 05-06).

Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

RES. 72, 05-06

AUTHORIZING EXECUTION OF PURCHASE OF SERVICES AGREEMENT FOR ENGINEERING SERVICES
AT THE TRUAX LANDFILL – DANE COUNTY REGIONAL AIRPORT

The now closed and capped Truax Landfill and its methane gas extraction system is subject to extensive and ongoing environmental monitoring and reporting requirements established by the Wisconsin Department of Natural Resources. After completion of the request for proposals process _____ has been chosen to provide the engineering services necessary to ensure continued regulatory compliance and provide routine

maintenance of the various monitoring devices located at the Truax Landfill. The five-year term of the subject Purchase of Services Agreement runs from August 1, 2005, to July 31, 2010, and has an average annual cost of \$ _____, with a total maximum cost over its full term of \$ _____. There are sufficient funds presently appropriated in the Airport budget to meet the contractual costs that will be incurred in 2005.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Executive and the Dane County Clerk are authorized to execute on behalf of Dane County a Purchase of Services Agreement with _____ to provide engineering services related to the Truax Landfill, as set forth above. The five-year contract shall be in the aggregate maximum amount of \$ _____ and shall expire on July 31, 2010.

Submitted by Supervisors Rusk, Gau, and McDonell, July 7, 2005 (p. 97, 05-06).
Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

RES. 73, 05-06

AUTHORIZATION FOR THE DEPARTMENT OF HUMAN SERVICES AND THE COUNTY EXECUTIVE TO
SUBMIT A WAIVER REQUEST UNDER WIS. STAT. 66.0143

Wisconsin statutes require that agencies contracting with the Dane County Department of Human Services (DCDHS) provide a certified financial and compliance audit to DCDHS when the contract amount exceeds \$25,000. The statutes also allow the State to grant waivers of this requirement.

In the past, the DCDHS has submitted its waiver requests to one unit of state government, the Department Health and Family Services (DHFS), Office of Strategic Finance. Recently, however, the process has become more complicated: Contracts that include funding for work programs must have the waiver approved by the Department of Workforce Development; contracts that receive funding from the Department of Corrections must have the waiver approved by that department; and even within DHFS, nutrition programs must have the waiver approved by the Bureau of Aging and Long-Term Care, whereas other programs are still approved by the Office of Strategic Finance. Sorting out which state departments are to receive which requests, submitting duplicate requests for contracts funded by more than one revenue source, and preparing the supporting documentation on a per contract basis, is taking an increasing amount of staff time.

There is another option: Wisconsin Statute 66.0143 allows municipalities (including counties) to request a waiver from state laws that do not impact health or safety. This option allows the County to submit a general request to one state agency, the Department of Revenue. When granted, the waiver is in effect for four years. The waiver application requires the County Board to authorize the request for the waiver and for the County Executive to attest that there is no impact on health and safety.

DCDHS is requesting the Board's authorization for a waiver request that would increase the threshold at which an audit is required from \$25,000 to \$100,000. This would not preclude DCDHS from requiring an audit from providers whose contracts are under \$100,000 and for which other factors indicate an audit is necessary.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors does authorize the Department of Human and Services and the County Executive to apply for a waiver under Wis. Statutes 66.0143 of all applicable statutes that require an audit from providers when the contract amount exceeds \$25,000, requiring instead that the contract amount be set at \$100,000.

BE IT FINALLY RESOLVED that the Dane County Board of Supervisors and the County Executive do attest that the waiver shall have little or no effect on health and safety.

Submitted by Supervisor Gross, July 7, 2005 (p. 98, 05-06).
Referred to HEALTH/HUMAN NEEDS and PERSONNEL/FINANCE.

RES. 74, 05-06

AUTHORIZING DARBO 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 (free) within the Salvation Army building for many years at 3030 Darbo Road, Madison, Wisconsin. The Salvation Army is now requesting nominal rent of \$100 per month for the term of the lease to help with operating costs. 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 \$100 per month to cover costs related to occupying this space during the lease year of 06/01/05 to 05/31/06. This also includes two one-year renewals at the current rental rate.

The negotiated rental rate for the designated JFF space is presently at way below market 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 \$1,200. All utilities are included except for telephone.

NOW, THEREFORE, BE IT RESOLVED that Dane County enter into a lease with Major Bruce Bailey, The Salvation Army, 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 Supervisor Gross, July 7, 2005 (p. 98, 05-06).

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

RES. 75, 05-06

ACCEPTING DONATIONS FOR A BREASTFEEDING SYMPOSIUM - PUBLIC HEALTH DIVISION

The Division of Public Health conducts an annual symposium for health care providers on best practices related to supporting women in their decision to breastfeed their infants. The symposium will held at the Alliant Energy Center on April 21, 2005. As has happened every year, private sector partners have donated funds to underwrite the costs associated with the symposium. This year, a total of \$3,300.00 has been donated. It is proposed that these funds be expended principally on food 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 \$3,300.00 for the purpose of conducting a breastfeeding symposium for Dane County health care providers.

BE IT FURTHER RESOLVED that the following 2005 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>	2360	<u>Fund Name:</u>	Public Health	<u>Orgn:</u>	PHNURSE
<u>Objt:</u>	83880	<u>Line Name:</u>	Breastfeeding Revenue	<u>Line Amount:</u>	\$3,300

EXPENSE ACCOUNT:

<u>Program:</u>	Nursing	<u>Dept.No.:</u>	510	<u>Dept. Name:</u>	Human Services
<u>Fund No:</u>	2360	<u>Fund Name:</u>	Public Health	<u>Orgn:</u>	PHNURSE
<u>Objt:</u>	BRFEAA	<u>Line Name:</u>	Breastfeeding Supplies	<u>Line Amount:</u>	\$3,300

BE IT FINALLY RESOLVED that the Division of Public Health be authorized to purchase meals and refreshments with these funds.

Submitted by Supervisors Gross and Worzala, July 7, 2005 (p. 99, 05-06).
 Referred to HEALTH/HUMAN NEEDS and PERSONNEL/FINANCE.

 Res. 76, 05-06

ACCEPTING MEDICAID REVENUE FOR PERSONAL CARE SERVICES
DCDHS - ACS DIVISION

The purpose of this resolution is to adjust revenue and expenditure for 2005. The Medical Assistance Personal Care (MA PC) benefit is available to MA eligible individuals with physical disabilities that result in the need for assistance with bathing, dressing, feeding, toileting, ambulation, and other elements of personal care. The primary provider of personal care services is Community Living Alliance (CLA), Inc. Over 225 consumers currently receive personal care services from CLA, with each consumer receiving an average of five hours of personal care service each day. In 2004, Community Living Alliance billed for more than \$6.4 million in MA PC revenue. January–May 2005 data indicates that Community Living Alliance will earn more than \$7.1 million in MA PC revenue in 2005. The DCDHS Adult Community Services Division conservatively budgeted \$5,487,441 for Community Living Alliance’s 2005 MA PC program. Therefore, an adjustment of \$1,641,459 is needed to bring the contract in line with the projected program utilization.

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.

Revenue Account Number	Account Title	Amount
ACGPYDI 81435	PD MA Personal Care	\$1,641,459
	Total	\$1,641,459
Expenditure Account Number	Account Title	Amount
ACGSHCLA SHPCAA	CLA MA Personal Care	\$1,641,459
	Total	\$1,641,459

Submitted by Supervisors Gross and Worzala, July 7, 2005 (p. 100, 05-06).
Referred to HEALTH/HUMAN NEEDS and PERSONNEL/FINANCE.

RES. 77, 05-06

AWARD OF AGREEMENT FOR NEW BPHCC STUDY

The Public Works, Highway & Transportation Department requested proposals for Professional Architectural and Engineering Services for the New Badger Prairie Health Care Center Study, #105049.

An Agreement has been negotiated with _____ for a cost not to exceed \$_____.

The Public Works Staff finds the amount to be reasonable and recommends 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 _____ in the amount of \$_____ 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; and

BE IT FINALLY 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 Supervisor Ripp, July 7, 2005 (p. 100, 05-06).

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

RES. 78, 05-06

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 \$297.51 per month rent (\$235.47 + 62.04) 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 \$6.34. Rent was \$230.54 and maintenance costs were \$60.63 for a total of \$291.17.

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 \$235.47 per month plus \$62.04 for utilities and other light maintenance (except telephone) for a total of \$297.51 per month or \$3,570.12 for the rental year. The current lease will run from September 1, 2005, to August 31, 2006.

NOW, THEREFORE, BE IT RESOLVED that Dane County enter into a lease with the City of Sun Prairie School District 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 Supervisor Gross, July 7, 2005 (p. 101, 05-06).

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

RES. 79, 05-06

AUTHORIZATION OF HAMMERSLEY MEMORANDUM OF UNDERSTANDING
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 is requesting approval to occupy office space in a duplex owned by Community Development Authority (CDA), located at 6401 Hammersley, in Madison, Wisconsin 53705. The JFF is occupying one bedroom and will share the common area space with the Community Action Coalition, Inc., and the City of Madison Public Health. CDA has agreed to contribute the space and structural maintenance so there will be not rental dollars for county. The JFF will be paying the utilities (approximately \$80 per month), but will be working with the friends of JFF to help pay these costs including other general cleaning.

The space will be utilized by a Dane County Community social worker and other JFF partners, as stated above. The JFF utilities and telephone costs are included in the 2005 budget line. The current MOU will run until April 14, 2006, and will have one one-year renewal.

NOW, THEREFORE, BE IT RESOLVED that Dane County enter into a Memorandum of Understanding with Community Development Authority 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 Supervisor Gross, July 7, 2005 (p. 101, 05-06).

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

RES. 80, 05-06

AUTHORIZING TRAVEL OUTSIDE OF THE CONTINENTAL UNITED STATES FOR THE
DANE COUNTY REGIONAL AIRPORT'S DIRECTOR OF OPERATIONS AND PUBLIC SAFETY

The Airport's Director of Operations and Public Safety, Marty Lenss, is a member of the Public Safety and Security Committee of the Airports Council International-North America (ACI-NA). This summer, the ACI-NA's Public Safety and Security Committee meets in Toronto, Ontario, on August 8 and 9. The Committee meeting will provide the latest information on airport safety and security and will address the effective implementation of current security regulations. Moreover, the Committee meeting will provide a unique forum for the discussion of regulations presently pending before regulatory agencies and an exchange of information between American and Canadian airport and regulatory agency officials.

Travel outside of the continental United States requires the approval of the County Board and the County Executive. Funds for the Airport's Director of Operation and Safety's attendance at the Toronto committee meeting are in the current Airport budget, and the trip will not be paid for through tax dollars.

NOW, THEREFORE, BE IT RESOLVED that the County of Dane does hereby approve and authorize Marty Lenss, the Airport's Director of Operations and Public Safety, to attend the ACI-NA's Public Safety and Security Committee meeting to be held on August 8 and 9, 2005, in Toronto, Ontario.

Submitted by Supervisors Rusk, Gau, de Felice, and McDonell, July 7, 2005 (p. 102, 05-06).
Referred to PERSONNEL/FINANCE.

RES. 81, 05-06

DANE COUNTY WILL NOT CONDEMN HOMES FOR PRIVATE DEVELOPERS

The United States Supreme Court recently ruled that municipalities can take the homes of citizens by condemnation (eminent domain) to allow a private developer to produce "new jobs and increased tax revenue" (Kelo v. New London). Dane County renounces this use of its eminent domain powers.

Dane County has traditionally been very restrained in its use of condemnation for public purposes. For example, the Parks and Open Space Plan has always been implemented only by purchases from willing sellers. This same tradition continues in the more recent "purchase of development rights" (PDR) program.

However, this recent Supreme Court decision demands an immediate response because it strikes at the very heart of the "American Dream" of home ownership. The privacy of the home was enshrined in the common law that the American colonies borrowed from England – "An Englishman's home is his castle." The original grievances that sparked the American Revolution included such things as the quartering of British troops in private homes. Subsequently, the Bill of Rights of the Constitution guaranteed the privacy of the home in the third, fourth, and fifth Amendments.

"The right of the people to be secure in their...houses...against unreasonable searches and seizures shall not be violated." 4th Amendment.

"No soldier shall, in time of peace be quartered in any house, without the consent of the owner..." 3rd Amendment.

“No person... shall ... be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.” 5th Amendment.

This special protection for the privacy of the home is essential to American freedom and even though the Supreme Court says that local governments may violate it, it continues to be the policy of Dane County to respect it.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors hereby establishes a policy that no owner-occupied residence shall be taken by condemnation (eminent domain) for the purpose of transferring the property to a private developer.

BE IT FURTHER RESOLVED that the County Board specifies that the Parks and Open Space Plan and the Purchase of Development Rights (PDR) program will continue to be implemented only by purchases from willing sellers and never by taking private residences for open space or PDR purposes.

BE IT FINALLY RESOLVED that copies of this resolution will be sent to all Dane County municipalities.

Submitted by Supervisors Hendrick, Kesterson, Hitzemann, Matano, Brown, Wiganowsky, Bruskewitz, Pertzborn, Willett, Kostelic, Hanson, Ripp, Salov, Blaska, Olsen, McDonell, Worzala, Vedder, Fyrst, de Felice, Hulsey, Rusk, Wendt, and Martz, July 7, 2005 (p. 103, 05-06).

Referred to EXECUTIVE.

RES. 82, 05-06

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.

Youth Commission

Dr. Barbara O’Connell, 7677 Moraine Ridge Road, Verona 53593 (829-1544-H, 267-5433-W), due to the resignation of Sophia Estante. Dr. O’Connell is Associate Professor of Obstetrics and Gynecology, Affiliate Member of the Department of Pediatrics, and Director of Pediatric and Adolescent Gynecology at the University of Wisconsin Hospital and Clinics, and Director of Women’s Health Services at Meriter Hospital. She has a B.S. degree in Bacteriology and a Doctor of Medicine degree from the University of Wisconsin-Madison. This term will expire 4/18/06.

Gabrielle Ratte Smith, 21 Burning Wood Court, Madison 53704 (244-3834-H), due to the resignation of Hanah Jon Taylor. Ms. Smith is the Associate Director for the Alliance for Wisconsin Youth/Wisconsin Positive Youth Development, a statewide organization serving over one hundred local member alliances to promote positive youth development and prevent the incidence of high-risk behavior. She has also served as its coordinator and administrative assistance. She has also served as an Outreach Specialist for the University of Wisconsin Madison’s Wisconsin Clearinghouse. She has a B.A. degree in International Relations and French from Beloit College in Beloit, Wisconsin and Master’s degree in French from the University of Wisconsin-Madison. She has served as a board member of the Wisconsin Student Assistance Association and the Dane County Mental Health Center, and as a facilitator of the Northside Communities of Faith. This term will expire 4/17/07.

Wisconsin River Rail Transit Commission

Jerry Mandli, 5804 Aspen Court, McFarland 53558 (266-4039-W), to fill a citizen seat. Mr. Mandli is the Commissioner/Director of the Department of Public works, Highway & Transportation for Dane County. This term will expire 4/15/08.

Submitted by Supervisor Kesterson, July 7, 2005 (p. 104, 05-06).
Referred to EXECUTIVE.

COMMUNICATIONS

Notice of subrogation claim against Sheriff from First Auto & Casualty Ins. Co. on behalf of their insured, Jennifer Melton. Referred to PUBLIC PROTECTION/JUDICIARY.

Claim from Richard and Lynn McDowell against Highways – claims vehicle damage by pavement marker. Referred to PUBLIC PROTECTION/JUDICIARY.

Claim from Martha Lawrence against Zoo – claims personal injury caused by crack in pavement. Referred to PUBLIC PROTECTION/JUDICIARY.

Claim from Paul M. Morris against Jail – claims prescription medications were not returned to him. Referred to PUBLIC PROTECTION/JUDICIARY.

Adams Co. Res. 6-130-2005, Opposing 2005 SB114 & AB225 Classifying County Jailers as Protective Occupation Participants. Referred to EXECUTIVE.

Adams Co. Res. 6-42-2005, Opposition to DNR Use of Wildlife Damage Funds for Chronic Wasting Disease. Referred to EXECUTIVE.

Adams Co. Res. 6-40-2005, Assembly Bill 412 Opposed. Referred to PUBLIC PROTECTION/JUDICIARY.

Adams Co. Res. 6-38-2005, Supporting State Efforts to Address the Non-Native Aquatic Invasive Species Problem. Referred to EXECUTIVE.

Bayfield Co. Res. 2005-026, Supporting State Efforts to Address the Non-Native Aquatic Invasive Species Problem. Referred to EXECUTIVE.

AMENDING CHAPTER 34 OF THE DANE COUNTY CODE OF ORDINANCES.
SMOKING REGULATIONS IN THE CITY-COUNTY BUILDING JAIL

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 34.07(3)(b) of the Dane County Code of Ordinances is repealed.

34.07 SMOKING PROHIBITED. (3) *Prohibited conduct.* (a) It shall be unlawful and a violation of this section for any person, whether employed by the County of Dane or a member of the public, to smoke in any county building, county vehicle or joint use building.

~~(b) The provisions of paragraph (a) shall not apply to the jail in the city-county building.~~

[EXPLANATION: *The amendment brings the ordinance up to date and makes it consistent with sheriff's department policy.*]

Submitted by Supervisors Olsen and Hendrick, July 21, 2005 (p. 105, 05-06). Fiscal and Policy Notes not required.

Referred to PUBLIC PROTECTION/JUDICIARY.

RES. 84, 05-06

APPROVING PUBLIC HALL BENCHES FOR DANE COUNTY JUSTICE CENTER

On March 6, 2003, the Dane County Board of Supervisors approved Sub. 1 to Res. 278, 2002-2003, Award of Contract for Dane County Courthouse. This contract awarded the construction contract for the new Dane County Justice Center to Miron Construction Company 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 alternate bids to the project prior to completion.

Alternate F was to provide wood benches for public seating in hallways outside courtrooms. The initial design called for 37 custom designed 8' oak benches. Miron gave a cost of \$30,140 for Alternate F on the February 4, 2003, Summary of Quotations. A cost estimate from Badger State Industries dated October 27, 2004, was \$41,941.80. Dane County Purchasing and Court staff explored alternatives of equal quality and functionality. An alternative was identified. Badger State Industries has available a standard 6' bench and chair combination which will suffice for the purpose of providing the necessary public seating. Because the benches are shorter, more will be required. The cost quoted for construction and installation of 47 bench/chair combinations is \$27,918.

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. It appears that sufficient funds are available to proceed with this alternate. Approval of this alternate will not increase the project budget, because it 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 activity.

Dane County Department of Administration to issue a purchase order to Badger State Industries for 47 bench/chair combinations for public seating in the new courthouse, in the amount of \$27,918.

Submitted by Supervisors Ripp, Kostelic, Schoer, Vogel, Olsen, Opitz, Jensen, Bruskewitz, Matano, Willett, Brown, and Fyrst, July 21, 2005 (p. 106, 05-06).

Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

RES. 85, 05-06

AUTHORIZING ACCEPTANCE OF DONATIONS TO PURCHASE BLINDS FOR THE NORTHEAST PRECINCT

The Dane County Sheriff's Office has a need to furnish the recently expanded Northeast Precinct with window coverings. A request to purchase window coverings was submitted and denied during the 2005 Budget process, so the Sheriff's Office received approval to solicit for donations from area businesses. The Sheriff's Office received several donations from County Board Supervisors including a \$200 donation from Supervisor Wiganowsky and an agreement to install the blinds by Supervisor Gau. The remaining cost of the blinds is being donated by Springs Window Fashions, who has agreed to provide us with the blinds.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Sheriff's Office is authorized to accept the donations in order to purchase window coverings for the Northeast Precinct.

BE IT FURTHER RESOLVED that \$400 be accepted as additional revenue in the Sheriff's Office, Field Services Division, Miscellaneous Donation Revenue Account (SHRFFLD-NEW) and be credited to the General Fund.

BE IT FURTHER RESOLVED that \$400 be transferred from the General Fund to the Sheriff's Office, Field Services, Miscellaneous Donation Expenditure Account (SHRFFLD-NEW).

BE IT FINALLY RESOLVED that any miscellaneous donation revenue in excess of expenditures as of December 31 shall be carried forward to the next fiscal year.

Submitted by Supervisor Olsen, July 21, 2005 (p. 106, 05-06).

Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

RES. 86, 05-06

APPROVING AGREEMENT FOR COMMUNITY DEVELOPMENT BLOCK GRANT LOAN
FOR PLH & ASSOCIATES

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 \$550,000.

PLH & Associates requested CRLF financing to assist the redevelopment of 954 Janesville Street in the Village of Oregon. The 1-acre blighted site is located on the south end of the Village, between a convenience store and an auto repair business. PLH & Associates proposes to demolish the dilapidated residential structure and construct a 4,200 square-foot, multi-tenant building housing three retail and service businesses that are projected to create ten new full-time equivalent jobs. The total project cost is approximately \$800,000.

Paul Lynch, President and CEO of PLH & Associates, submitted a CRLF Application and supporting documents in June 2005 requesting \$350,000 in CRLF assistance. Security pledged for the project includes a second mortgage position on the real estate and a personal guarantee of the owner.

The Revolving Loan Fund (RLF) Loan Committee met on June 29 to review the submitted materials and staff reports. The RLF Loan Committee determined that the loan request was consistent with CDBG and CRLF job creation and revitalization objectives, that the project was financially sound, and that a financial gap existed due to the costs of revitalization. The RLF Loan Committee also determined that the financial gap was smaller than the \$350,000 requested and recommended a loan in the amount of \$225,000. The Committee further recommended an interest rate of 5.50 percent, a term of five years amortized at 25 years, and a point loan processing fee.

The CDBG Commission, on July 6, approved the RLF Loan Committee recommendations as well as an additional option of a 1-year deferment of principal payments to allow time for the project to generate positive cash flow.

NOW, THEREFORE, BE IT RESOLVED that a CRLF loan of \$225,000 to PLH & Associates, LLC, with a term of 5 years, an amortization of 25 years, a fixed interest rate of 5.5%, a 1% loan origination fee, and principal payments beginning in year 2, 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 contracts in behalf of Dane County.

Submitted by Supervisors Worzala and Jensen, July 21, 2005 (p. 107, 05-06).
Referred to PERSONNEL/FINANCE.

RES. 87, 05-06

AUTHORIZING TRAVEL OUTSIDE THE CONTINENTAL UNITED STATES FOR THE DANE COUNTY REGIONAL AIRPORT DIRECTOR AND THE AIRPORT'S DIRECTOR OF FINANCE AND ADMINISTRATION

This year the Annual Conference and Exhibition of the Airports Council International-North America (ACI-NA) is to be held in Toronto, Ontario from September 18 through September 21. The annual ACI-NA conference is attended by representatives from all sectors of the commercial aviation industry, including officials from regulatory agencies, airlines, airports, and airport related concession industries. The conference provides a

unique and educational opportunity for Dane County Regional Airport officials to participate in discussions involving many different perspectives on issues that are critical to successful airport operations during these times of turbulence in the industry. Additionally, both the Airport Director and the Airport's Director of Finance and Administration are members of ACI-NA committees that will be meeting on September 17 and 18 on various airport related topics in conjunction with the annual conference.

Travel outside of the continental United States requires the approval of the County Board and the County Executive. Funds for attendance at ACI-NA Annual Conference and Exhibition in Canada by the Airport Director Brad Livingston and Kim Jones, the Airport's Director of Finance and Administration, are in the current Airport budget, and the trip will not be paid for through tax dollars.

NOW, THEREFORE, BE IT RESOLVED that the County of Dane does hereby approve and authorize Airport Director Brad Livingston and Kim Jones, the Airport Director of Finance and Administration, to attend the September 2005 ACI-NA Annual Conference and Exhibition in Toronto, as set forth above.

Submitted by Supervisors Rusk, McDonell, and de Felice, July 21, 2005 (p. 108, 05-06).
Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

RES. 88, 05-06

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

Supervisor Donna Vogel, 808 Garfield Street, Stoughton 53589 (873-8863-H), to fill the expired term of Supervisor Pertzborn. This term will expire 4/1/07.

Civil Service Commission

Eunice Gibson, 4725 Sheboygan Avenue, Madison 53705 (238-0966-H), due to the resignation of Caitlin Skinner. Ms. Gibson served as the City Attorney for the City of Madison for eleven years prior to retiring in January 2002. She has lectured on municipal law at the UW Law School, in personnel law at M.A.T.C., and in business law at Lakeland College. In October 2004, she was designated the most outstanding Associate Member of the International Municipal Lawyers. This term will expire 6/30/07.

Equal Opportunity Commission

Eden Inoway-Ronnie, 6906 Aldo Leopold Way, Middleton 53562 (836-7192-H, 265-5975), to fill a citizen term. Ms. Inoway-Ronnie is an Executive Assistant to the Provost at the University of Wisconsin-Madison. She has a B.S. degree in Sociology and Anthropology from Carleton College and a Master's and Doctorate degree in Educational Policy Studies from the University of Wisconsin-Madison. Her research was focused on issues related to cultural diversity in classroom settings and the social sciences of education, public policy, and educational institutions. She has served as a mentor to a number of young people over the years and has taught English to Spanish-speaking immigrants. She has also worked in the initial planning and evaluation of the PEOPLE program, the Pre-College Educational Opportunity Program for Learning Excellence. This term will expire 1/1/08.

Tree Board

Marla Eddy, 3442 Hickory Hill Road, Verona 53593 (833-4136-H, 266-4450-W), to fill a citizen seat. Ms. Eddy is the Forester for the City of Madison. Prior to that, she was Forestry Operations Supervisor for the City of Madison. She has a B.S. degree in Forestry with an urban emphasis from the University of Wisconsin-Stevens Point. She is a member of the Wisconsin Arborist Association, the Society of Municipal Arborist Association, and the International Society of Arboriculture. This term will expire 4/15/08.

Scott Nelson, 5553 Netherwood Road, Oregon 53575 (835-3411-H, 252-7186-W), due to the resignation of Alexander Bolstad Szele. Mr. Nelson is a Supervisor/ System Forester for Madison Gas & Electric Company. He has a B.S. degree in Forestry, is a certified arborist, and serves on the Board of Directors for Trees for Tomorrow and the Wisconsin Arborist Association. This term will expire 4/17/07.

Submitted by Supervisor McDonell, July 21, 2005 (p. 109, 05-06).
Referred to EXECUTIVE.

RES. 89, 05-06

SUPPORTING FAMILIES OF STATE OF WISCONSIN EMPLOYEES IN DANE COUNTY

Dane County benefits greatly from healthy stable families. These families come in many different configurations and in many different numerations. Protecting families and supporting family values (health, love, support, commitment, honesty, faith, etc.) is of vital importance to the citizens of Dane County.

Dane County also benefits greatly from serving as the seat of state government and being home to tens of thousands of state of Wisconsin employees. The state has been an attractive employer, in part as a result of the benefits provided to employees. However, the State of Wisconsin does not provide domestic partner benefits to its employees.

Thousands of other public and private institutions have recognized the value of *all* families by providing domestic partner benefits. Dane County, the City of Madison, Madison Metropolitan School District, Madison Area Technical College, and many local Dane County businesses provide benefits to the partners of their employees, thereby making a commitment to support long-term relationships, children, families, domestic stability, and a strong community as a whole.

In April, the American Civil Liberties Union (ACLU) filed a lawsuit on behalf of six state workers, claiming that the state government's refusal to provide health insurance to their life partners violates the equal protection clause of the Wisconsin Constitution. Some communities have chosen to fight this lawsuit because they believe domestic partner benefits should be a bargaining chip rather than a core family value. However, in Dane County, we believe that strong families should not be used as a bargaining chip during contract negotiations.

Domestic partners benefits programs cost very little and produce a lot. These programs show that an employer values families and want employees to feel valued in the work place and at home. The benefits of the programs and the cost savings to employers and families far outweigh the minimal costs.

It is clear that the long-term domestic relationships of all state employees merit equal treatment by the state, and the opportunity to receive the health care benefits afforded such relationships elsewhere should be open to all state employees.

NOW, BE IT THEREFORE RESOLVED that the Dane County Board of Supervisors hereby urges the Wisconsin Assembly and Senate to adopt policies that do not threaten Dane County's domestic partnership benefits and to include domestic partners health care benefits for all state of Wisconsin employees;

BE IT FURTHER RESOLVED that the Dane County Board of Supervisors supports the American Civil Liberties Union lawsuit on behalf of the six state workers and directs the Dane County Corporation Counsel to protect the rights of Dane County families and to assist the case where and when possible and appropriate;

BE IT FINALLY RESOLVED that a copy of this resolution be sent to Governor Jim Doyle, all members of the Dane County legislative delegation, Assembly Speaker John Gard, State Senate Majority Leader Dale Schultz, and the American Civil Liberties Union.

Submitted by Supervisors Fyrst, Richmond, Erickson, Brown, Opitz, Salov, Hanson, Gross, DeSmidt, Schoer, Kesterson, Vedder, Worzala, Olsen, Rusk, Hendrick, de Felice, Matano, Pertzborn, and McDonell, July 21, 2005 (p. 110, 05-06). Fiscal and Policy Notes not required.

Referred to EXECUTIVE.

RES. 90, 05-06

ESTABLISHING A FOOD COUNCIL FOR DANE COUNTY

On June 1, 2004, the Environment, Agriculture, and Natural Resources Committee of the Dane County Board approved the creation of a subcommittee to examine Dane County food system issues. Dane County has a vibrant and complex food system that encompasses the many social, political, economic, and environmental relationships between food producers, processors, and consumers. The Local Food Policy Advisory Subcommittee's (LFPAS) charge was to explore, review, and develop strategies to strengthen the local food system and economy.

The LFPAS has met regularly over the past 13 months and convened a Local Food Summit Conference in February 2005 that brought together key stakeholders and the broader community to generate information and ideas to improve the local food system. While the LFPAS has laid the groundwork, the hard work of implementing its recommendations remains.

The report of the Local Food Policy Advisory Subcommittee recognizes the following factors:

- Food system issues significantly affect the public health, land use, economy, and quality of life of Dane County residents; and
- Food is a necessity of life and access to nutritious, affordable, and locally grown food is important to residents of Dane County; and
- Food production is a core component of Dane County's economy and culture and Dane County produces more value of agricultural product than any other Wisconsin county; and
- Residents of Dane County spend about a billion dollars each year in restaurants and grocery stores, yet little of that money goes directly to Dane County farmers. However, there is a growing interest among consumers in purchasing fresh food locally. While Dane County farmers now sell some \$3.6 million in direct marketed and organic foods each year, that accounts for only about 5% of the county's fresh fruit and vegetable consumption. There is an enormous potential for growth in this section; and
- Food and agricultural sectors are central to the economy of Dane County and a strong regional food system of food production, processing, distribution, storage, access and reuse protects our natural resources and contributes significantly to the environmental and economic well-being of the region; and

- On February 11, 2005, approximately one hundred people including local farmers, food retailers and processors, nutritionists, educators, anti-hunger advocates, and local government officials met for a Local Food Summit and expressed overwhelming support for the creation of a local Food Council; and
- Food policy councils established in other counties, cities, and states have provided government officials and stakeholders with a forum to identify policies that harness the potential of the food system to foster economic development, provide children and those in need greater access to fresh and nutritious foods, and support stewardship of finite land and water resources; and
- Several county agencies are connected to particular aspects of food policy – e.g., the Division of Public Health, the Department of Planning and Development, the Department of Land and Water Resources, UW Dane County Extension, and the Department of Administration. No single unit looks at the many ways the food system impacts the County, from the production of food through the food chain to the eventual disposal of food waste.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors hereby establishes the Dane County Food Council to address food system issues in the County, including development of educational programs, data-gathering, research projects, and policies to address food system issues.

BE IT FURTHER RESOLVED that the Council shall have 12 members with an interest in local food issues to be appointed as follows:

- Three members recommended and appointed by the Dane County Executive to represent economic development, food system, and processing and distribution concerns (one term ending April 11, 2006; one term ending April 10, 2007; and one term ending April 15, 2008)
- Three members recommended and appointed by the Mayor of the City of Madison to represent accessibility, urban agriculture, and processing and distribution concerns (one term ending April 11, 2006; one term ending April 10, 2007; and one term ending April 15, 2008)
- Three members appointed by the Dane County UW Extension Committee to represent nutrition, food waste, and large-scale agricultural concerns (one term ending April 11, 2006; one term ending April 10, 2007; and one term ending April 15, 2008)
- Three members appointed by the Environment, Agriculture, and Natural Resources Committee to represent environmental, planning, and small-scale agricultural concerns (one term ending April 11, 2006; one term ending April 10, 2007; and one term ending April 15, 2008)

BE IT FURTHER RESOLVED that the Food Council shall focus its efforts on implementing the following recommendations of the Local Food Policy Advisory Subcommittee:

- Develop strategies to increase the amount of locally produced food the County and other local governments purchase
- Develop a list of local food producers in concert with the UW Center for Integrated Agriculture, Dane County UW Extension, and other entities
- Devise, support, and enhance direct marketing opportunities for local food producers by establishing a county-wide network of farmers markets
- Work with the City of Madison and Public Market Project participants to implement the project.
- Assist with further study and potential formation of a Central Agriculture Food Facility, including helping to organize the stakeholder community and working with the City of Madison and other groups to determine the long-term feasibility of such a facility
- Develop strategies and find opportunities to educate and inform a wide range of citizens about the Council's activities and seek citizen advice, comments, and suggestions for building a better local food system

- Explore the interest of neighboring counties and cities in forming a regional food council by working with Dane County UW Extension and other organizations and agencies
- Explore and actively seek grants from foundations, the state and federal government, and the university with the assistance of Dane County UW Extension to carry out the work of the Council
- Pursue other recommendations in the final report of the Local Food Policy Advisory Subcommittee that the Council deems appropriate

BE IT FURTHER RESOLVED that the Food Council shall make an annual report of findings and accomplishments to the Dane County Executive and Board of Supervisors.

BE IT FURTHER RESOLVED that Dane County UW Extension, and others as necessary, shall provide support to the Food Council.

Submitted by Supervisors Richmond, Fyrst, Kostelic, Matano, Erickson, Hendrick, Rusk, McDonell, Vedder, Gross, de Felice, Opitz, Olsen, and Worzala, July 21, 2005 (p. 112, 05-06).

Referred to EXECUTIVE, PERSONNEL/FINANCE, ENVIRONMENT/AGRICULTURE/NATURAL RESOURCES, ZONING/LAND REGULATION, AG ADVISORY, and UW EXTENSION.

COMMUNICATIONS

- Summons & Complaint, Dennis Havey vs. Dane County, Case #05CV2329 re: wage matter. Referred to PUBLIC PROTECTION/JUDICIARY.
- Notice of Claim and Claim from Cheryl Gray against Human Services re: violent patient. Referred to PUBLIC PROTECTION/JUDICIARY.
- Claim from Employers Insurance Co. of Wausau re: Jennifer Wortman. Referred to PUBLIC PROTECTION/JUDICIARY.
- Claim from Ben and Rachael Johnson against Register of Deeds – deed misfiled. Referred to PUBLIC PROTECTION/JUDICIARY.
- Notice of Claim from Sharon Paynter Cleaves against Human Services re: work-related matter. Referred to PUBLIC PROTECTION/JUDICIARY.
- Claim from Gregory J. Ohmen against Highways – claims vehicle damaged by roadwork. Referred to PUBLIC PROTECTION/JUDICIARY.
- Daniel J. & Debbie A. Crapp, Co. of Dane, Physicians Plus Ins. Corp., XYZ Entity vs Acuity Ins, Robert C. Seffrood, ABS Ins. Co (unknown company). Case #05CV1735 re: vehicle accident involving Highways dump truck. Referred to PUBLIC PROTECTION/JUDICIARY.

ZONING PETITIONS

Petitions for Zoning Reclassification. Referred by Clerk Ohlsen to ZONING & LAND REGULATION.

- Petition 9309 – Town of Rutland – Ann M. Reynolds
- 9310 – Town of Westport – Yahara Crossing LLC
- 9311 – Town of Springfield – Thomas N. & Marlene L. Helt
- 9312 – Town of Windsor – Edward Busse
- 9313 – Town of Montrose – Fairview LLC
- 9314 – Town of Oregon – Ann Waters
- 9315 – Town of Oregon – Sharon O. Christensen
- 9316 – Town of Christiana – Donald & Patricia Papcke
- 9317 – Town of Cottage Grove – James & Nola Skaar

9319 – Town of Burke – Wiggies, Inc.
9320 – Town of Rutland – Melinda & Alistair Carr, Heather Newton
9321 – Town of Oregon – Christopher Brent
9322 – Town of Rutland – Eric Grover
9323 – Town of Rutland – Eric Grover

AMENDING CH. 75 OF THE DANE COUNTY CODE OF ORDINANCES,
REVISING LAND DIVISION AND SUBDIVISION REGULATIONS

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 75.19 is amended to read as follows:

75.19 DESIGN STANDARDS. In approving or disapproving any plat or certified survey map, the committee shall apply the standards set forth in this section.

~~(f) Streets. (a) The arrangement, character, extent, width, grade and location of all streets shall conform to all official maps adopted by any municipality or governmental unit having jurisdiction over the parcel; may be required to conform to master plans, and shall be related to: existing and planned streets; topographic conditions; existing natural features including streams, lakes and tree growth; public convenience and safety; existing and proposed uses of land served by such streets; and the most advantageous development of adjoining uses.~~

~~(b) The arrangement of streets in a subdivision shall provide, where possible, for the continuation or appropriate projection of existing or proposed collector and arterial streets in the area.~~

~~(c) Local streets shall be laid out so as to discourage their use by through traffic.~~

~~(b)(d) Where a subdivision abuts or contains an existing or proposed arterial street, the committee may require marginal access streets, reverse frontage lots with screen planting contained in a non-access reservation along the rear of the property line, or such other treatment as may be necessary for adequate protection of residential properties and to afford separation of through and local traffic.~~

~~(c) The number of intersections along arterial streets shall be held to a minimum. Wherever practicable the distance between such intersections shall be not less than 1200 feet.~~

~~(f) Where a subdivision borders on or contains a railroad right of way or limited access highway right of way, the committee may require a street approximately parallel to and on each side of such right of way, at a distance suitable for the appropriate use of the intervening land. Such distances shall also be determined with regard to the requirements of approach grades and future grade separation.~~

~~(c) (g) Street jogs with centerline offsets of less than 150 feet shall be avoided.~~

~~(d) (h) A tangent at least 100 feet long shall be introduced between reverse curves on arterial and collector streets.~~

~~(e) (i) Streets shall be laid out so as to intersect as nearly as possible at right angles, no street shall intersect any other street at less than 75 degrees, and not more than two streets shall intersect at one point.~~

~~(f) (j) Reserve strips controlling access to streets shall be prohibited except where their control is definitely placed in the committee under conditions approved by said committee.~~

~~(k) All street rights of way shall be of the width specified on applicable official plans and official maps or, if not specified therein, they shall not be less than the width specified in section 75.19(1)(e) below.~~

~~(g) (l) The minimum radius of curvature on the centerline shall be as specified in section 75.19(1)(e)-(j) below.~~

~~(h) (m) The maximum street grade shall be as specified in section 75.19(1)(e)-(j) below.~~

~~(i) (n) The design of the vertical alignment of the centerline shall be based on the minimum safe stopping sight distance in accordance with the design standards of the American Association of State Highway Officials.~~

~~(j) (o) Streets~~

	Principal & Primary Arterials	Standard Arterials & Collectors	Local	Marginal Access
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Minimum

Right-of-Way	120	80	66	50
Minimum Right-Of-Way Width In Feet	120	80	66	50
Minimum Radius of Curvature In Feet of Centerline	450	250	150	
Maximum Grade	6%	8%	10%	

~~(p)~~ Cul-de-sacs shall not exceed 1000 feet in length and shall provide a turn-around with a minimum right-of-way radius of 60 feet. The traveled way within the cul-de-sac shall provide a minimum radius of 40 feet.

~~(k)~~~~(q)~~ Dead-end streets shall not be permitted without suitable turn-around. Appropriate arrangements shall be made for those parts of temporary turn-arounds outside of street right-of-way to revert to the abutting property owners at such time as streets shall be extended.

~~(L)~~~~(r)~~ In commercial and industrial zoning districts, alleys or other definite and assured provisions shall be made for off-street parking, loading and service access consistent with and adequate for the uses proposed. The width of alleys shall be not less than 21 feet. ~~Alleys shall not be permitted in residential areas.~~

~~(m)~~~~(s)~~ Half streets shall be prohibited except where necessary for continuity of the street plan in the area.

~~(n)~~~~(t)~~ Street names:

1. The committee may disapprove the name of any street shown on a plat which has already been used elsewhere in the area or which, because of similarity to the name of another street, may cause confusion.
2. Where a street maintains the same general direction except for curvilinear changes for short distances, the same name shall continue for the entire length of the street.
3. A name which is assigned to a street which is not presently a through street, due to intervening land over which a street extension is planned, shall be continued for the separate portions of the planned through street.
4. The name of the projection of a street shall continue the same suffix as the street even if the projection terminates in a cul-de-sac.
5. Access roads and highways served by them shall have the same street names and designation.
6. Approval of street names on a preliminary plat will not reserve the street name nor shall it be mandatory for the committee to accept it at the time of final platting.
7. All street names shall be consistent with chapter 76 of the Dane County Ordinances.

(2) Utility easements. **(a)** Easements across lots or along rear or side lot lines shall be provided for utilities where necessary, shall be at least 6 feet wide on each side of lot lines, and shall be designated as "utility easement" on the plat or certified survey map. The committee shall solicit the recommendations of the utility companies regarding utility easement needs to service the subdivision.

(b) In residential subdivisions, lots shall be served by underground electric, cable TV and telephone utility lines unless waived by the committee. Land disturbed by such installation shall be restored.

(c) Where utility facilities are to be installed underground, the utility easements shall be graded to within six (6) inches of the final grade by the subdivider prior to the installation of such facilities, and earth fill, piles or mounds of dirt shall not be stored on such easements.

(d) All utility lines for electric power and telephone service when carried overhead on poles shall be placed in utility easements unless waived by the committee.

(e) Utility facilities when installed on utility easements, whether overhead or underground, shall not be closer than one (1) foot to a property line or three (3) feet to any monument.

(f) Where a subdivision is served by an existing overhead facility, the facility may be utilized and improved with the approval of the committee.

(3) Drainageway easements. Where a subdivision is traversed by a water course, drainageway, channel or stream, there shall be provided an adequate drainageway easement as required by the committee. The location, width, alignment and grading of such easements shall be of such a width and design to accommodate the

anticipated discharge from the property being subdivided and also the anticipated runoff that will occur when property at a higher elevation in the drainage basis is developed.

(4) Setbacks. Where the lots abut navigable waters, building setback lines for all buildings and structures, except piers, marinas, boathouses and similar uses, shall be shown on the plat and shall not be less than 75 feet from the normal high water line.

(5) Blocks. ~~(a) The length, width and shape of blocks shall be suited to the planned use of the land, the applicable zoning requirements, the needs for convenient access, control and safety of street traffic, and the limitations and opportunities of topography. Block lengths in residential areas shall not, as a general rule, be less than 600 feet in length between street lines unless dictated by exceptional topography or other limiting factors of good design.~~

(a)(b) Blocks shall have sufficient widths to provide two tiers of lots of appropriate depth except where otherwise required to separate residential development from through traffic.

(b)(c) Pedestrian ways or cross walks, not less than ten (10) feet in width, shall be provided near the center and entirely across any block 900 feet or more in length where deemed essential to provide adequate pedestrian circulation or access to schools, shopping centers, churches or transportation facilities.

(6) Lots. (a) The size, shape and orientation of lots shall be appropriate for the location of the subdivision and for the type of development and use contemplated. Lots should be designed to provide an aesthetically pleasing building site and a proper architectural setting for the buildings contemplated.

(b) Every lot or parcel shall front or abut a public street. Conventional lots shall maintain a minimum frontage of 66 feet to facilitate the possible development of a public right-of-way that could service additional lots. Cul-de-sac lots shall provide a minimum of 30 feet of frontage on a public street.

(c) Lot width as measured from the building setback line and lot area for residential development shall conform to the requirements of the county zoning ordinance but shall not be less than specified below:

	Type 2 Subdivision (Served by Public Sewer)		Type 1 Subdivision (Not Served by Public Sewer)	
	Area in Sq. Ft.	Width in Ft.	Area in Sq. Ft.	Width in Ft.
Lots located in Shoreland areas	10,000	75	20,000	100
Lots not located In shoreland areas	8,000	60	20,000	100

(d) Side lot lines shall be substantially at right angles or radical to street lines.

(e) Corner lots shall have an extra width of 10 feet over the minimum requirement to permit adequate building setbacks from side streets.

(f) In case a parcel is subdivided into smaller parcels, such parcels shall be arranged as to allow the re-subdivision of any such parcels into normal lots in accordance with the provisions of this chapter.

(g) Lot lines shall follow political and zoning boundary lines rather than cross them.

(h) Double frontage, of reverse frontage lots, shall be avoided except where essential to provide separation of residential development from traffic arteries or to overcome specific disadvantages of topography and orientation. A planting screen easement of at least 10 feet shall be provided along the line of lots abutting such a traffic artery or other disadvantageous use.

(i) Depth and width of properties reserved or laid out for commercial or industrial use shall be adequate to provide for the off-street parking and service facilities required by the type of use and development contemplated.

(7) Planned developments. (a) Waiver of requirements and standards. The requirements and standards of this chapter may be waived by the committee for planned developments providing such proposed developments shall be planned as a unit, be appropriate to the site and location, shall be of sufficient size to permit the unified development of the area, shall not conflict with other laws or requirements or with the purpose or intent of this chapter, and is approved by the committee. In addition, continued provision, maintenance and use of open space, recreation areas, services and amenities shall be assured in a manner acceptable to the committee.

(b) Coverage. It is the intent of this section to permit, in addition to other types of planned development, cluster subdivisions and planned unit developments with owner-occupied row housing and with privately-owned common property comprising a major element of the development.

[The amendments made in Article 2 repeal design standards and required improvements that the county no longer has jurisdiction to require as a result of the court of appeals decision in Rogers Development, Inc. v. Rock County.]

Submitted by Supervisor Wendt, July 27, 2005 (p. 117, 05-06).
Referred to ZONING/LAND REGULATION.

RES. 91, 05-06

AUTHORIZING ACCEPTANCE OF FUNDS FOR TraCS EQUIPMENT

The Dane County Sheriff's Office has been awarded a grant from the State of Wisconsin, Department of Transportation, Citations and Withdrawals Section, for the purchase of equipment related to the TraCS program for the Dane county Sheriff's Office support division.

The Dane County Sheriff's Office will be awarded a total of \$20,000. The grant period ends December 30, 2005.

The grant funds will be used to purchase equipment for the deployment of electronic citation and accident reporting, which will provide efficiencies in the issuing and processing of traffic citations and the completion and processing of accident reports by Dane County Sheriff field and support staff.

NOW, THEREFORE, BE IT RESOLVED that the Sheriff's Office be permitted to accept the TraCS Equipment Grant, administered by the Department of Transportation, in the amount of \$20,000.

BE IT FURTHER RESOLVED that \$20,000 be set up as additional revenue in the Sheriff's Office, Support Services Division, TraCS Equipment Grant Revenue Account (SHRFSUP-NEW) and be credited to the General Fund.

BE IT FURTHER RESOLVED that \$20,000 be transferred from the General Fund to the Dane County Sheriff's Office, Support Services Division, TraCS Equipment Grant Expenditure Account (SHRFSUP-NEW).

BE IT FINALLY RESOLVED that all unexpended funds and unrecognized revenues from this account be carried forward from the 2005 budget period to the 2006 budget period.

Submitted by Supervisors Olsen, Martz, Rusk, and Hanson, August 4, 2005 (p. 117, 05-06).
Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

RES. 92, 05-06

ACCEPTANCE OF VIOLENCE AGAINST WOMEN ACT STOP GRANT FUNDS
FOR "SPECIALIZED PROSECUTION OF DOMESTIC VIOLENCE CRIMES" - 2005

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 grants provide funds for two FTE Assistant District Attorney positions. Dane County has been awarded \$107,180 and \$38,015, for a total of \$145,195 under grant numbers VA-04-SW-0023 and VA-05-SW-0010, respectively, for (2) Specialized Prosecutor positions. The County matches of \$35,727 and \$12,672, respectively, for a total of \$48,399, 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 total amount of \$145,195.

BE IT FURTHER RESOLVED that the \$145,195 total Grant Funds be established in revenue line DACTA 80534.

BE IT FURTHER RESOLVED that the \$145,195 be established in expense line DACTA 32481.

BE IT FINALLY RESOLVED that any funds not received or expended in FY 2005 is carried forward to FY2006.

Submitted by Supervisors O'Loughlin, Brown, and Gau, August 4, 2005 (p. 118, 05-06).
Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

RES. 93, 05-06

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.

Commission on Sensitive Crimes

Sharyl Kato, 206 Winnequah Rd., Madison 53716 (255-7356-W), to be reappointed. This term will expire 6/30/08.

Equal Opportunity Commission

Daniel J. Remick, 616 East Dayton Street, #5, Madison 53703 (255-6968-H), to fill a citizen seat. Mr. Remick is afflicted with cerebral palsy. He is a member of People First of Dane County, a self-advocacy community group. He works in the community as an advocate for accessibility and non-discrimination. This term will expire 1/1/08.

Human Services Board

Dr. Kenneth I. Robbins, 834 Prospect Place, Madison 53703 (258-8290-H, 258-8291-W), due to the resignation of John Schlueter. Dr. Robbins is an Associate Clinic Professor of Psychiatry at the University of Wisconsin Department of Psychiatry, and an Associate Clinical Professor of Psychiatry and Behavioral Medical at the

Medical College of Wisconsin. He is also a private forensic consultant, a consultant at Oakwood Village Retirement Center, a consultant at Wisconsin Education Association Insurance Trust, a consultant at Eldercare of Dane County, a consultant for the University of Wisconsin football team, a consultant at WPS Insurance Company, and Medical Director of the Stoughton Hospital Geriatric-Psychiatry Unit. He graduated from the University of Michigan Medical School and received his M.P.H. from the University of Michigan School of Public Health Department of Health Planning and Administration. He is certified by the American Board of Psychiatry and Neurology in the Specialty of Psychiatry and is a Diplomat of the American College of Internal Medicine. He is a member of the Dane County Medical Society, the Wisconsin State Medical Society, the American Psychiatric Association, and the Wisconsin Psychiatric Association. This term will expire 4/17/07.

Youth Commission

Dominique Rogers, 4542 Thurston Lane, #8, Madison 53711 (274-1410-H), to fill the seat of a youth representative, due to the resignation of Julia Steege. Ms. Rogers will be a junior this fall at Verona Senior High School. She has been active in D.E.C.A., Bridges, and the Youth Diversity Council. This term will expire 4/18/06.

Zoo Commission, Henry Vilas

Andrea Brunzell-Parks, 6059 Vroman Road, Fitchburg 53593 (442-6239-H, 212-3506-W), due to the resignation of Karen West. Ms. Brunzell-Parks will serve as the county's Zoological Society representative. Ms. Brunzell-Parks is Corporate Secretary of Brunzell Lumber & Mill Work. Prior to that, she worked as a Dispatcher for the Monona Police Department and a Police Officer for the Village of Mount Horeb. She is a member of the Zoological Society. She is a volunteer for Meriter Hospital, the Cerebral Palsy Foundation, and the Madison Area Builder's Association. This term will expire 4/30/08.

Submitted by Supervisors Kesterson and McDonell, August 4, 2005 (p. 119, 05-06).
Referred to EXECUTIVE.

RES. 94, 05-06

APPOINTING AN AQUATIC HERBICIDE STUDY COMMITTEE TO ADDRESS INVASIVE AND EXOTIC AQUATIC WEED MANAGEMENT IN DANE COUNTY

The management of invasive exotic aquatic weeds is a challenge Dane County has faced for many years. Exotic weeds are a threat to the habitat of the lakes, recreational uses of the lakes, degrade the aesthetic enjoyment of our lakes, decrease the economic benefit of the resources, and degrade property values. In addition, exotic weeds in the Yahara River significantly reduce the flow capacity of the river thereby increasing flooding on the lakes and associated damages to private and public property. The invasive exotic weeds were, in part, responsible for the extreme flood elevations of the 1990's that uprooted and destroyed dozens of acres of the floating bog wetlands of the Yahara chain of lakes. The cost to the county and its residents is significant and includes mechanical harvesting to maintain flow in the lake outlet channels and minimal access to the lakes for recreational uses. The public has borne the cost of approved herbicide application to provide minimal open areas for swimming, fishing, and boating. Property owners and lake users spend countless hours manually collecting and removing putrid piles of decomposing weeds and debris from private and public shorelines. Recreational users experience damages to expensive boat motors, difficulty in navigating motor, sail, and paddle craft on the lake, and the risk of entanglement in large weed mats while swimming.

The public and private cost and environmental degradation caused by invasive exotic aquatic weed are significant and will continue into the foreseeable future. However, Dane County must continue to provide leadership to reduce the damage to the resources and public use of the lakes. Current strategies for the

management of invasive weeds include preventative (reduce nutrient loading, prevent new introductions of exotics), mechanical harvesting, and herbicide spraying of small areas by riparian owners.

Recent experiences with large-scale herbicide treatment or other whole lake techniques are showing promise that new strategies may be available to help manage invasive exotic weeds. The WDNR, Corps of Engineers, other states, and lake management districts have tested and evaluated highly specific targeted herbicides that are effective at very low doses and provide multi-year sequestering of targeted weeds. The technical literature has numerous laboratory evaluations, toxicological testing, and large case studies that show promise for this management tool. The recent herbicide treatment of the 20,000 acre Houghton Lake in Michigan for Eurasian Milfoil infestation seems to indicate that large scale treatment techniques and technologies are mature enough for safe use on large lakes.

Others have concerns that whole lake treatment of exotics may have adverse environmental impact. It is necessary to study these concerns and obtain the best scientific information available to make sure that the probable effects of whole lake herbicide treatment will be more beneficial than detrimental.

NOW, THEREFORE, BE IT RESOLVED that Dane County will appoint an Aquatic Herbicide Study Committee staffed by the Department of Land and Water Resources. The committee will be comprised of technical experts and representatives of the following: Chair or Designee of Dane County Lakes and Watershed Commission, Chair or Designee of Dane County Public Works, and Chair or Designee of Land Conservation Committee, DNR Yahara Lakes Basin Director or his designee, DNR Fisheries, the L&W member of the Yahara Lakes Association, and a member of the Wisconsin Association of Lakes. The County Executive shall appoint a member of the Fishing Expo and a member of the UW Limnology Department who specializes in aquatic invasive and exotic plants recommended by their organizations. The County Board Chair shall appoint a citizen and county board supervisor with an interest in these issues.

BE IT FURTHER RESOLVED that the committee is to review the science of modern aquatic herbicides and invasive weed control. The committee will review the counties current aquatic plant management plans and evaluate if herbicides may assist in the control of invasive weeds, and

BE IT FURTHER RESOLVED that the following questions and topics be addressed:

1. What invasive weed management tools are available to Dane Co. in addition to current prevention, mechanical harvesting, and small area herbicide usage?
2. Is there sufficient information in the technical literature that would indicate that there are aquatic herbicides that can be used on Dane Co. lakes in a safe and cost-effective manner?
3. What positive and negative lessons from modern herbicide applications are relevant to invasive weed management in Dane Co.?
4. What are the short and long-term effects of herbicide usage?
5. Can herbicides help to reduce the need for mechanical harvesting?
6. Can herbicides be effective in improving aesthetics, recreational enjoyment?
7. Improve the amount and diversity of native aquatic plants?
8. Aid the maintenance of the carrying capacity of lake outlet channels?
9. What scale of herbicide usage is most effective: small isolated areas, medium scale area treatment, large-scale whole lake treatment?
10. At what scale can herbicides be used in a manner protective of the biota and lake users?
11. Are there herbicides and techniques that may be useful in emergency conditions to control lake flooding?
12. If, based on an evaluation of the technical literature and experience in other lakes, there promising herbicides and techniques where are the best locations for a demonstration in Dane Co.?

THEREFORE, BE IT FINALLY RESOLVED that the Aquatic Herbicide Study Committee report their findings and recommendations regarding invasive and exotic aquatic weed management in the Yahara Chain of Lakes to the County Board no later than May 1, 2006.

Submitted by Supervisors Bruskewitz and O'Loughlin, August 4, 2005 (p. 121, 05-06).

Referred to EXECUTIVE, ENVIRONMENT/AGRICULTURE/NATURAL RESOURCES, LAKES & WATERSHED, and LAND CONSERVATION.

RES. 95, 05-06

AUTHORIZING AN INCREASE IN REVENUE AND EXPENDITURES FOR
THE LAND ACQUISITION PROGRAM – SEPTEMBER 2005

Dane County recently acquired fee interest in a 40-acre parcel of vacant land located in Section 12 in the Town of Dunn and owned by the Vogts estate. The property is entirely within the boundary of the Door Creek Wetlands Resource Area. Although there was no expectation of state cost-sharing funds, Dane County Parks submitted a grant application and has received an award of \$62,050 from the Lake Protection Program toward the purchase of the property.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors and the Dane County Executive hereby accept this grant award of \$62,050 from the State of Wisconsin for the land purchase.

BE IT FURTHER RESOLVED that the Dane County Parks Director and the 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 award and which guarantee public access rights to the property.

BE IT FINALLY RESOLVED that \$62,050 be set up as additional revenue in the 2005 Parks Land Acquisition and Property Management – Stewardship Revenue Account LWCONSRV 81601 and that \$62,050 be credited to the 2005 Dane County Parks Conservation Fund Expenditure Account LWCONSRV 57273 and that these funds be carried forward until expended.

Submitted by Supervisors Ripp and Kostelic, August 4, 2005 (p. 121, 05-06).

Referred to PERSONNEL/FINANCE and ENVIRONMENT/AGRICULTURE/NATURAL RESOURCES. PARK COMMISSION recommended adoption on 7/27/05.

RES. 96, 05-06

AUTHORIZATION TO ACCEPT FUNDS FROM THE U. S. FISH & WILDLIFE SERVICE FOR WETLAND
RESTORATION AT McCARTHY COUNTY PARK.

Dane County has entered into a partnership with the U. S. Fish & Wildlife Service to restore 25 acres of wetlands at McCarthy County Park. The restoration is a major undertaking and involves filling and plugging interior ditches, breaking tile, removing sediment to make deeper basins, removing invasive trees and weeds, and establishing a native cover of wet meadow and prairie. The U. S. Fish & Wildlife Service is providing \$15,000 to offset some of the County's costs for equipment and operators, herbicide, and native seed.

This resolution authorizes the receipt by Dane County of the \$15,000 from the U. S. Fish & Wildlife Service and the distribution of these funds among various accounts to offset costs born by Dane County.

NOW, THEREFORE, BE IT RESOLVED that a revenue new line within the Land & Water Resources Department – Parks Division be established as ‘wetland restoration’ and that the \$15,000 from the U. S. Fish & Wildlife Service be accepted as revenue and credited to the wetland restoration account.

NOW, THEREFORE, BE IT FURTHER RESOLVED that Account # LWRPKOP 21026 (fertilizer, seed and chemicals) be increased in the amount of \$5000; that Account # LWRPK 21809 (Operating Equipment Expense) be increased \$3,000, LWRPK 21059 (Fuel Expense) be increased \$3,000; that Account #LWRPK 32223 (Equipment Rental) be increased \$4,000.

Submitted by Supervisors Ripp, Kostelic, and Gau, August 4, 2005 (p. 122, 05-06).

Referred to PERSONNEL/FINANCE and ENVIRONMENT/AGRICULTURE/NATURAL RESOURCES. PARK COMMISSION recommended adoption on 7/27/05.

RES. 97, 05-06

AUTHORIZING PURCHASE OF SERVICES AGREEMENT BETWEEN DANE COUNTY AND API
OUTSOURCING, INC., FOR TAX AND ASSESSMENT PRINTING NEEDS

Upon expiration of the current agreement, the Purchasing Division of the Department of Administration recently solicited proposals for printing needs for tax bills, notices, tax rolls, and assessment rolls. Following receipt and scoring of the proposals, staff recommends a Purchase of Services Agreement be awarded to API Outsourcing, Inc.

Services provided by the vendor under this agreement include printing needs for tax bills, notices, tax rolls, and assessment rolls. The agreement is covered by funds budgeted annually for these services.

NOW, THEREFORE, BE IT RESOLVED that API Outsourcing, Inc., be awarded a one-year contract not to exceed \$65,000, with four one-year County renewal options for printing needs; and

BE IT FURTHER RESOLVED that staff of the Treasurer’s Office and the Department of Planning and Development be directed to ensure the terms of the agreement are satisfied; and

BE IT FURTHER RESOLVED that staff of the Treasurer’s Office and the Department of Planning and Development are authorized to extend the purchase of services agreement for additional one-year periods not to exceed five years, in accordance with applicable provisions of Chapter 25 of the Dane County Code of Ordinances; and

BE IT FINALLY RESOLVED that the County Executive and the County Clerk be authorized to sign the Purchase of Services Agreement.

Submitted by Supervisor Brown, August 4, 2005 (p. 122, 05-06).

Referred to PERSONNEL/FINANCE and ZONING/LAND REGULATION.

RES. 98, 05-06

AUTHORIZING AMENDMENT 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.

This is to amend the 2005 Action Plan, which was submitted to HUD on November 15, 2004, that was passed through the Dane County Board as Resolution 159 on November 4, 2004.

The amendment is to include a Permanent Housing Project in the Town of Madison through Porchlight, Inc. This project received approval from the CDBG commission on July 6, 2005.

The following is an additional project recommended by the CDBG Commission to be added to our existing list of 2005 projects.

Applicant	13 Project Description	14 Amount
Porchlight Incorporated	Land Acquisition for the construction of a Permanent Housing Project in the Town of Madison for Homeless disabled persons.	\$100,000 (CDBG)

NOW, THEREFORE, BE IT RESOLVED that the County Board expresses its appreciation to the CDBG Commission for their hard work and recommendations for the amendment of the 2005 Annual Action Plan.

NOW, THEREFORE, BE IT RESOLVED that the County Executive is authorized to submit the above amendment and additional documentation to HUD relating to the 2005 Program Year CDBG grant;

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 and Richmond, August 4, 2005 (p. 123, 05-06).
Referred to PERSONNEL/FINANCE and CDBG COMMISSION.

RES. 99, 05-06

ACCEPTING AN AWARD 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, 2005, through December 31, 2005, 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. This revenue will be used to pay for interpreter services, thus reducing the impact of this expense on county levy.

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, 2005, through December 31, 2005, 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>	2360	<u>Fund Name:</u>	Public Health	<u>Orgn:</u>	PHNURSE
<u>Objt:</u>	83800	<u>Line Name:</u>	CHILD W/S	<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>	2360	<u>Fund Name:</u>	Public Health	<u>Orgn:</u>	PHNURSE
<u>Objt:</u>	ITPRAA	<u>Line Name:</u>	LANGINTERP	<u>Line Amount:</u>	\$4,000

Submitted by Supervisor Gross, August 4, 2005 (p. 124, 05-06).
 Referred to HEALTH/HUMAN NEEDS and PERSONNEL/FINANCE.

RES. 100, 05-06

ACCEPTING DONATION FOR DENTAL SERVICES - PUBLIC HEALTH DIVISION

The Division of Public Health is an active partner in the countywide Neighborhood Child Health Coalition. This coalition convenes large teams of public and private health care providers and other volunteers to conduct health screening clinics for uninsured and underinsured children who would otherwise not receive the benefits of such services. Among the screenings are those intended to identify dental health needs. Some of these needs can be addressed with existing services such as the Deal Dane Project, but many cannot. Fortunately, the Rotary Foundation has approved a request from the Coalition for funds to be used to pay for dental services to address needs identified by screening at the clinics. The Rotary Foundation does not require an agreement to be signed to receive the funds, and no match of county or other local funds is required.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Division of Public Health be authorized to accept Rotary Foundation funding totaling \$9,700 for the purpose of paying dentists in private practice for dental treatment services at their usual and customary rates.

BE IT FURTHER RESOLVED that the following 2005 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>	2360	<u>Fund Name:</u>	Public Health	<u>Orgn:</u>	PHNURSE
<u>Objt:</u>	New	<u>Line Name:</u>	Rotary Dental	<u>Line Amount:</u>	\$9,700

EXPENSE ACCOUNT:

<u>Program:</u>	Nursing	<u>Dept. No.:</u>	510	<u>Dept. Name:</u>	Human Services
<u>Fund No:</u>	2360	<u>Fund Name:</u>	Public Health	<u>Orgn:</u>	PHNURSE
<u>Objt:</u>	New	<u>Line Name:</u>	Rotary Dental	<u>Line Amount:</u>	\$9,700

BE IT FURTHER RESOLVED that the Division of Public Health be able to pass these funds through to the Neighborhood Child Health Coalition for payment for dental services.

BE IT FINALLY RESOLVED that any of these funds that remain unexpended at the end of 2005 be carried forward in both the above revenue and expense lines to 2006.

Submitted by Supervisor Gross, August 4, 2005 (p. 125, 05-06).
Referred to HEALTH/HUMAN NEEDS and PERSONNEL/FINANCE.

RES. 101, 05-06

ACCEPTING STATE MONIES FOR CYF DIVISION C.Q.I REVIEW;
CREATING REVENUE AND EXPENDITURE LINES

This resolution accepts State "Continuous Quality Improvement Review" monies in the amount of \$10,000 to support the State's intensive review of select Department of Human Services child welfare cases. Funds are one-time. The review has already been conducted (in July 2005).

NOW, THEREFORE, BE IT RESOLVED that Dane County accept these State "Continuous Quality Improvement Review" monies to support associated expenditures.

BE IT FURTHER RESOLVED that the following Dane County revenue and expenditure lines be created:

<u>Revenue Account Number</u>	<u>Account Title</u>	<u>Amount</u>
CYF-ADM NEW	CQI Review	\$10,000
<u>Expenditure Account Number</u>	<u>Account Title</u>	<u>Amount</u>
CYF-ADM CQIRAA (new)	CQI Review	\$10,000

Submitted by Supervisor Gross, August 4, 2005 (p. 125, 05-06).
Referred to HEALTH/HUMAN NEEDS and PERSONNEL/FINANCE.

RES. 102, 05-06

AUTHORIZING ALLIED LEASE FOR JOINING FORCES FOR FAMILIES PROGRAM – APT. 124

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 7/1/05 to 5/31/06. 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-room office. The space will be utilized by a Dane County Community social worker and other JFF partners. The total rate for the term period is \$7,920. 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 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 Supervisor Gross, August 4, 2005 (p. 126, 05-06).

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

RES. 103, 05-06

AUTHORIZING ALLIED LEASE FOR JOINING FORCES FOR FAMILIES PROGRAM – APT. 123

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 #123, 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 7/1/05 to 5/31/06. 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-room office. The space will be utilized by a Dane County Community social worker and other JFF partners. The total rate for the term period is \$7,920. 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 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 Supervisor Gross, August 4, 2005 (p. 126, 05-06).

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

RES. 104, 05-06

AWARD OF CONTRACT FOR SALT BRINE SHED AT THE DANE COUNTY HIGHWAY GARAGE

The Public Works, Highway & Transportation Department reports the receipt of bids for Construction of the Salt Brine Shed at the Dane County Highway Department, 2302 Fish Hatchery Road, Bid No. 105091.

The low qualified bidder is:

Contract Amount: \$ _____

The Public Works staff finds the amount to be reasonable and recommends the Contract be awarded to _____.

There are sufficient funds in the Budget for this project.

NOW, THEREFORE, BE IT RESOLVED that the Contract be awarded to _____ in the amount of \$ _____ for the Salt Brine Shed; 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 Public Works & Transportation Department be directed to ensure complete performance of the Contract.

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, Matano, and Schoer, August 4, 2005 (p. 127, 05-06).
Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

RES. 105, 05-06

AWARD OF AGREEMENT FOR DESIGN SERVICES
FOR COLISEUM ELECTRONIC SYSTEMS REPLACEMENT

The Public Works, Highway & Transportation Department reports the receipt of quotes for Design Services for Veteran's Memorial Coliseum Loudspeaker System and Audio Control Facilities Replacement, Bid No. 105101.

The low qualified bidder is:

Agreement Amount: \$ _____

The Public Works staff finds the amount to be reasonable and recommends 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 _____ in the amount of \$ _____ for the Electronic Systems Replacement; and

BE IT FURTHER RESOLVED 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.

BE IT FINALLY 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 Ripp, Kostelic, Opitz, Matano, and Schoer, August 4, 2005 (p. 128, 05-06).
Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

RES. 106, 05-06

GRANTING EASEMENT TO MOUNT VERNON TELEPHONE ALONG SOUTH RIGHT OF WAY
OF EAST VERONA AVENUE (CTH MV)

Mount Vernon Telephone Company, LLC, has requested an easement along the south side of East Verona Avenue across from Badger Prairie Health Care Center lands. The easement is to identify and formalize the location of existing telecommunication cable and to provide for the relocation of some of that cable associated with a City of Verona parks project.

The one-rod wide easement is approximately 1,950 feet long. It is located on land leased-to-sell to the City of Verona for a recreational park and land leased to Wisconsin DNR for the Military Ridge bicycle trail head.

Mount Vernon Telephone has agreed to pay Dane County \$1,000 for the described easement.

NOW, THEREFORE, BE IT RESOLVED that the County of Dane does hereby approve and authorize the granting of the above-described easement to Mount Vernon Telephone Company, LLC, and

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

Submitted by Supervisors Willett, Brown, Wiganowsky, and Gau, August 4, 2005 (p. 128, 05-06).
Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

RES. 107, 05-06

AUTHORIZING EXECUTION OF A LEASE WITH TASC PROPERTIES, LLC
FOR LAND AT THE DANE COUNTY REGIONAL AIRPORT

Dane County and TASC Properties, LLC, have negotiated Lease No. DCRA 2005-07, under which TASC Properties will lease a parcel of land in Truax Air Park West at the Dane County Regional Airport. The leasehold area consists of 167,639 square feet of vacant land upon which TASC Properties, LLC, intends to construct an office building of approximately 23,000 square feet and an associated parking lot. The office building and parking lot will be adjacent to and share access with an existing office building of similar design constructed by Total Administrative Services Corporation, a business entity that is related to TASC Properties, LLC. The lease will expire on March 31, 2071, and establishes an initial monthly rent of \$5,587.97. Rent is subject to increases based on annual CPI adjustments and a midterm rate adjustment based on the then current appraised fair market value of the leasehold parcel.

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. DCRA 2005-07 leasing to TASC Properties, LLC land upon which to construct an office building and parking lot, as set forth above. The Airport Director is authorized to sign on behalf of the County other documents associated with development of the leasehold parcel.

Submitted by Supervisors Rusk, Gau, de Felice, O'Loughlin, and McDonell, August 4, 2005 (p. 129, 05-06).

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

RES. 108, 05-06

AWARD OF CONTRACT FOR CONSTRUCTION/ADMINISTRATION
SERVICES FOR COLISEUM ELECTRONIC SYSTEMS REPLACEMENT

The Public Works, Highway & Transportation Department reports the receipt of quotes for Construction/Administration Services For Coliseum Electronic Systems Replacement, Bid No. 105102.

The low qualified bidder is:

Contract Amount: \$ _____

The Public Works staff finds the amount to be reasonable and recommends the Contract be awarded to _____.

There are sufficient funds in the Budget for this project.

NOW, THEREFORE, BE IT RESOLVED that the Contract be awarded to _____ in the amount of \$ _____ for Construction/Administration Services for Coliseum Electronic Systems Replacement; 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 Public Works & Transportation Department be directed to ensure complete performance of the Contract.

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, Schoer, and McDonell, August 4, 2005 (p. 130, 05-06).

Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

COMMUNICATIONS

Claim from Chris A. Mellinger against Jail – claims injury from lack of medical treatment. Referred to PUBLIC PROTECTION/JUDICIARY.

Notice of Claim and Claim from Victoria Tomcany against DC Employee William LeGore. Referred to PUBLIC PROTECTION/JUDICIARY.

Claim from Marion E. Dahlke against Highways – claims damage when pavement buckled from heat. Referred to PUBLIC PROTECTION/JUDICIARY.

Notice of Claim and Claim from Todd A. Brown against Jail – claims improper medical treatment. Referred to PUBLIC PROTECTION/JUDICIARY.

Sauk Co. Res. 97-05, Expressing Concern Over the Help America Vote Act. Referred to EXECUTIVE.

Douglas Co. Res. 69-05, Excise Tax on Cigarettes. Referred to EXECUTIVE.

Dodge Co. Res., re creating an Administrative Coordinator. Referred to EXECUTIVE.

RES. 109, 05-06

HIGHWAY SALE OF SURPLUS LAND – CTH M, VERONA

Dane County Highways owns 0.86 acres of property surplus to its needs on the east side of CTH M on the north side of the City of Verona. The property was appraised for \$42,000, and an offer to purchase the property for \$42,000 was received from Bernard Ineichen and Harmony Hills Development.

The offer to purchase provides that no improvements other than paved surfaces and conforming signage are to be placed on the property.

NOW, THEREFORE, BE IT RESOLVED that the County of Dane does hereby approve and authorize the sale of the 0.86 acres of highway surplus to Bernard Ineichen and Harmony Hills Development for the appraised value of \$42,000, and

BE IT FURTHER RESOLVED that the County Real Estate Officer is directed to make the necessary preparations to convey the surplus property to Bernard Ineichen, Harmony Hills Development, or both, and

BE IT STILL FURTHER RESOLVED that the funds realized from the conveyance of the property be deposited in the Highway Sale of Surplus Lands account HWOPRMNT 84829, and

BE IT FINALLY RESOLVED that the Dane county Clerk and the County Executive are hereby authorized to execute a deed of conveyance on behalf of the County of Dane.

Submitted by Supervisor Ripp, August 19, 2005 (p. 131, 05-06).

Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

RES. 110, 05-06

AWARD OF CONTRACT FOR COURTHOUSE TELEPHONE EQUIPMENT, INSTALLATION AND TRAINING

Analysis has indicated that the installation of a voice over internet protocol (VOIP) system will provide the most cost effective solution for the telecommunications system at the new justice center. This system will allow for a significant reduction in the number of active telephone lines, thus controlling future operating costs when compared with the state centrex system. The system will also include voicemail and other calling options. The cost of the system will total \$276,861.30. There will be a cancellation fee from SBC of the current centrex lines for court related agencies of approximately \$50,000.

In an effort to procure this equipment and the installation of the VOIP system, the County issued RFP #105063. The County received six responses to the RFP. An evaluation committee reviewed these responses and recommends that the contract for purchase and installation of the VOIP system for the courthouse be awarded to Five Star Telecom, Inc., of LaCrosse, Wisconsin.

THEREFORE, BE IT RESOLVED that a contract for the purchase and installation of the VOIP system be awarded to Five Star Telecom of LaCrosse, Wisconsin, and that the County Executive and County Clerk are hereby authorized to execute the necessary documents pursuant to the contract.

BE IT FINALLY RESOLVED that the amount of \$327,000 be transferred from the Justice Center Capital Project Fund fund balance account to account JSCADMIN 57706 to provide funding for this portion of the project.

Submitted by Supervisor Brown, August 19, 2005 (p. 132, 05-06).
Referred to PERSONNEL/FINANCE, PUBLIC PROTECTION/JUDICIARY, and PUBLIC
WORKS/TRANSPORTATION.

RES. 111, 05-06

AMENDMENT OF CONTRACT FOR FLY DANE 2005 ORTHOPHOTOGRAPHY PROJECT

In 2004, Dane County awarded a contract to Ayres Associates for the purpose of acquiring updated aerial photography and related products (Fly Dane 2005). The scope of that contract now needs to be expanded to accommodate additional products requested by Fly Dane partnering agencies.

The original contract, in the amount of \$281,040, will produce updated one-foot resolution imagery, terrain updates in areas identified by Dane County departments, and related products such as roadway and building planimetrics. The amended contract includes an increased cost of \$143,390 and will produce the more detailed products requested by project partners such as six-inch resolution imagery and two-foot contour information.

Fly Dane 2005 is funded through county contributions (Land Information Office program funds), partner contributions, and data sales revenue retained in the Fly Dane Reserve Fund. Neither the Fly Dane 2005 contract nor amendment uses County tax levy funding.

NOW, THEREFORE, BE IT RESOLVED that \$143,390 be transferred from the Fly Dane Reserve Fund to 290-552-6390-7306 (Digital Orthophotography).

BE IT STILL FURTHER RESOLVED that the following contract amendment is approved for the period of July 25, 2005, to March 31, 2006: Ayres Associates, Inc.
1802 Pankratz Street
Madison WI 53704

BE IT STILL FURTHER RESOLVED that any unexpected or unrealized funds at 12/31/2005 be carried forward to 2006.

BE IT FINALLY RESOLVED that the County Clerk and County Executive are authorized to sign the approved contract.

Submitted by Supervisor Brown, August 19, 2005 (p. 132, 05-06).
Referred to PERSONNEL/FINANCE.

RES. 112, 05-06

AUTHORIZING THE CREATION OF SHERIFF'S AIDE PRE-HIRE POSITIONS

Sheriff's Aides are non-sworn positions that are critical to the operation of the Dane County Jail. Sheriff's Aides are assigned to all shifts and are on duty 24 hours per day, 365 days a year. A high turnover rate among Sheriff's Aides has resulted in nearly constant vacant positions. Due to the amount of time needed to recruit, hire, and train new personnel, a significant lag exists between when a vacancy occurs and a replacement fills the

position. The resulting mandatory overtime not only places undue stress on remaining personnel but also significantly impacts the budget with increased overtime cost.

Authorized pre-hire positions have proven effective in addressing this problem in the Deputy Sheriff ranks. Since the positions are funded for only half of the year, the savings compared to overtime cost are significant.

The purpose of this resolution is to create two Sheriff's Aide pre-hire positions. Funding for the positions, which is one-half of the annual cost of a position, will come from funds allocated for two Deputy Sheriff pre-hires. The two Deputy Sheriff pre-hire positions will continue to exist as authorized unfunded positions.

NOW, THEREFORE, BE IT RESOLVED that the County will create two Sheriff's Aide pre-hire positions.

BE IT FURTHER RESPOVED that \$47,200 allocated for the funding of two Deputy Sheriff pre-hires be used to fund the two Sheriff's Aide pre-hire positions.

BE IT FINALLY RESPOVED that the two Deputy Sheriff pre-hire positions remain as authorized, unfunded positions.

Submitted by Supervisor Olsen, August 19, 2005 (p. 133, 05-06).

Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

ORD. AMDT. 11, 05-06

AMENDING CHAPTER 41 OF THE DANE COUNTY CODE OF ORDINANCES,
LANDFILL TIRE DEPOSIT

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 41.115(2) of the Dane County Code of Ordinances is amended to read as follows:

41.115 USER FEE SCHEDULE. (2) Tires deposited at Landfill No. 2 shall be assessed at the rate of ~~\$85.00~~ \$110.00 per ton, ~~except that loads of automobile tires of 4 or less shall be accepted free of charge.~~

[EXPLANATION: The increases the fee charged for depositing tires at the landfill and removes the exception.]

Submitted by Supervisor Matano, September 1, 2005 (p. 134, 05-06).

Referred to PUBLIC WORKS/TRANSPORTATION.

ORD. AMDT. 12, 05-06

AMENDING CHAPTERS 11 and 12 OF THE DANE COUNTY CODE OF ORDINANCES, REGARDING
SHORELAND EROSION CONTROL

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 11.015 is amended to read as follows:

11.015 DEFINITIONS. As used in this chapter, the following words and phrases have the meanings indicated. Words or phrases not specifically defined in this section shall have the meanings set forth in section 10.01.

(1) *Board of adjustment.* The body established under section 59.694, Wisconsin Statutes, for counties and designated *board of adjustment*.

(2) *Boathouse.* A permanent structure used for the storage of watercraft and associated materials and includes all structures which are totally enclosed, have roofs or walls or any combination of these structural parts. Human habitation of a boathouse is not permitted.

(3) *Channel.* A channel is a natural or artificial watercourse with definite bed and banks to confine and conduct the normal flow of water.

(4) *County zoning agency.* The Zoning and Natural Resources Committee of the Dane County Board of Supervisors.

(5) *Department of natural resources.* The department of natural resources of the State of Wisconsin.

(6) *Development.* Any human-made change to improved or unimproved real estate including, but not limited to, construction of or additions or substantial improvements to buildings, other structures, or accessory uses, the placement of mobile homes, mining, dredging, filling, grading, paving, excavation or drilling operations, deposition of materials.

(7) *Drainage system.* One or more artificial ditches, tile drains or similar devices which collect surface runoff or groundwater and convey it to a point of discharge.

(8) *Floodplain.* The General Floodplain District as defined in section 17.05.

(8m) Land disturbing activity. Any alteration or disturbance that may result in soil erosion, sedimentation, or change in runoff including, but not limited to, removal of ground cover, grading, excavating, or filling of land.

(9) *Land use.* Any artificial change to improved or unimproved real estate including, but not limited to, the construction of buildings, structures or accessory structures; the construction of additions or substantial improvements to buildings, structures or accessory structures; the placement of buildings or structures; mining, dredging, filling, grading, paving, excavation or drilling operations; and the storage, deposition or extraction of materials, and the installation or construction of public or private sewage disposal systems or water supply facilities.

(10) *Marina fuel system tank.* A permanent above-ground structure, not to exceed 8,000 gallon capacity, designed to contain Class I or II liquids for dispensation into the tanks of self-propelled marine craft and marina equipment used in the ordinary course of business of that marina and located on a lot occupied by a legally permitted marina as defined in section 10.01(36h).

(10m) Maximum extent practicable (MEP). A level of implementing best management practices in order to achieve a performance standard specified in this chapter which takes into account the best available technology, cost effectiveness and other competing issues such as human safety and welfare, endangered and threatened resources, historic properties and geographic features. MEP allows flexibility in the way to meet the performance standards and may vary based on the performance standard and site conditions.

(11) *Navigable waters.* As used in this chapter, *navigable waters* has the meaning set forth in s. 30.10, Wis. Stats.

(12) *Non-conforming structure.* An existing lawful structure or building which is not in conformity with the provisions of the applicable zoning ordinance for the area which it occupies.

(13) *Non-conforming use.* A lawful use that existed prior to adoption of a zoning ordinance which restricts or prohibits said use.

(14) *Ordinary high-water mark* means the point on the bank or shore up to which the presence and action of surface water is so continuous as to leave a distinctive mark such as by erosion, destruction or prevention of terrestrial vegetation, predominance of aquatic vegetation, or other easily recognized characteristics.

(14m) Preliminary review. A preliminary review letter as described in s. 14.48.

(15) *Inland-wetlands.* These wetlands include all wetlands located throughout unincorporated Dane County that are not within the county shoreland district, i.e., not located within 1,000 feet from the ordinary high-water mark of navigable lakes, ponds or flowages, and also not located within 300 feet of the ordinary high-water mark or landward side of the flood plain of the navigable reaches of rivers and streams.

(16) *Shoreland* means the land area within the shoreland district as defined by s. 11.02(5) of this ordinance.

(16m) Site. The bounded area described in an erosion control plan, stormwater management plan, or shoreland management plan.

(16n) Slope. The net vertical rise over horizontal run, expressed as a percentage, which represents a relatively homogeneous surface incline or decline over the area disturbed.

(16r) Stormwater runoff. The waters derived from rains falling or snowmelt or ice melt occurring within the drainage area, flowing over the surface of the ground and collected in channels, watercourses or conduits.

(17) *Structure.* Any human-made object with form, shape and utility, either permanently or temporarily attached to or placed upon the ground, river bed, stream bed or lakebed.

(17m) Topography. The configuration of the ground surface and relations among human-made and natural features that may determine ground slope and the direction of runoff flow.

(18) *Wetlands* means those areas where water is at, near or above the land surface long enough to be capable of supporting aquatic or hydrophytic vegetation and which have soils indicative of wet conditions.

[EXPLANATION: This amendment adds needed definitions.]

ARTICLE 3. Section 11.05 is amended to read as follows:

11.05 ~~SHORELAND EROSION CONTROL FILLING, GRADING, LAGOONING, DREDGING, DITCHING OR EXCAVATING.~~ (1) *General standards.* Land disturbing activity ~~Filling, grading, lagooning, dredging, ditching or excavating~~ which does not require a permit under sub. (2)(a) is permitted in the shoreland area provided that:

(a) It is done in a manner designed to minimize erosion, sedimentation and impairment of fish and wildlife habitat.

(b) Any fill placed in a shoreland area is protected against erosion by use of rip-rap, bulkhead or vegetative covering.

(c) Any ~~filling, grading, lagooning, dredging, ditching or excavating~~ land disturbing activity in a shoreland or inland-wetland district shall comply with sections 11.07, 11.08, 11.09 and 11.10 of this ordinance.

(d) Any land disturbing activity in the general floodplain district must comply with chapter 17.

~~(2) Exemptions and waivers Grading and filling permits are not required for the following:~~

~~(a) Shoreland erosion control permits are not required for Septic system installations for private use.~~

~~(b) Construction of single family or duplex residences, provided associated excavation or disturbance does not exceed an area of 4,000 square feet or does not occur on slopes greater than 12%.~~

~~(c) Soil conservation, stream and adjacent wetland protection and restoration practices such as terraces, runoff diversions, grassed waterways, cattle and equipment crossings, cattle watering access, water control structures, dikes, ditch plugs, tile breaks and sediment removal catchments, when implemented according to plans and designs approved by the Natural Resources Conservation Service or U.S. Fish & Wildlife Service of the U.S. Department of the Interior, Wisconsin Department of Natural Resources or the Dane County Land Conservation and Water Resources Department.~~

(b) The zoning administrator may waive requirements for an engineer's stamp and allow for the use of a simplified erosion control checklist if the project meets all of the following criteria:

1. The project results in no change to existing topography;

2. The addition of impervious surface does not exceed 200 square feet;

3. The total area of disturbance does not exceed 500 square feet;

4. No work occurs within thirty seven and one half (37.5) feet of the ordinary high water mark;

5. The slope of the land does not exceed six percent (6%); and

6. Soil will be exposed for less than 15 days.

(c) The zoning administrator may waive requirements for an engineer's stamp after a preliminary review if the project meets all of the following criteria:

1. There are no adverse stormwater or erosion impacts to adjacent properties;

2. Soil will be exposed for less than 30 days if slopes are less than 12 percent (12%);

3. Soil will be exposed for less than 15 days if slopes are 12% or greater;

4. No work occurs within 15 feet of the ordinary high water mark;

5. The addition of impervious surface does not exceed 500 square feet;

6. The total area of disturbance does not exceed 2,000 square feet; and

7. The project presents minimal risk for erosion and stormwater impact to receiving waters.

~~(d) Activities requiring an erosion control permit under Chapter 14 of the Dane County Code of Ordinances.~~

~~(3) Permit required. Except as provided in section 11.05(2)(a), a grading and filling shoreland erosion control permit is required for any of the following:~~

~~(a) Any filling or grading land disturbing activity, of any size, of any area, any portion of which occurs in any of the following areas is:~~

~~1. Within 300 feet of the ordinary high-water mark of any navigable water;~~

~~2. Within the 100 year floodplain; and~~

~~3. Within 75 feet of the shoreland or inland-wetland district, and which has surface drainage toward the water, floodplain or wetland.~~

~~(b) Any filling or grading on slopes of 20% or more.~~

~~(c) Filling or grading of more than 1,000 square feet on slopes of 12% - 20%.~~

~~(d) Filling or grading of more than 2,000 square feet on slopes of 12% or less.~~

(b) Land disturbing activity, any portion of which occurs between 300 feet and 1,000 feet from an ordinary highwater mark of a lake or pond, that meets the following criteria:

1. Includes 4,000 square feet or more of disturbed area;

2. Occurs on a slope of greater than 12 percent;

3. Involves the excavation or filling, or a combination of both, in excess of 400 cubic yards of material;
 4. Disturbs more than 100 lineal feet of road ditch, grassed waterway or other land area where surface drainage flows in a defined open channel, including the placement, repair or removal of any underground pipe, utility or other facility within the cross-section of the channel;
 5. Involves the creation of any new public or private roads or access drives longer than 125 feet;
 6. Development that requires a subdivision plat, as defined in chapter 75;
 7. Land disturbing activity that disturbs less than 4,000 square feet of land, including the installation of access drives, that the zoning administrator determines to have a high risk of soil erosion or water pollution, or that may significantly impact a lake, stream or wetland area. Examples of activities with a high risk of soil erosion or water pollution may include, but are not limited to, land disturbance on erodible soil or disturbance adjacent to lakes, rivers, streams or wetlands. All such determinations made by the zoning administrator shall be in writing, unless waived by the applicant;
- ~~(e)8.~~ Constructing, dredging or commencing work on any artificial waterway, canal, ditch, lagoon, pond, lake or similar artificial waterway which is within 300 feet of the ordinary high-water mark of a navigable body of water or where the purpose is the ultimate connection with a navigable body of water.
- ~~(f)~~—Any deposition of dredged spoils in areas described as per (a) through (d) above.
- (4) Shoreland erosion control permits and administration. (a) A shoreland erosion control permit must be issued by the zoning administrator before any activity meeting the criteria in s. 11.05(2) shall occur or a zoning permit is issued.
- (b) Application materials. The applicant must provide the following materials when applying for a permit:
1. A completed application form;
 - a. The application must be signed by the landowner or include a notarized statement signed by the landowner authorizing the applicant to act as the landowner's agent for purposes of this ordinance.
 - b. If a landowner appoints an agent to submit an application pursuant to sub. (4)(b)1.a., the landowner shall be bound by all of the requirements of this ordinance and the terms of any permit issued to the agent.
 2. Fees as required by chapter 12;
 3. An erosion control plan, stamped by a qualified professional engineer registered in the State of Wisconsin, that meets all of the requirements of s. 14.50, or if waived by the zoning administrator under sub. (2)(b), a simplified checklist on a standard form approved by the zoning administrator. All erosion control plans and simplified checklists shall include provisions for a stable outlet as described in s. 14.51(2)(d);
 4. Copies of permits, permit applications or approvals required by any other unit of government;
 5. A proposed timetable and schedule for completion and installation of all elements of approved erosion control plans and a detailed schedule for completion of construction;
 6. An estimate of the cost of completion and installation of all elements of the approved erosion control plan; and
 7. Evidence of financial responsibility to complete the work proposed in the plan. The zoning administrator may require a financial security instrument sufficient to guarantee completion of the project.
- (c) Approval Process.
- ~~4. Application procedure: (a) Complete site plans and specifications shall be submitted with each application for a grading and filling permit. All application materials shall be signed by a licensed, qualified professional engineer. All maps and plans shall be drawn to an easily legible scale, shall be clearly labeled, and shall include the following, as applicable:~~
- ~~1. Property lines and lot dimensions;~~
 - ~~2. All buildings and outdoor uses, existing and proposed, including all dimensions and setbacks;~~
 - ~~3. All public and private roads, interior roads, driveways and parking lots. Show traffic patterns and type of paving and surfacing material;~~
 - ~~4. All natural and artificial water features including, but not limited to, lakes, ponds, streams (including intermittent streams), and ditches. Show ordinary high water marks of all navigable waters, 100-year flood elevations and delineated wetland boundaries, if any. If not available, appropriate flood zone determination and/or wetland delineation may be required at the applicant's expense;~~
 - ~~5. The extent and location of all soil types as described in the Dane County Soil Survey, slopes exceeding 12%, and areas of natural woodland or prairie;~~

- ~~6. The limits of construction, filling, grading and/or other activities requiring a grading and filling permit, including the area in square feet;~~
- ~~7. Existing and proposed elevations (referenced to the National Geodetic Vertical Datum of 1929) and existing and proposed contours in the area requiring a grading and filling permit;~~
- ~~8. Elevations, sections, profiles and details as needed to describe all natural and artificial features of the project;~~
- ~~9. Soil erosion control and overland run-off control measures, including run-off calculations as appropriate;~~
- ~~10. Detailed construction schedule;~~
- ~~11. Copies of permits or permit applications required by any other governmental entities or agencies;~~
- ~~12. Any other information necessary to reasonably determine the location, nature and condition of any physical or environmental features of the site.~~
- ~~(b) Where total disturbed area does not exceed 4,000 square feet, and where the zoning administrator determines that such information is not necessary to determine the impact of the proposed project, the zoning administrator may waive requirements for signature by a professional engineer, run-off calculations or references to National Geodetic Vertical Datum.~~
- ~~(c) The zoning administrator, or his or her designee, shall determine if an application is complete and adequate. A plan review period not to exceed ten (10) business days shall begin upon receipt of a complete grading and filling permit application, the application fee, and the required plans and specifications as listed above.~~
 1. The zoning administrator shall verify that the permit application is complete. The zoning administrator shall then forward the erosion control plan to the Land and Water Resources Department for review. Land and Water Resources staff shall review the plan for compliance with the standards identified in ss. 14.50-14.51.
 2. Within 15 working days, Land and Water Resources Department staff shall either approve the submitted plan or notify the zoning administrator of any deficiencies.
 3. The zoning administrator shall notify the applicant, in writing, of any deficiency in the proposed plan. The applicant shall be given a reasonable opportunity to correct any deficiency.
 4. Upon satisfactory review of the erosion control plan by the Land and Water Resources Department, the zoning administrator shall issue the erosion control permit.
- ~~(d) The zoning administrator, or his or her designee, shall send written notification of all grading and filling shoreland erosion control permit applications to the appropriate local office of the state department of natural resources within three (3) business working days of the date a complete application is received.~~
- ~~(e) The zoning administrator, or his or her designee, shall send copies of approved or denied grading and filling shoreland erosion control permits to the appropriate local office of the state department of natural resources within ten (10) business working days of approval or denial.~~
- ~~(5) *Permit conditions.* In considering a grading and filling shoreland erosion control permit the zoning administrator shall evaluate the effect of the proposal as to possible water pollution including erosion and sedimentation, harmful changes to fish life and aquatic plants, and maintenance of safe and healthful conditions.~~
 - ~~(a) In granting a grading and filling shoreland erosion control permit, the zoning administrator shall attach the following conditions where appropriate:~~
 1. The erosion control plan shall be implemented prior to the start of any land disturbing activity and shall be maintained over the duration of the project.
 2. The permittee is responsible for successful completion of the erosion control plan. The permittee shall be liable for all costs incurred, including environmental restoration costs, resulting from noncompliance with an approved plan.
 3. Application for a permit shall constitute express permission by the permittee and landowner for the zoning administrator, or his or her designee, to enter the property for purposes of inspection or curative action. The application form shall contain a prominent notice advising the applicant and landowner of this requirement.
 4. All incidental mud-tracking off-site onto adjacent public thoroughfares shall be cleaned up and removed by the end of each working day using proper disposal methods.
 5. Installed practices must comply with all standards described in the Dane County Erosion Control and Stormwater Management Manual, or must be individually approved by the Dane County Land and Water Resources Department.

- ~~1. The smallest amount of bare ground shall be exposed for as short a time as feasible.~~
- ~~2. Temporary ground cover (such as mulch) shall be used and permanent cover (seeding or sod) shall be planted.~~
- ~~3. Sediment shall be controlled according to best management practices recommended by the Dane County Land Conservation Department.~~
- 4.6.** Lagooning shall be conducted in such a manner as to avoid creation of fish trap conditions.
- ~~5. Fill shall be stabilized according to accepted engineering standards.~~
- ~~6. Fill shall not restrict a floodway or destroy the storage capacity of a flood plain.~~
7. Fill shall not be deposited in a general floodplain district, except in accordance with chapters 17 and 30 of the Wisconsin Statutes.
- ~~7.8.~~ Fill shall not be deposited in a shoreland or inland-wetland district, except in accordance with sections 11.07, 11.08, 11.09 and 11.10 of this ordinance.
- ~~8.9.~~ Stockpiling or temporary deposition of excavated materials shall not be permitted within the building setback area described in section 11.03(2) of this ordinance.
- 9.10.** Sides of a channel or artificial watercourse shall be stabilized to prevent slumping erosion.
- ~~10.11.~~ Sides of channels or artificial watercourses shall be constructed with side slopes of two (2) units horizontal distance to one (1) unit vertical or flatter, unless vegetative cover, bulkheads or rip-rapping are provided.
- ~~11. Erosion control measures shall meet or exceed current soil retention or other performance standards recommended by the Dane County Land Conservation Department.~~
12. For land disturbances of greater than one (1) acre within the shoreland zone, impervious surface area within the setback described in s. 11.03 must be limited to the maximum extent practicable.
- (b)** In addition, where in the opinion of the zoning administrator additional protections are needed, the zoning administrator may require any of the following:
 - ~~1. Compliance with any provisions of chapter 14 of the Dane County Code of Ordinances, including the completion of an erosion control plan approved by the Dane County Land Conservation Department;~~
 - ~~2. Creation of no-disturbance zones where no grading, filling or vegetation removal is permitted land disturbing activity is prohibited in order to protect sensitive or highly erodible areas;~~
 - ~~3. Requirements that projects follow a phasing schedule to minimize the amount of land disturbed at one time;~~
or
 - ~~4. Compliance with any other commonly accepted erosion or stormwater control specifications including, but not limited to, those found in the USDA NRCS Technical Guide, Priority Watershed guidelines, Dane County Water Quality Plan or other county-adopted erosion control or stormwater standards.~~
- (c) Plan or permit amendments. Any proposed modifications to approved plans, construction schedules or alterations to accepted sequencing of land disturbing site activities shall be approved by the zoning administrator in consultation with the Land and Water Resources Department prior to implementation. One permit revision is allowed at no charge. The second and subsequent revisions, to a maximum of five revisions, cost \$50 each.
- (d) Permit transfers. Transfers of interest in real estate subject to a shoreland erosion control permit shall comply with the requirements of s. 14.49(6).

[EXPLANATION: This amendment provides standards for shoreland erosion control.]

ARTICLE 4. Section 12.05(10) is amended to read as follows:

- (10) (a)** When no structure is being built, the fee for an application for a special exception shoreland erosion control permit shall be \$200.00, plus \$.004 per square foot of disturbed area.
- (b)** When a structure is being built or replaced, the fee for an application for a shoreland erosion control permit shall be \$400, plus \$.004 per square foot of disturbed area.
- (c)** The fee for projects receiving a waiver under s. 11.05(2)(b) shall be \$50, plus \$.004 per square foot of disturbed area.
- (d)** Late Filing Fee: Where work has begun before a permit has been obtained or appropriate approvals obtained the fee shall be doubled.
- (e)** Municipal street and road projects are exempt from fees required in this section.

[EXPLANATION: This amendment revises the fees for shoreland erosion control permits.]

Submitted by Supervisors Hulsey, Jensen, and Graf, September 1, 2005 (p. 140, 05-06).
Referred to ENVIRONMENT/AGRICULTURE/NATURAL RESOURCES, ZONING/LAND REGULATION,
and LAKES/WATERSHED.

RES. 114, 05-06

ACCEPTING LAKE CLASSIFICATION GRANT

Dane County submitted a request for a Phase II Lake Classification Grant to the Wisconsin Department of Natural Resources. On August 23, 2005, Dane County was officially notified that our request has been approved. The Department of Natural Resources has given Dane County until October 15, 2005, to return signed contracts to encumber the grant money.

The grant is for a period of 18 months, from September 1, 2005, through June 30, 2007, by which time all project work, including technical reports, must be complete. The grant amount is for a total of \$50,000. The county must demonstrate at least \$16,666 worth of in-kind effort from existing staff to meet the local match requirement.

WHEREAS, Dane County approved Resolution 36, 2005-2006, approving the Phase II Lake Classification Grant application, and

WHEREAS, the Department of Planning & Development has incorporated receipt of this grant money into its 2006 budget request,

NOW, THEREFORE, BE IT RESOLVED that Dane County accept the lake classification grant from the Department of Natural Resources.

BE IT FURTHER RESOLVED that the County Executive and the County Clerk are hereby authorized and directed on behalf of Dane County to execute the contract for the lake classification grant with the Department of Natural Resources.

Submitted by Supervisors Eggert, Hulsey, Graf, Jensen, Opitz, Fyrst, Brown, (?), Worzala, Hanson, Olsen, Rusk, Martz, Hendrick, Vedder, O'Loughlin, Wiganowsky, Willett, Matano, Kostelic, and Ripp, September 1, 2005 (p. 140, 05-06).

Referred to PERSONNEL/FINANCE, ZONING/LAND REGULATION, and LAKES/ WATERSHED.

RES. 115, 05-06

ENDORISING STUDY OF A REGIONAL MANURE HANDLING FACILITY FOR DANE COUNTY

Dane County's natural gifts and quality of life are under increasing pressure as more people come to live here. Clean water, availability of farmland, transportation, and other infrastructures, and access to green spaces are all threatened.

A regional manure handling facility in Dane County would provide an opportunity to address a number of those critical issues in an innovative manner. Rather than expecting each livestock farm or food establishment to

address animal manure and food waste management issues individually, a collective approach would provide enhanced benefits to a broad range of rural, suburban, urban, agricultural, environmental, and business interests. Those benefits include:

Alternative Energy Generation

There is a significant potential that a community manure handling facility could generate income through the sale of generated electricity, heat, and the trading of carbon sequestration credits. It would generate a renewable fuel with multiple market potentials, produce a net increase in energy, reduce carbon dioxide and methane emissions, and eliminate of noxious odors.

Economic Development

A community manure handling facility would generate advantages and 'economies of scale' in benefits that would be significantly more than if each farm attempted to adopt and maintain its own manure handling technology. It would also produce sanitized compost and nutrient-rich fertilizer to be sold for use in agriculture or urban gardens.

Land Use

A project of this type would help farmers keep farming in Dane County, and maintain more land in agricultural use, in two ways. It would reduce land used for manure storage, composting, or land-filling of organic wastes, and it would produce profits from energy generation, which could be used to purchase development rights on Dane County agricultural operations. In addition, it would help protect an agricultural "green belt" around the Madison metropolitan area.

Transportation and Waste Management

The costs to transport manure would be cut for contributing farms in the vicinity of such a facility. In addition, food wastes generated in the surrounding area would be accommodated by the handling facility thereby generating additional income through tipping fees and reducing the volume of wastes going to county landfills.

Water Quality

A community manure handling facility would significantly advance nutrient management in the Lake Mendota Watershed and other areas of the county by encouraging livestock operations to work together in a cooperative fashion that benefits both themselves and the larger public. Agricultural interests involved in these discussions have agreed that all the nutrients 'captured' in the manure handling facility would be distributed outside of the Lake Mendota Watershed as part of the operating process.

Finally, a regional manure handling facility could be used as a pilot project for future community manure handling facilities located elsewhere in Dane County.

Numerous meetings and discussions have occurred this year involving the owners of agricultural operations in the Lake Mendota Watershed, UW-Madison scientists, state agencies, environmental groups, the Dane County Land and Water Resources Department, electric utility firms, and private sector firms who work with various manure management technologies.

Further, this proposal has already gained support from several County bodies, including the Lakes & Watershed Commission, Agricultural Advisory Council, and the County's recently convened Manure Task Force.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors hereby endorses a technical feasibility analysis for a Dane County Regional Manure Handling Facility Initiative. This feasibility analysis should address appropriate technology for a regional facility of this scale, optimal location and transportation issues, economic feasibility of the various potential benefits listed above, and private or public organization and management of this facility while insuring any benefits accrue to all Dane County residents.

BE IT FURTHER RESOLVED that it is recommended the technical feasibility analysis be completed in no more than 12 months at a cost not to exceed \$100,000.

BE IT FURTHER RESOLVED that the Dane County Board of Supervisors establishes a ad hoc, six-member citizen committee to oversee this technical feasibility analysis with assistance from the Dane County Land and Water Resources Department and the University of Wisconsin-Madison. Two members shall be appointed by the chairperson of the Environment, Agriculture and Natural Resources Committee; two members shall be appointed by the chairperson of the UW Extension Committee; and two members shall be appointed by the Dane County Executive.

Submitted by Supervisors Richmond, Hulsey, de Felice, Wheeler, Ripp, Matano, DeSmidt, Fyrst, Brown, Gross, McDonell, Hendrick, Eggert, Worzala, Kostelic, and Olsen, September 1, 2005 (p. 142, 05-06).

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

RES. 116, 05-06

AWARDING A COLLECTIVE BARGAINING AGREEMENT TO THE DISTRICT 1199W/UNITED PROFESSIONALS FOR QUALITY HEALTH CARE, SEIU, AFL-CIO

An arbitrator's decision has been received in relation to the contract agreement for District 1199W/United Professionals for Quality Health Care, SEIU, AFL-CIO for the 2004, 2005, and 2006 contract years. The agreement will be effective December 14, 2003, through December 23, 2006. District 1199W/United Professionals for Quality Health Care, SEIU, AFL-CIO represents approximately 52 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 2002-03 collective bargaining agreement between Dane County and the District 1199W/United Professionals for Quality Health Care, SEIU, AFL-CIO 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 FINALLY RESOLVED that County officials take appropriate action to implement this resolution.

Submitted by Supervisors Brown, O'Loughlin, and Fyrst, September 1, 2005 (p. 142, 05-06).
Referred to PERSONNEL/FINANCE.

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 \$103,000 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 2005- December 2005.

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,	\$103,000

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>
CYFSUPRT 81439	Mental Health Center – SED Crisis	\$103,000
	Total Revenue:	\$103,000

<u>Expenditure Account Number</u>	<u>Account Title</u>	<u>Amount</u>
CYFCTMHC CVSCAA	Mental Health Center – SED Crisis	\$103,000
	Total Expenditure:	\$103,000

Submitted by Supervisor Gross, September 1, 2005 (p. 143, 05-06).
Referred to HEALTH/HUMAN NEEDS and PERSONNEL/FINANCE.

RES. 118, 05-06

ACCEPTING COMMUNITY LINKS AND ONE-STOP FAMILY SUPPORT GRANT REVENUES -- DCDHS - ACS DIVISION

The purpose of this resolution is to adjust revenue and expenditure for 2005. The Wisconsin Department of Health and Family Services has awarded two grants to Dane County. \$32,400 is a Community Links grant which will use the Pathfinders planning process with individuals with developmental disabilities who are on the waiting list for residential services and their families. The goal of the Pathfinders process is to assist families in developing a vision of the future for their family member, creating a plan to move towards that vision, and utilizing community and generic resources to promote community inclusion. This project will focus on individuals who live in the Sun Prairie area. Movin’ Out, Inc., a nonprofit organization that facilitates housing purchases for people with disabilities, will be a partner in this project.

\$324,703 is a One-Stop Family Support grant, also known as a Family Support 360 grant. This is second year funding of a three-year initiative. The purpose of this grant is to implement a Family Support One Stop Center to provide comprehensive, community based, family-directed information, supports, and services to children with disabilities and their families in South Madison and Allied Drive neighborhoods. The Project Coordinator works for the Waisman Center and two Service Coordinators are located at the Harambee Clinic. Participating families will become more knowledgeable about available services and supports for children with disabilities and will be linked

with those services. Harambee staff and other partners will be trained to provide appropriate information and referral services to these families. Policy papers and lessons learned will be shared at the end of the project.

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.

Revenue Account Number	Account Title	Amount
ACECHILD 80996	DD CIP 1B	\$18,679
ACECHILD 80998	DD COP	\$13,721
ACECHILD 81464	One Stop Family Support State	\$83,333
ACECHILD 81465	One Stop Family Support Federal	\$241,370
	Total	\$357,103

Expenditure Account Number	Account Title	Amount
ACECLVNG ASTCAA	DD Individual Payments	\$337,103
ACECLVNG AMOSAA	Waisman Center CSU One Stop	\$20,000
	Total	\$357,103

Submitted by Supervisors Gross and Worzala, September 1, 2005 (p. 144, 05-06).
Referred to HEALTH/HUMAN NEEDS and PERSONNEL/FINANCE.

RES. 119, 05-06

WAIVING TORNADO-RELATED ENVIRONMENTAL HEALTH FEES – PUBLIC HEALTH DIVISION

The recent tornadoes that caused so much property damage in the Stoughton area, including the Town of Dunn and the Town of Pleasant Springs, have created a catastrophic demand on the resources of residents of those areas. Many of these residents will need to build new homes, or conduct substantial reconstruction of their damaged homes, as well as to replace furnishings and other personal possessions. It is possible that some of these residents will also need to construct new septic systems or private wells. These actions would normally require payment of fees to the Dane County Division of Public Health, Environmental Health Section. The Division considers this an unacceptable additional burden on our citizens who are already over-burdened by these circumstances.

The Division has also determined that waiving these fees will create a negligible fiscal impact on the Environmental Health budget because the numbers of properties that will require new or reconstructed septic systems and wells appears to be small. Further, the budget was prepared without any estimate of fees to be generated other than those that result from normal new home construction and expected replacement of aging facilities.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Division of Public Health be authorized to waive fees included in Chapters 45.51 and 46.23 of the Dane County Code of Ordinances for properties that were damaged in the tornadoes of August 18, 2005.

Submitted by Supervisors Gross and Worzala, September 1, 2005 (p. 145, 05-06).
Referred to HEALTH/HUMAN NEEDS and PERSONNEL/FINANCE.

RES. 120, 05-06

AUTHORIZING EXECUTION OF AMENDMENT TO LEASE OF LAND AT TRUAX AIR PARK
AND CONSENT TO LEASE ASSIGNMENT-DANE COUNTY REGIONAL AIRPORT

Under Lease No. DCRA 88-21 Renaissance Real Estate Holdings, LLC, leases from Dane County approximately 2.25 acres of land at Truax Air Park West on which it has constructed an office building and associated parking lot. Renaissance Real Estate Holdings, LLC, has requested Dane County's consent to an assignment of said lease to Jacato Properties, LLC. It is the policy of the Airport to grant such requests, conditioned on financial approval and clarification of the existing lease language to preclude the Lessee from mortgaging or otherwise encumbering the County's fee simple interest in the leased land. The subject Third Amendment to Lease makes the necessary changes to the original lease terms.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Executive and the Dane County Clerk are authorized to execute on behalf of Dane County a Third Amendment to Lease DCRA 88-21 clarifying the provisions therein regarding mortgaging or otherwise encumbering the leased premises. The Director of the Dane County Regional Airport is authorized to grant on behalf of the County its consent to assignment of said lease as set forth above and to execute documents memorializing such consent.

Submitted by Supervisors Gau, McDonnell, O'Loughlin, and Kostelic, September 1, 2005 (p. 145, 05-06).
Referred to PERSONNEL/FINANCE, PUBLIC WORKS/TRANSPORTATION, and AIRPORT.

RES. 121, 05-06

NEW COURTHOUSE FURNITURE

In preparation for the move to the new building, a furniture committee of judges, representatives of the district attorney, and court staff, guided by former Purchasing Agent Wayne Hanson, examined many office furniture options over a period of 18 months. They visited actual installations and showrooms and spoke with other representatives of government offices and private entities for recommendations on durability and vendor support. Their selection criteria were cost, durability, functionality, size and esthetics, all held to be equally important. In the fall of 2004, selections were presented to the Justice Center Planning Oversight Committee.

At that time, the Committee raised the issue of furniture that is referred to as being 'green,' that is, constructed without components such as particle board or glues and stains with high VOCs that could potentially off-gas into the new building. Staff was requested to explore the potential for 'green' furnishings.

After considerable research, two lines of 'green' furniture were identified and cost quotes obtained. The product line of one vendor was found to be sturdy, well made, and with a pleasing appearance. It received positive ratings from references. It has component pieces meeting all functional needs. The products of the second vendor had equivalent component sizes and shapes. However, it was deemed unacceptable by the furniture committee for reasons of durability and esthetics. Additionally, references for the second vendor reported an unsatisfactory rating for reasons of structural failure and poor customer service and support. The Justice Center Planning Oversight Committee unanimously approved purchase of 'green' furnishings and the Knoll line at their meetings on June 27, 2005, and August 15, 2005.

The sturdy 'green' furniture line would cost approximately \$160,000 more than the original non-green choices. To put this cost difference in perspective, the original furniture budget was set four years ago based on the best estimates of the Department of Administration. This was before any mention was made of 'green furniture.' In addition, unanticipated delays in completing the building have led to inflation-induced cost increases.

By Resolution 299, 1999-2000, the County Board adopted a Green Building Policy for the County. While furnishings are not specifically mentioned, “construction planners, engineers and contractors for Dane County shall: [excerpt]

- Minimize or eliminate the use of toxic materials;
- Create a healthy environment for workers, visitors and neighbors.”

The resolution further states that, “the County will be guided by the following principles:

- Precautionary principle – it is better to err on the side of adding more environmental and human health protection rather than have too little”

While it is important that the county install furnishings that support the intent of Resolution 299, 1999-2000, it is equally if not more important to select furniture that will sustain the wear and tear of daily use, year after year. Furniture selected for county facilities is expected to last many, many years.

The window for timely purchase, delivery, and installation is now at a critical point and further testing and debate must be cut short.

NOW, THEREFORE, BE IT RESOLVED that to meet the intent of Resolution 299, 1999-2000, the Dane County Board of Supervisors directs the Department of Administration to proceed with purchasing green guard certified office furniture for the new courthouse from the recommended vendor, Knoll, using monies from the project contingency funds.

Submitted by Supervisors O’Loughlin, Hendrick, Brown, Wiganowsky, and Bruskevitz, September 1, 2005 (p. 146, 05-06).

Referred to PERSONNEL/FINANCE, PUBLIC WORKS/TRANSPORTATION, and JUSTICE CENTER PLANNING OVERSIGHT.

RES. 122, 05-06

APPROVING RECEIPT OF FUNDS TO PAY FOR BATHROOM MODIFICATIONS IN COURTHOUSE
AND APPROVING THEIR USE

On March 6, 2003, the Dane County Board of Supervisors approved Sub. 1 to Res. 278, 2002-03, Award of Contract for Dane County Courthouse.

The approved design and contract documents provided that the bathrooms on floors 7 and 8 between chambers B and C would be shared by the judges occupying those chambers but that the plumbing would be stubbed to the floor and wall so that separate fixtures could be installed if funding from a non-governmental source could be obtained to make the modifications so that these bathrooms would not need to be shared.

Dane County has been advised that the Circuit Court Judges have obtained non-governmental funding to make the modifications to allow the B and C chambers on floors 7 and 8 to each have separate bathrooms.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors hereby approves receipt of the funds from the Circuit Court Judges for use in making these bathroom modifications.

BE IT FURTHER RESOLVED that the Dane county Department of Public Works Courthouse Project Manager is authorized and directed to make the necessary arrangements to perform the work for the bathroom modifications in accord with all code requirements, on the condition that no public funds are utilized to pay for the modification; and the funds received by the County shall be spent to pay for such modifications.

Submitted by Supervisors Ripp, Opitz, Matano, Willett, and de Felice, September 1, 2005 (p. 147, 05-06).
Referred to PERSONNEL/FINANCE, PUBLIC PROTECTION/JUDICIARY, PUBLIC WORKS/TRANSPORTATION, and JUSTICE CENTER PLANNING OVERSIGHT.

RES. 123, 05-06

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.

WISCONSIN RIVER RAIL TRANSIT COMMISSION

Richard J. Lenz, 521 Old Indian Mound Trail, Sun Prairie 53590 (837-0150-H), due to the resignation of Chris Klar. Mr. Lenz is retired from a career in social work. He was CEO of St. Francis Community Programs for twenty-three years. He served as Chairman of the Vernon County Board until 2004. He has involvement in railroad issues and is a member of the National and Wisconsin Associations of Railroad Passengers. This term will expire 4/18/08.

YOUTH COMMISSION

Dean Gorrell, 619 Logan Circle, Marshall 53559 (655-1150-H, 845-4310-W), to fill the seat of a Dane County school superintendent, due to the resignation of William Conzemius. Mr. Gorrell is the District Superintendent for the Verona Area School District. This term will expire 4/17/07.

Submitted by Supervisor Kesterson, September 1, 2005 (p. 147, 05-06).
Referred to EXECUTIVE.

RES. 124, 05-06

ACCEPTANCE OF A GRANT FROM THE U. S. DEPARTMENT OF JUSTICE
FOR THE PURCHASE OF BODY ARMOR

The U. S. Justice Department, Bureau of Justice Assistance (BJA), Office Justice Programs, has approved a grant to the Dane County Sheriff's Office in the amount of \$2,121.40 under the Bulletproof Vest Partnership Act of 1998. The grant will reimburse up to 50% of the cost for body armor purchased by the Sheriff's Office.

Under the grant, the Sheriff's Office purchases body armor approved by the National Institute of Justice (NIF), then electronically request 50% reimbursement from BJA. This is the fourth such grant awarded to the Sheriff's Office and will allow for the continued replacement of worn body armor as well as purchase vest for new employees.

NOW, THEREFORE, BE IT RESOLVED that the Sheriff's Office be permitted to accept the federal grant under the Bulletproof Vest Partnership Act of 1998.

BE IT FURTHER RESOLVED that \$2,121.40 be added as additional revenue in the Sheriff's Office, Administration, Bulletproof Vest Partnership account and credited to the general fund and that \$2,121.40 be transferred from the General Fund to the Sheriff's Office, Administration, Bulletproof Vest Partnership expenditure account.

BE IT FINALLY RESOLVED that any funds that are part of this grant but not expended and received as of December 31, 2005, be carried forward to future budgets until such funds are expended and revenues received.

Submitted by Supervisors Olsen, Kostelic, Martz, Rusk, and Hanson, September 1, 2005 (p. 148, 05-06).
Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

RES. 125, 05-06

AUTHORIZATION TO BUY AND SELL LANDS AT INDIAN LAKE COUNTY PARK

Indian Lake County Park, located in the Town of Berry, is approximately 483 acres in size. The Park contains a segment of the Ice Age National Scenic Trail and is a popular destination for hiking, cross-country skiing, dog exercise, fishing, scenic views, and the historic chapel.

A historic house and old barn (collectively "improvements") are currently located along the far western boundary of the Park. The improvements were acquired as part of a 400-acre acquisition in 1974 and currently sit vacant, as they are not suitable for park use and do not meet standards for providing safe, sanitary, and decent rental housing.

Dane County Parks strongly believes that sale of the improvements is the best opportunity to remove the maintenance burden from the County. Such a sale should not impact public use and enjoyment of the Park. Additionally, as required by the federal Land & Water Conservation Program that assisted the County with the original purchase, the DNR must approve the sale and will require a replacement property in exchange for the sale of the County property.

Dane County Parks has found a buyer that is interested in the purchase of the improvements and is also willing to sell an equivalent acreage (approximately four acres) to the County in exchange. The exchange

property is adjacent to Indian Lake County Park and is a high priority acquisition because it will allow for the installation of a trail on high ground around the perimeter of Indian Lake.

The house (not the barn) is listed on the national register of historic places and both the Cross Plains-Berry Historical Society and the Dane County Historical Society have written letters in support of the proposed sale. Additionally, the buyer has agreed to maintain the historic integrity of the house and is not allowed to demolish or otherwise destroy it. Dane County will retain a right of first refusal on the property and will also obtain a right of first refusal on an additional 21 acres (approximate) from the seller.

The sale price for the improvements and adjacent four acres from Dane County to the buyer (Robert & Sybil Letzing) has been established at \$200,000, which is a blend between two appraised values of \$190,000 and \$215,000. The sale price for four acres of vacant land from the seller (Robert & Sybil Letzing) to Dane County has been established at appraised value of \$24,160.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Executive and the Dane County Board of Supervisors hereby authorize the sale of four acres plus improvements at Indian Lake County Park to Robert and Sybil Letzing for \$200,000, contingent upon approval by the DNR.

BE IT FURTHER RESOLVED that proceeds from the sale be set up as additional revenue in the 2005 Land & Water Resources – Conservation Fund Revenue Account LWCONSRV “NEW Revenue Line” and that an equal amount be credited to the 2005 Land & Water Resources – Conservation Fund Expenditure Account LWCONSRV “NEW Expenditure Line” and that these funds be carried forward until expended.

BE IT FURTHER RESOLVED that the Dane County Executive and the Dane County Board of Supervisors hereby authorize the purchase of four acres plus a right of first refusal from Robert and Sybil Letzing for \$24,160 plus \$7,500 for the right of first refusal for an estimated cost of \$31,660.

BE IT FURTHER RESOLVED that the Dane County Clerk and County Executive are authorized to execute documents necessary to effectuate the purchase and sale of lands and interests in lands by Dane County.

BE IT FURTHER RESOLVED that these land interests be held by Dane County Parks in accordance with Wisc. Stats. Chapter 27.05(3).

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 and from Dane County and the Controller is authorized to issue checks necessary to effectuate the transactions.

Submitted by Supervisor Kostelic, September 1, 2005 (p. 149, 05-06).

Referred to PERSONNEL/FINANCE, PUBLIC WORKS/TRANSPORTATION, and PARKS.

RES. 126, 05-06

AUTHORIZING THE PURCHASE OF LAND IN THE LOWER MUD LAKE NATURAL RESOURCE SITE –
HERRLING PROPERTY

Dane County recently negotiated the purchase of a fee interest in a 57-acre property located in Section 14 in the Town of Dunn owned by Kenneth J. and Lorraine Herrling. The property is within the project boundary of the

Lower Mud Lake Natural Resource Site and completes a contiguous area of County and State owned lands of approximately 400 acres that extends from the Village of McFarland, along the east shore of Lower Mud Lake and the Yahara River, to Lake Kegonsa. The property is directly across Hwy AB from Fish Camp County Park and provides the link between The Lower Mud Lake public lands and the Door Creek Wetlands public lands. It is an area of prime waterfowl and fish habitat and provides a haven for other riparian and upland species of wildlife. This purchase is supported by the Dane County Park and Open Space Plan and the Lower Mud Lake Project 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 Herrling property consists of multiple parcels of land, all but one of which have frontage on the Yahara River. One of the three larger parcels has a single family dwelling on site along with two storage buildings and an old barn. Another parcel is a 1.15-acre site with frontage on County Highway AB as well as Alsmo Lane. There are 12 lots platted on Yahara River frontage that are not buildable due to their location in the floodplain. The other two parcels are a mix of upland and wetland with 23 acres of cropland, 3 acres of pasture, and 10 acres of woodland. The Herrling property is currently zoned A-1 Exclusive Agriculture. The purchase price of \$708,000 reflects the value established through the appraised fair market value, plus associated transaction costs. The purchase contract calls for a closing to occur by December 1, 2005.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors and the Dane County Executive hereby authorize the purchase of the 57-acre Herrling property for \$708,000 plus associated costs, 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 Supervisor Kostelic, September 1, 2005 (p. 150, 05-06).

Referred to PERSONNEL/FINANCE, PUBLIC WORKS/TRANSPORTATION, and PARKS.

COMMUNICATIONS

- Response to Claim from Miron Construction. Referred to PUBLIC PROTECTION/JUDICIARYJUDICIARY.
- Notice of Claim for Lien (Public Improvement) re: Advance Mechanical Contractors, Inc., and Miron Construction Co., Inc., contractors for courthouse. Referred to PUBLIC PROTECTION/JUDICIARYJUDICIARY.
- Claim from Janet & Dale Zweifel against Highways – claims windshield damaged by loose gravel. Referred to PUBLIC PROTECTION/JUDICIARYJUDICIARY.
- Claim from Kenneth Langdok against Highways – claims windshield damaged by loose gravel. Referred to PUBLIC PROTECTION/JUDICIARYJUDICIARY.
- Supplemental Notice of Claim from Sharon Paynter Cleaves. Referred to PUBLIC PROTECTION/JUDICIARYJUDICIARY.
- Claim from Dean Ross – claims windshield damaged by gravel from passing truck. Referred to PUBLIC PROTECTION/JUDICIARY JUDICIARY.
- Summons in a Civil Case, US District Court Case #05-C-448-S, William P. Cooke v. K. Splinter. Referred to PUBLIC PROTECTION/JUDICIARYJUDICIARY.

Waushara County Res. 22-08-05, Requesting Legislators to Re-emphasize the Transportation User Fee Concept. Referred to EXECUTIVE.
Outagamie County Res. 41-2005-06, Transportation User Fee Concept. Referred to EXECUTIVE.
Outagamie County Res. 42-2005-06, Using Designated Funds for Their Intended Purposes. Referred to EXECUTIVE.
Outagamie County Res. 443-2005-06, Opposing Unfunded Mandates. Referred to EXECUTIVE.
Taylor County Res. 36, 2005, 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 9324 – Town of Primrose – Earl & Jacquelyn Elmer Revocable Trust
- 9325 – Town of Perry – Terry D. & Monica L. Miller
- 9326 – Town of Cross Plains – Rita Dodge
- 9327 – Town of Berry – Mark & Lynda Ketelboeter and Melva Ketelboeter
- 9328 – Town of Berry – Audrey Racek
- 9329 – Town of York – Jerome Holzhueter et. al.
- 9330 – Town of Deerfield – Walter Olson et. al.
- 9332 – Town of Blue Mounds – Wayne & Mary Knudson
- 9333 – Town of Berry – Dane County Parks
- 9334 – Town of Christiana – David & Susan Repyak
- 9335 – Town of Verona – Krell Company LLC
- 9336 – Town of Cottage Grove – Kirk & Suzanne Gillespie
- 9337 – Town of Deerfield – Immanuel Lutheran Church
- 9338 – Town of Dane – Roman A. Maier Revocable Trust
- 9339 – Town of Pleasant Springs – Jeff Wolf Properties LLC
- 9340 – Town of Cottage Grove – Lawrence E. Jungbluth
- 9341 – Town of Dunn – R. Marshall Colburn
- 9342 – Town of Christiana – Mark & Joann Halverson
- 9343 – Town of Pleasant Springs – Howard & Ellen Louise Schwartz
- 9344 – Town of Dunn – Dana L. & Wendy Sperloen
- 9345 – Town of Albion – Leon Vedvig Estate
- 9346 – Town of Christiana – Robert Johnson, Jeffrey Levake & Colleen Olson
- 9347 – Town of Berry – Henry Campbell & Brittney Lacoste
- 9348 – Town of Mazomanie – George Shalabi
- 9356 – Town of Dunn – David L. Norsetter

AMENDING CHAPTER 47 OF THE DANE COUNTY CODE OF ORDINANCES,
INCREASING ANNUAL DOG LICENSE TAX

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 47.22 of the Dane County Code of Ordinances is amended to read as follows:
47.22 ANNUAL DOG LICENSE TAX. In addition to the statutory tax, there is hereby added an additional tax of ~~50 cents~~ \$3.50 for each dog license applied for.
[EXPLANATION: The amendment increases the fee for dog licenses.]

Submitted by Supervisor Kesterson, September 15, 2005 (p. 152, 05-06).
Referred to PERSONNEL/FINANCE and ZONING/LAND REGULATION.

RES. 127, 05-06

AUTHORIZING A PROJECT POSITION FOR OLDER ADULT CRIME VICTIMS – DCDHS-ACS DIVISION

The purpose of this resolution is to adjust revenue and expenditure for 2005 and authorize a project position social worker. Via a competitive proposal process, the Area Agency on Aging (AAA) of Dane County has been awarded a Victims of Crime Act (VOCA) grant through the Wisconsin Department of Justice (DOJ). The grant amount is \$58,755 for the period from October 1, 2005, through September 30, 2006. This is the fourth consecutive year for the AAA receiving VOCA funding for older adult crime victims. The Elder Victim Advocate Project annually serves 80-100 older people who suffer physical, emotional, sexual, or financial victimization. They receive immediate crisis services and ongoing support to stabilize their lives. This includes, but is not limited to, counseling, assistance with obtaining restraining orders, accompaniment to court hearings and meetings with criminal justice officials, and referral and linkage to other community resources.

The elder victim advocate role has been filed through a Purchase of Services Agreement with Alyssa Rader, a self-employed licensed Clinical Social Worker who has provided quality services and cooperated fully with the Area Agency on Agency. However, to strengthen the supervision available to the elder victim advocate and to improve overall coverage and program flexibility, the application for continuation funding submitted by the AAA to Wisconsin DOJ proposed that the elder victim advocate become a project position within the AAA. Ms. Rader's contract ends September 30, 2005. The plan is that Ms. Rader's contract be extended until October 30, 2005, and that the project position start October 31, 2005. The project position will be filled from Dane County Employee Relations' list of certified applicants from a recent Social Worker – Elder Abuse recruitment. The VOCA grant funds will fully cover the \$54,602 cost of the project position.

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.

Revenue Account Number	Account Title	Amount
ACBADMIN 81551	VOCA Grant	\$5,875
	Total	\$5,875

Expenditure Account Number	Account Title	Amount
ACBCSMGT AAYAAA	Salary & Wages	\$6,044
ACBCSMGT AAYMAA	Retirement	\$695
ACBCSMGT AAYPAA	Social Security	\$462
ACBCSMGT AAYSAA	Health Insurance	\$1,653
ACBCSMGT AAZBAA	Dental Insurance	\$187
ACBCSMGT AAZKAA	Life Insurance	\$2
ACBCSMGT AAZXAA	Salary Savings	(\$121)
ACBCLRDR CMVCAA	Rader, Lisa	(\$3,047)
	Total	\$5,875

BE IT FURTHER RESOLVED that the following project position be created in the Adult Community Services Division, Area Agency on Aging. Continuation of this position is contingent upon the receipt of outside revenues:

<u>Title</u>	<u>Pay Grade</u>
Social Worker 1.0 FTE	SW 16-18-20

Submitted by Supervisor Gross, September 15, 2005 (p. 153, 05-06).
 Referred to HEALTH/HUMAN NEEDS and PERSONNEL/FINANCE.

 RES. 128, 05-06

ACCEPTING MA CASE MANAGEMENT AND COP/CIP CARRYOVER REVENUES
DCDHS - ACS DIVISION

The purpose of this resolution is to adjust revenue and expenditure for 2005. Developmental Disabilities services is earning \$130,000 more in MA Case Management (MA CM) revenue than is budgeted in 2005. The two primary factors contributing to this are (a) the number of children with Birth to Three program service plans grew by 30% from 2001 to 2004 and continues to grow, enabling more case management service hours to be billed to the Medicaid program and (b) in recent years, Developmental Disabilities services has reduced the amount of MA CM revenue budgeted as more case management has been billed to the CIP program, and the reduction in MA CM revenue was more than was necessary. \$90,000 is allocated to United Cerebral Palsy's Connections Birth-to-Three program to cover caseload growth, and \$40,000 is reserved for any Birth to Three caseload costs that arise later this year.

Developmental Disabilities received COP/CIP funds from the State of Wisconsin in 2004 for several special projects. The funding for some of these projects was not fully spent, which is not unusual, as special projects funding often is not awarded until mid-year. The Wisconsin Department of Health and Family Services annually allows counties to request that special project funds be carried over to the following year, and Dane County has submitted the carryover plan to the state. \$45,398 is to provide additional staff coverage for one year for a consumer moving from Central Wisconsin Center to community care; the original plan was that the consumer would move in late 2004, but the move did not occur until 2005. \$15,885 is for training related to ICF-MR relocations for county and private agency staff from throughout southern Wisconsin. \$18,194 is for a survey and nursing evaluations to determine the need for additional nursing capacity for people with developmental disabilities who reside in community setting. \$4,471 is for Children's Long Term Support Waiver activities.

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.

Revenue Account Number	Account Title	Amount
ACDADULT 80996	DD Adult CIP 1B	\$19,817
ACDADULT 80998	DD Adult COP	\$33,261
ACDADULT 80997	DD Adult CIP 1A	\$26,399
ACECHILD 81461	DD Children CLTS DD	\$2,600
ACECHILD 80998	DD Children COP	\$1,871
ACECHILD 81430	DD Children MA Case Management	\$130,000
	Total	\$213,948

Expenditure Account Number	Account Title	Amount
ACDCLFAD AMMFAA	Fiscal Assistance of Dane Co.	\$34,079
ACECLUCP CMBTAA	UCP Birth to Three Case Mgmt	\$90,000
ACDCRSDN AIFHAA	Court Ordered Placements	\$45,398
ACECLVNG ASTCAA	DD Children Client Assistance	\$44,471
	Total	\$213,948

Submitted by Supervisor Gross, September 15, 2005 (p. 154, 05-06).
 Referred to HEALTH/HUMAN NEEDS and PERSONNEL/FINANCE.

 RES. 129, 05-06

PLACING LAKEVIEW HILL UNDER PARK COMMISSION JURISDICTION

Dane County has owned the property at 1202-1206 Northport Drive formerly known as the Lake View Sanatorium, hereafter described as Lake View Hill, since 1929-30. The property consists of over 44 acres of land with a number of buildings, a well and water tower, and two parking lots on it. Since 1964, the county has used the facility to house various Human Services agencies. It is the present location of the Human Services Department administrative offices.

In September 1993, the County Board adopted Sub. 1 to Res. 160 – Amending the Dane County Parks and Open Space Plan to Include Urban Greenspace, which specifically committed the county to protection of the property.

More recently, in January 2004, the County Board designated Lake View Hill a recreation park in the county’s Park and Open Space Plan by adoption of Res. 237, 2003-04, which included Lakeview Hill as a Recreation Park in the 2001-2005 Dane County Parks and Open Space Plan.

Three distinct, identifiable areas exist on the Lake View property: the woods north of the buildings and parking areas, the buildings and parking areas themselves, and the southerly hillside including the smaller wooded area along the easterly border and the Esch donation. For many years, county residents have used the hillside for picnicking, viewing fireworks, sledding, and other winter sports. The Northside community has recently expressed a desire to further protect the areas not associated with the buildings and parking.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board and the County Executive do hereby approve and authorize the transfer of jurisdiction of the southerly hillside area of Lake View Hill to the Dane County Parks Commission under Wis. Stats. 27.05(3), and

BE IT FURTHER RESOLVED that the county Real Estate Officer shall have the property surveyed and shall prepare the necessary documents, to be executed and recorded against the property, to expedite the above-described transfer of all the land south and east of the access road excluding the road itself, the existing buildings and structures, the sidewalks and the yard south of the nurses' dorm to six feet beyond the top of the retaining wall and

BE IT STILL FURTHER RESOLVED that the transfer shall not be construed to change prioritization of parks operations or planning with respect to the lands transferred, and

BE IT FINALLY RESOLVED that the Dane County Clerk and the County Executive are hereby authorized to execute any documents necessary to expedite the land transfer on behalf of the County of Dane.

Submitted by Supervisors Wheeler, Matano, Richmond, Kostelic, Wendt, Gau, Martz, Ripp, Hanson, Olsen, Erickson, Opitz, and Hendrick, September 15, 2005 (p. 155, 05-06).

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

RES. 130, 05-06

PLACING LAKEVIEW WOODS UNDER PARK COMMISSION JURISDICTION

Dane County has owned the property at 1202-1206 Northport Drive formerly known as the Lake View Sanatorium since 1929-30. The property consists of over 44 acres of land with a number of buildings, a well, a water tower, and two parking lots on it. Since 1964, the county has used the facility to house various Human Services agencies. It is the present location of the Human Services Department administrative offices.

In 1990 the Dane County Board adopted Sub. 1 to Res. 153 Authorizing Petition for Conservancy Zoning for Lake View Woods. As a result of this action, the mostly wooded northerly 22.5 acres of the property was rezoned as conservancy. In September 1993, the County Board adopted Sub. 1 to Res. 160 Amending the Dane County Parks and Open Space Plan to Include Urban Greenspace, which further committed the county to protection of the Lake View property.

Since then, the Friends of Lake View Woods organization formed and has been working with Dane County Parks Department on resource management of the property. Boy Scouts and other young people and neighbors are involved in the restoration which illustrates the Friends desire to educate youth and the community about the neighborhood environment and land resources.

Three distinct, identifiable areas exist on the Lake View property: the woods north of the buildings and parking areas, the buildings and parking areas themselves, and the southerly hillside including the smaller wooded area along the easterly border and the Esch donation. The community has expressed a desire to further protect those areas not associated with the buildings and parking.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board and the County Executive do hereby approve and authorize the transfer of jurisdiction of the northerly wooded area of Lakeview including the water tower to the Dane County Parks Commission under Wis. Stats. 27.05(3), and

BE IT FURTHER RESOLVED that the county Real Estate Officer shall have the property surveyed and shall prepare the necessary documents, to be executed and recorded against the property, to expedite the above-described transfer of all the land north of the access road and existing structures, and

BE IT STILL FURTHER RESOLVED that the transfer shall not be construed to change prioritization of parks operations or planning with respect to the lands transferred, and

BE IT FINALLY RESOLVED that the Dane County Clerk and the County Executive are hereby authorized to execute any documents necessary to expedite the land transfer on behalf of the County of Dane.

Submitted by Supervisors Wheeler, Matano, Richmond, Kostelic, Wendt, Gau, Martz, Ripp, Hanson, Olsen, Erickson, and Opitz, September 15, 2005 (p. 156, 05-06).

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

RES. 131, 05-06

ACCEPTING A GRANT FROM THE DEPARTMENT OF NATURAL RESOURCES AND
AUTHORIZING AN AGREEMENT WITH THE CRYSTAL, FISH AND MUD LAKE DISTRICT

On January 29, 2003, a petition was filed with the Dane County Clerk seeking to establish the Crystal, Fish, and Mud Lake District. The Zoning and Natural Resources Committee held the statutorily-mandated public hearing on February 25, 2003, and on June 9, 2003, the County Board adopted the order formally creating the district.

The district was created pursuant to statute to promote the public health, comfort, convenience, necessity, and public welfare. In the 2003 county budget, the county board appropriated \$50,000 to provide match to grants from the Department of Natural Resources. The DNR has provided \$200,000 in grants to the Dane County Land and Water Resources Department to assist with the management of water levels in Crystal, Fish, and Mud Lakes.

The department now wishes to contract with the district so that it can begin improvements to the lakes. The purchase of service agreement authorized by this resolution should be consistent with the grant agreement between the Department of Natural Resources and Dane County, and the conditions of that agreement should also be included in the purchase of services agreement.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors hereby authorizes the Land and Water Resources Department to accept grant funds from the Department of Natural Resources for improvements to Crystal, Fish, and Mud Lakes; and

BE IT FURTHER RESOLVED that the Dane County Board of Supervisors hereby authorizes an agreement in the amount of \$250,000 between Dane County and the Crystal, Fish, and Mud Lake District for lake improvements; and

BE IT FURTHER RESOLVED that the County Executive and County Clerk be authorized and directed to execute any agreements necessary to receive the grant, and to sign the agreement on behalf of the county with the lake district; and

BE IT FINALLY RESOLVED that the Land and Water Resources Department monitor the work performed under the contract.

RES. 134, 05-06

AUTHORIZING EXECUTION OF AN OPERATING AGREEMENT WITH SKYWEST AIRLINES, INC.,
FOR AIR SERVICE AT THE DANE COUNTY REGIONAL AIRPORT

United Airlines has chosen SkyWest Airlines, Inc., to replace its current regional jet service provider on several of its flights at the Dane County Regional Airport, beginning in October of 2005. It is anticipated that, over time, SkyWest Airlines will be providing regional service on an increasing number of United Airlines routes. The terms and conditions under which SkyWest Airlines will provide air service at the Dane County Regional Airport, including compensation and indemnification provisions, will be as set forth in the Non-Affiliated Airline Operating Agreement between Dane County and SkyWest Airlines.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Executive and the Dane County Clerk are hereby authorized to execute on behalf of Dane County a Non-Affiliated Airline Operating Agreement for the operations of SkyWest Airlines, Inc. at the Dane County Regional Airport. Further, the Airport Director is authorized to execute associated documents necessary to the implementation of service by SkyWest Airlines at the Dane County Regional Airport.

Submitted by Supervisors Rusk, Gau, de Felice, O'Loughlin, Wiganowsky, Bruskewitz, Vogel, Hitzemann, Pertzborn, Matano, Hendrick, Worzala, Opitz, Erickson, and Brown, September 15, 2005 (p. 158, 05-06).
Referred to PERSONNEL/FINANCE, PUBLIC WORKS/TRANSPORTATION, and AIRPORT.

RES. 135, 05-06

AUTHORIZING THE DONATION OF LEAVE TIME FOR EMPLOYEES ASSISTING WITH
HURRICANE KATRINA RELIEF EFFORTS

Several Dane County employees have been asked to volunteer to assist with Hurricane Katrina relief efforts. Social Workers with expertise in mental health, for example, have been asked to counsel victims of the hurricane. Some of these employees have exhausted their vacation and holiday leave balances and have requested that the County allow other employees to donate leave time to the volunteers.

NOW, THEREFORE, BE IT RESOLVED that on a special one-time basis, Dane County employees be allowed to designate portions of their accumulated holiday and vacation time to provide paid time off to employees volunteering to assist with Hurricane Katrina relief efforts. These one-time donations will be limited to 160 hours per volunteer and must be used by April 1, 2006; and

BE IT FURTHER RESOLVED that only employees who have exhausted their own vacation and holiday leave balances for 2004 and 2005 be eligible for the leave time donation; and

BE IT FURTHER RESOLVED that employees who volunteer to assist with relief efforts must be working through an established, nationally recognized relief organization such as the Red Cross or Salvation Army and that volunteers must demonstrate their participation with these organizations in writing; and

BE IT FURTHER RESOLVED that any leave time granted for this purpose will be at the discretion of an employee's department head; and

BE IT FINALLY RESOLVED that the Department of Administration is authorized to create additional administrative procedures to implement this resolution.

Submitted by Supervisor Brown, September 15, 2005 (p. 159, 05-06). Fiscal and Policy Notes not required.

Referred to PERSONNEL/FINANCE.

COMMUNICATIONS

Claim from Richard Weihert against Highways – claims motorcycle was damaged in construction zone. Referred to PUBLIC PROTECTION/JUDICIARY.

Claim from Dan Roekle against Planning & Development – claims financial damages from issuance of wrong house number. Referred to PUBLIC PROTECTION/JUDICIARY.

Claim from Sherry Lee against Sheriff – claims Sheriff car hit his. Referred to PUBLIC PROTECTION/JUDICIARY.

Claim from Keri L. Palmer against AEC of DC – claims car damaged in parking lot. Referred to PUBLIC PROTECTION/JUDICIARY.

Notice of Injury or Death-Thomas and Cathy Meyer against Planning & Development – claims concrete structure allowed too close to road. Referred to PUBLIC PROTECTION/JUDICIARY.

Claim from Kevin Long against Highways – claims vehicle damaged by object thrown by roadside mower. Referred to PUBLIC PROTECTION/JUDICIARY.

Outagamie County Res. 53-2005-06, Ban use of cell phones by drivers. Referred to EXECUTIVE.

Ozaukee County Res. 05-33, re Transportation User Fee Concept. Referred to EXECUTIVE.

Florence County Res. 05-42, Opposing passage of AB 575. Referred to EXECUTIVE.

ZONING PETITIONS

Petition for Zoning Reclassification. Referred by Clerk Ohlsen to ZONING & LAND REGULATION.

Petition 9376 – Town of Rutland – Joseph Eugster ET AL

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. The title of Subchapter 1 of Chapter 14 is amended to read as follows: **SUBCHAPTER 1 MANURE STORAGE AND UTILIZATION.**

[EXPLANATION: The amendment changes the title of Subchapter 1.]

ARTICLE 3. Section 14.001 is amended to read as follows:

14.001 SUBCHAPTER 1. Subchapter 1 of this chapter consists of sections 14.01 through 14.23 ~~14.23~~ 14.27, inclusive.

[EXPLANATION: The amendment recognizes the addition of four new sections to subchapter 1.]

ARTICLE 4. Section 14.01 is amended to read as follows:

14.01 TITLE. Subchapter I shall be known as, referred to, and may be cited as the Dane County Manure ~~Management Storage and Utilization~~ Ordinance and is hereinafter referred to as this subchapter.

[EXPLANATION: The amendment clarifies that this subchapter covers the storage and the utilization of manure.]

ARTICLE 5. Section 14.03 is amended to read as follows:

14.03 FINDINGS AND DECLARATION OF POLICY. (4) The Dane County Board of Supervisors finds that:

~~(1) Dane County's water resources are vital to the high quality of life enjoyed by all who live here. The purity of Dane County's ground water is essential to the health and welfare of all County residents and visitors and to the health of the County's livestock industry as well. Our lakes, rivers and streams are important to the County's economy, to the health of aquatic life and other animals and plants and to maintaining the recreational opportunities available to all those who spend their free time enjoying Dane County's natural water resources. The storage and utilization of manure generated by the livestock industry, when properly managed, is important for maintaining soil quality, reducing the reliance on commercial fertilizer, and is of significant importance for the agricultural economy of Dane County. The Dane County Board of Supervisors finds that storage of manure in 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; and to livestock, aquatic life and other animals and plants.~~

~~(2) The Dane County Board of Supervisors also finds that improper land application of manure may cause pollution of the ground and surface waters of Dane County would harm the health and welfare of county residents and visitors, livestock, aquatic life and other animals and plants and also damage the scenic, recreational, economic and environmental value of Dane County's natural water resources.~~

~~(3) The storage of manure in facilities that fail to meet technical design and construction standards, livestock operations with manure storage facilities that are at risk of overflow, the presence of unconfined manure piles in water quality management areas and the improper land application of manure may cause pollution of the surface and ground waters of Dane County. The winter application of stored, pumpable liquid manure on cropland that is either frozen, snow-covered or ice-covered can be an important source of annual nutrient loading to the surface waters and ground waters of Dane County.~~

~~(4) Landowners apply manure in the winter because of land and labor availability and to avoid excessive soil compaction. The application of stored, pumpable liquid manure in the winter also enables landowners to avoid or lessen the cost of the structures that would be needed to store manure throughout the winter months. However, the land application of manure in the winter increases the risk of pollution to ground and surface waters, therefore,~~

the Dane County Board of Supervisors strongly discourages landowners from applying stored, pumpable liquid manure under the following conditions:

- (a) melting snow on frozen cropland;
- (b) ice sheet over frozen cropland;
- (c) ice pack of snow over frozen cropland;
- (d) wet heavy snow on frozen cropland; or
- (e) dry snow on frozen cropland.

Landowners who self-report manure spills or runoff in time for the initiation of remedial measures to prevent or substantially minimize damage to aquatic ecosystems shall be considered for enforcement leniency by the department.

~~(3)~~**(5)** The Dane County Board of Supervisors further finds that the technical standards developed and maintained by the USDA-NRCS adopted by the committee provide effective, practical and environmentally safe methods of storing and utilizing waste manure. The Board further finds that where operations have ceased, the manure storage facility shall be closed according to NRCS standards.

[EXPLANATION: The amendment incorporates the findings contained in the Dane County Manure Task Force's Final Report, dated June 20, 2005.]

ARTICLE 6. The following subsections of section 14.06 are renumbered as indicated: (8) is renumbered as (8m), (2) is renumbered as (8), (3) is renumbered as (2) and (4) is renumbered as (3).

[EXPLANATION: The amendment renumbers various subsections to reflect the addition of four new definitions.]

ARTICLE 7. Subsections (4), (4m), (6d) and (6m) of section 14.06 are created to read as follows:

14.06 DEFINITIONS. (4) Conservation plan means the written agreement between the department and a landowner that records the decisions made by the landowner and approved by the department, and the supporting information provided by the landowner, regarding the conservation practices the landowner will employ to protect the natural resources located on an identified parcel of land.

(4m) Conservation practices means the facilities and activities that are designed to prevent or reduce soil erosion, prevent or reduce water pollution, or achieve or maintain compliance with soil and water conservation standards.

(6d) Effectively incorporate means, within 24 hours of application, the mixing of manure with the topsoil or residue or the subsurface placement of manure with the topsoil by such means as injector, disc, sweep, mold-board plow, chisel plow, or other tillage/infiltration methods such that nutrients will not run off the field or drain to subsurface tiles during application.

(6m) Landowner means either of the following:

- (a) A person who owns a parcel of land, or
- (b) A person who rents, controls or uses a parcel of land for agricultural purposes.

[EXPLANATION: The amendment adds definitions for terms referenced in this subchapter.]

ARTICLE 8. Subsection 14.06(9) is amended to read as follows:

14.06 DEFINITIONS. **(9) Permit** means the signed, written statement issued by the department under this subchapter authorizing the applicant to construct, install, reconstruct, enlarge, or substantially alter a manure storage facility, ~~and~~ to appropriately utilize manure from the facility, including the winter application of stored, pumpable liquid manure.

[EXPLANATION: The amendment clarifies that a permit is required for winter application of stored pumpable liquid manure.]

ARTICLE 9. Section 14.09 is amended to read as follows:

14.09 PERMIT REQUIRED. No person may undertake an activity subject to this subchapter without obtaining a permit from the department prior to beginning any of the following activities:

- ~~(1) the c~~**(1) the c**onstruction of a manure storage facility.
- ~~(2) the c~~**(2) the c**losure of a manure storage facility.

~~(3) substantially altering~~ **Substantial alteration of 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; or

(c) a change in a structure or facility related to a change in livestock management related to livestock species change.

(4) Application of stored pumpable liquid manure on cropland that is either frozen, snow-covered or ice-covered in a manner that does not effectively incorporate the manure.

[EXPLANATION: The amendment adds an activity for which a permit is required.]

ARTICLE 10. Section 14.15 is amended to read as follows:

14.15 REVIEW OF APPLICATION FOR MANURE STORAGE FACILITY. The department shall receive and review all permit applications and shall determine if the proposed facility meets required standards set forth in ~~sections 14.12-14.14~~ of this subchapter. Within 20 working days after receiving the completed application, the department shall inform the applicant in writing whether the permit application is approved or disapproved. If additional information is required, the department shall so notify the permit applicant. The department has 10 working days from the receipt of the additional information in which to approve or disapprove the application. If the department fails to approve or disapprove the permit application in writing within 30 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.

[EXPLANATION: The amendment provides clarification of what this section applies to.]

ARTICLE 11. The title to section 14.16 and the beginning of (1) are amended to read as follows:

14.16 MANURE STORAGE FACILITY PERMIT CONDITIONS. (1) All manure storage facility permits issued under this subchapter shall be issued subject to the following conditions and requirements:

[EXPLANATION: The amendment provides clarification of what this section applies to.]

ARTICLE 12. Sections 14.17 through 14.23 are renumbered, respectively, as 14.21 through 14.27, and as renumbered, 14.21 and 14.23 are amended as follows:

(Formerly 14.17) 14.21 PERMIT REVOCATION. The department may revoke any permit issued under this subchapter if the holder of the permit has misrepresented any material fact in the permit application, ~~or~~ conservation plan, manure facility plan or stored liquid manure winter application plan, or if the holder of the permit violates any of the conditions of the permit.

(Formerly 14.19) 14.23 ADMINISTRATIVE DUTIES. In the administration and enforcement of this subchapter, the department shall:

(1) Keep an accurate record of all permit applications, conservation plans, manure facility plans, liquid manure winter application plans, permits issued, inspections made, complaints received and other official actions.

(2) Review permit applications and issue permits in accordance with sections 14.15 and 14.18 of this subchapter.

(3) Inspect 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.

[EXPLANATION: The amendment renumbers and clarifies several sections of this subchapter.]

ARTICLE 13. A new section 14.17 is created to read as follows:

14.17 CONSERVATION PLAN. (1) Prior to the issuance of a permit under this subchapter, the landowner shall work with the department to develop a conservation plan which shall include, at a minimum:

(a) an inventory of the natural resources located on the land;

(b) land use, soil and topographic maps;

(c) a plan for the winter application of stored, pumpable liquid manure; and

(d) a description and schedule of conservation practices to be employed by the landowner.

(2) The landowner shall update and amend the plan, and submit it to the department for approval, when necessary to show changes in land unit boundaries or uses, resource management systems, or any other changes that would impact the recommended conservation practices to be employed by the landowner.
[EXPLANATION: The amendment describes the contents and update requirements of a conservation plan.]

ARTICLE 14. A new section 14.18 is created to read as follows:

14.18 STORED PUMPABLE LIQUID MANURE WINTER APPLICATION PERMIT. (1) No person may apply stored, pumpable liquid manure on either frozen or on snow-covered or on ice-covered cropland, unless the liquid manure is effectively incorporated, without first obtaining a winter application permit issued under this subchapter. Said permit shall be issued after the receipt and approval, by the department, of a conservation plan as described in section 14.17 of this subchapter. The permit shall remain in effect for as long as the landowner maintains an approved conservation plan or until the permit is revoked by the department pursuant to section 14.20 of this subchapter.

(2) Liquid Manure Winter Application Plan. At a minimum, a stored, pumpable liquid manure winter application plan must meet the following conditions and requirements:

(a) The plan must be in writing in a format approved by the department and submitted to the department for review and approval by no later than November 1st prior to the winter during which the permittee intends to apply liquid manure.

(b) The plan must include a description, in a format approved by the department, of the emergency response procedures that will be engaged immediately in the event of direct runoff of liquid manure.

(c) The maximum liquid manure application rates on either frozen, on snow-covered or on ice-covered cropland shall be determined by the slope of the land upon which the permittee intends to spread the manure, as follows:

<u>Slope</u>	<u>0-2%</u>	<u>3-6%</u>	<u>7-12%</u>	<u>>12%</u>
<u>Maximum Application Rate</u>	<u>7,000 gal/acre</u>	<u>6,000 gal/acre</u>	<u>5,000 gal/acre</u>	<u>prohibited</u>

(d) The permittee shall follow one or more of the following conservation practices in the area where liquid manure will be applied:

1. Install a grassed buffer, at least 30 feet wide, along a stream, drainage ditch or lake.
2. Install a grassed buffer in a field.
3. Install a contour strip.
4. Employ contour farming practices and leave all residues on the surface.
5. Employ no-till practices with all crop residues remaining from the previous crop year.
6. Create and maintain terraces or diversions to reduce slope length.
7. Chisel plow the field prior to ground freeze.
8. Other conservation practices such as, but not limited to, intermittent strip spreading, as approved by department staff.

(3) The stored, pumpable liquid manure winter application plan shall be reviewed by the department and amended as necessary, whenever the landowner's conservation plan is updated.

[EXPLANATION: The amendment creates a requirement and sets forth the conditions for a permit with regard to the application of stored, pumpable liquid manure during the winter months.]

ARTICLE 15. A new section 14.19 is created to read as follows:

14.19 RECORD KEEPING REQUIREMENT. The landowner shall maintain an accurate record of the date, location and rate of application (gallons per acre) for every application of stored, pumpable liquid manure on the land that is subject to the winter application permit. The record shall be made available to the department upon request and shall be retained by the landowner for one year following the date of application.

[EXPLANATION: The amendment sets forth the record keeping requirements for landowners who wish to apply stored, pumpable liquid manure under a winter application permit.]

ARTICLE 16. A new section 14.20 is created to read as follows:

14.20 APPLICATION OF STORED, PUMPABLE LIQUID MANURE PROHIBITED. (1) Stored, pumpable liquid manure may not be applied on either frozen, on snow covered or on ice covered cropland located in any of the following areas:

- (a) on a waterway or other channelized flow;
- (b) on non-harvested vegetation;
- (c) within 30 feet on either side of a waterway;
- (d) within 200 feet upslope of a well, tile inlet, sinkhole, gravel pit or fractured bedrock at the surface;
- (e) within 300 feet of a stream or drainage ditch;
- (f) within 1,000 feet of a lake; or
- (g) on slopes of greater than 12%.

(2) Stored, pumpable liquid manure may not be applied on either frozen, on snow covered or on ice covered cropland, unless it is effectively incorporated, except in the manner and location or locations described in the permittee's approved liquid manure winter application plan.

[EXPLANATION: The amendment sets forth the parameters and restrictions with regard to application of stored, pumpable liquid manure.]

Submitted by Supervisors Hulse, Jensen, Eggert, Graf, Erickson, Richmond, Wheeler, and McDonnell, October 6, 2005 (p. 164, 05-06).

Referred to ENVIRONMENT/AGRICULTURE/NATURAL RESOURCES, LAKES & WATERSHED, and LAND CONSERVATION.

ORD. AMDT. 15, 05-06

AMENDING CHAPTER 7 OF THE DANE COUNTY CODE OF ORDINANCES,
REGARDING REQUIRED VOTE FOR REMOVAL OF OFFICER FROM APPOINTED POSITION

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(2) of the Dane County Code of Ordinances is amended to read as follows:

7.02 OFFICERS. (2) Any supervisor may be removed from the position of chairperson, vice-chairperson, sergeant-at-arms, chairperson of any committee or any other position or appointment by the county board, chairperson or a committee, by a ~~two-thirds~~ majority vote of the supervisors for the following reasons: inefficiency, neglect of duty, official misconduct or malfeasance in office.

[EXPLANATION: The amendment changes the required vote to remove an officer from his or her appointment within the County Board structure.]

Submitted by Supervisors Olsen, Worzala, Vedder, Hanson, Rusk, Gross, Wheeler, Richmond, and Erickson, October 6, 2005 (p. 164, 05-06). Fiscal and Policy Notes not required.

Referred to EXECUTIVE.

AMENDING CHAPTER 62 OF THE DANE COUNTY CODE OF ORDINANCES,
INCREASING FEES FOR CORONER SERVICES

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 62.80(1) of the Dane County Code of Ordinances is amended to read as follows:
62.80 CORONER; FEES FOR CERTAIN SERVICES. Pursuant to section 59.36, Wis. Stats., the Dane County Coroner is authorized to charge the following fees:
(1) a fee of ~~\$150~~ \$165 for services rendered in connection with cremation certificates.
[EXPLANATION: The amendment increases the fee for services rendered in connection with cremation certificates from \$150 to \$165.]

Submitted by Supervisor Olsen, October 6, 2005 (p. 165, 05-06).
Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

RES. 136, 05-06

AMENDING SUPERVISORY DISTRICT BOUNDARIES 35 AND 36

After every census, the County Board adopts a redistricting plan, which establishes supervisory districts with nearly equal populations. From time to time thereafter there occur annexations, some of which place affected residents of the annexed lands in the position of voting for different supervisors than do other persons residing in adjacent lands of the annexing municipality. Many of these situations are addressed by the automatic boundary change provisions of Dane County ordinances while others require separate action by the County Board. This is one of the latter.

The lands described in the attached (available in the County Clerk's office) annexation ordinance of the City of Stoughton (Ord. O-43-03) have been detached from the Town of Dunkirk. One result of this annexation is that persons residing on these lands will now be voting at a new location and for aldermanic and mayoral offices instead of for town board members. City residents voting in this area are also assigned to the 36th Supervisory District, rather than the 35th Supervisory District, as is now the case for the residents of the annexed lands. Adjusting the boundaries of the supervisory districts will help assure secrecy of the ballot of the persons affected by the annexation and will also simplify matters (such as counting ballots, etc.) associated with the voting process.

NOW, THEREFORE, BE IT RESOLVED that the lands described in the attached (available in the County Clerk's Office) annexation ordinance of the City of Stoughton be and the same hereby are detached from the 35th Supervisory District and attached to the 36th Supervisory District, effective immediately.

BE IT FURTHER RESOLVED that the County Clerk shall take such steps as are necessary to permit the residents of the affected areas to vote in the supervisory district to which these lands are hereby assigned.

Submitted by Supervisor Vogel, October 6, 2005 (p. 165, 05-06). Fiscal and Policy Notes not required.
Referred to EXECUTIVE.

RES. 137, 05-06

AMENDING SUPERVISORY DISTRICT BOUNDARIES 21 AND 19

After every census, the County Board adopts a redistricting plan, which establishes supervisory districts with nearly equal populations. From time to time thereafter there occur annexations, some of which place affected residents of the annexed lands in the position of voting for different supervisors than do other persons residing in adjacent lands of the annexing municipality. Many of these situations are addressed by the automatic boundary change provisions of Dane County ordinances while others require separate action by the County Board. This is one of the latter.

The lands described in the attached (available in the County Clerk's office) annexation ordinance of the City of Sun Prairie (Ord. #194, file #9829) have been detached from the Town of Sun Prairie. One result of these annexations is that persons residing on these lands will now be voting at a new location and for aldermanic and mayoral offices instead of for town board members. City residents voting in this area are also assigned to the 19th Supervisory District, rather than the 21st Supervisory District, as is now the case for the residents of the annexed lands. Adjusting the boundaries of the supervisory districts will help assure secrecy of the ballot of the persons affected by the annexations and will also simplify matters (such as counting ballots, etc.) associated with the voting process.

NOW, THEREFORE, BE IT RESOLVED that the lands described in the attached (available in the County Clerk's Office) annexation ordinance of the City of Sun Prairie be and the same hereby are detached from the 21st Supervisory District and attached to the 19th Supervisory District, effective immediately.

BE IT FURTHER RESOLVED that the County Clerk shall take such steps as are necessary to permit the residents of the affected areas to vote in the supervisory district to which these lands are hereby assigned.

Submitted by Supervisors Wiganowsky and Kostelic, October 6, 2005 (p. 166, 05-06). Fiscal and Policy Notes not required.

Referred to EXECUTIVE.

RES. 138, 05-06

AMENDING SUPERVISORY DISTRICT BOUNDARIES 20, 22 AND 19

After every census, the County Board adopts a redistricting plan, which establishes supervisory districts with nearly equal populations. From time to time thereafter there occur annexations, some of which place affected residents of the annexed lands in the position of voting for different supervisors than do other persons residing in adjacent lands of the annexing municipality. Many of these situations are addressed by the automatic boundary change provisions of Dane County ordinances while others require separate action by the County Board. This is one of the latter.

The lands described in the attached (available in the County Clerk's office) annexation ordinance of the City of Sun Prairie (Ord. #153, file #9536) have been detached from the Towns of Bristol and Windsor. One result of these annexations is that persons residing on these lands will now be voting at a new location and for aldermanic and mayoral offices instead of for town board members. City residents voting in these areas are also assigned to the 19th Supervisory District, rather than the 20th (Bristol residents) and 22nd (Windsor residents) Supervisory Districts, as is now the case for the residents of the annexed lands. Adjusting the boundaries of the supervisory

districts will help assure secrecy of the ballot of the persons affected by the annexations and will also simplify matters (such as counting ballots, etc.) associated with the voting process.

NOW, THEREFORE, BE IT RESOLVED that the lands described in the attached (available in the County Clerk's Office) annexation ordinance of the City of Sun Prairie be and the same hereby are detached from the 20th (Bristol) and 22nd (Windsor) Supervisory Districts and attached to the 19th Supervisory District, effective immediately.

BE IT FURTHER RESOLVED that the County Clerk shall take such steps as are necessary to permit the residents of the affected areas to vote in the supervisory districts to which these lands are hereby assigned.

Submitted by Supervisors Gau, O'Loughlin, and Kostelic, October 6, 2005 (p. 167, 05-06). Fiscal and Policy Notes not required.

Referred to EXECUTIVE.

RES. 139, 05-06

AMENDING SUPERVISORY DISTRICT BOUNDARIES 20 AND 21

After every census, the County Board adopts a redistricting plan, which establishes supervisory districts with nearly equal populations. From time to time thereafter there occur annexations, some of which place affected residents of the annexed lands in the position of voting for different supervisors than do other persons residing in adjacent lands of the annexing municipality. Many of these situations are addressed by the automatic boundary change provisions of Dane County ordinances while others require separate action by the County Board. This is one of the latter.

The lands described in the attached (available in the County Clerk's office) annexation ordinance of the City of Sun Prairie (Ord. #140, file #9488) have been detached from the Town of Sun Prairie. One result of this annexation is that persons residing on these lands will now be voting at a new location and for aldermanic and mayoral offices instead of for town board members. City residents voting in this area are also assigned to the 21st Supervisory District, rather than the 20th Supervisory District, as is now the case for the residents of the annexed lands. Adjusting the boundaries of the supervisory districts will help assure secrecy of the ballot of the persons affected by the annexation and will also simplify matters (such as counting ballots, etc.) associated with the voting process.

NOW, THEREFORE, BE IT RESOLVED that the lands described in the attached (available in the County Clerk's Office) annexation ordinance of the City of Sun Prairie be and the same hereby are detached from the 20th Supervisory District and attached to the 21st Supervisory District, effective immediately.

BE IT FURTHER RESOLVED that the County Clerk shall take such steps as are necessary to permit the residents of the affected areas to vote in the supervisory district to which these lands are hereby assigned.

Submitted by Supervisors Wiganowsky, October 6, 2005 (p. 167, 05-06). Fiscal and Policy Notes not required.

Referred to EXECUTIVE.

RES. 140, 05-06

AMENDING SUPERVISORY DISTRICT BOUNDARIES 21 and 20

After every census, the County Board adopts a redistricting plan, which establishes supervisory districts with nearly equal populations. From time to time thereafter there occur annexations, some of which place affected residents of the annexed lands in the position of voting for different supervisors than do other persons residing in adjacent lands of the annexing municipality. Many of these situations are addressed by the automatic boundary change provisions of Dane County ordinances while others require separate action by the County Board. This is one of the latter.

The lands described in the attached (available in the County Clerk's office) annexation ordinance of the City of Sun Prairie have been detached from the Town of Sun Prairie. One result of this annexation is that persons residing on these lands will now be voting at a new location and for aldermanic and mayoral offices instead of for town board members. City residents voting in this area are also assigned to the 20th Supervisory District, rather than the 21st Supervisory District, as is now the case for the residents of the annexed lands. Adjusting the boundaries of the supervisory districts will help assure secrecy of the ballot of the persons affected by the annexation and will also simplify matters (such as counting ballots, etc.) associated with the voting process.

NOW, THEREFORE, BE IT RESOLVED that the lands described in the attached (available in the County Clerk's Office) annexation ordinance of the City of Sun Prairie be and the same hereby are detached from the 21st Supervisory District and attached to the 20th Supervisory District, effective immediately.

BE IT FURTHER RESOLVED that the County Clerk shall take such steps as are necessary to permit the residents of the affected areas to vote in the supervisory district to which these lands are hereby assigned.

Submitted by Supervisors Wiganowsky and Gau, October 6, 2005 (p. 168, 05-06). Fiscal and Policy Notes not required.

Referred to EXECUTIVE.

RES. 141, 05-06

AMENDING SUPERVISORY DISTRICT BOUNDARIES 23 AND 33

After every census, the County Board adopts a redistricting plan, which establishes supervisory districts with nearly equal populations. From time to time thereafter there occur annexations, some of which place affected residents of the annexed lands in the position of voting for different supervisors than do other persons residing in adjacent lands of the annexing municipality. Many of these situations are addressed by the automatic boundary change provisions of Dane County ordinances while others require separate action by the County Board. This is one of the latter.

The lands described in the attached (available in the County Clerk's office) annexation ordinances of the City of Fitchburg (Ordinance #2003-O-11) have been detached from the City of Madison. One result of these annexations is that persons residing on these lands will now be voting at a new location and for new council members and mayor. City residents voting in this area are also assigned to the 33rd Supervisory District, rather than the 23rd Supervisory District, as is now the case for the residents of the annexed lands. Adjusting the boundaries of the supervisory districts will help assure secrecy of the ballot of the persons affected by the annexation and will also simplify matters (such as counting ballots, etc.) associated with the voting process.

NOW, THEREFORE, BE IT RESOLVED that the lands described in the attached (available in the County Clerk's Office) annexation ordinances of the City of Fitchburg be and the same hereby are detached from the 23rd Supervisory District and attached to the 33rd Supervisory District, effective immediately.

BE IT FURTHER RESOLVED that the County Clerk shall take such steps as are necessary to permit the residents of the affected areas to vote in the supervisory district to which these lands are hereby assigned.

Submitted by Supervisor Martz, October 6, 2005 (p. 169, 05-06). Fiscal and Policy Notes not required.
Referred to EXECUTIVE.

RES. 142, 05-06

AMENDING SUPERVISORY DISTRICT BOUNDARIES 29 AND 9

After every census, the County Board adopts a redistricting plan, which establishes supervisory districts with nearly equal populations. From time to time thereafter there occur annexations, some of which place affected residents of the annexed lands in the position of voting for different supervisors than do other persons residing in adjacent lands of the annexing municipality. Many of these situations are addressed by the automatic boundary change provisions of Dane County ordinances while others require separate action by the County Board. This is one of the latter.

The lands described in the attached (available in the County Clerk's office) annexation ordinance of the City of Middleton (An Ordinance to Annex City-Owned Lands) have been detached from the Town of Middleton. One result of this annexation is that persons residing on these lands will now be voting at a new location and for aldermanic and mayoral offices instead of for town board members. City residents voting in this area are also assigned to the 9th Supervisory District, rather than the 29th Supervisory District, as is now the case for the residents of the annexed lands. Adjusting the boundaries of the supervisory districts will help assure secrecy of the ballot of the persons affected by the annexation and will also simplify matters (such as counting ballots, etc.) associated with the voting process.

NOW, THEREFORE, BE IT RESOLVED that the lands described in the attached (available in the County Clerk's Office) annexation ordinance of the City of Middleton be and the same hereby are detached from the 29th Supervisory District and attached to the 9th Supervisory District, effective immediately.

BE IT FURTHER RESOLVED that the County Clerk shall take such steps as are necessary to permit the residents of the affected area to vote in the supervisory district to which these lands are hereby assigned.

Submitted by Supervisor Ripp, October 6, 2005 (p. 169, 05-06).
Referred to EXECUTIVE.

RES. 143, 05-06

ACCEPTANCE OF A GRANT FROM THE WISCONSIN DEPARTMENT OF JUSTICE FOR
LAW ENFORCEMENT MANAGEMENT TRAINING

Management training for mid and upper managers is essential to the operation of modern law enforcement agencies. In recognition of this need, the Wisconsin Department of Justice has approved a \$2,000 grant to the Dane County Sheriff's Office to help fund management training for Lt. Mark Twombly.

Lt. Mark Twombly is scheduled to attend a 10-week law enforcement management-training program from September 26, 2005, through December 02, 2005, presented by Northwestern University Center for Public Safety. The Center for Public Safety is internationally recognized for its law enforcement management courses.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Sheriff's Office be permitted to accept the \$2,000 grant from the Wisconsin Department of Justice.

BE IT FURTHER RESOLVED that \$2,000 be added as additional revenue to the Sheriff's Office, Administration, Miscellaneous Revenue account and credited to the general fund and that \$2,000 be transferred from the General Fund to the Sheriff's Office, Administration, Conference and Training expenditure account.

Submitted by Supervisor Olsen, October 6, 2005 (p. 170, 05-06).

Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

RES. 144, 05-06

INCREASE EXPENDITURE LIMIT OF SHERIFF'S OFFICE PETTY CASH REVOLVING FUND

The Dane County Sheriff's Office maintains an existing petty cash fund of \$3,000. The maximum expenditure allowed from this account is \$50. The maximum expenditure amount has not changed for 13 years. This fund is used to advance monies to deputies making out-of-state prisoner conveyances, conducting investigations, etc. Additionally, this fund is used to make miscellaneous purchases including registration and title transfer of new vehicles.

Due to increased costs, which will be imposed by the Department of Transportation effective October 1, 2005, the fee for registration of a new vehicle will increase from \$35 to \$45. There is also a \$5 counter fee. Many times when registering a new vehicle there is also a license plate fee of \$5 or \$10. A typical transaction will cost more than the \$50 allowed. The Department of Transportation does not accept credit cards.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board authorizes that the maximum amount for single-expenditure transactions be increased from \$50 to \$75.

Submitted by Supervisor Olsen, October 6, 2005 (p. 170, 05-06).

Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

RES. 145, 05-06

AUTHORIZING AN EXTENSION OF THE JUVENILE COURT JUVENILE COURT COUNSELOR
L.T.E. POSITION

The Juvenile Court Reception Center and the Dane County Shelter Home utilize LTE positions to fill staffing needs when permanent workers are on vacation or on sick leave. Both programs run on a 24 hour/day schedule, made of three shifts, and are staffed seven days a week. These positions must be fully staffed at all times. Recently these programs have made every effort to find new LTE employees and have been unable to attract qualified employees. Eric Powell, an LTE working in both programs, has exceeded his 1200 hours permitted in a calendar year after an extension was granted from 1040 hours. It is necessary for the Dane County Juvenile Court to request an exception to the Dane County Ordinance 18.12, paragraph (2). There are funds budgeted for this LTE position for the remainder of the year. Mr. Powell is an experienced LTE with intentions to work for the Juvenile Court during the following year.

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 1200 hours.

Submitted by Supervisor Olsen, October 6, 2005 (p. 171, 05-06).
Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

RES. 146, 05-06

CHS DONATION TOWARD DANE COUNTY EXPENSES FROM AUGUST 18, 2005
STOUGHTON AREA TORNADOES

The purpose of this resolution is to accept an unsolicited donation to offset some of the expenses incurred by Dane County's response to the August 18, 2005, Stoughton Area Tornadoes.

In an effort to support the community that has been a strong supporter of their business, CHS Inc., the parent company for the Landmark Service Cooperative, 203 W. Cottage Grove Road, P.O. Box 277, Cottage Grove, Wisconsin 53527, has made \$5,000 donations locally, of which \$1,000 was donated to Dane County.

The Landmark Service Cooperative originated as the Dane County Farmers Union Cooperative on June 26, 1931. In the years since, the Cooperative has developed and grown in response to local member's needs. Today the local cooperative has sales greater than \$65 million supplying agronomy products, fuel, heating and cooling services, feed, grain, equipment, and hardware-related services in and around Dane County. The Landmark Cooperatives success has been due, in part, to the success of its Dane County members. Because of the superior response Dane County has made to assist residents and its members alike, the Landmark Cooperative wishes to recognize and support such efforts through their donation.

THEREFORE, BE IT RESOLVED that \$1,000 shall be place in Dane County's General Fund to offset some of the expenses due to the August 18, 2005 tornadoes.

Submitted by Supervisor Olsen, October 6, 2005 (p. 171, 05-06).
Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

RES. 147, 05-06

AUTHORIZING A REALLOCATION RESOLUTION FOR AIRPORT MANAGEMENT POSITIONS

In 2004, the Dane County Regional Airport implemented a reorganization and requested a classification review and title change of four key Airport management positions. In order to determine the appropriate transaction, Employee Relations reviewed job responsibilities and conducted a comparison salary study of comparable Airports. Through this analysis, the Division determined that the positions required salary adjustments to better align them with industry standards through a reallocation.

NOW, THEREFORE, BE IT RESOLVED that the following reallocations will occur effective June 26, 2005:

- FROM: Deputy Airport Director Operations & Facilities – range M-14
TO: Deputy Airport Director, range M-16

- FROM: Airport Operations Manager – Facilities – range M-12
TO: Director of Facilities and Maintenance – range M-14

- FROM: Airport Operations Manager – range M-12
TO: Director of Operations Public Safety – range M-14

- FROM: Airfield Maintenance Supervisor – range M-9
TO: Airfield Maintenance Supervisor – range M-10

All four positions are non-represented classifications. There are funds budgeted to accommodate these reallocations for the remainder of this year.

BE IT FINALLY RESOLVED that the Dane County Board of Supervisors accept this request under Ordinance 18.04(20).

Submitted by Supervisors O'Loughlin, Brown, Hulseley, Rusk, Wiganowsky, Vogel, Gau, and McDonell, October 6, 2005 (p. 172, 05-06).

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

RES. 148, 05-06

AWARDING A CONTRACT FOR MASTER PLANNING CONSULTING SERVICES AT THE ALLIANT ENERGY CENTER OF DANE COUNTY

The 2005 Capital Budget contains funding for master plan consulting and an economic impact study for the Alliant Energy Center. The consulting related to updating the Center's master plan is a comprehensive market study, financial review, local condition analysis, studies of event potential, and Center economic impact. A request for proposals was prepared, posted on the County website and advertised on two different dates. Five firms responded.

The evaluation team has determined that the proposal submitted by CSL International in the amount of \$69,500 is the most advantageous to the County.

NOW, THEREFORE, BE IT RESOLVED that the agreement with CSL International, 1907 Wayzata Blvd, Wayzata, MN at a cost not to exceed \$69,500 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, Willett, Matano, and Opitz, October 6, 2005 (p. 173, 05-06).
Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

RES. 149, 05-06

CHANGE ORDER #1 FOR SALT BRINE SHED AT THE DANE COUNTY HIGHWAY GARAGE

Sub. 1 to Res. #104, 2005-06, awarded a contract to Engineered Buildings, Inc., for Construction of the Salt Brine Shed at the Dane County Highway Garage, 2302 Fish Hatchery Road, Madison, Wisconsin, Bid #105091. The amount of the award was \$121,308.00.

The following changes are being made to the original contract:

C.O. #1—Provide a 6" Concrete Slab with #4 Bars, 24" O.C. Both Ways and 3 Lbs./Cu. Yd. Fiber Mesh, 7 Bag Mix With 1% Non-Chloride Accelerators and Super Plasticizers to 3,000 P.S.I.

TOTAL ADDITION: \$15,200.00

There are sufficient funds in the budget.

NOW, THEREFORE, BE IT RESOLVED that Contract Change Order #1 to Engineered Buildings, Inc., be approved and authorized; and;

BE IT FINALLY RESOLVED that the Public Works, Highway and Transportation Department be directed to ensure complete performance of Contract Change Order.

Submitted by Supervisors Ripp, Kostelic, Willett, Matano, and Opitz, October 6, 2005 (p. 173, 05-06).
Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

RES. 150, 05-06

ACCEPTING WISCONSIN EMPLOYMENT AND TRAINING ASSISTANCE PROGRAM GRANT FUNDING
DCDHS – EA DIVISION

The State of Wisconsin Department of Workforce Development and the Wisconsin Department of Transportation have issued a grant contract for \$106,560 in Wisconsin Employment and Training Assistance Program (WETAP) funds for the fiscal year of July 1, 2005 through June 30, 2006. The funds are designated for use in providing transportation shuttle to low-income individuals in Stoughton and Deforest/Windsor to enable them to travel to jobs and training activities, and also vehicle repair services.

NOW, THEREFORE, BE IT RESOLVED that funds unspent in calendar year 2005 will be carried forward for expenditure in 2006.

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

Account Number	Revenue Source	Amount
EACGBSVS 81357	WETAP Transportation	\$106,560

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

Account Number	Expense Account	Amount
EAWTETA WTAPAA	EATA WETAP	\$106,560

Submitted by Supervisor Gross, October 6, 2005 (p. 174, 05-06).
Referred to HEALTH/HUMAN NEEDS and PERSONNEL/FINANCE.

RES. 151, 05-06

ACCEPTING AND ADJUSTING ADULT MENTAL HEALTH REVENUES - DCDHS -ACS DIVISION

The purpose of this resolution is to adjust revenue and expenditure for 2005.

- (a) Over the years, Housing Initiatives, Inc., has submitted several applications for federal Shelter Plus Care housing funds. Funding that is awarded comes to Dane County Department of Human Services, which passes these funds through to Housing Initiatives. These funds, from four separate awards, one of which is a new award in 2005, provide rent subsidies to about 86 individuals who are also receiving mental health supportive services. These funds were originally multi-year awards and now require annual renewal. Housing Initiatives will receive \$488,198 in 2005, which is \$141,745 more than in the 2005 Adopted Budget. The \$141,745 reflects \$79,080 for the new grant and \$62,665 in increases for the three existing grants.
- (b) The Mental Health Center of Dane County is projected to receive \$77,816 in MA Crisis Intervention Stabilization revenue for providing community based care for a consumer recently released from Mendota Mental Health Institute following a very lengthy admission. Services will be provided through the Mental Health Center's Crisis Home program. Services include adult family home care, household repairs, case management, after-hours consultation, and emergency back-up staffing.
- (c) This adjustment of \$70,483 increases the MA CSP revenue the Mental Health Centers' Community Support Programs (CSP's) will earn through the State of Wisconsin's CSP Waiting List initiative. The CSP Waiting List initiative has been in place several years. The State of Wisconsin provides matching funds to enable people waiting for CSP services to receive care. CSP costs and MA revenue for these consumers must then be separately tracked for as long as these individuals receive CSP services. The funds are allocated to the Gateway, Blacksmith House, and Cornerstone CSP programs.
- (d) For 2005, DCDHS budgeted \$126,200 in State of Wisconsin grant funds for Managed Care Demonstration/ System Redesign. However, WDHFS has revised the award to \$98,890, which is a reduction of (\$27,310). The Mental Health Center of Dane County has reduced its expenses accordingly, and the grant ends September 30, 2005.

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.

Revenue Account Number	Account Title	Amount
ACFMHLTH 81550	Shelter Plus Care	\$141,745
ACFMHLTH 81439	MA Crisis Intervention/Stabilization	\$77,816
ACFMHLTH 81381	MA Community Support Program	\$70,483
ACFMHLTH 81007	Mental Health Managed Care Demo	(\$27,310)
	Total	\$262,734

Expenditure Account Number	Account Title	Amount
ACFCRHII AMHMAA	Housing Initiatives S+C	\$141,745
ACFCRSDN IPCHAA	Mental Health Ctr Crisis Home Program	\$77,816
ACFCSMHC CSGWAA	Mental Health Center Gateway WL	\$16,755
ACFCSMHC CSBHAA	Mental Health Center Blacksmith WL	\$28,174
ACFCSMHC CSCSAA	Mental Health Center Cornerstone WL	\$25,554
ACFCSMHC AMMCAA	Mental Health Center MC Recovery	(\$27,310)
	Total	\$262,734

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.	\$148,299

Submitted by Supervisor Gross, October 6, 2005 (p. 175, 05-06).
 Referred to HEALTH/HUMAN NEEDS and PERSONNEL/FINANCE.

 RES. 152, 05-06

**AUTHORIZING THE GREEN TIER/CLEAR WATERS INITIATIVE
 ENVIRONMENTAL RESULTS PROGRAM CHARTER**

The purpose of the Green Tier/Clear Waters Initiative Environmental Results Charter is to establish a foundation pursuant to Section 299.83 Wis. Stats., by which voluntary methods can be used and improved to minimize and prevent storm water runoff problems associated with land development and home building construction site activities.

The Wisconsin Department of Natural Resources (DNR) has proposed to issue a charter under the Green Tier to the Clear Water Initiative. The Charter is a partnership effort between the regulatory community (Dane County, the City of Madison, the City of Sun Prairie, and the Department of Natural Resources South Central Region) and the building community (Veridian Homes LLC, a builder of single and multi family homes). The charter will include routine self-reporting through periodic third party audits and a weekly visual inspection program, a contractor training program, early involvement by the regulatory community in the planning phase of developments, and establishment of minimum performance standards for subdivisions and individual lots.

NOW, THEREFORE, BE IT RESOLVED that the Charter between Wisconsin Department of Natural Resources, the City of Madison, the City of Sun Prairie, Veridian Homes LLC and Dane County for the Green Tier to the Clear Water Initiative providing for voluntary methods to minimize and prevent storm water run-off problems associated for land development and home building construction site activities is approved;

BE IT FURTHER RESOLVED that the County Clerk and County Executive are authorized to execute said Charter.

Submitted by Supervisors Wheeler, Kostelic, Erickson, Fyrst, Matano, Rusk, Gau, Richmond, Worzala, Vedder, Willett, Eggert, Hulsey, Gross, and McDonell, October 6, 2005 (p. 176, 05-06).
Referred to ENVIRONMENT/AGRICULTURE/NATURAL RESOURCES.

RES. 153, 05-06

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 2005 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:

TOWN OF BERRY	YEAR OF	FACE AMOUNT	REASON FOR CANCELLATION
PARCEL NUMBER	TAX		
004/0807-324-9500-6	2004	\$ 79.65	Illegal assessment-Exempt Property
	TOTAL:	\$ 79.65	
TOWN OF BLOOMING	YEAR OF	FACE AMOUNT	REASON FOR CANCELLATION
GROVE	TAX		
PARCEL NUMBER			
008/0710-121-8510-6	2004	\$ 3,666.86	Illegal assessment-Exempt Property
	TOTAL:	\$ 3,666.86	
TOWN OF BRISTOL	YEAR OF	FACE AMOUNT	REASON FOR CANCELLATION
PARCEL NUMBER	TAX		
012/0911-293-2610-4	2004	\$ 594.37	Illegal assessment-Incorrect Valuation
012/0911-292-2940-6	2004	\$ 1.75	Illegal assessment-Exempt Property
	TOTAL:	\$ 596.12	
TOWN OF BURKE	YEAR OF	FACE AMOUNT	REASON FOR CANCELLATION
PARCEL NUMBER	TAX		
014/0810-123-8850-0	2004	\$4,189.65	Illegal assessment-Incorrect Valuation
	TOTAL:	\$4,189.65	
TOWN OF DEERFIELD	YEAR OF	FACE AMOUNT	REASON FOR CANCELLATION
PARCEL NUMBER	TAX		
024/0712-011-9000-0	2004	\$ 297.37	Illegal assessment-Incorrect Valuation
	TOTAL:	\$ 297.37	

TOWN OF MADISON	YEAR OF	FACE AMOUNT	REASON FOR CANCELLATION
PARCEL NUMBER	TAX		
032/0709-334-5051-4	2004	\$5,199.86	Illegal assessment-Exempt Property
	TOTAL:	\$5,199.86	

TOWN OF MIDDLETON	YEAR OF	FACE AMOUNT	REASON FOR CANCELLATION
PARCEL NUMBER	TAX		
032/0708-054-0100-0	2004	\$ 4,439.42	Illegal assessment-Incorrect Valuation
	TOTAL:	\$ 4,439.42	

TOWN OF PLEASANT SPRINGS	YEAR OF	FACE AMOUNT	REASON FOR CANCELLATION
PARCEL NUMBER	TAX		
046/0611-131-9175-9	2002	\$ 1.40	Illegal assessment-Incorrect Valuation
	TOTAL:	\$ 1.40	

TOWN OF SPRINGDALE	YEAR OF	FACE AMOUNT	REASON FOR CANCELLATION
PARCEL NUMBER	TAX		
054/0607-052-9220-0	2004	\$ 2,806.46	Illegal assessment-Incorrect Valuation
054/0607-343-6211-0	2004	\$ 1,448.68	Illegal assessment-Incorrect Valuation
054/0607-342-9656-0	2004	\$ 657.51	Illegal assessment-Incorrect Valuation
054/0607-264-8001-0	2004	\$ 1,195.61	Illegal assessment-Incorrect Valuation
	TOTAL:	\$ 6,108.26	

TOWN OF VERONA	YEAR OF	FACE AMOUNT	REASON FOR CANCELLATION
PARCEL NUMBER	TAX		
062/0608-123-9091-0	2004	\$ 9.72	Illegal assessment-Exempt Property
062/0608-123-9340-0	2004	\$ 1.94	Illegal assessment-Exempt Property
062/0608-062-9300-7	2004	\$ 2,646.14	
	TOTAL:	\$ 2,657.80	

TOWN OF WESTPORT	YEAR OF	FACE AMOUNT	REASON FOR CANCELLATION
PARCEL NUMBER	TAX		
066/0809-211-5870-9	2004	\$ 773.68	Illegal assessment-Incorrect Valuation
066/0809-223-6082-0	2004	\$ 59.05	Illegal assessment-Incorrect Valuation
	TOTAL:	\$ 832.73	

VILLAGE OF CAMBRIDGE	YEAR OF	FACE AMOUNT	REASON FOR CANCELLATION
PARCEL NUMBER	TAX		
40-12049	2004	\$ 279.40	Illegal assessment-Incorrect Valuation
	TOTAL:	\$ 279.40	

VILLAGE OF DANE	YEAR OF	FACE AMOUNT	REASON FOR CANCELLATION
PARCEL NUMBER	TAX		
116/0908-231-3342-1	2004	\$ 390.33	Illegal assessment-Incorrect Valuation
	TOTAL:	\$ 390.33	

VILLAGE OF DEFOREST	YEAR OF	FACE AMOUNT	REASON FOR CANCELLATION
PARCEL NUMBER	TAX		
45-18101	2004	\$ 4,295.32	Illegal assessment-Incorrect Valuation
	TOTAL:	\$ 4,295.32	

CITY OF MIDDLETON	YEAR OF TAX	FACE AMOUNT	REASON FOR CANCELLATION
PARCEL NUMBER	TAX		
255/0708-013-6422-2	2004	\$ 6,670.60	Illegal assessment-Exempt Property
TOTAL:		\$ 6,670.60	

CITY OF MONONA	YEAR OF TAX	FACE AMOUNT	REASON FOR CANCELLATION
PARCEL NUMBER	TAX		
258/0710-291-0137-0	2004	\$ 10.81	Illegal assessment-Exempt Property
TOTAL:		\$ 10.81	

CITY OF SUN PRAIRIE	YEAR OF TAX	FACE AMOUNT	REASON FOR CANCELLATION
PARCEL NUMBER	TAX		
282/0911-323-2475-2	2004	\$ 3,578.04	Illegal assessment-Incorrect Valuation
TOTAL:		\$ 3,578.04	

CITY OF MADISON	YEAR OF TAX	FACE AMOUNT	REASON FOR CANCELLATION
PARCEL NUMBER	TAX		
251/0708-163-1414-3	2004	\$ 105.48	Illegal assessment-Incorrect Valuation
251/0710-262-0099-0	2004	\$ 1,281.37	Illegal assessment-Exempt Property
251/0608-123-1911-4	2004	\$ 2,342.50	Illegal assessment-Incorrect Valuation
TOTAL:		\$ 3,729.35	

RECAPITULATION SECTION 75.25(2)

MUNICIPALITY	REAL ESTATE TAX	PERSONAL PROPERTY	TOTAL
Town of Berry	\$79.65	\$0.00	\$79.65
Town of Blooming Grove	\$3,666.86	\$0.00	\$3,666.86
Town of Bristol	\$596.12	\$0.00	\$596.12
Town of Burke	\$4,189.65	\$0.00	\$4,189.65
Town of Deerfield	\$297.37	\$0.00	\$297.37
Town of Madison	\$5,199.86	\$0.00	\$5,199.86
Town of Middleton	\$4,439.42	\$0.00	\$4,439.42
Town of Pleasant Springs	\$1.40	\$0.00	\$1.40
Town of Springdale	\$6,108.26	\$0.00	\$6,108.26
Town of Verona	\$2,657.80	\$0.00	\$2,657.80
Town of Westport	\$832.73	\$0.00	\$832.73
Village of Cambridge	\$0.00	\$279.40	\$279.40
Village of Dane	\$390.33	\$0.00	\$390.33
Village of Deforest	\$0.00	\$4,295.32	\$4,295.32
City of Middleton	\$6,670.60	\$0.00	\$6,670.60
City of Monona	\$10.81	\$0.00	\$10.81
City of Sun Prairie	\$3,578.04	\$0.00	\$3,578.04
City of Madison	\$3,729.35	\$0.00	\$3,729.35
TOTAL REAL ESTATE:	\$42,448.25		
TOTAL PERSONAL PROPERTY:		\$4,574.72	
TOTAL REAL ESTATE AND PERSONAL PROPERTY RECINDED:			\$47,022.97

Submitted by Supervisor Brown, October 6, 2005 (p. 179, 05-06).
Referred to PERSONNEL/FINANCE.

RES. 154, 05-06

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 Commission

Dean Archer, 1722 Ludden Drive, Cross Plains 53528 (798-1002-H), to be reappointed. This term will expire 9/1/08.

Jim Berkenstadt, 917 Menomonie Lane, Madison 53704 (244-2763-H, 837-5166-W), to be reappointed. This term will expire 9/1/08.

Gretchen Lowe, 205 Crystal Lane, Madison 53704 (249-5693-H), to be reappointed. This term will expire 9/1/08.

Board of Adjustment

Steven E. Schulz, 1027 West Medina, Marshall 53559 (655-1621-H), due to the resignation of Arlan Kay. Mr. Schulz is Chairman of the Town of Medina. He is a Senior Environmental Technician for Ayres Associates of Madison. He has a B.S. degree in Earth Sciences from Northland College in Ashland, Wisconsin. He is a certified site assessor, a member of Wings Over Wisconsin Board of Directors, the Dane County Towns Association Board of Directors, and the Marshall Area Community Center Board of Directors. This term will expire 6/30/08.

Emergency Medical Services Commission

Supervisor Ruth Ann Schoer, 7498 Old Sauk Road, Madison 53717 (836-1312-H), due to the resignation of Supervisor de Felice. This term will expire 4/18/06.

Lakes & Watershed Commission

Lyle Updike, 5707 Twin Lane Road, Marshall 53559 (837-0069-H), as a citizen representing towns due to the resignation of John Van Dinter. Mr. Updike was one of four nominees submitted by the Dane County Towns Association. Mr. Updike has been the Chair of the Town of Sun Prairie since 2000. He is currently a Policy Analyst for the Medicaid Program in the Division of Health Care Finances for the State Department of Health & Family Services. He has a B.S. degree in Wildlife Management from the University of Wisconsin-Stevens Point and is an Assistant Scout Master for a local Boy Scout troop. This term will expire 4/15/08.

Local Emergency Planning Committee

Supervisor Dorothy Wheeler, 1639 Haas Street, Madison 53704 (244-4711-H), due to the resignation of Supervisor Jeff Kostelic. This term will expire 4/18/06.

Submitted by Supervisor Kesterson, October 6, 2005 (p. 179, 05-06). Fiscal and Policy Notes not required.

Referred to EXECUTIVE.

2006 DANE COUNTY OPERATING BUDGET APPROPRIATIONS RESOLUTION

The 2006 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 2006 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: 2006 APPROPRIATIONS FOR OPERATIONS
TABLE 4: EXPENDITURE & REVENUE HISTORY - OPERATIONS
TABLE 5: CARRY-FORWARDS
TABLE 6: INDEBTEDNESS
TABLE 7: 2006 BUDGETED POSITIONS
APPENDIX A PERSONNEL SAVINGS INITIATIVES

Together with the 2006 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 2006 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 2005 to 2006 as recommended in Table 5.

BE IT FURTHER RESOLVED that the Dane County Board of Supervisors authorizes positions for the 2006 fiscal year as shown in Table 7.

BE IT FURTHER RESOLVED that 2006 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 Clerk of Courts shall resume filing the appropriate forms, such as DMT-751, with the Department of Health and Family Services so that Dane County can collect the special charges it is owed for non-county resident proceedings.
- The rate for limited term employee Staff Attorney positions in the Clerk of Courts shall be up to \$12.94 effective 1/1/2006 and up to \$13.33 effective 6/25/2006 per hour.
- 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.
- 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 2006 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 Department of Administration shall work with various County Departments to assess the feasibility of expanding payment and collections options with an emphasis on offering credit/debit card payment as an option for an expanded range of County fees and services.
- Any new positions that are authorized in the 2006 budget and are funded with general purpose revenue shall not begin until after March 31, 2006, except with authorization by the County Executive
- 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 2005 or early 2006, following review and approval by the County Board Chair.

Submitted by Supervisors Brown, O'Loughlin, and McDonell, October 6, 2005 (p.182, 05-06). Fiscal and Policy Notes not required.

Referred to PERSONNEL/FINANCE.

RES. 156, 05-06

2006 DANE COUNTY CAPITAL BUDGET APPROPRIATIONS RESOLUTION

The 2006 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 2006 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: 2006 APPROPRIATIONS FOR CAPITAL EXPENDITURES**
- TABLE 4: CAPITAL EXPENDITURE HISTORY**
- TABLE 5: CAPITAL BUDGET CARRY-FORWARDS**
- TABLE 6: COUNTY INDEBTEDNESS**

Together with the 2006 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 2006 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 2005 to 2006 as recommended in Table 5.

BE IT FURTHER RESOLVED that 2006 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.
3. In utilizing the New Conservation Fund, staff of the Land and Water Resources Department will prioritize spending of \$2.5 million on key areas in metropolitan Dane County where development pressure is most severe. Examples of such areas are the Black Earth Creek Resource Area, the Blooming Grove Drumlin Resource Area, the Token Creek Park resource area, the Six Mile Creek Resource Area, the Upper Mud Lake Resource Area, and the Ice Age Trail as it bisects the central part of the County.
4. 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.

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 2005 or early 2006, following review and approval by the County Board Chair.

Submitted by Supervisors Brown, O'Loughlin, and McDonell, October 6, 2005 (p. 183, 05-06). Fiscal and Policy Notes not required.
Referred to PERSONNEL/FINANCE.

RES. 157, 05-06

SETTING THE 2005 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>
State Tax	Entire County
County Taxes	
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 \$8,028,373.07 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. \$125,628 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. \$3,718,620 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. \$2,876,268 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. \$ 8,694.85 for State Special Charges
 - B. \$ 4,180,823 for Highway
 - C. \$ 94,135,924 for All Other County Taxes

Summary:

Gross County Taxes	\$ 148,886,256
Gross Tax Rate Per \$1,000	\$ 3.62
County Sales Tax Applied	\$ 42,867,110
Net Proposed County Property Taxes	\$ 106,019,146
State Aid – Exempt Computers	\$ 973,188
Net Required County Property Taxes	\$ 105,045,958
Net Tax Rate Per \$1,000	\$ 2.55

Submitted by Supervisors Brown, O’Loughlin, and McDonell, October 6, 2005 (p. 184, 05-06). Fiscal and Policy Notes not required.

Referred to PERSONNEL/FINANCE.

COMMUNICATIONS

Claim from Verizon against Highways – claims property damaged by Hwy personnel. Referred to PUBLIC PROTECTION/JUDICIARY

Claim from Vincy Cuccia against Highways – claims substance on road damaged vehicle. Referred to PUBLIC PROTECTION/JUDICIARY

Claim from Edward Voigt against Sheriff – claims house damaged by officers. Referred to PUBLIC PROTECTION/JUDICIARY

Notice of Circumstances Giving Rise to Claim and Claim from Madison Schwab a/k/a Channa Ponn against Human Services. Referred to PUBLIC PROTECTION/JUDICIARY

Sample resolution from Wisconsin Counties Association regarding aiding Hurricane Katrina victims. Referred to EXECUTIVE.

Oconto County Res. 92-2005 re: Requesting a Change in the Laws Governing Use Value Assessments for Agricultural Land by the State of Wisconsin. Referred to EXECUTIVE.

Vilas County Res. 2005-98 – Re: AB675 Relating to Just Compensation. Referred to EXECUTIVE.

ZONING PETITIONS

Petitions for Zoning Reclassification. Referred by Clerk Ohlsen to ZONING & LAND REGULATION.

Petition 9318 – Town of Dunn – Jesse J. Yingling & Anthony Searvogel

9349 – Town of Christiana – Gerhard & Cyndi Banfi

9350 – Town of Albion – Janice & Floyd Wileman

9351 – Town of Roxbury – Mary Greiber

9352 – Town of York – Mary Merkes

9353 – Town of Cottage Grove – Jame & Kathleen Bollig

9354 – Town of Windsor – Daniel W. & Jeanne L. Wendtland

9355 – Town of Primrose – Dan L. & Charlotte M. Rindy

9357 – Town of Albion – D & S Hazeltine Trust

9358 – Town of Pleasant Springs – Rebecca & Chad Liddicoat

9359 – Town of Rutland – Todd Aaberg

9360 – Town of Albion – Jennifer LaFole

9361 – Town of Berry – Albert C. & Carrie A. Zander

9362 – Town of Cross Plains – Lazy Day Farm LLC

9363 – Town of Rutland – Felipe & Monita Manalo

9364 – Town of Deerfield – Walter & Irene Olson

9365 – Town of Christiana – Kim & Karen Larson

9366 – Town of Medina – Jim Krause

9367 – Town of Oregon – Douglas Nelson & Janice Kowalczyk

9368 – Town of Springfield – Harold & Betty Spahn

9369 – Town of Christiana – Paul & Traci Konieczny

9371 – Town of Windsor – PC Farm Holdings et al

9372 – Town of Rutland – A.J. Arnett Land & Development LLC

9373 – Town of Springfield – Lawrence & Tharsilla Acker

9374 – Town of Springfield – Lloyd J. & Mary E. Meinholz

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 (2), (3)(a), (4), and (8) of s. 12.05 are amended to read as follows and subsection (16) is created 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~~\$350.00. 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~~\$350.00. 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~~\$350.00. Late Filing Fee: Where work has begun before a permit has been obtained or appropriate approvals obtained the fee shall be doubled.

(5) The fee for an appeal to the board of adjustment of an administrator's decision shall be \$165.00.

(6) The fee for a certificate of compliance for buildings constructed prior to August 20, 1970, and all other certificates provided for in chapter 10 shall be \$15.00.

(7) The fee for a salvage yard license or renewal shall be \$60.00.

~~(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.~~

(9) The fee for each zoning certificate under the Wisconsin Farmland Preservation Act shall be \$15.00.

(a) Whenever a farm is located in two townships and two certificates are required, only one fee shall be charged.

(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.

(12) The fee for an administrative determination of the flood plain status of a parcel of land shall be \$50.00.

(13) The fee for an administrative determination of the navigability or ordinary high water mark of any lake, pond, flowage, river or stream shall be \$50.00.

(14) The fee for a preliminary density study shall be \$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.

(15) The fee for review of a general development plan (GDP) required under s. 10.152 shall be \$400.00 plus \$5.00 for every acre proposed for development, inclusive of the fee to amend the zoning ordinance. The fee to amend a previously approved GDP or for review of a specific implementation plan (SIP) shall be \$150.00 plus \$5.00 for every acre proposed for development.

(16) The fee for a rural number assignment shall be \$15.00.

[EXPLANATION: The amendment increases fees consistent with the approved 2006 budget.]

Submitted by Supervisor McDonell, October 20, 2005 (p. 187, 05-06).
Referred to PERSONNEL/FINANCE and ZONING/LAND REGULATION.

ORD. AMDT. 18, 05-06

AMENDING CHAPTER 6 OF THE DANE COUNTY CODE OF ORDINANCES,
REGARDING COMPENSATION OF COUNTY BOARD SUPERVISORS

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 6.03 is amended to read as follows:

6.03 COMPENSATION OF COUNTY BOARD SUPERVISORS. (1) Except for the county board chairperson, county board supervisors shall receive an annual salary of ~~\$7,000~~ \$8,000, payable as set forth in s. 6.045.

~~(2) In addition to the salary set forth above, supervisors shall receive a meeting payment of Thirty Dollars (\$30.00) for:~~

~~(a) Attendance at meetings of administrative agencies listed in chapter 15, and their subcommittees.~~

~~(b) Attendance at meetings of other bodies, and their subcommittees, to which a supervisor was duly appointed by:~~

~~1. the county executive;~~

~~2. the county board chairperson; or~~

~~3. the chairperson of a standing committee or administrative agency if such appointments are authorized by ordinance or resolution.~~

~~(c) Board-directed appearances before any other body except when paid per diem by such other body.~~

~~(d) Attendance at conferences and conventions, when authorized by the county board chairperson.~~

~~(e) Attendance at meetings of steering committees of national and state organizations representing county interests, when the supervisor is a member of the steering committee and the county board chairperson has authorized attendance.~~

~~(f) In no event shall a supervisor be paid a meeting payment for attendance at a meeting of standing committees, other committees set forth in chapter 7, or subcommittees of either.~~

~~(3) The number of compensable meetings shall not exceed 60 in any one calendar year.~~

~~(4)(2)~~ The chairperson and supervisors shall be paid lodging, mileage and other expenses incurred for attending conferences and conventions, subject to the approval of the county board chairperson. Acting in light of budgetary considerations, the county board chairperson may condition his or her approval of attendance of conferences and conventions by allowing less than full payment of any or all items otherwise subject to reimbursement.

~~(5) Compensation shall not be paid for a second or subsequent meeting unless the first meeting of the day has a starting time which is at least two (2) hours before the starting time of the second meeting or subsequent meeting for which compensation is sought.~~

~~(a)~~ No member of the county board may attend at county expense or be reimbursed for attendance at any conference or meeting held outside the State of Wisconsin:

- ~~1.~~ After the last day for filing nomination papers for election to the county board if the member has not filed nomination papers by that date;
- ~~2.~~ After the day of the spring primary if the member has not won nomination; or
- ~~3.~~ After the day of the spring election if the member has not been elected to the county board for the succeeding term.

~~(b)~~ The provisions of par. (a) shall not apply to a county board member who travels out of state for attendance at a meeting of an interstate or national body to which the member has been previously appointed.

~~(6)(a) No supervisor or member of an administrative agency may claim a meeting payment for doing subcommittee work for a committee or an administrative agency unless notice of the subcommittee meeting was posted in accordance with the Open Meetings Law, a record of the matters discussed at the subcommittee meeting has been placed on the record of the parent committee or administrative agency and a motion carries at a meeting of the parent committee or administrative agency directing the supervisor or member be paid for the subcommittee meeting.~~

~~(b) A supervisor or member of an administrative agency shall not file a claim for a meeting payment for consultations with staff or elected department heads unless the consultation is noticed as a subcommittee meeting in accordance with sub. (a) above.~~

~~(7) No meeting payments shall be made for any of the following activities:~~

~~(a) Private consultations with staff or elected officials;~~

~~(b) Attendance at ceremonial functions;~~

~~(c) Doing work on or related to a resolution or ordinance for which the supervisor is a sponsor;~~

~~(d) Working on constituent relations;~~

~~(e) Serving on a body which is not created by the county, unless the county has consented to reimburse county appointees by resolution or ordinance or unless s. 6.03(2)(b)1. or 2. applies;~~

~~(f) Attendance at any committee or any subcommittee, whether of a committee of the board or any administrative agency, unless the meeting was noticed in compliance with the Open Meetings Law, Subchapter IV of Chapter 19 of the Wisconsin Statutes.~~

~~(8)(3)~~ A supervisor claiming ~~meeting payments or expenses, or both,~~ shall submit a completed claim form to the county board office before payment is made. The county board office is hereby authorized to return to any claimant any incomplete, inaccurate or illegible claim and no ~~meeting payments or expenses~~ shall be paid until the claim is completed according to the requirements of the claim form.

~~(9)(4)~~ Notwithstanding anything to the contrary herein, no claim shall be paid without personnel & finance committee approval if submitted more than 45 days after the month in which the expense was incurred.

[EXPLANATION: This amendment increases the annual salary of county board supervisors and eliminates their per diem payments.]

Submitted by Supervisors Fyrst, O'Loughlin, and Brown, October 20, 2005 (p. 188, 05-06).
Referred to EXECUTIVE and PERSONNEL/FINANCE.

RES. 159, 05-06

APPROVING CEMETERY PLAT OF VERONA CEMETERY SECTIONS "S," "T," "U," "V"

Wisconsin Statutes require all plats of cemeteries to be approved by the respective County Boards. The cemetery plat of VERONA CEMETERY SECTIONS "S," "T," "U," "V" is located in the NE1/4 of Section 15, T6N, R8E, City of Verona, Dane County, and is desirous of expanding a portion of its property for grave sites.

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 of VERONA CEMETERY SECTIONS "S," "T," "U," "V," located in the NE1/4 of Section 15, T6N, R8E, City of Verona, Dane County, Wisconsin. Said plat, dated October 3, 2005, was prepared by James D. Prehn, Registered Land Surveyor No. S-1790.

Submitted by Supervisors Willett, Matano, Kostelic, and Ripp, October 20, 2005 (p. 189, 05-06).
Referred to ZONING/LAND REGULATION.

RES. 160, 05-06

COUNTY EMPLOYEE PERFORMANCE EVALUATIONS

Section 18.20(1) of the Dane County Code of Ordinances provides for a system of employee performance evaluations to be conducted by appointing authorities for use in considering salary advancements, promotions, transfers, demotions, training or retraining, or other employee development activities and personnel actions. These performance evaluations shall be part of the personnel record of employees and are to be conducted at least annually for each employee who has completed his or her probation.

In a recently completed management audit of the Department of Planning and Development, the auditors reported concerns with the frequency and quality of the performance evaluations conducted in that department. Anecdotal evidence suggests that performance evaluations may not be conducted on a regular basis in several other county departments.

Regular performance evaluations are a valuable management tool to assist county managers and employees in accomplishing their missions and to identifying training needs of county employees.

NOW, THEREFORE, BE IT RESOLVED that the Department of Administration is hereby directed to undertake a review of the system of employee performance evaluations to determine the extent to which they are being conducted by the departments in county government; and

BE IT FINALLY RESOLVED that the Department report its findings to the Personnel and Finance Committee no later than 90 days after the passage of this resolution.

Submitted by Supervisors Martz, Wendt, Salov, Hanson, Bruskewitz, O'Loughlin, Gau, Willett, Jensen, Ripp, Vogel, Wiganowsky, Brown, Schoer, and Blaska, October 20, 2005 (p. 189, 05-06).
Referred to EXECUTIVE and PERSONNEL/FINANCE.

INITIAL RESOLUTION AUTHORIZING GENERAL OBLIGATION REFUNDING BONDS
IN AN AMOUNT OF APPROXIMATELY \$9,700,000

WHEREAS, the County Board of Supervisors of Dane County, Wisconsin, (the "County") hereby finds and determines that it is necessary, desirable, and in the best interest of the County to issue, pursuant to Chapter 67, Wisconsin Statutes, General Obligation Refunding Bonds in an amount of approximately \$9,700,000 for the purpose of paying the cost of refinancing certain outstanding County obligations, to wit: \$11,725,000 General Obligation Corporate Purpose Bonds, Series 2000A, dated November 1, 2000 (the "2000A Bonds");

WHEREAS, the County Board of Supervisors deems it to be necessary, desirable, and in the best interest of the County to refund the 2000A Bonds for the purpose of restructuring the County's outstanding debt; and

WHEREAS, counties are authorized by the provisions of Section 67.04 of the Wisconsin Statutes to borrow money and to issue general obligation refunding bonds to refinance their outstanding obligations.

NOW, THEREFORE, BE IT RESOLVED by the County Board of Supervisors of the County that:

Section 1. Authorization of the Bonds. For the purpose of paying the cost of the Refunding, there shall be borrowed pursuant to Section 67.04 of the Wisconsin Statutes, the principal sum of approximately NINE MILLION SEVEN HUNDRED THOUSAND DOLLARS (\$9,700,000) from a purchaser to be determined by subsequent resolution of the County Board of Supervisors (the "Purchaser").

Section 2. Notice of Sale. The County Clerk (in consultation with the County's financial advisor) is hereby authorized and directed to cause notice of the sale of the Bonds to appear in such newspapers and at such times as the County Clerk may determine.

Section 3. Official Notice of Sale. The County Clerk (in consultation with the County's financial advisor) shall also cause an Official Notice of Sale to be prepared and distributed and may prepare or cause to be prepared and distributed an Official Statement or other form of offering circular.

Section 4. Award of the Bonds. Following receipt of bids for the Bonds, the County Board of Supervisors shall consider taking further action to provide the details of the Bonds; to ratify the Notices of Sale; to award the Bonds to the lowest responsible bidder therefore; to levy a direct annual irrevocable tax sufficient to pay the principal of and interest on the Bonds as the same becomes due as required by law; and to call all or a portion of the 2000A Bonds for redemption prior to maturity.

Section 5. Conflicting Resolutions; Severability; Effective Date. All prior resolutions, rules, or other actions of the County Board of Supervisors or any parts thereof in conflict with the provisions hereof shall be, and the same are, hereby rescinded insofar as the same may so conflict. In the event that any one or more provisions hereof shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions hereof. The foregoing shall take effect immediately upon adoption and approval in the manner provided by law.

Submitted by Supervisors Hendrick, Gau, Schoer, Eggert, Matano, Gross, Jensen, Richmond, Opitz, and Willett, October 20, 2005 (p. 190, 05-06).
Referred to PERSONNEL/FINANCE.

RES. 162, 05-06

AUTHORIZATION TO ESTABLISH SHERIFF'S HONOR GUARD UNIT GIFTS, GRANTS, DONATION
REVENUE AND EXPENDITURE ACCOUNTS

The Dane County Sheriff's Office has for many years had an Honor Guard Unit that is staffed and managed by personnel on a volunteer basis. The Honor Guard Unit is a non-budgeted team, which represents Dane County and the Sheriff's Office ceremoniously at public events, memorials, and most importantly at the funerals of members of the law enforcement community.

This specialized unit requires a variety of specialized equipment and uniforms for which there are no budgeted monies. While recognizing budget constraints will not allow for budgeted dollars for their unit, the members of the Honor Guard Unit are aware of potential financial resources that would help fund needed improvements of the unit.

The Sheriff would like to be able to receive donations that would be used for specialized equipment, uniforms, and training for the Honor Guard Unit.

NOW, THEREFORE, BE IT RESOLVED that \$100 be set up as Sheriff, Administration, Friends of the Honor Guard Revenue account and be credited to the General Fund and that \$100 be transferred from the General Fund to the Sheriff, Administration, Friends of the Honor Guard Expense account.

BE IT FURTHER RESOLVED that expenditures of the Honor Guard Unit be limited to the amount of revenues that have been realized in the Friends of the Honor Guard Unit revenue account.

BE IT FINALLY RESOLVED that the actual Honor Guard Unit revenues less the actual Honor Guard Unit expenditures as of December 31st shall be carried forward to the next fiscal year. The monies shall be distributed between the listed expenditure accounts as determined by the Dane County Sheriff's Office and Controller's Office.

Submitted by Supervisor Olsen, October 20, 2005 (p. 191, 05-06).
Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

RES. 163, 05-06

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 Grant Program made available through the U.S. Department of Homeland Security Office for Domestic Preparedness. This grant supports Dane County's Homeland Security/LETPP Task Force Equipment Program for the purchase of tactical equipment for the Dane County Sheriff's Office Tactical Response Team (TRT) and the Madison Police Department's Emergency Response Team (ERT). The grant funds will be used to purchase equipment for the tactical response teams, who are used for the handling of high risk incidents in the City of Madison and throughout Dane County.

The Dane County Sheriff's Office will be awarded a total of \$24,711. The grant period ends May 31, 2006.

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 \$24,711.

BE IT FURTHER RESOLVED that \$24,711 be set up as additional revenue in the Sheriff's Office, Field Services Division, Tactical Response Team Equipment Revenue Account (SHRFFLD-NEW) and be credited to the General Fund.

BE IT FURTHER RESOLVED that \$24,711 be transferred from the General Fund to the Dane County Sheriff's Office, Field Services Division, Tactical Response Team Equipment Expenditure Account (SHRFFLD-NEW).

BE IT FINALLY RESOLVED that all unexpended funds and unrecognized revenues from this account be carried forward from the 2005 budget period to the 2006 budget period.

Submitted by Supervisor Olsen, October 20, 2005 (p. 192, 05-06).

Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

RES. 164, 05-06

CONTRACT EXTENSION FOR SALE OF NAME OF EXHIBITION HALL

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 the tax rolls.

In 2004, the County awarded a one-year contract to Michael Moskoff Consulting to sell the name of Exhibition Hall. Mr. Moskoff has done a very good job in reaching many firms in the area regarding the purchase of the name. Mr. Moskoff has agreed to a one-year extension of the contract with the same terms and conditions, 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 one-year contract extension with Michael Moskoff Consulting, 2818 Lakeland Avenue, Madison, Wisconsin 53704, for a one-year agreement from November 1, 2005, to October 31, 2006, 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, and Schoer, October 20, 2005 (p. 192, 05-06).

Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

RES. 165, 05-06

AUTHORIZING EXECUTION OF A LEASE OF LAND FOR THE CONSTRUCTION OF A HANGAR AT THE
DANE COUNTY REGIONAL AIRPORT

Flight Level, LLC, and the Dane County Regional Airport have negotiated a lease under which Flight Level, LLC, will lease approximately 13,000 square feet of land on the Airport premises for the purpose of constructing an airplane hangar. The lease is for a 30-year term, at an initial annual rent of \$.57 per square foot, with annual adjustments related 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, a ground lease, Contract No. DCRA 2005-12, with Flight Level, LLC, incorporating the foregoing terms and conditions.

Submitted by Supervisors O'Loughlin, Rusk, Gau, de Felice, and McDonell, October 20, 2005 (p. 193, 05-06).

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

RES. 166, 05-06

AUTHORIZING EXECUTION OF A LEASE WITH INSITE WIRELESS, LLC FOR SPACE AT THE
DANE COUNTY REGIONAL AIRPORT

In December of 2004, Dane County joined with the City of Madison and the State in the issuance of a joint RFP for the installation and operation of a wireless internet network (Wi-Fi) providing coverage of the Dane County Regional Airport and areas of Madison's central isthmus. The joint RFP also requested proposals for the improvement and expansion of the cell phone service available at the Airport. The provider chosen pursuant to the joint RFP withdrew from the project in September of 2005. After review of the proposals submitted by other providers responding to the joint RFP, the County chose to move ahead on its own and has negotiated a lease permitting InSite Wireless, LLC, to install and operate a common wireless access system (CWAS) and a distributed antenna system (DAS) serving passengers at the Airport. The lease requires the provision of state-of-the-art technology throughout its term and expressly provides that the technology utilized by InSite Wireless, LLC, will be compatible with technology that might eventually be utilized to provide for city-wide Wi-Fi coverage. The lease has a term of 10 years, commencing as of December 1, 2005, and provides for an initial minimum annual guarantee (MAG) of \$18,000 in rent, with a provision for rent payment based on a percentage of income if the established percentage exceeds the MAG.

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 lease with InSite Wireless, LLC, for space at the Dane County Regional Airport for the installation and operation of CWAS and DAS technology, as set forth above.

Submitted by Supervisor McDonell, October 21, 2005, (p. 193, 05-06).

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

COMMUNICATIONS

Summons & Complaint: Meinholz, LLC vs DC Board of Supervisors, City of Middleton, Town of Springfield, Jeffrey and Rebecca Boldt, and Alex Vodenich. Referred to PUBLIC PROTECTION/JUDICIARY.

Claim from Genes Diffusion against AEC of DC – claims parts of booth missing. Referred to PUBLIC PROTECTION/ JUDICIARY.

Claim from Andrea L. Anderson against Zoo: Claims loss of property from stroller parked outside exhibit. Referred to PUBLIC PROTECTION/JUDICIARY.

Oneida Co. Res. #90-2005, supporting AB-675. Referred to EXECUTIVE.

Waushara Co. Res. 38-0-05, Supporting AB 662. Referred to EXECUTIVE.

Waushara Co. Res. 37-10-05, Expressing Concern Over the Help America Vote Act. Referred to EXECUTIVE.

Waushara Co. Res. 35-10-05, Supporting AB 208 Regarding the Establishment of Rural Enterprise Zones

RES. 171, 05-06

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 \$2,000.

The grant funds will be used to purchase an Automated External Defibrillator (AED), which can be used for medical emergencies.

NOW, THEREFORE, BE IT RESOLVED that \$2,000 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 \$2,000 be transferred from the General Fund to the Sheriff's Office, Support Services Division, Lab Expense-Wal-Mart Grant account.

BE IT FURTHER RESOLVED that all funds not expended in 2005 be carried forward until fully expended.

Submitted by Supervisors Olsen, Rusk, Hanson, and Martz, November 3, 2005 (p. 195, 05-06).
Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

RES. 172, 05-6

ACCEPTANCE OF HAZARDOUS MATERIALS RESPONSE EQUIPMENT GRANT

The Department of Emergency Management has applied for and was awarded a grant through the Emergency Planning and Community Right to Know Act (EPCRA) Computer and HAZMAT Equipment Grant Program for \$10,000.

This grant is for a period of January 1, 2005, through December 31, 2005. Wisconsin Emergency Management administers this grant, and the grant funds will be used to purchase hazardous materials first response equipment.

NOW, THEREFORE, BE IT RESOLVED that \$10,000 be set up as additional revenue in the Emergency Management Hazardous Materials Planning Revenue Account EMHAZMAT 81810, and be credited to the General Fund.

BE IT FURTHER RESOLVED that \$10,000 be transferred from the General Fund to the following Emergency Management Hazardous Materials Planning Account, EMHAZMAT 27622, Hazardous Materials Equipment.

BE IT FURTHER RESOLVED that all unexpended funds and unrecognized revenues from these accounts be carried forward from the 2005 to 2006 budget period.

Submitted by Supervisors Salov and Martz, November 3, 2005 (p. 195, 05-06).
Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

RES. 173, 05-06

ACCEPTANCE OF HOMELAND SECURITY GRANT (\$3,000) FOR FIRST RESPONDER TRAINING-
EMERGENCY MASS DECONTAMINATION

The Department of Emergency Management applied for and was awarded a grant from the Wisconsin Office of Justice Assistance for \$3,000 to conduct training for emergency first responders in emergency mass decontamination procedures.

This grant is for a period of October 1, 2005, through December 31, 2005.

NOW, THEREFORE, BE IT RESOLVED that \$3,000 be set up as additional revenue in the Emergency Management Hazardous Materials Training Revenue Account EMHAZMAT 81812, and be credited to the General Fund.

BE IT FURTHER RESOLVED that \$3,000 be transferred from the General Fund to the following Emergency Management Hazardous Materials Account, EMHAZMAT 31133, Hazardous Materials Training.

BE IT FURTHER RESOLVED that all unexpended funds and unrecognized revenues from these accounts be carried forward from the 2005 to 2006 budget period.

Submitted by Supervisors Salov and Martz, November 3, 2005 (p. 196, 05-06).
Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

RES. 174, 05-06

ACCEPTANCE OF HOMELAND SECURITY GRANT (\$6,000) FOR FIRST RESPONDER TRAINING-
EMERGENCY MASS DECONTAMINATION

The Department of Emergency Management applied for and was awarded a grant from the Wisconsin Office of Justice Assistance for \$6,000 to conduct training for emergency first responders in emergency mass decontamination procedures.

This grant is for a period of July 1, 2005, through September 30, 2005, extended to December 31, 2005.

NOW, THEREFORE, BE IT RESOLVED that \$6,000 be set up as additional revenue in the Emergency Management Hazardous Materials Training Revenue Account EMHAZMAT 81812, and be credited to the General Fund.

BE IT FURTHER RESOLVED that \$6,000 be transferred from the General Fund to the following Emergency Management Hazardous Materials Account, EMHAZMAT 31133, Hazardous Materials Training.

BE IT FURTHER RESOLVED that all unexpended funds and unrecognized revenues from these accounts be carried forward from the 2005 to 2006 budget period.

Submitted by Supervisors Eggert, Olsen, Rusk, Hanson, Martz, and Salov, November 3, 2005 (p. 196, 05-06).
Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

APPROVING AGREEMENT FOR COMMUNITY DEVELOPMENT BLOCK GRANT LOAN FOR
TOP PROMOTIONS, INC.

Dane County administers a Revolving Loan Fund for Economic Development (RLF-ED), 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. In 2004 the RLF-ED was increased by an additional \$422,337 with funds transferred to Dane County from RLFs in other Dane County municipalities.

The purpose of the RLF-ED is to provide financing to businesses that create jobs for low and moderate-income persons. The objectives of the RLF are to: expand or modernize existing or locally owned and managed enterprises; encourage the creation or retention of employment opportunities for low and moderate-income County residents; leverage new private investment in downtown business districts and traditional business districts; assist businesses with high-value added products or services, especially in the agricultural sector; and assist dairy farmers with capital improvements resulting in an increase in milk production.

On September 28, 2005 Top Promotions, Inc., a supplier of decorated apparel and promotional products and services for more than 20 years, applied for an RLF-ED loan of \$300,000 to enable company management to purchase all outstanding shares of the company. The purchase will allow management to continue to keep and operate the business, including 55 jobs, in Dane County, in lieu of a potential sale of the company and relocation outside the county. The total project cost is \$1.64 million, with other financing coming from the State Bank of Cross Plains and other private financing.

The Dane County RLF Loan Committee met on October 28 to consider Top Promotions application. The Loan Committee recommended approval of a CDBG loan of \$250,000 at 5.5% interest, with a term of 7 years, and a 1-point loan fee, to be secured by a second position on the general business assets, and a personal and corporate guaranty. The smaller loan amount was recommended to preserve sufficient balance in the RLF for other borrowers. The CDBG Commission met on November 2 and voted unanimously to approve the Loan Committee's recommendation, with the additional recommendation that the County loan become due and payable in full in the event that Top Promotions closes or relocates out of Dane County.

NOW, THEREFORE, BE IT RESOLVED that a RLF-ED loan of \$250,000 with a seven-year term, at an interest rate of 5.5 percent and a loan fee of 1.0 points, secured by a second position on the general business assets, and a personal and corporate guaranty, which will become due and payable in full in the event that Top Promotions closes or relocates out of Dane County, 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 Wheeler, Vogel, and Opitz, November 3, 2005 (p. 197, 05-06).
Referred to PERSONNEL/FINANCE.

RES. 176, 05-06

AUTHORIZING EMPLOYMENT AGREEMENT FOR DIRECTOR OF THE DANE COUNTY AND CITY OF MADISON PUBLIC HEALTH DEPARTMENTS (THOMAS L. SCHLENKER)

A candidate has been selected to serve as the director of the Dane County and City of Madison Public Health Departments. Consistent with the budget, county ordinances, and existing practice for employment contracts, a contract has been negotiated with Thomas L. Schlenker. This contract is similar to contracts negotiated with other department heads and includes an allowance for expenses related to Mr. Schlenker's move and provides for raises following initial periods of service.

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 Thomas L. Schlenker to serve as Director of the Dane County and City of Madison Public Health Departments for a five-year period ending _____, 2010, at a beginning base salary of \$118,360.00.

Submitted by Supervisors Kostelic, Blaska, Worzala, Bruskewitz, and Rusk, November 3, 2005 (p. 198, 05-06).

Referred to HEALTH/HUMAN NEEDS and PERSONNEL/FINANCE.

RES. 177, 05-06

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 increase for 2005 in the amount of \$9,891 for the Dane County WIC project. This increase results from an increase in caseload, which increases funding. These categorical funds can be used at the discretion of the local program, in support of that program. The program has proposed to allocate these additional funds to the language interpreter line (\$6,000) and to the WIC Office Supplies line (\$3,891).

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:

<u>Line Number:</u>	83780	<u>Line Name:</u>	WIC	<u>Line Amount:</u>	+\$9,891
<u>ORGN</u>	PHNURSE				

Expense Accounts in ORGN PHNURSE:

<u>OBJECT:</u>	ITPRAA	<u>Line Name:</u>	LANGINTERP	<u>Line Amount:</u>	+\$6,000
<u>OBJECT:</u>	WOSEAA	<u>Line Name:</u>	WICOFFSUP	<u>Line Amount:</u>	+ 3,891

BE IT FINALLY RESOLVED that any of these funds that are left unexpended at the end of 2005 be carried forward to 2006.

Submitted by Supervisor Worzala, November 3, 2005 (p. 198, 05-06).

Referred to HEALTH/HUMAN NEEDS and PERSONNEL/FINANCE.

CONTINUING THE TEMPORARY MERGER OF THE FORMER REGIONAL PLANNING COMMISSION
STAFF AND THE ARRANGEMENT FOR COMPLETING URBAN SERVICE AREA WORK

The Dane County Regional Planning Commission (RPC) was dissolved on October 1, 2004. In an effort to preserve water quality planning functions and the technical analysis of sewer extensions and urban service area (USA) expansions, the County Board and the County Executive took action to temporarily attach the RPC staff to the Dane County Department of Planning and Development. Substitute 1 to Resolution 107, 04-05, authorized the temporary merger of the staff and authorized the County Executive and County Clerk to request funding from the Department of Natural Resources to reimburse the County for water quality planning assistance including technical analysis of sewer extensions and urban service area expansions.

The former RPC staff merger was explicitly temporary. It was authorized until a successor agency was formed but no later than December 31, 2005. The agreement with the former RPC staff also indicates that severance payments and termination will be triggered if an offer or employment is not made by December 1, 2005, by a successor agency. Former RPC staff have deferred their severance pay during the temporary merger.

The County is continuing to work with the cities, villages, and towns to create a successor agency. However, a successor agency cannot be created before the December 31, 2005 deadline. If a provision is not made to continue water quality planning activities using temporarily merged staff, the Wisconsin Department of Natural Resources will need to provide for water quality planning services for Dane County. 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 continue to partially fund those same staff through Dane County DPD so that they will be available to support water quality planning.

NOW, THEREFORE, BE IT RESOLVED that the temporary attachment of the former RPC staff be continued until the "Council of Governments" or other long term replacement is in place but no later than December 31, 2006;

BE IT FURTHER RESOLVED that the Dane County Board of Supervisors authorizes the County Executive to request funding from the Wisconsin Department of Natural Resources to cover as much of the cost of the staff as possible to conduct water quality planning assistance including the technical analysis of sewer extensions and urban service area expansions.

BE IT FURTHER RESOLVED that the Community Analysis and Planning staff shall act in an objective manner in the technical analysis of sewer extensions and urban service area expansions, in conformance with criteria and methodology formerly used by staff at the RPC.

BE IT FURTHER RESOLVED that the Community Analysis and Planning staff temporarily attached to the Dane County Department of Planning and Development shall report the results of their analyses directly to the Department of Natural Resources.

BE IT FURTHER RESOLVED that the Community Analysis and Planning staff shall perform the technical analysis of sewer extensions and urban service area expansions under the professional supervision of a Division Administrator (formerly the position of RPC Executive Director), and that neither the County Board nor the County Executive shall exercise supervisory power over the professional analyses of the Community Analysis and Planning staff.

BE IT FURTHER RESOLVED that, with this temporary merger, the Dane County Board of Supervisors recognizes that the Community Analysis and Planning staff will defer 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 long term replacement is in place but no longer than December 31, 2006.

BE IT FINALLY RESOLVED that a copy of this resolution be sent to the Secretary of the Department of Natural Resources.

Submitted by Supervisor Wendt, November 3, 2005 (p. 200, 05-06).

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

RES. 179, 05-06

AUTHORIZING THE CARRY FORWARD OF STATE OF THE WATERS PUBLICATION
GRANT FUNDS FROM 2004 TO 2005

On June 3, 2004, the Dane County Board of Supervisors approved Resolution 36, 04-05, Authorizing the Acceptance of the Wisconsin Department of Natural Resources Grant for the State of the Waters Publication. The resolution was signed by the Dane County Executive on July 12, 2004.

The purpose of the State of the Waters Publication is to provide a summary of 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.

To accept and expend grant funds, \$3,000 was placed in revenue and expense lines in the Dane County budget for the year 2004. Two thousand two hundred fifty dollars in revenue was received November 1, 2004.

The expenditure amount of \$3,000 and the revenue of \$750, however, was inadvertently not carried forward into 2005. In order to receive the remainder of the grant funds, the amount of \$750 will need to be added to the appropriate revenue budget line. Three thousand dollars will need to be added to the appropriate expense line.

NOW, THEREFORE, BE IT RESOLVED that expense line LWRCONSV 22505 be increased by \$3,000 and a new revenue line be created for the \$750 to enable receipt and expenditure for the remainder of the State of the Waters Publication grant funds.

Submitted by Supervisors Hulse, Rusk, Wheeler, Jensen, Matano, Erickson, Olsen, Fyrst, Eggert, Graf, Pertzborn, Opitz, Worzala, Vedder, and Brown, November 3, 2005 (p. 200, 05-06).

Referred to PERSONNEL/FINANCE, ENVIRONMENT/AGRICULTURE/NATURAL RESOURCES, and LAKES & WATERSHED.

RES. 180, 05-06

AUTHORIZING AN EXTENSION OF L.T.E. 4-H URBAN STAFF ASST 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)(a), 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 200 hours to complete current projects and to retain this programming capacity. The 2005 budget contains sufficient funds in the form of \$2,900 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 2005 payroll year.

Submitted by Supervisors Martz, Jensen, Vogel, and Wheeler, November 3, 2005 (p. 201, 05-06).

Referred to PERSONNEL/FINANCE and ENVIRONMENT/AGRICULTURE/NATURAL RESOURCES.
(EXTENSION recommended adoption on 10/21/05.)

RES. 181, 05-06

AUTHORIZING THE PURCHASE OF DEVELOPMENT RIGHTS ON
55 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 protect agricultural and natural resources in the corridor. The program is entirely voluntary and is fully funded by reimbursements from the Wisconsin Department of Transportation (WisDOT).

Ted Thousand and Darcy Love desire to place approximately 55 acres of their Roxbury property in the PDR program. The offered land defines the western horizon from the highway and has beautiful rugged, steep wooded slopes. Maintaining these scenic natural areas and agricultural landscapes is critical to preserving the rural character of the corridor. Mr. Thousand and Ms. Love offered the development rights on the ~55 acres to Dane County for the appraised value of \$165,000.

NOW, THEREFORE, BE IT RESOLVED that the County of Dane does hereby approve and authorize the purchase of development rights on ~55 acres of land from Ted Thousand and Darcy Love 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 Supervisor Wendt, November 3, 2005 (p. 201, 05-06).

Referred to PERSONNEL/FINANCE, PUBLIC WORKS/TRANSPORTATION, and ENVIRONMENT/
AGRICULTURE/NATURAL RESOURCES.

RES. 182, 05-06

AUTHORIZING ACCEPTANCE OF GRANT FUNDS FOR
THE PURCHASE OF THE HENRIETTA FISHER PROPERTY

Dane County recently acquired fee interest in two parcels of land located in Section 12 and 13 in the Town of Blooming Grove. One parcel was purchased from Henrietta Fisher, and the other parcel was purchased from the City of Madison. The land purchased from the City of Madison was formerly owned by Henrietta Fisher. The property is entirely within the boundary of the Blooming Grove Drumlin Resource Protection Area. Although there was no expectation of state cost-sharing funds, Dane County Land Acquisition submitted a grant application and has received an award of \$298,150 from the Wisconsin Department of Natural Resources Urban Green Space Program toward the purchase of the property.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors and the Dane County Executive hereby accept this grant award of \$298,150 from the State of Wisconsin for the land purchase.

BE IT FURTHER RESOLVED that the Dane County Conservation Fund Manager 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 award and which guarantee public access rights to the property.

BE IT FINALLY RESOLVED that \$298,150 be credited to the Stewardship Fund Revenue Account LWCONSRV 81601 and \$298,150 to the Conservation Fund Expenditure Account LWCONSRV 57273 and that these funds be carried forward until expended.

Submitted by Supervisor Erickson, November 3, 2005 (p. 202, 05-06).

Referred to PERSONNEL/FINANCE, PUBLIC WORKS/TRANSPORTATION, and ENVIRONMENT/
AGRICULTURE/NATURAL RESOURCES.

RES. 183, 05-06

2005 DANE COUNTY CONSERVATION FUND GRANT AWARD –
FRIENDS OF PHEASANT BRANCH SUPPLEMENT

Res. 35, 05-06, approved a Conservation Fund grant award of \$565,000 to assist the Friends of Pheasant Branch acquire 19.27 acres that border the Pheasant Branch Creek Conservancy (“Conservancy”). The Conservancy is identified in the *Dane County Parks & Open Space Plan* as a natural resource site, and the creek itself is identified as a priority stream. Acquisition of the property will help protect the water quality of Pheasant Branch Creek and Lake Mendota in addition to providing plant and wildlife habitat. The property provides an easily accessed natural area, both to the property itself and to the Conservancy as a whole.

The Friends of Pheasant Branch have since reapplied for additional funding from the Conservation Fund in the amount of \$590,500. This amount would bring the total County share of the \$3,000,000 purchase price to \$1,155,500 and is based on the grant formula found on the Conservation Fund Grant Application.

However, while the grant formula serves as a guide for applicants and the Conservation Fund Grant Advisory Committee, the Committee may deviate from the formula and, in this case, recommends an additional \$209,000. This recommendation would bring the total County funding to \$774,000, which represents 25.8% of the purchase price, is equal to a pending DNR Stewardship grant award, and is consistent with past and current grant award levels to other community organizations and local units of government. Other project partners include the City of Middleton (listed on the application as a co-applicant) at \$150,000, private foundations at \$450,000, and citizen contributions at over \$130,000. The Friends of Pheasant Branch continue to fundraise for the remaining gap of approximately \$700,000, including a request to the City of Middleton for additional funding.

The Conservation Fund Grant Award, if approved, will not be released until the remaining funds have been raised and the transaction is ready to close. The funds will lapse on December 31, 2005, and will revert back to the Conservation Fund if the Friends of Pheasant Branch are unsuccessful in raising the remaining funding. Should the Friends of Pheasant Branch purchase less than the total acreage, County responsibility would remain at no more than 25.8%, and the change would be subject to approval by the Park Commission.

NOW, THEREFORE, BE IT RESOLVED that a grant to the Friends of Pheasant Branch per the terms and conditions listed above is 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.

BE IT FURTHER RESOLVED that the current grant award totals \$209,000, which combined with the \$565,000 already approved provide \$774,000 in County funding, and is subject to the terms and conditions identified above and that the 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 grant agreements, management agreements, deed restrictions or the transfer of land or land rights which will vest in Dane County.

BE IT FINALLY RESOLVED that the Conservation Fund Manager 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 the grant award.

Submitted by Supervisor Opitz, November 3, 2005 (p. 203, 05-06).

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

RES. 184, 05-06

2005 DANE COUNTY CONSERVATION FUND GRANT AWARD – VILLAGE OF DEFOREST

The Village of DeForest has applied to the Dane County Conservation Fund for assistance in purchasing approximately 142 acres along the Upper Yahara River. The property is identified in the *Dane County Parks & Open Space Plan* as an important environmental corridor along the river and as key link in the Upper Yahara River Trail. Acquisition of the property will help protect the water quality of the Upper Yahara River, a rare calcareous fen and a heron rookery in addition to providing plant and wildlife habitat. The property provides an easily accessed natural area for fishing, canoeing, and recreational trails.

The purchase price for the property has been established at the appraised value of \$1,065,000. The Conservation Fund Grant Advisory Committee recommends \$274,075 in County funds, which represents 25.7% of the purchase price. The grant recommendation was made contingent upon public access for the Upper Yahara River Trail that is consistent with regional trail standards.

The Conservation Fund Grant Award, if approved, will not be released the transaction is ready to close and Land & Water Resources Department staff have approved a trail corridor for the Upper Yahara River Trail. Should the Village purchase less than the total acreage, County responsibility would remain at no more than 25.7% of the purchase price, and the change would be subject to approval by the Park Commission.

NOW, THEREFORE, BE IT RESOLVED that a grant to the Village of DeForest per the terms and conditions listed above is 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.

BE IT FURTHER RESOLVED that the grant award totals \$274,075 and that the 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 grant agreements, management agreements, deed restrictions or the transfer of land or land rights which will vest in Dane County.

BE IT FINALLY RESOLVED that the Conservation Fund Manager 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 the grant award.

Submitted by Supervisors O'Loughlin, Ripp, and Kostelic, November 3, 2005 (p. 204, 05-06).

Referred to PERSONNEL/FINANCE, PUBLIC WORKS/TRANSPORTATION, and ENVIRONMENT/AGRICULTURE/NATURAL RESOURCES.

RES. 185, 05-06

AUTHORIZATION TO PURCHASE LANDS AT DONALD COUNTY PARK – NAMENWIRTH

Dane County has negotiated the acquisition of approximately 31 acres at Donald County Park in the Town of Springdale. The property will connect two existing park areas that are currently inaccessible to one another. Additionally the property contains scenic overlooks into the park and will allow for an expanded trail system. The property is a mixture of woodlands and high quality prairie.

Two appraisals for the property ranged from \$9,000/acre to \$12,000/acre, and the agreed upon purchase price has been established at \$10,600/acre. The final acreage is subject to a survey but is estimated at 31 acres for an approximate purchase price of \$328,600. The property will come with a service drive for park staff and agents from Sharpes Corner Road across lands being retained by the landowner. The service drive has been approved by the Town of Springdale and will be built by park staff using materials paid for by the landowner.

Funding for the purchase is available in the Conservation Fund. Dane County Parks staff will apply for State Stewardship funding on May 1, 2006, 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 31-acre parcel, subject to survey, at Donald County Park at \$10,600/acre 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, including a joint driveway agreement or easement.

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 Ripp and Kostelic, November 3, 2005 (p. 205, 05-06).

Referred to PERSONNEL/FINANCE, PUBLIC WORKS/TRANSPORTATION, and ENVIRONMENT/AGRICULTURE/NATURAL RESOURCES.

RES. 186, 05-06

AWARD OF CONTRACT FOR COLISEUM SOUND SYSTEM REPLACEMENT

The sound system in the Coliseum at the Alliant Energy Center is 39 years old and need of replacement. Funds are provided in the 2005 budget for the replacement of this system. Sub 1 to Resolution 108, 2005-06, approved the hiring of a sound consultant to design and specify a new system. The Public Works, Highway and Transportation Department has requested bids on the new sound system:

The low qualified bidder is:

The Public Works staff finds the amount to be reasonable and recommends that bid be awarded to _____.

There are sufficient funds in the Budget for this project.

NOW, THEREFORE, BE IT RESOLVED that the Contract be awarded to _____.

BE IT FURTHER RESOLVED that the County Executive and County Clerk are authorized to sign the necessary documents.

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

BE IT FINALLY RESOLVED that the Public Works, Highway and Transportation Department 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, November 3, 2005 (p. 205, 05-06).

Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

AUTHORIZING EXECUTION OF AN OPERATING AGREEMENT AND LEASE WITH ATLANTIC SOUTHEAST AIRLINES, INC., FOR AIR SERVICE AT THE DANE COUNTY REGIONAL AIRPORT

On December 1, 2005, Atlantic Southeast Airlines, Inc. (ASA), will be initiating twice-daily non-stop passenger air service between the Dane County Regional Airport and Atlanta Hartsfield International Airport. ASA will also be leasing 191 square feet of space in the Airport Terminal for a Baggage Storage Office. The terms and conditions under which ASA will lease space and provide air service at the Airport, including compensation and indemnification provisions, will be as set forth in DCRA No. 2005-13, the Scheduled Airline Operating Agreement and Terminal Building Lease entered into between Dane County and ASA.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Executive and the Dane County Clerk are hereby authorized to execute on behalf of Dane County a Scheduled Airline Operating Agreement and Terminal Building Lease providing for the rental of space and the operations of Atlantic Southeast Airlines, Inc., at the Dane County Regional Airport. Further, the Airport Director is hereby authorized to execute on behalf of the County associated documents necessary to the implementation of air service by Atlantic Southeast Airlines, Inc., at the Dane County Regional Airport.

Submitted by Supervisors O'Loughlin, McDonell, Rusk, and de Felice, November 3, 2005 (p. 206, 05-06).
Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION. (AIRPORT recommended approval on 11/2/05.)

COMMUNICATIONS

Claim from Joleen Thompson against Highways – claims road paint damaged her vehicle. Referred to PUBLIC PROTECTION/JUDICIARY.

Claim from He-Rock Masonry, Jeff Rockey, against Highways – claims rock thrown from mower damaged vehicle. Referred to PUBLIC PROTECTION/JUDICIARY.

Winnebago Co. Res.265-92005, Authorize Support for AB257 and SB126: Publishing Requirements for Ordinances. Referred to EXECUTIVE.

Langlade Co. Res. 97-2005, Support Legislation Which Would Address a Driver's Use of Portable Electronic Devices, Particularly a Ban of Cell Phone Use While Driving. Referred to EXECUTIVE.

Langlade Co. Res. 98-2005, Oppose Passage of AB575 Classifying Social Workers at Protective Occupation Participants in the Wisconsin Retirement System. Referred to EXECUTIVE.

Brown Co. Resolution in Opposition t Department of Natural Resources Use of Wildlife Damage Funds for Chronic Wasting Disease. Referred to EXECUTIVE.

ZONING PETITIONS

Petitions for Zoning Reclassification. Referred by Clerk Ohlsen to ZONING & LAND REGULATION.

Petition 9368 – Town of Springfield – Harold & Betty Spahn

9370 – Town of Oregon – Douglas Nelson

9375 – Town of Dunkirk – Kent J., Scott A., Timothy C. Klongland

9378 – Town of York – William & Sandra Sands

9379 – Town of Deerfield – Orlow & Lorraine Johnson Revocable Trust

9380 – Town of Pleasant Springs – LUL LLC

9381 – Town of Pleasant Springs – Ronald & Dale Lund

9382 – Town of Mazomanie – Janice Olson
9383 – Town of Christiana – James & Linda Lowrey
9390 – Town of Blooming Grove – Anne Boyle
9391 – Towns of Burke & Sun Prairie – Heidi A. Voges & John J. Kalinowski
9399 – Town of Burke – William Clemens & Kippley Properties II LLC

ORD. AMDT. 19, 05-06

AMENDING CHAPTER 40 OF THE DANE COUNTY CODE OF ORDINANCES,
REGARDING OUTSIDE CONSULTING SERVICES

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 40.08(1) and (3) of the Dane County Code of Ordinances are amended to read as follows:

40.08 OUTSIDE CONSULTING SERVICES. (1) No outside consulting service, where the contracted amount exceeds \$25,000, shall be hired or contracted for without prior approval of the board and appropriation of funds for such purpose. Nothing contained herein shall preclude the appropriate agency from conferring with or consulting with and recommending to the board for selection of outside consultants for a particular public works project provided such interviews for conferences do not create an obligation to the county to pay therefore.

(3) No contract with outside consulting services, for an amount in excess of \$25,000, shall be authorized without specific approval by the board, but where deemed advisable by the agency, ready-made plans for the purpose of establishing specifications, may be purchased or procured directly for the proposed project in order to permit proper competitive bidding. Responsibility for the technical correctness, adequacy and completeness of plans and specifications procured hereunder and used as a basis for actual construction shall rest with the agency approving the same. Reasonable cost for procured plans shall be determined by the committee and shall be charged to funds allocated for the proposed project.

[EXPLANATION: This amendment allows the Public Works Department to enter into consulting contracts up to \$25,000 without prior county board approval. This is the same amount allowed other departments under chapter 25.]

Submitted by Supervisors Ripp, Opitz, Matano, Willett, and Schoer, November 17, 2005 (p. 208, 05-06). Fiscal and Policy Notes not required.

Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

ORD. AMDT. 20, 05-06

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. Subsections 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 \$38.54 28.07 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 ~~\$2.45~~ 2.46 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 ~~\$30.63~~ 30.75. For the landing of any aircraft weighing at least 12,500 lbs. but not more than 30,000 lbs., a nonsignatory commercial air carrier shall pay the sum of ~~\$73.50~~ 73.80. 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 ~~\$171.50~~ 172.20. 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 that elect not to sign a written fee agreement with the county.]

Submitted by Supervisors Rusk, McDonell, and Gau, November 17, 2005 (p. 209, 05-06).
Referred to PERSONNEL/FINANCE, PUBLIC WORKS/TRANSPORTATION, and AIRPORT.

RES. 189, 05-06

AUTHORIZING AN ADDENDUM TO AGREEMENT TO PROVIDE FOR
THE SALE OF SPACE IN THE CITY-COUNTY BUILDING TO CITY OF MADISON AND
REALLOCATE THE PROPORTIONATE OPERATIONAL COSTS

Beginning in 1955, the County of Dane (County) and the City of Madison (City) entered into a contractual relationship (Agreement) pursuant to which the parties provided for ownership and operation of the City of Madison City Hall and the Dane County Courthouse ("the City-County Building"). The underlying contractual agreement has been amended from time to time to meet the changing needs of the parties. When the new Dane County Courthouse opens in January 2006, space previously allocated to the County under the Agreement will become available. The City is desirous of obtaining certain space, and the parties have negotiated an addendum to the original Agreement pursuant to which the City will purchase the following space in the City-County Building:

Garage:	No Change
Ground Floor:	City to purchase 9,278 square feet GR-10 currently occupied by Clerk of Courts general operations staff
First Floor:	City to purchase 7,055 square feet Room 108 currently occupied by Family Court Counseling Room 104 currently occupied by Family Court Commissioner
Second Floor:	City to purchase 1,151 square feet Room 207 currently occupied by Branch 14 and the conference space (264 square feet) immediately behind City Municipal Court
Third Floor:	No change
Fourth Floor:	No change
Fifth Floor:	City to purchase 9,470 square feet Room 523 currently occupied by the District Attorney's Office Room 519 currently occupied by District Attorney's Victim Witness Unit

The purchase price shall be \$1,100,000 paid in two installments: \$500,000 by December 31, 2005, and \$600,000 by February 1, 2006. In addition, the City shall pay \$100,000 for the cost of operation, maintenance, and repair of the additional allocation of space in the City-County Building under for 2006. Effective January 1, 2007, the proportionate cost of operation, maintenance, and repair of the building and grounds shall be: 39.1% to be paid by the City and 60.9% to be paid by the County.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Executive and the Dane County Clerk are authorized as necessary to sign the Addendum to Agreement between the City of Madison and Dane County for the sale of space in and reallocation of operational costs of the City-County Building.

Submitted by Supervisors Ripp, Opitz, Matano, Schoer, and de Felice, November 17, 2005 (p. 210, 05-06).

Referred to PERSONNEL/FINANCE, PUBLIC WORKS/TRANSPORTATION, and CITY-COUNTY LIAISON.

RES. 190, 05-06

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 two years. The lease expires on December 31, 2005. A month-to-month extension for the same space has been offered at the existing rental rate of \$1,695 per month. This is a full service lease at an annual 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 2006 budget accommodates continuing rent. The month-to-month tenancy requires a 30-day notice of termination and automatically terminates on December 31, 2006, if not earlier terminated by the county.

NOW, THEREFORE, BE IT RESOLVED that the County of Dane does hereby approve and authorize the above-described lease extension 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 letter agreement extending the lease on a month-to-month basis on behalf of the County of Dane.

Submitted by Supervisor Wendt, November 17, 2005 (p. 210, 05-06).

Referred to PERSONNEL/FINANCE, PUBLIC WORKS/TRANSPORTATION, and ZONING/LAND REGULATION.

RES. 191, 05-06

AUTHORIZING AN AGREEMENT WITH THE CITY OF MONONA
FOR THE ENGINEERING DESIGN OF MONONA DRIVE, CTH "BB"

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 "BB" (Monona Drive) from CTH BW to Cottage Grove 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 City of Monona is the lead agency for this project.

The project will be financed by the City of Monona, the City of Madison, and Dane County. The County's total obligations for design and engineering, phase I, shall not exceed \$270,000.

After the following transfers, the Highway and Transportation Department will have sufficient funds budgeted in the CTH Construction program account HWCONST-59109.

NOW, THEREFORE, BE IT RESOLVED that \$170,000 be transferred to account HWCONST-59109 as follows:

- \$150,000 from account HWCONST-59098, CTH "PB," 92 to 69
- \$ 20,000 from account HWCONST-59113, CTH "M," Donna to 12

BE IT FURTHER 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 Monona.

BE IT FINALLY RESOLVED that any unexpended funds as of December 31, 2005, in account HWCONST-59109 be carried forward to 2006.

Submitted by Supervisors Graf, Ripp, Opitz, Matano, Schoer, and de Felice, November 17, 2005 (p. 211, 05-06).

Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

RES. 192, 05-06

AUTHORIZING JURISDICTIONAL TRANSFER OF CTH M/CENTURY AVENUE
FROM THE CITY OF MIDDLETON TO DANE COUNTY

The construction of new USH 12 or Middleton Bypass created a segment of Century Avenue (formerly known as Airport Road) that lies between Old USH 12/Parmenter Street and new USH 12 that is not CTH M. As a result, CTH M now stops at a City Street and does not permit for the continuity of CTH M south along USH 12 to CTH S/Mineral Point Road to CTH M/Junction Road.

The Dane County Department of Public Works, Highway & Transportation Department has drafted an agreement to cover the jurisdictional transfer and maintenance responsibilities to continue CTH M from old USH 12/Parmenter Street to the new USH 12 interchange. This agreement has been reviewed and accepted by the City of Middleton and the County's Public Works, Highway and Transportation Committee.

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 Middleton.

BE IT FINALLY RESOLVED that this resolution shall become effective January 1, 2006.

Submitted by Supervisors Opitz, Ripp, Matano, Willett, Schoer, and de Felice, November 17, 2005 (p. 211, 05-06).

Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

RES. 193, 05-06

AWARD OF CONTRACT FOR DANE COUNTY LOCKS REPAIRS
AT TENNEY, LAFOLLETTE AND BABCOCK PARKS

The Public Works, Highway and Transportation Department reports the receipt of bids for the Dane County Locks Repairs at Tenney, LaFollette and Babcock Parks, Bid No. 105128.

The low qualified bidder is: _____

Contract Amount: \$ _____

The Public Works staff finds the amount to be reasonable and recommends the bid be awarded to _____ in the amount of \$ _____.

There are sufficient funds in the Budget for this project.

NOW, THEREFORE BE IT RESOLVED, that the contract be awarded to _____.

BE IT FURTHER RESOLVED, that the County Executive and County Clerk are authorized to sign the necessary documents.

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

BE IT FINALLY RESOLVED, that the Public Works, Highway and Transportation Department 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, Opitz, and Matano, November 17, 2005 (p. 212, 05-06).
Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

RES. 194, 05-06

ACCEPTING REVENUE FOR DEVELOPMENTAL DISABILITIES SERVICES
DCDHS - ACS DIVISION

The purpose of this resolution is to adjust revenue and expenditure for 2005.

- (a) Children’s Long Term Support Waiver, which serves about 230 children, was conservatively budgeted for 2005 at \$4,470,283. However, the 2005 State/County contract reflects \$5,230,215. Year to date expenditures indicate that annual costs will be roughly \$5,088,051. To bring budget up to anticipated expense, this resolution accepts \$575,000 in CLTS DD revenue and \$42,768 in CLTS SED (Serious Emotional Disturbance) revenue.
- (b) Through its Metro+Plus service, the City of Madison provides transportation to CIP eligible consumers with developmental disabilities. These rides are billed to the CIP program, and the City of Madison provides the required matching funds. CIP revenues earned by the City of Madison are projected to be at least

\$2,057,602, which is \$379,993 more than the current Madison Metro contract. The added revenues are \$152,319 CIP 1A and \$227,674 CIP 1B, and are based on Metro+Plus providing about 25,100 more one-way trips than originally budgeted.

- (c) DCDHS has been awarded \$10,910 in COP (Community Options Program) High Cost funds for one-time purchases for nine consumers with developmental disabilities. The purchases include accessibility improvements in bathrooms, wheelchair tie downs in a vehicle, adaptive equipment, and yard fencing to prevent a consumer from wandering away.
- (d) The City of Madison is providing Dane County with an additional \$8,900 for the exceptional ride program, in which Dane County provides transportation for consumers whose needs cannot be accommodated on any of Madison Metro's services.

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.

Revenue Account Number	Account Title	Amount
ACDADULT 80997	DD Adult CIP 1A	\$152,319
ACDADULT 80996	DD Adult CIP 1B	\$227,674
ACECHILD 81461	DD Children CLTS DD	\$575,000
ACECHILD 81459	DD Children CLTS SED	\$42,768
ACDADULT 80998	DD Adult COP	\$10,910
ACDADULT 81000	DD Adult Madison Exceptional Riders	\$8,900
	Total	\$1,017,571

Expenditure Account Number	Account Title	Amount
ACECLIDA AWATAA	Integrated Development Services, Inc.	\$575,000
ACDSTMAD TAOTAA	City of Madison - Madison Metro	\$379,993
ACDSHMCR IPDSAA	Ind. Payments – Special Needs SDS	\$10,910
ACECLVNG ASTCAA	Individual Payments – Client Assistance	\$42,768
ACDCRSDN AIFHAA	Court Ordered Placements	\$8,900
	Total	\$1,017,571

Submitted by Supervisor Worzala, November 17, 2005 (p. 213, 05-06).
 Referred to HEALTH/HUMAN NEEDS and PERSONNEL/FINANCE.

 RES. 195, 05-06

**AWARDING 2006 PURCHASE OF PROFESSIONAL SERVICE CONTRACTS AND INCREASING REVENUE
 IN THE 2006 BUDGET OF THE DEPARTMENT OF HUMAN SERVICES**

The purpose of this resolution is as follows:

1. To award POS contracts with the following professional service providers for 2006:
 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. The Family Support 360 grant targets underserved children with disabilities and their families from the South Madison and Allied Drive neighborhoods. Two service coordinators are employed by the Exchange Center. Participating families will become more knowledgeable about available services and supports for children with disabilities and will be linked with those services. Harambee staff and other partners will be trained to provide appropriate information and referral services to these families. This resolution accepts and allocates increased grant funding of \$93,995.
4. The Children's Long Term Support Waiver (CLTS) provides supportive services for children with disabilities, especially children with autism spectrum disorders. The 2006 Budget builds in \$4.38 million in CLTS funding. However, 2005 CLTS expenditures will approach \$5.0 million. The current CLTS caseload of 230 children indicates that at least \$165,187 in additional CLTS revenue will be earned in 2006 above the 2006 budgeted level. These funds are allocated to the Family Support & Resource Center, Inc., which is the lead case management agency for the Children's Long Term Support Waiver.
5. Over the past several years, Housing Initiatives, Inc. has been successful in securing federal HUD Shelter+Care funding, which comes to Dane County and is passed through to Housing Initiatives. Shelter+Care is rent subsidy funding for low-income people with mental illness, with the further requirement that the individuals served must also receive case management and support services related to their mental illness. This resolution accepts \$251,143 in Shelter+Care funding Housing Initiatives, which includes \$158,160 for S+C grant #4 and \$92,983 in adjustments for S+C grants #1 - #3. These funds will enable 32 – 35 individuals to receive a monthly rent subsidy.
6. The Mental Health Center's Crisis Home Program has been developing community care plans for individuals who have had very long stays in inpatient care at Mendota Mental Health Institute. The community care plans' services are typically billed to Medicaid Crisis Stabilization. The Crisis Home Program expects to bill MA Crisis Stabilization for \$188,000 more than is included in the 2006 Adopted Budget. This resolution accepts this revenue and allocates it to the Crisis Home Program.

NOW, THEREFORE, BE IT RESOLVED that the professional service contracts listed below be awarded for the period January 1, 2006, through December 31, 2006.

<u>Adult Community Services Division:</u>	<u>Contract Amount</u>
Mendota Mental Health Institute – PACT	\$889,775
Mental Health Center of Dane County	\$9,593,233
St. Mary’s Hospital	\$209,800
Tellurian UCAN	\$1,729,944
UW Hospitals and Clinics	\$197,800

<u>Children, Youth, and Families Division:</u>	<u>Contract Amount</u>
Mental Health Center of Dane County	\$3,008,823
Tellurian UCAN	\$1,549,422
UW Hospitals and Clinics	\$353,100

BE IT FURTHER RESOLVED that the following professional service contract be amended to extend the term of the contract through December 31, 2006, 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 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:

<u>Revenue Account Number</u>	<u>Account Title</u>	<u>Amount</u>
ACECHILD 81457	Admin on DD FS 360	\$63,995
ACECHILD New	FS 360 State of Wis	\$30,000
ACECHILD 81461	CLTS Waiver DD	\$165,187
ACFMHLTH 81550	Shelter + Care Grant	\$251,143
ACFMHLTH 81439	MA Crisis Intervention	<u>\$188,000</u>
	Total Revenue	\$698,325

<u>Expenditure Account Number</u>	<u>Account Title</u>	<u>Amount</u>
ACECSMGT DLFSAA	Exchange Center – FS 360	\$93,995
ACECLFSR FMSUAA	Family Support & Res – CLTS	\$104,687
ACECLFSR CMFSAA	Family Support & Res – Family Supt	\$60,500
ACFCRHII AMHMAA	Housing Initiatives, Inc.	\$251,143
ACFCRSDN IPCHAA	MHC Crisis Home Program	<u>\$188,000</u>
	Total Expenditure	\$698,325

BE IT FINALLY RESOLVED that the payment for the first month of each professional service contract identified above be authorized at this time.

Submitted by Supervisors Worzala and Wheeler, November 17, 2005 (p. 215, 05-06).
 Referred to HEALTH/HUMAN NEEDS and PERSONNEL/FINANCE.

RES. 196, 05-06

ACCEPTING VIRGINIA ECKE ESTATE BEQUEST AND CREATING REVENUE AND EXPENDITURE LINES
-- DEPARTMENT OF HUMAN SERVICES-DIVISION OF CHILDREN, YOUTH, AND FAMILIES

Ms. Virginia Ecke was a Department of Human Services employee in the 1960s-1970s. She died in 2004. Ms. Ecke bequeathed monies to the Department in her will. Administration of the estate is completed at this time. This resolution accepts \$20,014.50 as Department share of the estate.

The Department has decided to create a multi-purpose "Family Support" account. Monies will be used to meet miscellaneous family support needs (examples: paying a family's rent for a given month; paying for a car repair for a family; buying a refrigerator for a family; etc). The Department believes that this utilization honors the spirit of a bequest of this sort.

NOW, THEREFORE, BE IT RESOLVED that the following revenue and expenditure accounts be created.

Revenue Account No.	Account Title	Amount
CYFSUPRT – 81185 NEW	Ecke Estate – Family Support Rev	\$20,014.50
Expenditure Account No.	Account Title	Amount
CYFPRVVE – CPVEAA NEW	Ecke Estate – Family Support Exp	\$20,014.50

BE IT FURTHER RESOLVED that account monies will be carried forward into 2006 and subsequent years until monies are fully expended.

Submitted by Supervisors Worzala and Wheeler, November 17, 2005 (p. 216, 05-06).
Referred to HEALTH/HUMAN NEEDS and PERSONNEL/FINANCE.

RES. 197, 05-06

ADJUSTING 2005 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 \$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.

Revenue Account Number	Account Title	Amount
CYFSUPRT 81439	Mental Health Center SED Crisis	\$55,000
	Total Revenue	\$55,000
Expenditure Account Number	Account Title	Amount
CYFCTMHC PBSTAA (new)	Mental Health Center PBST	\$55,000
	Total Expenditure:	\$55,000

Submitted by Supervisors Worzala and Wheeler, November 17, 2005 (p. 217, 05-06).
 Referred to HEALTH/HUMAN NEEDS and PERSONNEL/FINANCE.

 RES. 198, 05-06

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.

Revenue Account Number	Account Title	Amount
CYFDSSIA 81463	Independent Living -Education and Training	\$20,179

Expenditure Account Number	Account Title	Amount
CYFDSSIA ETILAA	Independent Living – Education and Training	\$20,179

BE IT FURTHER RESOLVED that unspent funds from 2005, in an amount not to exceed \$20,179 will be carried forward for expenditure in 2006.

Submitted by Supervisors Worzala and Wheeler, November 17, 2005 (p. 217, 05-06).
 Referred to HEALTH/HUMAN NEEDS and PERSONNEL/FINANCE.

 RES. 199, 05-06

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, 2005. The resolution authorizing

execution of the contract provides that the contract may be renewed for up to two more years. This resolution authorizes the contract to be renewed for a term of one year, at a cost of \$3,680,725.

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 the Ferris Huber Center.

Submitted by Supervisor Olsen, November 17, 2005 (p. 218, 05-06).
Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

RES. 200, 05-06

AUTHORIZING AN AGREEMENT TO PROVIDE A RADIO NEEDS ANALYSIS

Dane County Public Safety Communications requires a needs analysis and engineering evaluation for the preliminary design of a communication system to replace Dane County's existing radio system. The study shall include, but not be limited to, evaluation of the following county system public safety infrastructure: Law Enforcement, Fire, EMS, Highway, Emergency Government, dispatch, and mobile data system. The 2004 budget includes funds for this study.

The Public Safety Communications Director along with a small representative group of system users will oversee the project on behalf of the County.

The current infrastructure of the county system is Motorola. For that reason, they (Motorola) already have much of the information other consultants may need to collect. This allows them to offer the study at a reduced rate.

The Public Safety Operating Practices and Advisory Committee, as well as the Dane County Police Chiefs Association, Dane County Fire Chiefs Association, and the Dane County EMS Association, all endorse Motorola performing this study. They also agree that time is of the essence as some of the base stations currently in use are approximately 25 years old, which is well beyond their life expectancy. The recently completed Strategic Planning Report reflects the need for a study to be completed to allow for a radio system to be put in place to allow for interoperability between all public safety agencies in Dane County. Interoperability is key to the success of emergency responses, particularly in major incidents. Dane County is currently lacking in this critical capability.

NOW, THEREFORE, BE IT RESOLVED that Dane County enter into this Agreement with Motorola, Inc. with the cost of the study being \$18,500. The Public Safety Communications Director will oversee this study.

FINALLY BE IT RESOLVED that the Dane County Executive and the Dane County Clerk authorize this Agreement with Motorola, Inc.

Submitted by Supervisor Salov, November 17, 2005 (p. 218, 05-06).
Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

RES. 201, 05-06

OFFICE OF JUSTICE ASSISTANCE (OJA) FY '05 HOMELAND SECURITY GRANT PROGRAM

The purpose of this resolution is to adjust revenue and expenditures for FY2005.

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 \$238,515. The grant period ends September 30, 2005.

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 \$238,515.00 be set up as additional revenue in a newly created Emergency Management, Emergency Planning Terrorism Revenue account, and be credited to the General Fund.

BE IT FURTHER RESOLVED that \$238,515.00 is transferred from the General Fund to the following Emergency Management, Emergency Planning Terrorism Planning accounts (account numbers to be issued by the Controller's Division upon passage of this resolution):

2005 Homeland Security Grant Operating	\$ 85,613.00
2005 Homeland Security Grant Capital	\$152,902.00

BE IT FURTHER RESOLVED that all unexpended funds and unrecognized revenues from this account be carried forward from the 2005 to the 2006 budget period.

Submitted by Supervisor Olsen, November 17, 2005 (p. 219, 05-06).

Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

RES. 202, 05-06

AUTHORIZING ACCEPTANCE OF FUNDS FOR HOMELAND SECURITY/LETTP EQUIPMENT

The Dane County Sheriff's Office has been awarded a grant from the State of Wisconsin Office of Justice Assistance Homeland Security Grant Program made available through the U.S. Department of Homeland Security Office for Domestic Preparedness. This grant supports Dane County's Homeland Security/LETTP Equipment Program for the purchase of equipment for the Explosive Ordnance Disposal Team.

The Dane County Sheriff's Office will be awarded a total of \$29,575. The grant period ends March 31, 2006.

NOW, THEREFORE, BE IT RESOLVED that the Sheriff's Office be permitted to accept the Homeland Security/LETTP Equipment Grant, administered by the Office of Justice Assistance, in the amount of \$29,575.

BE IT FURTHER RESOLVED that \$29,575 be set up as additional revenue in the Sheriff's Office, Field Services Division, Explosive Ordnance Disposal Team Revenue Account (SHRFFLD-80721) and be credited to the General Fund.

BE IT FURTHER RESOLVED that \$29,575 be transferred from the General Fund to the Dane County Sheriff's Office, Field Services Division, Explosive Ordnance Disposal Team Expenditure Account (SHRFFLD-47418)

BE IT FINALLY RESOLVED that all unexpended funds and unrecognized revenues from this account be carried forward from the 2005 budget period to the 2006 budget period.

Submitted by Supervisor Olsen, November 17, 2005 (p. 220, 05-06).
Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

RES. 203, 05-06

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.

Food Council

Martin Bailkey, 2554 Kendall Avenue, #4, Madison 53705 (218-9478-H), to serve in a seat as an urban agriculture representative. Mr. Bailkey served as an advisory member to the Local Food Policy Advisory Subcommittee. He is currently the chair of the Urban Agriculture Committee of the Community Food Security Coalition, a national advocacy and support group. He is trained as an urban planner. He has long been involved in the Troy Gardens urban agriculture project. He was a UW Madison lecturer and is now a food systems planning consultant. This term will expire 4/10/07.

Robert Pierce, 524 Bayview, Madison 53715 (280-9544-H, 358-5834-W), to serve in a seat as a representative of processing & distribution. Mr. Pierce is the Manager of the South Madison Farmer's Market. He has managed that market for three years, and has been a vendor for twenty-three years. He started his own CSA (Community Supported Agriculture resource) and has his own produce store. This term will expire 4/15/08.

Richard A. Slone, 1132 Spaight Street, Madison 53703 (251-4503-H, 256-3527x16-W), to serve in a seat as a representative of economic development. Mr. Slone is the Public Market Project Director for Common Wealth Development, where he is developing the City Market proposal for year-round marketing of local produce to area residents. This term will expire 4/11/06.

Gerald Campbell, 1821 Camelot Drive, Madison 53705 (238-8766-H, 265-8137-W), to serve in a seat as a representative of processing & distribution. Mr. Campbell is a Professor and Extension Specialist at the University of Wisconsin-Madison's Department of Agricultural and Applied Economics. Mr. Campbell has a B.S. in Agriculture and Agronomy from Ohio State University, an M.A. in Economics from Michigan State University, and a Ph.D. in Agricultural Economics from Michigan State University. Mr. Campbell has extensive experience and training in food system economics, university teaching and administration, leadership, community and organizational development. He has been teaching a course called "Issues in Food Systems," which focuses on

socio-economic issues in the food system such as food insecurity, changing farm structure, alternative models for connecting consumers and farmers, food safety, obesity and health, and land use. This term will expire 4/15/08.

Lisa M. Wiese, 913 Northland Drive, Madison 53704 (242-8572-H), to serve in a seat as a representative of accessibility. Ms. Wiese led the organizing and managing of the Northside Farmer's Market. She is Board President of the Northside Community Co-op, which oversees the market, and represents the Co-op on the Northside Planning Council. She has a Ph.D. in Physics and spent several years as a research scientist. She served on the Local Food Policy Advisory Subcommittee. This term will expire 4/10/07.

Ken Ruegsegger, 75 York Valley Road, Blanchardville 53516 (523-4705-H, 558-5566-W), to serve in a seat as food system representative. Mr. Ruegsegger served on the Local Food Policy Advisory Subcommittee. Mr. Ruegsegger is a former dairy farmer and construction business owner. Currently, Ruegsegger Farms Natural Meats features all natural beef, veal, pork, lamb, chicken, turkey, eggs, and distributes exotic meats such as bison, elk, and ostrich. He operates a "Natural Food Store" in Blanchardville. This term will expire 4/11/06.

Metropolitan Planning Council

David Kluesner, 1609 Blue Ridge Trail, Waunakee 53597 (849-7189-H), due to the resignation of Kristine Euclide. Mr. Kluesner is Regional Public Affairs Manager for International Paper, directing company government relations activities in Wisconsin, Illinois, Indiana, Iowa, Michigan, Minnesota, and Missouri. His responsibilities include directing state and federal lobbying, regulatory affairs, political activities, community outreach programs, and media relations for four paper mills, 25 converting facilities, 13 distribution centers, and a forest resources operation. Prior to that, he served as a Policy Advisor to Governor Thompson for four years and was a Legislative Liaison, serving as the Governor's chief advocate before the State Assembly. Mr. Kluesner has a B.S. in Public Administration and Political Science from the University of Wisconsin-LaCrosse. This term will expire 4/1/07.

Lisa MacKinnon, 2626 Stevens Street, Madison 53705 (231-2513-H, 663-9049-W), to be reappointed. This term will expire 4/1/07.

Supervisor Al Matano, 3745 Ross St., Madison 53705 (238-3045H, 267-6848W), to be reappointed. This term will expire 4/1/07.

Submitted by Supervisor Kesterson, November 17, 2005 (p. 221, 05-06).
Referred to EXECUTIVE.

RES. 204, 05-06

ACCEPTING FUNDS FROM THE STATE OF WISCONSIN AND ACTING AS PURCHASING AGENT FOR DANE COUNTY MUNICIPALITIES FOR HANDICAPPED ACCESSIBLE VOTING MACHINES

WHEREAS, the Help America Vote Act (HAVA), enacted by Congress in 2002, provides that every polling place must be equipped with a handicapped accessible voting machine, effective January 1, 2006, and that every person must be able to cast his or her ballot without assistance, if they choose; and

WHEREAS, no handicapped accessible equipment has been certified by the Wisconsin State Elections Board, but certification is expected on November 30, 2005, for several manufacturers including Election Systems and Software, Inc., whose "Automark" has been developed to comply with HAVA; and

WHEREAS, in Dane County, all municipalities using an optical scan voting system use the Eagle IIP machine, which counts the votes cast on paper ballots electronically, and is completely compatible with the "Automark," and is expected to be certified on November 30, 2005; and

WHEREAS, there are 153 polling places in Dane County, and the State Elections Board will pay \$6,000 per polling place for the purchase of the machines, and if the machines cost less than that amount, any money left over would be used for maintenance agreements and coding of ballots; and

WHEREAS, as the cost of the handicapped accessible machines is estimated to be \$4,500, there will be sufficient funds to cover maintenance agreements and coding of ballots for a period of time; and

WHEREAS, even though the County Clerk's office will be doing coding for the municipalities of Dane County, the state will not pay for a machine for this office, but with a Memorandum of Understanding (MOU) to be signed by each municipality, a machine will be purchased using part of the remaining funds.

NOW, THEREFORE, BE IT RESOLVED that the County Clerk accept the funds from the State Elections Board in the amount of \$918,000 to pay for the handicapped accessible voting equipment for 153 polling places, and act as purchasing agent for the purchase of the machines.

BE IT FURTHER RESOLVED that the County Clerk be authorized to sign a Memorandum of Understanding (MOU) with each municipality to purchase the equipment, administer the remaining funds, and purchase a handicapped accessible voting machine for the purpose of coding/testing ballots.

BE IT FINALLY RESOLVED that the following accounts be created to receive and expend the funds from the State Elections Board:

CPCLERK NEW Handicapped Accessible Voting Eq Expense \$918,000
CPCLERK NEW Handicapped Accessible Voting Eq Revenue \$918,000

Submitted by Supervisor Brown, November 17, 2005 (p. 222, 05-06).
Referred to PERSONNEL/FINANCE.

COMMUNICATIONS

Notice Of Event Giving Rise to Claim from Mary A. Reynolds against Jail – claims sexual harassment. Referred to PUBLIC PROTECTION/JUDICIARY.

Ozaukee County Res. 05-52, Alternate Exemption from the County Library Tax. Referred to EXECUTIVE.

Ozaukee County Res. 05-51, Opposition to Public Library District Legislation. Referred to EXECUTIVE.

ZONING PETITIONS

Petitions for Zoning Reclassification. Referred by Clerk Ohlsen to ZONING & LAND REGULATION.

Petition 9384 – Town of Blooming Grove – William Blatterman LLC

9385 – Town of Oregon – Rachel A. & Craig W. Schley

9386 – Town of Vienna – Cynthia Smith

9387 – Town of Roxbury – David Haas & Heather Roundy

9388 – Town of Oregon – Daniel E. & Patricia A. Levine

9389 – Town of Cross Plains – Terry L. & Kathleen Harbes

9392 – Town of Primrose – Kurt L. & Susan Christensen

9393 – Town of Vienna – Lawrence L. McMullin
9395 – Town of Windsor – Dennis Kirch Construction
9396 – Town of Blue Mounds – Thomas L. & Nancy E. Sutter
9397 – Town of Perry – John T. Mlsna
9398 – Town of Windsor – Susan Hughes
9399 – Town of Oregon – Giles F. & Monica Gobel
9400 – Town of Perry – Homes 4 Wisconsin LLC
9401 – Town of Albion – Helen Everson
9402 – Town of Dunkirk – Richard Tefo
9403 – Town of Oregon – Evelyn E. Haas
9408 – Town of Pleasant Springs – Herbert J. & Cathleen A. Rowin

RES. 205, 05-06

AUTHORIZING AN AGREEMENT TO PROVIDE
INTEROPERABILITY AND SYSTEMS ENGINEERING SERVICES

Dane County Public Safety Communications requires engineering services to provide the preliminary design of a communication system to upgrade or replace Dane County's current radio system. The study shall include, but not be limited to, evaluation of the following county public safety infrastructure; Law Enforcement, Fire, EMS, Highway, Emergency Government, dispatch, and mobile data system. The 2005 budget includes funds for this study.

The Public Safety Communications Director, along with members of the Technology Committee, will oversee the project on behalf of the county.

Dane County issued RFP#105080 on June 27, 2005, and received eight responses. After grading, interviews, and best and final offers, Federal Engineering, Inc., of Fairfax, Virginia, was selected.

NOW, THEREFORE, BE IT RESOLVED that Dane County enter into this Agreement with Federal Engineering, Inc., with the cost being \$99,990.

FINALLY BE IT RESOLVED that the Dane County Executive and the Dane County Clerk authorize this agreement with Federal Engineering, Inc.

Submitted by Supervisor Salov, November 17, 2005 (p. 224, 05-06).
Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

RES. 207, 05-06

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.

Wisconsin River Rail Transit Commission

Jim Haefs-Flemming, 618 Charles Lane, Madison 53711 (233-8391-H, 327-7146-W), to fill a citizen seat. Mr. Haefs-Flemming is a Bereavement Counselor for Hospice Care, Inc. He has a B.A. degree in Secondary Education/History and a B.S. degree in Social Work. He worked for the Waunakee Senior Center for six years before joining Hospice Care. He has studied rail issues extensively throughout Wisconsin, especially those in the south central region. He is interested in freight transport concerns, and has interviewed many businesses on former freight rail lines and dozens of former railroad employees. He has a good understanding of safety issues, of the history of rail in the area, and what it takes to make rail projects in the south central region effective. This term will expire 4/18/08.

Youth Commission

Kelli A. Taylor, 307 North Lexington Parkway, DeForest 53532 (846-7904-H, 249-2111x44517-W), due to the resignation of Dr. Barbara O'Connell. Ms. Taylor is a processor at American Family Insurance Company. She

has had formal training in childcare, has volunteered with Briarpatch, and is an active volunteer in her community working with youth. This term will expire 4/18/06.

Submitted by Supervisor McDonell, December 1, 2005 (p. 225, 05-06).
Referred to EXECUTIVE.

RES. 208, 05-06

ENCOURAGING THE USE OF ELECTRONIC MEDIA FOR
THE DISTRIBUTION OF COUNTY NOTICES AND AGENDAS

The vast majority of people and organizations engaged in the daily discourse and business of Dane County use electronic communication and the Internet. As this trend continues, there is less need for mailing printed copy of routine notices and announcements. Agendas, minutes, and reports are easily delivered electronically at a far lower cost in postage and paper. More significantly, staff must spend time preparing these mailings when electronic delivery can be done instantly.

The cost of postage through the U. S. mail will be increasing to \$0.39 per ounce in January 2006. While this is a small incremental change, the total cost for postage for the delivery of routine notices is significant. For example, the mailing for the Health and Human Needs Committee agendas and minutes is mailed on a weekly basis to more than 60 addresses. At the new postage rate, distribution of materials for this one committee in 2006 will cost more than \$1,123 in postage and an uncalculated amount of staff time.

The county should still provide hard copies of notices, agendas and materials should be available at meetings for those in attendance who did not get the electronic mail or for those who did not bring those items to the meetings. Notices that require the use of the U. S. Postal Service and those who require a special accommodation for hard copy of routine notices will continue to be served by the County's delivery by the U. S. Postal Service.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board and all county committees, boards, and commissions are encouraged to, whenever possible, use electronic notification of routine communications for agendas, minutes, and reports, including posting on the Dane County website, and develop procedures to reduce the number of mailings through the regular mail, whenever appropriate; and

BE IT FURTHER RESOLVED that meeting minutes and agendas should continue to be posted in accordance with Dane County policy by timely transmission to the County Clerk's Office; and

BE IT FINALLY RESOLVED that all committee, board, and commission staff work with the appropriate officers to accomplish the goals of increased use of electronic media and reduced reliance on regular mail.

Submitted by Supervisors Bruskewitz, Worzala, Vogel, Wiganowsky, O'Loughlin, Willett, and Hendrick, December 1, 2005 (p. 225, 05-06).

Referred to EXECUTIVE and PERSONNEL/FINANCE.

RES. 209, 05-06

ACCEPTING DONATION FROM TRI-COUNTY APPLIANCE
FOR THE DANE COUNTY EXTENSION OFFICE

Two of the Dane County Extension's educational programs, the Family Living Program and Wisconsin Nutrition Education Program, use a demonstration kitchen housed at the Lyman Anderson Center for teaching citizens nutrition, food preservation, and food safety. The performance of the old refrigerator in this kitchen had declined to the point that it became a food safety issue. Tri-County Appliance of Oregon, Wisconsin, has graciously donated a newer, larger refrigerator for Extension educators to use to store program educational supplies.

NOW, THEREFORE, BE IT RESOLVED the Dane County Board extends its thanks and appreciation to Tri-County Appliance of Oregon, Wisconsin, and accepts this generous donation toward food safety, food preservation, and nutrition education programs in Dane County.

Submitted by Supervisors Jensen, Vogel, and Wheeler, December 1, 2005 (p. 226, 05-06).
Referred to PERSONNEL/FINANCE.

RES. 210, 05-06

AUTHORIZING PURCHASE OF INSURANCE

The adopted 2006 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 2006 budget.

NOW, THEREFORE, BE IT RESOLVED that the County Controller be authorized to pay the premiums for these contracts.

Submitted by Supervisors Brown, Wiganowsky, Vogel, O'Loughlin, Willett, and Fyrst, December 1, 2005 (p. 226, 05-06).
Referred to PERSONNEL/FINANCE.

RES. 211, 05-06

AWARD OF CONTRACT FOR DANE COUNTY JUVENILE DETENTION ASBESTOS REMEDIATION

The Public Works, Highway and Transportation Department reports the receipt of bids for the Dane County Juvenile Detention Asbestos Remediation, Bid No. 105147.

The low qualified bidder is:_____. Contract Amount: \$_____

The Public Works staff finds the amount to be reasonable and recommends the bid be awarded to _____ in the amount of \$_____.

There are sufficient funds in the Budget for this project.

NOW, THEREFORE, BE IT RESOLVED that the Contract be awarded to _____.

BE IT FURTHER RESOLVED that the County Executive and County Clerk are authorized to sign the necessary documents.

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

BE IT FINALLY RESOLVED that the Public Works, Highway and Transportation Department 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 Fyrst, December 1, 2005 (p. 227, 05-06).

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

RES. 212, 05-06

AWARD OF CONTRACT FOR DANE COUNTY JUVENILE DETENTION DEMOLITION

The Public Works, Highway and Transportation Department reports the receipt of bids for the Dane County Juvenile Detention Demolition, Bid No. 105146.

The low qualified bidder is:_____. Contract Amount: \$_____

The Public Works staff finds the amount to be reasonable and recommends the bid be awarded to _____ in the amount of \$_____.

There are sufficient funds in the Budget for this project.

NOW, THEREFORE, BE IT RESOLVED that the Contract be awarded to _____.

BE IT FURTHER RESOLVED that the County Executive and County Clerk are authorized to sign the necessary documents.

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

BE IT FINALLY RESOLVED that the Public Works, Highway and Transportation Department 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 Fyrst, December 1, 2005 (p. 228, 05-06).
Referred to PERSONNEL/FINANCE and PUBLIC WORKS/ TRANSPORTATION.

RES. 213, 05 – 06

AUTHORIZING EXCHANGE OF QUIT CLAIM DEEDS TO RESOLVE LOT LINE DISCREPANCY
AT FESTGE COUNTY PARK

In 1972 Dane County acquired approximately 7.6 acres of land for Festge County Park from Henry and Irene Raemisch. The legal description conveying the property and the survey from which it was derived were incomplete.

A discrepancy was discovered when Luke and Tiffany François, the neighbors to the west of this part of Festge Park, petitioned the county for a land division by Certified Survey Map. The François east property line had a different description than the county's west property line. Surveyor Thom Grenlie determined that there was no overlap of the parcels and that the two lot line descriptions were very close when he reconstructed the county lot description.

In order to avoid future title problems, the François' agreed to exchange Quit Claim Deeds establishing a common boundary line between their property and Festge County Park. A Quit Claim Deed from the François' would extinguish any future claim they might have on the land easterly of the agreed upon common boundary, and a Quit Claim Deed from Dane County would extinguish any future claim the county might have on land westerly of the agreed upon common boundary.

NOW, THEREFORE, BE IT RESOLVED that the County of Dane does hereby approve and authorize the exchange of the Quit Claim Deeds described above, and

BE IT FURTHER RESOLVED that the County Executive and County Clerk be authorized to execute a Quit Claim Deed to the François on behalf of the County of Dane in order to expedite the exchange and establish the agreed upon common boundary.

Submitted by Supervisor Wendt, December 1, 2005 (p. 228, 05-06).

Referred to PUBLIC WORKS/TRANSPORTATION, ENVIRONMENT/AGRICULTURE/NATURAL RESOURCES, and PARK COMMISSION.

RES. 214, 05-06

AWARDING CONTRACT TO THE DANE COUNTY HUMANE SOCIETY

The 2006 budget included \$504,877 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 24-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, 2006, through December 31, 2006, in the amount of \$504,877 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, Wiganowsky, O'Loughlin, Willett, and Fyrst, December 1, 2005 (p. 229, 05-06).

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

RES. 215, 05-06

ACCEPTING ADDITIONAL 2005 INTOXICATED DRIVER REVENUE
DEPARTMENT OF HUMAN SERVICES – CYF DIVISION

This resolution accepts \$61,000 of new State Supplemental/Emergency Intoxicated Driver revenue for CY2005 for purposes of expanding intoxicated driver treatment services provided under contract. This is one-time revenue that can only be expended for intoxicated driver treatment services in 2005. This resolution also accepts and expends an additional \$20,000 of Intoxicated Driver Surcharge revenue in 2005. Intoxicated Driver Surcharge revenue can only be expended for treatment of intoxicated drivers. Currently there exists a waitlist for such treatment services. Contracts with current treatment provider agencies will be amended for 2005 based on services provided.

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. Any Intoxicated Driver Surcharge revenue not expended in 2005 shall be carried forward to 2006 and in future years.

<u>Revenue Account Number</u>	<u>Account Title</u>	<u>Amount</u>
CYFCFAP 80813	Intox Driver - Emergency	\$ 61,000
CYFCFAP 80815	Intoxicated Driver Surcharge	\$ 20,000
	Total Revenue:	\$ 81,000
<u>Expenditure Account Number</u>	<u>Account Title</u>	<u>Amount</u>
CYFCFTBD CZIDAA (New)	TBD – Intoxicated Driver Treatment	\$ 81,000
	Total Expenditure:	\$ 81,000

BE IT FINALLY RESOLVED that excess revenues and unspent funds from 2005 be carried forward for expenditure in 2006. Additionally, the revenue and expense lines listed above shall be set up for indefinite carry forward for future years.

Submitted by Supervisors Worzala and Fyrst, December 1, 2005 (p. 229, 05-06).
 Referred to HEALTH/HUMAN NEEDS and PERSONNEL/FINANCE.

 RES. 216, 05-06

ACCEPTING CITY OF MADISON DEPARTMENT OF PUBLIC HEALTH REVENUES –
 PUBLIC HEALTH DIRECTOR -- DCDHS–PUBLIC HEALTH DIVISION

The purpose of this resolution is to accept revenue from the City of Madison for one-half of the salary plus benefits for the joint director of City of Madison and Dane County Public Health. It also increases the FTE (full-time equivalency) from 0.5 FTE to 1.0 FTE. The interagency agreement (IGA) between the City of Madison and Dane County allows for the joint director to choose whether he would be an employee of the City or the County. The entity not chosen as the employing agency, according to the IGA, must pay the employing agency one-half of the salary plus benefits. The new joint director has chosen to be an employee of Dane County. The salary of the new joint director will begin at \$118,360. In three months after the hire, the salary will increase to \$125,000. Six months after the initial date of hire the salary shall increase to \$130,000.

In the 2006 Adopted Budget, the Public Health Director’s position was included as a 0.5 FTE. Now that the joint director has chosen to become an employee of the County, the position authority needs to be increased to 1.0 FTE.

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

Revenue Account Number	Account Title	Amount
PHADM 80775	Public Health Director Revenue	\$79,360
	Total	\$79,360

Expenditure Account Number	Account Title	Amount
PHADMN AAYAAA	Salary and Wages	\$63,144
PHADMN AAYMAA	Retirement	\$7,388
PHADMN AAYPAA	Social Security	\$3,836
PHADMN AAYSAA	Health	\$5,540
PHADMN AAZBAA	Dental	\$580
PHADMN AAZHAA	Disability Insurance	\$123
PHADMN AAZKAA	Life Insurance	\$12
PHADMN AAZXAA	Salary Savings	(\$1,263)
	Total	\$79,360

BE IT FURTHER RESOLVED that the Public Health Director position be increased from 0.5 FTE to 1.0 FTE and the increase be funded with revenue from the City of Madison Department of Public Health.

BE IT FINALLY RESOLVED that the increase in FTE from 0.5 to 1.0 be contingent on present and future funding from the City of Madison Department of Public Health or the Joint Board of Health per the IGA.

Submitted by Supervisors Kostelic, Worzala, and Fyrst, December 1, 2005 (p. 231, 05-06).

Referred to HEALTH/HUMAN NEEDS, PERSONNEL/FINANCE, and BOARD OF HEALTH FOR MADISON & DANE COUNTY.

RES. 217, 05-06

ACCEPTING 12 LEAD PROGRAM GRANT FUNDS

The purpose of this resolution is to accept 12-Lead Program Grants and adjust revenue and expenditures for FY2006 and FY2007 accordingly.

In August 2005, Dane County EMS applied for multiple grants to be used towards the Dane County 12-Lead Program. In December 2005, we were notified that one of the Foundations had committed funding towards the project.

The funds will be used towards equipment upgrades, supplies, and training of 12-Lead Electrocardiograms in the prehospital setting. This function will improve cardiac care to all citizens of Dane County.

NOW, THEREFORE, BE IT RESOLVED that \$250 be set up as additional revenue in the Emergency Management, Emergency Medical Services Revenue account, _____ and be credited to the General Fund.

BE IT FURTHER RESOLVED that \$250 be transferred from the General Fund to the following Emergency Management, Emergency Medical Services account _____ (account number to be issued by 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 2006 to the 2007 budget period.

Submitted by Supervisors Salov, Martz, and Schoer, December 1, 2005 (p. 231, 05-06).

Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

RES. 218, 2005-06

ACCEPTING VIRGINIA ECKE ESTATE BEQUEST
TO JUVENILE COURT PROGRAM - SHELTER HOME BUDGET

Ms. Virginia Ecke was an employee of Dane County for nearly 30 years, including approximately 15 years in the Juvenile Court Program. Ms. Ecke passed away in 2004 and bequeathed a portion of her estate to the Juvenile Court Shelter Home for the purposes of providing support to youth placed at the Dane County Shelter Home. This resolution accepts \$40,029.00 for this purpose and creates a designated account for these funds.

Monies will be used to meet miscellaneous Shelter Home youth needs (e.g. educational support, clothing, program materials, and equipment, etc.) in a manner consistent with the spirit of Ms. Ecke's exceptional service and commitment to youth.

NOW, THEREFORE, BE IT RESOLVED the 2005 budget be modified as follows:

JCSHLHM – new	Ecke Memorial Fund Rev.	\$40,029
JCSHLHM – new	Ecke Memorial Fund Exp.	\$40,029

BE IT FURTHER RESOLVED that the county is authorized to accept additional donations to the Virginia Ecke Memorial Fund to provide support for youth placed at the Shelter Home; and

BE IT FURTHER RESOLVED that revenues in excess of expenditures in these accounts be carried forward into 2006 and subsequent years until all moneys are fully expended.

Submitted by Supervisors Fyrst, Rusk, and Olsen, December 1, 2005 (p. 232, 05-06).
Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

COMMUNICATIONS

- Summons & Complaint, Case #05CV3805, Victoria M. Tomcany and Dean Health Plan, Inc., vs County of Dane, William LeGore, and Wisconsin Municipal Insurance Company. Referred to PUBLIC PROTECTION/JUDICIARY.
- Claim form Thomas W. Zach against Jail – claims medication denied him while incarcerated. Referred to PUBLIC PROTECTION/JUDICIARY.
- Grant County Res. #42-04, Supporting AB802 and Similar Legislation that Would Require That the State of Wisconsin More Equitably Share Federal IGT with Local Governments that Operate Nursing Homes. Referred to EXECUTIVE.
- Racine Co. Res. 2005-106, Opposing AB 756 and Any Other Legislation That Would Shift Sheriff's Department Patrol and Investigative Costs to Small Municipalities. Referred to EXECUTIVE.
- Racine Co. Res. 2005-107, Supporting AB802 and Similar Legislation that Would Require That the State of Wisconsin More Equitably Share Federal IGT with Local Governments that Operate Nursing Homes. Referred to EXECUTIVE.
- Columbia Co. Res. 35-05, Supporting Draft Legislation AB802 and Similar Legislation that Would Require That the State of Wisconsin More Equitably Share Federal IGT with Local Governments that Operate Nursing Homes. Referred to EXECUTIVE.
- Columbia Co. Res. 36-05, Removing Mental Health Inpatient Costs from the Property Tax. Referred to EXECUTIVE.
- Dunn Co. Res. 115-2005, Supporting AB 802. Referred to EXECUTIVE.
- Dunn Co. Res. 114-2005, Supporting AB 257 and SB 126. Referred to EXECUTIVE.
- Dunn Co. Res. 111-2005, Supporting AB 208. Referred to EXECUTIVE.
- Polk Co. Res. 84-05, Supporting LRB 3832 and Similar Legislation that Would Require That the State of Wisconsin More Equitably Share Federal IGT with Local Governments that Operate Nursing Homes. Referred to EXECUTIVE.
- Adams Co. Res. 11-168, Supporting AB 257 and SB 126, Publishing Requirements for Ordinances. Referred to EXECUTIVE.
- Marathon Co. Res. R-62-05, Supporting LRB 3832. Referred to EXECUTIVE.
- Langlade Co. Res. 106-2005, Request Action Regarding Statewide Referendums to Fund Human Services and Court-Related Services. Referred to EXECUTIVE.
- Rock Co. Res. Supporting LRB 3832 Pertaining to IGT. Referred to EXECUTIVE.

RES. 219, 05-06

AUTHORIZING ADDENDUM TO EMPLOYMENT AGREEMENT FOR DIRECTOR OF PUBLIC SAFETY COMMUNICATIONS CENTER (RICHARD W. "DUKE" ELLINGSON)

The incumbent holding the position of director of the Public Safety Communications Center and the County Executive have previously entered into an employment services agreement, which expires on January 3, 2006. This agreement contains a provision allowing the County Executive to offer to renew the agreement. Consistent with the budget, county ordinances, and existing practice for employment contracts, an addendum to employment agreement has been negotiated with Richard W. Ellingson. This addendum renews the contract of the incumbent director of the Public Safety Communications Center and 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 addendum to employment services contract with Richard W. Ellingson to serve as director of the Public Safety Communications Center for an additional two-year period ending on January 3, 2008, at a salary of \$86,000.

Submitted by Supervisor McDonell, December 6, 2005 (p. 233, 05-06).
Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

RES. 220, 05-06

AUTHORIZING A JAIL INMATE HOUSING AGREEMENT WITH WINNEBAGO COUNTY

WHEREAS, Dane County and its Sheriff are required to house prisoners committed to its custody by lawful authority; and

WHEREAS, the number of prisoners committed to the custody of the Dane County Sheriff has exceeded the capacity of the Dane County Jail since 1999; and

WHEREAS, the Dane County Sheriff has housed a portion of the overflow jail population in other county jails in Wisconsin since 2001; and

WHEREAS, the Dane County Executive and Dane County Board of Supervisors have budgeted funds to pay other counties to board these overflow Dane County Jail prisoners.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Sheriff, Dane County Executive and Dane County Clerk are hereby authorized to execute, on behalf of Dane County, a contract with Winnebago County, WI to house Dane County Jail inmates during calendar year 2006.

Submitted by Supervisor Olsen, December 8, 2005 (p. 233, 05-06).
Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

ORD. AMDT. 21, 05-06

AMENDING CHAPTER 9 OF THE DANE COUNTY CODE OF ORDINANCES,
REGARDING STATEMENTS OF ECONOMIC INTEREST

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 (1) of section 9.60 of the Dane County Code of Ordinances is amended to read as follows:

9.60 STATEMENTS OF ECONOMIC INTEREST. (1) All county officials and county employees shall file a disclosure statement, except that county employees ~~outside of the ten highest salary ranges in the managerial and professional salary schedule covered by a collective bargaining agreement~~ need not do so.

(2) Notwithstanding sub. (1), an employee hired under an employment contract shall file a disclosure statement.

[EXPLANATION: The amendment clarifies that employees covered by a collective bargaining agreement are exempt from the requirement to file a statement of economic interest.]

Submitted by Supervisors Hulsey, Hendrick, Eggert, Matano, Olsen, Opitz, Erickson, E. Vedder, and Fyrst, December 15, 2005 (p. 234, 05-06). Fiscal and Policy Notes not required.

Referred to EXECUTIVE and PERSONNEL/FINANCE.

ORD. AMDT. 22, 05-06

AMENDING CHAPTER 7 OF THE DANE COUNTY CODE OF ORDINANCES,
CREATION OF A COMMITTEE ON COMPENSATION FOR COUNTY ELECTED OFFICIALS

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)(e) of the Dane County Code of Ordinances is created to read as follows:

(1) The committee on compensation for county elected officials, composed of the county board chairperson, the county board first vice-chair, and the chairpersons of each of the following committees: Environment and Natural Resources, Health and Human Needs, Personnel and Finance, Public Protection and Judiciary, Public Works and Transportation, and Zoning and Land Regulation;

ARTICLE 3. Section 7.16 of the Dane County Code of Ordinances is created to read as follows:

7.16 [COMMITTEE ON COMPENSATION FOR COUNTY ELECTED OFFICIALS]. The Dane County Committee on Compensation for County Elected Officials (hereinafter "Committee") shall have the duties and responsibilities as set forth herein:

- (1) A quorum of the Committee shall be six (6) of the eight (8) members.
- (2) Any decision of the Committee must be reached by a vote of five (5) of the eight (8) members of the Committee even in circumstances in which the Committee acts with a quorum of fewer than eight (8) members. Any tie vote of 4-4 results in failure of the measure voted on.

- (3) The Committee shall determine compensation packages for all county elected officials. In order to determine appropriate compensation for county elected officials, the following procedure is established:
- (a) The Director of the Department of Administration must submit a plan for compensation for all county elected officials (hereinafter "Plan"), to the committee no later than August 15 of the year preceding each year in which an election is held for the respective offices.
 - (b) No later than September 15 of the year preceding each year in which an election is held for the respective offices, the Committee shall hold a public hearing on the proposed Plan.
 - (c) No later than November 1 of the year preceding each year in which an election is held for the respective offices, the Committee shall make one of the following determinations regarding the Plan submitted by the Director of the Department of Administration:
 - i. Approve the Plan as submitted,
 - ii. Modify the Plan, or
 - iii. Reject the Plan in its entirety.
 - (d) Within seven days of the date on which the Committee makes its determination pursuant to subparagraph (c) of this subsection, the county executive shall have the authority to veto the Plan as follows:
 - i. If the Plan has been approved in its entirety, the county executive may veto the plan only in its entirety.
 - ii. If the Plan has been modified by the Committee, the county executive may veto either the modifications or the Plan in its entirety. The county executive may not veto individual provisions of the Plan that have not been modified by the Committee.
 - (e) If the Committee rejects the Plan in its entirety, the county executive shall have no power to veto this decision. In this event, the compensation plan in place during the preceding term of office for the affected office(s) shall be the compensation plan for the upcoming term.
 - (f) If, by November 1 of the year preceding each year in which an election is held for the respective offices, the Committee fails to take any of the actions listed in subparagraph (c) of this subsection, the county executive shall have no veto power. In this event, the Plan submitted pursuant to subparagraph (a) of this subsection shall be the compensation plan for the upcoming term.
 - (g) A vote of six (6) of the eight (8) Committee members is required to override any veto by the County Executive.
 - (h) If the county executive vetoes the Plan in its entirety pursuant to subparagraph (d)(i) or (d)(ii) of this subsection, and that veto is not overridden by a sufficient vote of the Committee, the compensation plan currently in place for the affected office(s) shall be the compensation plan for the upcoming term.
 - (i) If the county executive vetoes any of the modifications made to the Plan by the Committee and that veto is not overridden by a sufficient vote of the Committee, then to the extent that the modifications were vetoed, the Plan as submitted pursuant to subparagraph (a) of this subsection shall be the compensation plan for the upcoming term of the affected office(s). Any modifications which are not vetoed, or for which the veto is overridden by a sufficient vote of the Committee shall be incorporated into the compensation plan for the upcoming term of the affected office(s).
- (4) If the Committee fails to hold a hearing pursuant to subsection(3)(b) above, then the hearing required by Sec. 29.23 of the Dane County Ordinances shall suffice as the public hearing required by subparagraph (3)(b).

ARTICLE 4. Section 7.14 of the Dane County Code of Ordinances is amended to read as follows:

- (1) Subsection (15) shall be deleted and reserved for future use.
- (2) Subsection (16) shall be deleted and reserved for future use.

(3) Subsection (18) shall be deleted and reserved for future use.

[EXPLANATION: The amendments create a new standing committee of the board known as the Committee on Compensation for County Elected Officials (Article 2) and sets out new procedures for that Committee to set compensation packages for all county elected officials, county board supervisors and the county executive (Article 3). Article 4 amends the duties of the Personnel and Finance Committee to conform with the new committee]

Submitted by Supervisors Fyrst and Brown, December 15, 2005 (p. 236, 05-06). Fiscal and Policy Notes not required.

Referred to EXECUTIVE and PERSONNEL/FINANCE.

RES. 221, 05-06

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.

South Central Library System Board

Gary Poulson, 637 Charles Lane, Madison 53711 (233-0914-H), to be reappointed. This term will expire 12/31/08.

Patricia J. Peterson Iaccarino, 4302 Mohawk Drive, Madison 53711 (277-5904-H, 263-4540-W), to be reappointed. This term will expire 12/31/08.

Janet D. Pugh, 5021 Tomahawk Trail, Madison 53705 (233-2139-H, 266-2832-W), to be reappointed. This term will expire 12/31/08.

Jaime Healy-Plotkin, 304 North Pinckney Street, Madison 53703 (235-0745-H), to fill the expired term of Anne Iwata. Ms. Healy-Plotkin received her Master's degree in Library and Information Studies from the University of Wisconsin-Madison. She is a Librarian at the Veterans Museum Archives. She has volunteered for Wisconsin Public Radio, for the Veterans Museum, and for local political events. This term will expire 12/31/08.

South Central Rail Transit Commission

Jim Haefs-Flemming, 618 Charles Lane, Madison 53711 (233-8391-H, 327-7146-W), due to the resignation of Chris Klar. Mr. Haefs-Flemming is a Bereavement Counselor for Hospice Care, Inc. He has a B.A. degree in Secondary Education/History and a B.S. degree in Social Work. He worked for the Waunakee Senior Center for six years before joining Hospice Care. He has studied rail issues extensively throughout Wisconsin, especially those in the south central region. He is interested in freight transport concerns, and has interviewed many businesses on former freight rail lines and dozens of former railroad employees. He has a good understanding of safety issues, of the history of rail in the area, and what it takes to make rail projects in the south central region effective. This term will expire 4/18/06.

Submitted by Supervisor McDonell, December 15, 2005 (p. 236, 05-06). Fiscal and Policy Notes not required.

Referred to EXECUTIVE.

AN INITIAL RESOLUTION AUTHORIZING GENERAL OBLIGATION CORPORATE PURPOSE BONDS OR
PROMISSORY NOTES IN AN AMOUNT OF NOT TO EXCEED \$18,940,000 AND GENERAL OBLIGATION
REFUNDING BONDS IN AN AMOUNT OF APPROXIMATELY \$8,500,000

WHEREAS, the County Board of Supervisors (the "County Board") of Dane County, Wisconsin (the "County") hereby finds and determines that it is necessary, desirable and in the best interest of the County to issue, pursuant to Chapter 67, Wisconsin Statutes, General Obligation Corporate Purpose Bonds and/or Promissory Notes in an amount of not to exceed \$18,940,000 for the purpose of paying the cost of various items included in the County's Capital Budget including but not limited to: improving, renovating, remodeling and repairing various County buildings and facilities; acquiring and replacing vehicles and equipment; improving highways; undertaking various conservation projects and paying related planning and financing costs and professional fees (the "Project") as set forth with estimated amounts below:

<u>Administration Projects</u>	<u>Amount</u>
Automation Projects	\$ 350,000
Administrative Building Projects	\$ 1,117,600
<u>Public Safety Projects</u>	
Sheriff Vehicles and Equipment	\$ 667,860
Work Release/Alcohol and Drug Treatment Center	\$ 1,000,000
Emergency System Projects	\$ 485,800
<u>Human Service Projects</u>	
Human Services Building Repairs and Equipment	\$ 267,800
Badger Prairie Facility Plans	\$ 2,150,000
<u>Planning and Conservation Projects</u>	
Conservation Projects and Equipment	\$ 270,600
Park Projects	\$ 255,000
Stormwater Retention Projects	\$ 100,000
Streambank Projects	\$ 100,000
Conservation Funds	\$ 6,472,800
<u>Public Works Projects</u>	
Parking Ramp Renovation	\$ 500,000
Yahara River Locks Renovation	\$ 141,600
Zoo Projects	\$ 3,150,000
Alliant Energy Center Planning Study	\$ 100,000
Willow Island Improvements	\$ 100,000
Highway Projects	\$ <u>1,517,000</u>
Total	\$ <u>18,746,060</u>

WHEREAS, the County Board finds and determines that the Project is within the County's power to undertake and serves a "public purpose" as that term is defined in Section 67.04(1)(b) of the Wisconsin Statutes;

WHEREAS, counties are authorized by the provisions of Chapter 67 of the Wisconsin Statutes to borrow money and to issue general obligation corporate purpose bonds or promissory notes (collectively, such bonds or notes shall be referred to herein as the "Series 2006A Bonds or Notes") for such public purposes;

WHEREAS, the County Board hereby finds and determines that it is necessary, desirable and in the best interest of the County to issue, pursuant to Chapter 67, Wisconsin Statutes, General Obligation Refunding Bonds in an amount of approximately \$8,500,000 for the purpose of paying the cost of refinancing certain outstanding County obligations, to wit: \$11,725,000 General Obligation Corporate Purpose Bonds, Series 2000A, dated November 1, 2000 (the "2000A Bonds");

WHEREAS, the County Board deems it to be necessary, desirable and in the best interest of the County to refund the 2000A Bonds for the purpose of restructuring the County's outstanding debt; and

WHEREAS, counties are authorized by the provisions of Chapter 67 of the Wisconsin Statutes to borrow money and to issue general obligation refunding bonds (the "Series 2006B Bonds") to refinance their outstanding obligations (collectively, the Series 2006A Bonds or Notes and the Series 2006B Bonds shall be referred to herein as the "Bonds").

NOW, THEREFORE, BE IT RESOLVED by the County Board of the County that:

Section 1. Authorization of the Bonds. For the purpose of paying the cost of the Project, there shall be borrowed pursuant to Chapter 67 of the Wisconsin Statutes, the principal sum of not to exceed EIGHTEEN MILLION NINE HUNDRED FORTY THOUSAND DOLLARS (\$18,940,000) and for the purpose of paying the costs of the Refunding, there shall be borrowed pursuant to Chapter 67 of the Wisconsin Statutes, the principal sum of approximately \$8,500,000, and the Bonds shall be issued to a purchaser or purchasers to be determined by subsequent resolutions of the County Board.

Section 2. Notices of Sale. The County Clerk (in consultation with the County's financial advisor) is hereby authorized and directed to cause notices of the sale of the Bonds to appear in such newspapers and at such times as the County Clerk may determine.

Section 3. Official Notices of Sale. The County Clerk (in consultation with the County's financial advisor) shall also cause Official Notices of Sale to be prepared and distributed and may prepare or cause to be prepared and distributed Official Statements or other forms of offering circular.

Section 4. Award of the Bonds. Following receipt of bids for the Bonds, the County Board shall consider taking further action to provide the details of the Bonds; to ratify the Notices of Sale; to award the Bonds to the lowest responsible bidder or bidders therefor; and to levy a direct annual irrevocable tax sufficient to pay the principal of and interest on the Bonds as the same becomes due as required by law.

Section 5. Conflicting Resolutions; Severability; Effective Date. All prior resolutions, rules or other actions of the County Board or any parts thereof in conflict with the provisions hereof shall be, and the same are, hereby rescinded insofar as the same may so conflict. In the event that any one or more provisions hereof shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions hereof. The foregoing shall take effect immediately upon adoption and approval in the manner provided by law.

Submitted by Supervisors Brown, Fyrst, Hendrick, and McDonell, December 15, 2005 (p. 238, 05-06).
Referred to PERSONNEL/FINANCE.

APPROVAL OF FUNDS TO BE CARRIED FORWARD FROM 2005 INTO 2006

The 2006 budget included authorization for certain funds to be carried forward from 2005 to 2006. Those were mainly based on departmental requests that were submitted along with 2006 budget requests. Since that time, for a variety of reasons, it has been determined that additional accounts need to be carried forward to 2006.

NOW, THEREFORE, BE IT RESOLVED that the following funds unexpended and/or unrealized as of December 31, 2005, be carried forward to 2006.

Agency/Program/Account	11/30/2005 Appropriation	Actual through 11/30/2005	Projected Carryforward	
Corporation Counsel				
Office Remodeling (CRPCGNOP 47972)	6,000		6,000	
Alliant Energy Center				
Concessionaire Marketing Exp AECADMN 20652	-	1,376	6,376	(1)
Interest Concessionaire Marketing (AECADMN 84091)	-	-	-	(1)
Concessionaire Marketing Revenue (AECADMN 84090)	-	(5,000)	-	(1)
Concessionaire Maintenance Exp (AECADMN 20654)	-	-	12,473	(2)
Interest Concessionaire Maintenance (AECADMN 84331)	-	2,163	-	(2)
Concessionaire Maintenance Rev (AECADMN 84330)	-	(14,636)	-	(2)
Ag Building Upgrade (AECAGRI 47022)	13,864	-	13,864	
Arena Upgrade (AECARNA 47047)	59,557	20,056	39,501	
Coliseum Upgrade (AECCOLS 47210)	710,573	439,386	271,187	
Conference Center Upgrade (AECCONF 47278)	56,000	34,286	21,714	
Exhibition Hall Upgrade (AECXHAL 47403)	125,706	12,600	113,106	
Landscape Upgrade (AECLAND 47724)	38,682	4,691	33,991	
Parking Lot Upgrade (AEC PARK 48042)	53,430	28,626	24,804	
Technology Upgrade (AECADMN 48748)	25,061	14,811	10,250	
Energy Improvements (CPAEC 57307)	500,000	498,800	1,200	
Master Plan – Exhibition Hall (CPAEC 57407F)	100,000	69,529	30,471	
Information Management-UPS Replacement	90,000	-	90,000	
Parks – Schumacher Barn (LWRPKOP 48521)	267,694	4,668	263,026	
Airport				
Survey Funds (AIRINDUS 48712)	14,171	3,300	10,871	
Combined Federal Projects (AIRTERM 57219)	18,638,015	11,723,743	6,914,272	
BadgerPrairie Health Care Center				
Building Repair Projects (BPHCADM 47134)	89,000	81,442	7,558	

Capital Projects Fund				
Huber Facility Repairs (CPSHRF 57654)	134,232	21,546	112,686	
Huber Facility (CPSHRF 57667)	2,388,253	161,665	2,226,588	
Borrowing Proceeds (CPSHRF 84974)	(836,900)	(828,234)	(8,666)	
CAD Software Replacement (CPPUBSAF 57147)	64,747	17,421	47,326	
Radio System Replacement (CPPUBSAF 58161)	144,612	34,890	109,722	
Radio Console Replacement (CPPUBSAF 58162)	698,363	6,774	691,589	
Replace Microwave System (CPPUBSAF 58332)	1,675,000	1,619	1,673,381	
Telephone System (CPPUBSAF 58757)	50,000	378,121	(328,121)	
Borrowing Proceeds (CPPUBSAF 84974)	(358,000)	(100,000)	(258,000)	
Building Repair Project (HSCAPPRJ 58922)	86,100	54,428	31,672	
USH 12 Grant Expnse (CPPLNDEV 57698)	4,508,475	231,916	4,276,559	
USH 12 Grant Revenue (CPPLNDEV 82917)	(4,958,500)	(116,633)	(4,841,867)	
US Highway 12 USDA Expense (CPPLNDEV 57699)	854,570	-	854,570	
US Highway 12 USDA Revenue (CPPLNDEV 82902)	(427,285)	(112,658)	(314,627)	
Discovering Primates Building (CPZOO 57310)	4,018	-	4,018	
NW Quadrant - Phase IV Expense (CPZOO 57958)	128,958	-	128,958	
NW Quadrant - Phase IV Revenue (CPZOO 84319)	(130,854)	-	(130,854)	
Human Services				
NPO-Concrete Step Repair	2,000	-	2,000	
NPO-Garage Downspout	2,500	-	2,500	
NPO-Carpet Reglue/Repairs	3,000	-	3,000	
NPO-Elevator Safety Test/Heater	3,000	-	3,000	
STO-Sidewalk Leveling/Repair	3,000	-	3,000	
STO-Wet Basement/Repairs	10,000	-	10,000	
STO-Soffit Work/Ext Staining	10,000	-	10,000	
County Clerk Equipment Disabled Voting Machines	7,500	-	7,500	
Planning & Development GIS Equipment (PDCOMANL 47547)	2,500		2,500	

(1) The amount carried forward into the Concessionaire Marketing Expense line shall be equal to the modified budget in the Concessionaire Marketing expense line plus Concessionaire Marketing revenue received in 2005 plus Interest earned in the Concessionaire Marketing in 2005 less actual amount expended in 2005.

(2) The amount carried forward into the Concessionaire Maintenance Expense line shall be equal to the modified budget in the Concessionaire Maintenance expense line plus Concessionaire Maintenance revenue received in 2005 plus Interest earned in the Concessionaire Maintenance in 2005 less actual amount expended in 2005.

Submitted by Supervisors Brown, Fyrst, and McDonell, December 15, 2005 (p. 240, 05-06).
Referred to PERSONNEL/FINANCE.

RES. 224, 05-06

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 Living the Dream, Inc., Nedra Bobo, Trustee, PO Box 302, Sun Prairie, Wisconsin 53590, and this space is

located at 838 W. Badger Road, Apt. 1 East and 1 West, Madison, Wisconsin. The JFF has occupied the 1 East two-bedroom apartment since 1995 and has solely occupied the 1 West space since 2004 and continues to play a strong role in this community. This resolution is to increase the monthly rental payment of \$575 per month to \$585 per month for the 1 East unit, and \$545 to \$585 for the 1 West unit, but the lease is only for a six-month term instead of the usual one year. This lease period is from January 1, 2006, until June 30, 2006, with a 60-day notice of renewal or termination.

The negotiated rental rate for the designated JFF space is presently below market at \$585 per month for the space, which is approximately 500 square feet for each unit. The space will be utilized by a Dane County Community social worker and other JFF partners. The 2006 rate would be \$585 per month per unit or \$7,020 for the rental term of six months. The current lease will run from January 1, 2006, to June 30, 2006.

NOW, THEREFORE, BE IT RESOLVED that Dane County enter into a lease with Living the Dream, Inc., Nedra Bobo, Trustee, owners, for 2006; 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 Supervisor Worzala, December 15, 2005 (p. 241, 05-06).
Referred to HEALTH & HUMAN NEEDS and PERSONNEL/FINANCE.

RES. 225, 05-06

AWARD OF CONTRACT FOR COLLECTION, TRANSPORTATION, TREATMENT,
STORAGE AND DISPOSAL OF HAZARDOUS WASTE

The household hazardous waste collection facility (Clean Sweep) is scheduled to reopen May 2, 2006. The collection site is located at the Dane County Highway Garage on Fish Hatchery Road. Materials collected at the facility must be transported and disposed of by a licensed hazardous waste contractor.

The Dane County Public Works, Highway & Transportation Department has received proposals for this work and recommends the selection of _____. The contract will be for a three-year period, with price adjustments in 2007 and 2008 determined by changes in the consumer price index. Based on the estimated amount of material to be collected this year, the contract will be for \$_____ in 2006.

The Public Works & Transportation Committee finds the contract amount reasonable and recommends that the contract be awarded.

Money is available in the Budget for this activity.

NOW, THEREFORE, BE IT RESOLVED that a contract be awarded to _____ for collection, transportation, treatment, storage, and disposal of hazardous waste collected at the Clean Sweep Collection Facility in 2006 through 2008 and that the County Executive and the County Clerk be authorized and directed to sign the contract.

BE IT FINALLY RESOLVED That the Dane County Public Works, Highway & Transportation Department be directed to ensure complete performance of the contract.

Submitted by Supervisors Ripp, Kostelic, Opitz, Matano, and Schoer, December 15, 2005 (p. 241, 05-06).
Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

RES. 226, 05-06

AUTHORIZING AGREEMENT BETWEEN DANE COUNTY AND THE
HENRY VILAS PARK ZOOLOGICAL SOCIETY

The Henry Vilas Park Zoological Society, organized under Section 503C 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 \$195,086 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 \$195,086 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, Kostelic, Opitz, Matano, Willett, Schoer, de Felice, and Fyrst, December 15, 2005 (p. 242, 05-06).

Referred to PERSONNEL/FINANCE, PUBLIC WORKS/TRANSPORTATION, and ZOO COMMISSION.

RES. 227, 05-06

AUTHORIZING DISPOSAL OF EXCESS RIGHT-OF-WAY CTH "K"

In 2006, Dane County Department of Public Works, Highway and Transportation will be reconstructing CTH K from USH 12 to CTH Q. Included in the reconstruction project is the relocation of a portion of CTH K at the northerly intersection with Pheasant Branch Road. This relocation will eliminate the need for right-of-way that was previously acquired by Conveyance for Highway Purposes.

Dane County Department of Public Works, Highway and Transportation is acquiring approximately two acres of farmland from William and John Wagner with the above-described relocation and would like the excess right-of-way returned to them. The Wagners have agreed to the Department's offering price. The Wagners have also agreed to sign easements permitting the utilities to remain on this property when they take ownership.

The property is described as follows:

A parcel of land located in the Northwest Quarter of the Northeast Quarter (NW1/4-NE1/4) of Section 25, T.8 N., R.8 E. in the Town of Springfield, Dane County, State of Wisconsin described as follows:

Commencing at the West quarter corner of said Section 25, T.8 N., R.8 E.; thence N 87°04'01" E, 1538.94 feet; thence S 02°55'59" E, 5.58 feet to the beginning of Relocation Order for Dane County Project No. 69112-5004; thence along the reference line for CTH K, N 87°14'23" E, 465.60 feet to a point of curvature; thence along a curve to the left having a radius of 674.07 feet with a chord bearing N 42°28'06" E, 949.46 feet to a point of tangency; thence N 02°18'10" W, 1327.70 feet; thence N 87°41'50" W, 36.46 feet to the west line of the Northeast Quarter of Section 25; thence along said west line N 02°16'44" W 139.89 feet, to the point of beginning; thence continuing N 02°16'44" W, 531.22 feet; thence N 87°23'13" E, 2.51 feet to a point of curvature; thence along a curve to the left having a radius of 325.00 feet, with a chord bearing S 27°09'44" E, 176.89 feet; thence S 09°26'44" W, 378.66 feet to the point of beginning.

Also, all land of the Owner exclusive of land already described above lying within the following described traverse. Commencing at the North quarter corner of said Section 25, T.8N., R.8E.; thence along the north line of the Northeast Quarter of Section 25, N 87°23'13" E, 71.23 feet to the point of beginning; thence continuing along said north line N 87°23'13" E, 327.68 feet; thence S 71°47'38" W, 302.41 feet to a point of curvature; thence along a curve to the right having a radius of 225.00 feet with a chord bearing N 26°43'58" W, 89.07 feet to the point of beginning. (All bearings are referenced to CSM #10342, Vol. 61, Page 29 as recorded with the Dane County Register of Deeds.)

Said parcels contain 0.752 acres more or less in the two above described parcels.

NOW, THEREFORE, BE IT RESOLVED that the County of Dane does hereby approve and authorize the return of excess right-of-way by Quit Claim Deeds, as described above, following the completion of the project but no later than November 15, 2006, and

BE IT FURTHER RESOLVED that the County Executive and County Clerk be authorized to execute a Quit Claim Deed to the Wagners on behalf of the County of Dane in order to expedite the return of the property.

Submitted by Supervisors Ripp, Kostelic, Opitz, Matano, Willett, Schoer, and de Felice, December 15, 2005 (p. 243, 05-06).

Referred to PUBLIC WORKS/TRANSPORTATION.

RES. 228, 2005-06

AWARD OF CONTRACT FOR ASBESTOS REMEDIATION FOR BUILDINGS
AT FISHER, SUNNYSIDE & MARX FARMS

The Public Works, Highway & Transportation Department reports the receipt of bids for Asbestos Remediation for Buildings at Fisher, Sunnyside, and Marx Farms, Bid No. 105144.

The low qualified bidder is: Dirty Ducts Cleaning Environmental & Insulation, Inc.
6538 Fair Haven Road
Madison, WI 53719

Contract Amount: \$9,762.00

The Public Works staff finds the amount to be reasonable and recommends the Contract be awarded to Dirty Ducts Cleaning Environmental & Insulation, Inc.

Submitted by Supervisors Ripp, Kostelic, Opitz, Matano, Willett, Schoer, and de Felice, December 15, 2005 (p. 245, 05-06).

Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

RES. 230, 05-06

AUTHORIZING EXECUTION OF LEASE WITH ADAMS OUTDOOR ADVERTISING
LIMITED PARTNERSHIP-DANE COUNTY REGIONAL AIRPORT

Adams Outdoor Advertising Limited Partnership presently leases county owned land in Madison located adjacent to the Airport along Aberg Avenue on which it has erected three billboard signs. A new lease, Lease No. 2005-16, has been negotiated with Adams Outdoor Advertising allowing it to continue to maintain its signs in the same locations. The lease is for a five-year term, renewable for an additional five years at the County's option. The initial rent is \$27,000 per year, paid in monthly installments of \$2250, and subject to annual increases based on the Consumer Price Index

NOW, THEREFORE, BE IT RESOLVED that the Dane County Executive and the Dane County Clerk are hereby authorized to execute the above described lease with Adams Outdoor Advertising Limited Partnership.

Submitted by Supervisors Rusk and McDonell , December 15, 2005 (p. 245, 05-06).

Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION. (AIRPORT COMMISSION recommended adoption on 12/7/05.)

RES. 231, 05-06

AUTHORIZING EXECUTION OF AN AIR SERVICE PROMOTION AND MARKETING AGREEMENT
WITH AMERICAN EAGLE AIRLINES, INC.- DANE COUNTY REGIONAL AIRPORT-

On January 9, 2006, American Eagle Airlines, Inc., will initiate daily non-stop round trip air service between the Dane County Regional Airport and New York's LaGuardia Airport. New York is one of the most popular destinations for airline passengers flying out of the Dane County Regional Airport, and LaGuardia is not currently served from the Airport by non-stop scheduled airline service.

With the execution of an Air Service Promotion and Marketing Agreement, American Eagle Airlines, Inc., will be eligible for up to \$60,000 in local promotional support offered under the Airport's Community Air Service Support Program. In addition to promotional and marketing assistance, during the critical six month start-up period for the non-stop New York flights, the Airport will provide a waiver of landing fees for American Eagle flights arriving direct from LaGuardia Airport.

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 American Eagle Airlines' newly initiated round trip non-stop passenger air service between the Dane County Regional Airport and New York's LaGuardia Airport.

Submitted by Supervisors Rusk and McDonell , December 15, 2005 (p. 245, 05-06).

Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION. (AIRPORT COMMISSION recommended adoption on 12/7/05.)

RES. 232, 05-06

AWARDING OF CONTRACT FOR EMS AND PUBLIC SAFETY COMMUNICATIONS MEDICAL DIRECTOR

Dr. Paul Stiegler is currently under separate contracts with Dane County Emergency Management to provide administrative and evaluative medical services and with Public Safety Communications (911) to provide oversight of the Priority Medical Dispatch program. Both contracts expire on December 31, 2005. Both departments desire to continue contracting with Dr. Paul Stiegler for these services, and;

Dr. Stiegler has many unique qualifications to provide these services to Dane County has agreed to continue to provide these services at the same rate of compensation as the 2005 contracts,

NOW, THEREFORE, BE IT RESOLVED that a contract be awarded to Dr. Paul M. Stiegler to serve as EMS Medical Director and Public Safety Communications Medical Director, and

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

Submitted by Supervisor Salov, December 15, 2005 (p. 246, 05-06).
Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

COMMUNICATIONS

Notice of Injury and Claim for Damages from Devon Scriven against Highways – claims motorcycle accident due to negligent maintenance of roadway. Referred to PUBLIC PROTECTION/JUDICIARY.

Summons and Complaint, Benjamin D. and Rachael M. Johnson vs. Dane County, Case #05CV3942, relating to deed filing. Referred to PUBLIC PROTECTION/JUDICIARY.

Claim from Luveta Nickles, The Junk Jeans People, for inventory damaged at AEC. Referred to PUBLIC PROTECTION/JUDICIARY.

Ozaukee Co. Res. 05-69 – Costs of Mental Health Placements. Referred to EXECUTIVE.

Ozaukee Co. Res. 05-68 – Wis. Counties' Sales Tax System Audit Act. Referred to EXECUTIVE.

Ozaukee Co. Res. 05-70 – Intergovernmental Transfer Program. Referred to EXECUTIVE.

Clark Co. Res. #52-11-05 – To Request State Legislators to Return to Part Time Status. Referred to EXECUTIVE.

ZONING PETITIONS

Petitions for Zoning Reclassification. Referred by Clerk Ohlsen to ZONING & LAND REGULATION.

Petition 9404 – Town of Blue Mounds – Tonia S. Schmitz

9405 – Town of Vienna – Jerry A. & Joycelyn A. Ripp

9406 – Town of Pleasant Springs – Christopher & Adrienne McGee

9407 – Town of Roxbury – Ted & Mary Breunig

9408 – Town of Rutland – Ellen Browning

9410 – Town of Cross Plains – Tony Laufenberg

9411 – Town of Dunn – Carol Kramer Heidenway

- 9412 – Town of Vermont – Richard E. Kelly
- 9413 – Town of Robury – Bridget & Shaine Handel
- 9414 – Town of Berry – Marilyn J. Pauls et. al.
- 9415 – Town of Cross Plains – John Ruhl & Luther Winden
- 9416 – Town of Sun Prairie – Kennan L. Crothers
- 9417 – Town of Dane – Roland W. & Louise A. Karls
- 9418 – Town of Springfield – Steven S. Ripp
- 9419 – Town of Vermont – William G. & Sheryl R. Batten
- 9420 – Town of Mazomanie – Timothy E. Andrews & Julie R. Trameri
- 9421 – Town of Springdale – Jeffrey & Heidi Buttchen
- 9422 – Town of Albion – Barry & Lort Irmen
- 9423 – Town of Blue Mounds – Gary F. Zwettler & Connie Zwettler-Henderson
- 9424 – Town of Westport – North Shore Bay LTD Partnership
- 9425 – Town of Cross Plains – Kurt & Joan Millard
- 9426 – Town of Vienna – Madison Sand & Gravel Company, Inc.

ORD. AMDT. 23, 05-06

AMENDING CHAPTER 34 OF THE DANE COUNTY CODE OF ORDINANCES.
CONTROLLED BLASTING SITE AREAS

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 34.26 is created to read as follows:

34.26 CONTROLLED BLASTING SITE AREAS. (1) Purpose and authority. The purpose of this section is to create a requirement for real estate brokers and salespersons to notify potential home buyers of the existence of a controlled blasting site area within two miles of the property proposed to be sold. This requirement is in addition to the requirements imposed under the Administrative Code and is not intended to conflict with any other legislative enactments, but to complement existing state legislation and provide for the protection of potential home buyers. This section is enacted under the authority of section 59.03, Wis. Stats.

(2) As used in this section, the following words have the meanings indicated:

(a) Broker has the meaning designated in s. 452.01, Wis. Stats.

(b) Controlled blasting site area has the meaning designated in Wis. Admin. Code, Chapter Comm 7, s. 7.04(10m).

(c) Salesperson has the meaning designated in s. 452.01 Wis. Stats.

(3) A real estate broker or salesperson is required to notify a potential home buyer of the existence of a controlled blasting site area located within two miles of the property proposed to be sold. The notification must occur before an offer to purchase is completed. The notification must be in writing and be reasonably calculated to inform the proposed buyer of the existence of a controlled blasting site located within two miles of the property proposed to be sold. This requirement is not intended to limit or negate any other requirements or obligations that the real estate broker or salesperson has under the Wisconsin Statutes or the Wisconsin Administrative Code.

(4) Penalties shall be as defined in section 34.99(1) of this chapter.

[EXPLANATION: The amendment creates a requirement that a potential buyer of real estate be given timely notification when the real estate is located within two miles of a controlled blasting site area.]

Submitted by Supervisor de Felice, January 6, 2005 (p. 248, 05-06). Fiscal & Policy Note not required.
Referred to PUBLIC PROTECTION/JUDICIARY and ZONING/LAND REGULATION.

ORD. AMDT. 24, 05-06

AMENDING CHAPTER 34 OF THE DANE COUNTY CODE OF ORDINANCES.
PROHIBITING SMOKING AT THE NEW COURTHOUSE

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 34.07(3) is amended to read as follows:

34.07 SMOKING PROHIBITED. (3) Prohibited conduct. (a) It shall be unlawful and a violation of this section for any person, whether employed by the County of Dane or a member of the public, to smoke in any county

building, county vehicle or joint use building, or upon any portion of the area between the Dane County Courthouse building and the edge of a City of Madison sidewalk.

(eb) With respect to joint use buildings, the provisions of paragraph (a) shall not apply to completely partitioned space leased to others except that the provisions of paragraph (a) shall apply to each such space on and after the date the existing lease for that space expires or is otherwise terminated.

[EXPLANATION: This amendment prohibits smoking in the area surrounding the Dane County Courthouse.]

Submitted by Supervisor O'Loughlin, January 6, 2005 (p. 249, 05-06). Fiscal & Policy Note not required.
Referred to PUBLIC PROTECTION/JUDICIARY and PUBLIC WORKS/TRANSPORTATION.

RES. 233, 05-06

AUTHORIZATION FOR EARLY PURCHASE OF PATROL BOAT, OUTBOARD ENGINES, AND TRAILER

The 2006 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 2006 boating season.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Sheriff be authorized to place an order in January for a patrol boat, outboard engines, and trailer with expected delivery and payment due April, 2006, or later.

BE IT FINALLY RESOLVED that the Dane County Sheriff be authorized to purchase the patrol boat included in the 2006 capital budget in advance of borrowing and that it is the intent of the County Board to seek reimbursement through the issuance of bonds later in 2006.

Submitted by Supervisor O'Loughlin, January 6, 2005 (p. 249, 05-06).
Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

RES. 234, 05-06

ACCEPTANCE OF THE CY06 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 CY06 Federal Anti-Drug Abuse Grant (DJ-05-SW-0010) is a continuation of the grant identified in Resolution 210, 1991-1992. The total drug grant revenue to be realized as 2006 revenue is in the amount of \$210,750.

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 \$210,750.

BE IT FURTHER RESOLVED that \$210,750 be set up as additional 2006 Sheriff's Office, Field Services, Drug Enforcement Grant Revenue (SHRFFLD-80527) and be credited to the General Fund.

BE IT STILL FURTHER RESOLVED that \$210,750 be transferred from the General Fund to the following Sheriff's Office, Field Services, accounts:

Drug Enforcement POS (SHRFFLD-30925)	\$180,750
Investigation (SHRFFLD-21287)	\$30,000

BE IT FINALLY RESOLVED that any of the grant funds that are unexpended as of December 31, 2006, be carried forward to 2007.

Submitted by Supervisor O'Loughlin, January 6, 2006 (p. 250, 05-06).
Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

RES. 235, 05-06

ADDENDUM TO THE TOWN OF MIDDLETON CONTRACT POLICING AGREEMENT

The Town of Middleton currently contracts with Dane County to have the Sheriff's Office provide police services at a level above and beyond the basic level of police services otherwise provided to their town. The Town of Middleton has agreed to compensate Dane County for the cost of providing an additional full-time deputy sheriff.

The Town Board of Middleton has authorized the Town of Middleton Chairperson and Town of Middleton 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 amend the contract policing agreement with the Town of Middleton, and

BE IT FURTHER RESOLVED that the Dane County Sheriff's Office is authorized to add one additional FTE deputy sheriff positions to the Sheriff's Office staff and purchase one portable radio, and such positions are contingent on a continued agreement with the Town of Middleton, and

BE IT FURTHER RESOLVED that \$35,729 be set up as additional Sheriff, Field Services, Town of Middleton Revenue (SHRFFLD 80583) and be credited to the General Fund and that \$11,146 be transferred from the General Fund to the following Sheriff's Office accounts:

Support Services	
Radios (SHRSUP 48158)	\$2,354
Field Services	
Salaries and Wages (SHRFFLD 10009)	\$8,792

BE IT FINALLY RESOLVED that the following Sheriff Office expenditure accounts be amended as shown:

Field Services

Overtime-Inter-Agency (SHRFFLD 10034)	-\$32,809
Retirement Fund (SHRFFLD 10099)	-\$ 399
Social Security (SHRFFLD 10108)	-\$ 131
Salaries and Wages (SHRFFLD 10009)	+\$22,261
Health (SHRFFLD 10117)	+\$ 8,498
Dental (SHFFLD 10153)	+\$ 887
Disability Insurance (SHRFFLD 10171)	+\$ 274
Life Insurance (SHRFFLD 10180)	+\$ 16
Worker's Compensation (SHRFFLD 10189)	+\$ 951
Uniforms (SHRFFLD 10234)	+\$ 451

Submitted by Supervisor O'Loughlin, January 6, 2006 (p. 251, 05-06).
Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

RES. 236, 05-06

AUTHORIZATION TO LEASE BOBCAT

The Facilities Management Division of the Department of Administration uses a Bobcat skid loader for snow removal and other tasks. The 2006 budget includes funds to lease equipment. The Purchasing Division has received quotes for this piece of equipment. The purchase price is \$_____. The Bobcat will be purchased through a four-year lease. The monthly lease payments will be \$_____.

THEREFORE, BE IT RESOLVED that the Facilities Management Division of the Department of Administration is authorized to lease a Bobcat as described above.

BE IT FURTHER RESOLVED that the County Executive and the County Clerk are authorized to execute the lease contract.

Submitted by Supervisor Brown, January 6, 2006 (p. 251, 05-06).
Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

RES. 237, 05-06

AUTHORIZING ADDENDUM OF AGREEMENT WITH VENTURE ARCHITECTS

The Dane County Public Works, Highway, and Transportation Department requested proposals in 2004 to select an architectural firm for the planning and construction of the new juvenile detention center on the second floor of the City-County Building per RFP 6881. Venture Architects was selected and has been providing architectural/engineering services.

The 2006 County Budget appropriated funds for additional work on the second floor for court related offices. This project includes similar type of demolition, asbestos remediation, and remodeling as the juvenile detention area.

An Addendum of Agreement Is hereby requested to extend the term of the Venture Architects Agreement to November 1, 2007, for 9% of additional construction contracts. Dane County Public Works staff has reviewed this Addendum and recommends adoption.

NOW, THEREFORE, BE IT RESOLVED that an Addendum with Venture Architects 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 and 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 Supervisor Ripp, January 6, 2005 (p. 252, 05-06).

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

RES. 238, 05-06

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 April 1, 2007, for a lump sum of \$38,000. Dane County Public Works staff has reviewed this Addendum and recommends adoption.

The 2006 County Budget has appropriated funds for the Ramp restoration project.

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 Supervisor Ripp, January 6, 2006 (p. 252, 05-06).

Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

RES. 239, 05-06

AUTHORIZING RENTAL LEASE BETWEEN
THE ALLIANT ENERGY CENTER OF DANE COUNTY AND W.I.A.A.

The W.I.A.A. has negotiated a three-year lease with the Alliant Energy Center of Dane County for their Annual W.I.A.A. State Girls Basketball Tournament to be held March 8-11, 2006, March 7-10, 2007, and March 12-15, 2008.

The lease with the W.I.A.A. includes rental and services in the amount of \$100,000.00 for 2006, with increases for 2007 and 2008 based wage changes in the Local 65 union contract.

In addition to the rental fee listed above, all approved parking charges will be assessed for the W.I.A.A. 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 Ripp, January 6, 2006 (p. 253, 05-06).
Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

RES. 240, 05-06

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 \$70,000 to cover costs associated for Crisis Stabilization services conducted by Mendota Mental Health Institute's PACT program for fiscal year 2005. 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: **Vendor:** Mendota Mental Health Institute **Amended Amount:** \$70,000

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>
CYF-CTH 80823	Mendota PACT Jr.	\$70,000
	TOTAL REVENUE	\$70,000
<u>Expenditure Account Number</u>	<u>Account Title</u>	<u>Amount</u>
CYFCTMM CSMPAA	Mendota PACT Jr.	\$70,000
	TOTAL EXPENDITURES	\$70,000

Submitted by Supervisor Worzala, January 6, 2006 (p. 253, 05-06).
Referred to HEALTH/HUMAN NEEDS and PERSONNEL/FINANCE.

ACCEPTING TRANSPORTATION AND MEDICAID CSP REVENUES - DCDHS -ACS DIVISION

The purpose of this resolution is to adjust revenue and expenditure for 2005.

- (e) Just as Dane County helps support certain transportation services provided by the City of Madison, the City of Madison shares a portion of its state and federal transportation revenues with Dane County. The city's s.85.20 funding for the county's Group Access Service for older adults was budgeted at \$123,779, but the actual revenue will be \$134,382, an increase of \$10,603. This revenue will reduce the need for GPR support of the Group Access Service, and the savings is allocated to rural transportation services for people with physical disabilities.
- (f) The Mental Health Center of Dane County (MHCDC) operates four Community Support Programs (CSP) for people with serious and persistent mental illness. The programs serve about 367 people annually. Medicaid is billed for CSP services when MA eligible individuals receive service. The lack of a cost of living increase for 2005 resulted in the MHCDC considering reducing the capacity of the CSPs and its Emergency Services Unit, which would have been unfortunate given the well-documented benefits of these services. To avoid loss of capacity, the Department of Human Services agreed in early 2005 that the MHCDC could retain up to \$100,000 of MA CSP revenue earned above the budgeted amount of \$1,694,669. Actual revenues are now projected to be at least \$100,000 higher than budgeted. The MHCDC has requested that \$75,000 be allocated to the Gateway and Community Treatment Alternatives CSPs and that \$25,000 be allocated to the Emergency Services Unit.
- (g) The \$6,000 that the County Board approved for the Gateway CSP in the 2005 Adopted Budget has not been included in the Mental Health Center of Dane County's contract. The MHCDC's 2005 contract is being amended to include those funds, and this resolution approves the increase in the MHCDC's professional services contract.

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.

<u>Revenue Account Number</u>	<u>Account Title</u>	<u>Amount</u>
ACBADMIN 81579	Madison GAS Grant	\$10,603
ACICTRMT 81381	Jail Div Medicaid CSP	\$75,000
ACFMHLTH 81381	MH Medicaid CSP	\$25,000
	Total	\$110,603

<u>Expenditure Account Number</u>	<u>Account Title</u>	<u>Amount</u>
ACGSTTRS TUTRAA	PD Rural Access	\$10,603
ACICSMHC CSCTAA	MHCDC Community Treatment CSP	\$75,000
ACFCTMHC CVEUAA	MHCDC Emergency Services Unit	\$25,000
	Total	\$110,603

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.	\$106,000

Submitted by Supervisor Worzala, January 6, 2006 (p. 254, 05-06).
 Referred to HEALTH/HUMAN NEEDS and PERSONNEL/FINANCE.

RES. 242, 05-06

REGISTER OF DEEDS AGREEMENT FOR SALE OF DAILY RECORDED IMAGES

Wisconsin Statutes 59.43(9) allows the register of deeds, with the approval of the county board, to enter into agreements with parties (generally title companies) for the sale of all the daily recorded document images at fees reduced from the statutory fee of \$2 for the first page and \$1 for each additional page per document. The five-year agreement between the Dane County Register of Deeds and Madison Title Plant LLC is due to expire at the end of 2005.

Other register of deeds offices in Wisconsin that also sell images of all daily recorded documents on a per image basis charge between 15 and 50 cents per image. Dane County has only charged 7 cents per image and has not increased fees in six years. The register of deeds proposes to increase this fee to 10 cents per image. The fees are used to help support the necessary equipment, software, maintenance, staff time, and administrative costs in preparing the files for export to title companies and for reporting, accounting, and billing procedures.

Agreement "A" allows local title companies use these images in their normal course of searching records, establishing clear title, and issuing title insurance. They may not resell images or access to images. They may, however, give document copies that affect certain customers to those particular customers as appropriate.

THEREFORE, BE IT RESOLVED that Dane County and the Register of Deeds shall enter into an agreement to sell all the daily recorded images to the following:

Madison Title Plant LLC
Agent is Thomas J. Rostad, president of
Dane County Title Company, Inc.
901 S. Whitney Way
Madison, Wisconsin 53711

Submitted by Supervisor Wendt, January 6, 2006 (p. 255, 05-06).
Referred to PERSONNEL/FINANCE and ZONING/LAND REGULATION.

RES. 243, 05-06

AMENDING THE DANE COUNTY FARMLAND PRESERVATION PLAN BY ADOPTING AMENDMENTS TO
THE TOWN OF WINDSOR LAND USE PLAN

On September 15, 2005, the Town Board of the Town of Windsor adopted the *Town of Windsor Comprehensive Plan – 2025*. Previous to the adoption of this plan, the Town adopted the *Development Policies and Land Use Plan, Town of Windsor* (County Board Resolution 129, 2001-2002). The County approved the previous amendment as part of the Farmland Preservation Plan on December 6, 2001.

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 plan is organized by the nine required elements of the State Comprehensive Planning Law. The Land Use Element of the plan and associated policies breaks the town into the following categories: Transitional Single-Family Residential, General Conservation Residential, Token Creek Conservation Residential, Transition Residential, Mixed Residential, Neighborhood Mixed Use, Regional Commercial, Roadside Mixed Use, Corporate Park, Morrisonville Growth Area, Environmental Preservation and Agricultural.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors adopts the town approved amendment to the *Town of Windsor Comprehensive Plan: 2025* as an amendment to the Dane County Farmland Preservation Plan.

Submitted by Supervisor O'Loughlin, January 6, 2006 (p. 256, 05-06). Fiscal and Policy Note not required.

Referred to ZONING/LAND REGULATION.

RES. 244, 05-06

AUTHORIZING THE PURCHASE OF DEVELOPMENT RIGHTS ON
~369 ACRES OF LAND IN THE TOWNS OF DANE & SPRINGFIELD

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.

Allen and Vicki Ballweg desire to place approximately 369 acres of their farm in the PDR program. WisDOT and USDA approvals are pending for the county to purchase the development rights on the ~369 acres for a value of \$1,745,000. The development rights of the farm, which is located in the Towns of Dane and Springfield, have been appraised at \$1,586,000 and \$2,249,200.

NOW, THEREFORE, BE IT RESOLVED that the County of Dane does hereby approve and authorize the purchase of development rights on ~369 acres of land from the Ballwegs in the Towns of Dane and Springfield at a price of \$1,745,000, 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 and accept 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 Supervisor Ripp, January 6, 2006 (p. 256, 05-06).

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

RES. 245, 05-06

ESTABLISHING A REVOLVING CASH FUND AT THE THEMIS CAFÉ OF DANE COUNTY (JUSTICE CENTER)

The Consolidated Food Service department of Dane County will open the Themis Café in the Justice Center. The café will need a revolving cash fund to provide a beginning change bank for cash registers.

NOW, THEREFORE, BE IT RESOLVED that the Consolidated Food Services of Dane County Revolving Cash Fund be established for \$485.00.

Submitted by Supervisor Brown, January 6, 2006 (p. 257, 05-06).
Referred to PERSONNEL/FINANCE.

COMMUNICATIONS

Notice of Injury-Claim from Phillip Carter against Highways-claims damage by snowplow. Referred to PUBLIC PROTECTION/JUDICIARY.

Summons & Complaint, Case #05CV4064, M&I Marshal & Ilsley Bank vs Donald Bledsoe & Jane Doe, Nicholas Ladopoulos, Mary Layoun, DANE COUNTY, and Stonebridge Condominium, Inc. Referred to PUBLIC PROTECTION/ JUDICIARY.

TDS Custom Construction, subro Latitude Subrogation Services, against Highways. Referred to PUBLIC PROTECTION/JUDICIARY.

Notice of Claim and Lien on Proceeds from Pittcon Industries – claims payment due from Miron Construction on courthouse. Referred to PUBLIC PROTECTION/JUDICIARY.

Ozaukee Co. Res. 05-73, Support AB 726-Motor Vehicle Fuel Tax. Referred to EXECUTIVE.

Ozaukee Co. Res. 05-82, Amendment to SB 273-Provide Alternate Exemption for County Library Tax with Approval of County Board. Referred to EXECUTIVE.

Ozaukee Co. Res. 05-81, Amendment to SB 727-Joint Libraries. Referred to EXECUTIVE.

Ozaukee Co. Res. 05-80, Amendment to SB 272-Organization and Funding of Public Libraries, Public Library Systems and Grant Rule-Making Authority. Referred to EXECUTIVE.

Ozaukee Co. Res. 05-79, Opposing AB 129 and SB 117 Relating to the Collection of Delinquent Property Taxes. Referred to EXECUTIVE.

Adams County Res. 12-183-2005, Opposing Passage of AB 575. Referred to EXECUTIVE.

Jackson Co. Res. 70-12-05, Request Action Regarding Statewide Referendums to Fund Human Services and Court-Related Services.

Chippewa Co. Res. 56-05, Resolution to Request Action Regarding Statewide Referendums to Fund Human Services and Court Related Services. Referred to EXECUTIVE.

Waushara Co. Res. 40-12-05, Support Legislation Which Would Address a Driver's Use of Portable Electronic Devices, Particularly a Ban of Cell Phone Use While Driving. Referred to EXECUTIVE.

Waushara Co. Res. 47-12-05, Resolution Opposing AB 575. Referred to EXECUTIVE.

Waushara Co. Res. 46-12-05, Resolution Opposing Public Library District Legislation. Referred to EXECUTIVE.

ZONING PETITIONS

Petition for Zoning Reclassification. Referred by Clerk Ohlsen to ZONING & LAND REGULATION.

Petition 9440 – Town of Sun Prairie – Jon Werner

ORD. AMDT. 25, 05-06

AMENDING CHAPTER 7 OF THE DANE COUNTY CODE OF ORDINANCES,
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) 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.

(2) Any supervisor may be removed from the position of chairperson, vice-chairperson, sergeant-at-arms, chairperson of any committee or any other position or appointment by the county board, chairperson or a committee, by a two-thirds vote of the supervisors for the following reasons: inefficiency, neglect of duty, official misconduct or malfeasance in office.

(3) A supervisor shall temporarily step down from his or her leadership position as chairperson, vice-chairperson or sergeant-at-arms if criminal charges are brought by a District Attorney. Those supervisors in positions of succession shall assume the vacated office until all criminal charges have been adjudicated. During the pendency of the criminal charges, the supervisor shall retain all rights and perform all duties associated with the position of supervisor.

(4) During the pendency of the criminal charges, said supervisor shall continue to receive compensation as authorized by section 6.04 or 6.045.

(5) If the criminal charges in sub. (3) are adjudicated in favor of the supervisor, he or she shall be restored to his or her original leadership position effective the day following said adjudication.

(6) If the criminal charges in sub. (3) result in a criminal conviction, the supervisor shall permanently forfeit his or her leadership position, and it shall be filled by the successor for the duration of the term. An election to fill the vacancy created by the successor shall take place as soon as practicable.

[EXPLANATION: The amendment provides a procedure for addressing the alleged criminal conduct of those who hold positions of leadership on the board.]

Submitted by Supervisors de Felice, DeSmidt, Vedder, Wheeler, Schoer, Richmond, Hendrick, Olsen, and Pertzborn, January 19, 2006 (p. 258, 05-06).

Referred to EXECUTIVE and PUBLIC PROTECTION/JUDICIARY.

ORD. AMDT. 26, 05-06

AMENDING CHAPTER 10 OF THE DANE COUNTY CODE OF ORDINANCES,
REGARDING TDR 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. Subsections 10.01(19q), (41m), (48w), (75m) and (78s) are created to read as follows:

(19g) Development right means a potential new residential building site available under the policies of a town plan adopted under s. 10.255(1)(d) of this ordinance, subject to the standards of this ordinance and Chapters 11, 17 and 75, Dane County Code. For purposes of participating in a transfer of development rights program, a development right exists on a particular property if adopted town and county plans would support a rezone petition to allow residential development on the property under s. 10.255 of this ordinance and ss. 59.69 and 91.77, Wis. Stats.

(41m) Notice document is a recorded instrument to notify future landowners and others of unusual features, policies, regulations or other characteristics that may affect future development potential or other speculative use of a specific property. All notice document instruments must meet the minimum recording standards of the Dane County Register of Deeds.

(48w) Recorded means recorded with the Dane County Register of Deeds.

(75m) TDR conservation easement means a holder's nonpossessory interest in real property imposing any limitation or affirmative obligation, the purpose of which may include any or all of the following: retaining or protecting natural, scenic or open space values of real property; assuring the availability of real property for agricultural, forest, recreational or open space use; protecting natural resources; maintaining or enhancing air or water quality; preserving a burial site, as defined in s. 157.70(1)(b), Wis. Stats.; or, preserving the historical, architectural, archaeological or cultural aspects of real property. TDR conservation easements need not include any requirements for public access or restrictions on agricultural or forestry practices.

(78s) Transfer of development rights (TDR) means the conveyance of development rights, as defined herein, by TDR conservation easement from one parcel of land to another and the recording of that conveyance with the Dane County Register of Deeds and other land records of Dane County. Any individual transfer of development rights transaction may, at the discretion of the parties involved, also include the conveyance of additional rights not enumerated in this ordinance.

[EXPLANATION: This amendment adds needed definitions to this ordinance.]

ARTICLE 3. Section 10.02 is amended to read as follows:

10.02 DISTRICTS. The following districts are established. The number, shape and area are best suited to carry out the purposes of this ordinance:

- R-1 Residence District.
- R-1A Residence District.
- R-2 Residence District.
- R-3 Residence District.
- R-3A Residence District.
- R-4 Residence District.
- RH-1 Rural Homes District.
- RH-2 Rural Homes District.
- RH-3 Rural Homes District.
- RH-4 Rural Homes District.
- RE-1 Recreational District.
- B-1 Local Business District.
- A-1 Agriculture District.
- A-1 Exclusive Agriculture District.
- A-B Agriculture-Business District.
- A-2 Agriculture District.
- A-3 Agriculture District.
- C-1 Commercial District.
- C-2 Commercial District.
- LC-1 Limited Commercial District.
- EXP-1 Exposition District.
- M-1 Industrial District.

CO-1 Conservancy District.
HD Historic Overlay District.

TDR-S Transfer of Development Rights Sending Area Overlay District.
TDR-R Transfer of Development Rights Receiving Area Overlay District.

[EXPLANATION: This amendment adds two new zoning overlay districts to support transfer of development rights programs.]

ARTICLE 4. Section 10.158 is created to read as follows:

10.158 TDR-S TRANSFER OF DEVELOPMENT RIGHTS SENDING AREA OVERLAY DISTRICT. This district is in effect in those towns which make the election under sub. (2)(b) below. **(1) Statement of purpose.** The purposes of the TDR-S overlay district are to:

(a) Support Transfer of Development Rights.

- 1. establish a county-wide framework which allows a participating municipality to transfer development rights within or outside its jurisdiction;**
- 2. reduce spot development of rural land;**
- 3. encourage efficient transportation planning by reducing truly scattered development;**
- 4. encourage environmental preservation by enhancing open space;**
- 5. preserve and enhance property rights;**
- 6. provide support and input into the agricultural community by encouraging the preservation of large intact agricultural areas in some locations and individual farms in other areas;**
- 7. direct development in rural areas away from areas planned for long-term agricultural use;**
- 8. provide a potential for compensation for individuals who do not want to develop their property or who live in communities which wish to restrict development;**
- 9. help Dane County and participating communities achieve the goals and objectives contained in adopted plans;**
- 10. facilitate purchase of development rights programs to protect high-priority natural or agricultural resources; and**
- 11. allow for towns, villages and cities to serve as a clearinghouse for development rights in accordance with adopted land use and comprehensive plans.**

(b) Protect property rights. Nothing in this section is intended to restrict, curtail or abridge the rights of property owners to use their property as currently permitted under ordinance, to petition the county board to rezone property or to apply for conditional use permits under ss. 59.69 and 91.77, Wis. Stats., or s. 10.255 of this ordinance.

(2) Areas affected. (a) Lands to be included within the TDR-S Transfer of Development Rights Sending Area Overlay District. This district is generally intended to apply to lands identified in town plans adopted under section 10.255(1)(d) of this ordinance as suitable for:

- 1. long-term or permanent agricultural, conservation or natural resource use;**
- 2. limited or no non-farm development; and**
- 3. sending areas for a transfer or purchase of development rights program.**

(b) Applicability.

- 1. This section shall apply only to those towns that have filed a resolution with the county clerk indicating the election of the town to come under provisions of this district.**
- 2. This section shall apply only within the A-1 (Exclusive Agriculture) or CO-1 zoning districts.**

(3) Permitted uses. (a) All permitted uses in the underlying zoning district.

(b) Transfer of development rights consistent with, and at a ratio determined by, a town plan adopted by the county board under s. 10.255(1)(d) of this ordinance. Any transferred development rights must be accompanied by a recorded TDR conservation easement placed on the sending property. The recorded easement must include a legal description of the sending property in accordance with town plan guidelines, must detail the number of rights transferred or sold, and must describe any receiving property or properties. TDR conservation easements must list, at a minimum, the county and the town as parties with enforcement rights and must require,

at a minimum, the county, the town and the landowner to agree to any amendment of the conservation easement in writing and after at least one public hearing held by the zoning committee. All such amendments shall be recorded.

(4) Conditional uses in the TDR-S Transfer of Development Rights Sending Area Overlay District. All conditional uses in the underlying zoning district.

(5) Area regulations. All lots in the TDR-S overlay district must meet the minimum lot size of the underlying zoning district or meet the requirements for a non-conforming lot of record under s. 10.16(3)(a) of this ordinance.

[EXPLANATION: This article establishes the TDR-S Transfer of Development Rights Sending Area overlay zoning district. This district is intended to grant landowners of agricultural or natural resource land the ability to voluntarily transfer development rights to other landowners as an alternative to developing their own land through the rezoning process. This overlay district does not impose additional restrictions beyond those in place in the underlying zoning districts. All TDR transactions are subject to the standards of adopted town and county plans. Town boards must adopt a resolution stating that they wish to apply the TDR-S district within their jurisdiction.

Towns may choose to directly petition the county board to rezone areas to the TDR-S zoning district in advance (as described in s. 12.06(1)(e), Dane County Ordinances), choose to apply town and county plan standards adopted under s. 10.255(1)(d) to determine eligibility for the TDR-S district when reviewing individual landowner-initiated petitions to rezone, or a combination of both approaches.]

ARTICLE 5. Section 10.159 is created to read as follows:

10.159 TDR-R TRANSFER OF DEVELOPMENT RIGHTS RECEIVING AREA OVERLAY DISTRICT. This district is in effect in those towns which make the election under sub. (2)(b) below. (1) Statement of purpose.

(a) The purposes of the TDR-R overlay district are to:

1. establish a county-wide framework which allows a participating municipality to transfer development rights within or outside its jurisdiction;
2. encourage the clustering of rural development;
3. encourage the efficient provision of services by clustering residential units;
4. encourage efficient transportation planning by encouraging compact development;
5. support planning of development in areas which have less impact on key resources;
6. preserve and enhance property rights;
7. encourage rural housing that is adequate and affordable for persons from a range of incomes;
8. direct development in rural areas to communities already experiencing and seeking development;
9. encourage the efficient use of land that has no history of, or is no longer suitable for, agriculture; and
10. help Dane County and participating communities achieve the goals and objectives contained in adopted plans.

(2) Areas affected. (a) Lands to be included within the TDR-R Transfer of Development Rights Receiving Area Overlay District. This district is generally intended to apply to lands identified in town plans adopted under section 10.255(1)(d) of this ordinance as suitable for:

1. residential development at a density of one dwelling unit per two acres (0.5 dwelling units per acre) or higher; and
2. receiving areas for a transfer of development rights program.

(b) Applicability.

1. This section shall apply only to those towns that have filed a resolution with the county clerk indicating the election of the town to come under provisions of this district.
2. This section shall apply only within the A-1, A-2(1), A-2(2) R-1, R-1A, R-2, R-3, R-3A, R-4 or RH-1 zoning districts.

(c) Applicability near incorporated municipalities. The county board may not rezone to the TDR-R overlay district any parcel wholly or partially within the extraterritorial plat review jurisdiction of an incorporated municipality, as defined in s. 236.02(5), Wis. Stats., unless specifically authorized in an intergovernmental agreement adopted under Chapter 66, Subchapter III, Wis. Stats., and signed by the affected town board and incorporated municipality.

(3) Permitted uses. All permitted uses in the underlying zoning district, provided each new dwelling unit is accompanied by transferred development rights from a parcel or parcels in the TDR-S overlay district consistent

with, and at a ratio determined by, a town plan adopted under s. 10.255(1)(d) of this ordinance. The landowner must record a notice document for each new dwelling unit that details the number of development rights transferred, describes the sending property or properties, and references the recorded document number of the TDR conservation easement required under s. 10.158(3)(b). A copy of such recorded notice, and copies of recorded TDR conservation easements on the sending parcel or parcels in the TDR-S district, must be provided to the zoning administrator before zoning permits will be issued.

(4) Conditional uses. All conditional uses in the underlying zoning district. Any application for a Conditional Use Permit in the TDR-R overlay district that would increase the number of dwelling units must be accompanied by transferred development rights from a parcel or parcels in the TDR-S overlay district consistent with, and at a ratio determined by, a town plan adopted under s. 10.255(1)(d) of this ordinance. The landowner must record a notice document that details the number of development rights transferred, describes the sending property or properties and references the recorded document number of the restrictive covenant required under s. 10.158(3)(b). A copy of such recorded notice, and copies of recorded TDR conservation easements on the sending parcel or parcels in the TDR-S district, must be provided to the zoning administrator before zoning permits will be issued.

[EXPLANATION: This article establishes the TDR-R Transfer of Development Rights Receiving Area overlay zoning district. This district is intended to grant landowners of transitional or rural development lands the ability to transfer development rights to TDR-R zoned properties from other landowners to allow for higher density development than would otherwise be permitted under adopted town and county plans. All TDR transactions are subject to the standards of adopted town and county plans. Town boards must adopt a resolution stating that they wish to apply the TDR-R district within their jurisdiction. Towns may choose to directly petition the county board to rezone areas to the TDR-R zoning district in advance (as described in s. 12.06(1)(e), Dane County Ordinances), choose to apply town and county plan standards adopted under s. 10.255(1)(d) to determine eligibility for the TDR-R district when reviewing individual landowner-initiated petitions to rezone, or a combination of both approaches.]

Submitted by Supervisor McDonell, January 19, 2006 (p. 262, 05-06).

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

RES. 247, 05-06

RETAINING CURRENT COUNTY BOARD DISTRICTS

Historically, redistricting of political subdivisions in Wisconsin has occurred shortly after population data becomes available from the decennial federal census. The Dane County Board of Supervisors approved new supervisory districts in October 2001, after receipt of federal census data in May 2001, and following public hearings and considerable study and analysis by the County Board and County Executive. Part of the redistricting process includes negotiation and cooperation with local government units on ward boundaries. The municipal wards, which serve as the building blocks for supervisory districts as well as aldermanic and legislative districts, are then used by municipalities on a permanent basis until the next census.

The redistricting process is based on federal law requiring that districts be equal in population (to the extent possible), and that various factors be taken into account in determining district boundaries, including maximizing minority participation, retaining ward boundaries and historical district boundaries where possible and practical,

Dane County made a decision, based on considerable analysis by the County Board and its Redistricting Advisory Committee, that representation by a 37-member board, with districts having populations of 11,528, would provide the most effective local government for the citizens of Dane County.

The Wisconsin legislature recently passed, and the Governor approved, legislation which would allow counties to redistrict one time between the decennial census. This redistricting could only be used to reduce the size of the County Board. The data upon which this redistricting would be based would be the 2000 census data, which is now already 6 years out of date. Redistricting would also mostly likely require that local municipalities redraw their ward boundaries, which could prove burdensome to many local governments. County redistricting will occur again in 2011, based on the census data from 2010.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors hereby affirms its support for a 37 member board until the next redistricting occurs in 2011 following the 2010 Federal Census; and

BE IT FURTHER RESOLVED that the Executive Committee is hereby directed to begin discussions in order to formulate criteria to guide the 2011 redistricting, including a recommended number of districts and the number of persons that would be in each, and to develop recommendations on the number of standing committees, compensation for supervisors, and the most effective and efficient methods for the Board to accomplish its duties within the size recommended; and

BE IT FINALLY RESOLVED that the Executive Committee issue a report to the County Board by April 2007, and conduct one or more public hearings, to receive input from the public and local municipalities on the number of county board districts.

Submitted by Supervisors Bruskewitz, Vogel, Wiganowsky, O'Loughlin, Brown, Richmond, Opitz, Matano, Pertzborn, Ruth, Wheeler, Gau, Jensen, Rusk, Wendt, Ripp, Martz, Salov, Eggert, Miles, and Blaska, January 19, 2006 (p. 263, 05-06).

Referred to EXECUTIVE.

RES. 248, 05-06

REGARDING REAPPORTIONMENT AND REDISTRICTING OF COUNTY BOARD SUPERVISORY DISTRICTS

Section 59.10(3)(cm), Wisconsin Statutes, provides for county boards and electors by petition and referendum to decrease the number of supervisory districts following the enactment of decennial supervisory district plan. If the number of supervisors in a county is decreased by the board or by petition, no further action may be taken by the board or by petition until after enactment of the next decennial supervisory district plan by the board. The districts are subject to the same requirements that apply to districts in any redistricting plan enacted by the board.

The county clerk shall file a certified copy of any redistricting plan enacted under this subdivision with the Secretary of State.

At 37 members, Dane County has one of the largest county boards in the country for a population its size, according to the National Association of Counties. Nationally, the average size county board is 15 members. Because new and developing technology provides ongoing and instantaneous communication, elected officials can be expected to be more productive and accessible. To that end, a smaller county board is not only possible, but in keeping with the times. The goal of a smaller county board is to foster greater cooperation and consensus among supervisors, allow a greater balance of power between the legislative and executive branches by creating larger and more broad-based constituencies, and to set an example for hard-pressed property taxpayers and county employees and service providers who are doing more with less.

NOW, THEREFORE, BE IT RESOLVED that the Dane county Board of Supervisors hereby requests that the staff of the Dane County Community Analysis and Planning Commission provide technical assistance to the Executive Committee with regard to analysis of census data and preparation of supervisory district maps consisting of 19 supervisory districts; and

BE IT FURTHER RESOLVED that the Executive Committee shall receive staff assistance from the Office of the County Board, and legal assistance from the County Corporation Counsel; and

BE IT FURTHER RESOLVED that Dane County, as it undertakes this process, welcomes and appreciates input from local governments as it relates to ward boundaries and other matters; and

BE IT FURTHER RESOLVED that the preparation of the redistricting plans shall, to the extent possible, include the following factors in the design of the districts:

- Provide for county supervisory districts that are substantially equal in population
- Compactness
- Contiguity of area
- Community of interest, including factors such as school districts and attendance areas, telephone exchanges, neighborhood associations, and similar post offices
- Place whole contiguous municipalities or contiguous parts of the same municipality within the same district; and

BE IT FURTHER RESOLVED that the Executive Committee shall prepare a tentative map of redistricting to be submitted to the County Board within 90 days from publication of this resolution, and that the County Board shall seek input on the proposed plan at a public hearing to be held no later than 10 days following submittal of the map to the County Board; and

BE IT FINALLY RESOLVED that, within 30 days following the public hearing, the Executive committee shall incorporate those changes deemed necessary to the extent possible to meet the requirements that apply to any decennial redistricting plan, and submit the map of redistricting to the Dane County Board of Supervisors for approval and that upon approval the plan takes effect on November 15 following its enactment and first applies at the next election immediately preceding the expiration of terms of office of supervisors in the county.

Submitted by Supervisors de Felice, Fyrst, Kostelic, and Worzala, January 19, 2006 (p. 264, 05-06).
Referred to EXECUTIVE and ZONING/LAND REGULATION.

RES. 249, 05-06

RESOLUTION AWARDING THE SALE OF \$9,200,000 GENERAL OBLIGATION PROMISSORY NOTES,
SERIES 2006A; PROVIDING THE FORM OF THE NOTES;
AND LEVYING A TAX IN CONNECTION THEREWITH

WHEREAS, the County Board of Supervisors hereby finds and determines that it is necessary, desirable and in the best interest of Dane County, Wisconsin (the "County") to raise funds for the purpose of paying the cost of various items included in the County's Capital Budget including but not limited to: improving, renovating, remodeling and repairing various County buildings and facilities; acquiring and replacing vehicles and equipment; improving highways; undertaking various conservation projects and paying related planning costs and professional fees (the "Project"), and there are insufficient funds on hand to pay said costs;

WHEREAS, on January 19, 2006, the County Board of Supervisors of the County adopted a resolution entitled: "An Initial Resolution Authorizing General Obligation Corporate Purpose Bonds or Promissory Notes in an Amount of Not to Exceed \$18,940,000 and General Obligation Refunding Bonds in an Amount of Approximately \$8,500,000" (the "Initial Resolution"), providing, among other things, for the issuance of not to exceed \$18,940,000 general obligation corporate purpose bonds or promissory notes to pay the costs of the Project;

WHEREAS, the County Board of Supervisors of the County now deems it necessary, desirable and in the best interest of the County that general obligation promissory notes shall be issued in the aggregate principal amount of \$9,200,000 and designated as "General Obligation Promissory Notes, Series 2006A" (the "Notes") for the purpose of paying a portion of the cost of the Project;

WHEREAS, the County Board of Supervisors hereby finds and determines that the Project is within the County's power to undertake and serves a "public purpose" as that term is defined in Section 67.04(1)(b) of the Wisconsin Statutes;

WHEREAS, counties are authorized by the provisions of Section 67.12(12) of the Wisconsin Statutes to borrow money and to issue general obligation promissory notes for such public purposes;

WHEREAS, none of the proceeds of the Notes shall be used to fund the operating expenses of the general fund of the County or to fund the operating expenses of any special revenue fund of the County that is supported by the property taxes;

WHEREAS, the County Board of Supervisors heretofore has directed its financial advisor, Public Financial Management, Inc., Milwaukee, Wisconsin ("PFM") to take the steps necessary to sell the Notes;

WHEREAS, PFM, in consultation with the officials of the County, prepared an Official Notice of Sale (a copy of which is attached hereto as Exhibit A, and incorporated herein by this reference) setting forth the details of and the bid requirements for the Notes and indicating that the Notes would be offered for public sale on February 2, 2006;

WHEREAS, the County Clerk (in consultation with PFM) caused a form of the notice of sale to be published and/or announced and caused the Official Notice of Sale to be distributed to potential bidders offering the aforesaid Notes for public sale on February 2, 2006;

WHEREAS, the following bids were received:

<u>BIDDER</u>	<u>NET INTEREST COST</u>	<u>TRUE INTEREST RATE</u>
_____	\$ _____	_____ %

(SEE BID TABULATION ATTACHED AS EXHIBIT B) (see original on file in County Clerk's office)

WHEREAS, it has been determined that the bid (the "Bid") submitted by the financial institution listed first on the attached Bid Tabulation fully complies with the bid requirements set forth in the Official Notice of Sale and is deemed to be the most advantageous to the County. PFM has recommended that the County accept the Bid. A copy of said Bid submitted by such institution (the "Purchaser") is attached hereto as Exhibit C and incorporated herein by this reference.

NOW, THEREFORE, BE IT RESOLVED by the County Board of Supervisors of the County that:

Section 1. Authorization of the Notes. For the purpose of paying a portion of the cost of the Project, there shall be borrowed pursuant to Section 67.12(12) of the Wisconsin Statutes, the principal sum of NINE MILLION TWO HUNDRED THOUSAND DOLLARS (\$9,200,000).

Section 1A. Ratification of the Official Notice of Sale and Offering Materials. The County Board of Supervisors of the County hereby ratifies and approves the details of the Notes set forth in Exhibit A attached hereto as and for the details of the Notes. The Official Notice of Sale and other offering materials prepared and circulated by PFM are hereby ratified and approved in all respects. All actions taken by officers of the County and PFM in connection with the preparation and distribution of the Official Notice of Sale are hereby ratified and approved in all respects.

Section 2. Award of the Notes. The Bid of the Purchaser offering to purchase the \$9,200,000 Dane County General Obligation Promissory Notes, Series 2006A (the "Notes") for the sum set forth on the Bid, plus accrued interest to the date of delivery, resulting in a net interest cost and an average true interest rate as set forth on the Bid is hereby accepted. The Notes bear interest at the rates set forth on the Bid.

Section 3. Terms of the Notes. The Notes shall be designated "General Obligation Promissory Notes, Series 2006A"; shall be dated February 15, 2006; shall be in the denomination of \$5,000 or any integral multiple thereof; shall be numbered 1 and upward; and shall mature on June 1 of each year, in the years and principal amounts set forth on the debt service schedule prepared by PFM and attached hereto as Exhibit D (the "Schedule"). Interest is payable semi-annually on June 1 and December 1 of each year commencing on June 1, 2006.

Section 4. Redemption Provisions. At the option of the County, the Notes maturing on June 1, 2014 and thereafter shall be subject to redemption prior to maturity on June 1, 2013 or on any date thereafter. Said Notes 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 Proposal specifies that any of the Notes are subject to mandatory redemption, the terms of such mandatory redemption shall be set forth on an attachment hereto as Exhibit MRP (the "Mandatory Redemption Provisions") and incorporated herein by this reference.

Section 5. Form of the Notes. The Notes shall be issued in registered form and shall be executed and delivered in substantially the form attached hereto as Exhibit E and incorporated herein by this reference.

Section 6. Direct Annual Irrepealable Tax Levy. For the purpose of paying the principal of and interest on the Notes as the same becomes due, the full faith, credit and resources of the County are hereby irrevocably pledged, and there is hereby levied upon all of the taxable property of the County a direct annual irrepealable tax in the years 2006 through 2014 for the payments due in the years 2007 through 2015 in the amounts set forth on the Schedule.

The direct annual irrepealable tax hereby levied shall be carried onto the tax roll and collected in addition to all other taxes and in the same manner and at the same time as other taxes of the County for said years are collected. So long as any part of the principal of or interest on the Notes remains unpaid, the tax hereinabove levied shall be and continues irrepealable except that the amount of tax carried onto the tax roll may be reduced in any year by the amount of any surplus in the Debt Service Fund Account created below.

Section 7. Segregated Debt Service Fund Account. There is hereby established in the County treasury a fund account separate and distinct from all other funds or accounts of the County designated "Debt Service Fund Account for \$9,200,000 Dane County General Obligation Promissory Notes, Series 2006A, dated February 15, 2006", which fund account shall be used solely for the purpose of paying the principal of and interest on the Notes. There shall be deposited in said fund account all accrued interest paid on the Notes at the time the Notes are delivered to the Purchaser, any premium, all money raised by taxation pursuant to Section 6 hereof and all other sums as may be necessary to pay principal of and interest on the Notes as the same becomes due. Said fund account shall be used for the sole purpose of paying the principal of and interest on the Notes and shall be maintained for such purpose until such indebtedness is fully paid or otherwise extinguished, and shall at all times be invested in a manner that conforms with the provisions of the Internal Revenue Code of 1986, as amended (the "Code"), and any applicable income tax regulations (the "Regulations").

Section 8. Borrowed Money Fund; Reimbursement. The proceeds of the Notes (the "Note Proceeds") (other than any premium and accrued interest which must be paid at the time of the delivery of the Notes into the

Debt Service Fund Account created above) shall be deposited into an account separate and distinct from all other funds and disbursed solely for the purposes for which borrowed or for the payment of the principal of and the interest on the Notes.

The County declares its reasonable expectation to reimburse itself from the Note Proceeds for expenditures relating to the Project which it pays from other funds of the County prior to receipt of the Note Proceeds no more than 60 days prior to the date the Initial Resolution was adopted. The County may also reimburse itself for preliminary expenditures relating to the Project (such as architectural, engineering, surveying, soil testing, costs of issuance and similar costs but not including land acquisition, site preparation and similar costs incident to the commencement of construction) which are in an amount which is less than 20% of the issue price of the Notes. This declaration and the Resolution of which it is a part, shall be publicly available in the official books, records or proceedings of the County Board of Supervisors.

Section 9. Arbitrage Covenant. The County shall not take any action with respect to the Note Proceeds which, if such action had been reasonably expected to have been taken, or had been deliberately and intentionally taken on the date of the delivery of and payment for the Notes (the "Closing"), would cause the Notes to be "arbitrage bonds" within the meaning of Section 148 of the Code and the Regulations.

The Note Proceeds may be temporarily invested in legal investments until needed, provided however, that the County hereby covenants and agrees that so long as the Notes remain outstanding, moneys on deposit in any fund or account created or maintained in connection with the Notes, whether such moneys were derived from the Note Proceeds or from any other source, will not be used or invested in a manner which would cause the Notes to be "arbitrage bonds" within the meaning of the Code or Regulations. The County covenants that it will not invest in any obligation if such investment would violate the "prohibited payment" requirement of Section 148 of the Code.

The County Clerk, or other officer of the County charged with responsibility for issuing the Notes, shall provide an appropriate certificate of the County, for inclusion in the transcript of proceedings, setting forth the reasonable expectations of the County regarding the amount and use of the Note Proceeds and the facts and estimates on which such expectations are based, all as of the Closing.

Section 10. Additional Tax Covenants; Two Year Expenditure Exemption from Rebate. The County hereby further covenants and agrees that it will take all necessary steps and perform all obligations required by the Code and Regulations (whether prior to or subsequent to the issuance of the Notes) to assure that the Notes are obligations described in Section 103(a) of the Code, the interest on which is excludable from gross income for federal income tax purposes, throughout their term. The County further covenants that it will not take any action, omit to take any action or permit the taking or omission of any action within its control (including, without limitation, making or permitting any use of the proceeds of the Notes) if taking, permitting or omitting to take such action would cause any of the Notes to be an arbitrage bond or a private activity bond within the meaning of the Code or would otherwise cause interest on the Notes to be included in the gross income of the recipients thereof for federal income tax purposes. The County Clerk or other officer of the County charged with the responsibility of issuing the Notes, shall provide an appropriate certificate of the County as of the Closing, for inclusion in the transcript of proceedings, certifying that it can and covenanting that it will comply with the provisions of the Code and Regulations.

Further, it is the intent of the County to take all reasonable and lawful actions to comply with any new tax laws enacted so that the Notes will continue to be obligations described in Section 103(a) of the Code, the interest on which is excludable from gross income for federal income tax purposes throughout their term.

The County covenants that it is a governmental unit with general taxing powers and that the Notes are not "private activity bonds" as defined in Section 141 of the Code.

In accordance with Section 148(f)(4)(C) of the Code, the County covenants that at least 75% of the available construction proceeds of the Notes shall be used for construction expenditures with respect to property owned by the County as provided in Section 148(f)(4)(C)(iv) of the Code. If at least 10% of the available construction proceeds of the Notes (including investment earnings thereon) are expended for the governmental purposes of the issue within six months of the Closing; at least 45% are expended for such purposes within one year; at least 75% are expended for such purposes within eighteen months; and 100% are expended for such purposes within two years, the Notes will qualify for the two year expenditure exception from the rebate

requirements of the Code. If for any reason the County did not qualify for the two year expenditure exemption from the rebate requirements of the Code, the County covenants that it would take all necessary steps to comply with such requirements.

Section 11. Execution of the Notes. The Notes shall be issued in typewritten or printed form, executed on behalf of the County by the manual or facsimile signatures of the Chairperson and County Clerk, authenticated, if required, by its fiscal agent, if any, sealed with its official or corporate seal, if any, or a facsimile thereof, and delivered to the Purchaser upon payment to the County of the purchase price thereof, plus accrued interest to the date of delivery. In the event that either of the officers whose signatures appear on the Notes shall cease to be such officers before the delivery of the Notes, such signatures shall, nevertheless, be valid and sufficient for all purposes to the same extent as if they had remained in office until such delivery. The aforesaid officers are hereby authorized to do all acts and execute and deliver all documents as may be necessary and convenient to effectuate the Closing.

Section 12. Payment of the Notes. The principal of and interest on the Notes shall be paid in lawful money of the United States of America by the County Clerk or County Treasurer.

Section 12A. Persons Treated as Owners; Transfer of Notes. The County shall keep books for the registration and for the transfer of the Notes. The person in whose name any Note shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes and payment of either principal or interest on any Note shall be made only to the registered owner thereof. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Note to the extent of the sum or sums so paid.

Any Note may be transferred by the registered owner thereof by surrender of the Note at the office of the County Clerk, duly endorsed for the transfer or accompanied by an assignment duly executed by the registered owner or his attorney duly authorized in writing. Upon such transfer, the Chairperson and County Clerk shall execute and deliver in the name of the transferee or transferees a new Note or Notes of a like aggregate principal amount, series and maturity and the County Clerk shall record the name of each transferee in the registration book. No registration shall be made to bearer. The County Clerk shall cancel any Note surrendered for transfer.

The County shall cooperate in any such transfer, and the Chairperson and County Clerk are authorized to execute any new Note or Notes necessary to effect any such transfer.

The fifteenth day of each calendar month next preceding each interest payment date shall be the record date for the Notes. Payment of interest on the Notes on any interest payment date shall be made to the registered owners of the Notes as they appear on the registration book of the County at the close of business on the corresponding record date.

Section 13. Utilization of The Depository Trust Company Book-Entry-Only System. In order to make the Notes eligible for the services provided by The Depository Trust Company, New York, New York ("DTC"), the County agrees to the applicable provisions set forth in the Blanket Issuer Letter of Representations previously executed on behalf of the County and on file in the County Clerk's office.

Section 14. Undertaking to Provide Continuing Disclosure. The County hereby covenants and agrees, for the benefit of the holders of the Notes, to enter into a written undertaking (the "Undertaking") required by SEC Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities and Exchange Act of 1934 (the "Rule") to provide continuing disclosure of certain financial information and operating data and timely notices of the occurrence of certain events in accordance with the Rule. This Undertaking shall be enforceable by the holders of the Notes or by the Purchaser on behalf of such holders (provided that the rights of the holders and the Purchaser to enforce the Undertaking shall be limited to a right to obtain specific performance of the obligations hereunder and any failure by the County to comply with the provision of this Undertaking shall not be an event of default with respect to the Notes).

The County Clerk, or other officer of the County charged with the responsibility for issuing the Notes, shall provide a Continuing Disclosure Certificate for inclusion in the transcript of proceedings, setting forth the details and terms of the County's Undertaking.

Section 15. Bond Insurance. The Chairperson and County Clerk are authorized to agree to such additional provisions as any municipal bond insurer which makes a commitment accepted by the County to insure the Notes may reasonably request and which are acceptable to the Chairperson and County Clerk, including provisions regarding restrictions on investment of Note Proceeds, the payment procedure under the municipal

bond insurance policy, the rights of the bond insurer in the event of default and payment of the Notes by the bond insurer and notices to be given to the bond insurer. In addition, appropriate reference to the municipal bond insurance policy shall be made in the form of Note provided herein.

Section 16. Conflicting Resolutions; Severability; Effective Date. All prior resolutions, rules or other actions of the County Board of Supervisors or any parts thereof in conflict with the provisions hereof shall be, and the same are, hereby rescinded insofar as the same may so conflict. In the event that any one or more provisions hereof shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions hereof. The foregoing shall take effect immediately upon adoption and approval in the manner provided by law.

Adopted and recorded February 2, 2006.

S/Scott A. McDonell, Chairperson

ATTEST: s/Robert H. Ohlsen, County Clerk

Submitted by Supervisors Brown, O'Loughlin, and Fyrst, January 19, 2006 (p. 269, 05-06).
Referred to PERSONNEL/FINANCE.

RES. 250, 05-06

RESOLUTION AWARDING THE SALE OF \$17,515,000 GENERAL OBLIGATION CAPITAL IMPROVEMENT
AND REFUNDING BONDS, SERIES 2006B; PROVIDING THE FORM OF THE BONDS;
AND LEVYING A TAX IN CONNECTION THEREWITH

WHEREAS, the County Board of Supervisors of Dane County, Wisconsin (the "County") hereby finds and determines that it is necessary, desirable and in the best interest of the County to raise funds for the purpose of paying the cost of various items included in the County's Capital Budget including undertaking various conservation projects and improving, renovating, remodeling and repairing various County buildings and facilities including the Henry Vilas Zoo (collectively the "Project") and refunding certain outstanding obligations of the County, to wit: \$11,725,000 General Obligation Corporate Purpose Bonds, Series 2000A, dated November 1, 2000 (the "2000A Bonds") (hereinafter the refunding of the County's 2000A Bonds shall be referred to as the "Refunding"), and there are insufficient funds on hand to pay said costs;

WHEREAS, the County Board of Supervisors deems it to be necessary, desirable and in the best interest of the County to refund the 2000A Bonds for the purpose of restructuring the outstanding indebtedness of the County;

WHEREAS, the County Board of Supervisors hereby finds and determines that the Project is within the County's power to undertake and serves a "public purpose" as that term is defined in Section 67.04(1)(b) of the Wisconsin Statutes;

WHEREAS, counties are authorized by the provisions of Chapter 67 of the Wisconsin Statutes to borrow money and to issue general obligation bonds for such public purposes and to refinance their outstanding obligations;

WHEREAS, on January 19, 2006, the County Board of Supervisors of the County adopted a resolution entitled: "An Initial Resolution Authorizing General Obligation Corporate Purpose Bonds or Promissory Notes in an Amount of Not to Exceed \$18,940,000 and General Obligation Refunding Bonds in an Amount of Approximately \$8,500,000" (the "Initial Resolution"), providing, among other things, for the issuance of approximately \$8,500,000 general obligation refunding bonds to pay the costs of the Refunding;

WHEREAS, the County Board of Supervisors of the County now deems it necessary, desirable and in the best interest of the County that general obligation bonds shall be issued in the aggregate principal amount of approximately \$17,515,000 and designated as General Obligation Capital Improvement and Refunding Bonds, Series 2006B (the "Bonds") for the purpose of paying the costs of the Project (\$_____) and the Refunding (approximately \$_____);

WHEREAS, none of the proceeds of the Bonds shall be used to fund the operating expenses of the general fund of the County or to fund the operating expenses of any special revenue fund of the County that is supported by the property taxes;

WHEREAS, the County Board of Supervisors heretofore has directed its financial advisor, Public Financial Management, Inc., Milwaukee, Wisconsin ("PFM") to take the steps necessary to sell the Bonds to pay the cost of the Project and the Refunding;

WHEREAS, PFM, in consultation with the officials of the County, prepared an Official Notice of Sale (a copy of which is attached hereto as Exhibit A and incorporated herein by this reference) setting forth the details of and the bid requirements for the aforesaid Bonds and indicating that the Bonds would be offered for public sale on February 2, 2006;

WHEREAS, the County Clerk (in consultation with PFM) caused a form of the notice of sale to be published and/or announced and caused the Official Notice of Sale to be distributed to potential bidders offering the aforesaid Bonds for public sale on February 2, 2006;

WHEREAS, the following bids were received:

<u>BIDDER</u>	<u>NET INTEREST COST</u>	<u>TRUE INTEREST RATE</u>
_____	\$ _____	_____ %

(See Bid Tabulation Attached as Exhibit B) (see original document on file in County Clerk's Office.)

WHEREAS, it has been determined that the bid (the "Bid") submitted by the financial institution listed first on the attached Bid Tabulation fully complies with the bid requirements set forth in the Official Notice of Sale and is deemed to be the most advantageous to the County. PFM has recommended that the County accept the Bid. A copy of said Bid submitted by such institution (the "Purchaser") is attached hereto as Exhibit C and incorporated herein by this reference.

NOW, THEREFORE, BE IT RESOLVED by the County Board of Supervisors of the County that:

Section 1. Authorization of the Bonds. For the purpose of paying the cost of the Project and the Refunding, there shall be borrowed pursuant to Chapter 67 of the Wisconsin Statutes, the principal sum of SEVENTEEN MILLION FIVE HUNDRED FIFTEEN THOUSAND DOLLARS (\$17,515,000).

Section 1A. Ratification of the Official Notice of Sale and Offering Materials. The County Board of Supervisors of the County hereby ratifies and approves the details of the Bonds set forth in Exhibits A attached hereto as and for the details of the Bonds. The Official Notice of Sale and other offering materials prepared and circulated by PFM are hereby ratified and approved in all respects. All actions taken by officers of the County and PFM in connection with the preparation and distribution of the Official Notice of Sale are hereby ratified and approved in all respects.

Section 1B. Award of the Bonds. The Bid of the Purchaser offering to purchase the \$17,515,000* Dane County General Obligation Capital Improvement and Refunding Bonds, Series 2006B (the "Bonds") for the sum set forth on the Bid, plus accrued interest to the date of delivery, resulting in a net interest cost and an average

true interest rate as set forth on the Bid is hereby accepted. The Bonds bear interest at the rates set forth on the Bid.

Section 2. Terms of the Bonds. The Bonds shall be designated "General Obligation Capital Improvement and Refunding Bonds, Series 2006B"; shall be dated February 15, 2006; shall be in the denomination of \$5,000 or any integral multiple thereof; shall be numbered 1 and upward; and shall mature on September 1 of each year, in the years and principal amounts set forth on the debt service schedule prepared by PFM and attached hereto as Exhibit D (the "Schedule"). Interest is payable semi-annually on March 1 and September 1 of each year commencing on September 1, 2006.

Section 2A. Designation of Maturities. The Bonds of this issue which mature first are designated as being issued to refund the 2000A Bonds in the order in which the debt evidenced by said obligations were incurred (\$ _____) and the remaining balance of the Bonds is designated to pay the costs of the Project (\$ _____).

Section 3. Redemption Provisions. At the option of the County, the Bonds maturing on September 1, 2014 and thereafter shall be subject to redemption prior to maturity on September 1, 2013 or on any date thereafter. Said 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 Proposal specifies that any of the Bonds are subject to mandatory redemption, the terms of such mandatory redemption shall be set forth on an attachment hereto as Exhibit MRP (the "Mandatory Redemption Provisions") and incorporated herein by this reference.

Section 4. Form of the Bonds. The Bonds shall be issued in registered form and shall be executed and delivered in substantially the form attached hereto as Exhibit E and incorporated herein by this reference.

Section 5. Direct Annual Irrepealable Tax Levy. For the purpose of paying the principal of and interest on the Bonds as the same becomes due, the full faith, credit and resources of the County are hereby irrevocably pledged, and there is hereby levied upon all of the taxable property of the County a direct annual irrepealable tax in the years 2006 through 2024 for the payments due in the years 2007 through 2025 in the amounts set forth on the Schedule.

The direct annual irrepealable tax hereby levied shall be carried onto the tax roll and collected in addition to all other taxes and in the same manner and at the same time as other taxes of the County for said years are collected. So long as any part of the principal of or interest on the Bonds remains unpaid, the tax hereinabove levied shall be and continues irrepealable except that the amount of tax carried onto the tax roll may be reduced in any year by the amount of any surplus in the Debt Service Fund Account for the Bonds created below.

The County has heretofore levied a direct annual irrepealable ad valorem debt service tax with respect to the 2000A Bonds which is on deposit in the debt service fund account for the 2000A Bonds. Upon the refunding of the 2000A Bonds, a sufficient sum shall be transferred from said account and irrevocably deposited into the segregated Debt Service Fund Account for the Bonds created below and shall be used to pay the interest on the Bonds coming due on September 1, 2006 as set forth on the Schedule and the balance shall be irrevocably deposited into the Escrow Account and applied to the costs of the Refunding.

Section 6. Segregated Debt Service Fund Account. There is hereby established in the County treasury a fund account separate and distinct from all other funds or accounts of the County designated "Debt Service Fund Account for \$17,515,000 Dane County General Obligation Capital Improvement and Refunding Bonds, Series 2006B, dated February 15, 2006", which fund account shall be used solely for the purpose of paying the principal of and interest on the Bonds. There shall be deposited in said fund account all accrued interest paid on the Bonds at the time the Bonds are delivered to the Purchaser, any premium, all money raised by taxation pursuant to Section 5 hereof, and all other sums as may be necessary to pay principal of and interest on the Bonds as the same become due. Said fund account shall be used for the sole purpose of paying the principal of and interest on the Bonds, shall be maintained for such purpose until such indebtedness is fully paid or otherwise extinguished, and shall at all times be invested in a manner that conforms with the provisions of the Internal Revenue Code of 1986, as amended (the "Code"), and any applicable income tax regulations (the "Regulations").

Section 7. Borrowed Money Fund; Reimbursement. The proceeds of the Bonds (the "Bond Proceeds") (other than any premium and accrued interest which must be paid at the time of the delivery of the Bonds into the Debt Service Fund Account created above) shall be deposited into an account separate and distinct from all other

funds and disbursed solely for the purposes for which borrowed or for the payment for the principal of and the interest on the Bonds.

The County declares its reasonable expectation to reimburse itself from the Bond Proceeds for expenditures relating to the Project which it pays from other funds of the County prior to receipt of the Bond Proceeds no more than 60 days prior to the date the Initial Resolution was adopted. The County may also reimburse itself for preliminary expenditures relating to the Project (such as architectural, engineering, surveying, soil testing, costs of issuance and similar costs but not including land acquisition, site preparation and similar costs incident to the commencement of construction) which are in an amount which is less than 20% of the issue price of the Bonds. This declaration and the Resolution of which it is a part, shall be publicly available in the official books, records or proceedings of the County Board of Supervisors.

Section 8. Arbitrage Covenant. The County shall not take any action with respect to the Bond Proceeds which, if said action had been reasonably expected to have been taken, or had been deliberately and intentionally taken on the date of delivery of and payment for the Bonds (the "Closing") would have caused the Bonds to be "arbitrage bonds" within the meaning of Section 148 of the Code and the Regulations.

The Bond Proceeds may be temporarily invested in legal investments until needed, provided however, that the County hereby covenants and agrees that so long as the Bonds remain outstanding, moneys on deposit in any fund or account created or maintained in connection with the Bonds, whether such moneys were derived from Bond Proceeds or from any other source, will not be used or invested in a manner which would cause the Bonds to be "arbitrage bonds" within the meaning of the Code or Regulations. The County covenants that it will not invest in any obligation if such investment would violate the "prohibited payment" requirement of Section 148 of the Code.

The County Clerk, or other officer of the County charged with responsibility for issuing the Bonds, shall provide an appropriate certificate of the County, for inclusion in the transcript of proceedings, setting forth the reasonable expectations of the County regarding the amount and use of the Bond Proceeds and the facts and estimates on which such expectations are based, all as of the Closing.

Section 9. Additional Tax Covenants Including Rebate; Partial Two-Year Expenditure Exemption from Rebate. The County hereby further covenants and agrees that it will take all necessary steps and perform all obligations required by the Code and Regulations (whether prior to or subsequent to the issuance of the Bonds) to assure that the Bonds are obligations described in Section 103(a) of the Code, the interest on which is excludable from gross income for federal income tax purposes, throughout their term. The County Clerk or other officer of the County charged with the responsibility of issuing the Bonds, shall provide an appropriate certificate of the County as of the Closing, for inclusion in the transcript of proceedings, certifying that it can and covenanting that it will comply with the provisions of the Code and Regulations.

Further, it is the intent of the County to take all reasonable and lawful actions to comply with any new tax laws enacted so that the Bonds will continue to be obligations described in Section 103(a) of the Code, the interest on which is excludable from gross income for federal income tax purposes throughout their term.

The County covenants that it is a governmental unit with general taxing powers and that the Bonds are not "private activity bonds" as defined in Section 141 of the Code.

For purposes of complying with the Regulations, particularly the rebate requirements of the Regulations, the portion of the proceeds of the Bonds that will be used for the Project and the portion of the proceeds of the Bonds that will be used for the Refunding shall be considered proceeds of separate issues, respectively referred to herein as the "New Money Portion" and the "Refunding Portion."

In accordance with Section 148(f)(4)(C) of the Code, the County covenants that at least 75% of the available construction proceeds of the New Money Portion of the Bonds shall be used for construction expenditures with respect to property owned by the County as provided in Section 148(f)(4)(C)(iv) of the Code. If at least 10% of the available construction proceeds of the New Money Portion of the Bonds (including investment earnings thereon) are expended for the governmental purposes of the issue within six months of the Closing; at least 45% are expended for such purposes within one year; at least 75% are expended for such purposes within eighteen months; and 100% are expended for such purposes within two years, the New Money Portion of the Bonds will qualify for the two year expenditure exception from the rebate requirements of the Code. If for any reason the County did not qualify for the two year expenditure exemption from the rebate requirements of the

Code for the New Money Portion of the Bonds, the County covenants that it would take all necessary steps to comply with such requirements.

The County does not anticipate that it will qualify for any exemption from the rebate requirements of the Code for the Refunding Portion of the Bonds. Accordingly, the County hereby covenants and agrees that there shall be paid from time to time all amounts to be rebated to the United States pursuant to Section 148(f) of the Code and any applicable Regulations. This covenant and agreement shall survive payment in full or defeasance of the Bonds. In order to fulfill such covenant and agreement, the County is hereby authorized to employ independent accountants, consultants or attorneys to assist in determining the rebate amounts.

Section 9A. Rebate Fund. If necessary, the County shall establish and maintain, so long as the Bonds are outstanding, a separate account to be known as the "Rebate Fund". The County hereby covenants and agrees that it shall pay from the Rebate Fund the rebate amounts calculated pursuant to the provisions of the Code and Regulations to the United States of America.

Amounts held in the Rebate Fund and the investment income therefrom are not pledged as security for the 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 calculations and shall make such records available upon reasonable request therefor.

The County hereby agrees it will disburse all moneys in the Rebate Fund to the United States of America at the times and in the manner set forth in any applicable Regulations proposed or promulgated thereunder.

Section 10. Execution of the Bonds. The Bonds shall be prepared in typewritten or printed form, executed on behalf of the County by the manual or facsimile signatures of the Chairperson and County Clerk, authenticated, if required, by its fiscal agent, if any, sealed with its official or corporate seal, if any, or a facsimile thereof and delivered to the Purchaser upon payment to the County of the purchase price thereof, plus accrued interest to the date of delivery. In the event that either of the officers whose signatures appear on the Bonds shall cease to be such officers before the delivery of the Bonds, such signatures shall, nevertheless, be valid and sufficient for all purposes to the same extent as if they had remained in office until such delivery. The aforesaid officers are hereby authorized to do all acts and execute all documents as may be necessary and convenient for effectuating the Closing.

Section 11. Payment of the Bonds. The principal of and interest on the Bonds shall be paid in lawful money of the United States of America by the County Clerk or County Treasurer.

Section 11A. Persons Treated as Owners; Transfer of Bonds. The County shall keep books for the registration and for the transfer of the Bonds. The person in whose name any Bond shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes and payment of either principal or interest on any Bond shall be made only to the registered owner thereof. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Bond to the extent of the sum or sums so paid.

Any Bond may be transferred by the registered owner thereof by surrender of the Bond at the office of the County Clerk, duly endorsed for the transfer or accompanied by an assignment duly executed by the registered owner or his attorney duly authorized in writing. Upon such transfer, the Chairperson and County Clerk shall execute and deliver in the name of the transferee or transferees a new Bond or Bonds of a like aggregate principal amount, series and maturity and the County Clerk shall record the name of each transferee in the registration book. No registration shall be made to bearer. The County Clerk shall cancel any Bond surrendered for transfer.

The County shall cooperate in any such transfer, and the Chairperson and County Clerk are authorized to execute any new Bond or Bonds necessary to effect any such transfer.

The fifteenth day of each calendar month next preceding each interest payment date shall be the record date for the Bonds. Payment of interest on the Bonds on any interest payment date shall be made to the registered owners of the Bonds as they appear on the registration book of the County at the close of business on the corresponding record date.

Section 12. Utilization of The Depository Trust Company Book-Entry-Only System. In order to make the Bonds eligible for the services provided by The Depository Trust Company, New York, New York ("DTC"), the County agrees to the applicable provisions set forth in the Blanket Issuer Letter of Representations previously executed on behalf of the County and on file in the County Clerk's office.

Section 13. Undertaking to Provide Continuing Disclosure. The County hereby covenants and agrees, for the benefit of the holders of the Bonds, to enter into a written undertaking (the "Undertaking") required by SEC Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities and Exchange Act of 1934 (the "Rule") to provide continuing disclosure of certain financial information and operating data and timely notices of the occurrence of certain events in accordance with the Rule. This Undertaking shall be enforceable by the holders of the Bonds or by the Purchaser on behalf of such holders (provided that the rights of the holders and the Purchaser to enforce the Undertaking shall be limited to a right to obtain specific performance of the obligations hereunder and any failure by the County to comply with the provision of this Undertaking shall not be an event of default with respect to the Bonds).

The County Clerk, or other officer of the County charged with the responsibility for issuing the Bonds, shall provide a Continuing Disclosure Certificate for inclusion in the transcript of proceedings, setting forth the details and terms of the County's Undertaking.

Section 14. Escrow Agent; Escrow Agreement; Escrow Account. _____, _____, is hereby appointed escrow agent for the County, for the purpose of ensuring the payment of the principal of and interest on the 2000A Bonds (the "Escrow Agent").

The Chairperson and County Clerk are hereby authorized and directed to execute an escrow agreement substantially in the form submitted to and on file with the County Chairperson and County Clerk prior to the adoption of this Resolution (such form may be modified by said officers prior to execution, the execution of such agreement by said officers to constitute full approval of the County Board of Supervisors of any such modifications), with the Escrow Agent, for the purpose of effectuating the provisions of this Resolution.

The County Board of Supervisors hereby authorizes the appropriate officers and agents of the County to enter into revised or supplemental escrow agreements from time to time and to pay expenses related thereto if entering into such agreements is in the best interest of the County, continues to provide for the timely payment of the 2000A Bonds, conforms to the requirements of the Escrow Agreement and does not alter the tax status of the interest on the 2000A Bonds or the Bonds.

The Bond Proceeds allocable to refunding the 2000A Bonds, other than any premium and accrued interest which shall be deposited in the Debt Service Fund Account created above, shall be deposited in a refunding escrow account which is hereby created with the Escrow Agent, pursuant to the Escrow Agreement, for the purpose of retaining the required amount of cash, if any, and acquiring the United States obligations provided for in the Escrow Agreement.

Upon transfer of the Bond Proceeds and any other necessary funds allocable to refunding the 2000A Bonds to the Escrow Account, the taxes heretofore levied to pay debt service on the 2000A Bonds shall be abated to the extent such transfer together with investment earnings thereon is sufficient to pay the principal of and interest on the 2000A Bonds, but such abatement shall not affect the County's pledge of its full faith, credit and resources to make such payments. The refunding escrow account created by the Escrow Agreement shall hereinafter serve as the debt service (or sinking) fund account for the 2000A Bonds. The Escrow Agent shall serve as custodian of said debt service (or sinking) funds.

Section 15. Bond Insurance. The Chairperson and County Clerk are authorized to agree to such additional provisions as any municipal bond insurer which makes a commitment accepted by the County to insure the Bonds may reasonably request and which are acceptable to the Chairperson and County Clerk, including provisions regarding restrictions on investment of Bond Proceeds, the payment procedure under the municipal bond insurance policy, the rights of the bond insurer in the event of default and payment of the Bonds by the bond insurer and notices to be given to the bond insurer. In addition, appropriate reference to the municipal bond insurance policy shall be made in the form of Bond provided herein.

Section 16. Redemption of the 2000A Bonds. The County Board of Supervisors hereby calls the 2000A Bonds due on and after September 1, 2009 for redemption on September 1, 2008. The County hereby directs the Escrow Agent appointed above to cause a notice of redemption, in substantially the form attached to the Escrow Agreement, to be provided at the times and in the manner provided thereon.

Section 17. Conflicting Resolutions; Severability; Effective Date. All prior resolutions, rules or other actions of the County Board of Supervisors or any parts thereof in conflict with the provisions hereof shall be, and the same are, hereby rescinded insofar as the same may so conflict. In the event that any one or more provisions

hereof shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions hereof. The foregoing shall take effect immediately upon adoption and approval in the manner provided by law.

Adopted and recorded February 2, 2006.

S/Scott A. McDonell, Chairperson

ATTEST:

S/Robert H. Ohlsen, County Clerk

Submitted by Supervisors Brown, O'Loughlin, and Fyrst, January 19, 2006 (p. 275, 05-06).
Referred to PERSONNEL/FINANCE.

RES. 251, 05-06

ACCEPTANCE OF HOMELAND SECURITY GRANT FOR FIRST RESPONDER TRAINING –
INCIDENT COMMAND SYSTEM

The Dane County Department of Emergency Management applied for and was awarded two grants from the Wisconsin Office of Justice Assistance for \$5,625 to conduct training for emergency first responders in managing emergency operations through the effective use of the Incident Command System (ICS).

The first grant award was for \$4,725 to conduct seven (7) ICS-200 (Basic ICS) courses, and the second grant award for \$900 was awarded to conduct one (1) ICS-300 (Intermediate ICS for Expanding Operations) course.

The grant periods are from January 1, 2006, through June 30, 2006.

NOW, THEREFORE, BE IT RESOLVED that \$5,625 be set up as additional revenue in the Emergency Management Hazardous Materials Training Revenue Account EMHAZMAT 81812 and be credited to the General Fund.

BE IT FURTHER RESOLVED that \$5,625 be transferred from the General Fund to the following Emergency Management Hazardous Materials Account, EMHAZMAT 31133, Hazardous Materials Training.

BE IT FURTHER RESOLVED that all unexpended funds and unrecognized revenues from these accounts be carried forward from the 2006 to the 2007 budget period.

Submitted by Supervisor Olsen, January 19, 2006 (p. 275, 05-06).
Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

RES. 252, 05-06

CRITICAL INCIDENT RESPONSE PROGRAM ACCEPTANCE OF GRANT AND DONATION FUNDS

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 District Attorney's Office has recently been awarded \$199,273 federal VOCA funds. The county budget for 2006 includes \$5,000 of county matching funds in support of the grant. PDQ Food Stores contributed \$500 in discretionary funds in acknowledgement of the direct service provided to them by the program.

NOW, THEREFORE, BE IT RESOLVED that the Dane County District Attorney's Office Critical Incident Response Program be authorized to receive \$199,273 of Federal Victim of Crime Act (VOCA) dollars; the \$500 contribution from PDQ; and the \$5,000 County match 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 \$204,773 be transferred from the General Fund as follows: \$175,234 to personnel; \$20,500 to Critical Incident Response POS account; \$2,000 to Critical Incident Response supplies; \$2,000 to Critical Incident Response printing; \$2,039 to Critical Incident Response training; \$3,000 to Critical Incident Response rent/communications.

BE IT STILL FURTHER RESOLVED that any unrealized or unexpended funds, appropriated by this resolution, be carried forward to 2007.

Submitted by Supervisor Hanson, January 19, 2006 (p. 276, 05-06).

Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

RES. 253, 05-06

ACCEPTANCE OF THE FFY 05 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 05 Federal Anti-Drug Abuse Grant is a continuation of the grant identified in Res. 210, 1991-1992. FFY 05 Federal Anti-Drug Abuse Grant funds are also used to fund our Supplemental Prosecutor Grant (DB-04-SW-0024). Furthermore, the FFY 05 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 \$34,298.

BE IT FURTHER RESOLVED that \$34,298 be set up as District Attorney, Criminal & Traffic - Adult, Task Force Project Grant revenue and be credited to the General Fund and that \$34,298 be transferred from the General Fund to the following District Attorney Criminal And Traffic-Adult accounts as follows:

State Prosecution System \$34,298.00

BE IT FINALLY RESOLVED that any funds not received or expended in FY 2005 be carried forward to FY 2006.

Submitted by Supervisor Hanson, January 19, 2006 (p. 277, 05-06).
Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

RES. 254, 05-06

APPROVING LEASE WITH PATRICIA HITCHCOCK AT DONALD PARK IN TOWN OF SPRINGDALE

In 1996, Dane County purchased 160 acres of land from Patricia Hitchcock as additional land for Donald County Park. The sale was conditioned on negotiating a mutually beneficial lease to allow Ms. Hitchcock to remain in her home for at least ten years.

That lease expires on June 30, 2006. Ms Hitchcock has been helping to maintain the property and managing the Donald Park volunteers as the Friends of Donald Park volunteer coordinator. In addition to the rent, she continues to pay the real estate taxes. The proposed lease is for an additional ten-year period at a rental rate of \$500 per month.

NOW, THEREFORE, BE IT RESOLVED that the County of Dane does hereby approve and authorize the above-described ten-year lease with Patricia Hitchcock, and

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

Submitted by Supervisors Ruth and Ripp, January 19, 2006 (p. 277, 05-06).
Referred to PERSONNEL/FINANCE, PUBLIC WORKS/TRANSPORTATION, ENVIRONMENT/
AGRICULTURE/ NATURAL RESOURCES, and PARKS.

RES. 255, 05-06

APPROVE CROP LEASES ON COUNTY PARK LAND –WINTER 2006

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 three years commencing January 1, 2006.
Blooming Grove Drumlin I – City of Madison : 35 acres; \$146.00 per acre
\$5,110.00 per year for 3 years
Lessee: Dennis Acker
2. Following is a lease to the successful bidder for three years commencing January 1, 2006.
Lower Mud Lake- Dyreson – Town of Dunn: 16 acres; \$115.00 per acre
\$1,840.00 per year for 3 years

Lessee: John Wood

3. Following is a lease to the successful bidder for three years commencing January 1, 2006.
Lower Mud Lake – Everson – Town of Dunn: 38 acres; \$33.00 per acre (grassland)
\$1,254.00 per year for 3 years
Lessee: Eugene Friede
4. Following is a lease to the successful bidder for three years commencing January 1, 2006.
McCarthy Park – Town of Sun Prairie: 37 acres; \$93.00 per acre
\$3,441.00 per year for 3 years
Lessee: Daniel Kaltenberg
5. Following is a lease to the successful bidder for three years commencing January 1, 2006.
Walking Iron Park – Town of Mazomanie: 145 acres; \$102.99 per acre
\$14,934 per year for 3 years
Lessee: Daniel Kaltenberg
6. Following is an addendum extending an existing lease for 1 year, commencing January 1, 2006.
Black Earth Creek Resource Area – Sunnyside – Town of Middleton: 44 acres
\$119.32 per acre;
\$5,250 for one year
Lessee: Tom Wagner
7. Following is an addendum extending an existing lease for 1 year, commencing January 1, 2006.
Blooming Grove Drumlin II – Town of Blooming Grove: 8 acres; \$62.50 per acre
\$500.00 for one year
Lessee: Dan Ziegler
8. Following is an addendum extending an existing lease for 1 year, commencing January 1, 2006.
Dorn Creek Resource Area – Town of Westport: 20 acres; \$100.00 per acre
\$2,000.00 for one year
Lessee: James Acker
9. Following is an addendum extending an existing lease for 3 years, commencing January 1, 2006.
Cam Rock Park – Jacobson – Town of Christiana: 24 acres; \$65.00 per acre
\$1,560.00 per year for 3 years
Lessee: Gary Rattmann
10. Following is an addendum extending an existing lease for 3 years, commencing January 1, 2006.
Cam Rock Park – Rovelstad – Town of Christiana: 19 acres; \$100.00 per acre
\$1,900.00 per year for 3 years
Lessee: Gary Rattmann
11. Following is an addendum extending an existing lease for 3 years, commencing January 1, 2006.
Patrick Marsh Resource Area – Town of Bristol: 7 acres; \$121.43 per acre
\$850.00 per year for 3 years
Lessee: Donald Statz
12. Following is a lease to the existing lessee for 3 years, commencing January 1, 2006.
Phil's Woods – Town of Roxbury: 12 acres; \$50.00 per acre
\$600.00 per year for 3 years

Lessee: Robert Ziegler

13. Following is a lease to the existing lessee for 3 years, commencing January 1, 2006.
Lussier Park – Town of Roxbury: 40 acres; \$ 110.00 per acre
\$4,400.00 per year for 3 years
Lessee: Neal Schoepp

The revenue from leases Nos. 1, 2, and 4 through 13 is included in the 2006 Land and Water Resources budget.

The revenue from lease No. 3 is to be included in the 2006 Land and Water Resources budget in Account LWRPKOP 84304.

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 2006 Land and Water Resources budget.

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 Supervisor Ripp, January 19, 2006 (p. 279, 05-06).

Referred to PERSONNEL/FINANCE, PUBLIC WORKS/TRANSPORTATION, and ENVIRONMENT/AGRICULTURE/NATURAL RESOURCES. (PARK COMMISSION recommended adoption on 1/11/06.)

RES. 256, 05-06

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.

Board of Adjustment

Glenn C. Reynolds, 1261 Highway U, Verona 53593 (832-4828-H), due to the resignation of Meredith Ross. Mr. Reynolds is an attorney practicing municipal, Indian, and environmental law in Madison. He received his law degree from the University of Wisconsin-Madison Law School, and an M.S. degree in Water Resources Management from the University of Wisconsin Institute of Environmental Studies. He has served on the Board of the Wisconsin Rural Development Center. This term will expire 6/30/06.

Submitted by Supervisor McDonell, January 19, 2006 (p. 279, 05-06).
Referred to EXECUTIVE.

RES. 257, 05-06

AUTHORIZING EXECUTION OF PURCHASE OF SERVICE AGREEMENT WITH JOHNSON CONTROLS, INC.,
FOR MAINTENANCE OF THE BUILDING MANAGEMENT SYSTEM
AT THE DANE COUNTY REGIONAL AIRPORT

Johnson Controls, Inc., owns the proprietary rights to the building management system that controls and monitors the heating, ventilation, and air conditioning systems in the terminal building at the Dane County Regional Airport. Based on such proprietary rights, Johnson Controls, Inc., has been approved as the sole source maintenance provider for the Airport building management system. Under the subject Purchase of Services Agreement, Johnson Controls, Inc., will provide routine maintenance for the terminal building management system for one year at a cost of \$5,451.00. The agreement is renewable for an additional two years at the County's option.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Executive and the Dane County Clerk are hereby authorized to execute the above described Agreement with Johnson Controls, Inc.

Submitted by Supervisors O'Loughlin and de Felice, January 19, 2006 (p. 280, 05-06).

Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION. (AIRPORT COMMISSION recommended adoption on 1/18/06.)

RES. 258, 05-06

AUTHORIZING EXECUTION OF PURCHASE OF SERVICE AGREEMENT WITH JOHNSON CONTROLS, INC.,
FOR MAINTENANCE OF THE TERMINAL SECURITY SYSTEM AT THE DANE COUNTY REGIONAL AIRPORT

Johnson Controls, Inc., owns the proprietary rights to the building management system that controls and monitors the terminal building security system at the Dane County Regional Airport. Based on such proprietary rights, Johnson Controls, Inc., has been approved as the sole source maintenance provider for the Airport's terminal building security system. Under the subject Purchase of Services Agreement, Johnson Controls, Inc., will provide routine maintenance for the security system for one year at a cost of \$16,212.00. The Agreement is renewable for an additional two years at the County's option.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Executive and the Dane County Clerk are hereby authorized to execute the above described Agreement with Johnson Controls, Inc.

Submitted by Supervisors O'Loughlin and de Felice, January 19, 2005 (p. 280, 05-06).

Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION. (AIRPORT COMMISSION recommended adoption on 1/18/06.)

RES. 259, 05-06

AUTHORIZING EXECUTION OF LEASE WITH FEDERAL EXPRESS CORPORATION
FOR PREMISES AT THE DANE COUNTY REGIONAL AIRPORT

Dane County and Federal Express Corporation (FedEx) have negotiated a lease under which FedEx will lease land and buildings on the southeast ramp area of the Dane County Regional Airport. The leased premises

will be used for FedEx's air cargo operations. The lease is for a 5-year term with an initial total annual rent of \$52,720, which is subject to CPI adjustments in subsequent years.

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 lease with Federal Express Corporation for land and buildings at the Dane County Regional Airport, as set forth above.

Submitted by Supervisors O'Loughlin and de Felice, January 19, 2006 (p. 281, 05-06).

Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION. (AIRPORT COMMISSION recommended adoption on 1/18/06.)

RES. 260, 05-06

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

Supervisor Patrick Miles, 5410 North Pass, McFarland 53558 (838-6866-H), as a supervisor representing a district outside the City of Madison, due to the resignation of Supervisor Bill Graf. This term will expire 4/17/07.

Submitted by Supervisor McDonell, January 19, 2006 (p. 281, 05-06).
Referred to EXECUTIVE.

RES. 261, 05-06

AWARD OF CONTRACT FOR COURTHOUSE REMODELING TO INCREASE SECURITY FOR HIGHER RISK PROGRAMS

The Alternatives to Incarceration Program (ATIP), which is part of the Clerk of Courts Office, was not included in the move to the new courthouse. This office provides court ordered diversion services to citizens involved in the criminal justice system. It provides electronic monitoring, bail monitoring, drug court, and domestic abuse treatment services to all eligible defendants ordered by the courts. The offices that house the program are currently located on the ground floor of the City-County Building.

As part of the courthouse opening, weapon screening was moved from the City-County Building to the courthouse. Alternatives to Incarceration and other staff in roles exposed to higher physical risk have expressed concern about their safety in the absence of weapon screening. Current plans call for the ATIP offices to be moved to the second floor of the City-County Building with other court related offices in an effort to consolidate the court related functions that were not moved into the new courthouse. Current recommendations also indicate that a weapon screening station will be installed to screen individuals as they enter these second floor offices. This remodeling is expected to be completed in late 2007. However, some programs will not be included in the secure area due to space constraints.

In order to maintain security for the ATIP staff, the program could be moved into expansion spaces included in the new courthouse. Other program functions can take the place intended for ATIP on the second floor.

The new courthouse currently includes three shelled-in courtrooms and associated offices for new judges and their staff. These spaces would not be used until new judges are allocated to the Dane County Circuit Court system and if the existing courtrooms cannot be shared. According to the 2005 State of the Judiciary report, no new judgeships have been added in Dane County since 1994.

The Public Works, Highway & Transportation Department reports the receipt of bids to remodel an existing shelled-in courtroom to accommodate the ATIP Offices, Bid No., _____. The low qualified bidder is: _____.

The Public Works staff finds the amount to be reasonable and recommends the Contract be awarded to _____.

NOW, THEREFORE, BE IT RESOLVED that the Contract be awarded to _____ in the amount of \$_____; 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 Public Works & Transportation Department 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; and

BE IT FINALLY RESOLVED that the amount of \$_____ be transferred from the Justice Center Capital Project Fund balance account to account JSCADMIN NEW to provide funding for this project.

Submitted by Supervisors Olsen, Ripp, Brown, and Hendrick, January 20, 2006 (p. 282, 05-06).

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

RES. 262, 05-06

AWARDING THREE 2006 PROFESSIONAL SERVICE CONTRACTS -
DCDHS - ACS AND CYF DIVISIONS

The purpose of this resolution is to award three 2006 professional service contracts.

There are two professional service contracts with the University of Wisconsin Hospitals and Clinics and one contract with St. Mary's Hospital. UW Hospitals and St. Mary's Hospital both provide inpatient care to persons with mental illness. The UW Hospitals contract also provides comprehensive alcohol/drug abuse screening, assessment, intervention, and referral services to Dane County youth, 18 years old and under. These contract funds are included in the 2006 Adopted Budget.

NOW, THEREFORE, BE IT RESOLVED that the professional services contracts listed below be awarded for the period January 1, 2006, through December 31, 2006:

St. Mary's Hospital (ACS)	\$209,800
UW Hospitals and Clinics (ACS)	\$197,800
UW Hospitals and Clinics (CYF)	\$353,100

Submitted by Supervisor Worzala, January 23, 2006 (p. 283, 05-06).
Referred to HEALTH/HUMAN NEEDS and PERSONNEL/FINANCE.

RES. 263, 05-06

ACCEPTING COMMUNITY CHILD CARE INITIATIVE FUNDING - DCDHS – EAWS DIVISION

The State of Wisconsin Department of Workforce Development has issued Community Child Care Initiative (CCCI) funding in the amount of \$10,375. These funds are designated for the purchase of child care slots for Allied Drive families. These dollars will expand the availability of child care services when there has been an interruption in the Wisconsin Shares program.

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

Account Number	Revenue Source	Amount
EADCAFDC- 81496	CCCI Funds	\$10,375

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

Account Number	Expense Account	Amount
EADCACCI LDRSAA	CCCI Child Care	\$10,375

Submitted by Supervisor Worzala, January 23, 2006 (p. 283, 05-06).
Referred to HEALTH/HUMAN NEEDS and PERSONNEL/FINANCE.

RES. 264, 05-06

ELIMINATION OF 1.0 FTE CLERK TYPIST III EAWS AND INCREASING TWO 0.5 FTE POSITIONS
TO 1.0 FTE – DCDHS-EAWS & ACS DIVISION

The purpose of this resolution is to eliminate a 1.0 FTE Clerk Typist III, position 1313, in the Economic Assistance and Work Services (EAWS) division. The position is vacant due to the transfer of the incumbent to another position within the Department of Human Services.

The 1.0 FTE position authority eliminated is used to increase a 0.5 FTE Clerk Typist I-II, position 1452, in EAWS to 1.0 FTE effective January 1, 2006. It also increases a 0.5 FTE Rep Payee, a new position in the Adult Community Services (ACS) Division created in the 2006 adopted budget, to 1.0 FTE effective March 1, 2006.

NOW, THEREFORE, BE IT RESOLVED that the following expense accounts be adjusted in the ACS and EAWS division of the Department of Human Services.

<u>Expenditure Account Number</u>	<u>Account Title</u>	<u>Amount</u>
EAADMIN AAYAAA	Salary and Wages	-\$15,363
EAADMIN AAYMAA	Retirement	-\$1,797
EAADMIN AAYPAA	Social Security	-\$1,175
EAADMIN AAYSAA	Health	-\$4,617
EAADMIN AAZBAA	Dental	-\$483
EAADMIN AAZHAA	Disability Insurance	-\$20
EAADMIN AAZKAA	Life Insurance	-\$3
EAADMIN AAZQAA	Workers Compensation	-\$32
EAADMIN AAZXAA	Salary Savings	\$307
ACAADMIN AAYAAA	Salary and Wages	\$15,363
ACAADMIN AYMAA	Retirement	\$1,797
ACAADMIN AAYPAA	Social Security	\$1,175
ACAADMIN AAYSAA	Health	\$4,617
ACAADMIN AAZBAA	Dental	\$483
ACAADMIN AAZHAA	Disability Insurance	\$20
ACAADMIN AAZKAA	Life Insurance	\$3
ACAADMIN AAZQAA	Workers Compensation	\$32
ACAADMIN AAZXAA	Salary Savings	-\$307

BE IT FINALLY RESOLVED that position #1313 in the EAWS division be eliminated, effective January 1, 2006. Position #1452 in EAWS be increased by 0.5 FTE to 1.0 FTE, effective January 1, 2006, and the 0.5 FTE Rep Payee position in ACS created in the 2006 Adopted Budget be increased to 1.0 FTE, effective March 1, 2006.

Submitted by Supervisor Worzala, January 23, 2006 (p. 284, 05-06).
 Referred to HEALTH/HUMAN NEEDS and PERSONNEL/FINANCE.

COMMUNICATIONS

Initial Determination: Eve Dorman vs. Dane County, ERD Case #CR200404988, EEOC Case #26GA500501.
 Referred to PUBLIC PROTECTION/JUDICIARY.

Claim from Alan Graff, Jr., against Airport – claims snow removal equipment damaged his vehicle. Referred to PUBLIC PROTECTION/JUDICIARY.

Summons & Complaint, Case #06SC00116, Kenneth Widish/Cincinnati Ins. Co., vs. Glenn R. Weeden/Dane County. Referred to PUBLIC PROTECTION/JUDICIARY.

Claim from Sue Simler vs. Clerk of Courts – claims costs incurred because court didn't change DOT record. Referred to PUBLIC PROTECTION/JUDICIARY.

Grant Co. Res. #61-04, Cost of Mental Health Placements. Referred to EXECUTIVE.

Wood Co. Res. 05-12-8, Opposing AB 575, Social Workers as Protective Occupation Participants. Referred to EXECUTIVE.

Brown Co. Res in Opposition of 2005 AB 575. Referred to EXECUTIVE.

Brown Co. Res. In Support of 2005 AB 208 Regarding the Establishment of Rural Enterprise Zones. Referred to EXECUTIVE.

Brown Co. Res. In Support of 2005 AB 790: Funding for Bills Imposing State Mandates. Referred to EXECUTIVE.

Brown Co. Res. In Support of AB 802 and Similar Legislation that Would Require that the State of Wis. More Equitably Share Federal IGT Funds with Local Governments that Operate Nursing Homes. Referred to EXECUTIVE.

Brown Co. Res. Requesting Gov. and State Legislators Enact Legislation to Re-Emphasize the Transportation User Fee Concept Thus Segregating Fuel Tax Revenues and Vehicle Registration Fees Specifically for the transportation Fund. Referred to EXECUTIVE.

Dunn Co. Res. #122 re Cost of Mental Health Placements. Referred to EXECUTIVE.

AMENDING CHAPTER 10 OF THE DANE COUNTY CODE OF ORDINANCES,
PERMITTED USES IN THE C-1 AND C-2 COMMERCIAL 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 10.13(1)(t) is created to read as follows:

10.13 C-1 COMMERCIAL DISTRICT. (1) *Permitted uses.* (t) All uses permitted in the LC-1 Limited Commercial District.

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

10.14 C-2 COMMERCIAL DISTRICT. (1) *Permitted uses.* (w) All uses permitted in the LC-1 Limited Commercial District.

[EXPLANATION: These amendments allow lighter commercial uses within the stricter commercial zoning districts. This will eliminate the need for townships to create LC-1 districts in order to site businesses such as landscapers, which are appropriate for commercial zoning districts but not currently allowed.]

Submitted by Supervisors Willett, Jensen, Wendt, Ripp, Ruth, Vogel, and Salov, February 2, 2006 (p. 286, 05-06). Fiscal and Policy Notes not required.

Referred to ZONING/LAND REGULATION. Fiscal and Policy Notes not required.

RES. 267, 05-06

ACCEPTANCE OF THE NATIONAL CRIMINAL HISTORY IMPROVEMENT PROJECT (NCHIP)
PROTECTION ORDER INTERFACE ADMINISTERED BY THE STATE OFFICE OF JUSTICE ASSISTANCE

The Office of Justice Assistance, State of Wisconsin, is making funds available for participation in a National Criminal History Improvement Project (NCHIP) related to protection orders (restraining orders and injunctions), mostly dealing with domestic abuse cases. Funding for this project is intended to streamline the entry of protection orders into state databases and local records management systems. The goal is to reduce the amount of time that a protection order takes from the filing with the courts to entry into various computer systems, thus streamlining the process and allow for timelier and accurate queries by of law enforcement officers investigating possible violations of restraining orders and injunctions in Dane County.

The National Criminal History Improvement Project (NCHIP) Protection Order Interface grant (NC-04-SW-004) is for November 1, 2005, until September 30, 2006. The total grant revenue to be realized as 2006 revenue is in the amount of \$40,000. It is anticipated that the grant will be used for contractual technical assistance from our records management system provider, Spillman Technologies, of Salt Lake City, UT.

NOW, THEREFORE, BE IT RESOLVED that the Sheriff's Office be permitted to accept the NCHIP Protection Order Interface grant, administered by the Office of Justice Assistance, in the amount of \$40,000.

BE IT FURTHER RESOLVED that \$40,000 be set up as additional 2006 Sheriff's Office revenue, Support Services NCHIP Project Protection Order Interface grant (SHRFSUP-new) and be credited to the General Fund.

BE IT STILL FURTHER RESOLVED that \$40,000 be transferred from the General Fund to the following Sheriff's Office, Support Services, expenditure account:

NCHIP Protection Order grant (SHRFSUP-new) \$40,000

BE IT FINALLY RESOLVED that any of the grant funds that are unexpended as of December 31, 2006, be carried forward to 2007.

Submitted by Supervisors Olsen and Worzala, February 2, 2006 (p. 287, 05-06).
Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

RES. 268, 05-06

ESTABLISHING A TASK FORCE FOR COMPREHENSIVE REVISION OF
CHAPTER 10 OF THE DANE COUNTY CODE OF ORDINANCES

An audit of the Department of Planning and Development, completed last fall by Virchow Krause and Company, LLP, found that the Dane County Code of Ordinances related to zoning and planning has not been systematically reviewed since it was established in the 1950s. The audit noted that best practice planning and zoning agencies review and update zoning ordinances periodically to ensure that they are current and consistent with local and regional planning efforts.

The audit specifically recommends, "The County Board should carefully consider the benefits and drawbacks of a comprehensive revision of zoning ordinances written in plain English, including:

- Improving the ability of customers to understand the requirements and reduce customer uncertainty;
- Enhancing consistency of interpretation by Zoning Division staff by reducing ambiguity and directly addressing modern development issues; and
- Providing a link between current comprehensive planning efforts and ordinance enforcement."

The idea to complete a comprehensive revision of the zoning code is not new. In recent years, there have been various committees that have addressed specific issues in the zoning code. For example, a subcommittee of the Strategic Growth Management Committee reviewed and drafted changes to the commercial zoning codes, although no ordinance amendment was ever introduced. More recently, the mineral extraction committee developed policies and guidelines. Two years ago, the Environment, Agriculture, and Natural Resources Committee formed a subcommittee to review all portions of Chapter 10, the Zoning Code, as well as Chapter 75, the Land Division and Subdivision Regulation.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors hereby establishes a Task Force to Revise Chapter 10 of the Code of Ordinances.

BE IT FURTHER RESOLVED that the task force shall have nine members as follows:

- At least three members drawn from the Zoning and Land Regulation Committee, at least two of whom have at least 20% of their population residing in towns, based on the 2000 census data used to create supervisory districts in 2001, to be appointed by the County Board Chair;

- Two members drawn from the Environment, Agriculture, and Natural Resources Committee, at least one of whom has at least 20% of his or her population residing in towns, based on the 2000 census data used to create supervisory districts in 2001, to be appointed by the County Board Chair;
- The President of the Dane County Towns Association, or his or her designee;
- The County Executive or her representative;
- The president of the Madison Area Builders Association, or his representative; and
- A representative of the environmental community, appointed by the County Board Chair.

BE IT FURTHER RESOLVED that the task force shall have the following duties and mission:

- Review all portions of Chapter 10 of the Dane County Code of Ordinances; including consideration of work completed in recent years on specific topics such as commercial district revisions and mineral extraction;
- Hold hearings throughout the county to gather input from stakeholders on aspects of Chapter 10 that require clarification or updating to reflect twenty-first century uses; and
- Make recommendations to the County Board for a comprehensive revision of Chapter 10 by August 1, 2006.

BE IT FURTHER RESOLVED that the Department of Planning and Development shall provide staff support for the task force with assistance from the Corporation Counsel and others, as necessary.

Submitted by Supervisors Wendt, Ripp, Ruth, Willett, O'Loughlin, Vogel, Hanson, Salov, Blaska, Jensen, Brown, Bruskevitz, Wiganowsky, Martz, and Gau, February 2, 2006 (p. 288, 05-06).

Referred to ENVIRONMENT/AGRICULTURE/NATURAL RESOURCES and ZONING/LAND REGULATION. Fiscal and Policy Notes not required.

RES. 269, 05-06

AUTHORIZING EMERGENCY FIRE WARDENS FOR DANE COUNTY FOR THE YEAR 2006

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 2006.

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 Supervisors Richmond, Erickson, Hendrick, Eggert, Gau, Blaska, February 2, 2006 (p. 289, 05-06).

Referred to ZONING/LAND REGULATION. Fiscal and Policy Notes not required.

RES. 270, 05-06

ACCEPTING LIBRARY SERVICE AND TECHNOLOGY ACT, TITLE I FUNDS FOR
"EVERY CHILD READY TO READ" AND "SENSORY KITS FOR SENIORS" PROJECTS

The Dane County Library Service has received two grants from the Wisconsin Department of Public Instruction to further develop library services to at-risk children and to the elderly. These grants will provide resources for staff to work with at-risk children enrolled in Head Start and other preschool programs, as well as to develop kits of multi-sensory materials for use by activity directors in nursing homes and other care facilities.

The Dane County Library Board approved this resolution for submission to the County Board at its February meeting.

NOW, THEREFORE, BE IT RESOLVED that \$9,857 be set up as additional Library, LSTA READ revenue and be credited to the Library General Fund, and that \$9,857 be transferred from the Library General Fund to the library operating account entitled "LSTA READ".

NOW, THEREFORE, BE IT FURTHER RESOLVED that \$11,300 be set up as additional Library, LSTA SENIOR revenue and be credited to the Library General Fund, and that \$11,300 be transferred from the Library General Fund to the library operating account entitled "LSTA SENIOR".

Submitted by Supervisors Salov and Opitz, February 2, 2006 (p. 289, 05-06).

Referred to PERSONNEL/FINANCE.

RES. 271, 05-06

ESTABLISHING A SISTER COUNTY RELATIONSHIP
WITH THE PEOPLE OF MAIN TAUNUS KREIS, GERMANY

Main-Taunus is a Kreis (district) in the middle of Hessen, Germany. The district covers the southern part of the Taunus mountains, with the Main river forming part of the district's border in the south. The district covers the smallest area of any district in Germany. There are approximately 220,000 residents in the district.

Establishing a Sister County relationship would build on current relationships. The State of Wisconsin has a "Sister State" partnership agreement created by the State of Wisconsin and Hessen. The state level partnership was created in 1976 and renewed again in 1998. Under the umbrella of the statewide partnership, the Madison Area Technical College, Waukesha County, and the Freiberg-Madison Sister City Committee have developed relationships with more specific focuses on education, cultural diversity, and economic development. The Sun Prairie and Oregon High Schools also coordinate teacher and student exchanges.

A county to county partnership with a focus on cultural, educational, and economic development activities would be mutually beneficial. For example, initial economic development activities would focus on the farming, banking, printing, and manufacturing businesses in each county. Cultural activities would include art exhibits and performance arts. The educational activities would include sponsored exchanges for high school seniors who are taking a German language course.

Dane County would facilitate the sister county relationship by establishing a task force and establishing a fund for donations from businesses, foundations, and private citizens to sustain the relationship. Operating funds will directly support project events and not individual expenses.

NOW, THEREFORE, BE IT RESOLVED that Dane County enters into an official sister-county relationship with Main-Taunus-Kreis, Germany, and that the Dane County Executive is hereby authorized and directed to sign the appropriate formal agreement creating the partnership.

BE IT FURTHER RESOLVED that no County funds shall be requested following the passage of this resolution, but that a revenue and expenditure account for donations be created in the County Executive's Office and that expenditures are authorized to the extent that revenues are received. Revenues in excess of expenditures in any fiscal year shall be carried over to authorized expenditures in the following year.

BE IT FINALLY RESOLVED that the County Executive appoint a task force to include business and agricultural representatives, a local elected official, and representatives of the UW-Madison German Department and the Freiburg-Madison Sister Committee to advise the Sister County partnership.

Submitted by Supervisors McDonell, Wendt, Hanson, Hulsey, B. Vedder, de Felice, DeSmidt, Salov, Erickson, Hendrick, Gau, Bruskewitz, O'Loughlin, Graf, Jensen, Schoer, Wheeler, Miles, Eggert, Martz, Ripp, Opitz, Fyrst, Matano, Willett, Wiganowsky, and E. Vedder, February 2, 2006 (p. 290, 05-06).

Referred to EXECUTIVE. Fiscal and Policy Notes not required.

RES. 272, 05-06

SALARY ADJUSTMENT RECOMMENDATIONS FOR ELECTED CONSTITUTIONAL OFFICIALS

State statute §59.22(1)(a)1 requires the county board to establish annual compensation for elected officials before the earliest time for filing nomination papers for elective office. Nomination papers for the offices of Clerk of Courts, Coroner, County Clerk, County Treasurer, Register of Deeds, and Sheriff will be filed in 2006. Compensation for these offices must be set prospectively and, once set, the salaries cannot be changed during the official's term in office.

The Department of Administration has reviewed the salaries for the Clerk of Courts, Coroner, County Clerk, County Treasurer, Register of Deeds, and Sheriff with the Personnel and Finance Committee. The Committee has recommended that annual increases of 3% be established for this group of elected officials. The estimated annual salary cost increase (not including wage based benefits) is approximately \$10,831 in 2007 and \$11,156 in 2008 for the two year elected officials. The estimated annual salary cost increase for the Sheriff is \$3,203 in 2007, \$3,299 in 2008, \$3,398 in 2009, and \$3,500 in 2010.

NOW, THEREFORE, BE IT RESOLVED that the following Dane County constitutional positions receive 3% annual increases during their next term of office. The 2007 increase shall become effective the date the

officials are sworn in to office. Subsequent annual increases shall become effective 12 months following the previous annual increase.

		2007	2008
TITLE	2006 Ending Rate		
CLERK OF COURTS COUNTY	76,648	78,947	81,316
TREASURER	71,094	73,227	75,424
CORONER COUNTY	71,094	73,227	75,424
CLERK	71,094	73,227	75,424
REGISTER OF DEEDS	71,094	73,227	75,424

		2007	2008	2009	2010
TITLE	2006 Ending Rate				
SHERIFF	106,766	109,969	113,268	116,667	120,167

Submitted by Supervisors Brown, O’Loughlin and Hulsey, February 2, 2006 (p. 291, 05-06).
 Referred to PERSONNEL/FINANCE.

 RES. 273, 05-06

PROVIDING FUNDING TO RELIEVE JAIL OVERCROWDING

Dane County has a range of jail space needs, only some of which can be accommodated by a new Alcohol and Other Drug (AODA) treatment facility and replacement of the current Huber facility, the Ferris Center. There is overcrowding in the City County Building and Public Safety Building jails, and millions of dollars have been spent shipping Dane County prisoners to other counties. These counties are using funds from Dane County taxpayers to pay debt service on their jails and salaries of their jail employees. Housing our prisoners in other counties runs counter to good principles of community corrections by removing these individuals from the supports provided by families and others in the Dane County community.

Dane County should plan adequate facilities to accommodate our current and future jail space needs. A committee composed of members of the County Board, Dane County judiciary, and law enforcement officials recommended in April 2004 that Dane County take a comprehensive approach in addressing justice system space needs, and the committee’s top recommendation was to “build a new facility that houses high security inmates in hard cells as well as inmates currently assigned to the Ferris Center. The facility would also include space for in-custody AODA programming.”

When the current Public Safety Building was designed and built in the early 1990's under County Executive Rick Phelps and Sheriff Rick Raemisch, the building was specifically designed to hold additional floors, and county funds were invested in construction that would allow for three additional floors to be built on the site.

NOW, THEREFORE, BE IT RESOLVED that the current project, for which \$2.4 million has been appropriated in the 2006 Dane County Capital Budget to the Sheriff's Office for the Huber Work Release/Secure Detention/Treatment Facility project, be expanded to plan a combination of facilities, sufficient to meet Dane County's needs for the next 15 years, to provide treatment programs for inmates whose incarceration is linked to alcohol and other drug abuse, for special needs beds, and also to alleviate jail overcrowding; and

BE IT FINALLY RESOLVED that consideration shall be given to utilizing remodeled space in the City County Building for maximum security beds, and an expansion of the Public Safety Building for additional minimum and medium security beds, and that any space should be planned with the flexibility to accommodate changing needs for jail space over the next 20 years.

Submitted by Supervisors Blaska, Brown, Ripp, Jensen, O'Loughlin, Ruth, Wendt, Willett, Bruskevitz, Vogel, DeSmidt, Hanson, Martz, Wiganowsky, Salov, Schoer, and Gau, February 2, 2006 (p. 292, 05-06).
Referred to PUBLIC PROTECTION/JUDICIARY and PUBLIC WORKS/TRANSPORTATION.

RES. 274, 05-06

CHANGE ORDER #7 TO DURRANT FOR DANE COUNTY COURTHOUSE

The Durrant Group, Inc., was awarded the Agreement for Professional Services for the Dane County Courthouse, #3141. The amount of the award was \$2,348,070.00.

The following changes are being made to the Agreement:

C.O. #7 – Provide additional construction administration services (punchlist):
ADD: \$30,000.00

There are sufficient funds in the budget.

NOW, THEREFORE, BE IT RESOLVED that Contract Change Order #7 to The Durrant Group, Inc., for 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 the Contract Change Order.

Submitted by Supervisors Ripp, Opitz, Matano, and Schoer, February 2, 2006 (p. 292, 05-06).
Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

RES. 275, 05-06

ACCEPTING DONATION OF HENRY VILAS ZOO CONSERVATION EDUCATION AMPHITHEATER AND CHILDREN'S ZOO ANIMAL EXHIBITS FROM THE HENRY VILAS ZOOLOGICAL SOCIETY

The south portion of Henry Vilas Zoo is being rebuilt to include new Children's Zoo Animal Exhibits and a Conservation Education Amphitheater. The Henry Vilas Park Zoological Society has raised all funds necessary to complete these projects; no County funds will be used.

NOW, THEREFORE, BE IT RESOLVED that the Henry Vilas Park Zoological Society is authorized to build new Children's Zoo Animal Exhibits and a Conservation Education Amphitheater.

BE IT FURTHER RESOLVED that Dane County accepts the donations of new Children's Zoo Animal exhibits and a Conservation Education Amphitheater 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, Opitz, Matano, Willett, Schoer, de Felice, Fyrst, and Worzala, February 2, 2006 (p. 293, 05-06).

Referred to PERSONNEL/FINANCE, PUBLIC WORKS/TRANSPORTATION, and ZOO.

RES. 276, 05-06

AGREEMENT WITH WISCONSIN DEPARTMENT OF TRANSPORTATION AND DANE COUNTY FOR THE MAINTENANCE OF PARK-AND-RIDE LOTS

The Wisconsin Department of Transportation has constructed and is constructing, at its own expense, a number of park-and-ride lots along State Highways within Dane County. The location of these lots are described as follows:

<u>LOT #</u>	<u>INTERSECTION</u>	<u>MUNICIPALITY</u>
13-03	CTH V & I90/I39	DeForest
13-07	USH 12 & STH 138	Sauk City
13-06	STH 19 & USH 12	Waunakee
13-10	STH 78 & USH 18/151	Mount Horeb
13-11	CTH N & I94	Cottage Grove
13-12	STH 73 & I94	Deerfield

The State has agreed to construct the lots, maintain the lighting, and provide for major rehabilitation at its own expense. The State also maintains a web site promoting the use of the Park-and-Ride lots. The County has agreed to provide maintenance such as snow removal, repainting lines, and general upkeep at its own expense.

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 agreement for the maintenance of park-and-ride lots as forth above.

BE IT FINALLY RESOLVED that the Director of Public Works Highway and Transportation (or designee) be authorized to act as the County's representative in administering this agreement.

Submitted by Supervisors Ripp, Opitz, Matano, Willett, Schoer, and de Felice, February 2, 2006 (p. 294, 05-06).

Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

RES. 277, 05-06

AUTHORIZATION TO PURCHASE LANDS AT PATRICK MARSH - CURRAN

Dane County has negotiated the purchase of priority lands at Patrick Marsh. The approximate 2.5-acre property is located near the southern shore of the Marsh and 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.

A full-narrative appraisal prepared by a general certified appraiser valued the property at \$300,000. The negotiated purchase price is \$250,000, with the landowner donating \$50,000 of value through a bargain sale. The property is recognized as a residential lot in the Town of Sun Prairie and is also identified for residential development by the City of Sun Prairie. Staff will apply for a DNR Stewardship grant on May 1, which could provide up to 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 Lot 1 of CSM 4805 at Patrick Marsh for \$250,000 plus associated costs 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 Gau, Richmond, Erickson, Vedder, and Fyrst, February 2, 2006 (p. 294, 05-06).

Referred to PERSONNEL/FINANCE, PUBLIC WORKS/TRANSPORTATION and ENVIRONMENT/AGRICULTURE/NATURAL RESOURCES. PARKS recommended adoption 1/25/06.

RES. 278, 05-06

AUTHORIZATION TO PURCHASE LANDS IN THE SIX-MILE CREEK NATURAL RESOURCE SITE - WATTS

Dane County Department of Land & Water Resources has partnered with the Wisconsin Department of Natural Resources (DNR) on the acquisition of approximately 34 acres in the Six-Mile Creek Natural Resource Site.

These lands are part of a wetland complex that is critically important to the health of Lake Mendota, with the property draining directly to the lake. Acquisition of the property will allow for restoration to native wetland habitat that includes spawning habitat in the long-term. The property is identified in both the Dane County Parks & Open Space Plan and the Lake Mendota Priority Watershed Project.

The DNR will manage and restore the property upon acquisition. Appraisals on the property ranged from \$834,000 to \$996,000, and the landowner has donated a significant portion of the value through a bargain sale of \$500,000. The County and DNR will share in the \$500,000 purchase price, with the County contributing \$100,000. The County will receive a conservation easement on the property, thus perpetually securing the County's interest.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors and the Dane County Executive hereby authorize the purchase of a conservation easement on the approximate 34-acre Watts property for \$100,000 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 from either the Watts family or the Wisconsin Department of Natural Resources.

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 Supervisor Richmond, Erickson, Vedder, and Opitz, February 2, 2006 (p. 295, 05-06).

Referred to PERSONNEL/FINANCE, PUBLIC WORKS/TRANSPORTATION and ENVIRONMENT/AGRICULTURE/NATURAL RESOURCES.

RES. 279, 05-06

ACCEPTING FOOD SHARE EMPLOYMENT AND TRAINING (FSET) AND PRIVATE DONATION FUNDING
DCDHS – EAWS DIVISION

The Food Share Employment and Training (FSET) Plan submitted by the Department of Human Services to the State of Wisconsin Department of Workforce Development includes FSET 50/50 match funding in the amount of \$97,700. Madison Area Urban Ministries (MUM) has agreed to donate \$97,700 in private funds to Dane County in order to serve as match to capture the FSET 50/50 funding. These funds will be used to assist returning offenders who are Food Share recipients to obtain and maintain employment through subcontract with MUM and in collaboration with Employment and Training Association (EATA).

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

Account Number	Revenue Source	Amount
EATRNETA 81362	FoodStet	\$97,700
EATRNETA 81363	MUM Donation	\$97,700

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

Account Number	Expense Account	Amount
EATRN MUM FSETAA	MUM Offender Rentry	\$195,400

Submitted by Supervisor Worzala, February 2, 2006 (p. 296, 05-06).
 Referred to HEALTH/HUMAN NEEDS and PERSONNEL/FINANCE.

RES. 280, 05-06

ACCEPTING AN AWARD FROM THE SUSAN G. KOMEN BREAST CANCER FOUNDATION –
 PUBLIC HEALTH DIVISION

The Susan G. Komen Breast Cancer Foundation awarded \$15,000 to the Dane County Division of Public Health for the period of January 1, 2006, through December 31, 2006. The funds are to be used to pay for clinical services related to screening, diagnosis, and treatment of breast cancer for women without resources, including public or private health insurance, to cover costs related to those services. Funds cannot be used to pay for staffing or other administrative charges.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Division of Public Health be authorized to accept revenue in the amount of \$15,000 from the Susan G. Komen Breast Cancer Foundation for the period of January 1, 2006, through December 31, 2006.

BE IT FURTHER RESOLVED that the following 2006 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> 2360	<u>Fund Name:</u> Public Health	<u>Orgn:</u> PHNURSE
<u>Objt:</u> PHNURSE 83900	<u>Line Name:</u> Komen Fund	<u>Line Amount:</u> \$15,000

EXPENSE ACCOUNT:

<u>Program:</u> Nursing	<u>Dept.No.:</u> 510	<u>Dept. Name:</u> Human Services
<u>Fund No:</u> 2360	<u>Fund Name:</u> Public Health	<u>Orgn:</u> PHNURSE
<u>Objt:</u> KFXPAA	<u>Line Name:</u> Breast Cancer Services	<u>Line Amount:</u> \$15,000

BE IT FINALLY RESOLVED that any of these funds that remain unexpended at the end of 2006 be carried forward in both the above revenue and expense lines to 2007.

Submitted by Supervisor Worzala, February 2, 2006 (p. 297, 05-06).
Referred to HEALTH/HUMAN NEEDS and PERSONNEL/FINANCE.

RES. 281, 05-06

ACCEPTING 2006 STATE MONIES FOR CHILD PROTECTIVE SERVICES "CONTINUOUS QUALITY IMPROVEMENT (CQI) REVIEW," CREATING REVENUE AND EXPENDITURE LINES - DEPARTMENT OF HUMAN SERVICES – DIVISION OF CHILDREN, YOUTH, AND FAMILIES

This resolution accepts State "Continuous Quality Improvement (CQI) Review" monies in the amount of \$15,000 to support the State's intensive review of Department of Human Services – Division of Children, Youth, and Families child protective services activities. Funds are one-time. They are to be used for lodging for reviewers, rental of meeting rooms, foodstuffs, transportation, office supplies, etc. They are to be used for reimbursement of County staff time as well.

NOW, THEREFORE, BE IT RESOLVED that the following revenue accounts be adjusted and that 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 No.</u> CYF-ADM 81012 (new)	<u>Account Title</u> CQI Review	<u>Amount</u> \$ 15,000
<u>Expenditure Account No.</u> CYF-ADM CQIRAA (new)	<u>Account Title</u> CQI Review	<u>Amount</u> \$ 15,000

Submitted by Supervisor Worzala, February 2, 2006 (p. 297, 05-06).
Referred to HEALTH/HUMAN NEEDS and PERSONNEL/FINANCE.

COMMUNICATIONS

- Town of Albion vs. James P. Watkins and Dane County, Case No. 06CV0226. Referred to PUBLIC PROTECTION/JUDICIARY.
- Claim From Leila B. Grayson against Jail – claims personal possessions lost by jail personnel. Referred to PUBLIC PROTECTION/JUDICIARY.
- Mortgage Electronic Registration Systems, Inc., vs. Michael S. Coenen and Lori A. Coenen, Jane Doe, and Dane County, Case #06CV0217. Referred to PUBLIC PROTECTION/JUDICIARY.
- Douglas County Res. #5-06 – AB 857 Supported. Referred to EXECUTIVE.

ZONING PETITIONS

- Petitions for Zoning Reclassification. Referred by Clerk Ohlsen to ZONING & LAND REGULATION:
 - Petition 9427 – Town of Christiana – Leslie & Virginia Goplen Living Trust
 - 9428 – Town of Dunkirk – Bryan & Leslie Smith
 - 9429 – Town of Middleton – George & Sandra Dennis
 - 9430 – Town of Dunkirk – Klóngland Enterprises & Ahren Klóngland

- 9431 – Town of Vienna – Kenneth & Betty Koenig
- 9432 – Town of Black Earth – L. Larsen LTD Partnership
- 9433 – Town of Berry – Michael Statz
- 9434 – Town of Rutland – Henry, Ingeborg & John Elvekrog
- 9435 – Town of Cottage Grove – David Morrow
- 9436 – Town of Medina – Agnes R. Conklin
- 9437 – Town of Windsor – Congregational United Church of Christ of Windsor
- 9438 – Town of Westport – Mark S. Gerhardt
- 9439 – Town of Blooming Grove – William Blatterman & Blatterman LLC

ORD. AMDT. 28, 05-06

AMENDING CHAPTER 2 AND 32 OF THE DANE COUNTY CODE OF ORDINANCES, REGARDING DEPOSIT AMOUNTS AND REGULATING POSSESSION OF DRUG PARAPHERNALIA

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 2.06(16) is amended to read as follows:

2.06 SCHEDULE OF DEPOSITS.

(16) 32.03 Statutory offenses adopted \$~~150.00~~200.00

[EXPLANATION: *The amendment increases the deposit amount.*]

ARTICLE 3. Section 32.02(2) is amended to read as follows:

32.02 DEFINITIONS.

(2) *State criminal code* refers to all of the following:

(a) ~~the entirety of chapters 941 to 948 and chapter 951, of the Wisconsin Statutes, Wis. Stats.;~~

(b) ~~State criminal code also refers to s. 961.41(3g)(e) of the Wisconsin Statutes, Wis. Stats., if the amount of tetrahydrocannabinols included under s. 961.14(4)(t), Wis. Stats., or a controlled substance analog of tetrahydrocannabinols, involved is less than 25 grams;~~ and

(c) s. 961.573, Wis. Stats.

[EXPLANATION: *This amendment includes possession of drug paraphernalia as an adopted offense, pursuant to 2005 Wisconsin Act 90.*]

ARTICLE 4. Section 32.03 is amended to read as follows:

32.03 STATUTORY OFFENSES ADOPTED. The various forfeiture and misdemeanor offenses set forth in the state criminal code, as defined by section 32.02(2), chapters 941 through 948 and chapter 951 of the Wisconsin Statutes, and section 961.41(3g)(e) of the Wisconsin Statutes if the amount of tetrahydrocannabinols, included under s. 961.14(4)(t), Wis. Stats., or a controlled substance analog of tetrahydrocannabinols, involved is less than 25 grams, and acts amendatory thereto, are hereby adopted by reference and made a part of this chapter.

[EXPLANATION: *This amendment eliminates duplication within the chapter by referring to the definition in the previous section.*]

Submitted by Supervisor Hanson, February 17, 2006 (p. 299, 05-06).

Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

ORD. AMDT. 29, 05-06

AMENDING CHAPTER 36 OF THE DANE COUNTY CODE OF ORDINANCES,
DEFINING EMERGENCY MANAGEMENT RESPONSIBILITIES IN 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. The title of Chapter 36 is amended from **EMERGENCY PLANNING** to **EMERGENCY MANAGEMENT**.

[EXPLANATION: This amendment makes the title of Chapter 36 consistent with chapter 166 of the Wisconsin Statutes.]

ARTICLE 3. Section 36.01 is amended to read as follows:

36.01 PURPOSE AND AUTHORITY. It is the purpose of this chapter to ensure that the County of Dane will be prepared to cope with emergencies resulting from enemy action and ~~manmade or natural~~ disasters. To further that purpose, a county department of emergency management is created to carry out the purposes and pursuant to the authority of section 166.03 of the Wisconsin Statutes.

ARTICLE 4. Section 36.02 is amended to read as follows:

36.02 DEFINITIONS. For purposes of this chapter:

(1) *Enemy action* means an act of terrorism or any hostile action taken by a foreign power which threatens the security of Dane County, the State of Wisconsin or the United States.

~~(2) *Civil defense* means all measures undertaken by or on behalf of the County and its subdivisions to prepare for and minimize the effect of enemy action upon the civilian population.~~

~~(3) *Emergency planning management* includes "civil defense" and~~ means all measures undertaken by or on the behalf of the County and its subdivisions:

(a) to prepare for and minimize the effect of enemy action and ~~natural or manmade~~ disasters upon the civilian population;

(b) to deal with the immediate emergency conditions which could be created by such action or disaster; and

(c) to effectuate emergency repairs to, or the emergency restoration of, vital public utilities and facilities destroyed or damaged by such action or disaster.

~~(4) *Municipality* means town, village or city.~~

~~(5) *Joint-action municipality* means a municipality electing under section 36.05(2) hereof.~~

(3) *Disaster* means all extraordinary misfortunes affecting the county other than enemy action, including both natural and man-made causes.

[EXPLANATION: The amendments in Articles 3 and 4 create a definition of disaster and delete references to civil defense, municipality and joint-action municipalities.]

ARTICLE 5. Section 36.03 is amended to read as follows:

36.03 COUNTY EMERGENCY GOVERNMENT MANAGEMENT COMMITTEE. (1) ~~The county board chairperson shall appoint at least 3 supervisors to a committee of the county board to be known as the emergency government committee. The Public Protection and Judiciary Committee shall serve as the County Emergency Management Committee.~~

(2) *Duties and powers.* The emergency government management committee shall be a policy making and rule making body ~~with respect to emergency government matters in the establishment and development of county emergency management plans and programs.~~ It shall advise the county emergency ~~planning management~~ director, the county executive and the county board on all matters of emergency planning management. It shall act as the policy oversight committee for the Dane County Local Emergency Planning Committee. It shall meet upon call of the chairperson or as otherwise provided in county board rules.

[EXPLANATION: This amendment brings the county ordinance into conformance with s. 166.03(4)(c), Wis. Stats.]

ARTICLE 6. Section 36.04 is amended to read as follows:

36.04 LOCAL EMERGENCY PLANNING COMMITTEE. (1) There is created the Dane County Local Emergency Planning Committee with the powers and duties established for such committees under 42 USC 11000 to 11050 and under sections 59.07(145), 166.20 and 166.21 of the Wisconsin Statutes.

(2) The county executive shall appoint the members of the local emergency planning committee, subject to confirmation by the Dane County Board of Supervisors, ~~shall make membership recommendations to the state~~

~~emergency response commission. Appointments to the local emergency planning committee shall be made by the state emergency response commission under 42 USC 11001(301).~~

(3) The membership of the local emergency planning committee shall consist of fourteen members. At least one member of the committee shall be a member of the Dane County Board of Supervisors. ~~As required by the state emergency response commission, t~~he emergency ~~planning management~~ director shall be a standing member. There shall also be at least one representative from each of the following groups: law enforcement; fire service; emergency medical service; community group; environmental group; and the media. The committee shall also have at least two representatives from facilities subject to 42 USC 11001-11050, the emergency planning and community right-to-know legislation.

(4) Committee members shall serve two-year terms ending on the third Tuesday in April of ~~the~~ even-numbered years, or as soon thereafter as a successor is appointed and confirmed.

(5) Citizen members shall receive no compensation or mileage allowance or reimbursement for other expenses incurred in the performance of their duties. Dane County board members shall receive the same per diem for attendance as other county bodies and the same mileage and expense allowance.

(6) The Dane County Department of Emergency Management shall provide such staff assistance as may be required to carry out the functions of the local emergency planning committee.

(7) The local emergency planning committee is authorized to apply for emergency planning grants for reimbursement of expenses. Such reimbursements shall be administered by the department of emergency management ~~in a separate cost account division within the hazardous materials planning division.~~

(8) The local emergency planning committee shall develop a comprehensive hazardous materials response plan. The committee shall make recommendations and advise the Dane County Board of Supervisors and the ~~board's designated standing committee~~ Public Protection and Judiciary Committee on matters pertaining to hazardous materials emergency planning and response.

[EXPLANATION: This amendment brings the language of the ordinance into conformance with state statute and clarifies the provisions regarding the Local Emergency Planning Committee.]

ARTICLE 7. Section 36.05 is repealed and recreated to read as follows:

36.05 COUNTY EMERGENCY ~~PLANNING MANAGEMENT~~ DIRECTOR. ~~(1) Creation. There is hereby created the office of county emergency planning director. The county emergency planning director (hereafter, the "county director") shall also hold the office of municipal emergency planning director (hereafter, the "municipal director") as provided in sub. (2) hereof.~~

~~(2) Any municipality in Dane County may hereafter enact an ordinance or resolution parallel to this section. The enactment of such an ordinance or resolution and the filing of a copy thereof with the county clerk shall constitute an election by the municipality to contract with the county for the joint exercise of the powers and duties of an emergency planning director, as provided in ss. 66.30 and 166.03(7) of the Wisconsin Statutes. Effective upon the filing of such an election, the county director shall have the additional duties and responsibilities of the appropriate municipal director. Unless and until revoked by a municipality, any election under a predecessor of this section shall constitute a continuing election under this section and section 36.10(3) as presently worded.~~

~~(3) The county director shall be a full-time position. The county director shall be considered an employee of Dane County and is entitled to all the rights, privileges and benefits of such employment. The salary of the county director and his or her staff shall be set from time to time by the county board. The county director shall have no less than the powers and duties enumerated in s. 166.03(5) of the Wisconsin Statutes.~~

~~(4) Appointment. The county director shall be appointed by the county executive in accordance with the standard employment procedures used by Dane County.~~

(1) The county executive is responsible for the county's emergency management program.

(2) The county executive may appoint a director of emergency management, subject to confirmation by the board of supervisors. Such appointment shall be made in accordance with the county's standard employment procedures. Compensation for such position shall be determined by the board of supervisors.

(3) The director of emergency management shall be a full-time position entitled to all rights, privileges and benefits of said employment. He or she shall report to the county executive, with policy oversight from the Public Protection and Judiciary Committee.

(4) The director of emergency management shall execute his or her duties as the county's head of emergency management services in accordance with s. 166.03(5), Wis. Stats., and such other powers as may be delegated or assigned.

[EXPLANATION: This amendment clarifies that the county executive is ultimately responsible for county emergency management and provides for appointment of a director of emergency management.]

ARTICLE 8. Section 36.06 is repealed in its entirety.

~~**36.06 DUTIES OF THE COUNTY EMERGENCY PLANNING DIRECTOR.** (1) *County-wide duties.* Subject to the control and direction of the county executive and the county emergency planning committee, the county director shall:~~

~~(a) Develop and promulgate county emergency plans and programs, including planning for joint-action municipalities, consistent with the state plan of emergency government;~~

~~(b) Coordinate and assist in the development of non-joint-action municipal emergency plans within the county, and integrate such plans with the county plan;~~

~~(c) Direct the county and joint-action municipality emergency planning programs.~~

~~(d) Direct county-wide emergency planning training programs and exercises;~~

~~(e) Advise the state administrator of the division of emergency government, through the state area director, of all emergency planning for the county and render such reports as may be required;~~

~~(f) In case of a state of emergency proclaimed by the governor, activate and coordinate the emergency plans, programs and services of the appropriate county, and joint action municipalities; and coordinate non-joint-action municipal emergency services, rendering such assistance as is required and available from county resources;~~

~~(g) Coordinate county emergency plans with state and federal emergency plans and programs;~~

~~(h) Perform such other duties relating to emergency planning as may be required.~~

~~(2) *Municipal duties.* The county director, when acting as municipal director for a joint-action municipality shall:~~

~~(a) Coordinate the municipal emergency planning organization;~~

~~(b) Develop, promulgate and integrate into the county plan, emergency plans for the operating services of the municipality;~~

~~(c) Coordinate participation of the municipality in such emergency planning training programs and exercises as may be required on the county level;~~

~~(d) Direct the municipal emergency planning training programs and exercises;~~

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

~~(f) In case of a state of emergency proclaimed by the governor, activate and coordinate the activities of the municipal emergency planning organization; and~~

~~(g) Perform such other duties, relating to emergency planning, as may be required by the municipal governing body.~~

[EXPLANATION: This amendment deletes sec. 36.06 which is no longer needed as a result of the amendment to sec. 36.05 in Article 7.]

ARTICLE 9. Section 36.07 is amended to read as follows:

36.07 SHARING OF COSTS. (1) *Office and staff.* The Dane County Board shall provide staff offices, office furniture, administrative support and such office supplies as may be necessary to carry out the functions of the county's Emergency Preparedness Programs. ~~director and the cost thereof shall be defrayed by the County of Dane, with the help of federal matching funds. The county shall seek to defray such costs by soliciting federal and/or state funds to the maximum extent possible.~~

~~(2) *Equipment and services.* Each municipality shall bear all of the costs of providing equipment and services required by it under this chapter. For all joint-action municipalities, the county director shall apply for available federal matching funds and, upon receipt of such funds, shall reimburse the joint-action municipality. The director of Emergency Management will act as the representative of the county in applying for federal disaster assistance programs.~~

[EXPLANATION: This amendment clarifies the provisions regarding cost sharing and federal assistance.]

ARTICLE 10. Section 36.10 is amended to read as follows:

36.10 UTILIZATION OF EXISTING SERVICES AND FACILITIES. (1) *Policy.* In preparing and executing the county emergency plans and programs, the services, equipment, supplies and facilities of the existing departments and agencies of the county shall be utilized to the maximum extent practicable; and the officers and personnel of all such departments and agencies are directed to cooperate with and extend such services and facilities as are required of them.

(2) *Responsibility.* All officials and personnel shall fulfill emergency and non-emergency duties as assigned under the county emergency plan. The county emergency ~~planning-management~~ director will assist them in organizing and planning for the expansion of their agencies prior to and during an emergency. Nothing in this section shall be construed so as to limit the county emergency ~~planning-management~~ director from immediately commencing organizational and planning programs as required by the State of Wisconsin Emergency Operations Plan ~~adopted by or~~ the Dane County Board.

~~(3) *Joint action.* Joint action municipalities will provide for utilization of existing services of municipal government by enactment of an ordinance parallel to this section of the county ordinance.~~

[EXPLANATION: This amendment deletes reference to joint action.]

ARTICLE 11. Section 36.11 is repealed and recreated to read as follows:

~~**36.11 DEBRIS REMOVAL ON PRIVATE PROPERTY.** (1) *Policy.* Such ordinances under which the use of county government equipment on private property is prohibited are hereby amended under the provisions of the Disaster Relief Act of 1974, United States P. L. 93-288, as amended, to permit debris removal when such action is invoked by presidential declaration. This section shall not and is not intended to authorize compensation for debris removal from private property by private individuals except where such removal and compensation are specifically ordered by the county director and approved by the county executive. Whenever possible, debris removal from private property will be accomplished by use of local or county owned equipment. No debris shall be removed from private property under this section unless the property owner or other persons in possession of the property shall sign a certificate of release holding local, county, state and federal governments free of liability.~~

~~(2) *County director.* The county director shall:~~

~~(a) Execute, on behalf of Dane County, any application for purposes of obtaining certain federal assistance under P. L. 93-288, and file the application in the appropriate state office;~~

~~(b) Coordinate, or designate one or more persons to coordinate, debris removal from private property in Dane County; and~~

~~(c) Establish liaison and coordinate with the county agricultural stabilization and conservation committee, which shall have responsibility for debris removal on private property for all designated predominantly rural areas.~~

~~(3) *County highway commissioner.* The county highway commissioner shall:~~

~~(a) Have the responsibility for non-rural areas with authority to delegate control to departments of public works, engineering or street departments in municipalities of the county;~~

~~(b) Initiate necessary steps to insure that responsible departments of public works, engineering or street departments in all municipalities within the county are aware of debris removal responsibilities under United States P. L. 93-288;~~

~~(c) Maintain inventories of engineering equipment of municipalities within the county;~~

~~(d) Establish liaison with private contractors for possible utilization of their engineering equipment under the provisions of United States P. L. 93-288; and~~

~~(e) Be authorized to employ short-term emergency manpower at the present Dane County part-time salary schedule, as necessary, to implement debris removal from private property under provisions of United States P. L. 93-288, with approval of the Dane County Executive.~~

36.11 EMERGENCY INTERIM SUCCESSORS. (1) *Succession to office.* It is determined and declared to be necessary to assure the continuity and effective operation of the county in the event of a major disaster or emergency by providing for additional persons who can temporarily exercise the power and discharge the duties of the executive.

(2) Emergency interim successor to office. (a) In the absence of the county executive, when a disaster or emergency exists, succession of the emergency powers of the county executive shall be as follows:

1. Chairperson of the county board of supervisors;
2. Vice-chairperson of the county board of supervisors;
3. Second vice-chairperson of the county board of supervisors;
4. Chairperson of the Public Protection & Judiciary Committee;
5. Chairperson of the Health & Human Needs Committee;
6. Chairperson of the Personnel & Finance Committee;
7. Chairperson of the Public Works & Transportation Committee;
8. Chairperson of the Zoning & Land Regulation Committee.

(b) The successors listed in sub. (a) shall not have the right to exercise any executive powers that would otherwise succeed, as a matter of law, to the county board of supervisors or a committee thereof.

[EXPLANATION: This amendment deletes the provisions regarding debris removal and provides for emergency line of succession for county government.]

ARTICLE 12. Section 36.12 is created to read as follows:

36.12 EMERGENCY MEASURES. (1) Power of the sheriff. Whenever, in the judgment of the sheriff, or in the event of the sheriff's inability to act, the chief deputy sheriff, it is determined that an emergency exists and when necessary to protect the public peace, health and safety, preserve lives and property, the sheriff shall have the power to impose by proclamation any of the following regulations necessary to preserve the peace and order of the county:

(a) Impose a curfew upon all or any portion of the county, thereby requiring all persons in such designated curfew areas to forthwith remove themselves from public streets, highways (as applicable), parks or other specified public places. Emergency service providers and authorized governmental officials are not subject to such curfew.

(b) Order the closing of any business establishment anywhere within the county for the duration of the emergency. Such business shall include, but is not limited to, those selling intoxicating liquors, malt beverages, gasoline or firearms.

(c) Designate closure of any public street, highway or any vehicle parking area to motor vehicle or pedestrian traffic.

(d) Request assistance from regular and auxiliary law enforcement agencies and organizations within or outside the county to assist in preserving and keeping the peace within the county.

(2) Local proclamation of emergency. Whenever necessary under emergency situations to protect the public peace, health and safety, preserve lives and property, preserve economic stability, insure cooperation and regulate the conduct of the public, the county executive may, with the concurrence of the county board chair, or in their absence, recognized successors, declare a local emergency. The county clerk shall present the written declaration to the board of supervisors for ratification at its first meeting following such declaration.

(a) Notification. Whenever a local emergency has been declared, the board of supervisors shall be notified by the filing of the written declaration with the county clerk on the first regular business day following the declaration.

(b) Duration. Any emergency proclamation issued in accordance with this ordinance shall expire forty-eight (48) hours after issuance. A declaration may be extended for such additional periods of time as determined necessary by the sheriff, county executive and county board chair.

(3) Emergency power of the county executive. In the event of a declared statewide or local emergency under state law or this ordinance the county executive shall have, without limitation, the following powers:

(a) To assemble all department heads for the purpose of forming an advisory body to offer advice regarding the need for, and use of, emergency services to the impacted area(s).

(b) Without restricting the power of the sheriff, to seek mutual aid, to contract with other units of government for the use of manpower, specialized services, and equipment.

(c) To contract on a cost basis with private industry, leasing companies or contractors for services, manpower and equipment.

(d) To order all county employees to immediate active duty.

(e) To order county departments to concentrate their manpower and equipment in designated area(s).

(f) To authorize any county owned or leased property to be used as emergency shelters, food and water dispensing areas, hospitals, morgues, bases of operation and the like.

(g) To order county employees and equipment to be utilized in the transportation of equipment, supplies, food, water, materials, messages and the like, from place to place to assist any governmental, Red Cross or similar charitable organization operating within the county.

(h) To suspend ordinary county services.

(i) To suspend the operation of any county licensed business.

(j) To order the evacuation of citizens or other protective action deemed necessary.

(k) To declare a state of "local emergency" for all or part of Dane County.

(l) To request further disaster declarations and assistance from the Governor of the State of Wisconsin and the President of the United States, and other agencies, as appropriate.

(m) To administer county government effectively to meet emergency management needs. This includes the power to authorize the transfer of funds from the general fund during the state of emergency; serve as chief spokesperson for the county and take all steps necessary to keep the public informed of necessary emergency measures; take all steps necessary to provide for the safekeeping of all essential county records and documents; establish priorities for the procurement of supplies and services; direct the utilization of county resources in dealing with emergency management efforts; provide for the accounting and prioritization of all emergency disbursements; direct the resources of the county anywhere within the State of Wisconsin to insure the well-being of county residents; administer the relocation of county government and provide for its functional ability during the emergency; and, appoint and direct special task groups as required for emergency operations.

(n) To take all steps reasonably necessary to preserve the public health, safety and welfare and property of the citizens and residents of Dane County.

(4) Limitations. The above specified powers are limited to the extent that they may not restrict the constitutional powers of the sheriff.

(5) Emergency purchases. When immediate action is necessary to preserve property or public health, safety and welfare, department heads are authorized to procure equipment, supplies and services on the open market without competitive bidding. The purchasing division shall be consulted. Such action shall be reported, in writing, within forty-eight hours to the county executive, board of supervisors and the department of administration. Budget appropriation transfers, if necessary, shall be initiated in accordance with fiscal policies.

[EXPLANATION: This amendment defines the emergency powers of the sheriff and county executive.]

ARTICLE 13. Section 36.99 is amended to read as follows:

36.99 PENALTIES. It shall be unlawful for any person to willfully fail or refuse to obey the orders of authorized law enforcement officers or other personnel charged with enforcement of an emergency proclamation under this ordinance, willfully to obstruct, hinder, or delay any member of the emergency planning organization in the enforcement of any order, rule, regulation or plan issued pursuant to this chapter, or to do any act forbidden by any order, rule, regulation or plan issued pursuant to the authority contained in this chapter. For a violation of any of the provisions of this chapter he or she shall forfeit not less than \$100.00 nor more than \$500.00, together with the costs of prosecution and court costs, and in default of payment thereof, shall be imprisoned in the county jail for a period not exceeding 90 days.

[EXPLANATION: This amendment clarifies the penalty provisions of this ordinance.]

Submitted by Supervisor Eggert, February 17, 2006 (p. 305, 05-06).

Referred to EXECUTIVE, PERSONNEL/FINANCE, PUBLIC PROTECTION/JUDICIARY, EMS COMMISSION, and LOCAL EMERGENCY PLANNING.

ENDORISING THE CITY OF MADISON AND COUNTY OF DANE
JOINT PUBLIC HEALTH MANAGEMENT TEAM

WHEREAS, in March of 2005, the City of Madison and the County of Dane entered into an Intergovernmental Agreement (IGA) to merge the Madison Department of Public Health and the Dane County Division of Health (public health agencies), pursuant to sec. 251.02(1m), Wis. Stats.; and,

WHEREAS, the IGA provides for (a) the merger of the two boards of health into a single Board of Health for Madison and Dane County (BOHMDC), (b) the hiring of a single Director, and (c) the establishment of a structure to move toward full merger of the existing public health agencies into a joint City-County health department to be known as the Madison and Dane County Health Department (MDCHD), to be accomplished by December 31, 2007; and,

WHEREAS, the IGA provides, in sec. IV.B.3.a., that the Director “shall have direct responsibility for the transition to and operation of the MDCHD”; and,

WHEREAS, Dr. Thomas Schlenker was recently hired as the Director charged with the above responsibility and, as one of the first steps toward accomplishing the required merger of the existing public health agencies, Dr. Schlenker will be assigning six (6) current employees to a management team and he will draw the members of this management team from the existing pool of City and County public health agency employees; and

WHEREAS, four (4) of these employees, all of whom currently have supervisory responsibilities within their respective public health agencies, will each be assigned management responsibility for distinct public health programs, and will be required, therefore, to supervise the staff who are currently, or in the future will be, assigned to such public health programs; and

WHEREAS, the staff assigned to each of the public health programs will include both City and County employees and it will be necessary and appropriate, therefore, for the members of the management team to supervise both the City employees and the County public health employees assigned to the manager’s area of program responsibility; and

WHEREAS, such transitional steps are in accord with the goal of a merged MDCHD and the desires of the City and County to further the public interest in creating a single health department,

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors for the County of Dane endorses the transitional steps being taken by the BOHMDC and Health Director Schlenker, and,

BE IT FURTHER RESOLVED, that the BOHMDC and Dr. Schlenker shall advise the Board of Supervisors every six months of further significant steps taken toward the MDCHD merger.

Submitted by Supervisor Kostelic, February 17, 2006 (p. 306, 05-06).

Referred to HEALTH/HUMAN NEEDS, PERSONNEL/FINANCE, and BOARD OF HEALTH FOR MADISON & DANE COUNTY.

RES. 283, 05-06

ACCEPTING INTERGOVERNMENTAL AGREEMENT "ADVANCED LIFE SUPPORT PROGRAM"

The purpose of this resolution is to accept the Intergovernmental Agreement for "Advanced Life Support Program" in Dane County.

WHEREAS, this Agreement sets forth the expectations, responsibilities, and mechanisms for the provision of a regional Advanced Life Support (ALS) Program (Program); and

WHEREAS, the parties are authorized to enter into this agreement pursuant to section 66.0301, Wisconsin Statutes; and

WHEREAS, sections 59.54(1), 62.133, 61.64, and 60.565 of the Wisconsin Statutes specifically allow Wisconsin Counties, cities, villages, and towns to contract for ambulance service; and

WHEREAS, in addition to the provisions of any other statutes specifically authorizing cooperation between municipalities, any municipality may contract with other municipalities in this state pursuant to §66.0301, Stats., for the receipt or furnishing of services or the joint exercise of any power or duty required or authorized by law.

NOW, THEREFORE, BE IT RESOLVED in consideration of the above premises and the mutual covenants of the parties hereinafter set forth, the receipt and sufficiency of which is acknowledged by each party for itself, Dane County and the ALS Providers.

Submitted by Supervisor Salov, February 17, 2006 (p. 307, 05-06).
Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

RES. 284, 05-06

AUTHORIZING THE CLOSURE OF CTH E FROM USH 18/151 TO CTH ID

A portion of County Trunk Highway (CTH) E connects USH 18/151 and CTH ID in section 10 in the town of Blue Mounds ("the affected section"). This section of CTH E is currently being used as a shortcut to bypass the State Highway 78 interchange in order to access the Village of Blue Mounds and Tyrol Basin. CTH ID has been designated as a controlled-access highway.

In order to provide for the public safety, convenience, and general welfare, sec. 83.027(3), Wisconsin Statutes, allows a county board to regulate, restrict, or prohibit access or departure from a controlled-access highway as it deems necessary or desirable. This includes eliminating intersections at grade of controlled-access highways with existing highways or streets by closing off such roads or streets at the right-of-way boundary line of such controlled-access highway.

There have been a number of accidents on this section of highway in recent years. Closing this section of CTH E is in the interest of public safety and general welfare.

The affected section of CTH E is approximately 120 feet. No private lots are located along the affected section.

The County has obtained approval for the vacation and discontinuance from the State of Wisconsin and the Governing body of the Town of Blue Mounds as required by sec. 83.025, Wisconsin Statutes.

NOW, THEREFORE, BE IT RESOLVED that the County Board of Dane County hereby vacates and discontinues the above-described portion of CTH E pursuant to sec. 83.025, 83.027, and 840.11, Wisconsin Statutes.

BE IT FURTHER RESOLVED that a certified copy of this resolution be recorded with the Register of Deeds for Dane County, Wisconsin.

Submitted by Supervisor Ruth, February 17, 2006 (p. 308, 05-06).
Referred to PUBLIC WORKS/TRANSPORTATION.

RES. 285, 05-06

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.

Humane Officer

Sabrina Ringquist, 5005 Buckeye Road, Madison 53716 (838-0413x117). Ms. Ringquist has worked for the Humane Society since July 2002 as a part-time Humane Agent and an emergency on-call responder. She has completed the training and examination criteria in the State of Wisconsin and is certified as a Humane Officer.

Mary Jo Walker, 18 Sweet Briar Lane, Cambridge 53523 (764-2914-H, 838-0413x121). Ms. Walker has worked for the Humane Society since December 2004 as a Humane Agent and as an emergency on-call responder. She has completed the training and examination criteria in the State of Wisconsin and is certified as a Humane Officer.

Lakes & Watershed Commission

Douglas Bach, 2700 Waunona Way, Madison 53713 (221-8042-H), to fill the seat of the representative of the Yahara Lakes Association, due to the resignation of Mark Pernitz. Mr. Bach was nominated by the Yahara Lakes Association. Mr. Bach is a member of the Board of Directors of the Yahara Lakes Association and serves on the Board of the Wisconsin Association of Lakes. He is a civil/environmental engineer. This term will expire 2/1/09.

Library Board

Marie Frances Klos, 501 Valley Road, Madison 53714 (221-2702-H, 268-6771-W), to be reappointed. This term will expire 1/31/09.

Dreux J. Watermolen, 6140 Century Avenue, #201, Middleton 53562 (831-0457-H, 266-8931), to be reappointed. This term will expire 1/31/09.

Rebecca Young, 639 Crandall Street, Madison 53711 (233-8364-H), to be reappointed. This term will expire 1/31/09.

Madison Metropolitan Sewerage District

Tom Hovel, 6112 Creamery Court, McFarland 53558 (838-3985-H), to be reappointed. This term will expire 6/30/10.

Veterans Services Commission

John P. Hofer, 7888 Wood Pond Trail, Cross Plains 53528 (798-2530-H), 280-7035-W), to be reappointed. This term will expire 12/14/09.

Submitted by Supervisor McDonell, February 17, 2006 (p. 309, 05-06).
Referred to EXECUTIVE.

RES. 286, 05-06

**AUTHORIZING ACCEPTANCE OF AN URBAN NONPOINT SOURCE
WATER POLLUTION ABATEMENT AND STORMWATER MANAGEMENT GRANT**

Dane County Land & Water Resources Department has applied for and received a grant award of \$65,000 from the Wisconsin Department of Natural Resources. This will enable Dane County to continue the Information & Education Plan Implementation conducted by the County on behalf of the participants of the Madison Area Municipal Storm Water Partnership (MAMSWAP).

In April 2000, authorized by Res. 342, 1999-2000, Dane County entered into a "Cooperative Agreement to Jointly Apply for Storm Water Discharge Permit Under Chapter NR 216 of the Wisconsin Administrative Code" with the Cities of Madison, Monona, Middleton, Verona, Sun Prairie, and Fitchburg; the Villages of Shorewood Hills, Waunakee, DeForest, Maple Bluff, and McFarland; the Towns of Madison, Burke, Blooming Grove, Westport, Windsor, and Middleton; and the University of Wisconsin-Madison. These jurisdictions are required to obtain this permit pursuant to Chapter 283 of the Wisconsin Statutes and Chapter NR 216 of the Wisconsin Administrative Code.

The Cooperative Agreement requires a public education and outreach program. Dane County serves as the fiscal agent for and implementation lead for the MAMSWAP Information and Education Program. The grant will allow cost-sharing reimbursement of up to 45% of actual and eligible expenses for this public education program.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors authorizes acceptance of these grant funds and that \$65,000 be transferred from the General Fund and credited to a new revenue account LWRLKSWS "MAMSWAP Info & Educ Grant Revenue" and a new expense account LWRLKSWS "MAMSWAP Info & Educ Expense" be created for \$65,000. These funds shall be carried forward until expended.

Submitted by Supervisor Hulsey, February 17, 2006 (p. 309, 05-06).

Referred to EXECUTIVE, PERSONNEL/FINANCE, ENVIRONMENT/AGRICULTURE/NATURAL RESOURCES, and LAKES & WATERSHED.

COMMUNICATIONS

Claim from WPS Health Ins. Re: Emily Markoff. Referred to PUBLIC PROTECTION/JUDICIARY.

Claim from Scott Markoff for expenses related to Emily Markoff. Referred to PUBLIC PROTECTION/JUDICIARY.
Claim from Alan Graff, Jr. – vehicle damaged at airport by plow. Referred to PUBLIC PROTECTION/JUDICIARY.
Claim from American Family Ins. Re Leah D. Schneider –claims accident caused by snowplow. Referred to PUBLIC PROTECTION/JUDICIARY.
Craig A. Vander Molen against Sheriff Dept. – Discrimination claim .ERD Case #CR200600347, EEOC Case #26GA600590. Referred to PUBLIC PROTECTION/JUDICIARY.
Ozaukee County Res. #05-88, Requesting Legislative Action to Address Wisconsin Retirement System Liabilities. Referred to EXECUTIVE.
Ozaukee County Res. #05-83, Reimbursement Formula for ESLs Library Lending, etc. Referred to EXECUTIVE.

ZONING PETITIONS

Petitions for Zoning Reclassification. Referred by Clerk Ohlsen to ZONING & LAND REGULATION.

- Petition 9441 – Town of Springfield – William & Virginia Helt Living Trust
- 9442 – Town of Deerfield – Mark & Fredricka Manning Joint Revocable Trust
- 9443 – Town of Dunkirk – Rain Bow Associates Inc.
- 9444 – Town of Albion – John Kelch
- 9445 – Town of Dane – John & Roberta Hilgers
- 9446 – Town of Christiana – Jack Olson
- 9447 – Town of Cottage Grove – Dwight D. & Dale R. Huston
- 9448 – Town of Albion – Jerome M. Reilly
- 9449 – Town of Bristol – Darren & Nicole Cobb
- 9451 – Town of Mazomanie – Mike, Jan, Mark & Karen Lawler
- 9452 – Town of Westport – Joseph & Tammy Reda
- 9453 – Town of Burke – Bill J. Ruland Estate
- 9454 – Town of Pleasant Springs – Duane Swalheim
- 9455 – Town of Berry – Oregon Parks
- 9456 – Town of Deerfield – Ray & Helen Zander
- 9457 – Town of Sun Prairie – Lee & Cindy Bohling
- 9458 – Town of Madison – Hammonds Apartment Rental LLC
- 9459 – Town of Perry – Edward & Valeria Sutter
- 9460 – Town of Windsor – Donald L. Freer
- 9461 – Town of Vermont – Esther D. Zarndt Estate

RES. 287, 05-06

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.

Solid Waste & Recycling Advisory Commission

Dennis Coyier, 2866 Alydar Way, Cottage Grove 53527 (839-5452-H, 241-1100-W), to be reappointed. This term will expire 1/31/09.

Beverly Speer, 62 Farrell Street, Madison 53714 (241-8979-H, 255-4260-W), to be reappointed. This term will expire 1/31/09.

Submitted by Supervisor Fyrst, March 2, 2006 (p. 311, 05-06).
Referred to EXECUTIVE.

RES. 288, 05-06

2005 DANE COUNTY CONSERVATION FUND GRANT AWARD – VILLAGE OF MCFARLAND

The Village of McFarland has applied to the Dane County Conservation Fund for assistance in purchasing approximately 17 acres that are adjacent to the Lower Mud Lake Natural Resource Site. The property compliments existing County and Village holdings, and the master plan for the site is consistent with Dane County's goals for the project area. Of the three projects reviewed in the 2005 grant cycle, this project ranked first.

The purchase price for the property has been established at the appraised value of \$935,000. The Village has a pending DNR Stewardship grant in the amount of approximately \$467,500. The Conservation Fund Grant Advisory Committee recommends \$139,765 in County funds, which represents 15% of the purchase price. The Conservation Fund Grant Award, if approved, will not be released until the transaction is ready to close.

NOW, THEREFORE, BE IT RESOLVED that a grant to the Village of McFarland, per the terms and conditions listed above, is 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.

BE IT FURTHER RESOLVED that the grant award totals \$139,765 and that the 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 grant agreements, management agreements, deed restrictions or the transfer of land or land rights which will vest in Dane County.

BE IT FINALLY RESOLVED that the Conservation Fund Manager 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 the grant award.

Submitted by Supervisors Miles, Ripp, and Kostelic, March 2, 2006 (p. 312, 05-06).
Referred to PERSONNEL/FINANCE and ENVIRONMENT/AGRICULTURE/NATURAL RESOURCES.

RES. 289, 05-06

ACCEPTING CONTRIBUTIONS FOR THE
DANE COUNTY ENVIRONMENTAL COUNCIL SMALL GRANTS PROGRAM

Donations have been received from Stevens Design, LLC, in the amount of \$500, from Leggette, Brashears & Graham, Inc., in an amount of \$100, and from Henry Anderson of Madison in the amount of \$50 to fund the second year of the Dane County Environmental Council Small Grants Program.

NOW, THEREFORE, BE IT RESOLVED that \$650 be set up as the Environmental Council Miscellaneous Revenue Account (EXTENSN 84233) and credited to the General Fund and that \$650 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 Environmental Council thank these businesses and individual for their very generous support.

BE IT FINALLY RESOLVED that income received in excess of funds expended in the Environmental Council budget lines shall be carried forward from year to year in the Environmental Council expense line.

Submitted by Supervisors Rusk and Worzala, March 2, 2006 (p. 312, 05-06).
Referred to PERSONNEL/FINANCE and ENVIRONMENT/AGRICULTURE/NATURAL RESOURCES.

RES. 290 05-06

AGREEMENT BETWEEN DANE COUNTY AND THE CITY OF MADISON
REGARDING LYCKBERG PARK AND THE SURROUNDING AREA

The City of Madison has solicited public input and completed extensive planning for South Madison neighborhoods, including Bram's Addition and Capitol View Heights. The resulting South Madison Neighborhood Plan, adopted in 2005, includes a portion of the Alliant Energy Center bordering on Koster Street known as Lyckberg Park.

Lyckberg Park consists of two distinct portions – a southern parcel where improvements are located and a flat northern portion that the Alliant Energy Center has used for parking for over 35 years. In the city's plan, the southern portion of Lyckberg Park will remain green space. The Alliant Energy Center has future plans for parking improvements on the northern portion of Lyckberg Park and will need a conditional use permit from the City of Madison to accomplish those improvements.

Alliant Energy Center staff and City of Madison staff have been engaged in discussions about the future of Lyckberg Park, improvement of access to Quann park tennis court parking from Bram Street, and other relevant neighborhood issues for several years.

NOW, THEREFORE, BE IT RESOLVED that the staff of the Alliant Energy Center are authorized to negotiate an agreement with the City of Madison in order for both parties to accomplish their goals, including a no-cost lease of the southern portion of Lyckberg Park to the City of Madison.

BE IT FURTHER RESOLVED that the agreement must meet the long-term goals of the Alliant Energy Center's master plan and the South Madison Neighborhood Plan.

BE IT FINALLY RESOLVED that the goal for the completion of the agreement is March 31, 2006, with approval to follow from the Dane County Board of Supervisors, County Executive, Madison Common Council, and the Mayor of Madison.

Submitted by Supervisors Eggert, O'Loughlin, and Ripp, March 2, 2005 (p. 313, 05-06).

Referred to PUBLIC WORKS/TRANSPORTATION, ENVIRONMENT/AGRICULTURE/NATURAL RESOURCES, PARKS, and CITY-COUNTY LIAISON.

RES. 291, 05-06

AUTHORIZATION TO ACCEPT GRANT FUNDS FOR PARKING LOT RELOCATION AT BABCOCK PARK

In February 2005, Dane County Sub. 1 to Res. 240, 2004-05, authorized purchase of the Clasen parcel adjacent to Babcock County Park for the purpose of relocating boat trailer overflow parking to the west side of U.S. Highway 51 in the Town of Dunn. Relocation of the overflow parking lot will eliminate the seasonal need for boat launch users (pedestrians and motorists) to cross the highway at an uncontrolled intersection.

Dane County Parks applied for and received a Recreational Boating Fund grant award from the Department of Natural Resources for \$48,582.50 to offset construction material costs for the project.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors and the Dane County Executive hereby accept the State Recreational Boating Fund grant of \$48,582.50 for construction costs associated with the relocation of the Babcock Park boat landing overflow parking lot.

BE IT FINALLY RESOLVED that an expenditure with matching revenue account LWRPKOP titled Babcock Boat Launch Improvements in the amount of \$48,582.50 be established and that these funds be carried forward until expended.

Submitted by Supervisors Ripp, Kostelic, and Miles, March 2, 2006 (p. 313 05-06).

Referred to PERSONNEL/FINANCE, PUBLIC WORKS/TRANSPORTATION, and ENVIRONMENT/AGRICULTURE/NATURAL RESOURCES.

RES. 292, 05-06

REQUESTING CHIEF JUDGE AUTHORIZATION
TO IMPLEMENT CERTAIN SAFETY-RELATED CHANGES TO COURTHOUSE USE

WHEREAS, The Dane County Courthouse is a public building constructed to serve the public and promote the efficient and effective implementation of county functions; and

WHEREAS, the safety and efficiency of the entire courthouse and the county functions held therein are of paramount concern to the County Board, county employees, and the County's taxpayers; and

WHEREAS, the use of space in the courthouse and the implementation of county functions must be conducted in a manner that best serves the needs of the public, makes the best use of secured space for those offices and functions facing the highest risk, and makes the best use of the county taxpayers investment; and

WHEREAS, since the new courthouse has become operational, certain practices and concerns have been identified that jeopardize the public service, public safety and efficiency objectives identified above; and

WHEREAS, these practices and concerns include the inadequacy of facilities provided for juvenile hearings, the logistical difficulties associated with the secure transport of prisoners on certain floors of the new courthouse, and safety issues associated with making arrests in a public waiting room; and

NOW, THEREFORE, BE IT RESOLVED that the County Board requests that the Chief Judge authorize that, when arrests of individuals participating in the Alternatives to Incarceration Program are necessary, said arrests shall take place on court floors and not on other floors of the courthouse; and

BE IT FINALLY RESOLVED that the County Board requests that the Chief Judge be requested to approve the scheduling of hearings in juvenile matters in courtrooms on court floors.

Submitted by Supervisors Olsen, Rusk, Ripp, Kostelic, Vedder, Erickson, Martz, Schoer, Jensen, O'Loughlin, Brown, Wiganowsky, Bruskewitz, Vogel, Vedder, and DeSmidt, Marcy 2, 2006 (p. 314, 05-06).
Referred to PUBLIC PROTECTION/JUDICIARY.

RES. 293, 05-06

AUTHORIZING CONTINUING COURTHOUSE CONSTRUCTION

WHEREAS, The Dane County Courthouse is a public building constructed to promote the efficient and effective implementation of county functions; and

WHEREAS, construction and build-out of the interior courthouse space has not been completed; and

WHEREAS, designated funds remain to complete this construction; and

WHEREAS, the continuing construction and build-out of the interior courthouse space must be executed in a manner that best serves the needs of the public, makes the best use of secured space for those offices and functions facing the highest risk, and makes the best use of the county taxpayers investment; and

WHEREAS, since the new courthouse has become operational, certain practices and concerns have been identified that jeopardize the public service, public safety and efficiency objectives identified above; and

WHEREAS, these practices and concerns include the existence of reserved, vacant or otherwise unused space in the courthouse, the logistical difficulties associated with the secure transport of prisoners on certain floors of the new courthouse, the division of certain child support enforcement functions between the new courthouse and the City-County Building, and the practical inefficiencies associated with the separation of clerk of court personnel from their off-site files; and

WHEREAS, the division of child support enforcement attorneys and clerk of court personnel from their files and functions compromises efficient public service and increases the levels of dissatisfaction amongst the public consumers of those services; and

WHEREAS, compromised public service is exacerbated by the reduction in Dane County staffing levels due to budgetary constraints; and

WHEREAS, all branches of government need to cooperate to provide the people of Dane County the best overall service for their investment in the courthouse; and

WHEREAS, given the fiscal constraints imposed by tight budgets at the county, state and federal levels, the reservation of unused space in the new courthouse for future needs is both inefficient and impractical; and

WHEREAS, the use of reserved, vacant, and unfinished secured space in the new courthouse will allow the county to make the best use of public resources, provide the highest level of security to the general public and ensure a higher level of safety to those county employees facing the most risk; and

WHEREAS, the Chief Judge has authority over the movement and location of offices under their jurisdiction, but the Chief Judge does not have authority over the construction and build-out of unused space in county buildings or the movement of other county functions into those unused spaces.

NOW, THEREFORE, BE IT RESOLVED by the Dane County Board that the construction of the courthouse shall continue using existing funds allocated for construction; and

BE IT FURTHER RESOLVED that completion of the courthouse using existing funds allocated for construction shall include changes to infrastructure where necessary to address or resolve safety concerns and compliance with the Americans with Disabilities Act; and

BE IT FURTHER RESOLVED that the unfinished space in the District Attorney's offices in the courthouse be finished to incorporate either the Witness Protection or Deferred Prosecution Program at the discretion of the District Attorney; and

BE IT FURTHER RESOLVED that unfinished space and reserved, unused or otherwise vacant space be finished to serve the following needs, to be prioritized by a committee comprised of three (3) members appointed by the Public Protection and Judiciary Committee chair and two (2) members appointed by the Public Works Committee Chair:

- Alternatives to Incarceration Program;
- Storage space for the files of Clerk of Courts;
- Storage space for the files of Child Support Enforcement;
- Working space for Child Support Enforcement attorneys;
- District Attorney Programs; and/or
- Bailiffs offices.

BE IT FURTHER RESOLVED that the Committee shall consider the following reserved, unused or otherwise vacant space in making its determinations: unfinished space, under-utilized jury rooms, and under-utilized courthouse space;

BE IT FURTHER RESOLVED that a representative of the Dane County Judges will serve in an advisory role to the Committee as it prioritizes the use of space in the courthouse.

Submitted by Supervisors Olsen, Rusk, Ripp, Kostelic, Worzala, McDonell, Martz, Matano, Vedder, DeSmidt, Vedder, Opitz, Erickson, Wheeler, Schoer, Jensen, Vogel, de Felice, and Pertzborn, March 2, 2006 (p. 316, 05-06).

Referred to PUBLIC PROTECTION/JUDICIARY and PUBLIC WORKS/TRANSPORTATION.

RES. 294, 05-06

OFFICE OF JUSTICE ASSISTANCE (OJA) HOMELAND SECURITY/CITIZEN CORPS PLANNING GRANT

The purpose of this resolution is to adjust revenue and expenditures for FY2006.

The Department of Emergency Management, through the State and Local Homeland Security Program, submitted a grant request in support of the development of a Citizen Corps Council, Medical Reserve Corps, and Volunteers in Police Service programs.

The County was awarded a total of \$53,000. The grant period ends November 30, 2006.

The grant funds will be used to purchase support equipment and develop and implement planning strategies.

In order to properly track expenditures, a specific line item or a separate expenditure account is required.

NOW, THEREFORE, BE IT RESOLVED that \$53,000 be set up as additional revenue in a newly created Emergency Management, Citizen Corps Planning Revenue account, and be credited to the General Fund.

BE IT FURTHER RESOLVED that \$53,000 is transferred from the General Fund to the following Emergency Management, Citizen Corps Planning account (account numbers to be issued by the Controller's Division upon passage of this resolution.

Citizen Corps Planning Grant \$53,000

BE IT FURTHER RESOLVED that all unexpended funds and unrecognized revenues from this account be carried forward from the 2006 to the 2007 budget period.

Submitted by Supervisors Eggert, Olsen, Rusk, Hanson, Ripp, Martz, Salov, and Fyrst, March 2, 2006 (p. 316, 05-06).

Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

RES. 295, 05-06

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 Human Services Department requires the replacement of three vehicles. The replacement vehicles will be leased over a period of three years with annual payments made in advance. The vehicles were priced

under the state contract at \$14,443 each for two Ford Freestar minivans and \$16,419 for a Ford Ranger pickup truck. The annual lease payments will be \$_____.

THEREFORE, BE IT RESOLVED that the Controller and County Clerk are authorized to execute addenda to the Ford Motor Credit master lease agreement for two 2007 Ford Freestar minivans and one 2007 Ford Ranger Supercab XLT pickup truck for Dane County Human Services Department.

Submitted by Supervisor Worzala, March 2, 2006 (p. 317, 05-06).
 Referred to HEALTH/HUMAN NEEDS and PERSONNEL/FINANCE.

 RES. 296, 05-06

ACCEPTING WISCONSIN WORKS (W-2) AND INCOME MAINTENANCE ADMINISTRATION
 ALLOCATION (IMAA) FUNDING - DCDHS – EAWS DIVISION

The State of Wisconsin Department of Workforce Development has increased Wisconsin Works (W-2) funding in the amount of \$20,000 and W-2 Day Care Administration Funding by \$90,850. The Wisconsin Department of Health and Family Services has increased Income Maintenance funding in the amount of \$29,955. These funds are designated for creating an eligibility worker position to be placed in the Allied Drive neighborhood for families in the Early Childhood Initiative and for purchase of Day Care Administrative services. The worker will determine eligibility for W-2, Medicaid, Food Share, Child Care, and other economic support programs, as well as case managing eligible families. The balance of the funding for Day Care Administration will be used to purchase services to ease the impact of the reduction in maximum childcare reimbursement rates in Dane County, and to target day care assistance to the Allied Drive neighborhood to support the Early Childhood Initiative.

This resolution creates a new 1.0 FTE Economic Support Specialist project position in the Economic Assistance and Work Services (EAWS) Division, effective March 1, 2006. The project position will continue as long as this specially designated funding continues. When the designated funding ends, the project position ends.

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

Account Number	Revenue Source	Amount
EAEDBPER 81350	IMAA	\$29,955
EAEDBPER 81471	W-2 Office	\$20,000
EAEDBPER 81487	W-2 Day Care Admin	\$90,850

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

Account Number	Expense Account	Amount
EAEDBPER AAYAAA	Salaries and Wages	\$37,089
EAEDBPER AAYMAA	Retirement	\$ 4,339
EAEDBPER AAYPAA	Social Security	\$ 2,837
EAEDBPER AAYSAA	Health	\$ 9,234
EAEDBPER AAZBAA	Dental	\$ 966
EAEDBPER AAZHAA	Wage Continuation	\$ 48
EAEDBPER AAZKAA	Life Insurance	\$ 6

EAEDBPER AAZQAA	Workers Comp	\$ 78
EAEDBPER AAZXAA	Salary Savings	(\$ 742)
EADCTBD ALLIAA	Purchase of Service TBD	\$86,950

BE IT FINALLY RESOLVED that a new 1.0 FTE Economic Support Specialist project position in the Economic Assistance and Work Services (EAWS) Division, effective March 1, 2006.

Submitted by Supervisor Worzala, March 2, 2006 (p. 318, 05-06).
 Referred to HEALTH/HUMAN NEEDS and PERSONNEL/FINANCE.

 RES. 297, 05-06

AUTHORIZING SUBMISSION OF ONE YEAR ACTION PLAN TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) FOR PROGRAM YEAR 2006 – JANUARY 1, 2006– DECEMBER 31, 2006

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 was awarded a CDBG grant in the amount of \$1,168,475, a HOME grant in the amount of \$571,455 and ADDI grant in the amount of \$18,421.

In order to allocate CDBG, HOME, and ADDI funds on an annual basis, HUD requires the submittal of an annual One Year Action Plan. 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 established a process for allocation of the grant funds, including a competitive application process with extensive public input. A review team made recommendations on each application. The review team recommendations were then submitted to the CDBG Commission, which oversees the CDBG program. The CDBG Commission approved the recommendations on February 9, 2006. The following is a summary of the CDBG Commission recommendations:

<u>Applicant</u>	<u>Project Description</u>	<u>Amount</u>
Community Action Coalition of Southwestern WI	Homeless case management	60,000 CDBG
Independent Living Center	Elderly rental assistance	53,549 CDBG
Dane County Dept. of Human Services	Paratransit services in Dane Co communities	41,722 CDBG
Dane County Dept. of Human Services	Emergency assistance - Allied Drive	20,000 CDBG
Dane County Dept. of Planning and Development	BUILD planning grants	60,000CDBG
Dane County Dept. of Planning and Development	CDBG administration	173,695 CDBG
Operation Fresh Start	Housing rehab by at-risk youth and sale to low income family	45,000 CDBG
Habitat for Humanity of Dane Co	Purchase lots for construction of affordable housing	190,000 CDBG
Dane County Dept. of Planning and Development	Commercial Revitalization Loan Fund	10,000 CDBG

Wisconsin Women's Business Initiative Corp	Business education for low and moderate income persons	50,000 CDBG
DCDHS	JFF Southdale case management	49,000 CDBG
Project Home	Single family housing rehab	185,000 CDBG 134,285 HOME
Project Home Development - CHDO (required HUD set-aside)	Neighbor-owned affordable housing program	\$90,000 HOME
Village of Oregon	Downtown commercial facades	\$25,000 CDBG
Dane Co Housing Authority	Mortgage downpayment assistance	\$100,000 CDBG \$65,997 HOME
Movin' Out	Mortgage downpayment assistance	\$55,509 CDBG \$124,029 HOME \$18,421 ADDI
Boys and Girls Club of Dane County	Purchase land in Fitchburg	\$150,000 CDBG
Dane County Dept. of Planning and Development	Tornado clearance assistance	\$78,890 CDBG
Ellefson Companies	Homebuyer assistance Renaissance on the Park Subdivision Fitchburg	\$200,000 HOME
Dane County Dept. of Planning and Development	HOME Administration	\$57,144

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 2006 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 2006 Program Year CDBG and HOME grants;

BE IT FURTHER RESOLVED that the Dane County Executive and Dane County Clerk 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 2006 CDBG and HOME programs.

Submitted by Supervisors Vogel and Wheeler, March 2, 2006 (p. 310, 05-06).
Referred to HEALTH/HUMAN NEEDS and PERSONNEL/FINANCE.

RES. 298, 05-06

AUTHORIZING FUNDS FOR THE ENVIRONMENTAL STUDY FOR THE
NORTH MENDOTA PARKWAY AND NORTH MENDOTA E-WAY

On June 16, 2005, the Dane County Board of Supervisors approved Sub. 2 to Res. 318, 2004-2005, which authorized the creation of the North Mendota Parkway Implementation Oversight Committee (IOC), as well as an Inter-Governmental Agreement Subcommittee.

The first charge to the committees was to oversee the preparation and adoption of the intergovernmental agreement as recommended in the Final Report and Recommendations of the North Mendota Parkway Advisory Committee (NMPAC). In order to meet its charge, it is necessary to gather specific environmental information that so that the units of governments in the North Mendota Parkway study area can create an informed intergovernmental agreement (IGA). Without this specific environmental information, the IGA cannot be written. Recommendation 5 (page 46) calls upon the county to conduct the environmental study of the North Mendota area.

For example, the Final Report Recommendations states on page 45 and 46 under Recommendation 4 that Municipalities and County Adopt Interim intergovernmental Official Maps that include, "...a North Middleton Collector," and a "South Waunakee Collector." These maps cannot be created without the information the environmental study will provide. An official map cannot be created where there is no determination of alignments of the roadway and e-way.

As noted in the original study, a potential corridor for the parkway was identified but was uncertain in regard to the alignment of a segment of the corridor that extended westerly from CTH M near the CTH K intersection over to USH 12. One alignment showed the corridor just north of Dorn Creek while a second alignment showed the corridor south of Dorn Creek. In order to determine which alignment has the least environmental impact, it is proposed to conduct a high-level, first-step analysis of the environmental issues that are typically addressed in an Environmental Impact Statement (EIS). This would help lay the groundwork for a future EIS that would address the impacts in more detail.

The level of detail in this study needs to be sufficient enough to better define not only a future North Mendota E-Way but also to select the best alignment for the roadway corridor. This will require some engineering analysis and field analysis to ensure that any mapped corridor can accommodate the appropriate roadway cross-sections, curve radii, etc. This exercise will also need to assure everyone (public, resource agencies, etc.) that a reasonable effort has been put forth and that the environmental impacts have been avoided and minimized to the highest extent possible. This approach would assist WisDOT, DNR, FHWA, and EPA with the North Mendota Parkway (NMP) effort, if federal or state funding are to be obtained.

Mapping a future E-Way corridor and a roadway corridor now is good planning. It will minimize future impacts to the natural and built environment; it will save time and money, address significant safety concerns, and will provide the communities and landowners in the area some degree of certainty of the location of the E-Way corridor and the roadway corridor.

NOW, THEREFORE, BE IT RESOLVED that \$100,000 be transferred from the General Fund to a new line item in the Department of Planning and Development/Planning Division titled: North Mendota Parkway environmental study.

Submitted by Supervisor Bruskewitz, Marcy 3, 2006 (p. 320, 05-06).

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

COMMUNICATIONS

Claim from Wilson Gibbs against Highways – claims plow struck his parked car. Referred to PUBLIC PROTECTION/JUDICIARY.

Claim from Marilyn A. Woudenberg against Sheriff – claims Sheriff Dept. SUV struck her car at the DCRA. Referred to PUBLIC PROTECTION/JUDICIARY.

Claim from State Farm Insurance Companies re their insured, Verline Gee-Fleming, against ?. Claims City of Madison garbage truck struck her vehicle. Referred to PUBLIC PROTECTION/JUDICIARY.

Claim from Douglas Wornom against AEC – claims overhead door came down on him. Referred to PUBLIC PROTECTION/JUDICIARY.

Notice of Motion and Motion for Default Judgment of Foreclosure and Judgment on the Pleadings, Mortgage Electronic Registration Systems, Inc., vs Michael S. & Lori A. Coenen & Dane County, et al. Case #06CV0217.

Claim from American Family Ins. Group re their insured, The Gialamas Co., Inc., against Highways – claims plow damaged truck. Referred to PUBLIC PROTECTION/JUDICIARY.

Langlade County Res. #27-2006, Requesting State Conduct Independent Audit of Past Sales Tax Calculations & the Examination of Current Sales Tax System.

AUTHORIZING CONSERVANCY ZONING FOR LAKE VIEW HILL

Dane County, with the support of neighborhood residents, has taken a number of steps over the years to preserve the property now called "Lake View Hill Park," located at 1202-1206 Northport Drive. This land, consisting of over 44 acres, was formerly the site of the county's tuberculosis sanatorium and, for many years, has been home to the county's Department of Human Services. Three distinct, identifiable areas exist on the Lake View property: the woods north of the buildings and parking areas, the buildings and parking areas themselves, and the southerly hillside including the smaller wooded area along the easterly border and the Esch donation. For many years, county residents have used the hillside for picnicking, viewing fireworks, sledding, and other winter sports.

In 1990, the Dane County Board adopted Sub. 1 to Res. 153, Authorizing Petition for Conservancy Zoning for Lakeview Woods. As a result, 22.5 acres of the property was zoned for conservancy. Sub. 1 to Res. 160, Amending the Dane County Parks and Open Space Plan to include Urban Greenspace was adopted in September of 1993. On January 22, 2004, the County Board approved Res. 237, 2003-2004, which included Lake View Hill in the county's Park and Open Space Plan as a recreation park. Recently, by adoption of Res. 129 and Res. 130, Dane County transferred Lake View Woods and Hill to the Dane County Park Commission and provided for the lands to be managed under the jurisdiction of the Dane County Park Commission according to Wi. Stats. Chapter 27.05(3).

The Friends of Lake View Hills is now an official Friends group partnering with the Dane County Parks Department for resource management of the property. The Friends are working with the Parks Department to develop a plan for Lake View Hill Park that will continue the restoration of the woods and the Esch addition to its former native state. Since the sanatorium is listed in the National Register of Historic Buildings, the Friends want to help preserve the building and the grounds as closely as possible to its original state. They will have a history of the whole area researched and written down in pamphlet form for the public to read.

A good portion of the property, Lake View Woods, is already zoned for conservancy. Now that Lake View Hill, along with Lake View Woods, has been placed under the jurisdiction of the Parks Commission, it would be a logical step to seek conservancy zoning for the remaining areas of the property.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors hereby authorizes the County of Dane to seek conservancy zoning for the remainder of the land at Lakeview Woods and Hill that is currently zoned R-1.

BE IT FURTHER RESOLVED that the County Real Estate officer is authorized to petition the City of Madison for the change to conservancy zoning.

Submitted by Supervisors Wheeler, Eggert, Rusk, Olsen, Pertzborn, Schoer, Vedder, Vogel, McDonell, Kostelic, Erickson, Hulse, Fyrst, Richmond, Miles, Matano, DeSmidt, de Felice, Bruskewitz, Vedder, Worzala, Opitz, Hanson, and Hendrick, March 8, 2006 (p. 322, 05-06).

Referred to HEALTH/HUMAN NEEDS, PUBLIC WORKS/TRANSPORTATION, ENVIRONMENT/ AGRICULTURE/NATURAL RESOURCES, and PARKS.

RES. 300, 05-06

PROVIDING INPUT TO WISCONSIN PUBLIC SERVICE COMMISSION ON SITING OF HIGH VOLTAGE TRANSMISSION LINES IN DANE COUNTY

Several projects are underway to locate high voltage transmission lines throughout Dane County. These lines will allow for an expanded and upgraded electric transmission system. The projects will be undertaken by American Transmission Company (ATC). ATC is a utility which operates transmission lines and systems and is owned by utilities, municipalities, municipal electric companies, and electric cooperatives from Wisconsin, Michigan, and Illinois.

Siting of transmission lines is regulated by the Wisconsin Public Service Commission and requires a long process of detailed analysis by the PSC staff, which includes consideration of public testimony, input from environmental organizations, and comments from local governments.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors hereby requests the Public Service Commission to require that high voltage transmission lines which must traverse any land within 1,000 feet of an area zoned for residential use be buried; and

BE IT FINALLY RESOLVED that a copy of this resolution be sent to the Wisconsin Public Service Commission, Governor Jim Doyle, members of the Dane County legislative delegation, and the American Transmission Company.

Submitted by Supervisor Blaska, March 17, 2006 (p. 323, 05-06).
Referred to EXECUTIVE.

RES. 301, 05-06

HIGHWAY PURCHASE AND SALE OF CTH M RIGHT OF WAY - VERONA

In October 2005, the County Board adopted Res. 109, 2005-06 HIGHWAY SALE OF SURPLUS LAND – CTH M, VERONA, approving the sale of 0.86 acres of surplus right of way for \$42,000. Prior to closing, the title insurance company discovered that between 1954 and 1957, the county purchased only limited highway rights as opposed to the fee title to the right of way.

Subsequently, the original land owners or their successors were contacted and offered half of the appraised value for their proportionate underlying fee interests. They have agreed to convey their interests to the county. Those proportionate interests and values are as follows: Bernard Ineichen 27.6% for \$11,592; Russel and Betty Burgenske 13.05% for \$5,481; and Olga Blumke 9.35% for \$3,927. By virtue of the necessity of purchasing the underlying fee interests, the county's net proceeds of the sale of \$42,000 will be reduced to \$21,000.

NOW, THEREFORE, BE IT RESOLVED that the County of Dane does hereby approve and authorize the purchase of the fee interest in the surplus CTH M right of way as outlined above, and

BE IT FURTHER RESOLVED that the County Real Estate Officer is directed to prepare concurrent closings in which the county purchases the fee interests from the individuals named above and immediately conveys all of its interest, as previously approved in the resolution cited above, to Bernard Ineichen for \$42,000, and

BE IT STILL FURTHER RESOLVED that the funds realized from the conveyance of the property be deposited in the Highway Sale of Surplus Lands account HWOPRMNT 84829, and

BE IT FINALLY RESOLVED that the Dane County Clerk and the County Executive are hereby authorized to execute a deed of conveyance to Bernard Ineichen on behalf of the County of Dane.

Submitted by Supervisor Ripp, March 17, 2006 (p. 324, 05-06).
Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

RES. 302, 05-06

AMENDMENT OF LANDS RESTRICTED BY THE CONSERVATION FUND GRANT PROGRAM –
POPE FARM PARK

Dane County awarded a Conservation Fund Grant Award to the Town of Middleton in 2000 for acquisition of the Pope Farm Park. The Town completed all requirements of the grant award, which included recording a Declaration of Easement in the County's favor against the property. The purpose of the Declaration of Easement is to ensure that the property is used for park purposes and to secure the County's investment of \$335,698.25 in the property.

The Town has requested a change in the lands encumbered by the Declaration of Easement that has zero net effect. In exchange for removing 3.3050 acres from the property, they will replace it with an equal 3.3050 acres in the same vicinity. The purpose of the exchange is to facilitate the sale of surplus property owned by the Town.

Both staff and the Conservation Fund Grant Advisory Committee have reviewed the request and feel that it will neither impact the intent of the Conservation Fund Grant Award nor will it affect the County's investment in the property. The Conservation Fund Grant Advisory Committee voted 7/0 in favor of the request at their November 9, 2005, meeting.

NOW, THEREFORE, BE IT RESOLVED that the County of Dane does hereby approve and authorize the amendment to lands restricted by the Conservation Fund Grant Program as outlined above, and

BE IT FINALLY RESOLVED that the Dane County Clerk and the County Executive are hereby authorized to execute both a Partial Release of Recorded Easement to remove 3.3050 acres from the property and an Amendment of Easement to add 3.3050 acres to the property.

Submitted by Supervisor Ripp, March 17, 2006 (p. 324, 05-06).
Referred to PUBLIC WORKS/TRANSPORTATION and PARKS.

RES. 303, 05-06

AUTHORIZING AN AGREEMENT WITH THE CITY OF VERONA
FOR THE RECONSTRUCTION AND JURISDICTIONAL TRANSFER OF VERONA AVENUE, CTH "MV"

The Dane County Department of Public Works, Highway & Transportation and representatives of the City of Verona have determined that a part of CTH "MV" (Verona Avenue) from CTH M westerly to USH 18/151 is in

need of reconstruction, which will require contributions from the County and the City of Verona. They have also determined that this section of roadway will be jurisdictionally transferred to the City of Verona and will no longer be a County Trunk Highway.

Funding is to be accomplished in accordance with past policies of cost sharing on similar CTH projects. The City of Verona is the lead agency for this project.

The project will be financed by the City of Verona and Dane County. The County's total obligations for this project shall not exceed \$684,000, \$300,000 of which are funds held by the County that were received by the Wisconsin Department of Transportation for the jurisdictional transfer of old USH 18/151 to CTH MV.

After the following transfers, the Highway and Transportation Department will have sufficient funds budgeted in the CTH Construction program account HWCONST-59118, "CTH MV - CTH M to USH18/151."

NOW, THEREFORE, BE IT RESOLVED that \$25,000 be transferred to account HWCONST-59118, "CTH MV - CTH M to USH18/151" from account HWCONST-59104, "CTH BW – Fayette to Bridge."

BE IT FURTHER 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 Verona.

BE IT FINALLY RESOLVED that any unexpended funds as of December 31, 2006, in account HWCONST-59118 be carried forward to 2007.

Submitted by Supervisors Ripp and Willett, March 17, 2006 (p. 325, 05-06).
Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

RES. 304, 05-06

REGISTRATION OF SCHEIDEGGER COMMUNITY FOREST AND
TIMBER/RESOURCE MANAGEMENT PLAN

Dane County Parks is applying to register the 78-acre Scheidegger County Forest under the Wisconsin Department of Natural Resources Community Forest Law, Section 28.20, Wis. Statutes. The County Forest Program was identified in the 2001-2005 Dane County Park and Open Space Plan as land specifically purchased for the protection and management of forests and woodlots. County Forests will grow healthy, sustainable forests through an active resource education and timber management plan. The forest will provide a revenue source to help offset the property operation and maintenance costs while providing for other mutual benefits such as recreation, wildlife habitat, and watershed protection. The benefits of registering as a State Community Forest include: free trees from state forest nurseries, technical assistance from state foresters, and eligibility for educational assistance from the Wisconsin Environmental Education Board.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors and the Dane County Executive hereby approve the registration of the 78-acre Scheidegger County Forest as a Community Forest.

BE IT FURTHER RESOLVED that any additional revenue generated through future forest management be placed in a new revenue account for operations, development, and educational purposes on the property.

BE IT FINALLY RESOLVED that the amount carried forward each year into the new LWRPKOP Scheidegger Community Forest Expense Account shall be equal to the Modified Budget in the new LWRPKOP Scheidegger Community Forest Expense Account less actual expenditures plus the amounts received in the new LWRPKOP Scheidegger Community Forest Revenue Account.

Submitted by Supervisor Ripp, March 17, 2006 (p. 326, 05-06).

Referred to PUBLIC WORKS and ENVIRONMENT/AGRICULTURE/NATURAL RESOURCES. (Park Commission recommended adoption on 3/8/06)

RES. 305, 05-06

APPROVING A MASTER PLAN FOR DONALD PARK AS AN ELEMENT OF THE
DANE COUNTY PARKS AND OPEN SPACE PLAN

In 1993, Delma Donald Woodburn donated 105 acres to Dane County Parks that would be the beginning of what is now known as Donald Park in the Town of Springdale. In 1997, the Dane County Board approved Resolution 150 to accept a donation from the Woodburn family to complete a Master Plan for Donald Park. A graphic plan for the park was prepared by a landscape architecture consulting firm in 1999, however, a written report that provided necessary details to implement plan recommendations was never completed. Since the completion of the 1999 plan, the park has grown to nearly 700 acres and a very active Friends group has evolved. As additional park land development and acquisition has occurred, it has become clear that an update to the 1999 effort detailed master plan report were necessary. The 2004-06 master planning process included multiple meetings with the Friends of Donald Park, periodic updates to the Dane County Parks Commission, a mailing to all neighboring landowners, and a presentation to the Town of Springdale.

The plan has now been completed, and the Dane County Parks Commission requests approval of the Master Plan for Donald Park. This Master Plan will provide the vision for future acquisition, development and operation for one of Dane County's newest recreation parks and will create opportunities to apply to a variety of grant funding programs.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors and the Dane County Executive adopt the Master Plan for Donald Park as an element of the Dane County Parks and Open Space Plan.

BE IT FURTHER RESOLVED that the Dane County Parks Commission, County Board of Supervisors, and County Executive thank the Friends of Donald Park and all of the citizens and local officials for their time and effort in assisting with preparation of the plan.

Submitted by Supervisor Ripp, March 17, 2006 (p. 326, 05-06).

Referred to PUBLIC WORKS/TRANSPORTATION and ENVIRONMENT/AGRICULTURE/NATURAL RESOURCES. (PARKS recommended adoption on 3/8/06.)

RES. 306, 05-06

AMENDING THE DANE COUNTY FARMLAND PRESERVATION PLAN BY ADOPTING AMENDMENTS TO
THE TOWN OF SPRINGFIELD COMPREHENSIVE PLAN

On November 1, 2005, the Town Board of the Town of Springfield adopted an amendment to the *Town of Springfield Comprehensive Plan*. That amendment:

- Updates a variety of demographic, mapping and program background information;
- Adds policies to protect groundwater and surface water quality and groundwater recharge areas;
- Adds a map, description, and policies related to the Conceptual Neighborhood Plan for Springfield Corners;
- Includes updated information on the Village of Waunakee, Town of Westport, Dane County, and City of Middleton Plans; the Middleton-Springfield Intergovernmental Agreement; the North Mendota Combined Communities Comprehensive Plan; and the former Dane county Regional Planning Commission.

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 plans as central components. Therefore, amendments to town 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 Springfield Comprehensive Plan* as an amendment to the *Dane County Farmland Preservation Plan*.

Submitted by Supervisor Ripp, March 17, 2006 (p. 327, 05-06).
 Referred to ENVIRONMENT/AGRICULTURE/NATURAL RESOURCES.

RES. 307, 05-06

USING INSTANT RUN-OFF VOTING FOR DANE COUNTY BOARD ELECTIONS

Instant Runoff Voting (IRV) is a faster, better, and cheaper method of running multi-candidate elections. It is currently in use in places such as Australia, England, and Ireland and has been used in U. S. municipalities in Michigan, California, and Vermont.

The Dane County Board can save time and effort by instituting IRV for use in its internal elections. By doing so, it can also serve as a trial body for examination of the use of IRV to make elections in Dane County and Wisconsin faster and cheaper.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors will henceforth use instant run-off voting to conduct its internal elections.

Submitted by Supervisors Richmond, Vedder, and Miles, March 17, 2006 (p. 327, 05-06).
 Referred to EXECUTIVE.

RES. 308, 05-06

CALLING FOR WITHDRAWAL OF U. S. TROOPS FROM IRAQ

The United States' invasion of Iraq in 2003 was predicated on finding and eliminating weapons of mass destruction possessed by the government of Iraq. No such weapons were found, but the ensuing three-year occupation has incurred many costs.

The human costs include the lives of more than 2,300 U. S. soldiers and more than 37,000 Iraqi civilians. At least another 17,000 U. S. soldiers have been injured, and civilian injuries are difficult to estimate.

The financial costs include more than \$247 billion that the United States has spent on the occupation, according to Congressional Budget Office estimates. That translates to more than \$4 billion paid by Wisconsin taxpayers and nearly \$153 million by City of Madison taxpayers. On Thursday, March 16, 2006, the U. S. Senate voted to raise the national debt limit for the fourth time in five years. The occupation of Iraq is a major reason for the continued raising of the debt limit and the record budget deficits recently sustained by the U. S. government.

The cost to United States' stature in the international community – and the accompanying levels of safety and security that U. S. citizens around the world may rely on – has also been great due to the occupation of Iraq. The United States' continued involvement in Iraq risks putting even more Americans in danger and further damage to its ability to earn respect and cooperation around the world.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors hereby calls for the withdrawal of United States military forces from Iraq in an effort to stop mounting military and civilian deaths, redirect U. S. efforts to end terrorism worldwide, and reduce animosity toward the United States in the Middle East and around the world.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to President George W. Bush and all members of Wisconsin's Congressional delegation.

Submitted by Supervisor Richmond and Vedder, March 17, 2006 (p. 328, 05-06).
Referred to EXECUTIVE.

RES. 309, 05-06

AMENDING THE DANE COUNTY FARMLAND PRESERVATION PLAN BY ADOPTING AMENDMENTS TO
THE TOWN OF VERONA COMPREHENSIVE PLAN

On January 26, 2006, the Town of Verona Board of Supervisors adopted amendments to the *Town of Verona Comprehensive Plan*. Those amendments would:

- establish new Urban Residential Areas to accommodate development at a density of 6 units per acre, and possible future Urban Service Areas;
- expand rural Residential Areas and establish density standards to accommodate development at densities of one unit per two acres;
- establish a neighborhood planning process and conservation design standards for Agricultural Transition Areas and establish a maximum residential density of one unit per 8 acres.

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 Supervisor Willett, March 17, 2006 (p. 329, 05-06).

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

COMMUNICATIONS

- Summons & Complaint, Gregory B. Flowers vs. Dane County, Case No. (Personal Injury-Other 30107)-claims unsafe conditions in jail. Referred to PUBLIC PROTECTION/JUDICIARY.
- Claim from Farmers Ins. Group against Highways in behalf of their insured, Wesley D. Rouse – claims vehicle damaged by plow. Referred to PUBLIC PROTECTION/JUDICIARY.
- Winnebago Co. Res Request Action Regarding Statewide Referendums to Fund Human Services and Court Related Services. Referred to EXECUTIVE.
- Brown Co. Res. In Opposition of 2005 AB756 and Any Other Legislation that Would Shift Sheriff's Department Patrol and Investigative Costs to Small Municipalities. Referred to EXECUTIVE.
- Kewaunee Co. Res. 41-2-06, Resolution in Opposition of 2005 AB756 and Any Other Legislation that Would Shift Sheriff's Department Patrol and Investigative Costs to Small Municipalities. Referred to EXECUTIVE.

ZONING PETITIONS

Petitions for Zoning Reclassification. Referred by Clerk Ohlsen to ZONING & LAND REGULATION.

- Petition 9462 – Town of Albion – W. T. Graham and Allen and Adam Pope
- Petition 9463 – Town of Springfield – Dave Robert
- Petition 9464 – Town of Dunn – Paul and Jacqueline Parisi
- Petition 9465 – Town of Cottage Grove – Michael Niebuhr
- Petition 9466 – Town of Verona – Alicia and Howard Zweifel
- Petition 9467 – Town of Windsor – Theresa M. Dittberner
- Petition 9468 – Town of Mazomanie – Janice and Gerald Olson
- Petition 9469 – Town of Pleasant Springs – James and Mary Ark
- Petition 9471 – Town of Verona – Verona Enterprises, LLC
- Petition 9472 – Town of Dane – Jason and Terri Karls
- Petition 9473 – Town of Rutland – Dean Schulz, Jr.
- Petition 9474 – Town of Springfield – Melvin and Karen Crook
- Petition 9475 – Town of Berry – Donald and Patricia Akerl
- Petition 9476 – Town of Oregon – Robert W. and Cassandra L. Schlam
- Petition 9477 – Town of Dane – Lloyd W. Weidemann
- Petition 9478 – Town of Springfield – Meinholz Rev. Trust, David and Mary
- Petition 9479 – Town of Vermont – Larry P. and Patricia Ziemer
- Petition 9480 – Town of Medina – Schroeder Farms of Wisconsin, Inc.
- Petition 9481 – Town of Pleasant Springs – Tom and Donna Sayre Farms, LLC
- Petition 9482 – Town of Cross Plains – Janice Fegg, Carter Hudson, LLC
- Petition 9483 – Town of Blue Mounds - Jesse Straubhaar
- Petition 9484 – Town of Dunn – Ann Bjordahl
- 9485 – Town of Rutland – Jast Management, inc.
- 9486 – Town of Verona – The Bruce Company of Wisconsin, Inc.
- 9487 – Town of Cottage Grove – Robert and Lynn Korfmacher

AMENDING A PROFESSIONAL SERVICES CONTRACT FOR THE DEVELOPMENT OF MENTAL HEALTH MODULE DOCUMENTATION -- DEPARTMENT OF HUMAN SERVICES

This resolution amends a professional services contract with Stratagem, Inc., for the development of end user documentation for the Mental Health Module.

The Mental Health Module provides 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 is a web-based system that will be deployed to purchase-of-service agencies enabling them to do electronic reporting.

The documentation development includes: writing the text for page-level and field-level topics; hypertext links in text; producing screen shots (cropping, stitching of larger images, scaling); image mapping of screen shots; and indexing, table of contents, and browse sequences.

Products resulting from this development include:

- On-line, context sensitive, help system specific to each page;
- Within the Help system, links to field descriptions;
- Documentation capable of being integrated into user-guided tutorials;
- Reusable generic text templates that can be used as other modules are brought on-line;
- Materials that may be exported to Word and printed in a hard-copy format.

The on-line help system and web-based training components will enable purchase of service agencies to provide training for staff at times that are convenient for them, to readily train new staff on the system, and to have a means to provide assistance in using the system at their fingertips on each page. This will cut the time of Department staff spent in training and day-to-day end user support.

NOW, THEREFORE BE IT RESOLVED that the professional service contract with Stratagem, Inc., be extended to September 1, 2006, and the contract listed below be amended as follows:

<u>Vendor</u>	<u>Amendment Amount</u>
Stratagem, Inc.	\$49,500

Submitted by Supervisors Worzala and McDonell, March 23, 2006 (p. 330, 05-06).
Referred to HEALTH/HUMAN NEEDS and PERSONNEL/FINANCE.

RES. 311, 205-06

AUTHORIZING DANE COUNTY PARTICIPATION IN A PRESCRIPTION DRUG DISCOUNT CARD PROGRAM

Dane County, as a member in good standing of the National Association of Counties (NACo), is eligible to participate in a NACo-sponsored prescription drug discount card program. This program provides county residents, primarily those without prescription drug insurance coverage, an opportunity to save money on prescription drug purchases. Participating counties have experienced an average discount card savings of approximately 20 percent.

The program is provided by AdvancePCS (a division of Caremark Rx, Inc.) and follows an RFP, competitive bid process, and limited-participation trial. As of March 15, 2006, 275 counties have implemented the NACo prescription drug discount card program, including Milwaukee and Kewaunee Counties in Wisconsin. Over 400 other counties (including eight in Wisconsin) are in various stages of discussion and/or implementation.

The discount card is accepted at 90 pharmacies in Dane County and more than 57,000 nationwide. It can be used by anyone eligible to purchase prescription drugs regardless of age or income. There is no cost to counties for enrolling in the program or to citizens who use the card. The program provider, Caremark, can provide summary data (not by individual) on the use of the prescription drug discount card, including the total savings realized by participants.

Discount card recipients are not required to fill out any forms to participate in the program, and counties are not required to maintain a database of recipient information. Some participating counties have chosen to maintain limited contact information for cardholders to allow for direct communication of any potential future changes in the program.

NOW, THEREFORE, BE IT RESOLVED that the Department of Administration is directed to enroll Dane County in the prescription drug discount card program offered by NACo; and

BE IT FINALLY RESOLVED that the Departments of Administration and Human Services shall develop a plan for distribution of the prescription drug discount cards (including a decision regarding the collection of basic recipient contact information), and provide a report to the Health and Human Needs committee within 60 days of passage of this resolution.

Submitted by Supervisors Eggert, Hulsey, Vedder, DeSmidt, Jensen, Bruskevitz, Fyrst, Worzala, Wheeler, Erickson, Opitz, Willett, Wiganowsky, E. Vedder, Graf, Olsen, Hendrick, Matano, Gau, Brown, Richmond, Rusk, and McDonell, March 23, 2006 (p. 331, 05-06).

Referred to HEALTH/HUMAN NEEDS and PERSONNEL/FINANCE.

RES. 312, 05-06

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 Hauk Investments and be managed by Meyer Management and Realty, Inc., and this space is located at 2349 Allied Drive, Apartment #125, Madison, Wisconsin. The JFF has acquired grant dollars to provide home visitation and employment services in this community. This resolution is to pay for the monthly rental payment of \$525 per month to cover costs related to occupying this space during the lease term of six months (1/1/06 to 5/31/06). This rental rate is an increase from \$500 per month, but the rental time frame is reduced from 9 months to 6 months, which produces a savings of \$1,350. There is no renewal terms at this time.

The negotiated rental rate for the designated JFF space is presently at below market at \$525 per month for one unit at which HS-JFF will occupy one three-bedroom apartment/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 \$3,150. All utilities will be paid by Dane County.

NOW, THEREFORE, BE IT RESOLVED that Dane County enter into a lease with Hauk Investments, Meyer Management and Realty, Inc., for 2006; 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 Worzala and McDonell, March 23, 2006 (p. 332, 05-06).

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

RES. 313, 05-06

PLANNING FOR CONSTRUCTION OF A NEW BADGER PRAIRIE HEALTH CARE CENTER FACILITY

The Badger Prairie Health Care Center (BPHCC) currently is home to approximately 115 residents. The BPHCC facility has existed since 1845. The mission and residents have changed throughout its 160-year history. BPHCC has served as a home for the criminally insane, a poor house, a home for Civil War widows and their children, as well as providing long term care to those who were discharged from the state and community mental health system. Currently, BPHCC is designated and licensed by the state as a 130-bed skilled nursing facility. Over time, BPHCC has expanded with several additions. A three-story addition, built in 1960, is the only area of the facility where residents currently live.

The 2003 report by HSR and Associates, "Badger Prairie Health Care Center Replacement Analysis," delineated infrastructural issues with the current facility. The consultants found the existing building is inadequate in meeting the needs of residents and staff. The building does not meet current federal and state life safety and accessibility standards (the facility has state waivers which allow it to continue to operate). HSR and Associates recommended replacing the existing facility with a new single-level facility.

Subsequent studies have reached similar conclusions to replace the facility. A report in February 2005, "Badger Prairie Health Care Center Design Staffing & Market Segmentation Study" by E jj Olson & Associates, further defined the staffing and operational cost efficiencies that might be realized with a new facility. The recently released "New Badger Prairie Health Care Center Study" by Plunkett Raysich Architects, LLP, included a strategic market report, a space program overview, a staffing analysis, and project cost estimates and design/construction schedules.

BPHCC currently serves residents who are medically complex and behaviorally challenging. They are geriatric and/or psychiatric residents who are not accepted at other traditional nursing homes in the county. The vast majority of BPHCC residents have guardians, with 88 percent of the nursing facility's residents placed involuntarily under court order, and 9 percent placed by family members under activated power of attorney for health care. Only three percent of residents are legally competent/voluntary admissions.

The Plunkett Raysich study recommended Dane County build a facility with 120 beds. The county needs the increased capacity to manage the current waiting list of 14 to 17 residents whose admission is being delayed for a private room or an appropriate roommate. Additionally, a capacity of 120 beds will reduce the department's dependence upon Mendota admissions, where the cost is between \$650 and \$700 per day.

Every county with a new nursing home has experienced an increase in private pay residents by 15 to 20 percent after opening a new facility. In Dane County, this would be a revenue increase of \$550,000 annually.

With increased revenues and reduced costs due to efficiencies, the average cost per day drops from \$438 with a 109-bed facility to \$412 with a 120-bed facility. It is cost effective to increase capacity.

The 2006 Dane County capital budget includes funds sufficient for the completion of the architectural design process for the construction of a new nursing home to replace the 46-year-old structure.

NOW, THEREFORE, BE IT RESOLVED that a county staff team should immediately begin the preliminary planning necessary to construct a 120-bed, single-story replacement facility for the Badger Prairie Health Care Center. The staff team should include, but does not need to be limited to, appropriate staff from the Department of Human Services including the Badger Prairie Health Care Center and the Division of Adult Community Services, the Department of Administration, and the Department of Public Works, Highway, and Transportation. The team will be chaired by the Director of Human Services, or her designee.

BE IT FURTHER RESOLVED that County Board oversight of the project will be provided by a committee consisting of two members each from the Health and Human Needs Committee, the Public Works and Transportation Committee, and the Personnel and Finance Committee, appointed by the chairs of those committees; the County Board supervisor who represents the area; and the chair of the Long Term Support Committee. The BPHCC Planning Oversight Committee shall continue to provide oversight throughout planning and construction of the project and liaison with other entities. Staff from the Department of Public Works, Highway, and Transportation, and the Department of Human Services will provide support to the committee.

BE IT FURTHER RESOLVED that a key task of the staff team will be developing the Request for Proposals for architectural services. The team shall prepare a draft RFP for architectural services by May 15, 2006, for presentation to the BPHCC Oversight Committee and the Health and Human Needs Committee of the County Board. This RFP should specify that the architectural firm should have extensive experience in the design of long term care facilities.

BE IT FINALLY RESOLVED that, once the RFP for architectural services has been issued, the staff team work with the Dane County Department of Administration to develop a comprehensive plan for the 22-acre campus, absent the area specified for the new facility. The plan should include potential re-use of parts of the current facility, as well as public-private partnerships for a continuum of care campus with a possible Community Based Residential Facility and assisted living housing. This plan should be presented to the BPHCC Oversight Committee and the Health and Human Needs Committee by July 1, 2006.

Submitted by Supervisors Worzala, Rusk, Willett, Fyrst, Graf, Olsen, Wheeler, Hulsey, Brown, DeSmidt, Opitz, Erickson, Salov, Eggert, Wiganowsky, O'Loughlin, and McDonell, March 23, 2006 (p. 333, 05-06).

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

RES. 314, 05-06

OFFICE OF JUSTICE ASSISTANCE (OJA) HOMELAND SECURITY/CITIZEN CORPS PLANNING GRANT

The purpose of this resolution is to adjust revenue and expenditures for FY2006.

The Department of Emergency Management, through the State and Local Homeland Security Program, submitted a grant request in support of the development of a Citizen Corps Council, Medical Reserve Corps, and Volunteers in Police Service programs.

The County was awarded a total of \$53,000.00. The grant period ends November 30, 2006.

The grant funds will be used to purchase support equipment and develop and implement planning strategies.

In order to properly track expenditures, a specific line item or a separate expenditure account is required.

NOW, THEREFORE, BE IT RESOLVED that \$53,000.00 be set up as additional revenue in a newly created Emergency Management, Citizen Corps Planning Revenue account, and be credited to the General Fund.

BE IT FURTHER RESOLVED that \$53,000.00 is transferred from the General Fund to the following Emergency Management, Citizen Corps Planning account (account numbers to be issued by the Controller's Division upon passage of this resolution):

Citizen Corps Planning Grant	\$53,000.00
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BE IT FURTHER RESOLVED that all unexpended funds and unrecognized revenues from this account be carried forward from the 2006 to the 2007 budget period.

Submitted by Supervisors Olsen and McDonell, March 23, 2006 (p. 334, 05-06).
Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

RES. 315, 05-06

AUTHORIZATION TO LEASE SEVEN (7) 72-INCH FRONT-DECK COMMERCIAL MOWERS

The Parks Division of the Department of Land and Water Resources uses commercial grade turf management equipment to maintain county parklands and other county facilities. The 2006 Budget includes funds to lease seven (7) 72" Front-Deck Mowers. The Purchasing Division of the Department of Administration has received bids for the lease of this equipment. The total purchase price for seven (7) mowers is \$118,818.64. The mowers will be purchased through a four-year lease. The annual lease payments will be \$29,704.66.

THEREFORE, BE IT RESOLVED that the Parks Division of the Department of Land and Water Resources is authorized to lease seven (7) Commercial Mowers as described above.

BE IF FURTHER RESOLVED that the County Executive and the County Clerk are authorized to execute the lease contract.

Submitted by Supervisors Ripp and Kostelic, March 23, 2006 (p. 334, 05-06).
Referred to PERSONNEL/FINANCE and ENVIRONMENT/AGRICULTURE/NATURAL RESOURCES.

**AUTHORIZING A MASTER PLAN FOR DONALD PARK AS AN ELEMENT OF THE
DANE COUNTY PARKS AND OPEN SPACE PLAN**

In 1993, Delma Donald Woodburn donated 105 acres to Dane County Parks that would be the beginning of what is now known as Donald Park in the Town of Springdale. In 1997, the Dane County Board approved Resolution 150 to accept a donation from the Woodburn family to complete a Master Plan for Donald Park. A graphic plan for the park was prepared by a landscape architecture consulting firm in 1999, however, a written report that provided necessary details to implement plan recommendations was never completed. Since the completion of the 1999 plan, the park has grown to nearly 700 acres, and a very active Friends group has evolved. As additional park land development and acquisition has occurred, it has become clear that an update to the 1999 effort detailed master plan report were necessary. The 2004-06 master planning process included multiple meetings with the Friends of Donald Park, periodic updates to the Dane County Parks Commission, a mailing to all neighboring landowners, and a presentation to the Town of Springdale.

The plan has now been completed and the Dane County Parks Commission request approval of the Master Plan for Donald Park. This Master Plan will provide the vision for future acquisition, development, and operation for one of Dane County's newest recreation parks and will create opportunities to apply to a variety of grant funding programs.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors and the Dane County Executive adopt the Master Plan for Donald Park as an element of the Dane County Parks and Open Space Plan.

BE IT FURTHER RESOLVED that the Dane County Parks Commission, County Board of Supervisors, and County Executive thank the Friends of Donald Park and all of the citizens and local officials for their time and effort in assisting with preparation of the plan.

Submitted by Supervisors Ruth, Ripp, and Kostelic, March 23, 2006 (p. 335, 05-06).
Referred to ENVIRONMENT/AGRICULTURE/NATURAL RESOURCES and PARKS.

COMMUNICATIONS

Claim from Katharine Washington against Jail – claims personal property missing. Referred to PUBLIC PROTECTION/JUDICIARY.

Claim from Dennis Lendosky against Sheriff – claims building damaged when squad ran into it. Referred to PUBLIC PROTECTION/JUDICIARY.

Waushara Co. Res. 08-03-06, Resolution Supporting AB 657. Referred to EXECUTIVE.

Waushara Co. Res. 09-03-06, Resolution Supporting AB 857. Referred to EXECUTIVE.

Zoning Petition 9079 – Town of Windsor – Acker Windsor Family LLC, et al. Referred to ZONING/LAND REGULATION.

RES. 317, 05-06

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.

During 2005, a vehicle in the Conservation Division of the Land and Water Resources Department was totaled in an accident. Because this was an older vehicle, the insurance reimbursement was in the amount of \$4,355.73. This vehicle needs to be replaced with a new Ford Ranger pickup truck. The price for the truck with a State of Wisconsin discount is \$13,652. After the insurance proceeds are applied toward the purchase price, the lease payment will be \$3,663.60 for three years.

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 2006 Ford Ranger pickup truck for Dane County Land and Water Resources Department.

Submitted by Supervisor Richmond, March 29, 2006 (p. 336, 05-06).

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

RES. 320, 05-06

REAUTHORIZATION OF WORKER'S COMPENSATION SELF-INSURANCE

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

WHEREAS, the Wisconsin Worker's Compensation Act (Act) provides that employers covered by the Act either insure their liability with workers' compensation insurance carriers authorized to do business in Wisconsin or to be exempted (self-insured) from insuring liabilities with a carrier and, thereby, assuming the responsibility for its own worker's compensation risk and payment; and

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

WHEREAS, the Personnel & Finance Committee at its April 10, 2006, meeting approved the continuation of the self-insured worker's compensation program, in compliance with Wisconsin Administrative Code DWD 80.60(3); and

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors does ordain as follows:

- 1) Provide for the continuation of a self-insured worker's compensation program that is currently in effect.
- 2) Authorize the Risk Manager to forward certified copies of this resolution to the Worker's Compensation Division, Wisconsin Department of Workforce Development.

Submitted by Supervisors Brown and O'Loughlin, April 6, 2006 (p. 336, 05-06).

Referred to PERSONNEL/FINANCE.

RES. 321, 05-06

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

Judith T. Hunter, 1810 Vilas Avenue, Madison 53711 (257-5710-H), to be reappointed. This term will expire 4/21/09.

Board of Adjustment

Al Long, 2967 Sam Miles Road, Stoughton 53589 (873-7220-H&W), to be reappointed. This term will expire 6/30/09.

Elections Commission

Clayton Dunn, 4922 N. Sherman Avenue, #C, Madison 53704 (249-5452-H), to be reappointed. This term will expire 6/30/09.

Emergency Medical Services Commission

Adam Plotkin, 304 North Pinckney Street, Madison 53703 (320-1949-H, 266-2500-W), to be reappointed. This term will expire 4/15/08.

Equal Opportunity Commission

Vicki Bankston, 7140 East Pass, Madison 53719 (848-1916-H, 664-5537-W), to be reappointed. This term will expire 1/1/09.

Fabiola Hamdan, 13 Swanton Road, Madison 53714 (240-0048-H), 246-2967-W, to be reappointed. This term will expire 1/1/09.

Regina Rhyne, 1929 Beld St., Madison 53713 (294-8667-H), to be reappointed. This term will expire 1/1/09.

Ethics Board

Carole M. Doeppers, 2115 Jefferson Street, Madison 53711 (255-3013-H, 250-1769-W), to be reappointed. This term will expire 4/15/08.

Patricia D. Senter, 6630 Jacobs Way, Madison 53711 (274-8483-H, 821-4201-W), to be reappointed. This term will expire 4/15/08.

Housing Authority Board, Dane County

Thomas A. Landgraf, 104 Ash Street, Madison 53726 (233-6898-H), 235-4466-C, to be reappointed. This term will expire 4/20/11.

Human Services Board

Addie E. Pettaway, 829 North Gammon Road, Apt. B, Madison 53717 (831-0843-H), to be reappointed. This term will expire 4/21/09.

Monona Terrace Convention & Community Center Board

Bill DiCarlo, c/o Alliant Energy Center, 1919 Alliant Energy Center Way, Madison 53713, (267-3976-W), to be reappointed. This term will expire 5/1/09.

Food Council

Ken Ruegsegger, 75 York Valley Road, Blanchardville 53516 (523-4705-H, 558-5566-W), to be reappointed. This term will expire 4/21/09.

Richard A. Slone, 1132 Spaight Street, Madison 53703 (251-4503-H, 256-3527x16-W), to be reappointed. This term will expire 4/21/09.

Reclassification Appeals Board

Bea Jay Panke, 301 Bellrose, Belleville 53508 (424-3495-H), to be reappointed. This term will expire 6/30/09.

South Central Rail Transit Commission

Jim Haefs-Fleming, 618 Charles Lane, Madison 53711 (233-8391-H, 327-7146-W), to be reappointed. This term will expire 4/21/09.

W-2 Community Steering Committee

Frances L. Barman-Paulson, 112 Eighth Street, Waunakee 53597-1610 (849-8063-H, 242-6218-W), to be reappointed. This term will expire 5/1/09.

Wisconsin River Rail Transit Commission

Forrest R. Van Schwartz, 10 Connecticut Court, Madison 53719 (274-7955-H), to be reappointed. This term will expire 5/1/09.

Youth Commission

Barbara Arnold, 1242 Meadowlark Drive, Madison 53716 (222-2740-H, 246-6788-W), to be reappointed. This term will expire 4/15/08.

Jeanne M. Behrend, 850 Schuster Road, Sun Prairie 53590 (837-9700-H), to be reappointed. This term will expire 4/15/08.

Dominique Rogers, 4542 Thurston Lane, #8, Madison 53711 (274-1410-H), to be reappointed. This term will expire 4/15/08.

Kelli A. Taylor, 307 North Lexington Parkway, DeForest 53532 (846-7904-H, 249-2111x44517-W), to be reappointed. This term will expire 4/15/08.

Zoo Commission

Doug Malmquist, 7418 Valley View Road, Verona 53593 (833-7418-H), to be reappointed. This term will expire 4/21/09.

Anne Ross, 1105 Seminole Highway, Madison 53711 (258-4218-W), to be reappointed. This term will expire 4/21/09.

Linda Scheid, 5204 Church Street, McFarland 53558 (838-8245-H, 263-5062-W), to be reappointed. This term will expire 4/21/09.

Submitted by Supervisor McDonell, April 6, 2006 (p. 338, 05-06).
Referred to EXECUTIVE.

RES. 322, 05-06

REQUESTING INDEPENDENT STUDY OF THE NEED FOR NEW TRANSMISSION LINES IN DANE COUNTY

The American Transmission Company (ATC) is requesting permission from the Wisconsin Public Service Commission (PSC) to construct a large, new transmission line through Dane County. The need for such a transmission line is not clear and should, therefore, be studied by an independent body. The following factors raise questions about the need for such a line.

- The project may unnecessarily threaten important greenspace in Dane County
- The energy needs projected by ATC for the future have not yet been proven
- Wisconsin electric utilities have gone from the lowest to the highest cost providers between 1997 and 2004 in an eight-state region
- ATC has underestimated costs for construction of recent construction projects, including the Arrowhead Weston transmission line

BE IT RESOLVED that the Dane County Board of Supervisors hereby requests that the Wisconsin Legislature commission an independent study of the need for such a transmission line through Dane County, and

BE IT FURTHER RESOLVED that, once completed, a legislative public hearing be held in Dane County to learn public reaction to the study, and

BE IT FINALLY RESOLVED that a copy of this resolution be sent to Governor Doyle, members of Dane County's delegation to the State Legislature, and to members of the Wisconsin Public Service Commission.

Submitted by Supervisors Richmond, Vedder, Erickson, Olsen, Wheeler, Hendrick, Matano, Vedder, and Miles, April 6, 2006 (p. 339, 05-06).

Referred to EXECUTIVE.

RES. 323, 05-06

INCREASING AN ACCOUNTANT POSITION IN THE DEPARTMENT OF HUMAN SERVICES

The Department of Human Services has a 0.5 FTE (20 hour) accountant position (No. 1378) located in the Administration Division that is becoming vacant due to a retirement effective April 6, 2006. This position is responsible for a significant portion of the contract and client payroll accounting, recordkeeping, and reporting work for Mental Health programs. This workload has been gradually increasing over the past several years due in part to growth in client/contract numbers and the increasing number and complexity of state and federal reporting requirements.

In an effort to attract qualified applicants, as well as provide for the expansion in workload for this position, the Department wishes to increase the position from its current 0.5 FTE (20 hours) status, to a 0.6 FTE (24 hour) position.

Sufficient funds are available in the Department's 2006 budget to pay for this increase.

NOW, THEREFORE, BE IT RESOLVED that Accountant position number 1378 in the Department of Human Services be increased from a 0.5 FTE (20 hour) to a 0.6 FTE (24 hour) position.

BE IT FINALLY RESOLVED that this change become effective with pay period 11A beginning on May 14, 2006.

Submitted by Supervisor Worzala, April 6, 2006 (p. 340, 05-06).
Referred to HEALTH/HUMAN NEEDS and PERSONNEL/FINANCE.

RES. 324, 05-06

AWARDING CONCESSION LEASE FOR ADVERTISING AT THE DANE COUNTY REGIONAL AIRPORT

Subsequent to a Request for Proposal process, Interspace Airport Advertising, a Pennsylvania corporation, has been selected as the advertising concessionaire to establish and maintain a program for the sale of advertising space at the Dane County Regional Airport. Interspace Airport Advertising provides advertising programs and services in over 190 airports throughout the world and, under its lease with the County, is required to invest at least \$160,000 in providing an innovative advertising program that is complementary to the design and aesthetics of the newly expanded and renovated Airport terminal.

Payments under the advertising concession lease are set as the greater of a percentage of gross receipts derived from the sale of advertising space at the Airport (36% for high tech displays and 40% for standard displays), or a minimum annual guarantee set initially at \$135,000. The advertising lease has an initial five-year term and provides for a five-year extension if specified operational standards are met.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Executive and the Dane County Clerk be authorized to execute Lease DCRA 2006-03, a Lease between Interspace Airport Advertising and the County for the operation of an advertising concession at the Dane County Regional Airport.

Submitted by Supervisors O'Loughlin and Vogel, April 6, 2006 (p. 340, 05-06).
Referred to PERSONNEL/FINANCE, PUBLIC WORKS/TRANSPORTATION, and AIRPORT.

RES. 325, 05-06

AUTHORIZING ACCEPTANCE OF A NORTH AMERICAN WETLAND CONSERVATION ACT GRANT

In partnership with nine other agencies and organizations, Dane County Department of Land & Water Resources applied for a \$1,000,000 grant from the North American Wetland Conservation Act (NAWCA) Grants Program. NAWCA provides matching grants to organizations and individuals who have developed partnerships to carry out wetlands conservation projects. Our partnership's application, titled the South Central Wisconsin Prairie Pothole Initiative (SCWIPPI), was approved for funding by the Migratory Bird Conservation Commission. Dane County Land and Water Resource's share of the grant award is \$65,000 and is to be used on five specific wetland and upland restoration projects on Dane County-owned lands. The purpose of SWIPPI is to provide and enhance waterfowl habitat within South Central Wisconsin. Dane County projects will include 50 acres of wetland enhancement and five acres of upland enhancement on the Jenni & Kyle portion of the Nine Springs E-Way, as

well as upland enhancements at Lower Mud Lake Natural Resource Area, Capitol Springs State Recreation Area, and Badger Prairie County Park.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors and the Dane County Executive hereby accept grant awards from The U.S. Fish & Wildlife Service - North American Wetlands Conservation Act totaling \$65,000 for the purpose of the habitat enhancements identified in the grant proposal.

BE IT FURTHER RESOLVED that \$65,000 be credited to new revenue account LWPKLNAQ NAWCA III Revenue and establish a new expense account LWPKLNAQ NAWCA III Expense for \$65,000. These funds shall be carried forward until expended.

Submitted by Supervisor Ripp, April 6, 2006 (p. 341, 05-06).

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

RES. 326, 05-06

AUTHORIZING ACCEPTANCE OF HIGHWAY 12 REVENUE –
SPRINGFIELD HILL/MEYER PROPERTY

The County Board and County Executive authorized the purchase of lands identified in the Dane County Park and Open Space Plan. Ice Age Trail/ Springfield Hill – Meyer Fee Title (121 acres) Res. 191, 2002-2003.

Res. 202, 2002-2003, approved receiving cost-sharing funds of \$229,937.40 for reimbursement of a percentage of the acquisition costs of the Ice Age Trail/Springfield Hill - Meyer property from the Dane County Highway 12 funds. Funds were received in December 2005 for \$467,795.80, which was 100 percent reimbursement of Dane County's costs. This is \$237,858.40 more than anticipated.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors and the Dane County Executive hereby accept funding from the Dane County Highway 12 fund totaling \$467,795.80 for land or interests in land purchased by Dane County.

BE IT FINALLY RESOLVED that the LWCONSRV 57940 New Dane County Conservation Fund be increased by the additional \$237,858.40 and these funds be carried forward until expended.

Submitted by Supervisor Ripp, April 6, 2006 (p. 341, 05-06).

Referred to PERSONNEL/FINANCE, PUBLIC WORKS/TRANSPORTATION, and ENVIRONMENT/AGRICULTURE/NATURAL RESOURCES.

RES. 327, 05-06

AUTHORIZING ACCEPTANCE OF FUNDS FROM MADISON COUNTRY DAY SCHOOL, CITY OF VERONA,
AND MADISON AREA YOUTH SOCCER ASSOCIATION (MAYSA)
FOR DANE COUNTY LAND ACQUISITION - SPRING 2006

(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 \$20,000.00.

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 \$20,000.00 payment for the year 2006.

- (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 has made its 2006 lease payment of \$1,948.00.
- (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 2006 lease payment in the amount of \$3,950.00.

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 2006 lease payments from Madison Country Day School and City of Verona, and \$2,000.00 of the 2006 lease payment from Madison Area Youth Soccer Association be set up as revenue in the 2006 Land and Water Resources Division, Dane County Conservation, Park Lease/Sale capital revenue account LWCONSRV 84833 and be credited to the 2006 Parks, Dane County Conservation Fund capital expenditure account LWCONSRV 57273 – Dane County Conservation Fund.

Submitted by Supervisor Ripp, April 6, 2006 (p. 342, 05-06).

Referred to PERSONNEL/FINANCE, PUBLIC WORKS/TRANSPORTATION, and ENVIRONMENT/AGRICULTURE/NATURAL RESOURCES.

RES. 328, 05-06

AWARD OF CONTRACT FOR NEW DEICER FLUID
STORAGE TANK AT AIRPORT

The Public Works, Highway and Transportation Department reports the receipt of bids for a new deicer fluid storage tank at the Dane County Regional Airport, Bid No. 105132.

The low qualified bidder is:

GTD, Inc.
202 W. State Street
Rockford, IL 61101

Contract Amount: \$94,789.00

The Public Works staff finds the amount to be reasonable and recommends the bid be awarded to GTD, Inc., in the amount of \$94,789.00.

There are sufficient funds in the Budget for this project.

NOW, THEREFORE, BE IT RESOLVED that the Contract be awarded to GTD, Inc.

BE IT FURTHER RESOLVED that the County Executive and County Clerk are authorized to sign the necessary documents.

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

BE IT FINALLY RESOLVED that the Public Works, Highway and Transportation Department 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, Opitz, Matano, and Willett, April 6, 2006 (p. 343, 05-06).
Referred to PERSONNEL/FINANCE, PUBLIC WORKS/TRANSPORTATION, and AIRPORT.

RES. 329, 05-06

FUND TRANSFER ON ROOF TERRACE PROJECT ON THE DANE COUNTY JUSTICE CENTER

Sub. 2 to Res. 100, 2004-05, approved bid alternates for the Dane County Justice Center.

One of the alternates, inclusion of a roof terrace incorporating "green" (i.e. environmentally friendly) concepts and cost estimates, has been developed by Weston Solutions.

Public Works staff entered into an Agreement with Weston Solutions for the roof terrace project.

NOW, THEREFORE, BE IT RESOLVED that the amount of \$24,200.00 be transferred from the Justice Center Capital Project Fund balance account to account JSCADMIN 57706 to provide funding for this portion of the project.

Submitted by Supervisors Ripp, Opitz, and Matano, April 6, 2006 (p. 343, 05-06).
Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

RES. 330, 05-06

AWARD OF CONTRACT AND FUND TRANSFER FOR THE HVAC TESTING & BALANCING AT THE DANE COUNTY JUSTICE CENTER

The Public Works, Highway & Transportation Department reports the receipt of bids for the HVAC Testing and Balancing at the Dane County Justice Center, Bid No. 106072.

The low qualified bidder is: _____

Contract Amount: \$ _____

The Public Works staff finds the amount to be reasonable and recommends the Contract be awarded to _____ in the amount of \$ _____.

NOW, THEREFORE, BE IT RESOLVED that the County Executive and the County Clerk are authorized to sign the necessary documents.

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

NOW, THEREFORE, BE IT RESOLVED that the amount of \$ _____ be transferred from the Justice Center Capital Project Fund balance account to account JSCADMIN 57706 to provide funding for this portion of the project.

Submitted by Supervisors Ripp, Opitz, and Matano, April 6, 2006 (p. 344, 05-06).
Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

RES. 331, 05-06

CHANGE ORDER #2 FOR THE CCB 2ND FLOOR DEMOLITION PROJECT

Sub. 1 to Res. 212, 2005-06, awarded a contract to Robinson Brothers Environmental, Inc., for the City-County Building 2nd Floor Demolition Project, Bid #105146. The amount of the award was \$354,208.00.

The following changes are being made to the original contract:

C.O. #2—Removal of 35,000 s.f. of floor tile (work transferred from asbestos abatement contract to demolition contract):

ADD: \$26,250.00

There are sufficient funds in the budget.

NOW, THEREFORE, BE IT RESOLVED that Contract Change Order #2 to Robinson Bros. Env. for the City-County Building 2nd Floor Demolition 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, Opitz, Matano, Willett, April 6, 2006 (p. 344, 05-06).
Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

RES. 332, 05-06

CHANGE ORDER #3 FOR THE CCB 2ND FLOOR DEMOLITION PROJECT

Sub. 1 to Res. 212, 2005-06, awarded a contract to Robinson Brothers Environmental, Inc., for the City-County Building 2nd Floor Demolition Project, Bid #105146. The amount of the award was \$354,208.00.

The following changes are being made to the original contract:

C.O. #3—Install poly on ceiling of floor below construction area for dust control; maintain area & remove at end of project (2nd shift work):

ADD: \$19,060.00

There are sufficient funds in the budget.

NOW, THEREFORE, BE IT RESOLVED that Contract Change Order #3 to Robinson Bros. Env. for the City-County Building 2nd Floor Demolition 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, Opitz, Matano, and Willett, April 6, 2006 (p. 345, 05-06).
Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

RES. 333, 05-06

AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT – NORTH LAKE MENDOTA PARKWAY

WHEREAS, Dane County; the Town of Springfield; the Town of Westport; the Village of Waunakee; the City of Middleton; the City of Madison; and the Wisconsin Departments of Natural Resources; Transportation; and Agriculture, Trade & Consumer Protection (hereinafter the “Parties”) have participated in the North Mendota Parkway Advisory Committee (hereinafter “the Committee”), which was charged with formulating an integrated strategy for improving transportation and minimizing secondary effects on the land in the North Mendota Study area; and

WHEREAS, the Committee approved a final report and recommendations on October 23, 2003; and

WHEREAS, the Dane County Board of Supervisors approved the North Mendota Parkway Committee Final Report (“Final Report”) and the recommendations contained therein on March 8, 2004; and

WHEREAS, the Final Report contains recommendations that detail the process for implementation of the Committee’s goals, including the execution of an Intergovernmental Agreement between and amongst the Parties; and

WHEREAS, County staff, at the direction of the County Board’s North Mendota Parkway Intergovernmental Agreement Subcommittee, have drafted an Intergovernmental Agreement consistent with the terms of the Final Report; and

WHEREAS, Dane County is authorized to enter into such an agreement under section 66.0301, Wisconsin Statutes;

NOW, THEREFORE, BE IT RESOLVED that Dane County enter into the Intergovernmental Agreement, which is attached hereto (*on file in County Clerk's office*), with the Town of Springfield; the Town of Westport; the Village of Waunakee; the City of Middleton; the City of Madison; and the Wisconsin Departments of Natural Resources; Transportation; and Agriculture, Trade & Consumer Protection pursuant to its authority under Section 66.0301, Wisconsin Statutes, for the purpose of implementing an integrated strategy for improving transportation and minimizing secondary effects on the land in the North Mendota Study Area;

BE IT FINALLY RESOLVED that, on behalf of the County of Dane, the County Clerk and County Executive are authorized to execute an agreement embodying the above provisions.

Submitted by Supervisors Matano, McDonell, Hendrick, Vedder, Richmond, and Wheeler, April 6, 2005 (p. 346, 05-06).

Referred to PUBLIC WORKS/TRANSPORTATION, ENVIRONMENT/AGRICULTURE/NATURAL RESOURCES, and NORTH MENDOTA PARKWAY INTERGOVERNMENTAL AGREEMENT SUBCOMMITTEE OF THE COUNTY BOARD.

COMMUNICATIONS

- Claim from State Farm Ins. Co. on behalf of their insured: Crystal Wagner and Brandon Jelle. Referred to PUBLIC PROTECTION/JUDICIARY.
- Claim from Herb Niebuhr – claims county vehicle hit and damaged his vehicle. Referred to PUBLIC PROTECTION/JUDICIARY.
- Claim from Harvey Bester against Highways – claims vehicle damaged by discharge from truck. Referred to PUBLIC PROTECTION/JUDICIARY.
- Claim from William Williams against Jail. Referred to PUBLIC PROTECTION/JUDICIARY.
- Claim (#2) William Williams against Jail. Referred to PUBLIC PROTECTION/JUDICIARY.
- Claim from Hailey Mennes against Highways – claims windshield damaged by debris from truck. Referred to PUBLIC PROTECTION/JUDICIARY.
- Claim from American Family Ins. Group re their insured Edward and Cathy Rowley – claims vehicle damaged by snowplow. Referred to PUBLIC PROTECTION/JUDICIARY.

ZONING PETITIONS

- Petitions for Zoning Reclassification. Referred by Clerk Ohlsen to ZONING & LAND REGULATION.
 - Petition 9488 – Town of Cottage Grove – Duane P. and Candace J. Swalheim
 - 9489 – Town of Pleasant Springs – Randy and Kristen Swenson
 - 9490 – Tow of Berry - Albert and Carrie Zander
 - 9491 – Town of Albion – Bruce Hudson
 - 9492 – Town of Springfield – H&E Assets LLC
 - 9493 – Town of Cross Plains – Robert Brunner
 - 9494 – Town of Dunn – Dane County
 - 9495 – Town of Berry – Kenneth Liebetron
 - 9496 – Tow of Dunkirk – Tonya J. Vike and Tim A. (sic)
 - 9497 – Town of Dunkirk – Matthew Harried
 - 9498 – Town of Springfield – David and Mary Meinholz Revocable Trust

9499 – Town of Pleasant Springs – Margaret G. Arneson
9500 – Town of Burke – Gayle and Chris Thomas
9501 – Town of Dunn – Scott J. Wilson, et al
9502 – Town of Rutland – Ronald and Teri Paltz
9503 – Town of Sun Prairie – Anthony & Lynn Krebs
9504 – Town of Christiana – Robert and Kim Riege
9505 - Town of Westport – Roger R. Wolter
9506 - Town of Burke – Ronald and Geraldine Olson
9507 - Town of Cottage Grove – Woodard Knox, et al
9508 - Town of Perry – Sean and Connie Timmens
