

COUNTY BOARD REFERRALS TO COMMITTEE - BOARD YEAR 2008-2009

ORD. AMDT. 2, 08-09

**AMENDING CHAPTER 11 OF THE DANE COUNTY CODE OF ORDINANCES,
REGARDING LOT SIZE AND COVERAGE IN THE SHORELAND DISTRICT**

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

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

ARTICLE 2. Section 11.03(1) is amended to read as follows:

11.03 SHORELAND REGULATIONS. (1) *Building lots:* ~~Lots located in shoreland areas shall meet all area, width, density and lot coverage standards required in section 10.05(4) and (5), R-1 residence district, section 10.16(3), general provisions and exceptions of chapter 10 of the Dane County Code of Ordinances.~~

(a) Lot coverage. All lots within the shoreland area shall have a maximum building coverage of 30 percent. Building coverage shall include any structure or structures having a roof supported by posts, columns, or walls and its appendages including, but not limited to, balconies, porches, decks, stoops, fireplaces and chimneys.

(b) Minimum area and width for newly created lots.

1. Lots not served by public sanitary sewer. The minimum lot area shall be twenty thousand (20,000) square feet. The minimum lot width at the building setback line shall be one hundred (100) feet and, if adjacent to a navigable body of water, one hundred (100) feet of frontage at the ordinary high water mark.

2. Lots served by public sanitary sewer. The minimum lot area shall be fifteen thousand (15,000) square feet. The minimum lot width at the building setback line shall be one hundred (100) feet and, if adjacent to a navigable body of water, one hundred (100) feet of frontage at the ordinary high water mark.

(c) Substandard lots.

1. Not served by public sanitary sewer. A substandard lot not served by public sanitary sewer which is at least ten thousand (10,000) square feet in area, at least sixty-five (65) feet in width at the building setback line and at least sixty-five (65) feet in width at the ordinary high-water mark if adjacent to a navigable body of water, may be used as a building site upon issuance of a zoning permit certifying that:

a. The use is permitted in the zoning district; and

b. The lot was legally created and on record with the Dane County Register of Deeds prior to September 17, 1970.

2. Served by public sanitary sewer. A substandard lot served by a public sanitary sewer which is at least seven thousand five hundred (7,500) square feet in area, at least fifty (50) feet in width at the building setback line and at least fifty (50) feet in width at the ordinary high water mark if adjacent to a navigable body of water, may be used as a building site upon issuance of a zoning permit certifying that:

a. The use is permitted in the zoning district; and

b. The lot was legally created and on record with the Dane County Register of Deeds prior to September 17, 1970.

EXPLANATION: This amendment establishes minimum lot size and lot coverage standards for lots in the shoreland area.]

Submitted by Supervisors Bruskewitz, Miles, Vogel, Wiganowsky, O'Loughlin, Gau, Jensen, and Martz, April 24, 2008.

Referred to ENVIRONMENT, AGRICULTURE & NATURAL RESOURCES, ZONING & LAND REGULATION and LAKES & WATERSHED.

RES. 2, 08-09

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 6/30/11.

Board of Health for Madison and Dane County (BHMDC)

Lori M. Kay, 5685 Lincoln Road, Oregon 53575 (835-5882-H, 263-6693-W), to be reappointed. This term will expire 4/19/11.

William Sonzogni, 3731 Pioneer Road, Verona 53593 (829-2552-H, 224-6200-W), to be reappointed. This term will expire 4/19/11.

C.D.B.G. Commission

Dennis L. Dancker, 736 Water Tower Drive, Marshall 53559 (655-8047-H, 655-4017 x 216), to be reappointed. This term will expire 4/21/10.

Gail Shea, 3337 Conservancy Lane, Middleton 53562 (836-6911-H), to fill the seat of Jessica Thompson. Ms. Shea has a B.A. degree in Political Science from the University of California-Los Angeles, a M.A. degree in Geography from the University of Wisconsin-Madison, and a M.A. degree in Public Policy and Administration from the Robert M. LaFollette Institute of Public Affairs, University of Wisconsin-Madison. She is retired as the former Executive Director of the Wisconsin Democracy Campaign. Prior to that, she was the Campaign Finance and Elections Administrator for the Wisconsin State Elections Board. She has also served as a Program and Planning Analyst for the Department of Natural Resources and as a Legislative Aide to Senator Lynn Adelman. She is a board member for SSM Health Care of Wisconsin and a former board member of the Friends of Pheasant Branch Creek and the Friends of Lakeshore Nature Preserve. This term will expire 4/21/10.

Jessica Thompson, 540 ½ West Washington Avenue, #7, Madison 53703, is moving to a citizen-at large seat, due to the resignation of Katherine Bates. She was originally appointed to the Commission in 2005. This term will expire 4/21/09.

Civil Service Commission

Wayne McGown, 160 Nautilus Drive, Madison 53705 (238-8670-H), to be reappointed. This term will expire 6/30/11.

Barbara Wegner, 9950 County Road A, Mount Horeb 53572 (832-6422-H), to fill the seat previously occupied by Percy Julian. Ms. Wegner has been the Dane County Risk Manager for over seventeen years and will be retiring from county government in May, 2008. This term will expire 6/30/11.

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 4/20/10.

Environmental Council

Nancy C. Hylbert, 2809 Hollyhock Street, Fitchburg 53711 (271-0956-H), due to the resignation of robin Schmidt. Ms. Hylbert is a Wellness Instructor at the University of Wisconsin Hospital. She has degrees in Education and Philosophy. She is the current chair of the Madison Audubon Society Education Committee, is an active member of several environmental groups, and currently leads and co-leads two ongoing environmental stewardship projects. This term will expire 1/31/09.

Food Council

Sarah J. Artz, 415 North Ingersoll Street, #2, Madison 53703 (770-1234-H, 327-3132-W), to fill the seat of a representative of economic development, due to the resignation of Richard Slone. Ms. Artz is the Marketing Coordinator for Trachte Building Systems. She has a B.A. degree in Communication Arts from the University of Wisconsin-Madison. She has extensive experience in market data and market research, corporate communication, producing targeted marketing collateral, coordinating nationwide seminar programs, organizing and coordinating tradeshow activities, developing promotional campaigns, publicity, and various other communication duties associated with a local corporation. This term will expire 4/21/09.

Gerald Campbell, 1821 Camelot Drive, Madison 53705 (238-8766-H, 265-8137-W), to be reappointed. This term will expire 4/20/10.

Robert Pierce, 524 Bayview, Madison 53715 (280-9544-H, 358-5834-W), to be reappointed. This term will expire 4/20/10.

Public Safety Communications Center Board

Alderson Jon Freund, 659 Cardinal Way, Sun Prairie 53590 (268-5844-H, 837-2511-W), to be reappointed. This term will expire 5/1/10.

Submitted by Supervisor McDonell, April 24, 2008.
Referred to EXECUTIVE.

RES. 3, 08-09

**AUTHORIZING A CONTRACT TO ACCEPT HIGHWAY SAFETY GRANT FUNDS
"YOUTH ALCOHOL ENFORCEMENT"**

The Department of Transportation, Bureau of Transportation Safety, State of Wisconsin, are making funds available for participation in a highway safety program aimed at increasing the enforcement of the existing Youth Alcohol laws.

NOW, THEREFORE, BE IT RESOLVED that the Sheriff's Office is authorized to accept \$12,000 from the Department of Transportation, Bureau of Transportation Safety, for the "**Youth Alcohol Enforcement Project**" and to purchase four PBT's.

BE IT FURTHER RESOLVED that \$12,000 be set up as additional revenue in the Sheriff's Office Field Services "Youth Alcohol Enforcement Project" (SHRFFLD-80544) revenue account and be credited to the general fund.

BE IT FURTHER RESOLVED that \$12,000 be transferred from the general fund to the following Sheriff's Office accounts:

Field Services Division:

| | |
|----------------------------------|-------------------|
| Overtime- Youth (SHRFFLD-10068) | \$ 7671.94 |
| Social Security (SHRFFLD- 10108) | \$ 586.90 |
| Retirement (SHRFFLD- 10099) | \$ 1641.80 |
| Workers Comp (SHRFFLD- 10189) | \$ 239.36 |
| Veh & Equipment (SHRFFLD- 48935) | <u>\$ 1860.00</u> |
| | \$12000.00 |

BE IT FINALLY RESOLVED that all funds not expended in the fiscal year 2008 be carried forward to fiscal year 2009 budget accounts.

Submitted by Supervisors Rusk, Bayrd, Willett, Kostelic, Schlicht and Hesselbein, April 24, 2008.
Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

RES. 4, 08-09

AWARD OF CONTRACT FOR TRUAX LANDFILL GAS MANAGEMENT SYSTEM REPAIRS

The Public Works, Highway & Transportation Department reports the receipt of bids for Repairs to Truax Landfill Gas Management System, Bid No. 108055.

The low qualified bidder is:

American Environmental Group, Ltd.
3600 Brecksville Road
Richfield, OH 44286

Base Bid: \$56,460.00

The Public Works Staff finds the amount to be reasonable and recommends the bid be accepted and the Contract be awarded to American Environmental Group, Ltd.

There are sufficient funds in the budget for this project.

NOW, THEREFORE, BE IT RESOLVED, That a Contract be awarded to American Environmental Group, Ltd. in the amount of \$56,460.00.

BE IT FURTHER 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.

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 \$20,000 or more than 10% of the original approved Contract amount, whichever is smaller.

Submitted by Supervisors Opitz, Martz, Veldran, Schmidt, and Wiganowsky, April 24, 2008.
Referred to PERSONNEL/FINANCE and PUBLIC WORKS & TRANSPORTATION.

RES. 5, 08-09

AUTHORIZING INCREASE OF PUBLIC HEALTH INTERPRETERS FROM 1.0 FTE TO 1.3 FTE

Public Health-Madison and Dane County is experiencing a growing demand for Spanish interpretation. At the same time, it has become increasingly difficult to secure sufficient contract interpreters to staff clinics that run into the evening hours. The 2008 adopted budget for Public Health-Madison and Dane County includes \$128,231 for contract interpreters. In addition Public Health-Madison and Dane County has two Spanish-speaking Public Health Interpreters who currently each work 0.5 FTE. Public Health-Madison and Dane County would like to increase the authorized position authority for Public Health Interpreters from 1.0 to 1.3 FTE by reallocating funds from the contract interpreters account. The increase in position authority will help address the growing demand for Spanish interpretation and difficulty in securing sufficient contract interpreters to staff clinics in the evenings.

NOW, THEREFORE, BE IT RESOLVED that Public Health-Madison and Dane County is authorized to increase the position of Public Health interpreter from a total of 1.0 FTE to 1.3 FTE.

Submitted by Supervisor Kostelic, April 24, 2008.
Referred to HEALTH & HUMAN NEEDS and PERSONNEL/FINANCE.

RES. 6, 08-09

**DECLARING SURPLUS AND SELLING SIX ACRES OF
COUNTY-OWNED LAND IN SECTION 14 TOWN OF VERONA**

RES. 133, 07-08 2008 DANE COUNTY OPERATING BUDGET APPROPRIATIONS RESOLUTION provided that "The County Real Estate Officer is hereby authorized to prepare a marketing plan and entertain offers to purchase for (the six-acre parcel of land west of Badger Prairie Health Care Center). A preliminary Certified Survey Map was prepared and shared with both the Town and City of Verona. Neither municipality was interested in acquiring the property.

The property was listed for sale and bids were solicited from interested parties who had contacted the county regarding the property. Several offers were submitted in the first few days after listing. Land Acquisition and Administration staff analyzed the offers and selected the one deemed most advantageous to the county.

Shamrock Land Holdings Company, LLC, submitted the offer deemed most advantageous. The offer is for \$1,315,000 and requests the county to provide access via a shared service road, to be constructed by the buyer. It also requests the county to enter into a petition for annexation and addition to the City of Verona and the city's Urban Service Area.

NOW, THEREFORE, BE IT RESOLVED that the County of Dane does hereby declare the six-acre site west of Badger Prairie Health Care Center surplus to county needs and approve and authorize the sale of the parcel to Shamrock Land Holdings, LLC according to the terms outlined above, and

BE IT FURTHER RESOLVED that the Dane County Real Estate Officer be authorized to execute the petition for annexation to the City of Verona on behalf of the county, and

BE IT FURTHER RESOLVED that the Dane County Real Estate Officer is directed to prepare the necessary conveyance documents and to arrange for closing, and

BE IT FINALLY RESOLVED that the Dane County Clerk and the County Executive are hereby authorized to execute a joint driveway agreement and a deed of conveyance on behalf of the County of Dane.

Submitted by Supervisors Hulseley and O'Loughlin, April 24, 2008.

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

RES. 7, 08-09

ELIMINATING THE VACATION BANK CONTRIBUTION LIMIT AT RETIREMENT FOR COUNTY EMPLOYEES

Resolution 220, 07-08 authorized the use of the PRIME Choice Plan to administer post retirement benefits for employees who retire from County service. The resolution authorized this benefit for unrepresented employees, and the County has successfully negotiated memoranda of understanding with bargaining units to extend the plan to represented employees.

Under the new plan, retirees may convert accumulated sick leave hours and vacation/sabbatical bank hours into a cash amount that can be used to pay for post retirement health and dental insurance premiums or for other medical expenses. Total sick accumulation is limited to 1,650 hours, and the vacation bank balance may not exceed 400 hours. The previous county plan only allowed employees to convert existing sick leave balances, and the vacation/sabbatical bank balance was liquidated and paid out in cash.

Due to the rising cost of health care, employees have requested a method to increase the total amount of money that can be used to pay for insurance premiums and other medical expenses. This can be accomplished by allowing employees to deposit more unused vacation hours into the vacation/sabbatical bank at retirement. Current County policy allows employees to transfer up to one half of their annual vacation allowance into the vacation bank. Eliminating this contribution limit at retirement will allow employees to have additional funds available for insurance premiums and other medical expenses.

NOW, THEREFORE, BE IT RESOLVED that County employees who retire from County service may deposit any amount of accumulated, earned vacation hours into the vacation/sabbatical bank immediately preceding retirement up to 400 hours;

BE IT FURTHER RESOLVED that the Department of Administration is authorized to implement this change for unrepresented employees and to negotiate and execute memoranda of understanding with the County's bargaining units to extend the same benefit to represented employees.

Submitted by Supervisors Hulseley, O'Loughlin and Wiganowsky, April 24, 2008.
Referred to PERSONNEL/FINANCE.

RES. 8, 08-09

CREATING 0.4 FTE ECONOMIC SUPPORT SPECIALIST FOR EXPANSION OF EARLY CHILDHOOD INITIATIVE - DCDHS – EAWS DIVISION

The 2008 budget included funding for the expansion of the Early Childhood Initiative into two additional neighborhoods. This includes out-stationing of an Economic Support Specialist one day per week at each of these sites. This worker determines eligibility for W-2, Medicaid, Food Share, Child Care, and other Economic Support programs, as well as case managing eligible families.

This resolution creates 0.4 FTE Economic Support Specialist project position to fulfill these expansion duties. 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 expense accounts be adjusted in both the CYF & EAWS Division.

| <u>Account Number</u> | <u>Amount</u> |
|--|---------------|
| CYFPACCS PREXAA Early Childhood Initiative | (\$21,400) |

| <u>Account Number</u> | <u>Amount</u> |
|------------------------------------|-----------------|
| EAEDBPER AAYAAA Salaries and Wages | \$14,200 |
| EAEDBPER AAYMAA Retirement | \$ 1,700 |
| EAEDBPER AAYPAA Social Security | \$ 1,100 |
| EAEDBPER AAYSAA Health | \$ 4,200 |
| EAEDBPER AAZBAA Dental | \$ 500 |
| EAEDBPER AAZXAA Salary Savings | <u>(\$ 300)</u> |
| Total | \$21,400 |

BE IT FINALLY RESOLVED that 0.4 FTE Economic Support Specialist project position be created in the Economic Assistance and Work Services (EAWS) Division.

Submitted by Supervisor Worzala, April 24, 2008.
Referred to HEALTH & HUMAN NEEDS and PERSONNEL/FINANCE.

RES. 9, 08-09

HIV PREVENTION SERVICES

In previous years, the Madison Department of Public Health has provided HIV prevention services, including partner counseling and referral to all of Dane County under a grant from the Wisconsin Department of Health and Family Services Division of Public Health. With the merger, Public Health-Madison and Dane County will be contracting with the State for these same services. With the 2008 contract, the State is asking the Department to extend partner counseling and referral services to Adams, Columbia, Iowa, Richland, and Sauk Counties. The expenditure required to extend these services are included in the 2008 Adopted Operating Budget, with all costs for providing these services in other counties covered by the grant.

NOW, THEREFORE, BE IT RESOLVED that the Board of Health for Madison and Dane County on behalf of Public Health-Madison and Dane County is authorized to accept up to \$45,000 from the Wisconsin Department of Health and Family Services Division of Public Health for HIV Prevention Services for the period

of January 1, 2008 to December 31, 2008 to be used for program expenses and authorizing the Public Health Director to sign on behalf of Public Health-Madison and Dane County.

Submitted by Supervisor Kostelic, April 24, 2008.
Referred to HEALTH & HUMAN NEEDS and PERSONNEL/FINANCE.

COMMUNICATIONS

- Claim from Ronald Dean Banse against Jail for lost personal property. Referred to PUBLIC PROTECTION & JUDICIARY.
- Claim from Richard A. Bauer against Highway for damage to his vehicle by Highway Dept. employee. Referred to PUBLIC PROTECTION & JUDICIARY.
- Communication from attorney Murphy & Pressentin, LLC for re: Zabinski, et al. vs. Skemp, et al. Referred to PUBLIC PROTECTION & JUDICIARY.
- Claim from State Farm Insurance re; insured Randy Hollis claim against Highway for damage to vehicle by flying gravel. Referred to PUBLIC PROTECTION & JUDICIARY.
- Claim from Sonja Foldvari against Highway for damage to vehicle by snow plow. Referred to PUBLIC PROTECTION & JUDICIARY.
- Claim from GEICO General Insurance Co. re. Policyholder Sharon Lehmann against Highway for damage to vehicle. Referred to PUBLIC PROTECTION & JUDICIARY.
- Claim from Jeffrey D. Knickmeier against Jail for injuries, deprivations and denials constituting violations of his rights. Referred to PUBLIC PROTECTION & JUDICIARY.
- Claim from Beth E. Lindsley against Highway for damage to vehicle due to pothole. Referred to PUBLIC PROTECTION & JUDICIARY.
- Town of Cottage Grove Resolution 2008-05 – Urging United States Federal Transit Administration to Reject Dane County Application for Rail Transit Funding. Referred to EXECUTIVE.
- Town of Cottage Grove Resolution 2008-06 – Supporting Town Comprehensive Plans as the Means for Determining Future Land Use. Referred to EXECUTIVE.
- Kewaunee County Resolution 53-4-08 – Requesting Governor 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.
- Price County Resolution 32-08 – Creation of a Long-Term Care District. Referred to EXECUTIVE.
- Price County Resolution 34-08 – Appointment of Consumer Representatives to Long-Term Care District Governing Board. Referred to EXECUTIVE.
- Brown County Resolution – Requesting Placement of Wireless Emergency 911 Surcharges into the Budget Repair Bill. Referred to EXECUTIVE.
- Florence County Resolution 08-17 – Relating to the opposition of S. 1870 and H.R. 2421, a bill to amend the Federal Water Pollution Control Act to clarify the jurisdiction of the United States over waters of the United States.
- St. Croix County – Resolution 19 (2008) – Requesting the State of Wisconsin to Increase Reimbursement Payments Made by the Department of Corrections for State Probation and Parole Prisoners Held in County Jails. Referred to EXECUTIVE.

ORD. AMDT. 3, 08-09

AMENDING CHAPTER 69 OF THE DANE COUNTY CODE OF ORDINANCES, ADJUSTING SPEED LIMITS ON COUNTY HIGHWAYS

The County Board of Supervisors of the County of Dane does hereby 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 69.03(2)(c)5. is amended to read as follows:

(c) County Trunk Highway "B"

5. Village of Rockdale

Thirty-five miles per hour from a point 0.30 of a mile north of Merchant Street to a point 0.20 of a mile north of said intersection. Twenty-five miles per hour from a point 0.20 of a mile north of Merchant Street southerly for a distance of 0.65 of a mile.

[EXPLANATION: This article extends the speed limit on CTH B, to the east through this developing area.]

ARTICLE 3. Subsection 69.03(2)(d)3. is amended to read as follows:

(d) County Trunk Highway "BB"

3. Unincorporated Village of Vilas, Town of Cottage Grove

Fifty miles per hour from its junction with Vilas-Hope Road, easterly to a point 0.15 of a mile east of its intersection with Vilas Road 0.18 of a mile west of its intersection with Damascus Trail.

[EXPLANATION: This article extends the speed limit on CTH BB, to the east through this developing area.]

ARTICLE 4. Subsection 69.03(2)(d)4. is amended to read as follows:

(d) County Trunk Highway "BB"

4. Village of Cottage Grove

Thirty-five miles per hour from a point 1.00 0.18 of a mile west of its intersection with CTH "N" Damascus Trail, easterly to a point 0.75 of a mile west of said intersection of its intersection with CTH "N". Twenty-five miles per hour from a point 0.75 of a mile west of CTH "N", easterly to a point 0.40 of a mile east of said intersection.

[EXPLANATION: This article extends the speed limit on CTH BB, to the west through this developing area.]

Submitted by Supervisors Salov, Opitz, Schmidt, Veldran, Martz and Wiganowsky, May 8, 2008.
Referred to PUBLIC WORKS/TRANSPORTATION.

ORD. AMDT. 4, 08-09

**AMENDING CHAPTER 46 OF THE DANE COUNTY CODE OF ORDINANCES,
RESCINDING THE REQUIREMENT THAT LARGE CAPACITY PRIVATE SEPTIC SYSTEMS COMPLY
WITH STATE NITRATE STANDARDS**

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

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

ARTICLE 2. Subsection (7) of section 46.175 is rescinded.

~~(7) All POWTS with an estimated or design daily wastewater flow equal to or greater than 3,000 gallons shall comply with the nitrate standard established in ch. NR 140, Wis. Admin. Code.~~

[EXPLANATION: This amendment conforms the county ordinance to state law which prohibits conditioning sanitary permits upon compliance with the nitrate standards in the Wisconsin Administrative Code.]

Submitted by Supervisor Kostelic, May 8, 2008.
Referred to HEALTH & HUMAN NEEDS and BOARD OF HEALTH.

RES. 11, 08-09

AUTHORIZING AGREEMENT BETWEEN SUN PRAIRIE WATER & LIGHT AND DANE COUNTY FOR COUNTY COMMUNICATIONS EQUIPMENT ON SUN PRAIRIE WATER TOWER

In 1988 Dane County entered into a twenty-year agreement with Sun Prairie Water & Light Commission to install communications equipment on the Sun Prairie water tower. The recently-terminated agreement has been renegotiated and updated.

Sun Prairie Water & Light Commission is willing to allow the county to continue to occupy its water tower from the April 15, 2008 termination date of the original agreement for an additional five (5) year term. The occupancy includes existing equipment and anticipated proposed equipment. Proposed rental for the space is \$3,000 annually.

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

Submitted by Supervisor Kostelic, May 8, 2008.
Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

RES. 12, 08-09

AUTHORIZING THE TRANSFER OF FUNDS FOR SHERIFF VIDEO ROOM SOFTWARE

The Dane County Sheriff's Office needs to upgrade its video room regarding the processing of digital video evidence. Most of the updates are needed due to current hardware age and the fact that we are currently on Windows 2000 and most new software is for XP or Vista. The cost of these upgrades is estimated to be \$10,500.

During 2007, the RFP for the Video Security Camera project produced a lower cost than the budgeted amount for that project. The Dane County Sheriff's Office is requesting the transfer of funds from this existing Capital account to a new Capital Account to purchase software upgrades for the video room.

NOW, THEREFORE BE IT RESOLVED that \$10,500 be transferred from account CPSHRF 58950 (Video Security Cameras) to CPSHRF NEW (video Room Software).

BE IT FINALLY RESOLVED that all unexpended funds from this account be carried forward from the 2008 budget period to the 2009 budget period.

Submitted by Supervisors Rusk, Kostelic, Hampton, Bayrd, Willett, Schlicht and Hesselbein, May 8, 2008.

Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

RES. 13, 08-09

AUTHORIZING AN AGREEMENT WITH THE VILLAGE OF DEFOREST FOR THE RECONSTRUCTION OF CTH CV/MAIN STREET BRIDGE

The Dane County Department of Public Works, Highway & Transportation and representatives of the Village OF DeForest have determined that CTH "CV"/Main Street Bridge is in need of reconstruction.

Funding for the design and construction of the project is to be accomplished in accordance with past policies of cost sharing on similar CTH projects. This is a federal funded design and construction project. The local share of this project will be financed by Dane County and the Village of DeForest

The Highway and Transportation Department will have sufficient funds budgeted in the CTH Construction program account HWCONST-59124.

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

BE IT FINALLY RESOLVED that any unexpended funds as of December 31, 2008, in account HWCONST-59124 be carried forward to 2009.

Submitted by Supervisors O'Loughlin, Opitz, Schmidt, Veldran, Martz and Wiganowsky, May 8, 2008.
Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

RES. 14, 08-09

AUTHORIZING EXECUTION OF PURCHASE OF SERVICES AGREEMENT FOR DATA SCANNING SERVICES FOR THE DANE COUNTY REGISTER OF DEEDS OFFICE

In order to increase public access to Dane County land records information, reduce wear and tear on the documents and microfilm/fiche, and decrease the staff time needed to perform this service, the Dane County Register of Deeds Office issued a request for proposals for Data Scanning Services. The purpose of this RFP was to select a single vendor to scan and index all land records for Dane County. Twelve (12) responses were received from qualified firms. The proposals were evaluated and the proposal submitted by US Imaging Inc. of Saginaw, Michigan was found to be the most advantageous to the County.

NOW, THEREFORE, BE IT RESOLVED that US Imaging Inc. be awarded a contract for the provision of data scanning services to the Dane County Register of Deeds Office in the amount of \$368,603.00.

BE IT FURTHER 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 US Imaging, Inc. to provide data scanning services to the Dane County Register of Deeds Office.

Submitted by Supervisors Hendrick, Matano, Miles and Solberg, May 8, 2008.
Referred to PERSONNEL/FINANCE and ZONING & LAND REGULATION.

RES. 15, 08-09

APPROVING SHORT-TERM LEASE FOR INTERIM SPACE DURING JOB CENTER REMODELING

An extensive remodeling project is commencing at the Dane County Job Center. The extent of the remodeling will require the relocation of approximately ninety (90) employees during the project term.

A _____ month lease has been negotiated with the Alexander Company for _____ square feet of space in a building across the parking lot from the Job Center at 1293 North Sherman Avenue. The annual rental rate will be \$6.00 per square foot or \$_____ per month on a net basis. Utilities and common area maintenance will be paid by the county.

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

BE IT FINALLY RESOLVED that the Dane County Clerk and the County Executive are hereby authorized to execute the lease with Alexander Company on behalf of the County of Dane.

Submitted by Supervisor Worzala, May 8, 2008.

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

RES. 16, 08-09

CONFIRMING COUNTY EXECUTIVE APPOINTMENTS

In January, 1992, Dane County joined the Wisconsin Municipal Mutual Insurance Company (WMMIC) as an equity member for the purpose of obtaining a long-term, stable general liability insurance provider.

Under the State of Wisconsin Statutes, WMMIC is organized as a mutual insurance company. Operating policy for this company is controlled by a board of directors, which is elected by the designated voting representatives of each member municipality (one per member).

To designate someone as the voting representative, WMMIC Articles of Incorporation, Article IV, entitled "Governance," Section 4.01 provide that: "The Chief Executive Office of each member shall, subject to the approval of the Member's Governing body, designate a person to represent such Member Municipality in all matters relating to the Company."

NOW, THEREFORE, BE IT RESOLVED that the following appointment is confirmed: Bonnie Hammersley, Director of Administration, 5820 County Road C, Sun Prairie, Wisconsin 53590 (W) 266-4519 to fill the WMMIC voting representative vacancy until such time as another person is appointed by the Dane County Executive.

Submitted by Supervisor Hulsey, May 8, 2008. Fiscal and Policy Notes not required.
Referred to EXECUTIVE.

RES. 17, 08-09

**AUTHORIZING EXECUTION OF A LEASE OF LAND FOR AIRCRAFT HANGAR USE AT
THE DANE COUNTY REGIONAL AIRPORT**
Madison Hangars, Inc.

Airport staff and Madison Hangars, Inc., the present lessee under a hangar ground lease at the Dane County Regional Airport, have negotiated a successor lease commencing upon the expiration of the present lease on June 30, 2010 and permitting the existing hangar to remain on the leased premises. The area of the leasehold is 15,000 square feet and the new 30 year lease provides for an initial annual rent of \$.64 per square foot, with yearly 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, Lease No. DCRA 2008-02, with Madison Hangars, Inc. incorporating the forgoing terms and conditions.

Submitted by Supervisors O'Loughlin, Gau, Rusk and de Felice, May 8, 2008.
Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

RES. 18, 08-09

**AUTHORIZING EXECUTION OF A LEASE OF LAND FOR HANGAR CONSTRUCTION
AT THE DANE COUNTY REGIONAL AIRPORT**
Dreamtime Aviation, LLC

Dreamtime Aviation, LLC and the Dane County Regional Airport have negotiated a hangar ground lease under which Dreamtime Aviation, LLC will lease approximately 11,700 square feet of land on the Airport premises for the purpose of constructing a hangar for aircraft storage. The lease is for a 30 year term, at an initial annual rent of \$.62 per square foot, with yearly 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 2008-04, with Dreamtime Aviation, LLC incorporating the forgoing terms and conditions.

Submitted by Supervisors O'Loughlin, Gau, Rusk and de Felice, May, 2008.
Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

RES. 19, 08-09

**AUTHORIZING EXECUTION OF A LEASE OF LAND FOR HANGAR CONSTRUCTION
AT THE DANE COUNTY REGIONAL AIRPORT**
Grosso Aviation, LLC

Grosso Aviation, LLC and the Dane County Regional Airport have negotiated a hangar ground lease under which Grosso Aviation, LLC will lease 32,500 square feet of land on the Airport premises. The lease will incorporate the terms of the hangar ground lease presently held by Grosso Aviation, LLC, and increase the

size of the leasehold to allow for the construction of an addition to the existing hangar. The existing lease will terminate upon the commencement of the lease that is the subject of this resolution. The new lease is for a 30 year term, with initial rent of \$.626 per square foot per year, 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 2008-054, with Grosso Aviation, LLC incorporating the forgoing terms and conditions.

Submitted by Supervisors O'Loughlin, Gau, Rusk and de Felice, May 8, 2008.
Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

COMMUNICATIONS

- Ord. Amdt. 3, 08-09 – Amending Chapter 69, Adjusting Speed Limits on County Highways. Submitted by Supervisors Salov, Opitz, Schmidt, Veldran, Martz, and Wiganowsky. Referred to PUBLIC WORKS AND TRANSPORTATION.
- Ord. Amdt. 4, 08-09 – Amending Chapter 46, Rescinding the Requirement that Large Capacity Private Septic Systems Comply with State Nitrate Standards. Submitted by Supervisor Kostelic. Referred to HEALTH & HUMAN NEEDS and BOARD OF HEALTH.
- Res. 11, 08–09 - Authorizing Agreement Between Sun Prairie Water & Light And Dane County For County Communications Equipment On Sun Prairie Water Tower. Submitted by Supervisor Kostelic. Referred to PERSONNEL & FINANCE and PUBLIC WORKS AND TRANSPORTATION.
- Res. 12, 08-09 – Authorizing the Transfer of Funds for Sheriff Video Room Software. Submitted by Supervisors Rusk, Kostelic, Hampton, Bayrd, Willett, Schlicht, and Hesselbein. Referred to PERSONNEL & FINANCE and PUBLIC PROTECTION & JUDICIARY.
- Res. 13, 08-09 – Authorizing an Agreement with the Village of DeForest for the Reconstruction of CTH CV/Main Street Bridge. Submitted by Supervisors O'Loughlin, Opitz, Schmidt, Veldran, Martz, and Wiganowsky. Referred to PERSONNEL & FINANCE and PUBLIC WORKS AND TRANSPORTATION.
- Res. 14. 08-09 – Authorizing Execution of Purchase of Services Agreement for Data Scanning Services for the Dane County Register of Deeds Office. Submitted by Supervisors Hendrick, Matano, Miles, and Solberg. Referred to PERSONNEL & FINANCE and ZONING & LAND REGULATION.
- Res. 15, 08-09 – Approving Short-Term Lease for Interim Space During Job Center Remodeling. Submitted by Supervisor Worzala. Referred by HEALTH & HUMAN NEEDS, PERSONNEL & FINANCE and PUBLIC WORKS AND TRANSPORTATION.
- Res. 16, 08-09 – Confirming County Executive Appointments. Submitted by Supervisor Hulsey. Referred to EXECUTIVE.
- Res. 17, 08-09 - Authorizing Execution of a Lease of Land For Aircraft Hangar Use at The Dane County Regional Airport - Madison Hangars, Inc. Submitted by Supervisors O'Loughlin, Gau, Rusk, and de Felice. Referred to PERSONNEL & FINANCE and PUBLIC WORKS AND TRANSPORTATION.
- Res.18, 08-09 - Authorizing Execution of a Lease of Land For Hangar Construction at The Dane County Regional Airport - Dreamtime Aviation, LLC. Submitted by Supervisors O'Loughlin, Gau, Rusk, de Felice. Referred to PERSONNEL & FINANCE and PUBLIC WORKS AND TRANSPORTATION.
- Res. 19, 08-09 - Authorizing Execution of a Lease of Land For Hangar Construction at The Dane County Regional Airport - Grosso Aviation, LLC. Submitted by Supervisors O'Loughlin, Gau, Rusk, and de Felice. Referred to PERSONNEL & FINANCE and PUBLIC WORKS AND TRANSPORTATION.

Communication from GEICO re. Claimant Lori Jones – claim #017172034-0101-035. Referred to PUBLIC PROTECTION & JUDICIARY.

Claim from American Family Insurance Group re. Insured Charles R. Buse in claim against Highway for damage to vehicle by snowplow. Referred to PUBLIC PROTECTION & JUDICIARY.

Claim from attorney Michael C. Demo representing Thomas Smith, Jr. against Highway for damage to vehicle by snowplow. Referred to PUBLIC PROTECTION & JUDICIARY.

Summons for Foreclosure of Mortgage from State Bank of Cross Plains vs. Richard V. Brown, Sr. Referred to PUBLIC PROTECTION & JUDICIARY.

Calumet County Resolution 2007-40 – Resolution Opposing the Proposal by the Wisconsin Office of Justice Assistance to Retain Monies from the Public Safety Interoperable Communications Grant Program and not Pass-Through 80% of the Funding to Local Agencies. Referred to EXECUTIVE.

Town of Montrose Resolution – Town Meeting of the Town of Montrose. Referred to EXECUTIVE

Town of Montrose Resolution – Urging United States Federal Transit Administration to Reject Dane County Application for Rail Transit Funding – Referred to EXECUTIVE.

ORD. AMDT. 5, 08-09

**AMENDING CHAPTER 15 OF THE DANE COUNTY CODE OF ORDINANCES,
INCREASING THE MEMBERSHIP OF THE ENVIRONMENTAL COUNCIL**

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 15.25 of the Dane County Code of Ordinances is amended to read as follows:

15.25 ENVIRONMENTAL COUNCIL. (1) There is hereby created the Dane County Environmental Council consisting of ~~five~~ ~~seven~~ ~~(5)~~ ~~(7)~~ members appointed by the county executive, ~~two~~ ~~three~~ of whom shall be county board supervisors.

(2) The supervisor members shall serve two year concurrent terms ending on the third Tuesday in April of even numbered years. Non-supervisor members shall serve staggered three-year terms which shall expire on January 31. To stagger the terms of the non-supervisor members, the county executive shall designate one of the original non-supervisor terms as a one-year term, one as a two-year term and one as a three-year term. All succeeding non-supervisor member appointments shall be for three year terms. Appointees shall serve until successors are appointed and qualified.

(3) Members shall receive the same per diems and mileage paid to county board supervisors for attending ~~standing committees~~ Boards and Commissions, for attendance at not more than two meetings per month.

(4) The environmental council shall advise persons, groups, organizations, county departments and others when requested, on environmental matters and assist them to recognize and protect natural areas on private and public property; to assume an educational role in the protection of the environment and natural resources; and in general to promote awareness, conservation and preservation of Dane County's natural resources.

[EXPLANATION: The amendment increases the number of members of the Environmental Council from five to seven, while increasing the supervisor members from two to three.]

Submitted by Supervisors Schmidt and Downing, May 22, 2008.
Referred to EXECUTIVE and ENVIRONMENTAL COUNCIL.

RES. 20, 08-09

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

Supervisor Kyle Richmond, 929 O'Sheridan St, Madison 53715, to serve in the seat of the Supervisor who represents either District 23 or District 27. This term will expire 4/20/10.

Agricultural Advisory Council

Supervisor Gerald Jensen, 869 Glenway Rd., Oregon 53575. This term will expire 4/20/10.

Supervisor Al Matano, 3745 Ross St., Madison 53705. This term will expire 4/20/10.

Airport Commission

Supervisor Dave de Felice, 6302 Dominion Dr., Madison 53718, representing the City of Madison. This term will expire 4/20/10.

Supervisor Duane Gau, 3039 Castleton Crossing, Sun Prairie 53590, representing a district outside the City of Madison. This term will expire 4/20/10.

Supervisor John Hendrick, 1315 Spaight St, Madison 53703, representing the City of Madison. This term will expire 4/20/10.

Supervisor Dennis O'Loughlin, 3934 Partridge Rd, DeForest 53532, representing a district outside the City of Madison. This term will expire 4/20/10.

Supervisor Paul Rusk, 1501 Pleasure Dr, Madison 53704, representing District 3, 12, 15, 16, 17, or 18. This term will expire 4/20/10.

Area Agency on Aging Board

Supervisor Elaine DeSmidt, 4709 Milwaukee St., Madison 53714. This term will expire 4/20/10.

Supervisor Duane Gau, 3039 Castleton Crossing, Sun Prairie 53590. This term will expire 4/20/10.

Supervisor Shelia Stubbs, 11 Waunona Woods Ct. #2, Madison 53713, representing HHN. This term will expire 4/20/10.

Supervisor Dorothy Wheeler, 1639 Haas St., Madison 53704. This term will expire 4/20/10.

Board of Health for Madison and Dane County

Supervisor Donna Vogel, 808 Garfield St., Stoughton 53589, due to the resignation of Supervisor Jeff Kostelic. This term will expire 4/20/10.

C.D.B.G. Committee

Supervisor Cynda Solberg, 3703 County Road N, Cottage Grove 53527. This term will expire 4/20/10.

Supervisor Donna Vogel, 808 Garfield St., Stoughton 53589, will continue to serve until her term expires 4/09.

City of Madison Community Action Commission Board of Directors

Supervisor Bob Salov, 2103 Pleasant Dr, Cambridge 53523. This term will expire 4/20/10.

City of Madison Long Range Transportation Planning Commission

Supervisor Melanie Hampton, 9 Lynbrook Cir, Madison 53719. This term will expire 4/21/09.

Commission on Sensitive Crimes

Supervisor Melanie Hampton, 9 Lynbrook Cir, Madison 53719, to serve in the seat of a Supervisor representing PP&J. This term will expire 4/20/10.

Supervisor Barbara Vedder, 2314 E. Dayton St., Madison 53704, to serve in the seat of a Supervisor representing HHN. This term will expire 4/20/10.

Cultural Affairs Commission

Supervisor Patrick Downing, 256 Tyvand Rd., Blanchardville 53516. This term will expire 4/20/10.

Supervisor Wyndham Manning, 519 State St., #5, Madison 53703. This term will expire 4/20/10.

Supervisor David Worzala, 1714 Van Hise Ave., Madison 53726. This term will expire 4/20/10.

Dane County Development Corporation Board of Directors

Supervisor Ronn Ferrell, 7122 E. Valley Ridge Dr., Madison 53719. This term will expire 4/20/10.

Emergency Medical Services Commission

Supervisor Diane Hesselbein, 1420 N. High Point Rd., Middleton 53562. This term will expire 4/20/10.

Supervisor Bob Salov, 2103 Pleasant Dr, Cambridge 53523. This term will expire 4/20/10.

Supervisor Kurt Schlicht, 2011 Sylvia Pine Way, Cross Plains 53528. This term will expire 4/20/10.

Environmental Council

Supervisor Patrick Downing, 256 Tyvand Rd., Blanchardville 53516. This term will expire 4/20/10.

Supervisor Robin Schmidt, 5606 Tonyawatha Tr., Monona 53716. This term will expire 4/20/10.

Equal Opportunity Commission

Supervisor Shelia Stubbs, 11 Waunona Woods Ct. #2, Madison 53713. This term will expire 1/1/10.

Supervisor Barbara Vedder, 2314 E. Dayton St., Madison 53704, will continue to serve until her term expires 1/10.

Greater Madison Convention & Visitors Bureau Board of Directors

Supervisor Scott McDonnell, 14 W. Gilman St, Apt. 1, Madison 53703. This term will expire 4/20/10.

Housing Authority Board, Dane County

Supervisor Carousel Bayrd, 4901 Sherwood Rd., Madison 53711. This term will expire 4/16/13.

Lakes & Watershed Commission

Supervisor Brett Hulsey, 110 Merrill Crest, Madison 53705, will continue to serve until his term expires 4/09.

Supervisor Chuck Erickson, 1541 Jefferson Street, Madison 53711, will continue to serve until his term expires 4/10.

Supervisor Gerald Jensen, 869 Glenway Rd., Oregon 53575, will continue to serve until his term expires 4/10.

Supervisor Patrick Miles, 5410 North Pass, McFarland 53558, will continue to serve until his term expires 4/10.

Library Board

Supervisor Jack Martz, 5766 Wilshire Dr, Fitchburg 53711. This term will expire 4/20/10.

Supervisor Dorothy Wheeler, 1639 Haas St., Madison 53704. This term will expire 4/20/10.

Local Emergency Planning Commission

Supervisor Diane Hesselbein, 1420 N. High Point Rd., Middleton 53562. This term will expire 4/20/10.

Long Term Support Committee

Supervisor Dorothy Wheeler, 1639 Haas St., Madison 53704. This term will expire 4/20/10.

Madison Area Transportation Planning Board (formerly the MPO)

Supervisor Al Matano, 3745 Ross St., Madison 53705, to be reappointed. This term will expire 4/30/10.

Supervisor Robin Schmidt, 5606 Tonyawatha Tr., Monona 53716, to fill the seat of an elected official, previously held by Supervisor Hulsey. This term will expire 4/30/10.

Madison Metropolitan Sewerage District Board

Supervisor John Hendrick, 1315 Spaight St, Madison 53703, will continue to serve until his term expires 6/11.

Monona Terrace Convention & Community Center Board

Supervisor Mark Opitz, 6753 Black Cherry Ln, Middleton 53562. This term will expire 5/1/10.

Parks Commission

Supervisor Jeff Kostelic, 1175 N. Thompson Rd., Sun Prairie 53590, will continue to serve until his term expires 7/11.

Supervisor Dave Ripp, 7220 Highway 19, Waunakee 53597, will continue to serve until his term expires 7/09.

Public Safety Communications Center Board

Supervisor Jeff Kostelic, 1175 N. Thompson Rd., Sun Prairie 53590, to fill the seat of a Supervisor representing PP&J who resides outside the City of Madison. This term will expire 4/20/10.

Solid Waste & Recycling Advisory Commission

Supervisor Mark Opitz, 6753 Black Cherry Ln, Middleton 53562, as a Supervisor representing the Public Works & Transportation Committee. This term will expire 4/20/10.

Supervisor Dave Ripp, 7220 Highway 19, Waunakee 53597, as a Supervisor representing the Parks Commission. This term will expire 4/20/10.

Supervisor Tom Stoebig, 4309 Hegg Ave., Madison 53716, as a Supervisor representing the City of Madison. This term will expire 4/20/10.

Supervisor Mike Willett, 7715 Midtown Rd., Verona 53593, as a Supervisor representing a district outside the City of Madison. This term will expire 4/20/10.

South Central Library System Board

Supervisor Elaine DeSmidt, 4709 Milwaukee St., Madison 53714, will continue to serve until her term expires 12/09.

Specialized Transportation Committee

Supervisor Eileen Bruskewitz, 5134 Reynolds Ave, Waunakee 53597, to fill the seat of a Supervisor representing western Dane County. This term will expire 4/20/10.

Supervisor Wyndham Manning, 519 State St., #5, Madison 53703, to fill one of two seats of a Supervisor representing the City of Madison. This term will expire 4/20/10.

Supervisor Dennis O'Loughlin, 3934 Partridge Rd, DeForest 53532, to fill the seat of a Supervisor representing eastern Dane County.. This term will expire 4/20/10.

Supervisor Matt Veldran, 5738 Kroncke Dr., Madison 53711, to fill one of two seats of a Supervisor representing the City of Madison. This term will expire 4/20/10.

Tree Board

Supervisor Paul Rusk, 1501 Pleasure Dr, Madison 53704. This term will expire 4/20/10.

Youth Commission

Supervisor Shelia Stubbs, 11 Waunona Woods Ct. #2, Madison 53713, to fill the seat of a Supervisor representing HHN. This term will expire 4/20/10.

Supervisor Matt Veldran, 5738 Kroncke Dr., Madison 53711. This term will expire 4/20/10.

Zoo Commission

Supervisor Chuck Erickson, 1541 Jefferson St, Madison 53711. This term will expire 4/20/10.

Submitted by Supervisor McDonell, May 22, 2008. Fiscal and Policy Notes not required.
Referred to EXECUTIVE.

RES. 23, 08-09

DETERMINING 911 CALL CENTER OPTIMUM STAFFING LEVELS AND REQUIRING MONTHLY REPORTS TO THE COUNTY BOARD

The mission of the Dane County Public Communications Center (911) is to provide a fast, effective communications link between the citizens of Dane County requesting public safety services and the public safety agencies charged with providing emergency and non-emergency services to those citizens. The 911 Center operates 24 hours per day, 7 days per week and supports 85 agencies. These agencies primarily provide law enforcement, fire, and EMS, but also provide other services such as animal control.

A recent investigation has revealed that a disconnected 911 call place from a cell phone was not returned by the 911 Center. The owner of the cell phone was later found murdered. This event has caused the public to call into question the efficacy of the 911 Center and has shaken the public trust in their personal safety and in 911.

County Board Supervisors and City of Madison representatives conducted a public hearing/listening session in Fitchburg on May 19, 2008 to elicit from the public their concerns and questions and to gather information that would help to restore the public's confidence in 911. Approximately 90 people attended, 32 registered and spoke, and others submitted written questions and comments. Many additional emails and phone calls expressing concerns and asking questions have been and continue to be received by County Supervisors.

While the Public Protection and Judiciary Committee has direct oversight of the 911 Board, the County Board approves the budget of the 911 Center to carry out its mission.

In order for the County Board to determine the current and future optimal staffing needs of 911 it must have data and metrics to make informed and prompt decisions. The County Board recognizes that *Project Retain* is a nationally accepted system to determine staffing requirements for 911 Centers that is available free of charge through the Association of Public-Safety Communications Officials (APCO).

The County Board also has a responsibility to track the health of the 911 Center. The County Board directs the 911 Director to provide, on a monthly basis certain reports generated from the Positron Lifeline Telephone System used in the Dane County 911 Center.

NOW, THEREFORE, BE IT RESOLVED that the 911 Center will provide the following reports to the full County Board on a monthly basis with the first report due on June 5, 2008 prior to the County Board meeting.

Call Statistics including the total number of 911 calls since January 1, 2004 in categories such as land line, VOIP, and wireless; call volumes of non-emergency calls; average talk time; average hold time; the number of abandoned calls (calls that are dropped in the network prior to reaching the dispatcher); and dropped calls (calls that were dropped by either the dispatcher or the caller). Also to be included are any other reports that will assist the County Board to make informed decisions to assist the 911 Center in fulfilling its mission.

AND BE IT RESOLVED that the 911 Center Director provide the results of the *Project Retain* staffing calculations as well as background information and data explaining how those results were determined to the County Board at the June 5, 2008 County Board meeting.

FINALLY BE IT RESOLVED that the County Board Chair is respectfully requested to expedite this resolution through all the necessary committees in order to have the reports available by June 5, 2008 due to the vital public safety nature of this issue.

Submitted by Supervisors Salov, O'Loughlin, Ripp, Ferrell, Bruskewitz, Schlicht, Hendrick, Veldran, Miles, McDonell, Martz, Stoebig, Solberg, Jensen, Kostelic, de Felice and Gau, May 22, 2008.

Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

RES. 24, 08-09

AUTHORIZING TWO PUBLIC SAFETY COMMUNICATIONS COMMUNICATOR POSITIONS

In response to a study and strategic plan completed in 2004, Dane County and its Public Safety Communications Center have been increasing the staff levels in the center. Six positions have been added so far, including quality assurance and supervision, in addition to communicator positions (emergency dispatchers). Two additional FTE communicator positions are scheduled to be added in the 2009 budget.

The County Executive has indicated that she will authorize LTE communicator positions as soon as possible for the 911 Center. In order to provide flexibility and accelerate the addition of permanent resources for the 911 center, it is desirable to authorize the permanent positions during 2008 instead of 2009.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors hereby authorizes two FTE communicator positions in the Public Safety Communications Center effective immediately, and that funding be provided through savings in overtime or LTE accounts.

Submitted by Supervisors McDonell, Rusk, Hulsey, Miles, Stubbs, Vogel, Schmidt, Ripp, Solberg, Hampton, Kostelic, Bruskewitz, Schlicht, Downing, Opitz, Hendrick, Gau, O'Loughlin, Worzala, Matano, Hesselbein, Martz, Stoebig, DeSmidt, Wheeler, Manning, Ferrell, Veldran, Jensen, de Felice and Erickson, May 22, 2008.

Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION & JUDICIARY.

RES. 25, 08-09

**AUTHORIZING THE CREATION OF TWO PUBLIC SAFETY COMMUNICATIONS COMMUNICATOR
PRE-HIRE POSITIONS**

Communicator (dispatcher) positions at the Public Safety Communications Center (911 Center) are critical to the operation of emergency dispatch services in Dane County. Communicators are assigned to all shifts and are on duty 24 hours per day, 365 days a year. At times, due to turnover, there can be vacant positions. Due to the amount of time needed to recruit, hire, and train new personnel, a significant lag can occur between the time a vacancy occurs and a replacement is able to fill the position. The resulting overtime necessary to cover that post can place stress on remaining personnel and also impact the budget with increased overtime cost.

Authorized pre-hire positions have proven effective in addressing a similar problem in the Deputy Sheriff ranks. Since the positions are funded for only half of the year, the saving compared to overtime cost are significant.

NOW, THEREFORE, BE IT RESOLVED that the County will create two Communicator pre-hire positions; and

BE IT FINALLY RESOLVED that \$64,100 be transferred from the general fund to cover the personnel costs of the two positions.

Submitted by Supervisors Salov, Martz, Ripp, Bruskewitz, Schlicht, Solberg, Hesselbein, Hampton, Gau and Manning, May 22, 2008.

Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION & JUDICIARY.

RES. 26, 08-09

ADDING THREE FULL-TIME EQUIVALENT (FTE) COMMUNICATORS

In their 2004 report, "Dane County 9-1-1 Public Safety Communications Center Strategic Plan" MTG recommended staffing increases for the 9-1-1 Center to process the current operational workload, provide quality assurance, training, and scheduling support, and maintain the integration environment. MTG study

recommended the addition of one manager, five communicators, and two information technology professionals be added immediately. Further, the consultants indicated that each year staffing be adjusted based on call and incident volume, agencies supported, technologies employed, and other relevant factors.

While Dane County has added six staff members to the 9-1-1 Center, additional communicators are necessary, particularly given the growth in call volume since 2004. Dane County should increase the number of communicator positions by 3 full time equivalents (FTE) as soon as possible. This will help ease the overtime burden of current staff and provide the necessary staffing to perform the core duties of the agency – dispatching assistance to those in emergency situations.

Given recent events, the immediate addition of three positions to the 9-1-1 Center staff will help to answer emergency phone calls and restore public confidence in this important service. New communicators must be trained properly to fill these important positions.

It is important to start the recruitment process immediately for these positions because training for the next session begins in the latter part of September.

The cost of one communicator with benefits from July 1 to the end of the year is \$32,047, so the cost of adding three new communicators for the second half of 2008 would be less than \$100,000.

NOW, THEREFORE, BE IT RESOLVED that the funding for these positions will be transferred from the general fund.

NOW, THEREFORE, BE IT FINALLY RESOLVED that the Dane County Board of Supervisors authorizes the addition of three fulltime equivalent (FTE) communicator positions effective July 1, 2008 and to be filled no later than September 29, 2008.

Submitted by Supervisors Wiganowsky, Hendrick and Schlicht, May 22, 2008.
Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION & JUDICIARY.

RES. 27, 08-09

URGING THE LEGISLATURE TO PROVIDE COUNTY AUTHORITY FOR A PUBLIC SAFETY LEVY

Dane County Public Safety Communications is the county-operated consolidated dispatch center which provides public safety communications services to 85 user agencies and the residents of Dane County. The agency's total budget for 2008 is \$5,352,230, with total staff of 71. Almost all of the Public Safety Communications expenditures are funded with general purpose revenue raised through the property tax.

The report, "Dane County 9-1-1 Public Safety Communications Center Strategic Plan" by MTG issued in 2004, recommended cost-sharing by municipalities and a usage tax on county residents. According to MTG:

A tax for receiving 9-1-1 service could potentially be levied on Dane County residents. However, this would require statutory change because there does not appear to be a mechanism for levying this tax.

One approach for a Dane County usage tax to fund this critical public service would be to levy a dedicated public safety tax. A public safety levy would be charged in communities that don't have their own police departments. Municipalities that levy for a police department could choose to contract with and pay cost-sharing for the 9-1-1 center. The public safety levy would pay for Sheriff's Department rural patrol and for the share of the 9-1-1 service that is provided to areas without police departments.

An example of this type of dedicated tax is the library levy. The state statutes provide that any city, town, village or school district in a county levying a tax for public library service shall be exempted from the portion of the county tax levy that supports the county library service.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors urges the Wisconsin State Legislature to provide county governments with the authority to levy a tax specifically dedicated for public safety, modeled after the library tax.

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

Submitted by Supervisors Hendrick, Matano, Manning and Richmond, May 22, 2008. Fiscal and Policy Notes not required.

Referred to EXECUTIVE, PUBLIC PROTECTION & JUDICIARY and PUBLIC SAFETY COMMUNICATIONS CENTER BOARD.

RES. 28, 08-09

AUTHORIZATION OF PURCHASE OF SERVICES AGREEMENT WITH VIRCHOW KRAUSE & COMPANY FOR TECHNOLOGY ENHANCEMENTS FOR TAX, ASSESSMENT, AND ZONING SYSTEMS

In 2005, an evaluation of the Planning and Development Department identified the need for technological advancements related to the zoning permitting and property listing systems. In 2007, a technology and workflow needs assessment was completed calling for an enhanced and integrated zoning, property description, taxation, and treasurer’s collection system.

As a result, the 2008 Dane County Capital Budget included funds to further define the technology needs for the Planning and Development Department and the Treasurer’s Office. This project proposes to enhance the current system by integrating and validating current workflows and processes. The new system will ultimately improve effectiveness and reliability, increase efficiencies, reduce redundant data entry, and provide critical functionality that does not currently exist. The systems for this project include taxation, treasurer’s collection, property description, and zoning.

Proposals for the work of this project have been evaluated. Virchow Krause & Company was identified as having submitted the most qualified and cost-effective proposal.

NOW, THEREFORE, BE IT RESOLVED that Virchow Krause & Company be awarded a purchase of services agreement in the amount of \$119,000.

BE IT FURTHER RESOLVED that staff of the Treasurer’s Office and the Planning and Development Department be directed to ensure that the terms of the agreement are satisfied and that periodic status reports be provided by the Planning and Development Department to the Zoning and Land Regulation Committee as the Department’s oversight committee; and

BE IT FINALLY RESOLVED that the County Executive and the County Clerk be authorized to sign the Purchase of Services Agreement.

Submitted by Supervisors Hendrick, Jensen, Bruskwitz, Matano, Solberg, Schlicht, Miles, Wheeler and Gau, May 22, 2008.

Referred to PERSONNEL/FINANCE and ZONING & LAND REGULATION.

RES. 29, 08-09

AUTHORIZING TRANSFER OF FUNDS FOR TENNEY AND BABCOCK LOCKS ANALYSIS PROJECT

A fund transfer is hereby requested for Engineering Services for Babcock & Tenney Dam Failure Analysis, Stability Analysis, Permanent Benchmarks and an Emergency Action Plan, Request For Proposals No. 108040. This project is per Wisc. DNR requirements.

NOW, THEREFORE, BE IT RESOLVED, That the amount of \$30,000.00 be transferred from the 2008 Dane County Highway Parking Ramp Repair Account (CPPUBPR 58192) to account Dam Failure Analysis (CPUBWRK NEW) to provide funding for this portion of the project.

NOW, THEREFORE, BE IT RESOLVED, that the Public Works, Highway and Transportation Department be directed to ensure complete performance on the project.

Submitted by Supervisors Opitz, Schmidt, Veldran, Martz and Gau, May 22, 2008.
Referred to PERSONNEL/FINANCE and PUBLIC WORKS & TRANSPORTATION.

RES. 30, 08-09

CHANGE ORDERS FOR ARCH. / ENG. SERVICES FOR CCB TENANT LAYOUT DESIGN IMPROVEMENTS

Res. 87, 2007-08, awarded an Agreement with Dorschner Associates, Inc. for the Tenant Layout Design Improvements, Phase I, in the City-County Building, RFP #107054, at a cost not to exceed \$69,380.00.

Work is progressing satisfactorily and additional work has been requested by the Dane County Board and various County departments. Architectural and engineering services for design verification, schematic design, design development, construction documentation, bidding and construction administration, are needed as follows:

- C.O. #1: 3rd floor meeting rooms for Co. Board and staff – add \$39,645.00
- C.O. #2: 1st floor County Board and County Clerk offices – add \$25,865.00
- C.O. #3: 4th floor air handling unit to improve efficiency and air quality – add \$12,000.00

There are sufficient funds in the budget for Change Orders #1, #2 and #3 (total add to contract \$67,510.00).

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors approves and authorizes Change Orders #1, #2 and #3 contract #8700 in the amount of \$67,510; and

BE IT FINALLY RESOLVED that the Department of Public Works, Highway & Transportation be directed to ensure complete performance of these Change Orders.

Submitted by Supervisors Opitz, Schmidt, Martz, Wiganowsky, Veldran and Gau, May 22, 2008.
Referred to PERSONNEL/FINANCE and PUBLIC WORKS & TRANSPORTATION.

RES. 31, 08-09

AWARD OF CONTRACT FOR JOB CENTER ROOF REPLACEMENT

The Department of Public Works, Highway & Transportation reports the receipt of bids for the Job Center Roof Replacement, Bid No. 108074.

A complete tabulation is on file at the Department of Public Works office. The low qualified bidder is:

BID AMOUNT: \$ _____

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

NOW, THEREFORE, BE IT RESOLVED that a 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 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 \$20,000 or more than 10% of the original approved Contract amount, whichever is smaller.

Submitted by Supervisors Opitz, Schmidt, Veldran, Martz and Gau, May 22, 2008.

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

RES. 32, 08-09

AUTHORIZATION TO PURCHASE A STREAMBANK EASEMENT ON THE WEST BRANCH OF THE SUGAR RIVER – Lawrence, Wayne, and Pamela Schlimgen

Dane County has negotiated the purchase of a 33-foot wide streambank easement on land owned by Lawrence, Wayne, and Pamela Schlimgen in the Town of Primrose. The easement is located along approximately 2,400 feet of both banks of the West Branch of the Sugar River, a Tier I Stream Project Area as identified in the *Dane County Parks & Open Space Plan 2006 – 2011* and a DNR designated trout stream. The purpose of this easement is to provide permanent public fishing access, protect water quality, and improve wildlife and fish habitat.

Purchase of this easement compliments existing conservation programs such as Dane County's Streambank Protection Program and DNR's Targeted Resource Management Program. The Land & Water Legacy Fund was partly established to purchase permanent easements along stream segments that have been previously enhanced or protected through these types of programs.

The purchase price of the Streambank Easement has been established at \$27,780, which is available in the Dane County Land and Water Legacy Fund. The purchase price is based on a sales study completed by a general certified appraiser. The sales study provides a formula for calculating values throughout the project area that takes into account the approximate amount of stream frontage and acreage of land within the streambank easement corridor.

NOW, THEREFORE, BE IT RESOLVED, that the Dane County Board of Supervisors and the Dane County Executive hereby authorize the purchase of the Streambank Easement plus associated costs and according to Wisc. Stats. 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.

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 transaction.

Submitted by Supervisors Downing, Kostelic, Ripp and Worzala, May 22, 2008.

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

RES. 33, 08-09

AWARD OF CONTRACT FOR LABOR RELATIONS CONSULTANT

The current contract for the County's chief labor negotiator and labor relations consultant expires as of June 30, 2008. Requests for proposals were solicited for this service pursuant to Chapter 25, Dane County Ordinances. The proposal submitted by Godfrey & Kahn, as represented by Attorney Jon Anderson, was deemed most responsive.

THEREFORE, BE IT RESOLVED that Godfrey & Kahn, as represented by Attorney Jon Anderson, be retained as Dane County's chief labor negotiator and consultant for a period of three (3) years with an option to extend an additional 2 years by mutual agreement of the County and Godfrey & Kahn, and

BE IT FINALLY RESOLVED that Attorney Jon Anderson be compensated at a rate of \$195.00 per hour for services as negotiator and consultant and that associate attorney and research support services be compensated at a rate of \$150.00 to \$130.00 per hour respectively. Any change to the hourly rate would be negotiated at the time of the annual renewal.

BE IT FINALLY RESOLVED that the County Executive is authorized to execute a contract with Godfrey & Kahn for the terms set forth above.

Submitted by Supervisors Hulsey, O'Loughlin and Gau, May 22, 2008.

Referred to PERSONNEL/FINANCE.

RES. 34, 08-09

AUTHORIZING A CONTRACT TO ACCEPT HIGHWAY SAFETY GRANT FUNDS FOR A COMMUNITY TRAFFIC SAFETY PROJECT

The Department of Transportation, Bureau of Transportation Safety, State of Wisconsin, is making funds available for participation in an Alcohol Enforcement collaboration with municipal police agencies. The goals of the federally funded contract is to reduce the number of alcohol related crashes and reduce the number of vehicles traveling 65 MPH or faster on the beltline highway. This enforcement period is between June, 2008 and September 30, 2008.

NOW, THEREFORE, BE IT RESOLVED that the Sheriff's Office is hereby authorized to accept \$75,000 from the Department of Transportation, Bureau of Transportation Safety, for the Alcohol Enforcement Patrol Contract. \$30,580 to be used by the Dane County Sheriff's Office for Alcohol Enforcement. \$25,000 to be used by the Dane County Sheriff's Office for an extensive media plan. \$1,440 to be used by the Dane County Public Safety Communication Center for overtime and \$17,980 to pass through to local municipalities upon receipt of their invoices for the Alcohol Enforcement Collaboration "SMART" (Sober, Moderate Speed, Alert, Restrained, Thoughtful) program.

BE IT FURTHER RESOLVED that \$75,000 be set up as additional revenue in the Sheriff, Field Services, Community Safety Project revenue account (SHRFFLD 80708) and be credited to the General Fund.

BE IT FURTHER RESOLVED that \$75,000 be transferred from the General Fund to the following accounts:

Sheriff's Office Field Services Division:

| | |
|--------------------------------------|----------|
| Overtime – SMART (SHRFFLD-10056) | \$23,137 |
| Social Security (SHRFFLD-10108) | \$1,770 |
| Retirement Fund (SHRFFLD-10099) | \$4,952 |
| Workers Compensation (SHRFFLD-10189) | \$721 |
| Sub-Total | \$30,580 |

| | |
|--|----------|
| Media Account- SHRF FLD- (SHRFFLD 21530) | \$25,000 |
|--|----------|

| | |
|---|----------|
| OVI Program Trust Expenditure – Alcohol Enforcement Collaboration (SHRFFLD-21839) | \$17,980 |
|---|----------|

Dane County Public Safety Communication Center:

| | |
|----------------------|---------|
| Overtime – SMART | \$1,155 |
| Social Security | \$171 |
| Retirement Fund | \$110 |
| Workers Compensation | \$4 |
| Sub-Total | \$1,440 |

| | |
|-------------|----------|
| Grand Total | \$75,000 |
|-------------|----------|

BE IT FINALLY RESOLVED that any funds authorized in this resolution that are not expended or received as of December 31, 2008 be carried forward to 2009.

Submitted by Supervisors Rusk, Hampton, Hesselbein, Kostelic, Gau and Worzala, May 22, 2008.

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

RES. 35, 08-09

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

Steven E. Schulz, 1027 West Medina, Marshall 53559 (655-1621-H), to be reappointed. This term will expire 6/30/11.

C.D.B.G. Commission

Gus Vander Wegen, 5173 Old Indian Trail, Fitchburg 53711 (271-2163-), to be reappointed. This term will expire 4/21/10.

Lakes & Watershed Commission

Lyle Updike, 5707 Twin Lane Road, Marshall 53559 (837-0069-H), to be reappointed. This term will expire 4/19/11.

Public Safety Communications Center Board

Timothy Hillebrand, 2144 Hillebrand Drive, Cross Plains 53528 (798-3456-H), to be reappointed. This term will expire 5/1/10.

South Central Library System Board

Carol A. Chapman, 2933 Milwaukee Street, Madison 53704 (244-4973-H, 414-227-4680-W), due to the resignation of Carole McGuire. Ms. Chapman is an Attorney with the Wisconsin Court of Appeals. She has served on the Board of the Friends of the Madison Public Library for the past twelve years in various capacities, including President, Vice President, Secretary, and currently Publicity Chair. She served on the Board of the Friends of Wisconsin Libraries until it merged with the Wisconsin Library Trustees and Friends. She is currently a member of the WLTF Board and its representative to the Wisconsin Library Association Honors and Awards Committee. This term will expire 12/31/10.

Ann P. Ostrom, 3409 Conservancy Lane, Middleton 53562 (831-5520), due to the resignation of Michael Howe. Ms. Ostrom is retired from the University of Wisconsin Madison-Extension. She has served three years on the Middleton Library Board and has served on numerous boards and committees in the aging field. This term will expire 12/31/09.

Submitted by Supervisor McDonell, May 22, 2008. Fiscal and Policy Notes not required.
Referred to EXECUTIVE.

Claim from Richard A. Bauer against Highway for damage to vehicle by County employee. Referred to PUBLIC PROTECTION & JUDICIARY.

Claim from R&L Carriers and driver Thomas Lee Smith Jr. against Highway for damage by snow plow. Referred to PUBLIC PROTECTION & JUDICIARY.

Claim from Mitch Stringham against Highway for damage to vehicle caused by pothole. Referred to PUBLIC PROTECTION & JUDICIARY.

Claim from Town of Madison against Highway for damage to vehicles caused by bad gas. Referred to PUBLIC PROTECTION & JUDICIARY.

Claim from Alliant Energy against Highway for damage to electric service by Highway Dept. vehicle. Referred to PUBLIC PROTECTION & JUDICIARY.

Oneida County Resolution #39-2008 – Resolution offered by Supervisors of the Law Enforcement & Judiciary Committee. Referred to EXECUTIVE.

Washburn County Resolution 27-08 – Resolution Requesting the State of Wisconsin Department of Corrections Increase Reimbursement Payments for State Probation and Parole Prisoners Held in the Washburn County Jail. Referred to EXECUTIVE.

Washburn County Resolution 28-08 – Resolution Opposing the Wisconsin Office of Justice Administration Proposal to Utilize the Federal Assistance Allocation to Fund a Statewide VHR Digital Trunking System. Referred to EXECUTIVE.

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

- Petition 9880 – Town of Primrose – William Haack
- 9881 – Town of Verona – Robert Suddeth
- 9882 – Town of Madison – Chris Harbort
- 9883 – Town of Perry – Gerald Keller
- 9884 – Town of Black Earth – Pork-N-Pines Dairy, Inc.
- 9885 – Town of Roxbury – Thomas Tierney
- 9886 – Town of Sun Prairie – Gary Price
- 9887 – Town of Rutland – John Sime
- 9888 – Town of Oregon – Vedvik Farm LLC
- 9889 – Town of Montrose – David Judd
- 9890 – Town of Vienna – Gloria Roeber
- 9893 – Town of Verona – CPI Building LLC
- 9900 – Town of Madison – Mid-Town Center LLC

ORD. AMDT. 6, 08-09

AMENDING CHAPTER 10 OF THE DANE COUNTY CODE OF ORDINANCES, REQUIRING THE REVIEW OF ZONING PETITIONS AND CONDITIONAL USE PERMIT APPLICATIONS FOR CONSISTENCY WITH THE COUNTY AND APPLICABLE TOWN COMPREHENSIVE PLANS

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 10.255(1)(d) of the Dane County Code of Ordinances is amended to read as follows:

(d) The zoning committee shall use plans and maps developed by individual towns and approved by the county board as criteria for zoning recommendations to the county board, and shall review rezone and conditional use permit applications for consistency with town and county comprehensive plans.

[EXPLANATION: This amendment requires the zoning committee to review rezones and applications for conditional use permits for consistency with county and town comprehensive plans, and implements a recommendation of the Dane County Comprehensive Plan.]

Submitted by Supervisors Downing, Hendrick, and Miles, June 5, 2008. Fiscal and Policy Notes not required.

Referred to ZONING & LAND REGULATION.

ORD. AMDT. 7, 08-09

AMENDING CHAPTER 35 OF THE DANE COUNTY CODE OF ORDINANCES, INCREASING THE FEES CHARGED FOR CONFINEMENT IN THE DANE COUNTY JAIL OF MUNICIPAL PRISONERS OR PRISONERS FROM OTHER COUNTIES

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 is amended to read as follows:

35.02 MUNICIPAL PRISONERS. The cost of maintenance and board for a municipal prisoner in the jail is deemed to be ~~\$16.76~~\$80.45 for each day that the prisoner is confined.

ARTICLE 3. Section 35.04 is amended to read as follows:

35.04 OTHER COUNTY PRISONERS. A county boarding its prisoners at the jail shall pay the sum of ~~\$50.00~~\$80.45 per day for each prisoner.

[EXPLANATION: These amendments increase the fee charged by Dane County to house municipal prisoners or prisoners from other counties in the Dane County Jail. The increase to \$80.45 per day reflects the actual per day cost incurred by the County and is consistent with the rate charged for federal prisoners.]

Submitted by Supervisors Rusk and Hampton, June 5, 2008.

Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION & JUDICIARY.

ORD. AMDT. 8, 08-09

AMENDING CHAPTER 47 OF THE DANE COUNTY CODE OF ORDINANCES, AUTHORIZING THE ENVIRONMENT, AGRICULTURE AND NATURAL RESOURCES COMMITTEE TO REVIEW ANIMAL ABATEMENT ORDERS

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 47.44 is amended to read as follows:

47.44 ABATEMENT ORDERS. (1) The ~~Zoning and Environment, Agriculture &~~ Natural Resources Committee is hereby designated and authorized, pursuant to sec. 173.03(2) of the Wisconsin Statutes, to affirm, modify, or withdraw abatement orders issued under sec. 173.11 of the Wisconsin Statutes by any humane officer or law enforcement officer.

(2) Any person named in an abatement order may appeal such order to the ~~Zoning and Environment, Agriculture &~~ Natural Resources Committee within 10 days of service of the order. The notice of appeal must state the grounds for the appeal with specificity. The ~~Zoning and Environment, Agriculture &~~ Natural Resources Committee shall schedule a hearing to be held within ten days of the receipt of the notice of appeal, unless the appellant agrees to a later date. The ~~Zoning and Environment, Agriculture &~~ Natural Resources Committee shall make reasonable efforts to notify the appellant, the officer issuing the abatement order, and any other interested party of the hearing and the opportunity to present evidence and testimony at the hearing. The hearing shall be informal in nature. Within ten days after the hearing, the ~~Zoning and Environment, Agriculture &~~ Natural Resources Committee shall determine whether to affirm, modify and affirm, or withdraw the abatement order and shall issue ~~their~~its decision in writing and serve it upon the appellant and other interested parties.

(3) Any person adversely affected by a decision under sub. (2) may seek judicial review by commencing an action in circuit court within 30 days after the date of the decision.

[EXPLANATION: This amendment clarifies that the Environment, Agriculture & Natural Resources Committee is now the committee designated to consider abatement orders issued under s. 47.44.]

Submitted by Supervisors Hendrick, Matano, Miles, Jensen, and Solberg, June 5, 2008. Fiscal and Policy Notes not required.

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

Referred to BOARD OF HEALTH FOR MADISON AND DANE COUNTY. July 3, 2008.

RES. 37, 08-09

WALTER R. SCHEIDEGGER TRUST FUND PARTNER PROJECT –FRIENDS OF DONALD PARK

In 2002, the Dane County Parks Commission accepted a generous donation of \$534,420 from the Walter R. Scheidegger estate and established the Walter R. Scheidegger Trust Fund. A portion of the Fund is designated for a grant program to help carry out the intentions of the donation as described in his will; Walter R. Scheidegger requested that the funds be used to preserve the beauty of his native lands through the protection and enhancement of park lands surrounding the communities of Riley, Verona, and Mt. Vernon.

The Friends of Donald Park have applied to the Walter R. Scheidegger Trust Fund for financial assistance on the construction of two bridges across Fryes Feeder within Donald County Park. The bridges

are part of a larger project that includes the construction of a multi-use/equestrian trail that will expand the trail network within the park and outside of the park north of Hwy 92. The project is supported by the adopted Donald Park Master Plan and as an element of the Dane County 2006 – 2011 Parks and Open Space Plan. The bridges and trail connections will provide easier access to park lands, including Fryes Feeder, and will contribute greatly toward the overall enjoyment of the Park and its surroundings.

The total project costs for the bridges have been estimated at \$60,000. The Park Commission recommends that \$15,000 (25% of project costs) of the Fund be applied toward the total project costs. Remaining costs will come from the Donald Park Development account and the Park Improvement Fund. Upon completion of the project, a plaque shall be designed and installed in consultation with Dane County Parks to give recognition to Walter R. Scheidegger’s contribution.

NOW, THEREFORE, BE IT RESOLVED, that financial assistance toward the project per the terms and conditions listed above is approved by the Dane County Board and the Dane County Executive.

BE IT FURTHER RESOLVED, that the total financial contribution is \$15,000 and that the funds are currently available in the Walter R. Scheidegger Trust Fund.

BE IT FURTHER RESOLVED, that Dane County Park Commission, Dane County Board of Supervisors and County Executive hereby authorize the transfer of \$15,000 from the Scheidegger Trust fund to a new expense account. The new expense account LWRPKOP “Scheidegger Donald Park Bridges” shall be established with a budget of \$15,000.

Submitted by Supervisors Downing, Kostelic and Ripp, June 5, 2008.

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

RES. 38, 08-09

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 Haight, 51 Burrows Road, Madison 53704 (244-8155-H, 227-8111-W), to fill the expired term of William White. Mr. Haight is founder and president of Magna Publications, Inc., a producer of periodicals, conferences, and online seminar for higher educational institutions. Magna Publications produces the business magazine *In Business*. Magna Publications also produces four annual national conferences for college student leaders, advisors, and faculty. Mr. Haight is vice chair of the advisory board of the Greater Madison Convention & Visitors bureau, a board members of WPS Health Insurance Corporation, and a board member of the Mendota Gridiron Club. This term will expire 6/30/11.

Equal Opportunity Commission

Colleen E. Butler, 1505 Arrowood Drive, Madison 53704 (279-5522-H, 257-1436-W), due to the resignation of Regina Rhyne. Ms. Butler is Director of Community Outreach and Racial Justice Programming at the YWCA. She has a degree in Social Sciences and is working on her master’s degree in Intercultural Relations. In her current position, she does trainings with many different types of groups on race and discrimination. She also

trains trainers for other organizations so they can deliver sustainable diversity initiatives. She organizes an annual large community summit each year for hundreds of community stakeholders focusing on racial justice. Past summits have focused on creating a multicultural organization, creating a community of opportunity through housing equity, and racial disparity in the criminal justice system. 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 4/21/10.

Melinda Gustafson Gervasi, 5207 Manitowoc Pkwy, Madison 53705 (274-7192-H), to be reappointed. This term will expire 4/21/10.

Patricia D. Senter, 6630 Jacobs Way, Madison 53711 (274-8483-H, 821-4208-W), to be reappointed. This term will expire 4/21/10.

South Central Rail Transit Commission

Paul Ziehli, 925 Welch Street, Belleville 53508 (424-3858-H, 424-3341-W), to be reappointed. This term will expire 4/19/11.

Wisconsin River Rail Transit Commission

Jim Haefs-Flemming, 618 Charles Lane, Madison 53711 (233-8391-H, 327-7146-W), to be reappointed. This term will expire 4/19/11.

Submitted by Supervisor McDonell, June 5, 2008. Fiscal and Policy Notes not required.
Referred to EXECUTIVE.

RES. 39, 08-09

ACCEPTANCE OF GRANT FROM THE NORTH AMERICAN WETLAND CONSERVATION ACT

Dane County Parks, with 11 other partners, applied for a \$1,000,000 grant through the South Central Wisconsin Prairie Pothole Initiative from the North American Wetland Conservation Act. The application was approved for funding and Dane County's share is \$80,350 to be used on 4 specific wetland and upland restoration projects on county-owned lands. The purpose of the South Central Wisconsin Initiative is to provide and enhance waterfowl habitat within South Central Wisconsin. Dane County projects will include wetland restorations and prairie establishment within the Lower Mud Lake Resource Area, and site preparation for prairie planting within the Yahara Heights County Park Area.

NOW, THEREFORE, BE IT RESOLVED, that the Dane County Board of Supervisors and the Dane County Executive hereby accept grant awards from The North American Wetland Conservation Act totaling \$80,350.

BE IT FURTHER RESOLVED, that a new revenue account LWPKLNAQ "NAWCA IV Revenue" and a new expense account LWPKLNAQ "NAWCA IV Expense" be established for \$80,350 and that these funds be carried forward until expended.

Submitted by Supervisors Ripp and Kostelic, June 5, 2008.
Referred to PERSONNEL/FINANCE, ENVIRONMENT, AGRICULTURE & NATURAL RESOURCES and PARKS.

RES. 40, 08-09

**AUTHORIZING RENTAL LEASE BETWEEN THE ALLIANT ENERGY CENTER OF DANE COUNTY
AND FRIENDS OF WHA-TV**

The Friends of WHA-TV has negotiated one year lease with the Alliant Energy Center of Dane County for their WPT Garden Expo to be held February 12-15, 2009.

The lease with the Friends of WHA-TV includes rental and services in the amount of \$77,125.00.

In addition to the rental fee listed above all approved parking charges will be assessed for the Friends of WHA-TV event and additional revenues will be paid by the show for personnel, equipment and services provided to the show in addition to those specifically listed in the contract.

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

Submitted by Supervisors Opitz, Schmidt, Veldran, Martz, and Wiganowsky, June 5, 2008.
Referred to PERSONNEL/FINANCE and PUBLIC WORKS & TRANSPORTATION.

RES. 41, 08-09

**AUTHORIZING AN AGREEMENT WITH THE VILLAGE OF MCFARLAND FOR THE RECONSTRUCTION
OF CTH MN/FARWELL AND EXCHANGE STREET**

The Dane County Department of Public Works, Highway & Transportation and representatives of the Village of McFarland have determined that CTH "MN"/Farwell and Exchange Street is in need of reconstruction.

Funding for the design and construction of the project is to be accomplished in accordance with past policies of cost sharing on similar CTH projects. This project will be financed by Dane County and the Village of McFarland.

The Highway and Transportation Department will have sufficient funds budgeted in the CTH Construction program account HWCONCAP-59129.

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

BE IT FINALLY RESOLVED that any unexpended funds as of December 31, 2008, in account HWCONST-59129 be carried forward to 2009.

Submitted by Supervisors Miles, Opitz, Schmidt, Veldran, Martz, and Wiganowsky, June 5, 2008.
Referred to PERSONNEL/FINANCE and PUBLIC WORKS & TRANSPORTATION.

RES. 42, 08-09

AUTHORIZING AN AGREEMENT WITH THE VILLAGE OF ROCKDALE FOR THE RECONSTRUCTION OF CTH B/WATER STREET

The Dane County Department of Public Works, Highway & Transportation and representatives of the Village of Rockdale have determined that CTH "B"/Water Street is in need of reconstruction to urban.

Funding for the design and construction of the project is to be accomplished in accordance with past policies of cost sharing on similar CTH projects. This project will be financed by Dane County and the Village of Rockdale.

The Highway and Transportation Department will have sufficient funds budgeted in the CTH Construction program account HWCONCAP 59126.

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

BE IT FINALLY RESOLVED that any unexpended funds as of December 31, 2008, in account HWCONST-59126 be carried forward to 2009.

Submitted by Supervisors Salov, Opitz, Schmidt, Veldran, Martz, and Wiganowsky, June 5, 2008.
Referred to PERSONNEL/FINANCE and PUBLIC WORKS & TRANSPORTATION.

RES. 43, 08-09

AUTHORIZING AN AGREEMENT WITH THE VILLAGE OF OREGON FOR THE JURISDICTIONAL TRANSFER OF CTH "MM" WITHIN THE VILLAGE LIMITS AND THE RECONSTRUCTION OF CTH MM AND CTH CC INTERSECTION INCLUDING AREAS DISTURBED BY THE RECONSTRUCTION OF THE RAILROAD OVERHEAD

The Dane County Department of Public Works, Highway & Transportation and representatives of Village of Oregon have determined that a part of CTH "MM" located within the corporate limits of Oregon will be jurisdictionally transferred to the Village of Oregon, and will no longer be a County Trunk Highway.

The Dane County Department of Public Works, Highway & Transportation has drafted an agreement to cover the jurisdictional transfer and cost sharing for the reconstruction project on CTH MM at the intersection of CTH CC including the area disturbed by the reconstruction of the Railroad Overhead.

The Department of Public Works, Highway and Transportation has sufficient funds budgeted in the CTH Construction program accounts HWCONST-59081, -49094, and -59061, CTH MM Project. Funding for the design and construction of the project is to be accomplished in accordance with past policies of cost sharing on similar CTH projects.

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

BE IT FINALLY RESOLVED that any unexpended funds as of December 31, 2008, in the above mentioned accounts be carried forward to 2009.

Submitted by Supervisors Opitz, Schmidt, Veldran, and Jensen, June 5, 2008.
Referred to PERSONNEL/FINANCE and PUBLIC WORKS & TRANSPORTATION.

RES. 44, 08-09

AUTHORIZING ACCEPTANCE OF A NATURE CONSERVANCY GRANT

Dane County Department of Land & Water Resources has been awarded a grant from The Nature Conservancy in the amount not to exceed \$40,000 for 2008. Subject to the written agreement of both parties, the grant may be extended into 2009, for an additional \$40,000 for a total of \$80,000. This Grant is funded by an award from the McKnight Foundation to the Conservancy for work in the Mississippi River watershed.

The purpose of this grant is to fund the following conservation activities on the Pleasant Valley Branch of the Pecatonica River:

- By December 31, 2008, revise and update conservation plans, including the farm inventory, as part of data collection in a paired watershed study to evaluate the Wisconsin Buffer Initiative (WBI).
- By December 31, 2008, identify landowners and encourage their participation in implementing conservation practices that will result in the largest improvement to water quality and aquatic habitat based on models created by the WBI.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors and the Dane County Executive hereby accept grant award from The Nature Conservancy totaling \$40,000 , up to \$80,000 if the grant is extended into 2009, for the purposes identified in the grant proposal.

BE IT FURTHER RESOLVED that a new revenue account be established for \$40,000 as LWRCONSV Nature Conservancy Grant Revenue and to establish a new expense account LWRCONSV Nature Conservancy Grant Expense for \$5,000. These funds shall be carried forward until realized and expended.

Submitted by Supervisors Downing, Jensen, Bruskwitz, Gau and Wheeler, June 5, 2008.

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

RES. 45, 08-09

**ACCEPTING STATE / CHILDREN'S TRUST FUND COMMUNITY RESPONSE GRANT MONIES;
CREATING REVENUE AND EXPENDITURE LINES**

DEPARTMENT OF HUMAN SERVICES - DIVISION OF CHILDREN, YOUTH, AND FAMILIES

The Division of Children, Youth, and Families accepts State / Children's Trust Fund *Community Response Grant* monies in the amount of \$25,000 via this Resolution. (Actual award is for \$50,000 for state fiscal year July 1, 2008 – June 30, 2009.)

The Division and Children's Service Society of Wisconsin (CSSW) will develop a model Community Response Program to support families in the Sun Prairie service area. The Program's primary goal will be to prevent child maltreatment and to assist parents provide a nurturing environment for their children. A newly-hired CSSW 'Family Resource Specialist' (0.8 FTE) will serve approximately 40 families in need of services.

NOW, THEREFORE, BE IT RESOLVED that the following revenue account be created and that the revenue 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 81xxx | Children's Trust Fund | \$ 25,000 |
| | | |
| <u>Expenditure Account Numbers</u> | <u>Account Titles</u> | <u>Amount</u> |
| CYFACCS CPCRAA | Community Response | \$ 25,000 |

Submitted by Supervisors Worzala, Vedder, Wheeler, Bruskewitz and Stubbs, June 5, 2008.
 Referred to HEALTH & HUMAN NEEDS and PERSONNEL/FINANCE.

- Claim from attorney Allen Zwernemann re: client Christopher Wittenburg against Public Works for injury sustained at Alliant Energy Center. Referred to PUBLIC PROTECTION & JUDICIARY.
- Claim from Kevin Walske against Highway for damage to vehicle. Referred to PUBLIC PROTECTION & JUDICIARY.
- Claim from Robert Allen against Jail for missing clothing. Referred to PUBLIC PROTECTION & JUDICIARY.
- Claim from Eliot & Julia Mason against Sheriff for damage to vehicle. Referred to PUBLIC PROTECTION & JUDICIARY.
- Summons from Attorney Murphy Desmond re. Foreclosure of Mortgage of Michael R. Adams and Melissa Tietz. Referred to PUBLIC PROTECTION & JUDICIARY.
- Communication from attorney Murphy & Pressentin, LLC re. Zabinski vs Skemp, Milwaukee Co. Case. 008CV1668. Referred to: PUBLIC PROTECTION & JUDICIARY.
- Columbia Co. Res. 16-08 – Requesting Governor and State Legislators Enact Legislation to Restrict the Transportation User Fee to its Original Intent Thus Segregating Fuel Tax Revenues and Vehicle Registration Fees Specifically for the Transportation Fund. Referred to EXECUTIVE.
- Kewaunee Co. Res. 2-5-08 – Resolution Supporting Enactment of Legislation to Reinstate Passport Acceptance Fees to \$30 for Counties. Referred to EXECUTIVE.
- Waupaca Co. Res. 2 (2008-2009) – Requesting the State of Wisconsin Department of Corrections increase reimbursement payments for state probation and parole prisoners held in the Waupaca County Jail. Referred to EXECUTIVE.
- Waupaca Co. Res. 3 (2008-2009) – Opposing the Wisconsin Office of Justice Administration proposal to utilize the federal assistance allocation to fund a statewide VHR digital trunking system. Referred to EXECUTIVE.
- Brown Co., - Opposition to H.R. 2421, The Clean Water Restoration Act of 2007. Referred to EXECUTIVE.
- Portage Co. Res. 20-2008-2010 – Retaining Local Access to CTH X and I-39 at Mile 165, Wisconsin Department of Transportation Project ID Number 6351-00-00. Referred to EXECUTIVE
- Portage Co. Res. 19-2008-2010 – Resolution Requesting that the Governor and State Legislators Enact Legislation to Re-emphasize the Transportation User Fee Concept Which Will Allocate Fuel Tax Revenues and Vehicle Registration Fees to the Transportation Fund to Be Used Exclusively for Transportation Related Purposes. Referred to EXECUTIVE.
- Portage Co. Res. 28-2008-2010 Amended – Supporting the Hospital Assessment in the Budget Repair Bill as a Way to Capture More Federal Dollars for Wisconsin and Alleviate the Impact of Medicaid Cost-Shifting. Referred to EXECUTIVE.
- Petitions for Zoning Reclassification. Referred by Clerk Ohlsen to ZONING & LAND REGULATION.
 - Petition 9891 – Town of Dunn – Patricia Babcock Revocable Trust
 - 9894 – Town of Dunn – Ross Molot

9895 – Town of Cross Plains – Jerry Howery
9896 – Town of Vienna – JRO Enterprises LLC
9897 – Town of Berry – Thomas Linley
9898 – Town of Berry – Bridget Sauer
9899 – Town of Blue Mounds – Dennis Jelle
9901 – Town of Pleasant Springs – Mark Bolender et. al.
9902 – Town of Black Earth – John Halverson
9903 – Town of Sun Prairie – Ginger Freitag
9904 – Town of Medina – John Chadwick
9916 – Town of Christiana – Gary Rattmann
9917 – Town of Rutland – Bulls LLC et. al.
9918 – Town of Mazomanie – Carter Hudson LLC
9919 – Town of Dane – Roman A. Maier Le
9925 – Town of Dunkirk – Kent Miller

RES. 46, 08-09

AWARD OF CONTRACT FOR LAKEVIEW BRICK TUCKPOINTING – PHASE II

The Department of Public Works, Highway & Transportation reports the receipt of bids for the Brick Tuckpointing – Phase II on the Lakeview Building, Bid No. 108059.

A complete tabulation is on file at the Department of Public Works office. The low qualified bidder is:

Pukall Co., Inc.
752 Beech Street
Grafton, WI 53024-1847

BID AMOUNT: \$352,900.00

The Public Works staff finds the amount to be reasonable and recommends the bid be awarded to Pukall Co., Inc.

NOW THEREFORE, BE IT RESOLVED that a Contract be awarded to Pukall Co., Inc. in the amount of \$352,900.00; and

BE IT FURTHER RESOLVED that the County Board and the County Executive approve expenditure for this project in advance of borrowing; 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 \$20,000 or more than 10% of the original approved Contract amount, whichever is smaller.

Submitted by Supervisor Opitz. June 10, 2008 Referred to PERSONNAL & FINANCE and PUBLIC WORKS & TRANSPORTATION.

ORD. AMDT. 9, 08-09

**AMENDING CHAPTER 15 OF THE DANE COUNTY CODE OF ORDINANCES,
AUTHORIZING APPOINTMENT OF TWO ALTERNATE MEMBERS TO
THE BOARD OF ADJUSTMENT**

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 15.14 is amended to read as follows:

15.14 BOARD OF ADJUSTMENT. (1) The board of adjustment shall consist of five members and two alternate members who shall reside in Dane County outside of the incorporated areas, but not more than one member shall reside in the same town.

(2) The members shall serve staggered three-year terms which shall expire on June 30th or as soon thereafter as their successors are appointed and qualified. The alternate members shall serve staggered two-year terms which shall expire on June 30th or as soon thereafter as their successors are appointed and qualified. To stagger the terms of members, one member shall be appointed in one year and two members shall be appointed in each of the other two years of the three-year cycle. To stagger the terms of alternate members, one member shall be appointed each year of the two-year cycle.

(3) Annually, the county executive shall designate one of the alternate members as the first alternate and the other as the second alternate. The first alternate shall act, with full power, only when a member of the board of adjustment refuses to vote because of a conflict of interest or when a member is absent. The second alternate shall act only when the first alternate refuses to vote because of a conflict of interest or is absent, or if more than one member of the board of adjustment refuses to vote because of a conflict of interest or is absent.

(34) The members and alternate members of the board of adjustment shall receive the same per diem and mileage paid to county board supervisors for attendance at standing committee meetings.

(45) The board of adjustment may call upon the zoning administrator to provide such staff assistance as may be required to carry out its functions.

(56) The board of adjustment shall exercise the following powers and responsibilities:

(a) To hear and decide appeals where it is alleged that there has been an error in any order, requirement, decision or determination made by the zoning administrator in the enforcement of the zoning ordinance or section 59.97 of the Wisconsin Statutes;

(b) To hear and decide petitions for special exceptions to the terms of the zoning ordinance upon which the board is required to pass under the provisions of the zoning ordinance; and

(c) To authorize upon appeal in specific cases such variance from the terms of the ordinance as will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provisions of the ordinance will result in unnecessary hardship, and that the spirit of the ordinance shall be observed and substantial justice done.

[EXPLANATION: This amendment provides for the appointment of two alternate members to the Board of Adjustment as required by state statute, and specifies their term and when an alternate member may act.]

Submitted by Supervisors Downing, Vogel, Gau, and Salov, June 19, 2008.

Referred to EXECUTIVE and ZONING & LAND REGULATION.

ORD. AMDT. 10, 08-09

**AMENDING CHAPTER 15 OF THE DANE COUNTY CODE OF ORDINANCES, INCREASING
THE NUMBER MEMBERS ON THE CULTURAL AFFAIRS COMMISSION**

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

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

ARTICLE 2. Subsections (1) and (2) of section 15.33 are amended to read as follows:

15.33 **CULTURAL AFFAIRS COMMISSION.** (1) The cultural affairs commission shall consist of ~~eleven (11)~~ thirteen (13) members, three (3) of whom shall be county board supervisors and ~~eight (8)~~ ten (10) of whom shall be citizen members.

(2) The county supervisor members shall serve two-year concurrent terms ending on the third Tuesday in April of the even-numbered years or as soon thereafter as successors are appointed and qualified. The citizen members shall serve staggered three-year terms which shall expire on June 30 or as soon thereafter as their successors are appointed and qualified. ~~To stagger the terms of non-supervisor members, two non-supervisor members shall be appointed in each year of the three-year term cycle.~~

[EXPLANATION: This amendment increases the number of members on the Cultural Affairs Commission from 11 to 13, said increase being of the citizen members.]

Submitted by Supervisors Downing, Opitz, and Bruskewitz, June 19, 2008.
Referred to EXECUTIVE and CULTURAL AFFAIRS COMMITTEE.

ORD. AMDT. 11, 08-09

**AMENDING CHAPTER 34 OF THE DANE COUNTY CODE OF ORDINANCES,
PROHIBITING SMOKING IN CERTAIN 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 34.07 is repealed and recreated to read as follows:

34.07 SMOKING PROHIBITED IN CERTAIN AREAS. (1) *Purpose and intent.* (a) The Dane County Board of Supervisors hereby finds that:

1. It is recognized that smoking of cigarettes and tobacco products is hazardous to an individual's health and may affect the health of non-smokers when they are involuntarily in the presence of smoking.

2. Numerous scientific studies have found that tobacco smoke is a major contributor to indoor air pollution.

3. Reliable scientific findings, including those by the Surgeon General of the United States, have shown that breathing sidestream or secondhand smoke is a significant health hazard to non-smokers; particularly to children, elderly people, individuals with cardiovascular disease and individuals with impaired respiratory function, including asthmatics and those with obstructive airway disease.

4. Health hazards induced by breathing sidestream or secondhand smoke include lung cancer, respiratory infection, decreased respiratory function, decreased exercise tolerance, bronchoconstriction and bronchospasm.

5. Reliable scientific studies assessed by the California Environmental Protection Agency have found that sidestream and secondhand tobacco smoke is a leading cause of premature death and disability among non-smokers.

6. Air pollution caused by smoking is an offensive annoyance and irritant. Smoking results in serious and significant physical discomfort to non-smokers.

(b) This ordinance is adopted for the purpose of protecting the public health, safety, comfort and general welfare of the people of Dane County, especially recognizing the rights of non-smokers, who constitute a majority of the population; educating citizens affected by this ordinance; and assisting owners, operators and managers in maintaining compliance.

(2) Authority. This ordinance is enacted under the authority of sections 59.03, 59.51 and 101.123 of the Wisconsin Statutes.

(3) Definitions. As used in this section, the following words and phrases shall have the meanings indicated:

(a) Bed and breakfast establishment has the meaning set forth in sec. 254.61(3), Wis. Stats.

(b) Childcare facility means any state licensed or county certified child care facility including, but not limited to, licensed family day care or licensed group day care centers, licensed day camps, certified school-age programs and Head Start programs.

(c) Chewing tobacco means plug and twist tobacco; fine cut and other chewing tobaccos; snuff, snuff flour, cavendish; refuse scraps, clippings, cuttings and sweepings of tobacco and other kinds and forms of tobacco prepared in such manner as to be suitable for chewing.

(d) Cigarette means any roll of tobacco wrapped in paper or any substance other than chewing tobacco or tobacco products.

(e) County buildings means all County-owned and operated buildings and those portions of buildings leased and operated by the County.

(f) Common areas of buildings means all areas not part of a tenant's leased premises including, but not limited to, lobbies, community rooms, hallways, laundry rooms, stairwells, elevators, enclosed parking facilities, pool areas and restrooms contiguous thereto.

(g) Common areas of malls means those areas within a mall customarily accessible to patrons.

(h) Educational facility means any building used principally for educational purposes in which a school is located or a course of instruction or training program is offered that has been approved or licensed by a state agency or board.

(i) Employee means any person who is employed by any employer for direct or indirect monetary wages or profit including those full-time, part-time, temporary or contracted for from a third party. Employee also means any person who serves as a volunteer for a business or nonprofit entity.

(j) Employer means any person, partnership, limited liability company, corporation or other entity, including a public or non-profit entity who employs the services of one (1) or more individual persons.

(k) Enclosed area means all space between a floor and ceiling which is enclosed on all sides by solid walls or windows (exclusive of door or passage ways) which extend from floor to ceiling, including all space therein screened by partitions which do not extend to the ceiling or are not solid, 'other landscaping' or similar structures.

(L) Entrance means a doorway and adjacent area which gives direct access to a building from a contiguous street, plaza, sidewalk or parking lot.

(m) Food means a raw, cooked or processed edible substance or ingredient used or intended for use or for sale in whole or in part for human consumption. It does not include ice, beverages or chewing gum.

(n) Health care facility has the meaning set forth in sec. 155.01(6), Wis. Stats.

(o) Hotel and motel has the meaning set forth in sec. 254.61(3), Wis. Stats.

(p) Mall means an enclosed, indoor area containing common areas and discrete businesses primarily devoted to the retail sale of goods and services.

(q) Medical services has the meaning set forth in sec. 647.01(6), Wis. Stats.

(r) Non-smoking means smoking is prohibited.

- (s)** Person in charge means the person who ultimately controls, governs or directs the activities aboard a public conveyance or within or at a place where smoking is regulated under this section, regardless of the person's status as owner or lessee.
- (t)** Place of employment means an enclosed area controlled by the employer, which employees normally frequent during the course of employment including, but not limited to, work areas, employee lounges and restrooms, conference and classrooms, employee cafeterias and hallways. A private residence is not considered a place of employment within the meaning of this ordinance unless used as a childcare facility.
- (u)** Private residence means premises owned, rented or leased for temporary or permanent habitation.
- (v)** Public place means any enclosed area to which the public is invited or in which the public is permitted. A private residence is not a public place.
- (w)** Restaurant means an establishment defined in sec. 254.61(5), Wis. Stats., in which the sale of alcohol beverages accounts for fifty percent (50%) or less of the establishment's gross receipts of the most recent alcohol licensing year, but does not mean churches, religious, fraternal, youth or patriotic organizations, service clubs and civic organizations which prepare and serve or sell meals to members and guests only. This includes restaurants within a mall and adjacent seating.
- (x)** Room means a space within a building completely enclosed with walls, partitions, floor and ceiling, except for openings for light, ventilation, ingress and egress.
- (y)** Smoke free means absence from the ambient air of the smoke by-product from the burning, inhaling, exhaling or carrying of a lighted cigarette, cigar, pipe, weed, plant or other combustible substance, in any manner in any form.
- (z)** Smoking means to smoke or carry a lighted pipe, cigar, cigarette or tobacco-related product in any form.
- (aa)** Sports arena means sports pavilions, stadiums, gymnasiums, health spas, boxing arenas, swimming pools, roller and indoor ice rinks and bowling centers.
- (bb)** Tavern means any establishment with a full service bar in which fermented malt beverages or intoxicating liquors are sold for consumption upon said premises and whose sale of alcohol beverages accounts for more than fifty percent (50%) of the establishment's gross receipts of the most recent licensing year.
- (cc)** Tobacco product means cigars; cheroots; stogies; periques; granulated, plug cut, crimp cut, ready-rubbed and other smoking tobacco; shorts; refuse scraps, clippings, cuttings and sweepings of tobacco; and other kinds and forms of tobacco prepared in such a manner as to be suitable for smoking in a pipe or otherwise smoking; but tobacco product does not include cigarettes or chewing tobacco.
- (dd)** Use tobacco products means to consume by means other than smoking including, but not limited to, the chewing, spitting, swallowing, snorting, inhaling or ingesting of any tobacco product.
- (4)** Prohibition of smoking in public places. Except as otherwise provided, it shall be unlawful for any person to smoke or use tobacco products in public places including, but not limited to, the following:
- (a)** Elevators and enclosed stairwells of County parking ramps.
- (b)** Public forms of transportation including, but not limited to, motor buses, taxicabs or other public passenger vehicles.
- (c)** Theatres, libraries, museums, auditoriums and convention halls.
- (d)** Childcare facilities. Incorporated herein by reference are the following Wisconsin statutory and administrative code sections and any amendments or renumbering thereof: Sec. 101.123(1)(ad) and (2)(bm), Wis. Stats; Secs. HFS 45.02(4), 45.06(8)(g), 46.03(13), 46.06(2)(h) and 46.08(2)(c), Wis. Admin. Code.
- (e)** Retail stores.
- (f)** Health care facilities.
- (g)** Waiting rooms, hallways and rooms of health care laboratories.
- (h)** Waiting rooms, hallways and rooms in offices of any physician, dentist, psychologist, chiropractor, optometrist or optician, or other medical services provider.
- (i)** Meeting and conference rooms in which people gather for educational, business, professional, union, governmental, recreational, political or social purposes.
- (j)** Polling places.

- (k) Service lobbies, waiting areas and the common areas open to the public of financial institutions, business and professional offices and multi-unit commercial facilities.
- (l) Self-service laundry facilities.
- (m) Enclosed, indoor areas of restaurants.
- (n) Common areas of malls.
- (o) Public bus and transfer point shelters.
- (p) Common areas of buildings which contain three or more rental units. Written rental agreements shall include reference to this subsection. Subsection (9)(b) shall not apply to this subsection.
- (q) County buildings.
- (r) County-owned or leased motor vehicles.
- (s) Sports arenas.
- (t) Taverns.
- (u) Common areas in bed and breakfast establishments, hotels and motels, and at least 75% of rooms that are rented to guests.
- (v) Educational facilities.
- (5) Prohibition of smoking in outdoor areas. It shall be unlawful for any person to smoke or use tobacco products in the following outdoor areas.
- (a) Within a distance of 15 feet outside entrances, operable windows and ventilation systems of enclosed areas where smoking is prohibited, so as to insure that tobacco smoke does not enter those areas.
- (b) County parks and beaches as posted and so designated by the Park Commission.
- (6) Prohibition of smoking in places of employment. It shall be unlawful for any person to smoke or otherwise use any tobacco products in all places of employment.
- (7) Smoking paraphernalia. Ashtrays, cigarette vending machines and other smoking paraphernalia shall not be located in areas where smoking is prohibited by this ordinance.
- (8) Exceptions. The following areas shall not be subject to the restrictions of this section:
- (a) Bed and breakfast, hotel and motel rooms that are rented to guests and are designated as smoking rooms, provided that not more than twenty-five percent (25%) of rooms may be so designated.
- (b) Private residences, except when used as a childcare or health care facility.
- (9) Signage. (a) "No Smoking" signs or the international "No Smoking" symbol (consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a red bar across it) shall be clearly and conspicuously posted in every public place and place of employment where smoking is prohibited by this section, said signage being posted by the owner, operator, manager or other person in control of the place.
- (b) Restaurants and taverns shall post, in a conspicuous place at each entrance normally used by the public, a sign not smaller than eleven inches by eight and one-half inches (11" x 8 1/2 ") stating that smoking is prohibited. The signage lettering shall be in bold and the lettering shall be a minimum of two (2) inches in height. Each sign shall contain the telephone number for the City-County Health Department and the non-emergency number for the Dane County Sheriff's Office.
- (c) It shall be unlawful for any person to remove, deface or destroy any sign required by this section.
- (10) Enforcement. (a) The Director of Public Health or his or her designee and the Sheriff or his or her designee shall have the authority to enter upon the premises named in this section to ascertain compliance with this ordinance. Each day that a violation exists shall constitute a separate offense. Enforcement may be by citation, as permitted by s. 2.02(10), or through referral to the corporation counsel's office for prosecution for injunctive relief and daily forfeitures.
- (b) The proprietor, employer or other person in charge of premises regulated hereunder, upon either observing or being advised of a violation, shall make reasonable efforts to prevent smoking in prohibited areas by:
1. Approaching smokers who fail to voluntarily comply with this section and requesting that they extinguish their cigarette or tobacco product and refrain from smoking, or
 2. Refusing service to anyone smoking in a prohibited area, or
 3. Contacting local law enforcement if the person refuses to comply if actions in 1. and 2. above are unsuccessful.

(11) Retaliation prohibited. No person shall discharge, refuse to hire, refuse to serve, or in any manner retaliate against any employee, applicant for employment, customer, service user, business patron or any other person who exercises any rights afforded by this section.

(12) Penalties. (a) A person who smokes in an area where smoking is prohibited by the provisions of this section shall be subject to a forfeiture of not more than one hundred dollars (\$100).

(b) A person who owns, manages, operates or otherwise controls a public place or place of employment and who fails to comply with the provisions of this section shall be subject to a forfeiture as follows:

1. not exceeding one hundred dollars (\$100) for a first violation;

2. not exceeding two hundred dollars (\$200) for a second violation within one (1) year; and

3. not exceeding five hundred dollars (\$500) for each additional violation within one (1) year.

(13) Severability. Should any subsection, clause or provision of this section be declared by the courts to be invalid, the same shall not affect the validity of the section as a whole or to any part thereof, other than the part so declared to be invalid.

ARTICLE 3. NON-CODE PROVISION: This amendment shall first take effect 90 days after the date of publication.

Submitted by Supervisors Opitz, McDonell, Bayrd, de Felice, Erickson, Schmidt, Richmond, Hulsey, Wheeler, Miles, Matano, Vedder, Manning, Hendrick, and Rusk, June 19, 2008.
Referred to EXECUTIVE, HEALTH & HUMAN NEEDS, PUBLIC PROTECTION & JUDICIARY, and BOARD OF HEALTH.

ORD. AMDT. 12, 08-09

AMENDING CHAPTER 82 OF THE DANE COUNTY CODE OF ORDINANCES, INCORPORATING THE TOWN OF DUNN COMPREHENSIVE PLAN INTO THE DANE COUNTY COMPREHENSIVE PLAN

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

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

ARTICLE 2. Section 82.55(14) is amended to read as follows:

82.55 INCORPORATION OF TOWN PLANS. The following town plans are incorporated into the Dane County Comprehensive Plan:

(14) Town of Dunn Comprehensive Plan, including all amendments adopted by the county board of supervisors ~~as part of the Dane County Farmland Preservation Plan as of February 4, 1999~~ [codifier to insert date of county board adoption of this amendment].

[EXPLANATION: This amendment adopts the Town of Dunn Comprehensive Plan and incorporates it into the Dane County Comprehensive Plan.

Submitted by Supervisor Miles, June 19, 2008.
Referred to ENVIRONMENT, AGRICULTURE & NATURAL RESOURCES, and ZONING & LAND REGULATION

RES. 47, 08-09

DANE COUNTY URGES CITIES AND VILLAGES TO ENACT SMOKE FREE ORDINANCES

Smoking and inhaling second-hand smoke is harmful to human health. A report issued by the U.S. Surgeon General in 2006 supports public policy initiatives to limit exposure to smoke. It states, "The debate is over, the science is clear. Secondhand smoke is a serious health hazard that causes premature death and disease." The U.S. Surgeon General confirmed that the only way to provide health protection from secondhand smoke is a 100% smoke-free indoor air environment. "Ventilation and separate seating sections do not provide adequate health protection," the report concludes.

Several states, counties, and cities across the United States have enacted ordinances banning smoking in public places. Providing health protection from secondhand smoke is now a national trend. More than half the population of the United States is now covered by a state or local law making restaurants and bars smoke-free.

Although earlier this year the Wisconsin State Legislature failed to approve legislation to ban smoking in bars and restaurants statewide, several local municipalities have enacted ordinances. The City of Madison and the City of Fitchburg both prohibit smoking in bars and restaurants. The City of Monona has approved an ordinance banning smoking which will take effect on June 1, 2009. Efforts are underway in other communities as well, including the City of Middleton, and by Dane County to prohibit smoking in the county's unincorporated areas. State statutes do not provide counties with the authority to enact an ordinance that would be in effect in incorporated areas.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors urges the cities and villages of Dane County to enact local ordinances by June 1, 2009 to ban smoking in bars and restaurants to protect the public health.

BE IT FINALLY RESOLVED that a copy of this resolution be sent to the presidents and clerks of the villages of Belleville, Black Earth, Blue Mounds, Brooklyn, Cambridge, Cottage Grove, Cross Plains, Dane, Deerfield, DeForest, Maple Bluff, Marshall, Mazomanie, McFarland, Mount Horeb, Oregon, Rockdale, Shorewood Hills, and Waunakee; and to the mayors and clerks of the cities of Edgerton, Fitchburg, Madison, Middleton, Monona, Stoughton, Sun Prairie, and Verona.

Submitted by Supervisors Opitz, McDonnell, Bayrd, Erickson, Richmond, Hulsey, Matano, Hampton, Veldran, Miles, Solberg, de Felice, Schmidt, Vedder, Stoebig, Wheeler, Rusk, Kostelic, Hendrick, and Manning, June 19, 2008.
Referred to EXECUTIVE.

RES. 48, 08-09

**AUTHORIZATION TO PURCHASE A STREAMBANK EASEMENT ON THE
WEST BRANCH SUGAR RIVER AND PRIMROSE BRANCH –
Marsha Ralston-Edlinger**

Dane County has negotiated the purchase of a 33-foot wide streambank easement on land owned by Marsha Ralston-Edlinger in the Town of Primrose. The easement is located along approximately 7,100 feet of the West Branch Sugar River and 1,600 feet of the Primrose Branch; both streams are identified as Tier I Stream Project Areas in the *Dane County 2006 – 2011 Parks & Open Space Plan*. The purpose of this

easement is to provide permanent public trout fishing access, protect water quality, and improve wildlife and fish habitat.

The purchase price of the Streambank Easement has been established at \$100,700. This is a partner project between the County and the Department of Natural Resources (DNR). The DNR is contributing \$47,250 toward the purchase price, while the remaining \$53,450 is available in the Dane County Land and Water Legacy Fund. The purchase price is based on a sales study completed by a general certified appraiser. The sales study provides a formula for calculating values throughout the project area that takes into account the approximate amount of stream frontage and acreage of land within the streambank easement corridor.

NOW, THEREFORE, BE IT RESOLVED, that the Dane County Board of Supervisors and the Dane County Executive hereby authorize the purchase of the Streambank Easement plus associated costs and according to Wisc. Stats. 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 revenue account LWLEGACY Streambank Easement Revenue and the expense account LWLEGACY 58701 Streambank Easement Expense be increased by \$47,250. These funds shall be carried forward until expended.

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.

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 transaction.

Submitted by Supervisors Downing, Kostelic, and Ripp, June 19, 2008.
Referred to PERSONNEL & FINANCE, PUBLIC WORKS & TRANSPORTATION, and ENVIRONMENT, AGRICULTURE & NATURAL RESOURCES.

RES. 49, 08-09

AUTHORIZING THE CREATION OF JAIL CLERK PRE-HIRE POSITION

Jail Clerks are non-sworn positions that are critical to the operation of the Dane County Jail. Jail Clerks are assigned to all shifts and are on duty 24 hours per day 365 days a year. 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 and Sheriff's Aide ranks. Since the positions are funded for only half of the year the savings compared to overtime costs are significant.

The purpose of this resolution is to create one Jail Clerk pre-hire position. Funding for the position, which is 1/2 of the annual cost of a position, will come from funds allocated for one current Sheriff's Aide pre-hires. One of the current two Sheriff's Aide pre-hire positions will continue to exist.

NOW, THEREFORE, BE IT RESOLVED that the County will create one Jail Clerk pre-hire position.

BE IT FURTHER RESOLVED that the funding of one Sheriff's Aide pre-hire and an additional \$2,470 from the general fund be used to fund one new Jail Clerk pre-hire position.

BE IT FINALLY RESOLVED that the two Sheriff's Aide pre-hire positions remain as an authorized, unfunded position.

Submitted by Supervisors Rusk, Bayrd, Willett, Kostelic, Hesselbein, Schlicht, and Hampton, June 19, 2008. Referred to PERSONNEL & FINANCE, and PUBLIC PROTECTION & JUDICIARY.

RES. 50, 08-09

AUTHORIZING A CONTRACT TO ACCEPT HIGHWAY SAFETY GRANT FUNDS FOR A COMMUNITY TRAFFIC SAFETY PROJECT "2008 SUMMER EVENTS."

The Department of Transportation, Bureau of Transportation Safety, State of Wisconsin, is making funds available for participation in an Alcohol Enforcement Initiative. The goal of the federally funded contract is to reduce the number of alcohol related crashes by persons leaving area festivals and community events. The grant will not only include added enforcement hours but monies for a "Safe Rider Program" and a media plan.

NOW, THEREFORE BE IT RESOLVED that the Sheriff's Office is hereby authorized to accept \$2,200 from the Department of Transportation, Bureau of Transportation Safety for a 2008 Summer Events grant. \$835 is to be used by the Dane County Sheriff's Office for Alcohol Enforcement, \$807 is to be used by the Dane County Sheriff's Office for an extensive media plan and \$558 is to be used to contract with Student's First Bus Company to provide a bus for the event.

BE IT RESOLVED that \$2,200 be set up as additional revenue in the Sheriff, Field Services Community Safety Project revenue account (SHRFFLD 80708) and be credited to the general fund

BE IT FURTHER RESOLVED that \$2,200 be transferred from the general fund to the following accounts:

Sheriff's Office Field Services Division:

| | |
|-------------------------------|----------|
| Overtime-ClickIt/Safe & Sober | \$631.76 |
| Social Security | \$ 48.33 |
| Retirement Fund | \$135.20 |
| Workers Compensation | \$ 19.71 |
| Sub-Total | \$835.00 |
| Media Account-SHRFFLD 21530 | \$807.00 |
| Contractual Services | \$558.00 |
| TOTAL | \$2,200 |

BE IT FINALLY RESOLVED that any funds authorized in this resolution that are not expended or received as of December 31, 2008 be carried forward to 2009.

Submitted by Supervisors Rusk, Bayrd, Willett, Kostelic, Schlicht, Hesselbein, and Hampton, June 19, 2008. Referred to PERSONNEL & FINANCE, and PUBLIC PROTECTION & JUDICIARY.

RES. 51, 08-09

**AUTHORIZING ACCEPTANCE OF TRAINING AND CEDAP EQUIPMENT FROM
US DEPARTMENT OF HOMELAND SECURITY**

The Dane County Sheriff's Office has been awarded a grant from the US Department of Homeland Security (HSD), Federal Emergency Management Agency (FEMA), who administers the Commercial Equipment Direct Assistance Program (CEDAP). This grant supports Dane County's desire to utilize the XOA Portable Video Surveillance System. The system includes one long range camera, two fixed focal length Lipstick Cameras, one fixed focal length black and white camera, and 40GB USB removable hard drive.

The Dane County Sheriff's Office will be awarded fully-funded training for one attendee, and a XOA Series Portable Video Surveillance System. The equipment is contingent upon completion of the required training.

NOW, THEREFORE BE IT RESOLVED that the Sheriff's Office be permitted to accept the CEDAP Grant providing fully-funded training, travel, lodging and an allowance for one person, and the XOA Series Portable Video Surveillance System Grant, administered by the Department of Homeland Security, FEMA, National Preparedness Directorate.

Submitted by Supervisors Rusk, Willet, Kostelic, Hesselbein, Schlicht, and Hampton, June 19, 2008.
Referred to PERSONNEL & FINANCE, and PUBLIC PROTECTION & JUDICIARY.

RES. 52, 08-09

AMENDING THE TOWN OF DUNN PORTION OF DANE COUNTY FARMLAND PRESERVATION PLAN

On [insert date], the County Board adopted the *Town of Dunn Comprehensive Plan* as a component of the *Dane County Comprehensive Plan*. Pages 2-1 through 2-7 of that plan, and the Future Land Use map (Map 1), represent the town's Agricultural Preservation Area policies and are proposed by the town to maintain eligibility for farmland preservation tax credits under Chapter 91 of the Wisconsin Statutes.

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 pages 2-1 through 2-7 and the Future Land Use map (Map 1) of the *Town of Dunn Comprehensive Plan* as an amendment to the *Dane County Farmland Preservation Plan*.

Submitted by Supervisor Miles, June 19, 2008.
Referred to ENVIRONMENT, AGRICULTURE & NATURAL RESOURCES, and ZONING & LAND REGULATION.

RES. 53, 08-09

**AWARD OF CONTRACT FOR
VETERANS MEMORIAL COLISEUM ROOF REPLACEMENTS**

The Department of Public Works, Highway & Transportation reports the receipt of bids for the Veterans Memorial Coliseum Roof Replacements, Bid No. 108069.

A complete tabulation is on file at the Department of Public Works office. The low qualified bidder is:

TOTAL AMOUNT: \$ _____

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

NOW, THEREFORE, BE IT RESOLVED that a 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 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 \$20,000 or more than 10% of the original approved Contract amount, whichever is smaller.

Submitted by Supervisors Opitz, Martz, and Schmidt, June 19, 2008.
Referred to PERSONNEL & FINANCE, PUBLIC WORKS & TRANSPORTATION.

RES. 54, 08-09

**AWARD OF CONTRACT FOR
FENCING & DAM REPAIRS AT STEWART LAKE**

The Department of Public Works, Highway & Transportation reports the receipt of bids for the Fencing & Dam Repairs at Stewart Lake, Mt. Horeb, Bid No. 108060.

A complete tabulation is on file at the Department of Public Works office. The low qualified bidder is:

Miron Construction Co., Inc.

1471 McMahon Drive

Neenah, WI 54956

TOTAL AMOUNT: \$58,558.00

The Public Works staff finds the amount to be reasonable and recommends the bid be awarded to Miron Construction Co., Inc.

NOW, THEREFORE, BE IT RESOLVED that a Contract be awarded to Miron Construction Co., Inc. in the amount of \$58,558.00; 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 \$20,000 or more than 10% of the original approved Contract amount, whichever is smaller.

Submitted by Supervisors Opitz, Martz, Schmidt, and Veldran, June 19, 2008.
Referred to PERSONNEL & FINANCE, PUBLIC WORKS & TRANSPORTATION, and ENVIRONMENT, AGRICULTURE & NATURAL RESOURCES.

RES. 55, 08-09

AUTHORIZING BADGER ROAD LEASE FOR JOINING FORCES FOR FAMILIES PROGRAM

Dane County Department of Human Services is involved in a program of providing more localized services in the communities identified as needing those services most. One such program is the Joining Forces for Families (JFF) Program. The Joining Forces for Families program has secured office space in a building owned by Spellman Properties, LLC, and this space is located at 818 W. Badger Road, Suite 106, Madison, Wisconsin. JFF will play a strong role in this community. This resolution is to pay for the monthly rental payment of \$900 per month to cover costs related to occupying this space during the lease years of 05/01/08 to 04/30/11.

The space will be utilized by a Dane County Community social worker and other JFF partners. The total rate for the first year term period is \$10,800. All utilities are included except for telephone.

NOW, THEREFORE, BE IT RESOLVED that Dane County enter into a lease with Spellman Properties, LLC, for 2008; 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 Stubbs, Wheeler, and Bruskewitz, June 19, 2008.
Referred to HEALTH & HUMAN NEEDS, PERSONNEL & FINANCE, and PUBLIC WORKS & TRANSPORTATION.

RES. 56, 08-09

**AUTHORIZING RUSSETT ROAD LEASE FOR
JOINING FORCES FOR FAMILIES PROGRAM**

Dane County Department of Human Services is involved in a program of providing more localized services in the communities identified as needing those services most. One such program is the Joining Forces for Families (JFF) Program. The Joining Forces for Families program has secured office space in a building owned by Rey Anthony Clark and Lora Garrett, and this space is located at 5810 Russett Road, Apts. #1, #2 & #3, Madison, Wisconsin. JFF will play a strong role in this community. This resolution is to pay for the monthly rental payment of \$1,900 per month to cover costs related to occupying this space during the lease year of 05/01/08 to 04/30/09.

The space will be utilized by a Dane County Community social worker and other JFF partners. The total rate for the term period is \$22,800. All utilities are included except for electricity, gas for water heaters and telephone.

NOW, THEREFORE, BE IT RESOLVED that Dane County enter into a lease with Rey Anthony Clark and Lora Garrett, for 2008; 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 Stubbs, Wheeler, and Bruskewitz, June 19, 2008.
Referred to HEALTH & HUMAN NEEDS, PERSONNEL & FINANCE, and PUBLIC WORKS & TRANSPORTATION.

RES. 57, 08-09

**ACCEPTING ADDITIONAL FARM AND RANGLAND PROTECTION
PROGRAM FUNDS FROM USDA FOR 2006 CONTRACT**

In July 2006 Dane County entered into a Cooperative Agreement with United States Department of Agriculture, Natural Resources Conservation Service, which allocated \$717,946 federal funding under its Farm and Ranchland Protection Program for the purchase of Conservation Easements on previously identified farms in Dane County.

In May of this year an additional \$350,000 became available "for the acquisition of the United States' interests in (those previously approved) conservation easements." The additional funding will be allocated to a USH 12 project farm in the Towns of Springfield and Dane.

NOW, THEREFORE, BE IT RESOLVED that the County of Dane does hereby approve and accept the additional funding, and

BE IT FURTHER RESOLVED that USDA Expense Account CPPLNDEV 57699 and USDA Revenue Account CPPLNDEV 82902 be increased by \$350,000. These funds shall carry forward until expended.

Submitted by Supervisors Ripp and Kostelic, June 19, 2008.
Referred to PERSONNEL & FINANCE, and ENVIRONMENT, AGRICULTURE & NATURAL RESOURCES.

RES. 58, 08-09

**AUTHORIZING THE SALE OF THE DANE COUNTY HIGHWAY GARAGE AT
624 EAST MAIN STREET, SUN PRAIRIE**

The sale of the Dane County highway garage in the City of Sun Prairie was anticipated in the 2008 budget, with a revenue expectation of \$1,050,000 (the latest appraised value). Dane County Ordinances Section 28.15 (4)(b) states, in part, "survey other Dane County municipalities to determine if there is any interest in acquiring the parcel from the county before offering the parcel to the general public." The City of Sun Prairie has offered to purchase the 6.4-acre property for the appraised value of \$1,050,000. Sun Prairie agrees to provide rent for a temporary heated indoor vehicle storage and washing facility through June 1, 2009 if the county must vacate the premises prior to that date.

Under the terms of the offer Dane County would share in the cost of an ALTA survey and additional environmental assessment and cleanup, not to exceed \$53,000.

NOW, THEREFORE, BE IT RESOLVED that the County of Dane does hereby approve and authorize the sale of the county highway garage at 624 East Main Street, Sun Prairie to the City of Sun Prairie , and

BE IT FURTHER RESOLVED that the County Real Estate Officer be directed to prepare the necessary documents and to work with a title company to expedite a real estate closing, and

BE IT FINALLY RESOLVED that the Dane County Clerk and the County Executive are hereby authorized to execute a deed conveying the above-described property on behalf of the County of Dane.

Submitted by Supervisors Gau, Kostelic, Ferrell, Martz, Jensen, Bruskewitz, Stoebig, O'Loughlin, Hulse, Matano, and Vogel, June 19, 2008.
Referred to PERSONNEL & FINANCE, and PUBLIC WORKS & TRANSPORTATION.

RES. 59, 08-09

**DEPARTMENT OF HUMAN SERVICES
PETTY CASH ACCOUNT REALLOCATION**

This resolution reallocates the existing petty cash account maintained by the Department of Human Services (the Department) from one location to three.

The Department is currently authorized to maintain a petty cash account (in the form of a checking account) in the amount of \$ 1,500. The account and related check book is currently located in the department's accounting office.

The Department has determined that it needs to redistribute a portion of these funds to two outlying programs to more effectively support their client service activities.

NOW, THEREFORE, BE IT RESOLVED that the existing petty cash account be redistributed and allocated as follows.

AART Program (NPO) \$ 120
 Early Childhood Initiative (Allied Dr.) \$ 25
 Accounting Petty Cash Account (NPO) \$ 1,355

Submitted by Supervisors Stubbs, Wheeler, and Bruskewitz, June 19, 2008.
 Referred to HEALTH & HUMAN NEEDS, and PERSONNEL & FINANCE.

RES. 60, 08-09

KINSHIP CARE BENEFITS AND ASSESSMENT FUNDING CHANGES

This resolution corrects the budget allocations for Kinship Care benefits and assessment to reflect the actual allocations given by the State of Wisconsin for the 2008 fiscal year. The Department of Human Services administers the state Kinship Care program for Dane County which includes awarding of Kinship Care Benefits. The Assessment funding is utilized for Kinship Care staff costs.

NOW, THEREFORE, BE IT RESOLVED that the Revenue and expense lines for Kinship Care Benefits and Assessment be changed to reflect current state funding levels as indicated below:

| Expenditure Account Number | Account Title | Amount |
|--------------------------------------|----------------------|-----------------|
| CYFALTCR ACKCAA | Kinship Care | (47,301) |
| CYFDSSIA AAYAAA | Salary and Wages | (1611) |
| <u>TOTAL NET EXPENDITURES</u> | | (48,912) |

| Revenue Account Number | Account Title | Amount |
|----------------------------------|------------------------------|-----------------|
| CYFALTCR 80785 | Kinship Care Program Revenue | (47,301) |
| CYFSUPRT 80785 | Kinship Care Program Revenue | (1611) |
| <u>TOTAL NET REVENUES</u> | | (48,912) |

Submitted by Supervisors Stubbs, Wheeler, and Bruskewitz, June 19, 2008.
 Referred to HEALTH & HUMAN NEEDS, and PERSONNEL & FINANCE.

RES. 61, 08-09

AUTHORIZATION LEASE TO VEHICLE(S)

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 one vehicle (1995 Ford Escort Wagon). This new vehicle will be leased over a period of four years with annual payments made in advance. The fourth year of the lease will be a buyout of \$1 for the vehicle. The vehicle is priced under the state contract at \$15,891 Chevrolet Uplander minivan with the annual lease payments of \$5,638.92.

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 *2008 Chevy Uplander RFP bid# 54694* for Dane County Human Services Department.

Submitted by Supervisors Stubbs, Wheeler, and Bruskewitz, June 19, 2008.
Referred to HEALTH & HUMAN NEEDS, and PERSONNEL & FINANCE.

RES. 62, 08-09

DEPARTMENT OF HUMAN SERVICES
ADULT COMMUNITY SERVICES DIVISION
ADDING TWO PART-TIME POSITIONS TO CREATE 1.0 FTE

Currently there are two Clerk Typist I-II positions, one is 0.5 FTE and the other is .75 FTE. Both positions perform keying duties for the AODA (Alcohol and other Drug Addictions) program. The 0.50 position is currently vacant.

This resolution would add 0.25 FTE to the existing 0.75 FTE (position # 1845) and make it 1.0 FTE. Position # 1749 would be reduced to 0.25 FTE.

NOW, THEREFORE, BE IT RESOLVED that position # 1845 be increased from 0.75 FTE to 1.0 FTE and position # 1749 be decrease from 0.5 FTE to 0.25 FTE in the Adult Community Services Division of the Department of Human Services

Submitted by Supervisors Stubbs, Wheeler, and Bruskewitz, June 19, 2008.
Referred to HEALTH & HUMAN NEEDS, and PERSONNEL & FINANCE.

RES. 63, 08-09

CHANGING .75 FTE KINSHIP CARE SOCIAL SERVICE SPECIALIST POSITION
TO A .75 FTE KINSHIP CARE SOCIAL WORK POSITION
DEPARTMENT OF HUMAN SERVICES – CYF DIVISION

This resolution will change the staff allocations to the Dane County Kinship Care program. Kinship Care is a State of Wisconsin program administered by Dane County. Funding for Kinship Care grants is supported exclusively by State revenue and a portion of staff costs are supported by the State allocation as well. Remaining staff costs are supported by Dane County General Purpose Revenue.

The Kinship Care Program is currently staffed with 1 FTE Social Service Specialist and .5 FTE Social Worker. The staff person currently holding the Social Service Specialist position is going to retire effective August 1, 2008. This resolution proposes to convert .75 FTE of the Social Service Specialist position to a .75 FTE Social Work position effective August 3, 2008. Staffing Kinship Care with two social workers will improve Dane County's compliance with State Kinship Care requirements, enhance workflow and better meet consumer needs. This staffing change will also provide savings in General Purpose Revenue which will be utilized to support other CYF cost containment efforts in 2008.

The 2008 GPR salary savings from this position change is \$8,218. It is projected that this change in staffing allocation will result in reduced salary costs by \$15,000 annually from 2009-2012.

NOW, THEREFORE, BE IT RESOLVED, that .75 FTE of the Kinship Care Social Service Specialist position be eliminated and a new .75 FTE Kinship Care Social Worker position be created effective August 3, 2008.

BE IT FURTHER RESOLVED that the funds supporting the Kinship Care Social Service Specialist be reallocated to support the .75 FTE Kinship Care Social Worker and that the surplus GPR be allocated to support Limited Term Employees within the CYF cost containment plan as follows:

| Expenditure Account Number | Account Title | Amount |
|-----------------------------------|------------------------|---------------|
| CYFDSSIA AAYAAA | Wages | (\$4,071) |
| CYFDSSIA AAYMAA | Retirement | (\$485) |
| CYFDSSIA AAYPAA | Social Security | (\$312) |
| CYFDSSIA AAYSAA | Health | (\$3,013) |
| CYFDSSIA AAZBAA | Dental | (\$337) |
| CYFDSSIA AAYGAA | Limited Term Employees | \$8,218 |
| TOTAL NET EXPENDITURES | | 0 |

Submitted by Supervisors Stubbs, Wheeler, and Bruskwitz, June 19, 2008. Referred to HEALTH & HUMAN NEEDS and PERSONNEL & FINANCE.

RES. 64, 08-09

AUTHORIZING SUN PRAIRIE LEASE FOR EARLY CHILDHOOD INITIATIVE 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 Early Childhood Initiative (ECI) Program. The Early Childhood Initiative program has secured office space in a building owned by GATO, and this space is located at 1632 W. Main Street, Apt. #4, Sun Prairie, Wisconsin. ECI will play a strong role in this community. This resolution is to pay for the monthly rental payment of \$800 per month to cover costs related to occupying this space during the lease year of 05/01/08 to 04/31/09.

The space will be utilized by a Dane County Community social worker and other ECI partners. The total rate for the term period is \$9,600. All utilities are included except for telephone.

NOW, THEREFORE BE IT RESOLVED that Dane County enter into a lease with GATO, for 2008 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 Stubbs, Wheeler, and Bruskwitz, June 19, 2008.
 Referred to HEALTH & HUMAN NEEDS, and PERSONNEL & FINANCE.

RES. 65, 08-09

**AUTHORIZING THE CARRY FORWARD OF LAKE PLANNING
GRANT FUNDS FROM 2007 TO 2008**

Dane County accepted a State of Wisconsin Department of Natural Resources Lake Planning Grant for \$10,000 on December 29, 2005.

The purpose of the Lake Planning Grant was for the Development of a Management Plan for Monona Bay. This plan will be used to prioritize and guide decision-making for future management of the Bay.

To accept and expend grant funds, \$10,000 was placed in revenue and expense lines in the Dane County budget for the year 2006. Expenses totaling \$3,498 were posted in 2007.

The expenditure line of \$6,502 and the revenue line of \$10,000, however, were inadvertently not carried forward into the 2008 budget. In order to expend the remainder of the grant funds, \$6,502 will need to be added to the appropriate expense budget line. The revenue budget line will need to be increased by \$10,000.

NOW, THEREFORE, BE IT RESOLVED that LWRLKSW 21358 "Lake Planning Grant-Monona Bay" expense account be increased by \$6,502 and that LWRLKSW 81607 "Lake Planning Grant-Monona Bay" revenue account be increased by \$10,000 to enable receipt and expenditure for the remainder of the Lake Planning Grant funds.

Submitted by Supervisor Erickson, June 19, 2008.

Referred to PERSONNEL & FINANCE and ENVIRONMENT, AGRICULTURE & NATURAL RESOURCES.

RES. 66, 08-09

**SUPPORTING LEGISLATION REGARDING
MANUFACTURED HOUSING COMMUNITIES**

In 2006, several Dane County residents raised concerns to members of the Dane County Board of Supervisors about the circumstances that occur when mobile home parks, or manufactured housing communities, are sold or closed. These concerns include the danger of losing homes without any provisions for compensation or relocation.

These residents sought the assistance of county government to address these concerns, but the corporation counsel's office advised the County Board that the county had no authority to enforce right of first refusal. The County Board created a committee to study the current county ordinances and whether there were improvements that could be made, within our limited authority, to assist these residents. It appears that changes in state statutes will be necessary to address this inadvertent homelessness.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors hereby requests that legislation be drafted which reflects the Notice/Good Faith Negotiation draft language from the National Consumer Law Center in Washington, D.C.; that statutes be revised to require adequate notice to residents when parks are closing; and for the state to create a storm shelter design criteria or other secure areas in manufactured housing communities to be required in future communities; and

BE IT FURTHER RESOLVED that the Dane County Board of Supervisors supports legislation or administrative rules which facilitate the Wisconsin Housing and Economic Development Authority (WHEDA) to make loans, or any financing package that can be created with help from any funding source, such as ROC-USA or PMC Financial Services; and

BE IT FURTHER RESOLVED that state law remove any barriers to long term leases, which could have a positive effect on the stability and availability of manufactured housing; and

BE IT FURTHER RESOLVED that the legislature remove any barriers to the purchase of communities by residents, as well as the development of resident self managed condominiums or cooperative housing for manufactured housing communities; and

BE IT FINALLY RESOLVED that copies of this resolution be sent to Governor Jim Doyle, the members of the Dane County legislative delegation, the Wisconsin Department of Commerce, the Wisconsin Department of Agriculture, Trade and Consumer Protection, the Wisconsin Manufactured Homeowners Association, the Wisconsin Counties Association, the Wisconsin Towns Association, the Wisconsin Alliance of Cities, and the Wisconsin Alliance of Cities.

Submitted by Supervisors Salov, Bruskevitz, and Stoebig, June 19, 2008
Referred to EXECUTIVE.

RES. 67, 08-09

**AUTHORIZING EXTENSION OF AGREEMENT BETWEEN CITY OF MADISON AND COUNTY OF DANE
REGARDING 911 CENTER DISPATCH FUNCTIONS**

In 1988, Dane County and the City of Madison, entered into a contractual agreement pursuant to which Dane County agreed to provide police, fire and ambulance dispatch functions for the City of Madison for a period of twenty (20) years commencing on July 3, 1988. This contractual agreement will expire on July 2, 2008. Dane County and the City of Madison agree that it is in their individual and mutual interests for Dane County to continue providing dispatch services and are in the process of negotiating a successor agreement regarding dispatch functions. Dane County and the City of Madison both desire to extend the term of the existing agreement to maintain the status quo while the parties negotiate the successor agreement and have agreed to extend the existing contractual agreement for a six month period, ending on January 2, 2009. In the event a successor agreement is not in place by the end of this six-month period, the agreement may be extended for one additional six-month period, ending on July 2, 2009.

NOW, THEREFORE BE IT RESOLVED that the Dane County Board of Supervisors hereby approves the proposed Extension of Agreement between the City of Madison and the County of Dane Regarding 911 Center Dispatch Functions.

BE IT FURTHER RESOLVED that the County Executive and County Clerk are hereby authorized to sign this extension of agreement.

Submitted by Supervisor McDonell, June 19, 2008.
Referred to PERSONNEL & FINANCE and PUBLIC PROTECTION & JUDICIARY.

RES. 68, 08-09

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

Esther M. Olson, 957 Severson Road, Belleville 53508 (424-3207-H, 877-2295-W), to fill the expired term of Miriam Semmann. Ms. Olson is the Education and Outreach Director for the UW Madison Synchrotron Radiation Center. She is a member of the Belleville, Exeter and Montrose Senior Citizen Advisory Boards. She has worked on issues pertaining to the senior population of the Belleville area and interacted with the AAA Board on senior advocacy issues. She was the Governor's appointee to the State Group Insurance Board and is familiar with state and federal agency administration, management, and funding policies. This term will expire 4/19/11.

Judith A. Wilson, 4522 East Buckeye Road, Madison 53716 (221-9555-H, 243-2071-W), due to the resignation of JoAnn Therkelsen. Ms. Wilson is currently an LTE RN-Nurse Consultant for the State of Wisconsin Office of Quality Assurance. She has a B.S. degree in Nursing from the University of Wisconsin-Madison. She has extensive work experience in home health and hospice care with a focus on senior services. She is knowledgeable in the areas of access, elder abuse, and nutrition, secondary to work experience and ongoing training. She is a past board member of the Northeast Coalition of the Aging. She has training in case management and federal and state rules related to home care, rural health clinics, and hospice. This term will expire 4/21/09.

Commission on Sensitive Crimes

Casey Behrend, 1955 Atwood Avenue, Madison 53704, (245-2550x212), to be reappointed. This term will expire 6/30/11.

Scott Martin, 205 Acewood Blvd., Madison 53714 (243-0264-H, 224-3665-W), to be reappointed. This term will expire 6/30/11.

Cultural Affairs Commission

Jerry Minnich, 821 Prospect Place, Madison 53703 (255-2611-H), to be reappointed. This term will expire 6/30/11.

Georgene Pomplun, 8778 Oak Grove Road, Mount Horeb 53572 (832-6448-H), to be reappointed. This term will expire 6/30/11.

Leslie Watkins, 817 East Gilman Street, Madison 53703 (284-0545-H), to be reappointed. This term will expire 6/30/11.

Housing Authority Board, Dane County

Supervisor Dorothy Wheeler, 1639 Haas St., Madison 53704, to fill the seat of the Chair of the H&HN Committee Chair or their rep. This term will expire 4/20/10.

Human Services Board

Supervisor Barbara Vedder, 2314 E. Dayton St., Madison 53704, to fill the seat of a member of the Health & Human Needs Committee. This term will expire 4/20/10.

Supervisor Kurt Schlicht, 2011 Sylvia Pine Way, Cross Plains 53528, to fill the seat of a member of the PP&J Committee. This term will expire 4/20/10.

Supervisor Tom Stoebig, 4309 Hegg Ave., Madison 53716, to fill the seat of a county board supervisor. This term will expire 4/20/10.

Peng Her, 536 North Sherman Avenue, Madison 53704 (241-8534-H, 240-0762-W), will continue to serve in a citizen seat that will expire 4/19/11.

Nell Mally, 3311 Conservancy Lane, Middleton 53562 (836-0911-H), will continue to serve in a citizen seat that will expire 4/20/10.

Addie E. Pettaway, 829 North Gammon Road, Apt. B, Madison 53717 (831-0843-H), will continue to serve in a citizen seat that will expire 4/21/09.

Lakes & Watershed Commission

Howard Teal, 7124 Companion Lane, Middleton 53562 (836-1277-H, 827-1050-W), to be reappointed. This term will expire 4/19/11.

Monona Terrace Convention & Community Center Board

Thomas J. Ziarnik, 9225 Eaglewood Drive, Verona 53593 (845-8740-H), to be reappointed. This term will expire 5/1/11.

Parks Commission

Tom Thoresen, 5874 Persimmon Drive, Fitchburg 53711 (276-9446-H), to be reappointed. This term will expire 7/1/12.

Public Safety Communications Center Board

Mayor Joe Chase, 923 Broadway Drive, Sun Prairie 53590 (837-4109-H, 837-2511-W), to fill the seat of an alternate, elected official, not currently a member of the County Board, representing a County municipality, excluding the City of Madison. This term will expire 5/1/10.

Reclassification Appeals Board

M. Fran Tryon, 924 Roosevelt St., Stoughton 53589 (873-5956-H), to be reappointed. This term will expire 6/30/11.

Tree Board

Marla Eddy, 3442 Hickory Hill Road, Verona 53593 (833-4136-H, 266-4450-W), to be reappointed. This term will expire 4/19/11.

Nancy Schlimgen, 5141 Bong Road, Waunakee 53597 (849-8870-H, 770-3477-W), due to the resignation of Gail Foltman. Ms. Schlimgen is the Naturalist and Restoration Ecologist for the Holy Wisdom Monastery (formerly the Saint Benedict Center). She restores and manages prairies, wetlands, and oak woodland, facilitates wildlife surveys with the UW Madison, supervises volunteers in collecting prairie seed, designed a prairie restoration, and assisted with and wrote grants for ecological restoration and environmental education. Prior to that, she was an Environmental Educator for the Cherokee Marsh Conservation Park. She was the Native Landscape Conference & Earth Focus Day Camp Coordinator for the University of Wisconsin-Madison Arboretum. She taught Science and Biology in several local middle and high schools. She has a Master of Science degree in Landscape Architecture from the University of Wisconsin-Madison. This term will expire 4/19/11.

Veterans Services Commission

Supervisor David Worzala, 1714 Van Hise Ave., Madison 53726, to fill the seat of the Chair of the Health & Human Needs Committee Chair or their rep. This term will expire 4/20/10.

W-2 Community Steering Committee

Supervisor Barbara Vedder, 2314 E. Dayton St., Madison 53704, to fill the seat of the Chair of the Health & Human Needs Committee Chair or their rep. This term will expire 4/20/10.

Youth Commission

Lucy T. Brown, 210 DuRose Terrace, Madison 53705 (232-0013-H), due to the resignation of Barbara Arnold. Ms. Brown is Legal Counsel for the Wisconsin Education Association Council, including general representation of and advice to members; appellate practice; significant involvement in public employee retirement litigation; special education topics; disability issues; indoor air quality in schools, and virtual charter school litigation. Ms. Brown is and has been a volunteer for various school and PTO activities at Midvale Elementary, Lincoln Elementary, and Hamilton Middle Schools. She has conducted trainings for student teachers on various school law matters, and has been a Moot Court Judge for the UW Law School. This term will expire 4/20/10.

Submitted by Supervisor McDonnell, June 19, 2008. Fiscal and Policy Notes not required.
Referred to EXECUTIVE.

COMMUNICATIONS

Claim from AFNI Insurance Services re. Nicholas H. Schuetz against Highway for damage to dwelling.
Referred to PUBLIC PROTECTION & JUDICIARY.

Communication from GEICO re. Claim from Sharon Lehmann against Highway for damage to vehicle.
Referred to PUBLIC PROTECTION & JUDICIARY.

Claim from Midnight Haulers re. Driver Thomas Kuehn against Highway for damage to vehicle. Referred to PUBLIC PROTECTION & JUDICIARY.

Summons from attorney Liebmann, Conway, Olejniczak & Jerry, S.C. re. Milwaukee Journal Sentinel v. Dane County Public Safety Communications Center. Referred to PUBLIC PROTECTION & JUDICIARY.

Claim from Verizon against Public Works for damage to equipment by county contractor. Referred to PUBLIC PROTECTION & JUDICIARY.

Claim from Debi Killerlain against Highway for damage to vehicle caused by gravel thrown from county vehicle.
Referred to PUBLIC PROTECTION & JUDICIARY.

Communication from Beth E. Lindsley re claim against Highway for damage to vehicle. Referred to PUBLIC PROTECTION & JUDICIARY.

Summons from attorney David J. Gilles representing American Transmission Co. v. Dane County. Referred to PUBLIC PROTECTION & JUDICIARY.

Claim from Nehemiah Hall against Public Works for damage to vehicle by County equipment. Referred to PUBLIC PROTECTION & JUDICIARY.

Claim from Don Schultz against Public Works for injury sustained on property of Alliant Energy Center.
Referred to PUBLIC PROTECTION & JUDICIARY.

Civil Action from Attorney Robert L. Elliott re. Estate of Brittany Zimmerman et al. v. Dane County. Referred to PUBLIC PROTECTION & JUDICIARY.

Rock Co. Resolution – Requesting General Motors Reconsider Decision to Close the Janesville Assembly Plant in 2010 – Referred to EXECUTIVE.

Price Co. Resolution 41-08 – Resolution Requesting the State of Wisconsin to Increase Reimbursement Payments Made by the Department of Corrections for State Probation and Parole Prisoners Held in County Jails. Referred to EXECUTIVE

Price Co. Resolution 42-08 – Resolution Requesting Placement of Wireless Emergency 9-1-1 Surcharges into the Budget Repair Bill. Referred to EXECUTIVE.

Jackson Co. Resolution 35-5-08 – Supporting Enactment of Legislation to Reinstate Passport Acceptance Fees to \$30 for Counties. Referred to EXECUTIVE.
Jackson Co. Resolution 39-6-08 – Resolution of Opposition to the Proposal by the Wisconsin Office of Justice Assistance to Retain Funds from the Public Safety Interoperable Communications Grant Program. Referred to EXECUTIVE.
Jackson Co. Resolution 38-6-08 – Resolution Requesting Placement of Wireless Emergency 911 Surcharges into the Budget Repair Bill. Referred to EXECUTIVE.
Langlade Co. Res. 46-2008 – INTENT: Relating to the opposition of S. 1870 and H.R. 2421, a bill to amend the Federal Water Pollution Control Act to clarify the jurisdiction of the United States over waters of the United States.

ORD. AMDT. 13, 08-09

AMENDING CHAPTERS 19, 25 AND 40 OF THE DANE COUNTY CODE OF ORDINANCES, REQUIRING EQUAL BENEFITS FOR EMPLOYEES OF EMPLOYERS CONTRACTING WITH DANE COUNTY AND CREATING CHAPTER 60, ESTABLISHING A DANE COUNTY DOMESTIC PARTNERSHIP REGISTRY

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 19.53(1) is amended to read as follows:

19.53 AFFIRMATIVE ACTION COMPLIANCE REQUIRED. (1)(a) Contractors of the county who have twenty (20) or more employees and a contract for \$20,000 or more are required to demonstrate compliance with the affirmative action provisions of this subchapter in obtaining a balanced workforce.

(b) Notwithstanding the provisions of sub. (a), as a component of ensuring that contractors of the county and their unions do not directly or indirectly discriminate on the basis of sexual orientation and marital status, all contracts must ensure equal total compensation between similarly situated employees with spouses and with domestic partners, as required by s. 25.016.

[EXPLANATION: This amendment provides that all county contracts must comply with the equal benefits requirements of the newly created sec. 25.016 below.]

ARTICLE 3. Section 25.016 is created to read as follows:

25.016 EQUAL BENEFITS REQUIREMENT. (1) Purpose. The purpose of this ordinance is to ensure that equal compensation is provided to all employees of contractors performing work for the County of Dane. It is the County's intent, through the contracting practices outlined in this section, to assure that those companies wanting to do business with the County will equalize the total compensation between similarly situated spouses and those with domestic partners.

(2) As used in this section, the following terms shall have the meanings indicated:

(a) Board means the contract compliance hearing board as defined in s. 19.51(5).

(b) Benefit means any plan, program or policy provided or offered by a contractor to its employees as part of the employer's total compensation package. This includes, but is not limited to, the following types of benefits: bereavement leave, family medical leave, sick leave, health benefits, dental benefits, disability insurance, life insurance, membership or membership discounts, moving expenses, pension and retirement benefits, and travel benefits.

(c) Cash equivalent means the amount equal to the actual cost to the employer for providing benefits to the spouse of a married employee and not provided to a domestic partner, provided that:

1. The benefit would have been provided to the domestic partner if that person was a spouse of the employee; and

2. After making a reasonable effort to provide the benefit to a domestic partner of an employee, the employer is unable to provide the benefit.

(d) Contract means any human services, public works or service contract, and includes subcontracts, but does not include any contract which:

1. Involves only the purchase of goods;

2. Is a contract or lease for use of facilities at the Alliant Energy Center;

3. Is a contract in existence prior to the effective date of this ordinance, through the duration of its term;

4. Is a contract with a school district, municipality, or other unit of government; or

5. Involves a collective bargaining agreement in existence prior to the effective date of this ordinance, provided that the contractor must agree to propose to the applicable collective bargaining unit that the equal benefits requirement be incorporated into the agreement upon amendment, extension or other modification occurring after the effective date of this ordinance.

(e) Contractor means a person or entity having a service, human services or public works contract with Dane County.

(f) Domestic partner means an adult of the same or opposite sex with whom a contractor's employee is living with in a non-marital committed relationship and with whom they share a common residence and responsibility for each other's common welfare. Contractors may require an employee to sign and file a Declaration of Domestic Partnership in conformance with Chapter 60.

(g) Economic development grant beneficiary means any employer who is the recipient of an economic development grant from Dane County in the amount of \$5,000 or more.

(h) Public works contract means all contracts subject to chapter 40, Dane Co. Ords.

(i) Service contract means any contract with the County, for the provision of services to any County department or agency involving the following types of personal services: general labor, clerical work, janitorial work, security (including weapons screening), food service, human services contracts (including transportation), and personal care and home care work paid with County-administered funds for persons with disabilities and the frail elderly, whether the workers are employed directly by the consumer or by a third party. The purchasing agent shall review each bid specification or request for proposal and make a determination as to whether the proposed contract will constitute a service contract.

(3) Applicability. This ordinance shall apply to:

(a) All contractors as follows:

1. A contractor's operations located in Dane County, regardless of whether there are employees at those locations performing work on the contract.

2. A contractor's operations on real property located outside of Dane County if the property is owned by the County or the County has the right to occupy the property, and if the contractor's presence at or on that property is connected to a contract with the County; and

3. The contractor's employees located elsewhere in the United States but outside of Dane County, if those employees are performing work on a county contract.

(b) All employers who are beneficiaries of economic development grants from the County in the amount of \$5,000 or more.

(c) Dane County regarding its employees, including limited term employees.

(d) Notwithstanding anything to the contrary, the provisions of this section shall not apply to service contracts with contractors having twenty (20) or fewer employees until after [clerk to insert date - three years after the effective date of this ordinance].

(4) All contractors and economic development grant beneficiaries shall provide the same benefits to employees with domestic partners as they do to employees with spouses, or the cash equivalent if a benefit cannot reasonably be provided.

(5) Every public works and service contract, and every grant of economic assistance entered into by the County shall contain the following notice: "The contractor [or grant beneficiary] agrees to provide the same economic benefits to all of its employees with domestic partners as it does to employees with spouses, or the cash equivalent if such a benefit cannot reasonably be provided. The contractor [or grant beneficiary] agrees

to make available for County inspection the contractor's payroll records relating to employees providing services on or under this contract or subcontract [or grant]. If any payroll records of a contractor [or grant beneficiary] contain any false, misleading or fraudulent information, or if a contractor [or grant beneficiary] fails to comply with the provisions of s. 25.016, D. C. Ords., the contract compliance officer may withhold payments on the contract; terminate, cancel or suspend the contract in whole or in part; or, after a due process hearing, deny the contractor the right to participate in bidding on future county contracts for a period of one year after the first violation is found and for a period of three years after a second or subsequent violation is found."

(a) Every contractor and grant beneficiary shall provide a similar written notice to any subcontractor.

(6) The County's purchasing agent shall add a summary of the requirement for the equal benefits to the County's standard Bids & Specifications document.

(7) For every service contract and economic development assistance grant, a notice of the equal benefits requirement shall be kept posted by the contractor or grant beneficiary at the site of the work in a prominent place where it can be easily seen and read by persons employed in the performance of such contract or grant. The poster shall also provide information of the means the reader may use to file a complaint of violation. In addition, copies of the equal benefit requirement shall be provided to any person employed in the performance of a service contract or economic development assistance grant upon request and within a reasonable period of time.

(8)(a) Upon completion of a contract or grant and before receiving final payment for his or her work on said contract or grant, each contractor or grant beneficiary shall furnish the County with a certification affirming that he or she has complied fully with the requirements of this section. A contractor or grant beneficiary may not receive final payment until such certification is filed.

(b) Where the contractor or grant beneficiary receives regular monthly payments, the certification shall be filed at least quarterly.

(c) When requested by the contract compliance officer, the contractor or grant beneficiary shall also furnish certifications from each of his or her subcontractors.

(9) Each contractor and subcontractor providing County-compensated services and each grant beneficiary receiving an economic development assistance grant shall keep full and accurate records of benefits provided or cash equivalents paid for every employee subject to this section.

(10) The contract compliance officer or designee may demand and examine, and it shall be the duty of every contractor, subcontractor or grant beneficiary and agent thereof to keep and furnish to the contract compliance officer or designee, copies of records which relate to the benefits provided or cash equivalents paid to employees providing County-compensated services.

(11) If requested by any person, the contract compliance officer or designee shall inspect the payroll records of any contractor, subcontractor or grant beneficiary, or agent thereof, providing County-compensated services or receiving an economic development assistance grant to ensure compliance with this section.

(12) (a) An affected employee may file a complaint alleging a contractor's or grant beneficiary's violation of this section. All complaints shall be filed with the contract compliance officer.

(b) The contract compliance officer shall investigate and determine whether there has been a violation of this section and provide copies of a proposed decision to the complainant and the contractor or grant beneficiary. If a violation is found, the proposed decision may include any of the following:

1. Withholding of payments due the contractor or grant beneficiary in an amount sufficient to pay the wages due all affected employees;

2. Termination, suspension or cancellation of the contract or grant, in whole or in part;

3. Debarment for a period of up to three years.

(c) Any person affected by the proposed decision may, no later than 30 days after issuance of the proposed decision, appeal the decision to the board by serving a notice of appeal on the county clerk. If no appeal is taken within the time allotted, the proposed decision shall become final.

(d) Upon the filing of an appeal, the board shall meet on notice, take testimony, receive evidence, allow the parties to call witnesses, allow cross-examination and issue a final decision. The board shall not be bound by common law or statutory rules of evidence, but shall admit all testimony having reasonable probative value, excluding that which is immaterial, irrelevant or unduly repetitious. The board shall give effect to the rules of privilege recognized by law. Basic principles of relevancy, materiality and probative force, as recognized in

equitable proceedings, shall govern the proof of all questions of fact. The board may take official notice of any generally recognized fact or established technical or scientific fact, but parties shall be notified either before or during hearing or by full reference in preliminary reports, or otherwise, of the facts so noticed, and the parties shall be afforded an opportunity to contest the validity of the official notice.

(e) The board's final decision may include withholding a sum of money due the contractor or grant beneficiary in an amount sufficient to provide the cash equivalent of benefits not provided as well as termination, suspension or cancellation of the contract or grant, in whole or in part, and debarment.

(13) A department or agency may not award any contract to a contractor nor any grant to a grant beneficiary who has been debarred unless at least three years have elapsed from the date of debarment, unless a shorter time of debarment is specified in the board's final decision.

(a) This subsection does not apply to any contractor, subcontractor or grant beneficiary who has not exhausted or waived all appeals, provided that the period of debarment shall commence as of the date all appeals are exhausted or waived, as appropriate.

(14) The board may promulgate rules to administer this subsection.

(15) A contractor or grant beneficiary shall not retaliate against any employee who files a complaint under this section, and a violation thereof shall be subject to the penalties set forth in sub. (12)(b)2. and 3. above.

(16) No contractor or grant beneficiary may use the living wage requirement of this section to reduce the wage paid to any person employed by the contractor or grant beneficiary as of [clerk to insert effective date of this ordinance.]

[EXPLANATION: This amendment creates an equal benefits requirement for all public works and service contracts and economic assistance grants. All contractors and grant recipients subject to this section would be required to provide the same benefits to employees with domestic partners as to those with spouses.]

ARTICLE 4. Section 25.15(4) is created to read as follows:

(4) All human services contracts entered into after [clerk to insert effective date of ordinance] shall be subject to the equal benefits requirement of s. 25.016.

[EXPLANATION: This amendment clarifies that all human services contracts are subject to the equal benefits requirement.]

ARTICLE 5. Section 40.15(3) is created to read as follows:

(3) Except as to emergencies of a public works nature, all public works contracts shall be subject to the equal benefits requirement of s. 25.016.

[EXPLANATION: This amendment clarifies that public works contracts are subject to the equal benefits requirement.]

ARTICLE 6. Chapter 60 is created to read as follows:

CHAPTER 60 **DOMESTIC PARTNERSHIP REGISTRY**

60.01. CREATING A DOMESTIC PARTNERSHIP REGISTRY. The Dane County Clerk shall maintain a Domestic Partnership Registry consistent with the provisions of this ordinance. The purpose of this registry shall be to provide domestic partners with centralized repository for filing of a Declaration of Domestic Partnership for the sole purpose of qualifying for employer-provided benefits for a domestic partner.

60.02. DEFINITIONS. As used in this chapter, the following words and phrases have the meanings indicated:

(1) Domestic partner means a person who is engaged in a non-marital committed relationship with an adult of the same or opposite sex, shares a common residence with said person, affirms that they share responsibility for each other's common welfare, and who has executed and filed a Declaration of Domestic Partnership in conformance with this ordinance.

(2) Domestic partnership means a non-marital committed relationship of two adults of the same or different sex, who share a common residence and affirm that they share responsibility for each other's common welfare, and have signed and filed a Declaration of Domestic Partnership in conformance with this ordinance.

(3) Share a common residence means that both domestic partners share the same residence. It is not necessary that both domestic partners have title to the property where they reside or the legal right to possess the common residence. Domestic partners may share a common residence even if one or both have additional residences. Domestic partners do not cease to share a common residence if one leaves the common residence but intends to return.

60.03. DECLARATION OF DOMESTIC PARTNERSHIP. (1) Domestic partners may file a Declaration of Domestic Partnership with the Dane County Clerk if they swear or affirm the following:

(a) Both are 18 years of age or older;

(b) Neither is married or part of an existing domestic partnership with any third person;

(c) They are not related to one another by blood;

(d) They are engaged in a committed relationship with each other and share responsibility for each other's common welfare; and

(e) They share a common residence.

(2) The Declaration of Domestic Partnership shall require each domestic partner to:

(a) Swear or affirm that he or she meets the requirements of sub. (1);

(b) Provide a current mailing address;

(c) Sign the Declaration under penalty of perjury; and

(d) Have his or her signature acknowledged by a Notary Public.

(3) No person who has previously signed a filed Declaration of Domestic Partnership may file a new Declaration until a Notice of Termination of Domestic Partnership has been filed with the county clerk. This provision shall not apply if the previous domestic partnership was terminated due to death of one of the domestic partners.

(4) The Dane County Clerk shall develop a form Declaration of Domestic Partnership and Notice of Termination of Domestic Partnership. The form Declaration shall not add to, delete or alter the requirements set forth in subs. (1) and (2).

(5) The County Clerk shall charge a fee for filing a Declaration of Domestic Partnership of \$35. No fee shall be charged for filing a Notice of Termination of Domestic Partnership. Upon filing in the registry, the clerk shall provide a copy of the document to the domestic partners at the mailing address provided.

60.04. TERMINATION OF DOMESTIC PARTNERSHIP. (1) For purposes of this ordinance, a domestic partnership is terminated, when:

(a) One of the domestic partners dies; or

(b) A Notice of Termination of Domestic Partnership has been filed by at least one domestic partner with the County Clerk.

(2) Termination of a domestic partnership shall be effective upon the date of filing of a Notice of Termination with the County Clerk, or the date of death of one of the domestic partners.

(3) If the facts as stated in a Declaration of Domestic Partnership cease to be true, one or both parties shall file a Notice of Termination of Domestic Partnership with the County Clerk.

(4) Upon receipt of a Notice of Termination of Domestic Partnership, the County Clerk shall return to the filing party two copies of the Notice marked "filed." A copy shall be provided to each of the parties, if jointly filed. A sole filing party shall, within five days, send a copy of the Notice to the other party's last known address.

(5) Upon the termination of a domestic partnership, each former domestic partner who has received or qualified for any benefit or right based upon the existence of the domestic partnership and whose receipt of that benefit or enjoyment of that right has not otherwise terminated, shall give prompt notification to any third party who provides such benefit or right that the domestic partnership has been terminated.

60.05. LEGAL EFFECT. Nothing in this chapter shall be interpreted to alter, contravene or be in conflict with any provision of county, state or federal law.

60.06. SEVERABILITY. If any section, subsection, clause or provision of this chapter is held invalid, the remainder shall not be affected by such invalidity.

[EXPLANATION: This amendment creates a Domestic Partnership Registry and establishes the procedures and fee for implementation thereof.]

Submitted by Supervisors Richmond, Erickson, McDonell, Bayrd, DeSmidt, Matano, Vedder, Hendrick, Schmidt, Stoebig, Opitz, Downing, Hesselbein, Vogel, Worzala, de Felice, Miles, Rusk, Hulsey, Manning, Stubbs, Veldran, Wheeler, and Hampton, July 17, 2008.

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

RES. 71, 08-09

ESTABLISHING AN AFFORDABLE HOUSING TRUST FUND IMPLEMENTATION SUBCOMMITTEE

The Health and Human Needs (HHN) Committee created the Affordable Housing Trust Fund Subcommittee to examine the feasibility and desirability of creating a Dane County Affordable Housing Trust Fund. This Subcommittee has recommended that such a fund is desirable and feasible, and recommended establishment of an Affordable Housing Trust Fund Implementation Committee to examine and recommend implementation details. Establishment of such a trust fund will require an ordinance change and must also coordinate with the Dane County Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED that an Affordable Housing Trust Fund Implementation Committee be established to study and recommend implementation details, governance, fund management, and coordinate needed ordinance changes with the Corporation Counsel's Office. The Implementation Committee is to develop and submit a final report to the County Board by October 31, 2008.

BE IT FINALLY RESOLVED that the Subcommittee shall be composed of the Chair of the County Board or his designee, the CDBG Commission Chair or her designee, and up to nine members. The Chair of the Health and Human Needs Committee will appoint the Subcommittee members. At least two members will be drawn from County Board Supervisors and one from the Health and Human Needs Committee. Public members of the subcommittee shall represent key housing interests in the community and members from the Affordable Housing Trust Fund Subcommittee who are interested in continuing their participation.

Submitted by Supervisors Stubbs, Vedder, Wheeler and Bruskewitz, July 17, 2008.
Referred to HEALTH & HUMAN NEEDS.

RES. 72, 08-09

**SUPPORTING CREATION OF A MULTI USE TRAIL BETWEEN
THE VILLAGE OF MAZOMANIE AND DEVIL'S LAKE STATE PARK**

Efforts are being made by citizens to expand two proposed multi-use trails in Dane and Sauk counties that would connect miles of existing paths in southern Wisconsin. One of the trails being considered by community leaders would stretch from the City of Middleton to the Village of Mazomanie, generally along State Highway 14. The other trail would run from the Village of Mazomanie through the Villages of Sauk City and Prairie du Sac to Devil's Lake State Park eventually hooking up with the 400 State Trail at the City of

Reedsburg. Both proposed trails have been identified by the Department of Natural Resources as important State Trail links.

Communities along the proposed Mazomanie-to-Middleton trail route are currently applying for grants to fund a feasibility study to research such a trail, which would generally parallel Highway 14, but could branch into more rural areas, like along Black Earth Creek.

The second trail from Mazomanie to Devil's Lake State Park is proposed to be installed adjacent to an existing railroad facility. Currently, the rail spur between the Village of Mazomanie and the Village of Sauk City is no longer actively being used, except for the storage of railroad cars near the Village of Mazomanie. The Villages of Sauk City and Prairie du Sac have submitted resolutions to the Wisconsin Department of Transportation and the Wisconsin River Rail Transit Commission in strong support of the installation of a multi-use trail along the existing railroad facility. The Village of Mazomanie has also passed a resolution in support of the creation of this trail, requesting that the proposed trail from Sauk City to Devil's Lake State Park be expanded to the Village of Mazomanie along the railroad right-of-way owned by the Wisconsin Department of Transportation, which is administered by the Wisconsin River Rail Transit Commission and leased to the Wisconsin and Southern Railroad Company. In May of 2008, the Lower Wisconsin Riverway Board adopted a resolution endorsing conversion of this rail corridor to a multi-use trail.

NOW, THEREFORE BE IT RESOLVED, that the Dane County Board of Supervisors hereby supports efforts to develop two proposed multi-use trails, one trail from Middleton to Mazomanie and the second trail from Mazomanie to Devil's Lake State Park utilizing an inactive rail corridor.

BE IT FINALLY RESOLVED that copies of this resolution be sent to the Wisconsin Department of Transportation, Wisconsin River Rail Transit Commission, Lower Wisconsin Riverway Board and the villages of Mazomanie, Black Earth, Prairie du Sac and Sauk City.

Submitted by Supervisors Ripp, Schlicht and Kostelic, July 17, 2008.
Referred to EXECUTIVE, ENVIRONMENT/AGRICULTURE & NATURAL RESOURCES and PARKS.

RES. 73, 08-09

ACCEPTING DEMOLITION FROM "EXTREME MAKEOVER: HOME EDITION"
AT DANE COUNTY LANDFILL SITE #2

WHEREAS, Veridian Homes, a Dane County-based company, has been selected as the builder for ABC's "Extreme Makeover: Home Edition" to take place between July 24 and August 1, 2008. All products and labor must be donated for the upcoming build; and

WHEREAS, Pellitteri's Container Haul-Away, a Dane County-based company, has been selected as the hauler for this project; and

WHEREAS, Dane County Landfill Site #2, will be the site for disposal of demolition materials.

THEREFORE, BE IT RESOLVED, that the Dane County Landfill be authorized to accept at "No Charge" demolition materials from the "Extreme Makeover: Home Edition".

THEREFORE, BE IT FINALLY RESOLVED, that the Dane County Board of Supervisors hereby authorizes acceptance of demolition materials at "No Charge" for this project.

Submitted by Supervisors Opitz, Wiganowsky and Veldran, July 17, 2008.
Referred to PUBLIC WORKS & TRANSPORTATION and SOLID WASTE & RECYCLING.

RES. 74, 08-09

AUTHORIZING ACCEPTANCE OF FUNDS FOR HOMELAND SECURITY/HS EOD ROBOTIC WIRELESS UPGRADE 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/HS EOD Robotic Wireless Upgrade Equipment Program for the purchase of equipment for the Explosive Ordinance Disposal Team.

The Dane County Sheriff's Office will be awarded a total of \$50,000. The grant period ends December 31, 2008.

NOW, THEREFORE, BE IT RESOLVED that the Sheriff's Office be permitted to accept the Homeland Security/EOD Robotic Wireless Upgrade Equipment Grant, administered by the Office of Justice Assistance, in the amount of \$50,000.

BE IT FURTHER RESOLVED that \$50,000 be set up as additional revenue in the Sheriff's Office, Field Services Division, Explosive Ordinance Disposal Team Revenue Account (SHRFFLD-80721) and be credited to the General Fund.

BE IT FURTHER RESOLVED that \$50,000 be transferred from the General Fund to the Dane County Sheriff's Office, Field Services Division, Explosive Ordinance 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 2008 budget period to the 2009 budget period.

Submitted by Supervisors Rusk, Willett, Kostelic, Schlicht Hesselbein and Hampton, July 17, 2008.
Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

RES. 75, 08-09

AUTHORIZING A MEMORANDUM OF UNDERSTANDING PROVIDING FOR DANE COUNTY PARTICIPATION IN THE FY2008 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT AWARD

The U.S. Department of Justice, through the Office of Justice Programs, has designated the City of Madison to receive a Justice Assistance Grant (JAG) award. The terms of the grant require that Dane County and the City of Madison submit a joint application under one agency.

In June, 2008 Mayor Dave Cieslewicz and County Executive Kathleen Falk signed a Memorandum of Understanding regarding a proposed plan for the allocation and administration of any funds awarded. Under its terms, acceptance of the MOU by the City of Madison and Dane County is contingent upon the adoption of

an authorizing resolution by the Common Council of the City of Madison and the Dane County Board of Supervisors.

A copy of the proposal for City of Madison and Dane County funding was circulated to all City of Madison alderpersons and Dane County supervisors, and a public hearing was held on June 24, 2008 with no comment. Previous grant funds have been utilized in the past to support the efforts of the Dane County Gang and Narcotics Task Force, the Dane County District Attorney's Office, the Dane County Drug Court, the Dane County Victim/Witness Program, the Madison Police Department and the Dane County Sheriff Office.

The proposed distribution of the \$56,815 from the FY 2008 grant is as follows:

1. The Dane County Gang and Narcotics Task Force will receive \$15,315 for overtime and confidential informant costs associated with Task Force investigations;
2. The Madison Police Department will receive \$18,000 plus any accrued interest from the segregated fund for the purchase of equipment to enhance law enforcement efforts. These funds will be used to purchase equipment such as a ballistic shield for the Emergency Response Team, a tape storage system to provide backup for computer evidence, and a Forensic Recovery of Evidence Device, which enables detectives and investigators to analyze current technology;
3. The Dane County Department of Human Services will receive \$15,500 to support the Drug Court Program;
4. The Dane County District Attorney's Office will receive \$8,000 to support the Victim/Witness Program.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors hereby authorizes the Memorandum of Understanding between the City of Madison and Dane County for FY 2008 Edward Byrne Memorial Justice Assistant Grant program; and

BE IT FINALLY RESOLVED that the Dane County Executive, Dane County Clerk, and Dane County Controller are authorized to execute such documents and take such actions as are necessary to facilitate receipt of the funds by Dane County.

Submitted by Supervisors Rusk, Bayrd, Kostelic, Hesselbein, Willett, Schlicht and Hampton, July 17, 2008.

Referred to HEALTH & HUMAN NEEDS, PERSONNEL/FINANCE and PUBLIC PROTECTION & JUDICIARY.

RES. 76, 08-09

AUTHORIZING IMPLEMENTATION AND MAINTENANCE OF VOIP PHONE EQUIPMENT

The Department of Administration issued a Request for Proposals (RFP) for expanding and maintaining the Mitel Networks VoIP system.

Of the two responses received, the proposal from Five Star Telecom, Inc. was considered most beneficial to Dane County. The Department has negotiated with Five Star Telecom, Inc. to provide expansions of the system and maintenance of existing installations as outlined in the contract. The contract covers VoIP expansions, phone equipment, implementation, maintenance and training. The maximum cost under this agreement is \$392,640. There are sufficient funds in the budget for this project.

NOW, THEREFORE, BE IT RESOLVED that the Purchase of Services Agreement with Five Star Telecom, Inc., be awarded for VoIP phone equipment, implementation and maintenance of said equipment; 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 Administration be directed to ensure complete performance of the agreement.

Submitted by Supervisors Hulseley and O'Loughlin, July 17, 2008.
Referred to PERSONNEL/FINANCE.

RES. 77, 08-09

AN INITIAL RESOLUTION AUTHORIZING GENERAL OBLIGATION CORPORATE PURPOSE BONDS AND/OR PROMISSORY NOTES IN AN AMOUNT OF NOT TO EXCEED \$24,635,000

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 \$24,635,000 for the purpose of paying costs of issuance and the cost of various items included in the County's Capital Budget including but not limited to: general government, human services, conservation, public works, education and recreation and public safety project consisting of constructing, repairing and improving buildings; acquiring and improving land; improving roads; replacing, upgrading and acquiring information technology, equipment and vehicles, as listed with estimated amounts below, plus paying professional fees and expenses in connection with the issuance of the General Obligation Corporate Purpose Bonds and/or Promissory Notes (collectively, the "Project"):

General Government Projects

| | |
|-------------------------------|------------|
| Server Replacement | \$ 50,000 |
| Facility Maintenance Projects | \$ 81,300 |
| Automation Projects | \$ 700,000 |
| VOIP Phone System | \$ 230,000 |
| Elevator Modernization | \$ 115,700 |
| Lighting Efficiency Projects | \$ 173,290 |
| Third Floor Airhandler | \$ 292,300 |
| CCB 3 rd Floor | \$ 686,300 |
| Facility Management Projects | \$ 208,740 |
| Third Floor Remodel | \$ 385,000 |
| First Floor Plan | \$ 25,865 |
| Elections Software | \$ 21,000 |
| Backscanning Project | \$ 281,000 |
| Vital Records Modernization | \$ 125,000 |

Total: \$3,375,495

Human Services Projects

| | |
|-------------------------|-------------|
| Resident Equipment | \$ 75,200 |
| Resident Care Equipment | \$ 75,200 |
| Resident Care Equipment | \$ 74,375 |
| Building Repairs | \$ 209,300 |
| Northport Tuckpointing | \$ 370,000 |
| NPO Boiler and Tunnel | \$ 101,000 |
| Job Center Repairs | \$1,900,000 |
| NPO Facility Study | \$ 30,000 |

Total: \$2,835,075

Conservation Projects

| | |
|----------------------------------|-------------|
| Aquatic Plant Harvester | \$ 80,000 |
| Manure Digester Project | \$ 80,000 |
| Lower Yahara Rec. Trail | \$ 70,000 |
| Telecom Upgrade and Remodeling | \$ 82,700 |
| Token Creek Improvements | \$ 85,000 |
| Legacy Fund Projects and Studies | \$ 151,500 |
| Harvester Barn Improvements | \$ 102,500 |
| Vehicle Replacement | \$ 97,000 |
| Lewis Lunney Fund | \$ 583,000 |
| Conservation Fund | \$5,000,000 |
| Land and Water Legacy Fund | \$2,651,500 |
| Stewart Lake Rehabilitation | \$ 250,000 |
| Permit System Assessment | \$ 120,000 |
| Remonumentation Study | \$ 50,000 |

Total: \$9,403,200

Public Works Projects

| | |
|---------------|-------------|
| Ramp Rehab | \$ 500,000 |
| Road Projects | \$1,825,000 |
| Road Projects | \$ 716,277 |

Total: \$3,041,277

Education and Recreation Projects

| | |
|----------------------------|-------------|
| Replace Risers | \$ 581,000 |
| Reroof Coliseum | \$1,300,000 |
| Capital Improvement Grants | \$ 150,000 |
| Aviary Boilers | \$ 52,000 |
| Aviary Roof | \$ 182,400 |
| Great Ape Structures | \$ 160,000 |

Total: \$2,948,400

Public Safety Projects

| | |
|--------------------------|-------------|
| Mobile X-Ray Machine | \$ 76,000 |
| Ambulance Replacement | \$ 150,000 |
| Shelter Home Windows | \$ 41,500 |
| Radio System Replacement | \$1,000,000 |
| Computer Replacements | \$ 117,000 |
| Boathouse Repairs | \$ 12,500 |
| Refinish CCB Jail Floor | \$ 20,000 |
| Saddlebrook Facility | \$ 675,000 |

| | |
|-----------------------|--|
| Vehicle and Equipment | \$ 671,184 |
| TOTAL OF PROJECTS | Total: <u>\$2,763,184</u> <u>\$23,843,631</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; and

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 and promissory notes (collectively, such bonds and notes shall be referred to herein as the “2008 Bonds and Notes”) for such public purposes.

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

Section 1. Authorization of the 2008 Bonds and Notes. 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 TWENTY FOUR MILLION SIX HUNDRED THIRTY-FIVE THOUSAND DOLLARS (\$24,635,000) and the 2008 Bonds and Notes 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 2008 Bonds and Notes to appear in such publications 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 circulars.

Section 4. Award of the 2008 Bonds and Notes. Following receipt of bids for the 2008 Bonds and Notes, the County Board shall consider taking further action to provide details of the 2008 Bonds and Notes; to ratify the Notices of Sale; to award the 2008 Bonds and Notes to the lowest responsible bidder or bidders therefore; and to levy a direct annual irrevocable tax sufficient to pay the principal of and interest on the 2008 Bonds and Notes 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 Hulsey and O’Loughlin, July 17, 2008.
Referred to PERSONNEL/FINANCE.

RES. 78, 08-09

AUTHORIZING AN INCREASE IN REVENUE AND EXPENDITURES FOR THE LAND ACQUISITION PROGRAM – SUMMER 2008

The Department of Natural Resources has awarded grants to Dane County for the acquisition of lands identified in the *Dane County Parks & Open Space Plan* and the *North Mendota Priority Watershed Plan*. The grants are funded through the Knowles-Nelson Stewardship Program through a highly competitive annual application process. The recent grant awards cover lands previously acquired in the following areas:

- Lower Mud Lake Natural Resource Area – \$242,750
- Patrick Marsh Natural Resource Area – \$125,000.
- Door Creek Wetlands Natural Resource Area – \$678,725
- North Mendota Land & Water Legacy Site – \$573,845
- Fish Lake Natural Resource Area – \$200,000.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors and the Dane County Executive hereby accept the grant funds from the Wisconsin Department of Natural Resources totaling \$1,820,320 for the reimbursement of lands purchased for natural resource protection and recreation.

BE IT FURTHER RESOLVED that the Conservation Fund Manager, County Executive and County Clerk are authorized to execute documents necessary to accept the funds.

BE IT FURTHER RESOLVED that \$125,000 shall be recognized as revenue already identified in the budget under LWPKLNAQ 81601.

BE IT FINALLY RESOLVED that the remaining \$1,695,320 be accepted as 2008 Revenue to Account LWCONSRV 81601 Stewardship Fund Revenue and that the 2008 Dane County Conservation Fund Expense Account LWCONSRV 57273 be increased by \$1,695,320 and that these funds be carried forward until expended.

Submitted by Supervisors Ripp and Kostelic, July 17, 2008.

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

RES. 79, 08-09

**AMENDING SUPERVISORY DISTRICT BOUNDARIES 30 AND 32
VILLAGE OF BELLEVILLE ORDINANCE 2008-06-01**

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 Village of Belleville (Ord. #2008-06-01) have been detached from the Town of Montrose. One result of these annexations is that persons residing on these lands will now be voting at a new location and for Village Board and Village President instead of for town board members. Village residents voting in this area are also assigned

to the 32nd Supervisory District, rather than the 30th 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 Village of Belleville be and the same hereby are detached from the 30th Supervisory District and attached to the 32nd 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 Willett and Downing, July 17, 2008. Fiscal and Policy Notes not required.
Referred to EXECUTIVE.

RES. 80, 08-09

AMENDING SUPERVISORY DISTRICT BOUNDARIES 21 AND 19
CITY OF SUN PRAIRIE ORDINANCE 366

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 (Ordinance #366, File #10,759) 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 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 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 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 area to vote in the supervisory district to which these lands are hereby assigned.

Submitted by Supervisors Kostelic and Wiganowsky, July 17, 2008. Fiscal and Policy Notes not required.
Referred to EXECUTIVE.

RES. 81, 08-09

COUNTY EXECUTIVE APPOINTMENTS

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

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

Agriculture Advisory Council

Robert Pierce, 3695 Highway N, Cottage Grove 53527 (280-9544-H, 358-5834-W), to be reappointed. This term will expire 5/1/11.

Don Hoffman, 6230 Kuehn Road, Waunakee 53597 (849-7119-H), to be reappointed. This term will expire 5/1/11.

Judy Hageman, 1170 Hageman Drive, Belleville 53508 (424-3296-H), to be reappointed. This term will expire 5/1/11.

John Palmer, 1 Fen Oak Court, Madison 53718 (224-3767-W), due to the resignation of Roger Johnson. Mr. Palmer is Director of the Dane County Farm Service Agency. This term will expire 5/1/09.

Madison Metropolitan Sewerage District Board

Caryl Terrell, 19 Red Maple Trail, Madison 53717 (833-8828-H), to be reappointed. This term will expire 6/30/13.

Youth Commission

Jeanne M. Behrend, 850 Schuster Road, Sun Prairie 53590 (837-9700-H), to be reappointed. This term will expire 4/20/10.

Linda Franklin, 1929 Fisher Street, Madison 53713 (256-4742-H, 250-9876-W), to be reappointed. This term will expire 4/20/10.

Submitted by Supervisor McDonell, July 17, 2008. Fiscal and Policy Notes not required.
Referred to EXECUTIVE.

COMMUNICATIONS

Notice of Claim Pursuant to Wis. Stat. § 893.80 of Yahara Materials against County. Referred to PUBLIC PROTECTION & JUDICIARY.

Claim from Dean Andersen for actual, statutory, compensatory, and punitive damages plus legal fees for civil rights violations, false arrest, false imprisonment, gross negligence, breach of duty, infliction of emotional distress and embarrassment. Referred to PUBLIC PROTECTION & JUDICIARY.

Claim from Steve Zawatsky against Highway for damage to vehicle caused by pothole. Referred to PUBLIC PROTECTION & JUDICIARY.

Claim from General Casualty re. Capitol Mechanical Inc. against Highway for damages caused by snow plow. Referred to PUBLIC PROTECTION & JUDICIARY.

Florence County Resolution 08-23 – Wireless Emergency 911 Surcharges. Referred to EXECUTIVE.

Winnebago County Resolution – Request Governor and State Legislators to 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.

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

- Petition 9915 – Town of Cross Plains – Fred Dillet
- 9920 – Town of Cottage Grove – Mariellen Schlobohm
- 9921 – Town of Sun Prairie – Duane Riley
- 9922 – Town of Cross Plains – Anne Herger ET AL
- 9923 – Town of Mazomanie – John Beuthin
- 9924 – Town of Dane – Dan Deans
- 9926 – Town of Springdale – Clairmont Edseth
- 9927 – Town of Sun Prairie – Anthony Krebs
- 9928 – Town of Berry – Paul Cardis
- 9929 – Town of Albion – John Kelch
- 9930 – Town of Dunn – RRJ Properties LLC
- 9936 – Town of Primrose – Roy Alderman

ORD. AMDT. 14, 08-09

AMENDING CHAPTERS 75 AND 78 OF THE DANE COUNTY CODE OF ORDINANCES, UPDATING REFERENCES TO HEIGHT LIMITATION ZONING MAP

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 75.13(4n) is amended to read as follows:

75.13 LAND SUITABILITY. (4n) Airport height limitation zones. Where a proposed subdivision is located wholly or partly within an area subject to height limitations, as set forth in s. 78.03, D. C. Ords., the committee shall require, as a condition of its approval, the following notation be placed on the plat or certified survey map which creates the subdivision: "Lands covered by this [plat] [certified survey map] are within an area subject to height limitations owing to the operation of aircraft and equipment from a nearby airport. Owners of lands within the area covered by this [plat] [certified survey map] are required by law to restrict the height of trees, other vegetation and man-made structures to less than the height limitations set forth in that certain map dated ~~November 5, 1996~~ April 24, 2008, entitled 'Height Limitation Zoning Map, Dane County Regional Airport– Truax Field, Madison, Wisconsin', said map being on file in the Dane County Clerk's office."

ARTICLE 3. Section 78.02 is amended to read as follows:

78.02 ZONES. All zones established by this chapter are as shown on the map dated ~~November 5, 1996~~ April 24, 2008, entitled "Height Limitation Zoning Map, Dane County Regional Airport– Truax Field, Madison, Wisconsin." Said map is on file in the Dane County Clerk's Office and is incorporated by reference as a part of this chapter as though fully set forth herein.

[EXPLANATION: The amendments made by Articles 2 and 3 above update the references in Chapters 75 and 78, D.C. Ords., to the Height Limitations Zoning (HLZ) Map recently amended by the Wisconsin Bureau of Aeronautics. The HLZ Map establishes height limitations applicable to structures, trees and other objects within three miles of the Dane County Regional Airport, in the area defined by state statute as the Airport Affected Area. The map is retained on file in the office of the Dane County Clerk for public access purposes.]

Submitted by Supervisors O'Loughlin, Gau, and Rusk July 24, 2008. Fiscal and Policy Notes not required.
Referred to PUBLIC WORKS & TRANSPORTATION and AIRPORT COMMISSION.

ORD. AMDT. 15, 08-09

**AMENDING CHAPTER 7 OF THE DANE COUNTY CODE OF ORDINANCES,
REGARDING WITHDRAWAL OF PENDING MATTERS FROM COMMITTEE**

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 7.54(2) is amended to read as follows:

(2) ~~A supervisor may move to withdraw~~ A resolution, ordinance or ordinance amendment ~~may be withdrawn from the committee(s) to which it was referred by the county board chair or county clerk, by a majority vote of the supervisors present at a county board meeting and acted on at that meeting, only after at least 60 days have elapsed from the date of referral.~~ A motion to withdraw from committee may be made at a county board meeting only after at least 60 days have elapsed from the date of referral, and the motion will be placed on the calendar for the next regular county board meeting. If the motion is approved by a majority vote of the supervisors present at that meeting, the resolution or ordinance amendment shall be placed on the calendar for the next regular county board meeting for action. However, for a resolution, ordinance, or ordinance amendment referred to committee by the county board, a motion to withdraw from committee may be made anytime.

[EXPLANATION: This amendment revises and clarifies the procedure for withdrawing a pending matter from committee. The amendment states that when a supervisor makes a motion to withdraw a matter from committee, the motion will be placed on the calendar of the next regularly scheduled county board meeting. If the motion is approved, the matter will not be acted on at that meeting, but placed on the calendar for the next scheduled meeting for action.]

Submitted by Supervisors McDonell and Bruskewitz, August 7, 2008. Fiscal and Policy Notes not required.

Referred to EXECUTIVE.

ORD. AMDT. 16, 08-09

**AMENDING CHAPTER 82 OF THE DANE COUNTY CODE OF ORDINANCES, INCORPORATING THE
TOWN OF SPRINGDALE COMPREHENSIVE PLAN INTO THE DANE COUNTY COMPREHENSIVE PLAN**

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

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

ARTICLE 2. Section 82.55(25) is amended to read as follows:
82.55 INCORPORATION OF TOWN PLANS.

(25) Town of Springdale Comprehensive Plan, including all amendments adopted by the county board of supervisors as part of the ~~Dane County Farmland Preservation Plan~~ as of [insert date of county board adoption of this amendment] November 21, 2002.

[EXPLANATION: This amendment adopts amendments to the Town of Springdale Comprehensive Plan and incorporates them into the Dane County Comprehensive Plan.]

Submitted by Supervisor Downing, August 7, 2008. Fiscal and Policy Notes not required.

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

ORD. AMDT. 17, 08-09

AMENDING CHAPTER 82 OF THE DANE COUNTY CODE OF ORDINANCES, INCORPORATING THE TOWN OF MEDINA COMPREHENSIVE PLAN INTO THE DANE COUNTY COMPREHENSIVE PLAN

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

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

ARTICLE 2. Section 82.55(19) is amended to read as follows:
82.55 INCORPORATION OF TOWN PLANS.

(16) Town of Medina Comprehensive Plan, including all amendments adopted by the county board of supervisors as of [insert date].

[EXPLANATION: This amendment adopts amendments to the Town of Medina Comprehensive Plan and incorporates them into the Dane County Comprehensive Plan.]

Submitted by Supervisor Salov, August 7, 2008. Fiscal and Policy Notes not required.

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

RES. 83, 08-09

AUTHORIZING ACCEPTANCE OF FUNDS FOR TRAFFIC VESTS

The Dane County Sheriff's Office has been awarded a grant from AAA Wisconsin for the purchase of Traffic Vests.

Directing traffic can be a dangerous detail that requires law enforcement to be continually aware of changing traffic patterns. This is also a requirement for the general public as they approach an area with traffic control. These vests will provide additional visibility by using the most current and approved material to assist with officer safety for not only deputies, but also on-coming vehicles.

The Dane County Sheriff's Office policy requires staff to wear traffic vests when doing traffic control. These two-tone lightweight vests are designed to provide high visibility for deputies working on our roadways and comply with the American National Standards Institute (ANSI) for officer safety and visibility.

NOW THEREFORE BE IT RESOLVED that the Sheriff's Office is hereby authorized to accept \$1,552.25 from AAA Wisconsin.

BE IT FURTHER RESOLVED that \$1,552.25 be set up as additional revenue in the Sheriff's Office, Administration, Miscellaneous Revenue Account (SHRFADM 80600) and credited to the General Fund.

BE IT FINALLY RESOLVED that \$1,552.25 be transferred from the General Fund to the Sheriff's Office, Administration, Miscellaneous Deputy Supplies Expenditure Account (SHRFADM 21638).

Submitted by Supervisors Rusk, Bayrd, Hampton, Hesselbein, Willett, and Kostelic, August 7, 2008.
Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

RES. 84, 08-09

AUTHORIZATION TO LEASE VEHICLE(S)

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 one vehicle (2000 Dodge Plow Truck). This new vehicle Ford F450 one ton pick up truck with plow, and hydraulic salter will be leased over a period of four years with annual payments made in advance. The fourth year of the lease will be a buyout of \$1 for the vehicle. The vehicle is priced under the state contract at \$53,286 with the annual lease payments of \$17,095.34.

The current Dodge truck, salter and plow will be traded in for \$4,500 to help reduce the cost of the new truck, plow and salter. This vehicle is used primarily for the Human Services parking lots and hill saving the county thousands of dollars in contracting fees. The new truck is identical to DC Highway vehicles and was recommended by DCHWY, DC Parks, and DC Printing as the most appropriate vehicle for completing snow removal efficiently and safely at DC Human Services building.

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 *2009 Ford F450 One Ton Truck with Hydraulic Plow and Salter Bid* for Dane County Human Services Department.

Submitted by Supervisors Stubbs, Vedder, and Wheeler, August 7, 2008.
Referred to HEALTH & HUMAN NEEDS and PERSONNEL/FINANCE.

RES. 85, 08-09

AUTHORIZATION OF MAZOMANIE LEASE FOR JOINING FORCES FOR FAMILIES PROGRAM

Dane County Department of Human Services is involved in a program of providing more localized services in the communities identified as needing those services most. One such program is the Joining Forces for Families (JFF) Program. The Joining Forces for Families program has occupied almost free office space with the Village of Mazomanie in the Community Building at 11 Brodhead Street, in Mazomanie, Wisconsin. This space includes one large office area (approximately 350 sq. ft.) with access to restrooms and other rooms in the Community Building. The Village is requesting \$1.00 per year rent for the space allocated to the Joining Forces for Families Program which includes a small monthly utility fee of \$11.00, other light maintenance such as snow removal, excluding telephone.

The negotiated rental rate for the designated JFF space is presently way below market rate for this space which is 250 square feet. The space will be utilized by a Dane County Community social worker.

The 2008-09 rental rate would be \$133.00 (\$1.00 per year plus the \$11.00 mo utility fee). The current lease will run from August 1, 2008 to July 31, 2009.

NOW, THEREFORE, BE IT RESOLVED that Dane County enter into a lease with the Village of Mazomanie for 2008; 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 Stubbs, Vedder, and Wheeler, August 7, 2008.

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

RES. 86, 08-09

AUTHORIZING ADDITIONAL SOCIAL WORKER POSITIONS DCDHS - ACS DIVISION

Dane County Department of Human Services requests position authority for an additional 1.5 FTE Social Worker positions to provide case management services for older adults and people with physical disabilities who are approved for the Community Options Program and Medicaid Waiver programs (COP/CIP). The position authority would be effective September 1, 2008. The cost of the new positions is \$28,986 in 2008 and \$93,000 in 2009. The costs in 2008 and 2009 will be covered in full by COP-Waiver funds that currently are budgeted in a non-contracted, individual payment account. These positions will be located in the Long Term Support Unit which is housed in the DCDHS office at 2322 S. Park Street. The unit's caseload has grown as a result of moving more than 50 individuals out of nursing homes into community care during 2006 – 2008. Currently, there is under-spending in the county's COP/CIP allocation. Additionally, \$408,067 in COP Carry Over funds from 2007 is available. There are 181 people on the waiting list who appear to meet program eligibility requirements. Adding 1.5 FTE will enable about 50 of these individuals to be served.

NOW, THEREFORE, BE IT RESOLVED, that position authority in the Department of Human Services, Adult Community Services Division, is increased by 1.5 FTE Social Workers effective September 1, 2008.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the following expense accounts be adjusted in the Department of Human Services.

| Expenditure Account Number | Account Title | Amount |
|-----------------------------------|---------------------------|---------------|
| ACCLEDIC IPPWAA | Individual Payments COP-W | (\$28,986) |
| ACCCSMGT AAYAAA | Salaries | \$18,957 |
| ACCCSMGT AAYMAA | Retirement | \$2,256 |
| ACCCSMGT AAYPAA | Social Security | \$1,450 |
| ACCCSMGT AAYSAA | Health | \$6,027 |
| ACCCSMGT AAZBAA | Dental | \$675 |
| ACCCSMGT AAZXAA | Salary Savings | (\$379) |

Total \$0

Submitted by Supervisors Stubbs and Wheeler, August 7, 2008.
Referred to HEALTH & HUMAN NEEDS and PERSONNEL/FINANCE.

RES. 87,08 –09

**ACCEPTING INCOME MAINTENANCE ADMINISTRATION
ALLOCATION (IMAA) FUNDING AND UW HEALTH PARTNER FEES DCDHS – EAWS DIVISION**

University of Wisconsin Hospitals and Clinics Authority (UWHCA) and the University of Wisconsin Medical Foundation, Inc. (UWMF) have negotiated a contract with Dane County EAWS Division for an Economic Support Specialist designated for patients served at those facilities. This worker will facilitate the application process, determine eligibility for Medicaid and BadgerCarePlus and other Economic Support programs. UWHCA AND UWMF will provide the county with 52% of the cost of the position enabling the county to capture matching Income Maintenance Administration funding to fully cover the cost of the position.

This resolution creates 1.0 FTE Economic Support Specialist project position effective October 1, 2008. 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 increase be credited to the County’s General Fund:

| <u>Account Number</u> | <u>Amount</u> |
|--|-----------------|
| EAEDBPER 81531 – Fees | \$ 8,112 |
| EAEDBPER 81350 Income Maintenance Administration | <u>\$ 7,488</u> |
| | \$15,600 |

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

| <u>Account Number</u> | <u>Amount</u> |
|------------------------------------|---------------|
| EAEDBPER AAYAAA Salaries and Wages | \$10,225 |
| EAEDBPER AAYMAA Retirement | \$ 1,225 |
| EAEDBPER AAYPAA Social Security | \$ 775 |
| EAEDBPER AAYSAA Health | \$ 3,000 |
| EAEDBPER AAZBAA Dental | \$ 375 |
| Total | \$15,600 |

BE IT FINALLY RESOLVED that 1.0 FTE Economic Support Specialist project position be created in the Economic Assistance and Work Services (EAWS) Division.

Submitted by Supervisors Stubbs, Vedder, and Wheeler, August 7, 2008.
Referred to HEALTH & HUMAN NEEDS and PERSONNEL/FINANCE.

RES. 88, 08-09

AUTHORIZATION TO LEASE VEHICLE(S)

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 one vehicle (1993 Mercury Villager). This new vehicle will be leased over a period of four years with annual payments made in advance. The fourth year of the lease will be a buyout of \$1 for the vehicle. The vehicle is priced under the state contract at \$15,746 Chevrolet Uplander minivan with the annual lease payments of \$5,572.40.

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 *2008 Chevy Uplander RFP bid# 54694* for Dane County Human Services Department.

Submitted by Supervisors Stubbs, Vedder, and Wheeler, August 7, 2008.
Referred to HEALTH & HUMAN NEEDS and PERSONNEL/FINANCE.

RES. 89, 08-09

AMENDING THE PROFESSIONAL SERVICES CONTRACT WITH THE MENTAL HEALTH CENTER OF DANE COUNTY, INC. DCDHS - ACS Divisions

The Mental Health Center of Dane County, Inc. relies on its own staff and on independent professionals to perform Chapter 51 court ordered evaluations for adults. For more than a year, the Mental Health Center has experienced difficulty finding independent psychiatrists, psychologists and other mental health professionals to perform these evaluations. Because it has been several years since the hourly rates that the Mental Health Center pays for independent evaluations have been raised, the Department of Human Services is recommending that evaluation rates be increased by 5% effective July 1, 2008. The cost of this increase is \$5,650 for July through December 2008. Funds to cover this increase are available elsewhere in the Department of Human Services' budget.

In April, 2008, the Department of Human Services received a check for \$383 from Lake Edge United Church of Christ. The church asked the donation be used for the New Directions Information Center (NDIC), a consumer lead information and referral service operated by the Mental Health Center. The Dane County Personnel and Finance Committee has approved accepting this donation, and the funds have been credited to DCDHS's NDIC expenditure account. County Board of Supervisors' approval is required to increase the professional services contract with the Mental Health Center of Dane County, Inc.

NOW, THEREFORE, BE IT RESOLVED, that the following expense accounts be adjusted in the Department of Human Services.

| Expenditure Account Number | Account Title | Amount |
|-----------------------------------|------------------------------|---------------|
| HSADMIN COYMAA | Planning and Evaluation | (\$5,650) |
| ACFACMHC CICEAA | MH Court Ordered Evaluations | \$5,650 |
| | Total | \$0 |

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the professional services contract listed below be amended for 2008:

Mental Health Center of Dane County, Inc. \$6,033

Submitted by Supervisors Stubbs, Vedder, and Wheeler, August 7, 2008.
Referred to HEALTH & HUMAN NEEDS and PERSONNEL/FINANCE.

RES. 90, 2008-09

AWARD OF CONTRACT FOR AVIARY BOILER REPLACEMENT AT HENRY VILAS ZOO

The Department of Public Works, Highway & Transportation reports the receipt of bids for the Replacement of the Boiler in the Aviary at Henry Vilas Zoo, 702 S. Randall Avenue, Madison, Bid No. 108099.

A complete tabulation is on file at the Department of Public Works office. The low qualified bidder is:

TOTAL AMOUNT: \$ _____

There are sufficient funds in the budget for this project.

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

NOW, THEREFORE, BE IT RESOLVED that a 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 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 \$20,000 or more than 10% of the original approved Contract amount, whichever is smaller.

Submitted by Supervisors Erickson, Opitz, Veldran, Martz, Schmidt, and Wiganowsky, August 7, 2008.
Referred to PERSONNEL/FINANCE and PUBLIC WORKS & TRANSPORTATION.

RES. 91, 08-09

AWARD OF DONALD PARK BRIDGES CONTRACT TO CUSTOM MANUFACTURING

Dane County Parks has identified the need for two hiking trail bridges over Fryes Feeder Creek within Donald County Park in the Town of Springdale. Recommendations to construct these bridges are also found within the County adopted Master Plan for Donald Park.

Dane County Parks has now secured all County and State permits necessary to construct these two bridges in Donald County Park. Dane County Public Works opened Bid No. 108101 on August 5th, 2008, and per bid summary recommends award of contract to Custom Manufacturing of Clinton, Wisconsin for the base bid amount of \$48,140.00 and Alt. No. 1 of \$9,200 for a total contract price of \$57,340.00.

NOW, THEREOFRE, BE IT RESOLVED that the Dane County Board of Supervisors and the Dane County Executive hereby award a Contract in the amount of \$57,340.00 to Custom Manufacturing for the construction of two pedestrian bridges in Donald Park.

BE IT FINALLY RESOLVED that project is funded through \$15,000 from LWRPKOP 48513, \$15,000 from LWRPKOP 20916, and \$27,340.00 from LEWSLUNY 58036.

Submitted by Supervisors Ripp, Kostelic, and Downing, August 7, 2008.

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

RES. 92, 08-09

AWARD OF CONTRACT FOR DONALD PARK PEDESTRIAN BRIDGES

The Department of Public Works, Highway & Transportation reports the receipt of bids for the Pedestrian Bridges at Donald Park, Mt. Horeb, WI, Bid No. 108101.

A complete tabulation is on file at the Department of Public Works office. The low qualified bidder is:
Custom Manufacturing, Inc.
606 Delco Drive
Clinton, WI 53525

TOTAL AMOUNT: \$48,140.00

There are sufficient funds in the budget for this project.

The Public Works staff finds the amount to be reasonable and recommends the bid be awarded to Custom Manufacturing, Inc.

NOW, THEREFORE, BE IT RESOLVED that a Contract be awarded to Custom Manufacturing, Inc. in the amount of \$48,140.00; 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 \$20,000 or more than 10% of the original approved Contract amount, whichever is smaller.

Submitted by Supervisors Downing, Opitz, Veldran, Martz, Schmidt, and Wiganowsky, August 7, 2008.

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

RES. 93, 08-09

AWARD OF AGREEMENT FOR PUBLIC SAFETY COMMUNICATIONS CENTER INFRASTRUCTURE UPGRADES DESIGN PHASE

The Department of Public Works, Highway and Transportation reports the receipt of proposals for the PSC Infrastructure Upgrades Design Phase in the City-County Building, 210 Martin Luther King, Jr. Blvd., Madison, WI, RFP #108088.

There are sufficient funds in the budget for this project.

NOW, THEREFORE, BE IT RESOLVED, That an Agreement with _____ in the amount of \$_____ for a facility study and fee of _____% of total construction costs for design services, is hereby approved; and

BE IT FURTHER RESOLVED, That the County Executive and County Clerk are authorized to sign the Agreement; and

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

BE IT 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 \$20,000 or more than 10% of the original approved Agreement amount, whichever is smaller.

Submitted by Supervisors Opitz, Vedder, Martz, Schmidt, and Wiganowsky, August 7, 2008.

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

RES. 94, 08-09

AUTHORIZING AN AGREEMENT WITH THE CITY OF MONONA FOR THE ENGINEERING DESIGN OF MONONA DRIVE, CTH "BB", PHASE II FROM WINNEQUA ROAD TO COTTAGE GROVE ROAD

The Dane County Department of Public Works, Highway & Transportation and representatives of the City of Madison and the City of Monona have determined that 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. Phase 1 design, from Broadway(CTH BW) to Nichols Road intersection, has been completed and construction is scheduled for 2009/10.

Funding is to be accomplished in accordance with past policies of cost sharing on similar CTH projects. The project will be financed by the City of Monona, the City of Madison and Dane County. The City of Monona is the lead agency for this project.

The County's total obligations for design and engineering, Phase II, shall not exceed \$ _____.

The Highway and Transportation Department has sufficient funds budgeted in the CTH Construction program account HWCONST-59109.

NOW, 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, 2008, in account HWCONST-59109 will be carried forward.

Submitted by Supervisors Schmidt, Veldran, Opitz, Martz, and Wiganowsky, August 7, 2008.
Referred to PERSONNEL/FINANCE and PUBLIC WORKS & TRANSPORTATION.

RES. 95, 08-09

**AMENDING THE DANE COUNTY FARMLAND PRESERVATION PLAN BY ADOPTING
AMENDMENTS TO THE TOWN OF MEDINA COMPREHENSIVE PLAN**

On July 11, 2008, the Town Board of the Town of Medina adopted the *Town of Medina Comprehensive Plan*. That plan includes a summary of policies proposed by the town to maintain eligibility for farmland preservation tax credits under Chapter 91 of the Wisconsin Statutes.

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 *Town of Medina Comprehensive Plan* as an amendment to the *Dane County Farmland Preservation Plan*.

Submitted by Supervisors Salov and Hendrick, August 7, 2008. Fiscal and Policy Note not required.
Referred to ENVIRONMENT, AGRICULTURE & NATURAL RESOURCES and ZONING & LAND REGULATION.

RES. 96, 08-09

**AUTHORIZING EXECUTION OF A LEASE OF LAND FOR AIRCRAFT HANGAR USE AT THE
DANE COUNTY REGIONAL AIRPORT - Hangar, LLC**

Airport staff and Hangar, LLC, the present lessee under a hangar ground lease at the Dane County Regional Airport, have negotiated a successor lease commencing upon the expiration of the present lease on

December 31, 2018 and permitting the existing hangar to remain on the leased premises. The area of the leasehold on the East Ramp of the Airport is 13,072 square feet and the new 30 year lease provides for an initial annual rent of \$1.07 per square foot, with yearly adjustments related to the Consumer Price Index. The lease also provides for a non-exclusive staging area consisting of 6,520 square feet of ramp space in front of the existing hangar, at a rent of \$.09 per square foot per year.

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, Lease No. DCRA 2008-03, with Hangar, LLC incorporating the forgoing terms and conditions.

Submitted by Supervisors Rusk, Gau, Hendrick, and de Felice, August 7, 2008.
Referred to PERSONNEL/FINANCE, PUBLIC WORKS & TRANSPORTATION and AIRPORT.

RES. 97, 08-09

AMENDING SUPERVISORY DISTRICT BOUNDARIES 29 AND 22
VILLAGE OF DEFOREST, ORDINANCE 2008-026

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 Village of De Forest (Ordinance #2008-026) have been detached from the Town of Vienna. One result of this annexation is that persons residing on these lands will now be voting at a new location and for village president and village offices, instead of for town board members. Village residents voting in this area are also assigned to the 22nd 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. (Population involved is 2)

NOW, THEREFORE, BE IT RESOLVED that the lands described in the attached (available in the County Clerk's Office) annexation ordinance of the Village of De Forest be and the same hereby are detached from the 29th Supervisory District and attached to the 22nd 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, August 7, 2008. Fiscal and Policy Notes not required.
Referred to EXECUTIVE.

RES. 98, 08-09

RESOLUTION AWARDING THE SALE OF \$12,585,000 GENERAL OBLIGATION CORPORATE PURPOSE BONDS, SERIES 2008C

WHEREAS, on August 7, 2008, the County Board of Supervisors of Dane County, Wisconsin (the "County") adopted a resolution entitled: "An Initial Resolution Authorizing General Obligation Corporate Purpose Bonds and/or Promissory Notes in an Amount of Not to Exceed \$24,635,000" (the "Initial Resolution") authorizing general obligation corporate purpose bonds and/or promissory notes for the purpose of paying costs of issuance and the cost of various items included in the County's Capital Budget including but not limited to: general government, human services, conservation, public works, education and recreation and public safety projects consisting of constructing, repairing and improving buildings; acquiring and improving land; improving roads; replacing, upgrading and acquiring information technology, equipment and vehicles, as listed with estimated amounts in the Initial Resolution, plus paying professional fees and expenses, and there are insufficient funds on hand to pay said costs;

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 corporate purpose bonds shall be issued in the aggregate principal amount of \$12,585,000 and designated as "General Obligation Corporate Purpose Bonds, Series 2008C" (the "Bonds") for the purpose of paying a portion of costs of the projects authorized by the Initial Resolution, to wit: general government projects (in an amount not to exceed \$1,085,400), human services projects (in an amount not to exceed \$374,850), education and recreation projects (in an amount not to exceed \$2,435,600), and public safety projects (in an amount not to exceed \$683,850), consisting of constructing and repairing and improving buildings and paying professional fees and expenses; and conservation projects (in an amount not to exceed \$8,005,300) consisting of acquiring and improving land and paying professional fees and expenses (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 Chapter 67, Wisconsin Statutes, to borrow money and to issue general obligation corporate purpose bonds;

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 has directed its financial advisor, Public Financial Management, Inc., Milwaukee, Wisconsin ("PFM") to take the steps necessary to sell the Bonds;

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 September 4, 2008;

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 September 4, 2008;

WHEREAS, the County has duly received bids for the Bonds as described on the Bid Tabulation attached hereto as Exhibit B and incorporated herein by this reference;

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;

[WHEREAS, as a condition of bidding on the Bonds, a good faith deposit of funds in the form of a certified or cashier's check or a financial surety bond was required payable to the order of the County; and

WHEREAS, the County may elect to direct that the winning bidder submit its deposit to The Bank of New York Mellon Trust Company, N.A., to be held on its behalf pursuant to the terms of a Depository Agreement authorized pursuant to this Resolution until it is either returned to the winning bidder or applied to the purchase price of the Bonds.]

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, there shall be borrowed pursuant to Chapter 67, Wisconsin Statutes, the principal sum of TWELVE MILLION FIVE HUNDRED EIGHTY-FIVE THOUSAND DOLLARS (\$12,585,000).

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 Exhibit 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 \$12,585,000 Dane County General Obligation Corporate Purpose Bonds, Series 2008C (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 Corporate Purpose Bonds, Series 2008C"; shall be dated September 15, 2008; 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 attached hereto as Exhibit D and incorporated herein by this reference (the "Schedule"). Interest is payable semi-annually on June 1 and December 1 of each year commencing on June 1, 2009. Interest shall be computed upon the basis of a 360-day year of twelve 30-day months and will be rounded pursuant to the rules of the Municipal Securities Rulemaking Board.

Section 3. Redemption Provisions. The Bonds maturing on June 1, 2018 and thereafter shall be subject to redemption prior to maturity, at the option of the County, on June 1, 2017 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. Tax Provisions.

(A) 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 2008 through 2027 for the payments due in the years 2009 through 2028 in the amounts set forth on the Schedule.

(B) Tax Collection. So long as any part of the principal of or interest on the Bonds remains unpaid, the County shall be and continue without power to repeal such levy or obstruct the collection of said tax until all such payments have been made or provided for. After the issuance of the Bonds, said tax shall be, from year to year, carried onto the tax roll of the County 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, except that the amount of tax carried onto the tax roll may be reduced in any year by the amount of any surplus money in the Debt Service Fund Account created below.

(C) Additional Funds. If at any time there shall be on hand insufficient funds from the aforesaid tax levy to meet principal and/or interest payments on said Bonds when due, the requisite amounts shall be paid from other funds of the County then available, which sums shall be replaced upon the collection of the taxes herein levied.

Section 6. Segregated Debt Service Fund and Account.

(A) Creation and Deposits. There be and there hereby is established in the treasury of the County, if one has not already been created, a debt service fund, separate and distinct from every other fund, which shall be maintained in accordance with generally accepted accounting principles. Debt service or sinking funds established for obligations previously issued by the County may be considered as separate and distinct accounts within the debt service fund.

Within the debt service fund, there hereby is established a separate and distinct account designated as the "Debt Service Fund Account for \$12,585,000 General Obligation Corporate Purpose Bonds, Series 2008C, dated September 15, 2008" (the "Debt Service Fund Account") and such account shall be maintained until the indebtedness evidenced by the Bonds is fully paid or otherwise extinguished. The County Treasurer shall deposit in such Debt Service Fund Account (i) all accrued interest received by the County at the time of delivery of and payment for the Bonds; (ii) any premium which may be received by the County above the par value of the Bonds and accrued interest thereon; (iii) all money raised by the taxes herein levied and any amounts appropriated for the specific purpose of meeting principal of and interest on the Bonds when due; (iv) such other sums as may be necessary at any time to pay principal of and interest on the Bonds when due; (v) surplus monies in the Borrowed Money Fund as specified below; and (vi) such further deposits as may be required by Section 67.11, Wisconsin Statutes.

(B) Use and Investment. No money shall be withdrawn from the Debt Service Fund Account and appropriated for any purpose other than the payment of principal of and interest on the Bonds until all such principal and interest has been paid in full and the Bonds canceled; provided (i) the funds to provide for each payment of principal of and interest on the 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 Bonds may be used to reduce the next succeeding tax levy, or may, at the option of the County, be invested by purchasing the Bonds as permitted by and subject to Section 67.11(2)(a), Wisconsin Statutes, or in permitted municipal investments under the pertinent provisions of the Wisconsin Statutes ("Permitted Investments"), which investments shall continue to be a part of the Debt Service Fund Account. Any investment of the Debt Service Fund Account shall at all times conform with the provisions of the Internal Revenue Code of 1986, as amended (the "Code") and any applicable Treasury Regulations (the "Regulations").

(C) Remaining Monies. When all of the Bonds have been paid in full and canceled, and all Permitted Investments disposed of, any money remaining in the Debt Service Fund Account shall be transferred and deposited in the general fund of the County, unless the County Board of Supervisors directs otherwise.

Section 7. Proceeds of the Bonds; Segregated Borrowed Money Fund. 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 a special fund separate and distinct from all other funds of the County and disbursed solely for the purposes for which borrowed or for the payment of the principal of and the interest on the Bonds. In no event shall monies in the Borrowed Money Fund be used to fund operating expenses of the general fund of the County or of any special revenue fund of the County that is supported by property taxes. Monies in the Borrowed Money Fund may be temporarily invested in Permitted Investments. Any monies, including any income from Permitted Investments, remaining in the Borrowed Money Fund after the purposes for which the Bonds have been issued have been accomplished, and, at any time, any monies as are not needed and which obviously thereafter cannot be needed for such purposes shall be deposited in the Debt Service Fund Account.

Section 8. No Arbitrage. All investments made pursuant to this Resolution shall be Permitted Investments, but no such investment shall be made in such a manner as would cause the Bonds to be "arbitrage bonds" within the meaning of Section 148 of the Code or the Regulations and an officer of the County, charged with the responsibility for issuing the Bonds, shall certify as to facts, estimates, circumstances and reasonable expectations in existence on the date of delivery of the Bonds to the Purchaser which will permit the conclusion that the Bonds are not "arbitrage bonds," within the meaning of the Code or Regulations.

Section 9. Compliance with Federal Tax Laws. (a) The County represents and covenants that the projects financed by the Bonds and their ownership, management and use will not cause the Bonds to be "private activity bonds" within the meaning of Section 141 of the Code. The County further covenants that it shall comply with the provisions of the Code to the extent necessary to maintain the tax-exempt status of the interest on the Bonds including, if applicable, the rebate requirements of Section 148(f) of the Code. 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 Bonds) if taking, permitting or omitting to take such action would cause any of the Bonds to be an arbitrage bond or a private activity bond within the meaning of the Code or would otherwise cause interest on the Bonds 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 Bonds shall provide an appropriate certificate of the County certifying that the County can and covenanting that it will comply with the provisions of the Code and Regulations.

(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 Bonds provided that in meeting such requirements the County will do so only to the extent consistent with the proceedings authorizing the Bonds and the laws of the State of Wisconsin and to the extent that there is a reasonable period of time in which to comply.

Section 10. Execution of the Bonds; Closing. The Bonds shall be issued in 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 (the "Closing"). The facsimile signature of either of the officers executing the Bonds may be imprinted on the Bonds in lieu of the manual signature of the officer but, unless the County has contracted with a fiscal agent to authenticate the Bonds, at least one of the signatures appearing on each Bond shall be a

manual signature. In the event that either of the officers whose signatures appear on the Bonds shall cease to be such officers before the Closing, such signatures shall, nevertheless, be valid and sufficient for all purposes to the same extent as if they had remained in office until the Closing. The aforesaid officers are hereby authorized and directed to do all acts and execute and deliver the Bonds and all such documents, certificates and acknowledgements as may be necessary and convenient to effectuate 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 12. 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.

Section 13. Record Date. The fifteenth day of each calendar month next preceding each interest payment date shall be the record date for the Bonds (the "Record Date"). 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 Record Date.

Section 14. 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 15. Official Statement. The County Board of Supervisors hereby approves the Preliminary Official Statement with respect to the Bonds and deems the Preliminary Official Statement as "final" for purposes of SEC Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities and Exchange Act of 1934 (the "Rule"). All actions taken by officers of the County in connection with the preparation of such Preliminary Official Statement and any addenda to it or Final Official Statement are hereby ratified and approved. In connection with the Closing, the appropriate County official shall certify the Preliminary Official Statement and any addenda or Final Official Statement. The County Clerk shall cause copies of the Preliminary Official Statement and any addenda or Final Official Statement to be distributed to the Purchaser.

Section 16. 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 17. Record Book. The County Clerk shall provide and keep the transcript of proceedings as a separate record book (the "Record Book") and shall record a full and correct statement of every step or proceeding had or taken in the course of authorizing and issuing the Bonds in the Record Book.

Section 18. Bond Insurance. If the Purchaser of the Bonds determines to obtain municipal bond insurance with respect to the Bonds, the officers of the County are authorized to take all actions necessary to obtain such municipal bond insurance. The Chairperson and County Clerk are authorized to agree to such additional provisions as the bond insurer 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, any reference required by the bond insurer to the municipal bond insurance policy shall be made in the form of Bond provided herein.

[Section 19. Depository Agreement. The Chairperson and County Clerk are hereby authorized and directed to execute a Depository Agreement between The Bank of New York Mellon Trust Company, N.A., Chicago, Illinois and the County in substantially the form submitted to and on file with the Chairperson and County Clerk prior to adoption of this Resolution in connection with the deposit of the good faith deposit.]

Section 20. 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.

EXHIBIT A

Official Notice of Sale

To be provided by Public Financial Management, Inc. and incorporated into the Resolution.

EXHIBIT B

Bid Tabulation

To be provided by Public Financial Management, Inc. and incorporated into the Resolution.

EXHIBIT C

Winning Bid

To be provided by Public Financial Management, Inc. and incorporated into the Resolution.

EXHIBIT D

Debt Service Schedule and Irrepealable Tax Levies

**TO BE PROVIDED BY PUBLIC FINANCIAL MANAGEMENT, INC. AND INCORPORATED INTO
THE RESOLUTION. EXHIBIT E**

(Form of Bond)

REGISTERED NO. R-____ UNITED STATES OF AMERICA
STATE OF WISCONSIN DOLLARS
DANE COUNTY \$_____
GENERAL OBLIGATION CORPORATE PURPOSE BOND, SERIES 2008C

MATURITY DATE: ORIGINAL DATE OF ISSUE: INTEREST RATE: CUSIP:
June 1, _____ September 15, 2008 _____% _____

DEPOSITORY OR ITS NOMINEE NAME: CEDE & CO.

PRINCIPAL AMOUNT: _____ THOUSAND DOLLARS (\$_____)

FOR VALUE RECEIVED, Dane County, Wisconsin (the "County"), hereby acknowledges itself to owe and promises to pay to the Depository or its Nominee Name (the "Depository") identified above (or to registered assigns), on the maturity date identified above, the principal amount identified above, and to pay interest thereon at the rate of interest per annum identified above, all subject to the provisions set forth herein regarding redemption prior to maturity. Interest is payable semi-annually on June 1 and December 1 of each year commencing on June 1, 2009 until the aforesaid principal amount is paid in full. Both the principal of and interest on this Bond are payable in lawful money of the United States. Interest payable on any interest payment date shall be paid by wire transfer to the Depository in whose name this Bond is registered on the Bond Register maintained by the County Clerk or County Treasurer at the close of business on the 15th day of the calendar month next preceding the semi-annual interest payment date (the "Record Date").

For the prompt payment of this Bond together with interest hereon as aforesaid and for the levy of taxes sufficient for that purpose, the full faith, credit and resources of the County are hereby irrevocably pledged.

This Bond is one of an issue of Bonds aggregating the principal amount of \$12,585,000, all of which are of like tenor, except as to denomination, interest rate, maturity date and redemption provision, issued by the County pursuant to the provisions of Chapter 67, Wisconsin Statutes, for public purposes, including general government projects (in an amount not to exceed \$1,085,400), human services projects (in an amount not to

exceed \$374,850), education and recreation projects (in an amount not to exceed \$2,435,600), and public safety projects (in an amount not to exceed \$683,850), consisting of constructing and repairing and improving buildings and paying professional fees and expenses; and conservation projects (in an amount not to exceed \$8,005,300) consisting of acquiring and improving land and paying professional fees and expenses all as authorized by resolutions of the County Board of Supervisors duly adopted by said governing body at meetings held on August 7, 2008 and September 4, 2008. Said resolutions are recorded in the official minutes of the County Board of Supervisors for said dates.

The Bonds maturing on June 1, 2018 and thereafter are subject to redemption prior to maturity, at the option of the County, on June 1, 2017 or on any date thereafter. Said Bonds are redeemable as a whole or in part, and if in part, from maturities selected by the County and within each maturity, by lot (as selected by the Depository), at the principal amount thereof, plus accrued interest to the date of redemption.

In the event the County exercises its option to redeem the Bonds prior to maturity, as long as the Bonds are in book-entry-only form, official notice of the redemption will be given by mailing a notice by registered or certified mail, overnight express delivery, facsimile transmission or electronic transmission, to the Depository not less than thirty (30) days nor more than sixty (60) days prior to the redemption date. If less than all of the Bonds of a maturity are to be called for redemption, the Bonds of such maturity to be redeemed will be selected by lot. Such notice will include but not be limited to the following: the designation, date and maturities of the Bonds called for redemption, CUSIP numbers, and the date of redemption. Any notice mailed as provided herein shall be conclusively presumed to have been duly given, whether or not the registered owner receives the notice. The Bonds shall cease to bear interest on the specified redemption date provided that federal or other immediately available funds sufficient for such redemption are on deposit at the office of the Depository at that time. Upon such deposit of funds for redemption the Bonds shall no longer be deemed to be outstanding.

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 Bond have been done, have existed and have been performed in due form and time; that the aggregate indebtedness of the County, including this Bond and others issued simultaneously herewith, does not exceed any limitation imposed by law or the Constitution of the State of Wisconsin; and that a direct annual irrevocable tax has been levied sufficient to pay this Bond, together with the interest thereon, when and as payable.

This Bond is transferable only upon the books of the County kept for that purpose at the office of the County Clerk or County Treasurer, only in the event that the Depository does not continue to act as depository for the Bonds, and the County appoints another depository, upon surrender of the Bond to the County Clerk or County Treasurer, and thereupon a new fully registered Bond in the same aggregate principal amount shall be issued to the new depository in exchange therefor and upon the payment of a charge sufficient to reimburse the County for any tax, fee or other governmental charge required to be paid with respect to such registration. The County shall not be obliged to make any transfer of the Bonds (i) after the Record Date, (ii) during the fifteen (15) calendar days preceding the date of any publication of notice of any proposed redemption of the Bonds, or (iii) with respect to any particular Bond, after such Bond has been called for redemption. The County may treat and consider the Depository in whose name this Bond is registered as the absolute owner hereof for the purpose of receiving payment of, or on account of, the principal or redemption price hereof and interest due hereon and for all other purposes whatsoever. The Bonds are issuable solely as negotiable, fully-registered Bonds without coupons in the denomination of \$5,000 or any integral multiple thereof.

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, Dane County, Wisconsin, by its governing body, has caused this Bond to be executed for it and in its name by the manual or facsimile signatures of its duly qualified Chairperson and County Clerk; and to be sealed with its official or corporate seal, if any, all as of the 15th day of September, 2008.

DANE COUNTY, WISCONSIN

By: _____
Scott A. McDonell
Chairperson

(SEAL)

By: _____
Robert H. Ohlsen
County Clerk
ASSIGNMENT

FOR VALUE RECEIVED, the undersigned sells, assigns and transfers unto

(Name and Address of Assignee)

(Social Security or other Identifying Number of Assignee)

(e.g. Bank, Trust Company
or Securities Firm)

(Depository or Nominee Name)

NOTICE: This signature must correspond with the name of the Depository or Nominee Name as it appears upon the face of the within Bond in every particular, without alteration or enlargement or any change whatever.

(Authorized Officer)

Submitted by Supervisors Vogel and Stoebig, August 7, 2008.
Referred to PERSONNEL/FINANCE.

RES. 99, 08-09

RESOLUTION AWARDING THE SALE OF \$12,035,000 GENERAL OBLIGATION PROMISSORY NOTES, SERIES 2008B

WHEREAS, on August 7, 2008, the County Board of Supervisors of Dane County, Wisconsin (the "County") adopted a resolution entitled: "An Initial Resolution Authorizing General Obligation Corporate Purpose Bonds and/or Promissory Notes in an Amount of Not to Exceed \$24,635,000" (the "Initial Resolution") authorizing general obligation corporate purpose bonds and/or promissory notes for the purpose of paying costs of issuance and the cost of various items included in the County's Capital Budget including but not limited to: general government, human services, conservation, public works, education and recreation and public safety projects consisting of constructing, repairing and improving buildings; acquiring and improving land; improving roads; replacing, upgrading and acquiring information technology, equipment and vehicles, as listed with estimated amounts in the Initial Resolution, plus paying professional fees and expenses, and there are insufficient funds on hand to pay said costs;

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 \$12,035,000 and designated as "General Obligation Promissory Notes, Series 2008B" (the "Notes") for the purpose of paying a portion of the cost of the projects authorized by the Initial Resolution, to wit: public purposes, including general government, human services, conservation, public works, education and recreation and public safety projects consisting of constructing, repairing and improving buildings; acquiring and improving land; improving roads; replacing, upgrading and acquiring information technology, equipment and vehicles, and paying professional fees and expenses (the "Project");

WHEREAS, the County Board of Supervisors hereby finds and determines that the Project is within the County's power to undertake and therefore serves a "public purpose" as that term is defined in Section 67.04(1)(b), Wisconsin Statutes;

WHEREAS, counties are authorized by the provisions of Section 67.12(12), Wisconsin Statutes, to borrow money and issue general obligation promissory notes;

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 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 September 4, 2008;

WHEREAS, the County Clerk (in consultation with PFM) caused a form of the notice of sale to be published and/or announced and cause the Official Notice of Sale to be distributed to potential bidders offering the Notes for public sale on September 4, 2008;

WHEREAS, the County has duly received bids for the Notes as described on the Bid Tabulation attached hereto as Exhibit B and incorporated herein by this reference;

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;

[WHEREAS, as a condition of bidding on the Notes, a good faith deposit of funds in the form of a certified or cashier's check or a financial surety bond was required payable to the order of the County; and

WHEREAS, the County may elect to direct that the winning bidder submit its deposit to The Bank of New York Mellon Trust Company, N.A., to be held on its behalf pursuant to the terms of a Depositary Agreement authorized pursuant to this Resolution until it is either returned to the winning bidder or applied to the purchase price of the Notes.]

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

Section 1. Authorization and Sale of the Notes. For the purpose of paying the cost of the Project, there shall be borrowed pursuant to Section 67.12(12), Wisconsin Statutes, the principal sum of TWELVE MILLION THIRTY-FIVE THOUSAND DOLLARS (\$12,035,000).

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 1B. Award of the Notes. The Bid of the Purchaser offering to purchase the \$12,035,000 Dane County General Obligation Promissory Notes, Series 2008B (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 2. Terms of the Notes. The Notes shall be designated "General Obligation Promissory Notes, Series 2008B"; shall be dated September 15, 2008; shall be in the denomination of \$5,000 or any integral multiple thereof; shall be numbered R-1 and upward; shall bear interest at the rates per annum; and shall mature on June 1 of each year, in the years and principal amounts as set forth on the schedule attached hereto as Exhibit D and incorporated herein by this reference (the "Schedule"). Interest is payable semi-annually on June 1 and December 1 of each year commencing on June 1, 2009. Interest shall be computed upon the basis of a 360-day year of twelve 30-day months and will be rounded pursuant to the rules of the Municipal Securities Rulemaking Board.

Section 3. Redemption Provisions. The Notes maturing on June 1, 2017 and thereafter shall be subject to redemption prior to maturity, at the option of the County, on June 1, 2016 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 4. 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 5. Tax Provisions.

(A) 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 2008 through 2017 for the payments due in the years 2009 through 2018 in the amounts set forth on the Schedule.

(B) Tax Collection. So long as any part of the principal of or interest on the Notes remains unpaid, the County shall be and continue without power to repeal such levy or obstruct the collection of said tax until all such payments have been made or provided for. After the issuance of the Notes, said tax shall be, from year to year, carried onto the tax roll of the County 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, except that the amount of tax carried onto the tax roll may be reduced in any year by the amount of any surplus money in the Debt Service Fund Account created below.

(C) Additional Funds. If at any time there shall be on hand insufficient funds from the aforesaid tax levy to meet principal and/or interest payments on said Notes when due, the requisite amounts shall be paid from other funds of the County then available, which sums shall be replaced upon the collection of the taxes herein levied.

Section 6. Segregated Debt Service Fund and Account.

(A) Creation and Deposits. There be and there hereby is established in the treasury of the County, if one has not already been created, a debt service fund, separate and distinct from every other fund, which shall be maintained in accordance with generally accepted accounting principles. Debt service or sinking funds established for obligations previously issued by the County may be considered as separate and distinct accounts within the debt service fund.

Within the debt service fund, there hereby is established a separate and distinct account designated as the "Debt Service Fund Account for \$12,035,000 General Obligation Promissory Notes, Series 2008B, dated September 15, 2008" (the "Debt Service Fund Account") and such account shall be maintained until the indebtedness evidenced by the Notes is fully paid or otherwise extinguished. The County Treasurer shall deposit in such Debt Service Fund Account (i) all accrued interest received by the County at the time of delivery of and payment for the Notes; (ii) any premium which may be received by the County above the par value of the Notes and accrued interest thereon; (iii) all money raised by the taxes herein levied and any amounts appropriated for the specific purpose of meeting principal of and interest on the Notes when due; (iv) such other sums as may be necessary at any time to pay principal of and interest on the Notes when due; (v) surplus monies in the Borrowed Money Fund as specified below; and (vi) such further deposits as may be required by Section 67.11, Wisconsin Statutes.

(B) Use and Investment. No money shall be withdrawn from the Debt Service Fund Account and appropriated for any purpose other than the payment of principal of and interest on the Notes until all such principal and interest has been paid in full and the Notes canceled; provided (i) the funds to provide for each payment of principal of and interest on the Notes prior to the scheduled receipt of taxes from the next succeeding tax collection may be invested in direct obligations of the United States of America maturing in time to make such payments when they are due or in other investments permitted by law; and (ii) any funds over and above the amount of such principal and interest payments on the Notes may be used to reduce the next succeeding tax levy, or may, at the option of the County, be invested by purchasing the Notes as permitted by and subject to Section 67.11(2)(a), Wisconsin Statutes, or in permitted municipal investments under the pertinent provisions of the Wisconsin Statutes ("Permitted Investments"), which investments shall continue to be a part of the Debt Service Fund Account. Any investment of the Debt Service Fund Account shall at all times conform with the provisions of the Internal Revenue Code of 1986, as amended (the "Code") and any applicable Treasury Regulations (the "Regulations")

(C) Remaining Monies. When all of the Notes have been paid in full and canceled, and all Permitted Investments disposed of, any money remaining in the Debt Service Fund Account shall be transferred and deposited in the general fund of the County, unless the County Board of Supervisors directs otherwise.

Section 7. Proceeds of the Notes; Segregated Borrowed Money Fund. 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 a special fund separate and distinct from all other funds of the County and disbursed solely for the purposes for which borrowed or for the payment of the principal of and the interest on the Notes. In no event shall monies in the Borrowed Money Fund be used to fund operating expenses of the general fund of the County or of any special revenue fund of the County that is supported by property taxes. Monies in the Borrowed Money Fund may be temporarily invested in Permitted Investments. Any monies, including any income from Permitted Investments, remaining in the Borrowed Money Fund after the purposes for which the Notes have been issued have been accomplished, and, at any time, any monies as are not needed and which obviously thereafter cannot be needed for such purposes shall be deposited in the Debt Service Fund Account.

Section 8. No Arbitrage. All investments made pursuant to this Resolution shall be Permitted Investments, but no such investment shall be made in such a manner as would cause the Notes to be "arbitrage bonds" within the meaning of Section 148 of the Code or the Regulations and an officer of the County, charged with the responsibility for issuing the Notes, shall certify as to facts, estimates, circumstances and reasonable expectations in existence on the date of delivery of the Notes to the Purchaser which will permit the conclusion that the Notes are not "arbitrage bonds," within the meaning of the Code or Regulations.

Section 9. Compliance with Federal Tax Laws. (a) The County represents and covenants that the projects financed by the Notes and their ownership, management and use will not cause the Notes to be "private activity bonds" within the meaning of Section 141 of the Code. The County further covenants that it shall comply with the provisions of the Code to the extent necessary to maintain the tax-exempt status of the interest on the Notes including, if applicable, the rebate requirements of Section 148(f) of the Code. 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 certifying that the County can and covenanting that it will comply with the provisions of the Code and Regulations.

(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 Notes provided that in meeting such requirements the County will do so only to the extent consistent with the proceedings authorizing the Notes and the laws of the State of Wisconsin and to the extent that there is a reasonable period of time in which to comply.

Section 10. Execution of the Notes; Closing. The Notes shall be issued in 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 (the "Closing"). The facsimile signature of either of the officers executing the Notes may be imprinted on the Notes in lieu of the manual signature of the officer but, unless the County has contracted with a fiscal agent to authenticate the Notes, at least one of the signatures appearing on each Note shall be a

manual signature. In the event that either of the officers whose signatures appear on the Notes shall cease to be such officers before the Closing, such signatures shall, nevertheless, be valid and sufficient for all purposes to the same extent as if they had remained in office until the Closing. The aforesaid officers are hereby authorized and directed to do all acts and execute and deliver the Notes and all such documents, certificates and acknowledgements as may be necessary and convenient to effectuate the Closing.

Section 11. 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 12. 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.

Section 13. Record Date. The fifteenth day of each calendar month next preceding each interest payment date shall be the record date for the Notes (the "Record Date"). 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 Record Date.

Section 14. 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 15. Official Statement. The County Board of Supervisors hereby approves the Preliminary Official Statement with respect to the Notes and deems the Preliminary Official Statement as "final" for purposes of SEC Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities and Exchange Act of 1934 (the "Rule"). All actions taken by officers of the County in connection with the preparation of such Preliminary Official Statement and any addenda to it or Final Official Statement are hereby ratified and approved. In connection with the Closing, the appropriate County official shall certify the Preliminary Official Statement and any addenda or Final Official Statement. The County Clerk shall cause copies of the Preliminary Official Statement and any addenda or Final Official Statement to be distributed to the Purchaser.

Section 16. Undertaking to Provide Continuing Disclosure. The County hereby covenants and agrees, for the benefit of the owners 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 owners of the Notes or by the Purchaser on behalf of such owners (provided that the rights of the owners and the Purchaser to enforce the Undertaking shall be limited to a right

to obtain specific performance of the obligations thereunder 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 17. Record Book. The County Clerk shall provide and keep the transcript of proceedings as a separate record book (the "Record Book") and shall record a full and correct statement of every step or proceeding had or taken in the course of authorizing and issuing the Notes in the Record Book.

Section 18. Bond Insurance. If the Purchaser of the Notes determines to obtain municipal bond insurance with respect to the Notes, the officers of the County are authorized to take all actions necessary to obtain such municipal bond insurance. The Chairperson and County Clerk are authorized to agree to such additional provisions as the bond insurer 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, any reference required by the bond insurer to the municipal bond insurance policy shall be made in the form of Note provided herein.

[Section 19. Depository Agreement. The Chairperson and County Clerk are hereby authorized and directed to execute a Depository Agreement between The Bank of New York Mellon Trust Company, N.A., Chicago, Illinois and the County in substantially the form submitted to and on file with the Chairperson and County Clerk prior to adoption of this Resolution in connection with the deposit of the good faith deposit.]

Section 20. 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.

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EXHIBIT B

Bid Tabulation

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Winning Bid

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EXHIBIT D

Debt Service Schedule and Irrepealable Tax Levies

To be provided by Public Financial Management, Inc. and incorporated into the Resolution.

EXHIBIT E

(Form of Note)

| | | |
|--|--------------------|---------|
| UNITED STATES OF AMERICA | | |
| REGISTEED | STATE OF WISCONSIN | DOLLARS |
| NO. R-____ | DANE COUNTY | \$_____ |
| GENERAL OBLIGATION PROMISSORY NOTE, SERIES 2008B | | |

| | | | |
|----------------|-------------------------|----------------|--------|
| MATURITY DATE: | ORIGINAL DATE OF ISSUE: | INTEREST RATE: | CUSIP: |
| June 1, _____ | September 15, 2008 | ____% | _____ |

DEPOSITORY OR ITS NOMINEE NAME: CEDE & CO.

PRINCIPAL AMOUNT: _____ THOUSAND DOLLARS (\$_____)

FOR VALUE RECEIVED, Dane County, Wisconsin (the "County"), hereby acknowledges itself to owe and promises to pay to the Depository or its Nominee Name (the "Depository") identified above (or to registered assigns), on the maturity date identified above, the principal amount identified above, and to pay interest thereon at the rate of interest per annum identified above, all subject to the provisions set forth herein regarding redemption prior to maturity. Interest is payable semi-annually on June 1 and December 1 of each year commencing on June 1, 2009 until the aforesaid principal amount is paid in full. Both the principal of and interest on this Note are payable to the registered owner in lawful money of the United States. Interest payable on any interest payment date shall be paid by wire transfer to the Depository in whose name this Note is registered on the Bond Register maintained by the County Clerk or County Treasurer at the close of business on the 15th day of the calendar month next preceding the interest payment date (the "Record Date").

For the prompt payment of this Note together with interest hereon as aforesaid and for the levy of taxes sufficient for that purpose, the full faith, credit and resources of the County are hereby irrevocably pledged.

This Note is one of an issue of Notes aggregating the principal amount of \$12,035,000, all of which are of like tenor, except as to denomination, interest rate, maturity date and redemption provision, issued by the County pursuant to the provisions of Section 67.12(12), Wisconsin Statutes, for public purposes, including general government, human services, conservation, public works, education and recreation and public safety projects consisting of constructing, repairing and improving buildings; acquiring and improving land; improving roads; replacing, upgrading and acquiring information technology, equipment and vehicles, and paying professional fees and expenses all as authorized by resolutions of the County Board of Supervisors duly adopted by said governing body at meetings held on August 7, 2008 and September 4, 2008. Said resolutions are recorded in the official minutes of the County Board of Supervisors for said dates.

The Notes maturing on June 1, 2017 and thereafter are subject to redemption prior to maturity, at the option of the County, on June 1, 2016 or on any date thereafter. Said Notes are redeemable as a whole or in part, and if in part, from maturities selected by the County and within each maturity, by lot (as selected by the Depository), at the principal amount thereof, plus accrued interest to the date of redemption.

In the event the County exercises its option to redeem the Notes prior to maturity, as long as the Notes are in book-entry-only form, official notice of the redemption will be given by mailing a notice by registered or certified mail, overnight express delivery, facsimile transmission or electronic transmission, to the Depository not less than thirty (30) days nor more than sixty (60) days prior to the redemption date. If less than all of the Notes of a maturity are to be called for redemption, the Notes of such maturity to be redeemed will be selected by lot. Such notice will include but not be limited to the following: the designation, date and maturities of the Notes called for redemption, CUSIP numbers, and the date of redemption. Any notice mailed as provided herein shall be conclusively presumed to have been duly given, whether or not the registered owner receives the notice. The Notes shall cease to bear interest on the specified redemption date provided that federal or other immediately available funds sufficient for such redemption are on deposit at the office of the Depository at that time. Upon such deposit of funds for redemption the Notes shall no longer be deemed to be outstanding.

This Note is transferable only upon the books of the County kept for that purpose at the office of the County Clerk or County Treasurer, only in the event that the Depository does not continue to act as depository for the Notes, and the County appoints another depository, upon surrender of the Note to the County Clerk or County Treasurer, by the registered owner in person or his duly authorized attorney, upon surrender of this Note together with a written instrument of transfer (which may be endorsed hereon) satisfactory to the County Clerk duly executed by the registered owner or his duly authorized attorney. Thereupon a new fully registered Note in the same aggregate principal amount shall be issued to the new depository in exchange therefor and upon the payment of a charge sufficient to reimburse the County for any tax, fee or other governmental charge required to be paid with respect to such registration. The County shall not be obliged to make any transfer of the Notes (i) after the Record Date, (ii) during the fifteen (15) calendar days preceding the date of any publication of notice of any proposed redemption of the Notes, or (iii) with respect to any particular Note, after such Note has been called for redemption. The County may treat and consider the Depository in whose name this Note is registered as the absolute owner hereof for the purpose of receiving payment of, or on account of, the principal or redemption price hereof and interest due hereon and for all other purposes whatsoever. The Notes are issuable solely as negotiable, fully-registered Notes without coupons in the denomination of \$5,000 or any integral multiple thereof.

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 Note have been done, have existed and have been performed in due form and time; that the aggregate indebtedness of the County, including this Note and others issued simultaneously herewith, does not exceed any limitation imposed by law or the Constitution of the State of

Wisconsin; and that a direct annual irrevocable tax has been levied sufficient to pay this Note, together with the 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, Dane County, Wisconsin, by its governing body, has caused this Note to be executed for it and in its name by the manual or facsimile signatures of its duly qualified Chairperson and County Clerk; and to be sealed with its official or corporate seal, if any, all as of September 15, 2008.

DANE COUNTY, WISCONSIN

By: _____
Scott A. McDonell
Chairperson

(SEAL)

By: _____
Robert H. Ohlsen
County Clerk

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned sells, assigns and transfers unto

(Name and Address of Assignee)

(Social Security or other Identifying Number of Assignee)

the within Note and all rights thereunder and hereby irrevocably constitutes and appoints _____, Legal Representative, to transfer said Note on the books kept for registration thereof, with full power of substitution in the premises.

Dated: _____

Signature Guaranteed:

(e.g. Bank, Trust Company
or Securities Firm)

(Depository or Nominee Name)

NOTICE: This signature must correspond with the name of the Depository or Nominee Name as it appears upon the face of the within Note in every particular, without alteration or enlargement or any change whatever.

(Authorized Officer)

Submitted by Supervisors Vogel and Stoebig, August 7, 2008.
Referred to PERSONNEL/FINANCE.

RES. 100, 08-09

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

Robert Dodsworth, 213 West Hudson Street, P.O. Box 56, Mazomanie 53560 (795-2549-H), to fill the expired term of Jon Hochkammer. Mr. Dodsworth is retired from the University of Wisconsin's Primate Program Research Center as a Media Specialist. He also has over forty years of service in local community activities, such as serving as a trustee and the President of the Village of Mazomanie and serving on its Plan Commission. He served on the Northwest Dane Board. He is a member of the Lions Club and the Historical Society. This term will expire 4/19/11.

Commission on Sensitive Crimes

Melissa Mulliken, 3306 Gregory Street, Madison 53711 (231-3859-H), to fill the expired term of Sharyl Kato. Ms. Mulliken is a Public Affairs Consultant, managing her own firm for more than a decade, serving non-profits, governmental agencies, and corporates. She has a wide range of experience in advocacy and strategic communications including media relations, market research, strategic planning, special event planning, publications development, fundraising, and crisis management. She has conducted research projects for clients including the Wisconsin Council on Development Disabilities and the Wisconsin Department of Transportation and has handled numerous media relations and advocacy projects for non-profit and corporate clients including the American Red Cross. She has developed a reputation for strong strategic planning skills as well as effective day-to-day management of high visibility issues and projects. This term will expire 6/30/11.

Lieutenant Mary Lou Ricksecker, c/o Madison Police Department, 211 South Carroll Street, Madison 53703 (266-4022-W), as the City of Madison's Police Chief or designee, to replace Lieutenant Kristen Roman. This term will expire 6/30/09.

Cultural Affairs Commission

Patrick Sims, 2383 Effingham Way, Sun Prairie 53590 (554-2001-H, 263-3353-W), to fill one of two new citizen seats per OA 10, 2008-09, adopted 7/17/08. Mr. Sims is an Associate Artist at Madison Repertory Theatre as well as an Assistant Professor of Acting and Director of the theatre for Cultural and Social Awareness program at the University of Wisconsin-Madison. Before joining the faculty, He was a company member of the prestigious Oregon Shakespeare Festival and was a Faculty Associate at the University of Wisconsin-Milwaukee where he served as a founding member and Artistic Director of the Human Experience Theatre. This term will expire 6/30/11.

Kevin Straka, 56 South Garden Way, Fitchburg 53711 (658-5675-H), due to the resignation of Barbara Harris Clayton. Mr. Straka is a Clinical Content Facilitator for the University of Wisconsin Hospitals & Clinics. He has a BS degree in Business Management, an MBA in Marketing, and an MS degree in Project Management. He has

worked as an online merchant for The Guild and a design and product manager for Lands' End. He was one of the original founders of the Act Ride. He is a volunteer with the Capital Candle Lighters, serving as the marketing event project manager, to raise funds for children and families of children undergoing cancer treatment. He is also a teacher at M.A.T.C., teaching an online course in Small Business Planning & Development and teaching a course in Marketing Technical Applications. This term will expire 6/30/10.

Dante Viscarra, 7118 Valley View Road, Verona 53593 (255-2805-W), to fill one of two new citizen seats per OA 10, 2008-09, adopted 7/17/08. Mr. Viscarra is Publisher/Owner of La Comunidad News, a regional Spanish language, bi-weekly newspaper. He is also President/CEO of Viscarra Communications, LLC, providing media communication services that are directed to the Latino market for newspapers, television and private businesses. He is a past board member of the Board of the Fair Housing Council of Dane County, a board member of Madison Area Technical College Foundation, and a past board member of Meriter Hospital. This term will expire 6/30/11.

Supervisor Matt Veldran, 5738 Kroncke Drive, Madison 53711, due to the resignation of Supervisor Dave Worzala. This term will expire 4/20/10.

Submitted by Supervisor McDonnell, August 7, 2008. Fiscal and Policy Notes not required.
Referred to EXECUTIVE.

COMMUNICATIONS

Summons for Foreclosure of Mortgage - M&I Marshall & Ilsley Bank vs. Leonel Mendoza Nieto and Gabriela Gonzalez Zavala. Referred to PUBLIC PROTECTION & JUDICIARY.

Claim from Kimberly Brown against Public Works for damage to vehicle in County Ramp. Referred to PUBLIC PROTECTION & JUDICIARY.

Claim from Jeff Madigan against Sheriff for damage to his vehicle caused by gravel thrown by sheriff vehicle. Referred to PUBLIC PROTECTION & JUDICIARY.

Communication from attorney Murphy & Presentin request for Plaintiff's Interrogatories and Request for Production of Documents re. Brenda White vs. Eight & Eight Partners. Referred to PUBLIC PROTECTION & JUDICIARY.

Civil Summons from attorney Hupy & Abraham re Lonnie L. Strait v. Allstate Property & Casualty Insurance Co. Referred to PUBLIC PROTECTION & JUDICIARY.

Notice of Foreclosure Sale – Wells Fargo Bank vs. Travis K. Stram and Tiah M. Stram. Referred to PUBLIC PROTECTION & JUDICIARY.

Civil Summons from attorney Hupy & Abraham re. Shea Burrell v. GEICO. Referred to PUBLIC PROTECTION & JUDICIARY.

Notice of Injury from attorney Lathrop & Clark representing MHG Properties LLC against County regarding zoning jurisdiction. Referred to PUBLIC PROTECTION & JUDICIARY.

Claim from Charles Englert against Highway for damage to vehicle in construction zone. Referred to PUBLIC PROTECTION & JUDICIARY.

Claim from Rhonda L. Lang against Public Works for damage to vehicle caused by mower. Referred to PUBLIC PROTECTION & JUDICIARY.

Claim from Dr. Zain R. Woodring against Sheriff for medical reimbursement and pain & suffering that occurred while being arrested. Referred to PUBLIC PROTECTION & JUDICIARY.

Claim from attorney Kenneth E. Broderick re. Sharon Zart against Public Works for injuries suffered while walking on a sidewalk in Waunakee. Referred to PUBLIC PROTECTION & JUDICIARY.

Claim from attorney Kenneth E. Broderick re. Larry Zart against Public Works for damages suffered due to his wife being injured while walking on a sidewalk in Waunakee. Referred to PUBLIC PROTECTION & JUDICIARY.

Summons for Foreclosure of Mortgage – Deutsche Bank Trust Company Americas vs. Alan L. Haines and Jane Doe. Referred to PUBLIC PROTECTION & JUDICIARY.

Claim from Che’ Stedman against Public Works for damage to vehicle caused by mower. Referred to PUBLIC PROTECTION & JUDICIARY.

Communication from Eliot & Julia Mason re. Claim against Sheriff for damage to vehicle. Referred to PUBLIC PROTECTION & JUDICIARY.

Communication from Parks Department regarding complaint from Barnett Martin about damage to vehicle. Referred to PUBLIC PROTECTION & JUDICIARY.

Claim from Jennifer Naughton against Public Works for damage to vehicle caused by mower. Referred to PUBLIC PROTECTION & JUDICIARY.

Claim from Kerry Pugh against Jail for missing personal property. Referred to PUBLIC PROTECTION & JUDICIARY.

Claim from Ryan Donald Bowar against Jail for missing personal property. Referred to PUBLIC PROTECTION & JUDICIARY.

Brown County Resolution regarding: Support of a Change in the Register of Deeds Recording Fee from a “Per Page” to a “Flat Fee” Referred to EXECUTIVE.

Juneau County Resolution 08-41 – Support of a Change in the Register of Deeds Recording Fee from a “Per Page” to a “Flat Fee” Referred to EXECUTIVE.

Oconto County Resolution 41-08 – Support of a Change in the Register of Deeds Recording Fee from a “Per Page” to a “Flat Fee” Referred to EXECUTIVE.

Trempealeau County Resolution - Support of a Change in the Register of Deeds Recording fee from a “Per Page” to a “Flat Fee” Referred to EXECUTIVE.

Sauk County Resolution No. 75-08 – Advisory Resolution Requesting the Wisconsin State Legislature to Continue the Wireless Emergency 9-1-1 Surcharge. Referred to EXECUTIVE.

Trempealeau County Resolution - To Restrict the Transportation User Fee to its Original Intent. Referred to EXECUTIVE.

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

- Petition 9931 – Town of Springfield – Thomas Ripp
- 9932 – Town of Cross Plains – Mickelson Dairy LLC
- 9933 – Town of Roxbury – S. Ahrens
- 9934 – Town of Vermont – Michael Smith
- 9935 – Town of Christiana – Dale Stenjem
- 9938 – Town of Albion – Crazy Acres II LLC
- 9939 – Town of Albion – Crazy Acres II LLC
- 9940 – Town of Vermont – Frederick Curkeet
- 9941 – Town of Burke – Best Buds Lawn Service & Landscaping
- 9942 – Town of Vienna – Dorothy Madigan et.al.
- 9943 – Town of Verona – Mark Sahf
- 9944 – Town of Dane – Victor Connors
- 9945 – Town of Windsor – David Bouril
- 9946 – Town of Cottage Grove – J.D.J., Inc.
- 9947 – Town of Oregon – Oregon Farm & Ponds LLC
- 9953 – Town of Verona – Roger Bass

RES. 101, 08-09

URGING THE STATE OF WISCONSIN TO STAFF DISTRICT ATTORNEYS' OFFICES AT THE LEVEL FOUND NECESSARY BY THE LEGISLATIVE AUDIT BUREAU

The primary criminal prosecution office for each county in Wisconsin is its District Attorney's Office. Public protection, fair enforcement of the laws, the rights of victims, and the rights of the accused to professional, deliberative prosecution of alleged crimes all depend on adequate staffing of the state's 71 district attorney offices.

The attorneys in each D.A. office are paid by the State of Wisconsin, through money allocated by the State Legislature. Victims, local law enforcement officers, courts, and members of the public who interact with D.A. offices are poorly served by understaffed D.A. offices. Moreover, county employees in D.A. offices, such as investigators, paralegals, victim witness advocates, and secretaries are subject to great stress and impaired effectiveness when there are too few attorneys in a D.A.'s office.

In its report issued in July, 2007 the Wisconsin Legislative Audit Bureau found that, as of August 2006, the State of Wisconsin required a total of 552.98 prosecutors, based on the weighted caseload formula. Given population and other changes since then, the current number would be even higher.

The number of prosecutors provided by the state of Wisconsin is less than the number required under the formula. As of July 1, 2006 the State of Wisconsin funded only 376.40 (68.1 percent) prosecutor positions with GPR funding, and another 48.25 positions with Program Revenue funding. The number funded with Program Revenue decreased to 44.25 (8.0 percent) prosecutor positions by August 2006, and is now falling even further with the loss of federal Byrne grants.

This leaves a shortfall of 117.33 (21.2 percent) prosecutor positions required, as of August 2006, under the weighted caseload formula, and the current August 2008 number for unfunded positions equals 119.51.

In its report, the Wisconsin Legislative Audit Bureau recommended that "the Legislature could consider whether current staffing levels and the consequences of understaffing justify adding new prosecutor positions". In a study completed for Dane County in September, 2007, the Institute for Law and Policy Planning found that, law enforcement staffing has expanded at five times the rate of the DA's office and arrests referred to the DA's office grew by 15 times the office's growth. However, the number of cases filed has only grown slightly because cases that could be filed are limited by the number of ADA's available to file them.

In addition to the lack of funded positions, the lack of pay progression for Assistant District Attorneys (ADAs), as negotiated by the state with the Association of State Prosecutors, is resulting in alarming departures of experienced ADAs from state service in counties across the state. A high attrition rate among ADAs is creating a downward spiral of decreasing experience and efficiency in the state's courthouses where the turnover rate amongst prosecutors has reached approximately 60 percent since 2001.

The public, victims of crime, and those accused of crime all deserve prompt responses in court to allegations of crime. Delays in the court system result in increased jail costs as well as increased costs throughout the criminal justice system, most of which must be paid by local property taxes.

The Wisconsin Attorney General, the Wisconsin Victim Witness Professionals (WVWP) association, the Wisconsin Coalition Against Sexual Assault (WCASA), Dane County Chiefs of Police Association, the Dane County Community Coordinated Response To Domestic Violence, and other victim advocates have consistently called for sufficient D.A. office funding.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors hereby urges the Governor and Wisconsin State Legislature to fund D.A. offices across the state at the levels found necessary in the Legislative Audit Bureau report, and also urges the State to allocate the necessary funds to reinstate pay progression for state prosecutors.

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

Submitted by Supervisors Hampton, Hesselbein, Bruskwitz, McDonell, Vedder, Hendrick, O'Loughlin, Erickson, and Bayrd, August 14, 2008. Fiscal and Policy Notes not required.
Referred to EXECUTIVE and PUBLIC PROTECTION & JUDICIARY.

ORD. AMDT. 18, 08-09

**AMENDING CHAPTER 82 OF THE DANE COUNTY CODE OF ORDINANCES,
INCORPORATING THE TOWN OF VERONA CROSS COUNTRY NEIGHBORHOOD PLAN
INTO THE DANE COUNTY COMPREHENSIVE PLAN**

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

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

ARTICLE 2. Subsection 82.55(29) is amended to read as follows:

82.55 INCORPORATION OF TOWN PLANS. The following town plans are incorporated into the Dane County Comprehensive Plan:

(29) Town of Verona Comprehensive Plan, including the Cross Country Neighborhood Plan and all amendments adopted by the county board of supervisors as of [insert date of county board adoption of this amendment]~~part of the Dane County Farmland Preservation Plan as of December 7, 2006.~~

[EXPLANATION: This amendment adopts amendments to the Town of Verona Comprehensive Plan and incorporates them into the Dane County Comprehensive Plan.]

Submitted by Supervisors Willett and Jensen, September 4, 2008. Fiscal and Policy Notes not required.

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

ORD. AMDT. 19, 08-09

**AMENDING CHAPTER 34 OF THE DANE COUNTY CODE OF ORDINANCES,
REGULATING DIESEL POWERED MOTOR VEHICLE IDLING**

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 DIESEL POWERED MOTOR VEHICLE IDLING. (1) *Purpose and authority.* The purpose of this ordinance is to protect the public health of the citizens of Dane County and the environment by reducing emissions from diesel powered motor vehicles. This section is enacted under the authority of s. 59.03(2)(a), Wis. Stats.

(2) *Applicability.* This ordinance shall apply in the unincorporated areas of Dane County to the operation of diesel powered commercial motor vehicles as defined by s. 340.01(8), Wis. Stats.

(3) *Excessive idling prohibited.* No person responsible for the operation of a diesel powered commercial vehicle shall allow or cause the vehicle to idle with the motor running in Dane County for more than five (5) minutes in a sixty (60) minute period.

(4) *Exceptions.* The provisions of sub. (3) shall not apply:

(a) to emergency service vehicles, such as fire apparatus, public safety vehicles or ambulances;

(b) during traffic conditions over which the driver has no control;

(c) to airport support equipment;

(d) to vehicles being serviced or repaired; or

(e) to vehicles idling when necessary to operate auxiliary equipment that is required to accomplish the intended use of the vehicle.

(f) When the outside air temperature is above 80 degrees F a vehicle subject to this ordinance that is equipped with air conditioning may idle for not more than fifteen (15) consecutive minutes.

(g) When the outside air temperature is below 40 degrees F a vehicle subject to this ordinance may idle for not more than fifteen (15) consecutive minutes.

(h) When the outside temperature is below -10 degrees F the restrictions of this ordinance shall not apply.

(5) *Penalties.* Any person who violates this section shall be subject to a forfeiture of \$50.00 for each violation.

[EXPLANATION: This amendment prohibits allowing a diesel powered commercial vehicle to idle more than 5 minutes in a 60 minute period, subject to certain exceptions.]

Submitted by Supervisors Hulseley, Stoebig, Matano, Hendrick, Erickson, Richmond, Vedder, Bayrd, Opitz, Hampton, Veldran, Schmidt, McDonnell, and Manning, September 4, 2008. Fiscal and Policy Notes not required. Referred to EXECUTIVE, HEALTH & HUMAN NEEDS and PUBLIC PROTECTION/JUDICIARY.

ORD. AMDT. 20, 08-09

AMENDING CHAPTER 9 OF THE DANE COUNTY CODE OF ORDINANCES, REGARDING PROHIBITED COUNTY BOARD VOTING PRACTICES

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 9.30 is amended to read as follows:

9.30 CONDUCT REGULATED; ROLE OF SUPERVISORS IN LEGISLATIVE AND ADMINISTRATIVE MATTERS. (1) Permitted conduct. Any supervisor may, at any time, on any matter, regardless of whether the supervisor serves on a committee with oversight on the matter, move for separation, postpone, personally inspect, seek more information, voice an opinion, vote for or against, or request of another supervisor that any of the above be performed, whether in person or through any form of public information media, on any subject that lawfully may come to the full county board or any standing committee thereof. Such actions lie within the normal and responsible political review process of a county board supervisor, whether at the behest of his constituents or at his own discretion, absent a showing of violation of s. 9.21.

(2) Prohibited voting practices. (a) It shall be a violation of these rules for any member of the county board to give, offer or promise to give his or her vote or influence in favor of or against any resolution or ordinance amendment pending or proposed to be introduced before the county board in consideration or upon condition that any other person elected to the same county board will give or will promise or agree to give his or her vote or influence in favor of or against any other resolution or ordinance amendment pending or proposed to be introduced to such county board, or who gives, offers or promises to give his or her vote or influence for or against any resolution or ordinance amendment on condition that any other member will give his or her vote or influence in favor of any change in any other resolution or ordinance amendment pending or proposed to be introduced to the county board.

(b) It shall be a violation of these rules for any member of the county board to give, offer or promise to give his or her vote or influence in favor of or against any resolution or ordinance amendment pending or proposed to be introduced before the county board, or that has already been passed by the county board, in consideration of or on condition that the county executive approve, disapprove, veto or sign, or agree to approve, disapprove, veto or sign, any other resolution or ordinance amendment pending or proposed to be introduced to the county board or that has already been passed by the county board, or in consideration or upon condition that the county executive nominate for appointment or appoint or remove any person to or from any office or position.

[EXPLANATION: This amendment creates a prohibition of certain voting practices by county board supervisors involving promising to vote, support or oppose pending legislation, in return for a promise from another supervisor or the county executive to support or oppose other legislation.]

Submitted by Supervisors Bruskwitz and McDonell, September 4, 2008. Fiscal and Policy Notes not required.

Referred to EXECUTIVE.

RES. 106, 08-09

**PLACING HEALTH CARE ADVISORY REFERENDUM ON THE
NOVEMBER 4, 2008 DANE COUNTY BALLOT**

Health care services and health care costs are crucial concerns for Americans. In Wisconsin we have hundreds of thousands of people without health care insurance or with minimal insurance.

State statutes provide that the County Board may conduct a countywide referendum for advisory purposes.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors hereby directs the County Clerk to place the following advisory referendum question on the countywide ballot at the election to be held on November 4, 2008:

Shall the next state Legislature enact health care reform legislation by December 31, 2009 that guarantees every Wisconsin resident affordable health care coverage as good as what is provided to state legislators?

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

Submitted by Supervisors Hendrick, Hulsey, Richmond, Stoebig, Erickson, Veldran, Miles, Downing, Vedder, Matano, Opitz, Manning, Stubbs, and Hesselbein, September 4, 2008.

Referred to EXECUTIVE.

RES. 107, 08-09

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.

Election Commission

David Schreiner, 1333 Prairie Village Road, Deerfield 53531 (764-5910-H, 920-648-3466-W), to be reappointed. This term will expire 6/30/11.

Bill Kraus, 946 Spaight Street, Madison 53704 (258-1511-H), to be reappointed. This term will expire 6/30/11.

Carlyle Whipple, 317 Kensington Drive, Madison 53704 (249-7773-H), to fill the expired term of Gail Shea. Mr. Whipple is a retired attorney. Mr. Whipple received his law degree from the University of Wisconsin-Madison. In addition to his private practice, he served for one year as deputy/acting Dane County District Attorney in 1972. He served two years as state co-chair of Common Cause in Wisconsin, and has done pro bono environmental counsel work for the Sierra Club, the Audubon Society, and Ridges Sanctuary. This term will expire 6/30/11.

Environmental Council

Subhra Pati, 7009 Friendship Lane, Middleton 53562 (836-6768-H), to fill one of two new citizen positions created in OA 5, 2008-09. Ms. Pati is an industrial organizational psychologist with strong analytical and interpersonal skills. Her major research interests include work motivation, job satisfaction, job performance, and labor management relations. Ms. Pati is currently the Volunteer Coordinator and a volunteer for the University of Wisconsin's Arboretum, a volunteer at the Middleton Public Library, a registered volunteer and mentor in the Middleton-Cross Plains Area School District, including the Northside Elementary School's School Board, PTA, and School Fitness Committee, and the Girl Scouts. She has a Ph.D. in Psychology, an M.A. in Advanced Psychology, and a B.A. in Psychology. This term will expire 1/31/11.

Local Emergency Planning Committee

Ryan Lobenstein, 1169 Gas Light Drive, Sun Prairie 53590 (225-7562-H), to fill the seat of a media representative, due to the resignation of Joshua Wescott. Mr. Lobenstein is the Assignment Manager for WMTV NBC 15 in Madison. Prior to that, he worked as a photojournalist and production assistant at several Wisconsin and Midwestern television stations. He has a B.S. degree in Mass Communications and a minor in Speech Communication from the University of Wisconsin-LaCrosse. This term will expire 4/20/10.

Submitted by Supervisor McDonell, September 4, 2008. Fiscal and Policy Notes not required.
Referred to EXECUTIVE.

RES. 108, 08-09

APPROVAL OF THE DANE COUNTY LAND AND WATER RESOURCE MANAGEMENT PLAN

Through Wisconsin Act 27 (1997-1999 Biennial Budget Bill), Chapter 92.10 of the Wisconsin Statutes was amended, creating a county land and water resource management-planning program. The Dane County Land

and Water Resource Management (LWRM) Plan addresses soil and water quality concerns using local, state and federal programs. It is a 10-year (from 2008 through 2018) action and implementation plan that emphasizes cooperation with conservation partners in Dane County. The LWRM Plan is intended to complement and coordinate with existing plans rather than replace them. By focusing on the Dane County Land and Water Resource Department's strengths of conservation planning, water quality planning, information and education, technical assistance, and program administration, diverse interests act together in effective protection and enhancement of Dane County's resources.

The Dane County LWRM Plan was written with the assistance of partner agencies such as the Wisconsin Department of Agriculture, Trade and Consumer Protection, the Wisconsin Department of Natural Resources, Farm Service Agency, Natural Resources Conservation Service, Capital Area Regional Planning Commission, and the University of Wisconsin Cooperative Extension. Input on the plan also came from a Local Advisory Committee. The committee was comprised of individuals representing a wide array of interest including Dane County Farm Bureau, the development community, local farmers/landowners, watershed organizations, Dane County Board and municipalities. A public hearing was held on June 25, 2008. The plan is to be presented to the State Land and Water Conservation Board on August 5, 2008, for final approval.

This plan outlines a comprehensive strategy for the implementation of soil and water conservation from 2008 through 2018. Implementing such goals will result in the continued protection and enhancement of the natural resources of Dane County.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors approves the Dane County Land and Water Resource Management Plan.

Submitted by Supervisors Jensen, Wheeler and Downing, September 4, 2008. Fiscal and Policy Notes not required.

Referred to ENVIRONMENT, AGRICULTURE & NATURAL RESOURCES.

RES. 109, 08-09

**AWARD OF AGREEMENT FOR PUBLIC SAFETY COMMUNICATIONS CENTER
CONSOLE FURNITURE PURCHASE**

The Department of Public Safety Communications reports the receipt of proposals for the console furniture replacement project, RFP #108067.

Up to twenty-two consoles will be purchased. There are sufficient funds in the budget for this project.

NOW, THEREFORE, BE IT RESOLVED that an Agreement with _____ in the amount of \$_____ is hereby approved; and

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

Submitted by Supervisors Kostelic, Salov, Martz and Hampton, September 4, 2008.
Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

RES. 110, 08-09

AUTHORIZING A CONTRACT TO ACCEPT HIGHWAY SAFETY GRANT FUNDS FOR A COMMUNITY TRAFFIC SAFETY PROJECT "2008 SUMMER EVENTS"

The Department of Transportation, Bureau of Transportation Safety, State of Wisconsin, is making funds available for participation in an Alcohol Enforcement Initiative. The goal of the federally funded contract is to reduce the number of alcohol related crashes by persons leaving area festivals and community events. The grant will include monies for a "Safe Rider Program" and a media plan.

NOW, THEREFORE BE IT RESOLVED that the Sheriff's Office is hereby authorized to accept \$1,945 from the Department of Transportation, Bureau of Transportation Safety for a 2008 Summer Events grant. \$1,625 is to be used by the Dane County Sheriff's Office for an extensive media plan and \$320 is to be used to contract with Student's First Bus Company to provide a bus for the event.

BE IT RESOLVED that \$1,945 be set up as additional revenue in the Sheriff, Field Services Community Safety Project revenue account (SHRFFLD 80708) and be credited to the general fund.

BE IT FURTHER RESOLVED that \$1,945 be transferred from the general fund to the following accounts:

Sheriff's Office Field Services Division:

| | |
|-------------------------------------|---------|
| Media Account- (SHRFFLD 21530) | \$1,625 |
| OWI Program Trust – (SHRFFLD 21839) | \$ 320 |
| TOTAL | \$1,945 |

BE IT FINALLY RESOLVED that any funds authorized in this resolution that are not expended or received as of December 31, 2008 be carried forward to 2009.

Submitted by Supervisor Rusk, September, 2008.

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

RES. 111, 08-09

AUTHORIZING SUPPLEMENTAL LEASE WITH USDA FARM SERVICE AGENCY AT LYMAN ANDERSON AGRICULTURE & 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, 2008. COC has leased 2,687 square feet for the USDA local offices at the Lyman F. Anderson Agriculture and Conservation Center under the present lease agreement at a rental rate of \$14.15 per square foot since 2005. A supplemental lease has been submitted to extend the existing lease at an increased rental rate of \$15.00 per square foot or \$40,305 for one additional year. The supplemental lease will terminate, unless renewed, on

September 30, 2009. 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 Jensen, Stoebig, Bruskwitz, Wheeler, and Downing, September 4, 2008.

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

RES. 112, 08-09

AUTHORIZING ACCEPTANCE OF A VEST DONATION FOR K9 TEAM

The Dane County Sheriff's Office K-9 Unit was approached by Hunter Schultz, a 12-year-old living in the Township of Middleton who became aware of the Vest-A-Dog program, administered through International Armor Corporation of California, that provides ballistic vests for police canines. Hunter would like to present a level two ballistic and stab resistant vest to Deputy Jay O'Neil.

Deputy O'Neil is the handler of Canine Thor. Deputy O'Neil and Thor work together as one of three patrol canine teams. Additionally, Deputy O'Neil and Thor work with the Dane County Tactical Response Team during tactical calls. The protective vest would provide a protective barrier to the canine during high risk incidents.

NOW THEREFORE BE IT RESOLVED that the Sheriff's Office is hereby authorized to accept a donation of a protective vest, valued at \$840, for one of our law enforcement canines.

Submitted by Supervisors Rusk, Bayrd, Hampton, Willett, Kostelic, Schlicht and Hesselbein, September 4, 2008.

Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION & JUDICIARY.

RES. 113, 08-09

REQUESTING TRANSFER OF \$14,000 FROM CLERK OF COURTS TO DISTRICT ATTORNEY'S OFFICE FOR PURCHASE OF HIGH SPEED COPIER/PRINTER/SCANNER

The Institute for Law and Policy Planning (ILPP) analyzed the Dane County criminal justice system in 2007. The ILPP recommended several efficiencies in its final report presented to the Dane County Board of Supervisors in September 2007. One efficiency recommended was to expedite providing discovery.

The District Attorney's immediately made some changes during 2007 in response to this suggestion quickening the pace of discovery production in misdemeanor cases. After considerably more analysis and work during 2008, and with the assistance of consultant Deirdre Garton, the office began implementing more major changes in discovery production on August 18, 2008. New case referrals are now emailed from police agencies

to the District Attorney's Office. Legal secretaries print and copy these reports, prepare discovery and other legal documents and create discovery packets. Criminal misdemeanor defendants in non-Domestic Violence cases are given these discovery packets at their initial court appearance. Prior to this change, discovery was mailed to defense attorneys or defendants later in the life of the case.

Due to the high volume of documents being emailed to the District Attorney's Office, a new high-speed copier/printer/scanner is needed to support the new discovery practices now being implemented.

The Clerk of Courts had budgeted for the ILPP efficiencies as well, but that pool of money has not been used. The 2008 Dane County capital budget contains a \$50,000 line item for the Clerk of Courts for a "Centralized Calendaring System." Implementation of a telephonic calendar date reminder system to create calendaring efficiencies is dependent upon programming changes being undertaken by the Wisconsin Supreme Court's Circuit Court Automation Program. This will most likely not be completed until sometime in 2009.

The Dane County Department of Administration, Clerk of Courts, and the District Attorney's Office have all agreed to this transfer of funds from the Clerk of Courts to the District Attorney's Office to assist with implementation of the ILPP recommendations. The Clerk of Courts has \$14,000 available in its capital budget, managed in the centralized scheduling account, and has not used this money to implement recommended ILPP efficiencies as anticipated. The funds would be transferred from the Clerk of Courts capital budget to the new District Attorney's Office capital expenditure account, and the District Attorney's Office would use the \$14,000 to purchase a new high-speed copier/printer/scanner to assist with the new discovery practices being implemented.

NOW, THEREFORE, BE IT RESOLVED that \$14,000 be transferred from the Clerk of Courts capital budget to the new District Attorney's Office capital expenditure account, to be used for the District Attorney's Office to purchase a new high-speed copier/printer/scanner to assist with the new discovery practices.

BE IT FINALLY RESOLVED that a copy of this resolution be sent to the Dane County Department of Administration, Clerk of Courts, and the District Attorney's Office.

Submitted by Supervisors Rusk, Bayrd, Hampton, Willett, Kostelic, Schlicht and Hesselbein, September 4, 2008.

Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

RES. 114, 08-09

AUTHORIZING A CONTRACT BETWEEN DANE COUNTY AND MADISON UNITED HEALTHCARE LINEN, LTD. FOR DANE COUNTY JAIL AND JUVENILE DETENTION CENTER LAUNDRY AND LINEN SERVICE

The Dane County Sheriff's Office and the Juvenile Detention Center are responsible for keeping and caring for those in their custody. The existing contract for Laundry and Linen Services expired on July 31, 2008. The Sheriff's Office in conjunction with the Juvenile Court Program issued RFB #108081. As a result of the RFB process, Madison United Healthcare Linen, LTD, was selected as the Laundry and Linen Service provider.

NOW, THEREFORE BE IT RESOLVED that Purchase of Service agreement be awarded to Madison United Healthcare Linen, LTD for the period of August 1, 2008 through July 31, 2009, with the option to renew the contract for four additional one year periods based on mutually agreeable terms.

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.

Submitted by Supervisors Rusk, Bayrd, Hampton, Willett, Kostelic, Schlicht and Hesselbein, September 4, 2008.

Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

RES. 115, 08-09

FUND TRANSFER FOR CTH "CV" MAIN STREET BRIDGE CAPITAL OUTLAY PROJECT

The Dane County Highway and Transportation Department has a capital outlay project within its CTH Construction Program budget for highway improvement on CTH "CV" Main Street Bridge, in the Village of DeForest.

The cost for the improvements to the CTH "CV" Main Street Bridge is higher than originally estimated, due to project changes by the Village of DeForest. The Village will contribute an additional \$50,000 to fund these project changes.

The Highway and Transportation Department, after the following transfers, would have sufficient funds available in CTH Construction program account HWCONST 59124 to cover the County's share of costs.

NOW, THEREFORE, BE IT RESOLVED that expense account HWCONST 59124 be increased by \$50,000, and new revenue account HWCONCAP _____ be budgeted for \$50,000 contribution from the Village of DeForest.

BE IT FINALLY RESOLVED that any unexpended or unrealized funds as of December 31, 2008 in these accounts is to be carried forward to 2009.

Submitted by Supervisors Opitz, O'Loughlin, Veldran, Schmidt and Martz, September 4, 2008.
Referred to PERSONNEL/FINANCE and PUBLIC WORKS & TRANSPORTATION.

RES. 116, 08-09

FUND TRANSFER FOR CTH "M" RAILROAD BRIDGE, CTH "B" YAHARA RIVER BRIDGE AND CTH "Y" BRIDGE CAPITAL OUTLAY PROJECTS

The Dane County Highway and Transportation Department needs to fund the design of three county bridges.

The cost will be \$50,000 for each of the following three bridges:

- CTH M railroad overhead bridge in the City of Fitchburg
- CTH B Yahara River bridge in the Town of Pleasant Springs
- CTH Y Bridge in the Town of Mazomanie

Dane County has funds available in account HWCONST-59121, CTH M Signature Dr To Willow, and in account HWCONST-59085, CTH PD Maple Grove to Nesbitt to transfer to the bridge projects. Both projects were bid below budget, freeing the funds. In addition, the CTH M Bridge and CTH B Bridge have been approved for federal program funding, and the CTH Y Bridge is being reviewed for federal aid due to 2007 & 2008 flooding.

The Highway and Transportation Department, after the following transfers, would have sufficient funds available in CTH Construction program to cover the County's share of costs.

NOW, THEREFORE, BE IT RESOLVED that expense account HWCONST 59121 be decreased by \$100,000, expense account HWCONST 59085 be decreased by \$50,000 and new expense accounts be setup for HWCONST-_____, CTH M Railroad Overhead Bridge, HWCONST-_____, CTH B Yahara River Bridge, and HWCONST-_____, CTH Y Bridge with a budget of \$50,000 each.

BE IT FINALLY RESOLVED that any unexpended or unrealized funds as of December 31, 2008 in these accounts is to be carried forward to 2009.

Submitted by Supervisors Opitz, Veldran, Schmidt and Martz, September 4, 2008.
Referred to PERSONNEL/FINANCE and PUBLIC WORKS & TRANSPORTATION.

RES. 117, 08-09

AUTHORIZING AGREEMENT FOR LANDFILL SITE #2 GAS TO PIPELINE PROJECT

Sub. 1 to Res. 94, 2006-07, awarded an Agreement for Professional Engineering Services for the Landfill and Leachate Design Issues to Cornerstone Environmental Group has been handling the gas portion of the project.

Per Chapter 25 of the Dane County Ordinances, Section 25.11(20) allowing for exception to the competitive bidding process, Cornerstone Environmental Group is a sole source provider for these type of services and will continue with the landfill and leachate design issues – gas to pipeline project in this capacity.

NOW, THEREFORE, BE IT RESOLVED, that an Agreement not to exceed \$300,000.00 be awarded to Cornerstone Environmental Group.

THEREFORE, BE IT FINALLY RESOLVED, that the Dane County Executive and the Dane County Clerk are hereby authorized to execute the above described Agreement with Cornerstone Environmental Group for this project.

Submitted by Supervisors Opitz, Ripp, Veldran, Schmidt and Martz, September 4, 2008.
Referred to PERSONNEL/FINANCE and PUBLIC WORKS & TRANSPORTATION.

RES. 118, 08-09

**RESOLUTION APPROVING HOUSING PROJECT OF THE HOUSING AUTHORITY OF DANE COUNTY,
WISCONSIN (ROLLING PRAIRIE APARTMENT HOMES, LLC PROJECT)**

WHEREAS, on September 15, 2008, 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 known as Rolling Prairie Apartments (the "**Project**") located at 415, 420, and 425 Bird Street in the City of Sun Prairie, Wisconsin (the "**City**"); 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 and in 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 this County Board (the "Governing Body"), 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 County or of the City within the meaning of any State 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 County or of the City 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 Wheeler, September 4, 2008. Fiscal and Policy Notes not required.
Referred to PERSONNEL/FINANCE.

RES. 119, 08-09

AWARD OF CONTRACT FOR REPLACEMENT OF 4th FLOOR AIR HANDLING UNIT @ CCB

The Department of Public Works, Highway & Transportation reports the receipt of bids for the 4th Floor Air Handling Unit Replacement in the City-County Building, 210 Martin Luther King, Jr. Blvd, Madison, WI, Bid No. 108104.

A complete tabulation is on file at the Department of Public Works office. The low qualified bidder is:

TOTAL AMOUNT: \$ _____

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

NOW, THEREFORE, BE IT RESOLVED that a 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 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 \$20,000 or more than 10% of the original approved Contract amount, whichever is smaller.

Submitted by Supervisors Opitz, Veldran, Schmidt and Martz, September 4, 2008.
Referred to PERSONNEL/FINANCE and PUBLIC WORKS & TRANSPORTATION.

RES. 120, 08-09

AWARD OF CONTRACT FOR DANE COUNTY MULTI-FACILITY LIGHTING UPGRADE

The Department of Public Works, Highway & Transportation reports the receipt of bids for the Multi-Facility Lighting Upgrade at Dane County Airport, Madison & Mt. Horeb Highway Garage, Parking Ramp, Zoo & City-County Building, Bid No. 108114.

A complete tabulation is on file at the Department of Public Works office. The low qualified bidder is:

TOTAL AMOUNT: \$ _____

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

NOW, THEREFORE, BE IT RESOLVED that a 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 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 \$20,000 or more than 10% of the original approved Contract amount, whichever is smaller.

Submitted by Supervisors Opitz, Veldran, Schmidt and Martz, September 4, 2008.
Referred to PERSONNEL/FINANCE and PUBLIC WORKS & TRANSPORTATION.

RES. 121, 08-09

CHANGE ORDERS FOR TRUAX LANDFILL GAS MANAGEMENT SYSTEM REPAIRS

Res. No. 4, 2008-09, awarded a contract to American Environmental Group, Ltd. for the Truax Landfill Gas Management System Repairs, RFB #108055, in the amount of \$56,460.00.

The following changes to the contract are required:

C.O. #2: Add'l Pipe Excavation, Install Pipe & Rental Fee – add \$31,200.00

C.O. #3: Add'l 95' of Header Jumper Pipe – add \$7,525.00

There are sufficient funds in the budget for Change Orders #2 and #3.

NOW, THEREFORE, BE IT RESOLVED, That the Dane County Board of Supervisors approves and authorizes these Change Orders; and

BE IT FINALLY RESOLVED, That the Department of Public Works, Highway & Transportation be directed to ensure complete performance of these Change Orders; and,

Submitted by Supervisors Opitz, Veldran, Schmidt and Martz, September 4, 2008.
Referred to PERSONNEL/FINANCE and PUBLIC WORKS & TRANSPORTATION.

RES. 122, 08-09

**AUTHORIZING THE DEPARTMENT OF HUMAN SERVICES TO PARTICIPATE IN THE FORMATION
OF A NON-STOCK CORPORATION WITH DODGE COUNTY AND OTHER COUNTIES
DCDHS - ACS Division**

It is difficult for the Department of Human Services to find residential placements for individuals who have special behavioral, developmental disability or mental health needs. Badger Prairie Health Care Center often has a waiting list for admissions and other facilities do not accept these individuals due to their exceptional needs. The lack of appropriate community placements contributes significantly to the current high utilization at Mendota Mental Health Institute (MMHI). Clearview Long Term Care and Rehabilitation, operated by Dodge County, is one of the few facilities willing to accept some individuals with exceptional needs. Clearview has a history of accepting Dane County residents even though Medicaid and Medicare reimbursement has not fully covered the cost of care. Beginning January 1, 2009, Dodge County will no longer cover the losses incurred by serving out of county residents. Dodge County is facilitating the formation of a non-stock corporation under Wisconsin Statutes Chapter 181 as a mechanism to enable other counties to utilize the Clearview and share in the operating costs. The cost of participating in the non-stock corporation are an initial membership fee of \$5,000, which will be used to pay the costs associated with the maintenance and operation of the corporation for the foreseeable future, and a pro rata portion of Clearview's residential care costs based on the number of patient days used by each member county commencing in 2009. The residential costs incurred by counties over and above Medicaid and Medicare reimbursement are estimated to be about \$50.00 per patient day. DCDHS currently has two consumers who reside at Clearview under a Chapter 55 court ordered Protective Placement. It is unknown whether these individuals will reside at Clearview as of 01/01/09 or move to another facility. Regardless of the outcome for the current residents, it is important that Clearview continue to be available as a placement alternative for Dane County residents, particularly in light of the need to control MMHI related expenditures.

NOW, THEREFORE, BE IT RESOLVED, that Dane County Department of Human Services is authorized to work with Dodge County and other counties to create a non-stock corporation that will contract with Dodge County for the operation of a leased portion of Clearview and will enable Dane County to placement its residents at Clearview; and

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the following 2008 Department of Human Services expense accounts be adjusted.

| Expenditure Account Number | Account Title | Amount |
|---------------------------------------|-------------------------------|---------------|
| ACFCRCLV-CVIPAA | Clearview Long Term Care | \$5,000 |
| ACFCSUPP CVIPAA | MH Inpatient/Crisis Diversion | (\$5,000) |
| | Total | \$0 |

Submitted by Supervisors Stubbs, Wheeler, Bruskevitz and DeSmidt, September 4, 2008.
Referred to HEALTH & HUMAN NEEDS and PERSONNEL/FINANCE.

RES. 123, 08-09

ACCEPTANCE OF STATE OF WI DNR RIVER PLANNING GRANT

Dane County Land & Water Resources - Lakes & Watersheds Division has received a State of Wisconsin Department of Natural Resources River Planning Grant for \$10,000. The purpose of the grant is to sponsor a project involving the University of Wisconsin Water Resource Management graduate class. This class will assist in the assessment and modeling of sediment and phosphorus in the Yahara River and its tributaries. This class will also identify and design the most promising strategies for reducing these pollutants. A final report and public presentation of the findings will be included.

The 2008 Budget includes funds in the Land & Water Legacy Fund to meet the required project match.

NOW, THEREFORE, BE IT RESOLVED, that the Dane County Board of Supervisors and the Dane County Executive hereby accept the grant award from the Wisconsin Department of Natural Resources totaling \$10,000.

BE IT FURTHER RESOLVED, that new expense and revenue accounts "Yahara LLP-WRM Grant" be established under the Lakes & Watersheds Budget for \$10,000 and that a new project code be established under LWLEGACY 57725 for the match of \$3,500 and that these funds be carried forward until expended.

Submitted by Supervisor Hulsey, September 4, 2008.

Referred to PERSONNEL/FINANCE, ENVIRONMENT, AGRICULTURE & NATURAL RESOURCES and LAKES & WATERSHED.

RES. 124, 08-09

**AUTHORIZING AN ADDENDUM TO AGREEMENT TO PROVIDE FOR THE SALE OF SPACE
IN THE CITY-COUNTY BUILDING TO CITY OF MADISON AND TO REALLOCATE THE**

PROPORTIONATE OPERATIONAL COSTS

Beginning in 1955, the County of Dane and the City of Madison entered into a contractual relationship that governed the 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 opened in January 2006, space previously allocated to the County under the Agreement was sold to the City of Madison, and the share of operating costs paid by the City of Madison was changed to reflect the reallocation of space.

In an effort to consolidate the court related functions that were not moved to the new courthouse, an area on second floor previously allocated to the court system was remodeled. The Alternatives to Incarceration Program moved to the newly remodeled space on the second floor and vacated 1,085 square feet on the ground floor. This resolution approves the sale of the space formerly occupied by the Alternatives to Incarceration Program to the City of Madison by amending the operating agreement, and it accepts the revenue from the City of Madison associated with the sale.

NOW, THEREFORE, BE IT RESOLVED that the County sell 1,085 square feet of space located on the ground floor of the City-County Building to the City of Madison for \$60,000, and

BE IT FURTHER RESOLVED that effective January 1, 2009, the proportionate cost of operation, maintenance, and repair of the building and grounds shall be: 39.4% to be paid by the City and 60.6% to be paid by the County, and

BE IT FINALLY 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 sale of space in and reallocation of operational costs of the City-County Building.

Submitted by Supervisor Hulsey, September 4, 2008.

Referred to PERSONNEL/FINANCE, PUBLIC WORKS & TRANSPORTATION and CITY-COUNTY LIAISON.

RES. 125, 08-09

AWARD EXTENSION OF CONTRACT TO PROVIDE EMPLOYEE GROUP HEALTH INSURANCE

In 2006, the Department of Administration solicited requests for proposals to provide health insurance coverage for Dane County employees. The Department of Administration received proposals and each proposal was objectively rated. The contract was awarded to Physician’s Plus Insurance Corporation. The contract term began on January 1, 2007 and ends December 31, 2009 with options to renew annually for up to two years. The Physician’s Plus Insurance Plan rate cap for 2009 was 13%; however, the Department of Administration has negotiated a more favorable rate increase of 7% for 2009 with the agreement to extend the contract for years 2010 and 2011. Physician’s Plus Insurance Corporation will provide services with rate increases not to exceed 12% in 2010 and 2011. The maximum rate increase will be limited to 11% for 2010 if 20% of employees participate in a Health Risk Assessment in 2009 and 11% for 2011 if 30% of employees participate in the Health Risk Assessment in 2010.

NOW, THEREFORE, BE IT RESOLVED that Physician’s Plus Insurance Corporation be awarded a 2 year extension of the current contract beginning January 1, 2010 and ending December 31, 2011.

BE IT FURTHER RESOLVED that Physician's Plus Insurance Corporation is authorized to provide group health insurance to all eligible active and retired county employees.

BE IT FINALLY RESOLVED that the Dane County Executive and Dane County Clerk are authorized to sign the necessary documents to extend the contract.

Submitted by Supervisor Hulsey, September 4, 2008.
Referred to PERSONNEL/FINANCE.

RES. 126, 08-09

**AUTHORIZATION TO PURCHASE A STREAMBANK EASEMENT ON
GORDON CREEK AND THE GERMAN VALLEY BRANCH OF GORDON CREEK
Robert Thompson**

Dane County has negotiated the purchase of a 33-foot wide streambank easement on land owned by Robert Thompson in the Town of Perry. The easement is located along approximately 3,200 feet of two banks of Gordon Creek and 445 feet of two banks of the German Valley Branch of Gordon Creek, which are Tier I Stream Project Areas as identified in the *Dane County Parks & Open Space Plan 2006 – 2011* and DNR designated trout streams. The purpose of this easement is to provide permanent public fishing access, protect water quality, and improve wildlife and fish habitat. Purchase of this easement compliments existing conservation programs such as Dane County's Streambank Protection Program and DNR's Targeted Resource Management Program. The Land & Water Legacy Fund was partly established to purchase permanent easements along stream segments that have been previously enhanced or protected through these types of programs.

The purchase price of the Streambank Easement has been established at \$48,216. Trout Unlimited made a generous contribution of \$7,500 that will be applied toward the purchase price, while the remaining \$40,716 is available in the Dane County Land and Water Legacy Fund. The purchase price is based on a sales study completed by a general certified appraiser. The sales study provides a formula for calculating values throughout the project area that takes into account the approximate amount of stream frontage and acreage of land within the streambank easement corridor.

NOW, THEREFORE, BE IT RESOLVED, that the Dane County Board of Supervisors and the Dane County Executive hereby authorize the purchase of the Streambank Easement plus associated costs and according to Wisc. Stats. 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 revenue account LWLEGACY Streambank Easement Revenue and the expense account LWLEGACY 58701 Streambank Easement Expense be increased by \$7,500. These funds shall be carried forward until expended.

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.

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 transaction.

Submitted by Supervisors Downing, Kostelic and Ripp, September 4, 2008.

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

RES. 127, 08-09

AUTHORIZING THE ACQUISITION OF LAND AT BRIGHAM COUNTY PARK

The Department of Land & Water Resources has negotiated the acquisition of approximately 36 acres in the Town of Blue Mounds. The primary purpose of the acquisition is for a bike trail that will connect the Military Ridge State Trail to Cave of the Mounds (a National Natural Landmark), to Brigham County Park and to Blue Mound State Park, which in turn loops back to the Military Ridge State Trail.

The bike trail should prove to be an extremely popular recreational destination that appeals to a wide range of users. The area is quite scenic and the trail will connect people to numerous other recreational opportunities, from touring the Cave of the Mounds, to picnicking at Brigham County Park to swimming at Blue Mounds State Park.

The property represents the final acquisition necessary for the trail. Previous acquisitions include a conservation easement around Cave of the Mounds that includes a public trail right of way and 100 acres that connect Brigham County Park to Blue Mound State Park. The purchase price for the property has been established at \$16,000 per acre for a total cost of approximately \$576,000. The price was negotiated based on other sales in the area.

Funding for the acquisition is available in the Conservation Fund. Grant funding for both the acquisition and the development of the trail will be sought. Furthermore, the County hopes to partner with others, such as community leaders and nonprofit organizations, on the development of the trail.

NOW THEREFORE BE IT RESOLVED, that the Dane County Board of Supervisors and the Dane County Executive hereby authorize the purchase of the approximately 36 acres from Michael and Ann Albert for \$16,000 per acre, approximately \$576,000 (final purchase price will be based on the exact number of surveyed acres), 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 or Conservation Fund Manager are 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 Downing, Kostelic, Ripp and Opitz, September 4, 2008.

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

RES. 128, 08-09

**AUTHORIZATION TO PURCHASE A STREAMBANK EASEMENT ON
GORDON CREEK – Bill and Diane Lorenz**

Dane County has negotiated the purchase of a 33-foot wide streambank easement on land owned by Bill and Diane Lorenz in the Town of Perry. The easement is located along approximately 2,300 feet of two banks of Gordon Creek, a Tier I Stream Project Area as identified in the *Dane County Parks & Open Space Plan 2006 – 2011* and DNR designated trout stream. The purpose of this easement is to provide permanent public fishing access, protect water quality, and improve wildlife and fish habitat.

Purchase of this easement compliments existing conservation programs such as Dane County's Streambank Protection Program and DNR's Targeted Resource Management Program. The Land & Water Legacy Fund was partly established to purchase permanent easements along stream segments that have been previously enhanced or protected through these types of programs.

The purchase price of the Streambank Easement has been established at \$27,780, which is available in the Dane County Land and Water Legacy Fund. The purchase price is based on a sales study completed by a general certified appraiser. The sales study provides a formula for calculating values throughout the project area that takes into account the approximate amount of stream frontage and acreage of land within the streambank easement corridor.

NOW, THEREFORE, BE IT RESOLVED, that the Dane County Board of Supervisors and the Dane County Executive hereby authorize the purchase of the Streambank Easement plus associated costs and according to Wisc. Stats. 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.

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 transaction.

Submitted by Supervisors Downing, Kostelic and Ripp, September 4, 2008.

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

RES. ,129 08-09

2008 DANE COUNTY CONSERVATION FUND GRANT AWARD–NATURAL HERITAGE LAND TRUST

The Natural Heritage Land Trust has applied to the Dane County Conservation Fund for assistance in purchasing approximately 73 acres in the Town of Westport. The property is identified as a prairie remnant site in the *Dane County Parks & Open Space Plan* and buffers the Westport Drumlin prairie within the DNR's Empire Prairie State Natural Area. The property will contribute toward the goals of the project area by its vast restoration potential, protection of endangered and threatened species, and improved public access.

The purchase price for the property has been established at the appraised value of \$623,050. The Conservation Fund Grant Advisory Committee recommends \$171,236 in County funds, which represents 25% of the project costs.

The Conservation Fund Grant Award, if approved, will not be released until the transaction is ready to close. Should the Land Trust purchase less than the total acreage, the County responsibility would remain at no more than 25% of the project costs and the change would be subject to approval by the Park Commission.

NOW, THEREFORE, BE IT RESOLVED, that a grant to the Natural Heritage Land Trust 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 \$171,236 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, and the transfer of land which will vest in Dane County according to Wisc. Stats. 27.05(3), and that the land be managed under the jurisdiction of the Dane County Park Commission.

BE IT FINALLY RESOLVED, that the Conservation Fund Manager and Acquisition and Planning Specialist are authorized to approve closing and reimbursement documentation for grant projects and the transfer of land to Dane County and the Controller is authorized to issue checks necessary to effectuate the transactions authorized through the grant award.

Submitted by Supervisors Ripp and Kostelic, September 4, 2008.

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

RES. 130, 08-09

JC PENNEY 4-H AFTERSCHOOL GRANT ACCEPTANCE

The Dane County UW-Extension Department has applied for and has been awarded a grant for \$13,500 for 2008 from the JC Penney Afterschool Mini-Grants program to assist in the creation of safe, after school educational enrichment programs at two sites for low-income/low-achieving students in partnership with Madison School & Community Recreation (MSRC). The two sites are Lincoln and Lakeview Elementary Schools in their respective high poverty neighborhoods.

NOW, THEREFORE, BE IT RESOLVED, that Dane County UW-Extension accept the grant funds and that \$13,500 be deposited in an Extension "4-H Afterschool Grant" revenue account and credited to the General Fund.

BE IT FURTHER RESOLVED, that \$13,500 be transferred from the General Fund to an Extension "4-H Afterschool Grant" expense account.

BE IT FINALLY RESOLVED, that Dane County UW-Extension Department administer the grant, and that grant funds received in excess of funds expended in the 4-H Afterschool Grant budget lines shall be carried forward from 2008 to 2009 in the 4-H Afterschool Grant expense line.

Submitted by Supervisors Stoebig, Martz, Veldran and Wheeler, September 4, 2008.
Referred to PERSONNEL/FINANCE and ENVIRONMENT, AGRICULTURE & NATURAL RESOURCES.

COMMUNICATIONS

- Claim from Barrett Martin against Parks for damage to vehicle caused by items falling from County vehicle. Referred to PUBLIC PROTECTION & JUDICIARY.
- Claim from Carl C. Johnson against Jail for pain & suffering from a spider bite. Referred to PUBLIC PROTECTION & JUDICIARY.
- Claim from Rodney F. Knight against County for wage deficiencies. Referred to PUBLIC PROTECTION & JUDICIARY.
- Claim from Bruce Crubaugh against Sheriff for damage to vehicle in accident with county vehicle. Referred to PUBLIC PROTECTION & JUDICIARY.
- Summons for Foreclosure of Mortgage M&I Marshall & Isley Bank vs. Richard V. Brown, Sr. Referred to PUBLIC PROTECTION & JUDICIARY.
- Claim from Duane E. Hanson against Airport for damage to vehicle. Referred to PUBLIC PROTECTION & JUDICIARY.
- Summons and Complaint Small Claims-Roger E. Weldon vs. County for injuries suffered from fall on sidewalk outside Courthouse. Claim disallowed on May 2, 2008. Referred to PUBLIC PROTECTION & JUDICIARY.
- Notice of Application for Confirmation of Sale and Writ of Assistance Wells Fargo Bank, NA vs. Travis K. Stram and Tiah M. Stram. Referred to PUBLIC PROTECTION & JUDICIARY.
- Claim from Bob Richards against Sheriff for damage to vehicle. Referred to PUBLIC PROTECTION & JUDICIARY.
- Waushara Co. Res. 42-08-08 – Support of a Change in the Register of Deeds Recording Fees From a “Per Page” to a “Flat Fee”. Referred to EXECUTIVE.
- Oconto Co. Res. 55-08 – Opposition to the Forest-Wide Travel Management Project Plan in the Chequamegon-Nicolet National Forest as Proposed by the United States Forest Service. Referred to EXECUTIVE.
- Forest Co. Res. – Opposition to the Forest-Wide Travel Management Project Plan in the Chequamegon-Nicolet National Forest as Proposed by the United States Forest Service. Referred to EXECUTIVE.
- Clark Co. Res. 23-6-08 – Allowing Application for Homeland Security Interoperability Equipment Grant. Referred to EXECUTIVE.
- Portage Co. Res. 52-2008-2010 – Resolution requesting the State of Wisconsin to continue Wireless 911 surcharges beyond November 30, 2008. Referred to EXECUTIVE.

ORD. AMDT. 21, 08-09

AMENDING CHAPTER 10 OF THE DANE COUNTY CODE ORDINANCES, CREATING A-4 SMALL LOT AGRICULTURE DISTRICT

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

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

ARTICLE 2. Section 10.129 is created to read as follows:

10.129 A-4 SMALL LOT AGRICULTURE DISTRICT. (1) *Statement of purpose.* The purpose of the A-4 Small Lot Agriculture District is to preserve agricultural and open space uses on zoning lots between five (5) and thirty-five (35) acres in size. It is intended that the district be applied to areas where non-agricultural development would be incompatible with agricultural uses, premature or inconsistent with adopted land use or comprehensive plans.

(2) *Permitted uses.* The following are permitted uses in this district:

(a) *Agricultural uses.* The keeping of livestock shall be limited to one (1) animal unit per each full acre.

(b) *Utility services.*

(c) *Road side stands.*

(d) *Farm accessory buildings* such as, but not limited to, silos, barns, sheds, livestock shelters or storage sheds for farm equipment that are accessory to a permitted agricultural use.

(e) *Sale of unprocessed agricultural products produced on the farm.*

(f) *Farm related exhibitions, sales or events such as auctions, dairy breakfasts, exhibition of farm machinery and technology, agricultural association meetings and similar activities, occurring on five or fewer days in a calendar year.*

(3) *Conditional uses.* The following uses require a Conditional Use Permit in this district:

(a) *Governmental uses.*

(b) *Religious uses.*

(c) *Schools.*

(d) *The seasonal storage of recreational equipment and motor vehicles owned by private individuals, such storage to be in existing farm accessory buildings. The storage of a dealer's inventory or the construction of any new buildings for storage shall be considered a commercial use and subject to the provisions of this ordinance.*

(e) *Sale of agricultural and dairy products not produced on the premises and incidental sale of non-alcoholic beverages and snacks.*

(f) *Unlimited livestock on parcels over five (5) acres in size.*

(g) *Agricultural entertainment activities, not to exceed 45 days per calendar year in the aggregate, including incidental preparation and sale of beverages and food. For any such activities planned or anticipated to have attendance of more than 200 persons at any one time during a day, an event plan addressing parking, proposed days of operation, ingress and egress, sanitation and other public safety issues shall be filed annually with the zoning administrator, town clerk, servicing fire department, emergency medical service provider, Dane County Sheriff's Department and any local law enforcement agency for such agricultural entertainment activities, at least 30 days prior to the start of any agricultural entertainment activities in each calendar year.*

(4) *Building height limits.* Building height limits shall be the same as those within the A-1 Exclusive Agriculture District.

(5) *Area, frontage and population density regulations.*

(a) *The minimum lot area shall be not less than 5 acres.*

(b) *The maximum lot area shall be not greater than 35 acres.*

(6) *Setback requirements.* Setback requirements shall be the same as those within the A-1 Exclusive Agriculture District.

(7) *Side yard requirements.* Side yard requirements shall be the same as those within the A-1 Exclusive Agriculture District. [Side yards for accessory buildings, cages, or hives housing animals or insects shall be at least 100 feet from any residence (R) district.]

(8) *Rear yard requirements.* Rear yard requirements shall be the same as those within the A-1 Exclusive Agriculture District. [Rear yards for accessory buildings, cages, or hives housing animals or insects shall be at least 100 feet from any residence (R) district.]

(9) *General provisions applicable to the A-4 district.* In addition to the conditions provided for in sections 10.16(1) through (6)(a), the following additional conditions shall apply:

(a) *Any farm accessory building that is located on a substandard parcel as defined herein and which is destroyed by fire, explosion, act of God or act of public enemy may be rebuilt in the same location, even though such location may not comply with the setback requirements of this section.*

(b) *The provisions of section 10.16(1)(b)1. pertaining to real estate offices do not apply to lands in this district.*

(c) Any permitted or conditional use in the A-4 Agriculture District must be consistent with agricultural use as defined in s. 91.01, Wis. Stats.

[EXPLANATION: The amendment creates a new zoning district to accommodate small lots in exclusive agricultural use. No residences or farm residences are allowed in this district. Such residential uses are permitted in the RH and A-2 districts. This ordinance amendment is implementing a recommendation of the adopted Dane County Comprehensive Plan. By itself this amendment does not impose these regulations and restrictions on any land within Dane County. Map amendments requiring county board and affected town approval will be necessary to accomplish that result.]

Submitted by Supervisors Downing, Miles, Hendrick and Gau, September 18, 2008. Fiscal and Policy Notes not required.

Referred to ZONING & LAND REGULATION.

ORD. AMDT. 22, 08-09

AMENDING CHAPTER 31 OF THE DANE COUNTY CODE OF ORDINANCES, REGARDING ENFORCEMENT OF FAIR HOUSING COMPLAINTS

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 31.02 is amended to read as follows:

31.02 INTENT. It is the intent of this chapter to render unlawful discrimination in housing. It is the declared policy of the County of Dane that all persons shall have an equal opportunity for housing regardless of race, gender, age, religion, color, national origin, ancestry, marital status ~~of the person maintaining a household~~, family status, mental illness, physical condition, appearance, lawful source of income, student status, arrest or conviction record, sexual orientation, military discharge status ~~or~~, political beliefs or the fact that a person declines to disclose his or her Social Security Number when such disclosure is not compelled by state or federal law. This chapter shall be deemed an exercise of the police powers of the County of Dane for the protection of the welfare, health, peace, dignity and human rights of the people of this county, and as a fulfillment of the legislative directive of sec. 66.4321011, Wis. Stats.

ARTICLE 3. Section 31.03 is repealed and recreated to read as follows:

31.03 DEFINITIONS. As used in this chapter, the following words and phrases have the meanings indicated, unless the context clearly requires otherwise:

(1) Arrest record includes, but is not limited to, information indicating that a person has been questioned, apprehended, taken into custody or detention, held for investigation, arrested, charged with, indicted or tried for any felony, misdemeanor or other offense pursuant to any law enforcement or military authority.

(2) Conviction record includes, but is not limited to, information indicating that a person has been convicted of a felony, misdemeanor or other offense, placed on probation, fined, imprisoned or paroled pursuant to any law enforcement or military authority. In addition, conviction record relating to discrimination in housing, shall also include information indicating that a person has been convicted of a civil ordinance violation (forfeiture).

(3) Disability means any physical, mental or developmental disability as defined in sec. 51.05(5)(a), Wis. Stats., or federal law, and includes the presence of service animals.

(4) Discriminate and discrimination mean to segregate, separate, exclude or treat any person or class of persons unequally because of race, gender, age, religion, color, national origin, ancestry, marital status, family status, mental illness, physical condition, appearance, lawful source of income, including receipt of rental

assistance under 24 Code of Federal Regulations Subtitle B, Chapter VIII [the "Section 8" housing program], student status, arrest or conviction record, sexual orientation, military discharge status, political beliefs or the fact that a person declines to disclose his or her Social Security Number when such disclosure is not compelled by state or federal law.

(5) Family status means any of the following conditions that apply to a person seeking to rent or purchase housing or to a member of the person's household regardless of the person's marital status:

(a) A person is pregnant.

(b) A person is in the process of securing sole or joint legal custody, periods of physical placement or visitation rights of a minor child.

(c) A person's household includes one or more minor or adult relatives.

(d) A person's household includes one or more adults or minor children in his or her legal custody or physical placement or with whom he or she has visitation rights.

(e) A person's household includes one or more adults or minor children placed in his or her care under a court order, under a guardianship or with the written permission of a parent or other person having legal custody of the adult or minor child.

(6) Gender identity has the meaning set forth in section 19.04(7)(a).

(7) Housing means any improved property, including any mobile home as defined in sec. 66.058, Wis. Stats., which is used or occupied, or is intended, arranged or designed to be used or occupied, as a home, apartment or residence.

(8) Marital status means being married, divorced, widowed, separated, single or a cohabitant.

(9) Military discharge status means the type of discharge from military service, whether honorable, general, dishonorable, administrative or otherwise, held by a former member of the United States military. For purposes of this office, it also includes a current member's active duty status.

(10) Physical appearance means the outward appearance of any person irrespective of gender, with regard to weight, height, facial features or other aspects of appearance which are beyond the person's control and which are not based on recognized religious practices.

(11) Political beliefs means an individual's opinion, manifested in speech or association, concerning the social, economic and governmental structure of society and its institutions. This ordinance shall cover all political beliefs, the consideration of which is not preempted by state or federal law.

(12) Religion includes all aspects of religious observance and practice, as well as beliefs.

(13) Relative means a parent, grandparent, great grandparent, stepparent, step grandparent, brother, sister, child, stepchild, grandchild, step grandchild, great grandchild, first cousin, second cousin, nephew, niece, uncle, aunt, stepbrother, stepsister, half brother or half sister or any other person related by blood, marriage or adoption.

(14) Sexual orientation includes homosexuality, heterosexuality, bisexuality and gender identity by preference or practice.

(15) Student status means having or not having standing as an enrollee of a public or private high school, college, university, technical college, accredited trade school or apprenticeship program.

ARTICLE 4. Section 31.10(7) is amended to read as follows:

31.10 DISCRIMINATION PROHIBITED. It shall be unlawful for any person to discriminate:

(7) by deliberately and willfully submitting, filing, issuing, publishing, requiring the use of or otherwise utilizing any document evidencing a transfer of real estate interests which contains a provision, covenant or restriction which ~~discriminates, indicates any preference, limitation or discrimination based on race, gender, color, handicap, developmental disability, religion, national origin, ancestry, marital status of the person maintaining a household, lawful source of income, or sexual orientation.~~

ARTICLE 5. Section 31.11(1)(e) is amended to read as follows:

31.11 EXCEPTIONS. (1) Nothing in this chapter shall prohibit discrimination:

(e) on the basis of conviction record, ~~where the nature of the offense is such given the nature of the housing, so as to cause a reasonable person to have justifiable fear for the safety of residents or employees if the circumstances of the offense bear a substantial relationship to the tenancy.~~ The phrase "circumstances of the

offense bear a substantial relationship to the tenancy” means the offense is such that, given the nature of the housing, and the length of time since the offense, a reasonable person would have a justifiable fear for the safety of landlord or tenant property or for the safety of other residents or employees; or

ARTICLE 6. Section 31.20 is amended to read as follows:

31.20 ENFORCEMENT. The provisions of this chapter shall be enforced by the corporation counsel, as follows:

(1) The corporation counsel may receive and investigate a complaint alleging a violation of this ~~section~~ chapter, provided that a written and verified statement of complaint is filed no more than ~~300~~ 730 days after the alleged discrimination occurred.

~~(2) The corporation counsel shall coordinate with the City of Madison Equal Opportunities Commission the investigation and evaluation of complaints alleging activities which would constitute a violation of sec. 3.23, Madison General Ordinances, and may retain jurisdiction or may refer such matters to the MEOC for prosecution, at his or her discretion. Within 30 days after receipt of a verified complaint, the corporation counsel shall make a determination as to whether the complaint states a claim under this chapter.~~

~~(3) (a) If the corporation counsel believes that any discrimination has been or is being committed in violation of this chapter, he or she shall endeavor to eliminate such discrimination by conciliation and persuasion. determines that the complaint states a claim under this chapter, after consultation with the complainant, the corporation counsel shall:~~

~~1. refer the complaint to an appropriate agency to conduct an investigation consistent with the provisions of s. 106.50(6)(c), Wis. Stats. If a determination of probable cause is made, the appropriate agency shall issue a charge and conduct a hearing pursuant to the provisions of s. 106.50(6)(f), Wis. Stats., unless the complainant, respondent or other aggrieved party elects to have the claim decided in a civil action, as set forth in ss. 106.50(6)(c)2m. and (6m); or~~

~~2. commence a civil action in the name of Dane County and proceed in the Circuit Court for Dane County for the enforcement of this chapter through injunctive relief, damages and penalties as provided in section 31.90.~~

~~(b) If the corporation counsel determines that the complaint does not state a claim under this chapter, the complainant shall be notified in writing and advised of his or her rights to pursue a claim under state law.~~

~~(4) Upon a determination that conciliation and persuasion are either unlikely to eliminate or have not eliminated the alleged discrimination, the corporation counsel may commence a forfeiture action in the name of Dane County and proceed in the Circuit Court for Dane County for the enforcement of this chapter and penalty provided.~~

~~(5) At any time after a complaint regarding discrimination in rental housing is filed with his or her office, the corporation counsel may also move the court as follows:~~

~~(a) If a vacancy exists in the unit or in a unit similar to that sought by the complainant, for which the complainant is willing and able to assume the cost and other responsibilities, the corporation counsel may move the court for an order directing the defendant lessor to offer such unit to the complainant.~~

~~(b) If no vacancy exists in the unit or in a unit similar to that sought by the complainant, the corporation counsel may move the court for an order directing the defendant lessor to offer to the complainant the next available unit for which the complainant is willing and able to assume the costs and other responsibilities.~~

~~(c) In the event of a final and binding determination by the court that the lessor's initial rejection of the complainant was not due to unlawful discrimination, tenancies entered into pursuant to a court order under (a) or (b) of this paragraph shall be terminated thirty (30) days after the parties and complainant receive notice of entry of judgment.~~

~~(6) Whenever the corporation counsel has reasonable cause to believe that any person or group of persons is engaged in a pattern or practice of resistance to the full enjoyment of any of the rights granted by this chapter, or that any group of persons has been denied any of the rights granted by this chapter, he or she may bring a civil action in the Circuit Court of Dane County, including an application for a permanent or temporary injunction, restraining order, or other order against the person or persons responsible for such pattern or practice of denial of rights.~~

~~(7) Upon request, the corporation counsel shall report on all actions taken under this chapter to the public protection and judiciary committee, which may also receive public testimony and recommend further appropriate action regarding the implementation of this chapter.~~

~~(8) Upon receipt of a written and verified complaint alleging violation of sec. 31.24 of this ordinance, the office of the corporation counsel may investigate and commence a lawsuit in the Dane County Circuit Court seeking enforcement of the ordinance and the penalty provided herein.~~

ARTICLE 7. Section 31.90 is repealed and recreated to read as follows:

~~**31.90 PENALTIES.** (1) Any person who willfully violates any provision of this chapter or any lawful order issued under this chapter shall, for the first violation, forfeit not less than \$500 nor more than \$2,500.~~

~~(2) Any person adjudged to have willfully violated any provision of this chapter for the second time within a five year period shall, for that second violation committed within the same five year period, forfeit not less than \$2,500 nor more than \$10,000.~~

~~(3) Any person adjudged to have willfully violated any provision of this chapter for the third or subsequent time within a five year period shall, for the third and subsequent violations committed within the same five year period, forfeit not less than \$10,000 nor more than \$25,000.~~

~~(4) Notwithstanding any other provision herein, any person who violates the provisions of section 31.24 of this ordinance shall forfeit not less than \$50 nor more than \$200.~~

31.90 DAMAGES AND PENALTIES. (1) If an officer adjudicating a claim under s. 31.20(3)(a) finds that the respondent has engaged in or is about to engage in an act prohibited by this chapter, the hearing officer shall promptly issue an order for such relief as may be appropriate, which may include economic and non-economic damages suffered by the aggrieved person, regardless of whether he or she intervened in the action, and injunctive or other equitable relief. The officer may not order punitive damages.

(2) In addition to any damages ordered under sub. (1), the officer may assess a forfeiture as follows:

(a) Any person who violates any provision of this chapter or any lawful order issued under this chapter shall, for the first violation, forfeit an amount not to exceed \$10,000.

(b) Any person adjudged to have violated any provision of this chapter for the second time within a five year period shall, for that second violation committed within the same five year period, forfeit an amount not to exceed \$25,000.

(c) Any person adjudged to have violated any provision of this chapter for a third or subsequent time within a five year period shall, for the third and subsequent violations committed within the same five year period, forfeit an amount not to exceed \$50,000.

(3) The officer may allow a prevailing complainant, including the county, reasonable attorneys fees and costs.

(4) Within 30 days after service upon all parties of an order or determination of the officer, any aggrieved party may appeal the order or the determination to the Dane County Circuit Court by filing a petition for review.

[EXPLANATION: This amendment revises Dane County's Fair Housing Ordinance to assure that all citizens are protected from unlawful housing discrimination. This includes including within the definition of "discrimination" the refusal of a person to disclose his or her Social Security Number unless such disclosure is compelled by state or federal law. The amendment also revises the enforcement provisions of the ordinance, authorizing the Corporation Counsel to investigate initial housing complaints and, if warranted, to refer them for formal investigation or to commence an action in circuit court.]

Submitted by Supervisors Rusk, Bayrd, Stubbs, Manning, Solberg, Hesselbein, Schlicht, DeSmidt, Wheeler, Miles, de Felice, Hendrick, Opitz, Erickson, Downing, Richmond, Hulsey and McDonell, September 18, 2008.

Referred to EXECUTIVE, HEALTH & HUMAN NEEDS, PERSONNEL/FINANCE and PUBLIC PROTECTION & JUDICIARY.

ORD. AMDT. 23, 08-09

**AMENDING CHAPTER 17 OF THE DANE COUNTY CODE OF ORDINANCES,
FLOOD INSURANCE RATE MAP UPDATE**

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 17.95(2)1. is amended to read as follows:

17.05 GENERAL PROVISIONS. (2) Official map and revisions. The boundaries of all floodplain districts are designated as floodplains or A-Zones on the map listed below and the revisions in the Dane County Floodplain Appendix. Any change to the base flood elevations (BFE) in the Flood Insurance Study (FIS) or on the Flood Insurance Rate Map (FIRM) must be reviewed and approved by the DNR and FEMA before it is effective. No changes to regional flood elevations (RFE's) on non-FEMA maps shall be effective until approved by the DNR. This map and revisions are on file in the office of the Dane County Zoning Administrator. If more than one map or revision is referenced, the most restrictive information shall apply.

OFFICIAL MAP :

1. Flood Insurance Rate Map (FIRM) dated ~~June 17, 2003~~ January 2, 2009 for unincorporated Dane County, with corresponding profiles that are based on the Flood Insurance Study (FIS) dated ~~June 17, 2003~~ January 2, 2009. The official map applicable to Dane County unincorporated areas references community number 550077 and includes panel numbers: ~~0025; 0050; 0075; 0088; 0090; 0095; 0125; 0150; 0166; 0169; 0175; 0188; 0200; 0225; 0228; 0229; 0236; 0237; 0238; 0239; 0241; 0242; 0243; 0244; 0250; 0251; 0252; 0259; 0261; 0263; 0264; 0267; 0268; 0269; 0275; 0279; 0286; 0287; 0288; 0289; 0300; 0315; 0320; 0325; 0350; 0352; 0356; 0357; 0375; 0381; 0382; 0393; 0394; 0400; 0401; 0402; 0406; 0411; 0412; 0413; 0416; 0417; 0419; 0426; 0427; 0431; 0432; 0433; 0434; 0436; 0437; 0438; 0439; 0441; 0442; 0443; 0444; 0456; 0457; 0458; 0459; 0475; 0494; 0500; 0525; 0550; 0556; 0557; 0560; 0570; 0575; 0576; 0584; 0592; 0600; 0611; 0625; 0640; 0650; 0656; 0657; 0658; 0659; 0675; 0700; 0725; 0731; 0732; 0750; 0775; 0800; 0825 and 0850~~ 55025C0011G, 55025C0012G, 55025C0013G, 55025C0014G, 55025C0020G, 55025C0045G, 55025C0050G, 55025C0086G, 55025C0088G, 55025C0089G, 55025C0100G, 55025C0125G, 55025C0150G, 55025C0152G, 55025C0154G, 55025C0156G, 55025C0157G, 55025C0162G, 55025C0165G, 55025C0166G, 55025C0167G, 55025C0169G, 55025C0176G, 55025C0188G, 55025C0195G, 55025C0210G, 55025C0219G, 55025C0228G, 55025C0229G, 55025C0235G, 55025C0236G, 55025C0237G, 55025C0238G, 55025C0241G, 55025C0242G, 55025C0243G, 55025C0244G, 55025C0251G, 55025C0252G, 55025C0253G, 55025C0254G, 55025C0258G, 55025C0259G, 55025C0261G, 55025C0262G, 55025C0263G, 55025C0264G, 55025C0266G, 55025C0267G, 55025C0268G, 55025C0269G, 55025C0279G, 55025C0285G, 55025C0286G, 55025C0287G, 55025C0288G, 55025C0295G, 55025C0304G, 55025C0310G, 55025C0312G, 55025C0316G, 55025C0317G, 55025C0320G, 55025C0330G, 55025C0335G, 55025C0340G, 55025C0345G, 55025C0355G, 55025C0356G, 55025C0357G, 55025C0365G, 55025C0376G, 55025C0379G, 55025C0381G, 55025C0382G, 55025C0383G, 55025C0389G, 55025C0390G, 55025C0393G, 55025C0394G, 55025C0401G, 55025C0402G, 55025C0406G, 55025C0413G, 55025C0416G, 55025C0417G, 55025C0419G, 55025C0431G, 55025C0432G, 55025C0433G, 55025C0434G, 55025C0436G, 55025C0437G, 55025C0438G, 55025C0439G, 55025C0441G, 55025C0442G, 55025C0443G, 55025C0444G, 55025C0451G, 55025C0452G, 55025C0453G, 55025C0454G, 55025C0456G, 55025C0458G, 55025C0465G, 55025C0479G, 55025C0484G, 55025C0485G, 55025C0486G, 55025C0487G, 55025C0491G, 55025C0492G, 55025C0493G, 55025C0494G, 55025C0510G, 55025C0525G, 55025C0530G, 55025C0552G, 55025C0556G, 55025C0557G, 55025C0558G, 55025C0559G, 55025C0568G, 55025C0576G, 55025C0580G, 55025C0585G, 55025C0592G, 55025C0601G, 55025C0605G, 55025C0609G, 55025C0611G, 55025C0620G, 55025C0628G, 55025C0629G, 55025C0636G, 55025C0637G, 55025C0638G, 55025C0639G, 55025C0645G, 55025C0656G, 55025C0657G, 55025C0658G, 55025C0659G, 55025C0667G, 55025C0670G, 55025C0700G, 55025C0725G, 55025C0731G, 55025C0732G,

[55025C0750G](#), [55025C0780G](#), [55025C0785G](#), [55025C0802G](#), [55025C0805G](#), [55025C0806G](#), [55025C0810G](#), [55025C0830G](#), [55025C0832G](#), and [55025C0835G](#).

[EXPLANATION: This amendment adopts updated Flood Insurance Rate Maps provided by the Federal Emergency Management Agency as the official floodplain zoning maps for unincorporated Dane County. Adoption of updated maps is required by the United States government to remain eligible for participation in the National Flood Insurance Program.]

Submitted by Supervisors Miles, Hendrick, and Solberg, September 18, 2008. Fiscal and Policy Notes not required.

ZONING & LAND REGULATION.

ORD. AMDT. 24, 08-09

**AMENDING CHAPTER 82 OF THE DANE COUNTY CODE OF ORDINANCES,
INCORPORATING THE GRANDVIEW-FITCHRONA NEIGHBORHOOD PLAN INTO THE DANE COUNTY
COMPREHENSIVE PLAN**

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

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

ARTICLE 2. Subsection 82.55(29) is amended to read as follows:

82.55 INCORPORATION OF TOWN PLANS. The following town plans are incorporated into the Dane County Comprehensive Plan:

(29) Town of Verona Comprehensive Plan, including:

(a) the Cross Country Neighborhood Plan;

(b) the Grandview-Fitchrona Neighborhood Plan; and

(c) all amendments adopted by the county board of supervisors as [of \[insert date of county board adoption of this amendment\]](#).

[EXPLANATION: This amendment adopts the Grandview-Fitchrona Neighborhood Plan amendment to the Town of Verona Comprehensive Plan and incorporates it into the Dane County Comprehensive Plan.]

NOTE: This proposed amendment was drafted and introduced to the County Board after introduction but before adoption of Ord. Amend. 18, 2008-2009, which adds the Cross Country Neighborhood Plan. This amendment was drafted as though the language of O.A. 18 has already been adopted, with the assumption that it will be adopted.

Submitted by Supervisors Willett and Matano, September 18, 2008. Fiscal and Policy Notes not required.

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

RES. 132, 08-09

**APPROVING SHORT-TERM LEASE AT 641 W. MAIN ST., SUN PRAIRIE FOR
DANE COUNTY HIGHWAY VEHICLES AND EQUIPMENT**

Res. 58, 2008-2009 "Authorizing the Sale of the Dane County Highway Garage at 624 East Main Street, Sun Prairie" provided that the City of Sun Prairie would pay rent for a "temporary heated indoor vehicle storage and washing facility through June 1, 2009."

Space has been identified at 641 West Main Street, owned by Hanley Company, Inc., that meets the temporary storage needs of the County Highway Department. Dane County shall enter into a lease with Hanley Company, Inc. as provided for in the purchase contract with the City of Sun Prairie. The lease provides for occupancy from October 2008 until May 31, 2010 at a rental rate of \$6,500 per month, which will be paid by GenCap Sun Prairie LLC. The lease may be terminated by the county, with 30 days written notice, anytime after June 1, 2009. The Dane County Highway and Transportation Division has toured the space and indicated that it meets their needs.

The future developer of the Sun Prairie Highway garage site, GenCap Sun Prairie LLC, and Dane County will enter into an agreement for GenCap to either directly pay the lessor or reimburse the county for the rent from commencement of the lease until June 1, 2009.

NOW, THEREFORE, BE IT RESOLVED that the County of Dane does hereby approve entering into a lease with Hanley Company, Inc. under the above-mentioned terms and conditions, and

BE IT FURTHER RESOLVED that the County of Dane enter into a separate agreement with GenCap Sun Prairie LLC for the reimbursement of rents from commencement of the Hanley Company lease until June 1, 2009, and

BE IT FINALLY RESOLVED that the Dane County Clerk and the County Executive are hereby authorized to execute the lease with Hanley Company, Inc. and the rent reimbursement with GenCap Sun Prairie LLC on behalf of the County of Dane.

Submitted by Supervisors Opitz, Veldran, Schmidt, Martz, and Wiganowsky, September 18, 2008.
Referred to PERSONNEL/FINANCE and PUBLIC WORKS & TRANSPORTATION.

RES. 133, 08-09

2009 – 2011 DANE COUNTY LEGISLATIVE AGENDA

General Principles

The unique role counties play in administering state programs---human services, transportation, the environment, surface and ground waters, health, the justice system and other state-mandated services---must be recognized:

1. The state must fairly share responsibility with the counties in determining the scope, design and cost of statewide programs;
2. The state must provide an adequate and predictable share of funding for state services delivered by the counties;
3. The state must help counties reduce the need to rely on property taxes; and
4. The state should enhance the ability of counties to more effectively manage county government.
5. The state shall perform a biennial review of all mandated programs to determine continued need for the programs and annually review all mandated programs funded at 50% or less.

Criminal Justice and Public Safety

- 1) State Court System: Increase state funding of the circuit court system, including court security.
- 2) Juvenile Justice: Support continued funding for early intervention and intensive treatment programs.
- 3) County Jail: Support full state funding for probation/parole holds; continued support for the Treatment Alternative Program (TAP); more funding for incarceration alternatives; support Justice Impact Statements.
- 4) Victim-Witness Program: Support full state funding of program costs.
- 5) CHIPS Cases: Support legislation that would return the responsibility for representation of indigent parents in CHIPS from the county to the State Public Defender.
- 6) Child Support: Request the Legislature designate additional state monies to the Wisconsin County Child Support Program in order to continue to provide the current high level of service.
- 7) Prosecution Costs: Expand State Prosecutors Program to include reimbursement for salaries and benefits for paralegals.
- 8) Booking Fees: Seek enabling legislation to allow counties to charge a sliding scale booking fee to be refunded if a person is found not guilty and which would be waived for those found indigent.
- 9) EMS Services: Support legislation that encourages financial support of volunteers in emergency medical services and that address liability issues and professional standards. Support state reimbursement for radio frequency and upgrade requirements.
- 10) Clerk of Court Fees: Pursue statutory changes to increase the county share of fines/forfeitures.
- 11) Public Record Search Fees: Amend the statutes to allow the county to recover the actual cost for records searches when the cost exceeds \$10 (Now \$50).
- 12) License Fee: Support \$12 for drivers license suspension if the fee is payable by the defendant.
- 13) Communications Surcharge for 911 Systems: Support legislation that authorizes surcharges on telephones, both for landline/wireless phones and any current/future communications technology that accesses the 911 system. Surcharges would be used to defray the property tax cost of operation and equipment for local 911 systems. Remove the Sunset clause within WI Act 48 and include personnel/operational costs as an allowable cost under the surcharge. Provide local government access to landline surcharge funds.
- 14) Recording Fees: Support legislation that allows counties to re-coup the cost of locating/recording 911 records for individuals when the cost of searching/recording those records exceeds \$25. Current statutes prohibit counties from recouping the cost when the cost exceeds \$50.
- 15) Conceal and Carry Weapons: Provide an exclusion for the facilities and grounds of the Alliant Energy Center, "Weapons may not be carried onto the grounds, parking lots or areas associated with convention, entertainment and sporting facilities nor brought into venues where the public assembles for tradeshow, demonstrations, conventions, consumer shows, entertainment, sporting or educational events, including zoos, convention centers, arenas, horse arenas, hockey arenas, concert and sporting venues for public assembly events, including when those facilities are used for private events."; and amend conceal and carry legislation to increase all fee amounts to provide County Sheriffs with sufficient funds to administer the conceal and carry law.
- 16) Reimbursement: Support state reimbursement for prisoner case processing.
- 17) Out of State Reimbursement: Reimburse Dane County for out-of-state inmates who if housed in Wisconsin would be subject to the same rules in terms of filing cases and paying filing fees.
- 18) First Responder Training: Require training for first responders (police officers, paramedics...) on appropriate procedures for identifying, assisting and interacting with older adults who may have complications from abuse, dementia, mental health or other disorders.
- 19) Domestic Violence: Support State funding for the three Assistant District Attorney positions dedicated to domestic violence.
- 20) Fee Increase for Jury Trial: Support legislation (WI Stats. Sec. 814.61(4)) to increase the fee for a jury trial from \$6 to \$15. The funding is needed to offset increases in juror compensation.
- 21) Prisoner Hospitalization: Oppose any legislation that would reverse/overturn the WI Supreme Court ruling on the Meriter case. Update the statutory language regarding prisoner hospitalization.
- 22) Mental Health Court: Provide funding to create local Mental Health Courts.
- 23) Industrial Hemp: Support legalizing the production of industrial hemp.

- 24) District Attorney Support: Support increased state funding for Assistant District Attorney positions to meet increased caseloads.
- 25) Criminal Background Check: Support additional funds to the Department of Justice to enable the conducting of uniform criminal background checks of to-be-hired direct care workers by public and non-profit agencies.

Human Services

General Issues

- 1) Key Funding Streams: Support Cost of Living Allowance (COLA) increases in key funding areas from the State including Youth Aids, Community Aids, COP and CIP.
- 2) Minority Outreach: Support state-sponsored outreach to communities about available support services

Economic Assistance

- 3) W-2 Funding: Support funding to pay all W-2 cash benefits and administrative expenses
- 4) TANF Childcare: Support sufficient funding for TANF childcare. Expand eligibility to include childcare support for low-income individuals pursuing higher education leading to employment.
- 5) Income Maintenance Programs: Support funding levels and legislation that provide sufficient resources to administer non-cash benefit programs such as Food Stamps, Medical Assistance, Child Care and issue benefits to all eligible people.
- 6) Homeless Services: Provide additional State funding for services to assist individuals and families who are homeless.
- 7) BadgerCare: Request that the State seek a Federal MA waiver to pilot a program which provides health care coverage through the MA program to farm families who aren't currently eligible for the program but have no health insurance.

Services to Older Adults, the Developmentally/Physically Disabled and Mentally Ill

- 9) Direct Care Workers: Support legislation that would provide additional funds to enhance salaries, benefits and job-related training for direct care workers who provide services to older adults, persons with developmental disabilities, and individuals with mental illness. Include training for workers who provide care to dementia patients.
- 10) Birth to Three: Support additional financial support from the State for this program. Support a modification of state statutes to require health insurers to make third party payments to defray the cost of Birth to Three care for families that have private health insurance policies.
- 11) Nursing Home Funding: Support legislation that gives priority for use of Intergovernmental Transfer Program (ITP) revenues to fund losses at county and municipal nursing homes. Support legislation to develop an alternative method of funding for county and municipal nursing homes to replace ITP. Support adjustments in nursing home funding formulas that benefit Badger Prairie Health Care Center. Support legislation, policy changes to allow for operation of Regional Nursing Homes and to allow them to receive market-based payments (modify MA supplementation restrictions).
- 12) Community Support Program (CSP): Continue program. Have additional State funding to help reduce county costs and serve those whom can benefit from the program.
- 13) RSVP Services: Support increased funding for the RSVP Program
- 14) Seniorcare: Maintain Seniorcare as a continuing program.
- 15) Mental Health/Substance Abuse Parity: Support legislation and/or administrative changes to provide expanded insurance coverage of mental health and substance treatment services.
- 16) Wisconsin Quality Home Care Commission: Support continued state funding for the WI Quality Home Care Commission.

- 17) Handicap Access: Support “visit ability” legislation to allow handicap access devices in new homes or eliminate barriers in older homes.
- 18) Legislative Remedy: Support state reconciliation legislation to correct errors and provide sufficient funding to implement new requirements found in WI Act 266(Protective Placements/Psychotropic Meds), WI Act 387(Guardianship/Residency Changes), WI Act 388(Adult Protective Services (APS) Modernization) and WI Act 444(Informed Consent for Minors’ Inpatient/Outpatient Mental Health/Developmental Disability Treatments).
- 19) Long Term Care Reform: Plans developed by the state in the area of long term care need to protect quality and availability of services to consumers and maintain control by the county of programs or relieve the county of financial aid and/or legal obligations for the programs and participants if the county is not involved with these programs in the future. The required county contribution towards LTC should be equitably negotiated. Support adequate funding for the start-up and ongoing funding of ADRCs. Amend Chapter 55 to delineate state and county responsibilities.

Programs to Serve Children, Youth and Families

- 20) Kinship Care: Support funding to meet needs of all that are eligible.
- 21) Youth Aids: Support legislation to increase State funding for out-of-home care costs for juvenile offenders now paid for by Dane County. Limit increases in State rates for out of home placements for juveniles (including corrections, child caring institutions, and residential care facilities) to no more than the increase in Youth Aids.
- 22) Prevention Funding: Support initiatives that provide additional funds for primary prevention programs including delinquency and child abuse/neglect.
- 23) Relative Caregivers: Support legislation/policies that provide additional State support to relatives who take care of non-custodial children.
- 24) Wisconsin Medicaid Cost Reporting (WIMCR): Eliminate WIMCR program or fully reimburse counties for the revenues they would have received under the Community Services Deficit Reduction Benefit (CSDRB) and Community Based Medicaid Administrative Claiming (CBMAC) programs which were impacted by the creation of WIMCR.
- 25) Youth Programs: Support continuation and expansions of programs focusing on prevention of delinquency, alcohol and other drug use, child abuse and neglect and domestic violence. Support increased funding and support for youth after school programs, especially at the middle school level.
- 26) Family Child Care: Support legislation to extend the state rules governing foster care background checks to family day care providers.
- 27) Joining Forces for Families: Support legislation to fund and expand statewide, the Joining Forces for Families program. The program provides collaborative support services like housing and financial support to targeted low income neighborhoods with high crime and other factors.
- 28) Career Development for Youth: Support funding to provide educational, work skill development, transportation and mentoring services for youth or young adults who are at risk of dropping out, have dropped out of high school or who are unemployed post high school and lack the knowledge and skills necessary to secure and maintain gainful employment.
- 29) Apprenticeships/Internships: Encourage the business community and technical college system to create and support apprenticeship/internship opportunities to unemployed post high school young adults.

Public Health Services

- 30) Response to Local Public Health Emergencies: Support legislation that recognizes the critical role of local Public Health Departments in responding to public health emergencies and provides adequate funding to respond to all threats to public health.
- 31) Dental Access: Support policies and/or legislation that would ensure access to dental care for all residents including those on Medical Assistance.
- 32) Public Health Prevention: Support initiatives that maintain the integrity and effectiveness of public health prevention services.

- 33) Creutzfeldt-Jakob Disease: Support the WI Department of Health and Family Services in its efforts to amend the administrative code to include Creutzfeldt-Jakob disease as a reportable disease.
- 34) Health Care Costs: Reduce health care costs by 15% and guarantee access to universal, affordable health care coverage for all Wisconsin individuals and families by 2008.
- 35) Cigarette Tax: Support a tax increase of at least \$1 per pack to fund tobacco prevention programs and support the Wisconsin Medicaid program.

Veteran Services

- 35) Armed Forces: Support the Dane County soldiers serving in Iraq. Support protecting families and jobs rather than utilizing precious resources and funds to wage a war in Iraq.
- 36) VFW Halls: Support a property tax exemption for chartered veterans organizations.
- 37) Property Tax Credit: Eliminate the 65 year old age limit, drop the disability rating from 100% to 30% or greater, and allow 10 consecutive years of Wisconsin residency after separation (this expands eligibility to veteran applicants whose home of record was not Wisconsin).
- 38) Trust Fund: Support an increase from state GPR to help stabilize the Trust Fund so veterans will no longer pay for their own benefits and programs. The Trust Fund is financed through veteran programs such as personal and home loans.

Transportation, Land Use and the Environment

- 1) Water Quality: Maintain level of DNR funds for water quality planning and watershed projects. Support increased DNR financial assistance as an incentive to reduce non point source pollution. Seek a fair share of state funding for inland waterways and lakes. Target state funds to where there is a high likelihood of project success, where recipient units of government have a proven track record of meeting state and local water resource goals. Support legislation to provide additional funding and staffing for local water quality protection, improvement and unfunded mandates.
- 2) Local Transportation: Support a greater share of state and federal transportation funding going toward local transportation needs and services. Funding should be increased for General Transportation Aids, State Highway Maintenance, the County Highway Improvement Program (CHIPS) and Specialized Transportation for older adults and persons with disabilities. Require "farmland mitigation" for highway improvement projects. In addition, funding formulas that discriminate against urban counties should be revised and the local match (now 50%) for CHIPS should be decreased.

Support state-federal funding for Amtrak service to Milwaukee and Madison. Support continued state funding for further planning and implementation of a commuter rail system and regional bus links to outlying communities in Dane County. Also, support increased funding for Transport 2020 and rail rehabilitation and purchases.

Support state/federal funding for the Midwest Regional Rail Initiative. Support statutory language to allow creation of a Regional Transit Authority or Regional Transit Authorities.

- 3) Highway Workers Safety: Earmark a portion of every state construction/maintenance contract to fund increased local law enforcement in construction/maintenance zones.
- 4) Bicycle Trail Funds: Work with Legislators and State Agencies to obtain transportation aids for bicycle trails with significant commuter traffic. Support allowing bike path maintenance costs to be eligible for transportation aids. Support the creation and development of a statewide Bike Trail Task Force.
- 5) Soil Erosion: Support DNR and/or legislative streamlining of NR297 process to deal more quickly with cropland soil erosion that threatens water resources. Control soil erosion to acceptable limits, e.g., tolerable soil loss levels, for the production of food and fiber. Support DATCP Soil and Water Resource Management programs implementation, e.g., NR243 cost sharing and Land and Water Resource Management Plan implementation and cost sharing.

- 6) Septage and Sludge: Support legislative review of septage hauler regulations and related issues, including whether such wastes should be required to be hauled to treatment plants rather than using land disposal. Also support legislative review of regulations and practices affecting spreading of municipal sludge to ensure adequate monitoring.
- 7) Recycling: Support long-term state funding for state's recycling program. Support continued state efforts to expand markets for recycled materials. Amend statutes to allow local governments or other entities to receive more than one state grant for innovative demonstration projects.
- 8) Landfill Siting: Allow municipalities to replace existing public landfills without a new DNR needs determination. Amend statutes to modify landfill negotiation-mediation process to include counties as an appropriate governing body for the approval of negotiated agreements. Amend statutes to prohibit the construction of landfills until the mediation-negotiating process is complete.
- 9) Repeal Liability Law: Repeal Section 81.15 of WI Stat., which imposes liability on counties and municipalities for any roadway defect.
- 10) Cleansweep: Support increased state/federal funding for household and Ag Clean Sweep.
- 11) Land Information System: Increase state funding and delete the 2005 Sunset date.
- 12) Boating Laws: Support legislation making fines and associated penalties for drunken boating commensurate with those for drunken driving.
- 13) Stewardship Fund: Support 2007-2009 state budget proposal regarding funding levels and annually adjust the State Stewardship Fund for inflation to maintain at least 1990 funding levels.
- 14) State Urban Forestry Grants: Allow towns, counties, and non-profits to access both the federal and state funds in the Urban Forestry Grant Program.
- 15) Payments in Lieu of Taxes: Authorize counties to make payments in lieu of taxes to other local units of government when the county takes land off the tax rolls for conservation purposes.
- 16) Holding Tanks as Systems of Last Resort: Support changes in statutes and administrative rules that oppose using holding tanks except as a last resort for new and replacement septic systems. Modify rules and statutes to ensure funding from the Wisconsin Fund is for the least costly systems, excluding holding tanks, unless a holding tank is the system of last resort.
- 17) Revise Formula for DATCP Administrative Funding to Counties: Support a revision in the formula the Department of Agriculture, Trade and Consumer Protection (DATCP) uses to distribute administrative funding to counties for administration of the Farmland Preservation Program, Nutrient Management Program and the implementation of performance standards. Use criteria for distribution that include number of farms, acres of cropland, number of livestock and amount of resource waters in a county.
- 18) DATCP Formula Change for County Drainage Boards: Support a revision in the statutes that directs the Department of Agriculture, Trade and Consumer Protection to review administrative rules that allow county drainage boards, based on specific guidelines, to determine the needs of the individual districts and be reimbursed for the work.
- 19) State Commercial Building Code: Support the exemption from the state Commercial Building Code of farm buildings used for agricultural purposes or horse boarding/stabling facilities.
- 20) Fair Motorboat Gas Tax Allocation: Support legislation to fairly allocate motorboat fuel tax through a more equitable distribution formula.
- 21) CWD: Support State indemnification retroactively for counties and public-owned treatment works and landfills from any and all liability or damages from disposal of deer which might be infected with CWD.
- 22) CWD Requirement for Game Farms: Urge DATCP to deter CWD outbreaks by requiring all game farms to install double fencing.
- 23) DATCP Certification and CWD Testing of all Deer and Elk Game Farms: Urge DATCP to adopt rules requiring mandatory CWD testing and participation in the CWD certification program for all deer and elk game farms.
- 24) Stormwater Utility: Amend the WI Stats. to allow counties to create and manage a stormwater utility.
- 25) Mercury Products Ban: The State should ban the sale of mercury-containing products, with the exception of dental fillings and fluorescent lamps. If the ban is implemented on a phased-in basis, retailers should be

required to take back for recycling those mercury-containing products that they are selling until the ban for each product takes effect.

- 26) Landfill Fee: The State should place a fee on the landfilling of municipal solid waste to provide financial assistance to municipal and agricultural Clean Sweep programs.
- 27) Boater Registration Act: Authorize the state to license, regulate, and require education/training for operation of motorized watercraft.
- 28) Drainage Districts: Establish a Legislative Council Study Committee to review and update drainage district statutes.
- 29) Mercury Rules: Support changes to the mercury rules to achieve a 90% reduction per DNR rule.
- 30) Indemnification: Provide indemnification for landfills that participate in State required/requested disposal of emergency special wastes.
- 31) Wisconsin Land Information Program: Support the continuation of the Wisconsin Land Information Program and grants.
- 32) Phosphorus Ban: Oppose any legislation, policy/rule change limiting local government control over the use of phosphorous in lawn fertilizer.
- 33) 2004 WI Act 118 (Jobs Creation Act): Oppose WI Act 118 rules that weaken waterway protection.
- 34) DNR Budget Reductions: Oppose reductions in DNR staffing that affect Dane County water programs (water regulatory programs, lake/fishery, runoff specialists, conservation wardens and others).
- 35) Comprehensive Planning: Oppose legislation, which repeals the comprehensive planning statutes.
- 36) Power Plants: Support efforts to clean up dirty power plants.
- 37) Regional Trail System: Request DNR assistance in development of a regional trail system north of Lake Mendota.
- 38) Multi-County Regional Planning Commission: Study the establishment of a multi-county regional planning commission.
- 39) Transmission Lines: Request the State support an independent study of the need for additional high voltage transmission lines through Dane County.
- 40) Takings Legislation: Oppose legislation that would require county government to compensate real property owners for restricted use or loss of property value as a result of law or regulations.
- 41) Electronics Recycling: Support legislation requiring electronics producers to be fiscally responsible for unwanted products, the phase-out of hazardous materials, sound recycling practices and protection of consumer confidentiality in disposal/recycling of computers.
- 42) Greenhouse Air Pollution: Reduce greenhouse air pollution by updating and implementing the Wisconsin Climate Change Action Plan and administering rules to fund energy efficiency measures.
- 43) Tipping Fee: Increase tipping fees statewide, comparable to surrounding states, with the understanding that increased revenues be returned to local units of government for solid waste management activities.
- 44) Airport Authority: Oppose legislation that takes airport governance away from county government and gives it to a private/public airport authority.

Local Government Services

- 1) Shared Revenue: Support additional funding for the County Mandate Relief Fund; allow counties to be credited for 100% (now 85%) of local purpose revenues. Oppose elimination of Small Municipalities Shared Revenue program. Support a county expenditure restraint program; and oppose the imposition of cost controls on counties.
- 2) Fees/Licenses: State-set fees collected by counties should fairly cover administrative costs.
- 3) Libraries: Enforce compliance with WI Stats. 43.24(6) which require state funding for public library systems at 13% of local library expenditures.
- 4) Elections: Support state funding for costs of state elections.
- 5) Legislative Mandates: Oppose any state or federal legislation or rules/regulations promulgated by federal or state agencies that would require counties to provide a service or administer any program without adequate

and on-going funding; support creation of a Joint Survey Committee on Local Mandates. Support legislation to allow waivers from state mandates.

6) Association Memberships: Amend WI Stats. 59.07(27) to require a simple majority vote of the county board of supervisors to purchase membership in an association of county boards.

7) Utility Deregulation: Oppose any deregulation that leads to higher consumer rates. Any attempts to restructure the delivery of electricity should address: reliability of electrical service, equitable benefits to large and small rate payers, the social and environmental impacts of restructuring and the ability of counties to aggregate to purchase electricity.

8) Election Reporting Requirements: State election law requires state candidates to report all contributions larger than \$500 made within 15 days of an election to be reported within 24 hours of receipt. Amend the statute to apply to county non-partisan elections and lower the threshold for these elections to \$100. Also require that these reports be delivered or faxed directly (instead of just postmarked) to the county clerk within the 24 hour time period.

State election law requires that campaign finance reports include the name, address, and place of employment of any individual whose cumulative annual contributions total more than \$100. Amend the statutes to set a lower threshold than \$100 for local elections.

9) Elections Board: Support legislation that would provide for county authority to create and administer an elections board modeled after statutory language authorizing county ethics boards.

10) Electronic Filing: Support legislation that allows counties the option to require electronic filing for county campaigns.

11) Lottery Credit Administration: Support legislation that would reimburse counties \$1.50 per certified parcel for lottery credit administration.

12) Alliant Energy Center/World Dairy Expo Grant: Oppose elimination or reduction of State's partnership in funding the expansion of the Exhibition Hall. Maintain the current grant amount and consider alternatives like a lump sum payment of the 1994 State obligation through funding mechanisms like bonds.

13) Room Tax: Amend the room tax statutes to include counties.

14) Alliant Energy Center District: Provide enabling legislation or a grandfather clause within the Wisconsin Center District and Bradley Center agreement to extend the same authority to the Alliant Energy Center.

15) County Board Elections: Change the state statutes requiring County Board members to be sworn in on the third Tuesday to allow the seating of temporary Board members until a recount is completed.

16) Preferential Voting: Support giving local governments the opportunity to adopt preferential voting for nonpartisan elections and guaranteeing trustworthy electronic voting systems.

17) TABOR/Property Tax Freeze: Urge state to pay for required programs to reduce property tax growth, not pass more constitutional amendments.

18) Offshore Contracting: Oppose the practice of contracting state of Wisconsin government functions or services to overseas companies/operations.

19) Tobacco Laws: Support statewide efforts to make all Wisconsin workplaces, including restaurants and bars, completely smoke free, while opposing any measures that pre-empt local tobacco control regulations.

20) Marriage Ban: Oppose constitutional amendments to ban same sex marriage and civil unions.

21) Impact Fees: Support legislation to restore impact fee and other authority, such as that deleted in WI Act 477.

22) Local Government Control: Oppose any legislation that limits or deletes local government control.

23) Reverse Marriage Ban: Support a constitutional amendment to delete the marriage ban amendment adopted in the Fall '06 General Election.

24) Domestic Partnership Benefits: Allow local governments to provide domestic partner benefits.

25) (deleted-incorporated in Number 19)

26) Birth Certificate Records: Support preservation, computer modernization and improvements to update birth certificate records to fight identity theft.

27) Local Runoff Voting: Support allowing local governments the option of instituting instant runoff voting.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors goes on record in support of these recommendations of the Executive Committee; and

BE IT FURTHER RESOLVED that the Dane County Legislative Lobbyist be directed to pursue enactment of these legislative positions; and

BE IT FINALLY RESOLVED that copies of this resolution be sent to the Governor, the Leadership of both Houses of the Legislature, legislators representing Dane County, and the Wisconsin Counties Association.

Submitted by Supervisors McDonell, Hendrick, Vedder, Opitz, Veldran, Matano, and Hampton, September 18, 2008. Fiscal and Policy Notes not required.

Referred to EXECUTIVE, HEALTH & HUMAN NEEDS, PERSONNEL/FINANCE, PUBLIC PROTECTION & JUDICIARY, PUBLIC WORKS & TRANSPORTATION, ENVIRONMENT, AGRICULTURE & NATURAL RESOURCES and ZONING & LAND REGULATION.

RES. 134, 08-09

ACCEPTING DONATIONS – DEPARTMENT OF HUMAN SERVICES

Dane County Department of Human Services receive several donations each year to enhance programming, support consumers, or to provide for basis needs of consumers that may not be supported by some of the revenue sources received by the Department.

BE IT RESOLVED that the Dane County Department of Human Services be authorized to receive donations up to \$3,000 from public and private sources to be used to enhance its annual programming.

BE IT FURTHER RESOLVED that such donations will be credited to one of the following revenue account in the Department of Human Services

| Description: | Org. | Obj. | Division: |
|---------------------|-------------|-------------|-----------------------|
| DONATIONS | HSADMIN | 81520 | HSD Administration |
| DONATIONS | ACAADMIN | 81520 | Adult Administration |
| DONATIONS | CYF-ADM | 81520 | CYF Administration |
| DONATIONS | EAADMIN | 81520 | EA Administration |
| DONATIONS | BPHCREV | 81520 | BP Health Care Center |

and that to the extent revenues are credited to these lines, equal amount in expenditures be authorized from one of the following expenditure accounts in the Department of Human Services

| Description: | Org. | Obj. | Division: |
|-----------------------|-------------|--------------------|-----------------------|
| DONATION AND GIFT EXP | HSADMIN | ADGFAA | HSD Administration |
| DONATION AND GIFT EXP | ACAADMIN | ADGFAA | Adult Administration |
| DONATION AND GIFT EXP | CYF-ADM | ADGFAA | CYF Administration |
| DONATION AND GIFT EXP | EAADMIN | ADGFAA | EA Administration |
| DONATION AND GIFT EXP | BPHCADM | 202979 Expenses | BP Health Care Center |

BE IT FINALLY RESOLVED that to the extent revenues from donations exceed programming expenditures from the expenses in each fiscal year, the difference will be carried forward in one of the above expenditure lines to be used in future fiscal years.

Submitted by Supervisors Stubbs, Wheeler, Bruskevitz, DeSmidt and Vedder, September 18, 2008.
Referred to HEALTH & HUMAN NEEDS and PERSONNEL/FINANCE.

RES. 135, 08-09

**APPROVING LICENSE WITH DENALI SPECTRUM OPERATIONS FOR TELECOMMUNICATIONS
EQUIPMENT ON THE BUILDING AT 1202 NORTHPORT DRIVE**

Denali Spectrum Operations, LLC d/b/a Cricket Communications desires to place telecommunication equipment on the roof and the elevator penthouse at the Lakeview Human Services Building at 1202 Northport Drive. A propagation study and loading study Cricket conducted at its own expense indicates that the location meets its needs for providing coverage to an area of northeast Madison without adversely affecting the roof or building structure. Cricket is willing to pay \$2000 per month with 3.5% annual escalators for a five-year license to place its equipment on the building.

Public Works Department has assessed the structural capacity of the building and has determined that it is sufficient to support the proposed tower. The placement of the equipment on the building is also consistent with the ordinance regarding the siting of new telecommunications towers in Dane County.

NOW, THEREFORE, BE IT RESOLVED that the County of Dane does hereby approve and authorize a license agreement with Denali Spectrum Operations, LLC d/b/a Cricket Communications, for the placement of its equipment on Dane County's building at 1202 Northport Drive and

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

Submitted by Supervisors Kostelic, Veldran, Opitz, Schmidt, Martz, and Wiganowsky, September 18, 2008.

Referred to PERSONNEL/FINANCE and PUBLIC WORKS & TRANSPORTATION.

RES. 136, 08-09

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 2008 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 CANCELLED TAXES CERTIFIED FOR REASSESSMENT IN:

TOWN OF BRISTOL

| PARCEL NUMBER | YEAR OF TAX | FACE AMOUNT | REASON FOR CANCELLATION |
|----------------------|--------------------|--------------------|--|
| 0911-354-9220-8 | 2007 | <u>\$4,453.97</u> | Illegal Assessment-Incorrect Valuation |
| TOTAL: | | \$4,453.97 | |

TOWN OF BURKE

| PARCEL NUMBER | YEAR OF TAX | FACE AMOUNT | REASON FOR CANCELLATION |
|----------------------|--------------------|--------------------|--|
| 0810-123-9410-1 | 2004 | \$1,852.36 | Illegal Assessment-Exempt Property |
| 0810-252-9511-3 | 2007 | \$896.39 | Illegal Assessment-Incorrect Valuation |
| 0810-252-9553-3 | 2007 | <u>\$894.95</u> | Illegal Assessment-Incorrect Valuation |
| TOTAL: | | \$3,643.70 | |

VILLAGE OF BLUE MOUNDS

| PARCEL NUMBER | YEAR OF TAX | FACE AMOUNT | REASON FOR CANCELLATION |
|----------------------|--------------------|--------------------|------------------------------------|
| 0606-063-7241-6 | | <u>\$625.02</u> | Illegal Assessment-Exempt Property |
| TOTAL: | | \$625.02 | |

CITY OF MADISON

| PARCEL NUMBER | YEAR OF TAX | FACE AMOUNT | REASON FOR CANCELLATION |
|----------------------|--------------------|--------------------|------------------------------------|
| 0710-274-2002-6 | 2007 | \$1,058.93 | Illegal Assessment-Exempt Property |
| 0710-274-2001-8 | 2007 | \$1,058.93 | Illegal Assessment-Exempt Property |
| 0710-063-1126-2 | 2007 | \$37,131.32 | Illegal Assessment-Exempt Property |
| 0708-133-1925-3 | 2007 | <u>\$2,495.07</u> | Illegal Assessment-Exempt Property |
| TOTAL: | | \$41,744.25 | |

CITY OF MIDDLETON

| PARCEL NUMBER | YEAR OF TAX | FACE AMOUNT | REASON FOR CANCELLATION |
|----------------------|--------------------|--------------------|--|
| 0708-012-1271-2 | 2007 | <u>\$392.12</u> | Illegal Assessment-Incorrect Valuation |
| TOTAL: | | \$392.12 | |

CITY OF MONONA

| PARCEL NUMBER | YEAR OF TAX | FACE AMOUNT | REASON FOR CANCELLATION |
|----------------------|--------------------|--------------------|--|
| 0710-093-4428-0 | 2007 | \$948.05 | Illegal Assessment-Incorrect Valuation |
| 0710-093-4417-3 | 2007 | <u>\$1,433.21</u> | Illegal Assessment-Incorrect Valuation |
| TOTAL: | | \$2,381.26 | |

CITY OF SUN PRAIRIE

| PARCEL NUMBER | YEAR OF TAX | FACE AMOUNT | REASON FOR CANCELLATION |
|----------------------|--------------------|--------------------|--|
| 0811-072-8260-5 | 2007 | \$7,312.62 | Illegal Assessment-Exempt Property |
| 0810-122-0332-2 | 2007 | \$19,068.44 | Illegal Assessment-Incorrect Valuation |
| 0810-122-0326-2 | 2007 | \$14,649.43 | Illegal Assessment-Incorrect Valuation |
| 0810-122-0304-2 | 2007 | \$5,198.84 | Illegal Assessment-Incorrect Valuation |
| 0810-122-0312-2 | 2007 | \$11,316.53 | Illegal Assessment-Incorrect Valuation |
| 0810-122-2057-2 | 2007 | \$21,472.40 | Illegal Assessment-Incorrect Valuation |

| | | |
|------------------------|----------------|--|
| 0810-122-0293-2 | 2007 | \$967.22 Illegal Assessment-Incorrect Valuation |
| 0810-122-0338-2 | 2007 | \$13,355.77 Illegal Assessment-Incorrect Valuation |
| 0911-324-4111-6 | 2004 | \$3,540.41 Illegal Assessment-Exempt Property |
| 0911-324-4111-6 | 2005 | \$3,658.97 Illegal Assessment-Exempt Property |
| 0911-324-4111-6 | 2006 | \$4,221.50 Illegal Assessment-Exempt Property |
| 0811-052-9250-9 | 2007 | \$1,779.29 Illegal Assessment-Exempt Property |
| | TOTALS: | \$106,541.42 |
| TOTAL COMBINED: | | \$159,781.74 |

RECAPITULATION SECTION 75.25(2)

| MUNICIPALITY | TOTAL REAL ESTATE TAX RESCINDED |
|-------------------------------|--|
| Town of Bristol | \$4,453.97 |
| Town of Burke | \$3,643.70 |
| Village of Blue Mounds | \$625.02 |
| City of Madison | \$41,744.25 |
| City of Middleton | \$392.12 |
| City of Monona | \$2,381.26 |
| City of Sun Prairie | \$106,541.42 |
| GRAND TOTAL RESCINDED: | \$159,781.74 |

Submitted by Supervisors Hulse, O'Loughlin and Wiganowsky, September 18, 2008. Fiscal and Policy Notes not required.
 Referred to PERSONNEL/FINANCE.

RES. 137, 08-09

AUTHORIZING PUBLIC HEALTH-MADISON AND DANE COUNTY TO ACCEPT A GRANT FROM THE CHILDREN'S HEALTH ALLIANCE OF WISCONSIN

Public Health-Madison and Dane County has conducted the Halloween Sealant Day program targeting school-age children for the past 11 years. The Wisconsin Seal-A-Smile program of the Children's Health Alliance of Wisconsin has awarded Public Health-Madison and Dane County a grant of \$3,500 to conduct the Halloween Sealant Day 2008 Program.

The Halloween Sealant Day 2008 will provide dental sealants to families for children ages 6 to 18 who do not have dental insurance or the financial means to obtain preventive dental care. About 110 children will receive dental sealants. This program will be conducted collaboratively with Madison Area Technical College (MATC)

and will have MATC and volunteer staff that includes dentists, dental hygienists, dental assistants and dental hygiene students.

Expenses and the revenue from this grant are already included in the 2008 Public Health Operating Budget.

The Madison Department of Public Health had received this grant prior to the merger with the Dane County Division of Public Health. Since this is a grant agreement that has never been reviewed by the Dane County Board of Supervisors, this resolution is being submitted now for authorization from the Board of Supervisors.

NOW THEREFORE BE IT RESOLVED that the Board of Health for Madison and Dane County, on behalf of Public Health-Madison and Dane County is hereby authorized to enter into an agreement with the Children's Health Alliance of Wisconsin for the period July 1, 2008 to June 15, 2009, for the purpose of conducting the Halloween Sealant Day 2008 program.

Submitted by Supervisor Vogel, September 18, 2008.
Referred to HEALTH & HUMAN NEEDS and PERSONNEL/FINANCE.

RES. 138, 08-09

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.

Specialized Transportation Commission

Michael Conley-Kuhagen, 6710 Elmwood Avenue, #306, Middleton 53562 (824-8755-H, 246-3140x226-W), to fill the expired term of Ruth Diehl. Mr. Conley-Kuhagen is a Community Vocational Support Specialist with Goodwill Industries of South Central Wisconsin. He provides case management services and is an educational liaison; he provides emotional support and encourages independence and autonomy to persons with developmental disabilities and serves as a liaison to third party providers. He has also held the positions of Program Manager and Support Specialist II with Goodwill Industries. Prior to that, he was a Social Worker at St. Coletta of Wisconsin. He was a social work student intern at the Dane County Department of Human Services-Adult Community Services Division. He has a bachelor's degree in Human Services from Upper Iowa University, is a graduate student in Counselor Education at the University of Wisconsin-Whitewater, and is a Certified Social Worker. This term will expire 4/20/10.

Youth Commission

Gloria Gonzales, 2335 Chalet Gardens Road, #2, Fitchburg 53711 (204-0051-H), to be reappointed. This term will expire 4/20/10.

Submitted by Supervisor McDonell, September 18, 2008. Fiscal and Policy Notes not required.
Referred to EXECUTIVE.

COMMUNICATIONS

Claim from American Family Insurance re. insured Gregory Hoffman for vehicle damage by Thomas Pulvermacher of Land & Water Dept. Referred to PUBLIC PROTECTION & JUDICIARY.
Summons for Foreclosure of Mortgage from US. Bank vs. Aimee K. Haas and John Doe. Referred to PUBLIC PROTECTION & JUDICIARY.
Claim from Leslie Harrington against Jail for damage to personal property. Referred to PUBLIC PROTECTION & JUDICIARY.
Summons & Complaint Small Claims from American Family Mutual Ins. Co. re. Charles Buse against County for damages to vehicle caused by snow plow, claim denied 7-24-08. Referred to PUBLIC PROTECTION & JUDICIARY .
Claim from Dane County Historical Society against Public Works for document damage caused by water leakage. Referred to PUBLIC PROTECTION & JUDICIARY.
Communication from AFNI Insurance Services regarding denied claim for Nicholas H. Schuetz. Referred to PUBLIC PROTECTION & JUDICIARY.
Summons for Foreclosure of Mortgage – Mortgage Electronic Registration Systems, Inc. vs. Thomas M. Steidemann & Y. Lynne Steidemann. Referred to PUBLIC PROTECTION & JUDICIARY.
Claim from Madison Homes Inc. against Public Works for damage to vehicle caused by item thrown from tractor. Referred to PUBLIC PROTECTION & JUDICIARY.
Claims from Jonathan Stover against Public Works for damage to his vehicle caused by a pothole. Referred to PUBLIC PROTECTION & JUDICIARY.

La Crosse County Resolution regarding Wireless Emergency 911. Referred to EXECUTIVE
Walworth County Resolution 36-009/08 Supporting a Change in State Legislation Permitting Register of Deeds Recording Fees to be Changed from “Per Page” Fees to “Flat” Fees. Referred to EXECUTIVE.
Lincoln County Resolution 2008-08-28 – Resolution to the US Congress on Legal and Illegal Drug Abuse. Referred to EXECUTIVE.

Petitions for Zoning Reclassification. Referred by Clerk Ohlsen to ZONING & LAND REGULATION.
Petition 9937 – Town of Primrose – Jeffrey Webber
9948 – Town of Dunkirk – Carla Augustine
9949 – Town of Berry – Ryan Suter
9950 – Town of Bristol – North Bristol Sportsmans Club
9951 – Town of Blue Mounds – James Millar
9952 – Town of Berry – Carole Eisner Gross Johnson Trust
9954 – Town of Montrose – James Fahey
9969 – Town of Sun Prairie – Jay Freitag

ORD. AMDT. 25, 08-09

**AMENDING CHAPTER 62 OF THE DANE COUNTY CODE OF ORDINANCES,
INCREASING THE FAMILY COURT COUNSELING FEE FOR PARENT EDUCATION**

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

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

ARTICLE 2. Section 62.13(4) is amended to read as follows:
62.13 FAMILY COURT COUNSELING SERVICE FEES.

(4) Each party referred to Family Court Counseling Service shall pay a ~~\$15~~\$20 fee for the Parent Education Program. A person whose case jurisdiction is in a county other than Dane County may attend the Family Court Counseling Service Parent Education Program for a fee of \$75 per person.

ARTICLE 3. NON-CODE PROVISION. The amendment made by Article 2 shall first take effect on January 1, 2009.

[EXPLANATION: This amendment proposes increasing the fee charged by the Family Court Counseling Service for the Parent Education Program from \$15 to \$20 for Dane County residents.]

Submitted by Supervisors Rusk, Bayrd, Hampton, Willett, Kostelic, Schlicht and Hesselbein, October 2, 2008.

Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION & JUDICIARY.

RES. 139, 08-09

AMENDING SUPERVISORY DISTRICT BOUNDARIES 29 and 9
CITY OF MIDDLETON ORDINANCE #2

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 (Ord. #2, ORDINANCE ANNEXING LANDS FROM THE TOWNS OF SPRINGFIELD AND MIDDLETON) have been detached from the Towns of Springfield and Middleton. 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 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 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 Middleton be and the same hereby are detached from the 29th Supervisory District and attached to the 9th Supervisory District, effective immediately. **(Population of 3 involved)**

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 Ripp and Hesselbein, October 2, 2008.

Referred to EXECUTIVE.

RES. 140, 08-09

AMENDING SUPERVISORY DISTRICT BOUNDARIES 29 and 9

CITY OF MIDDLETON ORDINANCE #1

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 (Ordinance #1 ANNEXING LANDS FROM THE TOWN OF SPRINGFIELD-Graber Highlands) have been detached from the Town of Springfield. One result of this annexation is that persons residing on these lands will now be voting at a new location and for Mayor and alderperson, 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. **(No population involved)**

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 Supervisors Ripp and Hesselbein, October 2, 2008.
Referred to EXECUTIVE.

RES. 141, 08-09

AWARDING CONTRACT FOR AUDITING SERVICES

The County is required by State Statute to have its financial statements audited each year. The current contract for auditing services ends December 31, 2007. The Controller's Office initiated a request for proposals for qualified firms for auditing services. Virchow, Krause was the only respondent to the RFP.

Based upon the evaluation, the Controller recommends that the County award a contract to Virchow, Krause & Company, LLP of Ten Terrace Court, Madison, Wisconsin for auditing services for the fiscal years 2008-2009.

NOW THEREFORE, BE IT RESOLVED that Virchow, Krause & Company, LLP be awarded a contract to provide auditing services for the fiscal years 2008-2009.

BE IT FINALLY RESOLVED that the Dane County Clerk and the Dane County Executive are hereby authorized to sign the appropriate contract on behalf of Dane County.

Submitted by Supervisors Hulseley and O'Loughlin, October 2, 2008.
Referred to PERSONNEL/FINANCE.

RES. 142, 08-09

AUTHORIZING THE ACQUISITION OF LAND IN THE FISH LAKE NATURAL RESOURCE AREA

The Department of Land & Water Resources has negotiated the acquisition of approximately 80 acres in the Town of Roxbury. The property buffers Fish Lake, a unique seepage lake, and is primarily wooded. The acquisition will provide opportunities for public recreation, permanent water quality improvement and preservation of habitat and scenic vistas. Furthermore, the property will greatly enhance public access to a section of Lussier County Park that is difficult to reach.

The property appraised at \$11,000 per acre, or \$2,695,000, but the owner desires to retain a life estate. Accordingly, a purchase price of \$6,187.50 per acre was established, based on an actuarial adjustment for the value of the life estate, for a total cost of \$495,000. The owner has further agreed to grant a right of first refusal for the remaining approximately 165 acres of his property extending along the entire south shore of Fish Lake at no additional cost to the county.

Funding for the acquisition is available in the Conservation Fund. Grant funding for the acquisition will be sought.

NOW THEREFORE BE IT RESOLVED, that the Dane County Board of Supervisors and the Dane County Executive hereby authorize the purchase of the approximately 80 acres, subject to a life estate, from Clayton Ganser for \$495,000, according to Wis. Stats. Chapter 27.05(3).

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.

BE IT FINALLY RESOLVED, that the Dane County Real Estate Officer or Conservation Fund Manager are 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, October 2, 2008.

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

RES. 143, 08-09

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

Arlan Kay, 5685 Lincoln Rd., Oregon 53575 (835-5882-H), to fill the seat of one of two alternates as authorized in OA 9, 2008-09. Mr. Kay will serve as the First Alternate. Mr. Kay is an architect and currently serves as the President of the firm Architecture Network. He was appointed by Governors Earl and Thompson to the Architect Examining Board. He served three years as the Chair of the Joint Board of Architects, Professional Engineers,

Land Surveyors, and Designers of Engineered Systems. He is a former President of the Oregon Rotary Club. He served on the Board of Adjustment as a member and chair for nine years in the late 1990's. This term will expire 6/30/10.

Crystal, Fish & Mud Lakes Protection & Rehabilitation District

Supervisor Kurt Schlicht, 2011 Sylvia Pine Way, Cross Plains 53528 (576-9897-H) to replace former Supervisor Vern Wendt, nominated by the Land Conservation Committee. This term will expire 7/15/10.

Dunkirk Dam Lake District

Supervisor Donna Vogel, 808 Garfield St., Stoughton 53589 (873-8863), to be reappointed. This term will expire 7/15/10.

Lake Windsor Area Public Inland/Lake Protection & Rehabilitation District

Duane Kleinfeldt, 6680 Chestnut Circle, Windsor 53598 (846-1325), due to the resignation of William Houterman, nominated by the Land Conservation Committee. This term will expire 7/15/10.

Oak Springs Lake Protection & Rehabilitation District

Susan Gustke, 7018 Bridgeman Road, DeForest 53532 (848-8071-H), to be reappointed. This term will expire 7/15/10.

South Central Library System Board

Jennifer Harrington, 2236 Hillington Green, Madison 53726 (233-9931-H, 458-3075-W), due to the resignation of Ann Ostrom. Ms. Harrington is Director of Compliance and Operational Performance for Alliant Energy. Ms. Harrington has experience in corporate leadership, financial analysis, project management, risk management, and operational management. She has B.S. and M.S. degrees in Business Administration from Ohio State University. This term will expire 12/31/09.

Submitted by Supervisor McDonell, October 2, 2008. Fiscal and Policy Notes not required.
Referred to EXECUTIVE.

RES. 144, 08-09

2009 DANE COUNTY CAPITAL BUDGET APPROPRIATIONS RESOLUTION

The 2009 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 2009 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: 2008 APPROPRIATIONS FOR CAPITAL EXPENDITURES**
- TABLE 4: CAPITAL EXPENDITURE HISTORY**
- TABLE 5: CAPITAL BUDGET CARRY-FORWARDS**
- TABLE 6: COUNTY INDEBTEDNESS**

Together with the 2009 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 2009 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 2008 to 2009 as recommended in Table 5.

BE IT FURTHER RESOLVED that 2008 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.

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 2008 or early 2009, following review and approval by the County Board Chair.

Submitted by Supervisors McDonell, Hulseley and O'Loughlin, October 2, 2008. Fiscal and Policy Notes not required.

Referred to PERSONNEL/FINANCE.

RES. 145, 08-09

2009 DANE COUNTY OPERATING BUDGET APPROPRIATIONS RESOLUTION

The 2009 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 2009 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: | 2009 APPROPRIATIONS FOR OPERATIONS |
| TABLE 4: | EXPENDITURE & REVENUE HISTORY - OPERATIONS |
| TABLE 5: | CARRY-FORWARDS |
| TABLE 6: | INDEBTEDNESS |
| TABLE 7: | 2009 BUDGETED POSITIONS |
| APPENDIX A | PERSONNEL SAVINGS INITIATIVES |

Together with the 2009 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 2009 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 2008 to 2009 as recommended in Table 5.

BE IT FURTHER RESOLVED that the Dane County Board of Supervisors authorizes positions for the 2009 fiscal year as shown in Table 7.

BE IT FURTHER RESOLVED that 2009 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 rate for limited term employee Staff Attorney positions in the Clerk of Courts shall be up to \$14.29 with the one position dedicated to Prisoner Litigation work subject to an additional incentive of \$2 per hour above those rates.

- 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".
- Expenditures and program activities for the Urban Land Use, Development and Education initiative shall be approved by the Better Urban In-fill Development (BUILD) Committee.
- The 2009 Budget includes a \$35,000 contribution to Thrive, the regional economic development enterprise for the eight County Madison region. This contribution helps to fund the Thrive work to increase the production and consumption of regionally produced food.
- 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.

- **Sheriff's Office Goals**

1. The number of inmates boarded out-of-county should not exceed 7 ADP on a monthly basis.
2. The Sheriff's Office actual overtime expenditures and compensatory time accruals shall not exceed 10% of actual salaries paid on a quarterly basis.

- Sheriff Staffing Study and Position Authorization:

The 2009 Capital Budget includes funding for a staffing study in the Sheriff's Office. The Department of Administration will work with the Sheriff's Office to develop a scope of services for the study, and the two departments shall cooperatively manage the project. The consultant will report findings to the County Executive and Sheriff on or before July 1, 2009.

If the study recommends that additional positions are needed, the Sheriff's Office is authorized three additional positions on September 6, 2009 in the following classifications:

Deputy Sheriff I-II – 2 FTE

Deputy Sheriff III – 1 FTE

Two additional Deputy Sheriff I-II positions will be added in 2010 based on the recommendations contained in the staffing study.

If the staffing study recommends positions in other classifications, the County Executive is authorized to reclassify the five new positions at a cost not to exceed the cost of the positions identified above.

The 2009 Budget also includes funding for scheduling software in the Sheriff's Office. Expenditures for the software will be authorized if it is recommended by the staffing study.

- The 2009 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.

- **Court System Benchmarks**

1. The judiciary has expressed an interest in creating a community service work program (CSWP) for sentenced inmates in Dane County. Given that the current post-sentenced ATIP program (EMP) has the capacity available to incorporate such a CSWP, the judiciary will use current post-sentencing ATIP staff to establish a CSWP. The CSWP will be in place and functioning no later than March 1, 2009. Furthermore, the CSWP will be at or in excess of its capacity of 45 ADP no later than May 1, 2009.

2. The judiciary will co-operate with the District Attorney to create a weekend bond review process. There are several options on how to do this. For example, one option is a Hennepin County Model (HCM) bond review process (review of weekend arrests for possible signature bond releases from the Dane County Jail) in cooperation with the District Attorney; another is implementing a full-fledged weekend arraignment court program such as other Wisconsin counties are using. In order to maximize cost savings, the program will be in place and operational during the following weekends in 2009:
 - a. Martin Luther King, Jr. weekend (Jan. 17-19, 2009)
 - b. Mifflin Street Block Party Weekend (May 2-3, 2009)
 - c. Memorial Day weekend (May 23-25, 2009)
 - d. Fourth of July Weekend (July 4-6, 2009)
 - e. Labor Day Weekend (September 5-7, 2009)
 - f. Halloween Weekend (October 30-November 1 2009)
3. The Judiciary shall maintain all of the 2008 reforms accomplished in response to the ILPP Criminal Justice System Assessment, as detailed in the memorandum from the Chief Judge to the County Executive dated October 30, 2007.

In order to measure progress on the benchmarks described above, the Chief Judge shall report to a joint meeting of the Personnel and Finance Committee and the Public Protection and Judiciary Committee on or shortly after May 1 and August 31, 2009, detailing the progress made on these benchmarks. Subsequent to these meetings, the County Executive and the County Board Chair shall, after consultation with the Chairs of the Personnel and Finance Committee and the Public Protection and Judiciary Committee, make a determination regarding whether sufficient progress has been made on achieving these benchmarks. If sufficient progress has been made, they will instruct the Department of Administration to authorize the expenditure of the following amounts to maintain up to eight staff attorneys:

May 1, 2009 - \$42,334

August 31, 2009 - \$43,812

If the County Executive and the County Board Chair determine that sufficient progress has not been made, they shall not authorize funding for four staff attorney positions.

- Any new positions that are authorized in the 2009 budget and are funded with general purpose revenue shall not begin until after March 31, 2009, 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 2008 or early 2009, following review and approval by the County Board Chair.

Submitted by Supervisors McDonell, Hulseley and O'Loughlin, October 2, 2008.
Referred to PERSONNEL/FINANCE.

RES. 146, 08-09

SETTING THE 2008 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 \$8,796,541.71 for State Forestation Tax on the taxable property of Dane County as provided in Section 70.58 of the Wisconsin Statutes.

BE IT FURTHER RESOLVED that County Taxes in conformity thereto:

1. \$180,700 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. \$4,081,780 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. \$5,279,953 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. \$ -30,218.21 for State Special Charges
 - B. \$ 5,568,579.00 for Highway
 - C. \$104,069,660.21 County Taxes

Summary:

| | |
|------------------------------------|----------------|
| Gross County Taxes | \$ 165,311,110 |
| Gross Tax Rate Per \$1,000 | \$ 3.29 |
| County Sales Tax Applied | \$ 45,105,443 |
| Net Proposed County Property Taxes | \$ 120,205,667 |
| State Aid – Exempt Computers | \$ 1,055,213 |

| | |
|------------------------------------|----------------|
| Net Required County Property Taxes | \$ 119,150,454 |
| Net Tax Rate Per \$1,000 | \$ 2.37 |

Submitted by Supervisors McDonell, Hulseley and O'Loughlin, October 2, 2008. Fiscal and Policy Notes not required.

Referred to PERSONNEL/FINANCE.

RES. 147, 08-09

AUTHORIZING ACCEPTANCE OF ROLLOVER CONVINCER PROVIDED BY AAA OF WISCONSIN

The Dane County Sheriff's Office has been awarded a grant from the American Automotive Association (AAA) to purchase a Rollover Convincer.

The rollover convincer is the latest in visual training to assist citizens on the importance of wearing seatbelts. This machine can demonstrate the dangers of not wearing your seatbelt while in a vehicle. This machine will assist in educating the citizens of Dane County on the devastating effects of what can occur if you are not properly restrained in a vehicle.

The Dane County Sheriff's Office will use the rollover convincer at schools, area safety festivals, driver's education classes and any other type of event that this equipment could benefit the public

NOW, THEREFORE BE IT RESOLVED that the Sheriff's Office is hereby authorized to accept \$7,650 from AAA of Wisconsin.

BE IT FURTHER RESOLVED that \$7,650 be set up as additional revenue in the Sheriff's Office, Administration, Miscellaneous Revenue Account (SHRFADM 80600) and credited to the General Fund.

BE IT FURTHER RESOLVED that \$7,650 be transferred from the General Fund to the Sheriff's Office, Field Services, OWI Program Trust Expenditure Account (SHRFFLD 21839).

BE IT FINALLY RESOLVED that any funds authorized in this resolution that are not expended or received as of December 31, 2008 be carried forward to 2009.

Submitted by Supervisors Rusk, Bayrd, Hampton, Willett, Kostelic, Schlicht and Hesselbein, October 2, 2008.

Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION & JUDICIARY.

RES. 148, 08-09

ADDENDUM TO TOWN OF WINDSOR CONTRACT POLICING AGREEMENT

The Town of Windsor 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 Windsor has agreed to compensate Dane County for the cost of providing an additional full-time deputy sheriff.

Civil Summons – Tana K. Tessman v. County for injury caused by fall. Referred to PUBLIC PROTECTION & JUDICIARY.

Claim from Jill Muller against Public Works for damage to vehicle caused by mower. Referred to PUBLIC PROTECTION & JUDICIARY.

Oconto County Resolution 57-2008 – Funding for Wireless Emergency 911 Surcharges. Referred to EXECUTIVE.

Langlade County Resolution 66-2008 – Support of a Change in the Register of Deeds Recording Fees from a “Per Page” to a “Flat Fee”. Referred to EXECUTIVE.

Brown County – Resolution Requesting the Legislature Increase the Fee For Wisconsin Street Trade Permits and Minors’ Work Permits. Referred to EXECUTIVE.

Kewaunee County Resolution 16-9-08 – A Resolution Supporting a Change in the Register of Deeds Recording Fee From a “Per Page” to a “Flat Fee”. Referred to EXECUTIVE.

Portage County Resolution 61-2008-2010 – Supporting Federal Legislation That Will Establish a Lower National Speed Limit. Referred to EXECUTIVE.

ORD. AMDT. 26, 08-09

**AMENDING CHAPTER 6 OF THE DANE COUNTY CODE OF ORDINANCES,
REGARDING COUNTY EXECUTIVE COMPENSATION**

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

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

ARTICLE 2. Section 6.048(1) is amended to read as follows:

6.048 COMPENSATION OF COUNTY EXECUTIVE. (1) Effective with the third Tuesday in April of ~~2005~~ 2008, the county executive shall be paid an annual salary of ~~\$96,504~~ 109,170.

(a) Effective with the third Tuesday in ~~October~~ April of ~~2005~~ 2009, the county executive shall be paid an annual salary of ~~\$98,917~~ 117,000.

(b) Effective with the third Tuesday in April of ~~2006~~ 2010, the county executive shall be paid an annual salary of ~~\$99,906~~ 120,510.

(c) Effective with the third Tuesday in ~~October~~ April of ~~2006~~ 2011, the county executive shall be paid an annual salary of ~~\$102,903~~ 124,125.

(d) Effective with the third Tuesday in April of ~~2007~~ 2012, the county executive shall be paid an annual salary of ~~\$105,991~~ 127,849.

~~(e) Effective with the third Tuesday in April of 2008, the county executive shall be paid an annual salary of \$109,170.~~

[EXPLANATION: This amendment provides for annual salary increases for the County Executive for the years 2009-2012.]

Submitted by Supervisors Hulsey and O’Loughlin, October 16, 2008.
Referred to EXECUTIVE and PERSONNEL/FINANCE.

ORD. AMDT. 27, 08-09

**AMENDING CHAPTER 67 OF THE DANE COUNTY CODE OF ORDINANCES,
AIRPORT TERMINAL RENT AND 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 (3), (5) and (6) of section 67.26 are repealed in their entirety and recreated to read as follows:

67.26 LANDING FEES AND SPACE RENTAL.

(3) A nonsignatory commercial air carrier leasing exclusive use terminal space at the Airport shall pay an annual base rent of \$ 32.12 per square foot, payable in advance in equal monthly installments.

(5) A nonsignatory commercial air carrier shall pay the following fees for aircraft landing at the Airport, including transitional landings:

(a) For landing an aircraft with a Federal Aviation Administration Maximum Certificated Gross Landing Weight (GLW) of less than 12,500 pounds: \$ 28.75.

(b) For landing an aircraft with a GLW equal to or greater than 12,500 pounds but less than 30,000 pounds: \$ 69.00.

(c) For landing an aircraft with a GLW equal to or greater than 30,000 pounds but less than 70,000 pounds: \$ 161.00

(d) For landing an aircraft with a GLW equal to or greater than 70,000 pounds: \$2.30 per 1000 pounds of GLW.

(6) A commercial air carrier operating at the Airport under a lease or operating agreement shall pay landing fees and rent for terminal space as established pursuant to such lease or operating agreement.

[EXPLANATION: The amendment updates and clarifies the Airport's terminal space rental rates and landing fee schedule for commercial air carriers]

ARTICLE 3. NON-CODE PROVISION. This amendment shall first take effect on January 1, 2009.

Submitted by Supervisors O'Loughlin and Hendrick, October 16, 2008.

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

ORD. AMDT. 28, 08-09

**AMENDING CHAPTER 70 OF THE DANE COUNTY CODE OF ORDINANCES,
INCREASING FEES CONSISTENT WITH THE 2009 BUDGET**

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 70.05(1) 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 at the rate of \$~~1.00~~ 1.25 per hour for all meters. All meters shall be operable on quarters, dimes and nickels.

ARTICLE 3. NON-CODE PROVISION. The amendment made by Article 2 shall first take effect on January 1, 2009.

[EXPLANATION: This amendment increases the hourly rate charged to park in the Dane County Parking Ramp to conform to the 2009 Budget.]

Submitted by Supervisors Opitz, Schmidt, Veldran, Martz and Wiganowsky, October 16, 2008.
Referred to PERSONNEL/FINANCE and PUBLIC WORKS & TRANSPORTATION.

ORD. AMDT. 29, 08-09

**AMENDING CHAPTER 47 OF THE DANE COUNTY CODE OF ORDINANCES,
INCREASING FEES CONSISTENT WITH THE 2009 BUDGET**

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 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 ~~\$3.506.00~~ for each dog license applied for.

ARTICLE 3. NON-CODE PROVISION. The amendment made by Article 2 shall first take effect on January 1, 2009.

[EXPLANATION: This amendment increases the County fee for dog licenses charged by Dane County to conform to the 2009 Budget.]

Submitted by Supervisors Hulsey and O'Loughlin, October 16, 2008.
Referred to EXECUTIVE and PERSONNEL/FINANCE.

ORD. AMDT. 30, 08-09

**AMENDING CHAPTERS 12, 14 AND 75 OF THE DANE COUNTY CODE OF ORDINANCES,
INCREASING FEES CONSISTENT WITH THE 2009 BUDGET**

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 12.05(1) is repealed and sub. (2) is renumbered as (1) and, as renumbered, is amended 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 \$125.00. Late Filing Fee: Where work has begun before a permit has been obtained the fee shall be doubled.~~

~~(2)~~**(1)** The fee for a petition to amend the zoning ordinance in the M-1, C-1, or C-2 districts shall be \$500.00. The fee for a petition to amend the zoning ordinance in all other districts shall be \$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 \$36.00 when the petition, if granted, will result in a change to the zoning map.

(b) The zoning administrator shall collect an additional fee of \$100.00 for a density study when the petition includes a request to rezone from the A-1 Exclusive Agriculture zoning district.

(c) The zoning administrator shall collect an additional fee of \$100 per lot when the petition requests a rezone for a subdivision comprised of five or more lots. The maximum fee under this subsection shall not exceed \$2,800 per subdivision.

(d) The zoning administrator shall collect an additional fee of \$125 when the petition includes land in the shoreland-wetland or inland-wetland districts.

ARTICLE 3. Section 12.05(10) is amended to read as follows:

12.05 OTHER PERMIT AND REVIEW FEES.

~~(10) (a) When no structure is being built, the fee for an application for a 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 \$.004.005 per square foot of disturbed area.~~

~~(e)~~**(b)** The fee for projects receiving a waiver under s. 11.05(2)(b) shall be \$~~50~~ 200, plus \$.~~004~~ .005 per square foot of disturbed area.

~~(d)~~**(c)** Late filing fee: Where work has begun before a permit has been obtained or appropriate approvals obtained the fee shall be doubled.

~~(e)~~**(d)** Municipal street and road projects are exempt from fees required in this section.

ARTICLE 4. 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 \$~~200~~ 100 base fee for projects eligible for a simplified checklist under s. 14.50(2). The base fee for all other projects shall be \$200.

(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 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~~ .005 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~~ .010 per square foot of impervious area, and \$.~~0025~~ .005 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.

(7) Municipal street and road maintenance projects are exempt from fees required in this section.

ARTICLE 5. Subsections 75.22(1) through (3) are amended to read as follows:

75.22 FEES. (1) A subdivider submitting a preliminary plat for review under s. 236.11(1)(a), Wis. Stats., shall pay to the Dane County Treasurer a fee of \$~~425.00~~ 500.00, to assist in defraying review costs.

(2) A subdivider submitting a final plat for approval under s. 236.11(2), Wis. Stats., shall pay to the Dane County Treasurer a fee of \$~~100.00~~ 200.00 per lot for each lot in the final plat.

(3) A subdivider submitting a certified survey map for approval under s. 75.17(1) shall pay to the Dane County Treasurer a fee of \$~~100.00~~ 200.00 per lot for each lot in the certified survey map.

ARTICLE 6. NON-CODE PROVISION. The amendments made by Articles 2 through 5 above shall first take effect on January 1, 2009.

[EXPLANATION: The amendments made above modify various fees charged by Dane County to conform to the 2009 Budget.]

Submitted by Supervisors Miles, Hendrick, Solberg and Jensen, October 16, 2008.

Referred to PERSONNEL/FINANCE, ENVIRONMENT, AGRICULTURE & NATURAL RESOURCES and ZONING & LAND REGULATION.

ORD. AMDT. 31, 08-09

**AMENDING CHAPTER 62 OF THE DANE COUNTY CODE OF ORDINANCES,
INCREASING FEES CONSISTENT WITH THE 2009 BUDGET**

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

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

ARTICLE 2. Section 62.80(1) 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 \$~~165~~ 185 for services rendered in connection with cremation certificates.

ARTICLE 3. NON-CODE PROVISION. The amendment made by Article 2 shall first take effect on January 1, 2009.

[EXPLANATION: This amendment increases the fee charged by the Dane County Coroner in connection with a cremation certificate, to conform to the 2009 Budget.]

Submitted by Supervisors Rusk, Bayrd, Hampton, Willett, Kostelic and Hesselbein, October 16, 2008.

Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

ORD. AMDT. 32, 08-09

**AMENDING CHAPTER 41 OF THE DANE COUNTY CODE OF ORDINANCES,
CREATING LAKE SURCHARGES TO SOLID WASTE USER 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 41.115(3), (4) and (5) are created to read as follows:

41.115 USER FEE SCHEDULE.

(3) A surcharge for expenses associated with the operation of the Tenney Park Locks shall be assessed in addition to the fees assessed under sub (1), according to the following schedule:

| <u>Weight of load deposited</u> | <u>Fee</u> |
|-------------------------------------|------------|
| Less than 500 lbs. | \$0.10 |
| 500 lbs. but less than 1,000 lbs. | \$0.20 |
| 1,000 lbs. but less than 1,500 lbs. | \$0.30 |
| 1,500 lbs. but less than 2,000 lbs. | \$0.40 |
| 2,000 lbs. or more, per lb. | \$0.0002 |

(4) A surcharge for expenses associated with the Yahara Lakes weed cutting program shall be assessed in addition to the fees assessed under sub (1), according to the following schedule:

| <u>Weight of load deposited</u> | <u>Fee</u> |
|-------------------------------------|------------|
| Less than 500 lbs. | \$0.61 |
| 500 lbs. but less than 1000 lbs. | \$1.22 |
| 1,000 lbs. but less than 1,500 lbs. | \$1.83 |
| 1,500 lbs. but less than 2,000 lbs. | \$2.43 |
| 2,000 lbs. or more, per lb. | \$0.0012 |

(5) The surcharges assessed by subs. (3) and (4) shall be included within the fees charged any landfill user pursuant to any contract entered into, amended, extended or modified beginning March 1, 2009.

ARTICLE 3. NON-CODE PROVISION. The effective date of this amendment shall be March 1, 2009.

[EXPLANATION: In the 2009 budget, the expenses of operation of the Tenney Park locks and the entire lakes weed cutting program are being charged against the Solid Waste Fund. This amendment creates a landfill tip fee surcharge to cover the costs of those programs.]

Submitted by Supervisor Ripp, October 16, 2008.

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

RES. 149, 08-09

AWARD OF CONTRACT FOR ROOF REPLACEMENT AT DANE COUNTY DETOXIFICATION FACILITY

The Department of Public Works, Highway & Transportation reports the receipt of bids for the Roof Replacement at Dane County Detoxification Facility, 2914 Industrial Drive, Madison, WI, Bid No. 108137.

A complete tabulation is on file at the Department of Public Works office. The low qualified bidder is:

TOTAL AMOUNT: \$ _____

The Public Works staff finds the amount to be reasonable and recommends the bid be awarded to

_____.

NOW, THEREFORE, BE IT RESOLVED that a 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 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 \$20,000 or more than 10% of the original approved Contract amount, whichever is smaller.

Submitted by Supervisors Opitz, Schmidt, Veldran, Martz and Wiganowsky, October 16, 2008.
Referred to PERSONNEL/FINANCE and PUBLIC WORKS & TRANSPORTATION.

RES. 150, 08-09

**APPROVING AMENDMENT TO AIRADIGM TELECOMMUNICATIONS LICENSE ON
THE BUILDING AT 1202 NORTHPORT DRIVE**

Airadigm Communications Inc. has occupied space on the roof of the Human Services building located at 1202 Northport Drive since 2003 by license agreement approved by Res. 129, 2003-04 APPROVING LICENSE AGREEMENT WITH AIRADIGM FOR ANTENNAS ON THE BUILDING AT 1202 NORTHPORT DRIVE.

Airadigm wishes to amend its agreement to increase the term of the lease by four (4) five-year extensions for a total of twenty years. Either party may at the end of any five-year period terminate the license with notice to the other party of its intention to terminate 180 days prior to the expiration of the then current five-year extension period.

The rental rate is presently \$1,071.23 per month and escalates by 3.5% on September 1 of each year.

NOW, THEREFORE, BE IT RESOLVED that the County of Dane does hereby approve and authorize the extension of the Airadigm telecommunication license at the terms described above, and

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

Submitted by Supervisors Opitz, Schmidt, Veldran, Martz and Wiganowsky, October 16, 2008.
Referred to PERSONNEL/FINANCE and PUBLIC WORKS & TRANSPORTATION.

RES. 151, 08-09

**AWARDING A PROFESSIONAL SERVICES CONTRACT TO GRAEF, ANHALT, SCHLOEMER &
ASSOCIATES, INC. FOR PHASE ONE PLANNING OF THE LOWER YAHARA RIVER TRAIL**

The 2008 budget included \$70,000 in the Land and Water Resources Department Lewis Lunney Fund for Phase One Planning of the Lower Yahara River Trail. This planning effort will investigate the feasibility of constructing a bicycle pedestrian trail between the Village of McFarland and Lake Farm County Park along a narrow corridor of land that is currently owned by the Wisconsin Department of Transportation and being leased by Wisconsin and Southern Railroad Company. Other objectives of this planning effort include studying the possibility of expanding the existing railroad trestle between Upper Mud Lake and Lake Waubesa to improve water flow on the Yahara River and improve boat navigation between the two bodies of water.

Dane County Land and Water Resources staff has been actively working with a core stakeholder group represented by the Wisconsin Department of Natural Resources, the City of Madison, City of Monona, Village of McFarland, Wisconsin Department of Transportation, and Wisconsin and Southern Railroad Company to identify preliminary planning considerations. A professional services consultant is now needed to generate preliminary plans and cost estimates for the project. The results of this study will enable Dane County to apply for a variety of State and Federal grant funds for project implementation. It will also allow advanced negotiations with the Wisconsin Department of Transportation, Wisconsin and Southern Railroad Company, and the Wisconsin Department of Natural Resources on possible design solutions.

NOW, THEREFORE, BE IT RESOLVED that a Purchase of Service Agreement be awarded to Graef, Anhalt, Schloemer & Associates, Inc. in the amount of \$65,000 to complete phase one planning of the Lower Yahara River Trail.

BE IT FINALLY RESOLVED that the County Executive and County Clerk are hereby authorized and directed to sign the agreement on behalf of Dane County.

Submitted by Supervisors de Felice, Miles, Opitz, Erickson, Hendrick, Hulse, Richmond, Manning, Jensen, Stubbs, Rusk, and Ripp, October 16, 2008.

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

RES. 152, 08-09

**AUTHORIZATION TO PURCHASE A STREAMBANK EASEMENT ON
GERMAN VALLEY BRANCH OF GORDON CREEK – Chuck Learned**

Dane County has negotiated the purchase of a 33-foot wide streambank easement on land owned by Chuck Learned in the Town of Blue Mounds. The easement is located along approximately 3,900 feet of one bank of the German Valley Branch of Gordon Creek, a Tier I Stream Project Area as identified in the *Dane County Parks & Open Space Plan 2006 – 2011* and DNR designated trout stream. The purpose of this easement is to provide permanent public fishing access, protect water quality, and improve wildlife and fish habitat.

Purchase of this easement compliments existing conservation programs such as Dane County's Streambank Protection Program and DNR's Targeted Resource Management Program. The Land & Water Legacy Fund was partly established to purchase permanent easements along stream segments that have been previously enhanced or protected through these types of programs.

The purchase price of the Streambank Easement has been established at \$24,308, which is available in the Dane County Land and Water Legacy Fund. The purchase price is based on a sales study completed by a general certified appraiser. The sales study provides a formula for calculating values throughout the project area

that takes into account the approximate amount of stream frontage and acreage of land within the streambank easement corridor.

NOW, THEREFORE, BE IT RESOLVED, that the Dane County Board of Supervisors and the Dane County Executive hereby authorize the purchase of the Streambank Easement plus associated costs and according to Wisc. Stats. 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.

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 transaction.

Submitted by Supervisors Downing, Kostelic and Ripp, October 16, 2008.

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

RES. 153, 08-09

**AUTHORIZATION TO PURCHASE A STREAMBANK EASEMENT ON
GERMAN VALLEY BRANCH OF GORDON CREEK – Jill Jonas**

Dane County has negotiated the purchase of a 33-foot wide streambank easement on land owned by Jill Jonas in the Town of Blue Mounds. The easement is located along approximately 3,900 feet of one bank of the German Valley Branch of Gordon Creek, a Tier I Stream Project Area as identified in the *Dane County Parks & Open Space Plan 2006 – 2011* and DNR designated trout stream. The purpose of this easement is to provide permanent public fishing access, protect water quality, and improve wildlife and fish habitat.

Purchase of this easement compliments existing conservation programs such as Dane County's Streambank Protection Program and DNR's Targeted Resource Management Program. The Land & Water Legacy Fund was partly established to purchase permanent easements along stream segments that have been previously enhanced or protected through these types of programs.

The purchase price of the Streambank Easement has been established at \$24,308, which is available in the Dane County Land and Water Legacy Fund. The purchase price is based on a sales study completed by a general certified appraiser. The sales study provides a formula for calculating values throughout the project area that takes into account the approximate amount of stream frontage and acreage of land within the streambank easement corridor.

NOW, THEREFORE, BE IT RESOLVED, that the Dane County Board of Supervisors and the Dane County Executive hereby authorize the purchase of the Streambank Easement plus associated costs and according to Wisc. Stats. 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.

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 transaction.

Submitted by Supervisors Downing, Kostelic and Ripp, October 16, 2008.
Referred to PERSONNEL/FINANCE and ENVIRONMENT, AGRICULTURE & NATURAL RESOURCES.

RES. 154, 08-09

AWARD EXTENSION OF CONTRACT TO PROVIDE EMPLOYEE DENTAL INSURANCE

The Department of Administration solicited requests for proposals to provide group dental insurance coverage for Dane County employees. The Department of Administration received proposals and each proposal was objectively rated. The contract was awarded to Delta Dental of Wisconsin. The contract term began on January 1, 2007 and ends December 31, 2009 with options to renew annually for up to two years. Delta Dental of Wisconsin's rate cap for 2009 was 10%, however the Department of Administration has negotiated a more favorable rate of 3% for 2009 with the agreement of extending the contract for years 2010 and 2011. Delta Dental of Wisconsin will provide services with rates not to exceed 9% in 2010 and 2011.

NOW, THEREFORE, BE IT RESOLVED that Delta Dental of Wisconsin be awarded a 2 year extension of the current contract beginning January 1, 2010 and ending December 31, 2011.

BE IT FURTHER RESOLVED that Delta Dental of Wisconsin is authorized to provide group dental insurance to all eligible active and retired county employees.

BE IT FINALLY RESOLVED that the Dane County Executive and Dane County Clerk are authorized to sign the attached addendum of agreement.

Submitted by Supervisors Hulseay, Wiganowsky and O'Loughlin, October 16, 2008.
Referred to PERSONNEL/FINANCE.

RES. 155, 08-09

**ELIMINATING REIMBURSEMENT FOR MERCURY FILLINGS
THROUGH THE DANE COUNTY EMPLOYEE DENTAL PLAN**

Dane County currently offers dental insurance to employees through Delta Dental of Wisconsin. It appears that reimbursements to providers for fillings are based on the price of amalgam (mercury) fillings, rather than the tooth-colored ones (resin). Mercury fillings are less expensive than resin. The subscriber/employee either must receive mercury fillings, or pay extra out-of-pocket amounts for resin fillings, since fewer dentists want to use the mercury fillings anymore.

Some experts argue that mercury fillings may be hazardous to human health, and Dane County has banned mercury products, such as thermometers and thermostats, from its landfill. It seems desirable for Dane County to take action to reduce the use of mercury fillings in its sponsored dental plan, and reduce the potential for mercury fillings to be discarded in the landfill.

NOW, THEREFORE, BE IT RESOLVED that the Department of Administration begin discussions with Delta Dental to determine whether changes can be made to the current dental services plan to see if changes can be made to reduce or eliminate incentives to use mercury fillings; and

BE IT FINALLY RESOLVED that, in any future request for proposals for dental insurance plans, Dane County include provisions that require reimbursement for non-mercury fillings, and prohibit the use of mercury fillings.

Submitted by Supervisors Wiganowsky, O'Loughlin, Stoebig, Ferrell, Hendrick, Opitz, Bayrd, Schmidt, Vedder, Schlicht, Hulse, Veldran, Willett, Erickson, Hampton, Downing, Richmond, DeSmidt, Solberg, and Hesselbein, October 16, 2008.

Referred to PERSONNEL/FINANCE.

RES. 156, 08-09

AUTHORIZING THE ACQUISITION OF LAND THROUGH THE LAND & WATER LEGACY FUND

The Department of Land & Water Resources (LWRD) has negotiated the acquisition of land for wetland restoration through the Land & Water Legacy Fund. The property is approximately 211 acres in the Towns of Springfield and Dane and is contiguous with approximately 300 acres protected by conservation easement through the Hwy 12 Acquisition of Development Rights Program. Acquisition of the property will allow for the restoration of converted wetlands and the reduction of sediment and nutrient loading into Sixmile Creek, objectives identified in the *Nonpoint Source Control Plan for the Lake Mendota Priority Watershed Project*.

The restoration work will bring back the wetland function of the land, which has been lost to ditching, and will create native wetland and prairie habitat. Water flowing out of the property enters Sixmile Creek, which is one of the major stream systems supplying water to Lake Mendota. The creek is heavily impacted by agricultural and urban land use practices and ditching of the creek has increased the rate of runoff and erosion, which load the water with silt and fertilizers. The restoration will increase the land's ability to hold and slowly release floodwaters and will also increase the quality of the water leaving the property, as it will be naturally filtered through the wetland.

Once restored, the property will provide a scenic area for hikers, naturalists, and nature-appreciators and there may also be waterfowl hunting opportunities. Overall the property will be a haven for various wildlife species and will provide multiple recreational benefits within a short distance of large population centers.

The purchase price reflects the appraised value of \$2,110,000. The seller will continue to lease out the agricultural rights and buildings through 2009, during which time the LWRD will finalize plans for the restoration work.

Funding for the acquisition is available in the Land and Water Legacy Fund. Additional funding for the acquisition will be sought from non-profit partners, the Wisconsin Department of Natural Resources and the USDA Wetland Reserve Program.

NOW THEREFORE BE IT RESOLVED, that the Dane County Board of Supervisors and the Dane County Executive hereby authorize the purchase of the approximately 211 acres from various Ballweg family trusts for \$2,110,000, according to Wis. Stats. Chapter 27.05(3).

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, which may include temporarily vesting the land rights to a nonprofit partner.

BE IT FINALLY RESOLVED, that the Dane County Real Estate Officer or Conservation Fund Manager are 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, October 16, 2008.

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

RES. 157, 08-09

AUTHORIZING THE ACQUISITION OF LAND AT WALKING IRON COUNTY PARK

The Department of Land & Water Resources (LWRD) has negotiated the acquisition of land at Walking Iron County Park. The property is approximately 1,070 acres and will connect Walking Iron County Park to the Mazomanie State Wildlife Area and the Wisconsin River, creating an uninterrupted shoreline (a survey will determine the final acreage, which may be up to 1,100 acres). The connection of these areas will create a premier corridor that supports a wide diversity of wildlife and habitat types while also offering many recreational opportunities.

The property hosts several ecological communities. In addition to the Wisconsin River backwater and shoreland community, about 160 acres are considered high quality floodplain forest and may be designated as a State Natural Area. Flocks of sandhill cranes use the property as a staging site for fall migration, and each fall several thousand cranes gather here. On at least one occasion, whooping cranes also stopped here in the spring. An area north of Walking Iron County Park hosts a scrub oak forest and could be considered an oak-barren ecological type, and have the potential to support ornate box turtles, an endangered species. An old glacial lake of some 200 acres, now drained, may easily be restored to a productive functioning wetland. In addition, a half mile of Marsh Creek meanders through a wide riparian corridor.

LWRD has worked closely with the Department of Natural Resources (DNR), the Natural Heritage Land Trust and other partners on the acquisition of the property. Discussions are underway regarding various scenarios for long-term ownership and LWRD has agreed to take the lead on the initial transaction in order to make it happen. LWRD anticipates that the DNR will purchase portions of the property and that the Natural Heritage Land Trust may help secure outside funding opportunities.

The land is currently leased for agricultural practices and LWRD will carefully manage the transition period. Given the scope of the project, it is not feasible nor desirable to make any abrupt changes and the land will continue to be leased as phased plans for restoration and recreation are developed.

The purchase price of \$4,100 per acre for a total of approximately \$4,387,000 - \$4,510,000 reflects the appraised value. Funding is available in the Conservation Fund.

NOW THEREFORE BE IT RESOLVED, that the Dane County Board of Supervisors and the Dane County Executive hereby authorize the purchase of approximately 1,070 to 1,100 acres from 7A Farms, Inc for \$4,100 per acre, according to Wis. Stats. Chapter 27.05(3).

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, which may include temporarily vesting the land rights to a nonprofit partner.

BE IT FINALLY RESOLVED, that the Dane County Real Estate Officer or Conservation Fund Manager are 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, October 16, 2008.

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

RES. 158, 08-09

AUTHORIZING ACCEPTANCE OF FUNDS FROM WAL-MART

The Dane County Sheriff's Office has been awarded a Community Grant from the Wal-Mart Corporation. One of the goals of the Dane County Sheriff's Office is to enhance communication between the Sheriff's Office, citizens and town officials who all have a vested interest in addressing public safety issues within the community. This grant will allow the Community Deputies to purchase equipment to assist in public education and crime prevention programs.

NOW THEREFORE BE IT RESOLVED that the Sheriff's Office is hereby authorized to accept \$1,000 from Wal-Mart Corporation.

BE IT FURTHER RESOLVED that \$1,000 be set up as additional revenue in the Sheriff's Office, Field Services, Revenue Account: Community Oriented Policing Revenue line (SHRFFLD 80580) and credited to the General Fund.

BE IT FURTHER RESOLVED that \$1,000 be transferred from the General Fund to the Sheriff's Office, Community Oriented Policing Expenditure line (SHRFFLD 20628).

BE IT FINALLY RESOLVED that any funds authorized in this resolution that are not expended or received as of December 31, 2008 be carried forward to 2009.

Submitted by Supervisors Rusk, Hampton, Willett, Kostelic, Schlicht and Hesselbein, October 16, 2008.

Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

RES. 159, 08-09

AUTHORIZING PURCHASE OF SERVICES AGREEMENT FOR HAZARD MITIGATION PLANNING

The Department of Emergency Management has issued a Request for Proposals (RFP) for hazard mitigation planning and consulting services.

Six responses to the RFP were received and are on file in the Purchasing Division of the Department of Administration. A team comprised of staff from Emergency Management, Planning and Development, and the Capital Area Regional Planning Commission evaluated the proposals. AMEC Earth and Environmental was the firm selected.

The Department has negotiated with AMEC Earth and Environmental to provide the services as outlined in the contract for a cost of \$137,900. Contracted services include:

- Update the county's Pre-Disaster Mitigation Plan (2005) and Flood Mitigation Plan (2004) and integrate into a single document.
- Increase the participation of local jurisdictions in the planning process.
- Expand the participation of non-governmental stakeholders in the planning process, including a rigorous public input process.

There are sufficient funds in the budget for this project. This contract is fully supported by the FEMA Pre-Disaster Mitigation Planning grant, accepted by Resolution 190, 2007-2008.

NOW, THEREFORE, BE IT RESOLVED that the Purchase Of Services Agreement with AMEC Earth and Environmental be awarded in the amount of \$137,900 for hazard mitigation planning; 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 Emergency Management be directed to ensure complete performance of the Agreement.

Submitted by Supervisors Rusk, Bayrd, Hampton, Willett, Kostelic, Hesselbein and Schlicht, October 16, 2008.

Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

RES. 160, 08-09

AUTHORIZING ACCEPTANCE OF TRAINING GRANT AWARD
PUBLIC INFORMATION OFFICER (PIO) COURSE – BASIC

Dane County Emergency Management requested local delivery of the Public Information Officer (PIO) – Basic class and was awarded a training grant from Wisconsin Emergency in the amount of \$1,200 to conduct this course. This grant will cover instructor fees, other course materials and is to be delivered in the fall of 2008.

This course is being offered as a result of several local law enforcement agencies, EMS districts, fire departments and public health agencies requesting training in media relations and enhancement in their abilities to provide effective information to the public during applicable times of need.

NOW, THEREFORE, BE IT RESOLVED that \$1,200 be set up as additional revenue in the Emergency Management, Hazardous Materials Planning Division Revenue Account 81812, "Hazardous Material Training" and be credited to the General Fund and that \$1,200 be transferred from the General Fund to the Hazardous Materials Planning Division Training Expense Account 31133.

BE IT FURTHER RESOLVED that all unexpended funds and unrecognized revenues from these accounts be carried forward from the 2008 to the 2009 budget period.

Submitted by Supervisors Rusk, Bayrd, Hampton, Willett, Kostelic, Schlicht, and Hesselbein, October 16, 2008.

Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

RES. 161, 08-09

AUTHORIZING EMERGENCY CHEMICAL MASS DECONTAMINATION TRAINING

Dane County Emergency Management was awarded a training grant from Wisconsin Emergency Management in the amount of \$6,500 to conduct emergency chemical mass decontamination training for Dane County fire department personnel.

This grant award will be used to conduct ten (10) sessions of approximately 3-hours each to train our first line of defense, county firefighters, in operations where mass decontamination may be required for those affected citizens that have been exposed to a chemical requiring quick and effective removal.

This training is vital and will instruct our county firefighters in the proper set-up and use of mass decontamination equipment located in the county's mass decontamination trailers.

NOW, THEREFORE, BE IT RESOLVED that \$6,500 be set up as additional revenue in the Emergency Management, Hazardous Materials Planning Division Training Revenue Account 81812 and be credited to the General Fund and that \$6,500 be transferred from the General Fund to Hazardous Materials Planning Division Training Expense Account 31133.

BE IT FURTHER RESOLVED that all unexpended funds and unrecognized revenues from these accounts be carried forward from 2008 to 2009 budget period.

Submitted by Supervisors Rusk, Bayrd, Hampton, Willett, Kostelic, Schlicht, and Hesselbein, October 16, 2008.

Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

RES. 162, 08-09

AUTHORIZING SCHOOL PREPAREDNESS TRAINING

Dane County Emergency Management will be developing a School Preparedness Training Class. Emergency Management requested and was awarded a training grant from Wisconsin Emergency Management in the amount of \$1,200 to assist in delivering this course. This grant will cover instructor fees, other course materials and is to be delivered in the fall of 2008 and winter 2009.

NOW, THEREFORE, BE IT RESOLVED that \$1,200 be set up as additional revenue in the Emergency Management, Hazardous Materials Planning Division Revenue Account 81812, "Hazardous Materials Training" and be credited to the General Fund and that \$1,400 be transferred from the General Fund to the Hazardous Materials Planning Division Training Expense Account 31133.

BE IT FURTHER RESOLVED that all unexpended funds and unrecognized revenues from these accounts be carried forward from the 2008 to the 2009 budget period.

Submitted by Supervisors Rusk, Bayrd, Hampton, Willett, Kostelic, Schlicht, and Hesselbein, October 16, 2008.

Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

RES. 163, 08-09

**AUTHORIZING ACCEPTANCE OF TRAINING GRANT AWARD
PUBLIC INFORMATION OFFICER (PIO) COURSE – ADVANCED**

Dane County Emergency Management requested local delivery of the Public Information Officer (PIO) – Advanced class. Emergency Management was awarded a training grant from Wisconsin Emergency in the amount of \$1,400 to conduct this course. This grant will cover instructor fees, other course materials and is to be delivered in the fall of 2008.

This course is being offered as a result of several local law enforcement agencies, EMS districts, fire departments and public health agencies requesting training in media relations and enhancement in their abilities to provide effective information to the public during applicable times of need.

NOW, THEREFORE, BE IT RESOLVED that \$1,400 be set up as additional revenue in the Emergency Management, Hazardous Materials Planning Division Revenue Account 81812, “Hazardous Materials Training” and be credited to the General Fund and that \$1,400 be transferred from the General Fund to the Hazardous Materials Planning Division Training Expense Account 31133.

BE IT FURTHER RESOLVED that all unexpended funds and unrecognized revenues from these accounts be carried forward from the 2008 to the 2009 budget period.

Submitted by Supervisors Rusk, Bayrd, Hampton, Willett, Kostelic, Schlicht, and Hesselbein, October 16, 2008.

Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

RES. 164, 08-09

COUNTY EXECUTIVE APPOINTMENTS

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

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

B.U.I.L.D. Commission

Maureen P. Marrinan, 401 North Segoe Road, Madison 53705 (444-6819-H&W), to fill the seat of David Gochberg. Ms. Marrinan is the administrator of two pre-schools in Madison, Caring & Sharing Children’s Centers, and started and directed a pre-school in Mount Horeb for five years. She was a realtor for over six years, working on environmentally sound development and specializing in new construction, mainly condominium in-fills. She

has a B.S. degree in Biology, a B.A. degree in Parks & Recreation, and a Master's degree in Education. This term will expire 6/30/09.

C.D.B.G. Commission

Barbara W. Bailey, 1352 Overlook Pass, Sun Prairie 53590 (825-2103-H), due to the resignation of Paul Evert. Ms. Bailey was the Executive Director of the Colonial Club Senior Center in Sun Prairie for over twenty years prior to her retirement in 2008. She serves on the City of Sun Prairie's Comprehensive Plan Steering Committee, served on the Sun Prairie Chamber of Commerce, and has worked in municipal government. She has extensive experience in fund raising and grant writing. This term will expire 4/20/09.

Local Emergency Planning Committee

Craig Schuetz, 314 East Samuelsen Drive, Edgerton 53534 (884-6544-H, 243-0352-W), to be reappointed. This term will expire 4/20/10.

Bob Dougherty, 290 Valley Ridge Drive, Sun Prairie 53590 (837-7051-H, 285-3122-W), to be reappointed. This term will expire 4/20/10.

Steve Dickson, 2575 Dickson Road, Stoughton 53589 (873-7635-H), to be reappointed. This term will expire 4/20/10.

Richard T. Roth, 2869 Crinkle Root Drive, Fitchburg 53711 (271-8581-H, 266-2438-W), to be reappointed. This term will expire 4/20/10.

Kathy Krusiec, 5901 Country Walk, McFarland 53558 (838-6201-H), to be reappointed. This term will expire 4/20/10.

Eric Uram, 4317 Wakefield, Madison 53711 (233-9022-H), to be reappointed. This term will expire 4/20/10.

Chief Roger Hillebrand, 122 East Pearl Street, Belleville 53508 (424-6095-H, 424-3129-W), to be reappointed. This term will expire 4/20/10.

Ralph North, 409 Powers Avenue, Madison 53714 (241-3717-H, 263-4419-W), to be reappointed. This term will expire 4/20/10.

Michael Popovich, 637 Chatham Terrace, Madison 53711 (266-5946-W), to be reappointed. This term will expire 4/20/10.

Marytha Blanchard, P.O. Box 261, Oregon 53575 (835-9413-H, 227-1292-W), to be reappointed. This term will expire 4/20/10.

South Central Library System Board

Maya Cole, 1818 Keyes Avenue, Madison 53711 (259-0549-H), to serve in the seat of a member of the City of Madison Library Board, due to the resignation of Greg Markle. Ms. Cole is a member of the Madison Metropolitan School District's Board of Education. She is the Board's liaison to the Wisconsin Association of School Boards. She is the head of the Dane County School Board Consortium and is a member of the City of Madison Library Board. This term will expire 12/31/10.

Tree Board

Glen R. Stanosz, 7107 Spring Hill Drive, Middleton 53562 (831-3135-H, 265-2863-W), due to the resignation of Jeff Gorman. Mr. Stanosz is a Professor of Forest Pathology at the University of Wisconsin-Madison's Department of Plant Pathology. He earned his undergraduate degree in forest biology and his graduate degrees

in plant pathology and entomology. He has worked in both a state agency and academic institutions as a forest pathologist conducting research, teaching, and outreach in tree health. He has an extensive record of activities in tree health diagnosis, speaking, and publishing for the general public and scientific audiences. This term will expire 4/19/11.

Submitted by Supervisor McDonell, October 16, 2008. Fiscal and Policy Notes not required.
Referred to EXECUTIVE.

RES. 165, 08-09

OFFICE OF JUSTICE ASSISTANCE (OJA) HOMELAND SECURITY/MUTUAL AID INTEROPERABILITY

The purpose of this resolution is to adjust revenue and expenditures for FY 2008.

The Department of Emergency Management (grantee), on behalf of local units of government (sub-grantees), submitted a request to the State and Local Homeland Security Program for funds to replace aging communication equipment.

The following communities requested participation within the program through a pre-grant application process and were deemed eligible: Blooming Grove FD, Cottage Grove PD, Cross Plains EMS, Cross Plains Fire, Dane County District One EMS, Dane County Sheriff's Office, Deerfield PD, Mount Horeb Fire District, Oregon Fire & EMS District, Oregon PD, Stoughton Area EMS, Town of Madison Fire, Town of Madison Fire/PD, and Waunakee Police Department.

The grant supports the purchase of specified communications equipment. The sub-grantee is responsible for a local contribution to equal the total costs of eligible items under the grant.

In order to properly track expenditures, a specific line item or a separate expenditure account is required.

NOW, THEREFORE, BE IT RESOLVED that \$196,070.22 be set up as additional revenue in a newly created Emergency Management, Communications Interoperability Equipment account, and be credited to the General Fund.

BE IT FURTHER RESOLVED that \$196,070.22 is transferred from the General Fund to the following Emergency Management, Communications Interoperability Equipment account (account numbers to be issued by the Controller's Division upon passage of this resolution):

| | |
|---|--------------|
| Communications Interoperability Equipment | \$191,070.22 |
|---|--------------|

BE IT FURTHER RESOLVED that all unexpended funds and unrecognized revenues from this account be carried forward from the 2008 to the 2009 budget period.

Submitted by Supervisors Schlicht, Jensen, Willett, Martz, Wiganowsky, DeSmidt and Kostelic, October 16, 2008.

Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

RES. 166, 08-09

AUTHORIZING EXECUTION OF PURCHASE OF SERVICES AGREEMENT FOR ENGINEERING AND CONSULTING SERVICES FOR THE DANE COUNTY REGIONAL AIRPORT

Mead & Hunt, Inc. was the only firm to respond to a Request for Proposals issued by the County and the Dane County Regional Airport for on-call services for airport planning, engineering, architectural design, consulting and air service development. Mead & Hunt, Inc. is presently providing such services under a five year contract that expires December 31, 2008. The Airport has been pleased with the services rendered under the existing contract, as well as the rates charged for the services. The new contract provides for a continuation of Mead & Hunt's competitively priced on-call services for an initial term of three years, with options available to the County to extend the contract term for up to two additional years. Maximum annual expenditures under the contract will be established each year in the budget adopted by the County Board. Under the Airport's present budget proposal, expenditures under the contract will be capped at \$60,000 in 2009.

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 Mead & Hunt for the provision of on-call engineering and consulting services to the Dane County Regional Airport, as set forth above.

Submitted by Supervisors O'Loughlin and Hendrick, October 16, 2008.
Referred to PERSONNEL/FINANCE, PUBLIC WORKS & TRANSPORTATION and AIRPORT.

RES. 167, 08-09

GIFT AND CONTRACT ADDENDUM FOR MIDWEST HORSE FAIR

The Midwest Horse Fair has held its event at the Alliant Energy Center for many years. The current contract dated December 19, 2006 covers years 2006-2011. The Midwest Horse Fair has offered to purchase a new nationally recognized Kaiser footing system and equipment for the Coliseum and Arena and gift it to the Center.

Center staff has studied the gift and recommend that the County accept the gift. Center staff has also negotiated an addendum to the Midwest Horse Fair agreement and recommend approval of the addendum. The addendum sets out the requirements of both the Center and the Midwest Horse Fair, when using the Kaiser footing system and provides incentives to expand the MHF show.

NOW THEREFORE BE IT RESOLVED, that Dane County accepts the Kaiser footing system gift with an estimated value of \$67,200 from the Midwest Horse Fair.

BE IT FURTHER RESOLVED, that the addendum with the Midwest Horse Fair, PO Box 128 Columbus, WI 53925 is hereby approved.

BE IT FINALLY RESOLVED, that the County Executive and County Clerk are authorized to sign the addendum.

Submitted by Supervisor McDonell and Opitz, October 17, 2008.
Referred to PERSONNEL/FINANCE and PUBLIC WORKS & TRANSPORTATION.

COMMUNICATIONS

Notice of Injury – Andrea E. Sherman against County claims injury on Metro Transit System vehicle. Referred to PUBLIC PROTECTION & JUDICIARY.

City of Middleton Resolution 2008-30 – Resolution Requesting Exemption from County Library Tax. Referred to EXECUTIVE

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

- Petition 9955 – Town of Cottage Grove – Huston Holdings LLC
- 9956 – Town of Westport – Kara Hofbauer Herbrand Rev. Mar. Prop. Trust
- 9957 – Town of Westport – Kara Hofbauer Herbrand Rev. Mar. Prop. Trust
- 9958 – Town of Vienna – Dorothy Hahn
- 9959 – Town of Vienna – Gerald Hahn
- 9960 – Town of Dunn – Green Joint Revocable Trust
- 9961 – Town of Mazomanie – Kevin Isenring
- 9962 – Town of Cottage Grove – Donald Blair
- 9963 – Town of Cross Plains – David Zoromski
- 9964 – Town of Berry – Bridget M. Kuehn 1995 Trust
- 9965 – Town of Pleasant Springs – Andrew Porter
- 9966 – Town of Windsor – DeForest Baptist Church of DeForest
- 9967 – Town of Christiana – Jerry Sims
- 9970 – Town of Vermont – Mickelson Dairy LLC
- 9971 – Town of Perry – Trustees Norwegian Lutheran Church of Perry
- 9976 – Town of Middleton – Frank Ace
- 9985 – Town of Bristol – Jerry Knudtson

RES. 168, 08-09

**AUTHORIZING ACCEPTANCE OF A STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES GRANT – VERMONT CREEK**

Dane County Department of Land & Water Resources has been awarded a grant from the State of Wisconsin Department of Natural Resources in the amount of \$141,290. The purpose of this grant is to cost-share stream corridor stabilization practices to remediate eroding streambanks, prevent sediment loading to Vermont Creek and eliminate unlimited livestock access to the stream. Matching funds are available in the Dane County Land & Water Legacy Fund Streambank Protection account. Additional grant funding has been applied for with the US Fish & Wildlife Service.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors and the Dane County Executive hereby accept grant award from the WI Department of Natural Resources totaling \$141,290 for the purposes identified in the grant proposal.

BE IT FURTHER RESOLVED that these funds shall be carried forward until realized and expended.

Submitted by Supervisors Jensen, Downing, Bruskevitz, Wheeler and Stoebig, November 6, 2008.
Referred to PERSONNEL/FINANCE and ENVIRONMENT, AGRICULTURE & NATURAL RESOURCES.

RES. 169, 08-09

ACCEPTANCE OF OFFICE OF RURAL HEALTH IMPLEMENTATION GRANT FUNDS FOR COMPRESSION ONLY CPR EDUCATION AND TRAINING

The Department of Emergency Management submitted a request to the Office of Rural Health for funds to educate and train the community in compression only CPR.

Compression only CPR, also known as CCR is an improved method of providing resuscitation to a witnessed cardiac arrest. Studies have seen significant improvement in survival with this change. It is simple to learn and countywide we would like to see every resident trained.

The grant supports the purchase of public service announcement development and supports purchasing public broadcasting of the message. In addition the grant funds will help support hands on training.

The grant period is October 1, 2008 through September 30, 2009.

NOW, THEREFORE, BE IT RESOLVED that \$29,905.00 be set up as additional revenue in a newly created Emergency Medical Services, CCR Education Revenue Account, and be credited to the General Fund.

BE IT FURTHER RESOLVED that \$29,905.00 is transferred from the General Fund to a newly created Emergency Medical Services, CCR Education expenditure account (account numbers to be issued by the Controller's Division upon passage of this resolution):

BE IT FURTHER RESOLVED that all unexpended funds and unrecognized revenues from this account be carried forward from the 2008 to the 2009 budget period.

Submitted by Supervisors Rusk, Bayrd, Hampton, Willett, Kostelic, Schlicht and Hesselbein, November 6, 2008.

Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

RES. 170, 08-09

AUTHORIZING ICS/EOC INTERFACE TRAINING

Dane County Emergency Management applied for and was awarded a training grant from Wisconsin Emergency Management in the amount of \$1200.00.

This grant award will be used to conduct one session of ICS/EOC Interface training. This training will improve the effectiveness of communication and interfacing/networking between the most senior staff members located at an Incident Command Post (ICP) and personnel positioned at an Emergency Operations Center (EOC). This training is very interactive with several "hands-on" activities built into the course.

NOW, THEREFORE, BE IT RESOLVED that \$1200.00 be set up as additional revenue in the Emergency Management, Hazardous Materials Planning Division Training Revenue Account 81812 and be credited to the General Fund and that \$1200.00 be transferred from the General Fund to Hazardous Materials Planning Division Training Expense Account 31133.

BE IT FURTHER RESOLVED that all unexpended funds and unrecognized revenues from these accounts be carried forward from 2008 to 2009 budget period.

Submitted by Supervisors Rusk, Bayrd, Hampton, Willett, Kostelic, Schlicht and Hesselbein, November 6, 2008.

Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION & JUDICIARY.

RES. 171, 08-09

AUTHORIZING AN EXTENSION TO PROVIDE A MOTOR SERVICE PATROL FOR THE WISCONSIN DEPARTMENT OF TRANSPORTATION

The Wisconsin Department of Transportation has requested an extension to continue their agreement with the Dane County Sheriff's Office to provide a Motor Service Patrol for USH 12/14/18/151 corridor in Dane County (commonly referred to as the Beltline Highway). The contract extends from August 1, 2008 through June 30, 2009. The estimated 2009 expenditures and revenues were handled through the 2009 budget process with additional adjustments reflected in this resolution.

The overall goal of providing a Service Patrol is to locate, respond to, and clear traffic incidents more quickly. This quicker clearing of incidents will reduce congestion, provide more efficient traffic flow, reduce delays, and reduce the chance of secondary traffic accidents caused by the incidents.

The Department of Transportation has agreed to compensate Dane County for the actual costs of providing 60 hours of service per week by Deputy Sheriffs, the purchase of a new equipped service patrol vehicle, training and service equipment necessary to perform their duties.

The Department of Transportation has agreed to enter into a "Freeway Service Team" agreement with Dane County and the Dane County Sheriff's Office to contract for the above described services.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Sheriff, Dane County Executive, and Dane County Clerk are authorized to enter into an extension of the current Service Patrol agreement, Resolution 261, 2004-2005, with the Department of Transportation.

BE IT FURTHER RESOLVED that this agreement will extend the grant through June 30, 2009 contingent on continued grant funding.

BE IT STILL FURTHER RESOLVED that an additional \$68,000 be set up as Sheriff, Capital Projects, Freeway Service Patrol Truck Revenue (CPSHRF NEW) and be credited to the General Fund and that \$68,000 be transferred from the General Fund to Sheriff, Capital Projects, Freeway Service Patrol -Truck Expenditure (CPSHRF-NEW) \$68,000.

BE IT FINALLY RESOLVED that any funds appropriated by this resolution that are not expended and/or received as of December 31, 2008 are carried forward until expended.

Submitted by Supervisors Rusk, Bayrd, Hampton, Willett, Kostelic, Hesselbein and Schlicht, November 6, 2008.

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

RES. 172, 08-09

ACCEPTING MEDICAID PERSONAL CARE REVENUE
DCDHS - ACS Division

Dane County Department of Human Services has Purchase of Service Agreements for MA Personal Care services with twenty agencies. These agencies provide personal care for MA eligible older adults and people with physical or developmental disabilities. Budgeted revenue is \$13.1 million. Community Living Alliance, Inc. (CLA) provides the majority of this service, serving over 250 individuals. The current personal care contract with CLA is \$7,925,225. CLA's average monthly hours of service has grown in the past year, from 35,800 hours/mo in 2007 to 38,300 hours/mo in 2008. As a result, it is projected that CLA will earn \$484,797 more in MA Personal Care revenue than is currently budgeted. Via this resolution, the revenue is accepted and allocated to CLA to cover their expenses. County interests are protected in that the Purchase of Services Agreement with CLA states that the annual payments to CLA will not exceed the MA Personal Revenue earned.

NOW, THEREFORE, BE IT RESOLVED, that the following 2008 Department of Human Services revenue and expense accounts be adjusted.

| Revenue Account Number | Account Title | Amount |
|---------------------------------------|---------------------------------|---------------|
| ACGPHYDI 81435 | MA Personal Care | \$484,797 |
| Expenditure Account Number | Account Title | Amount |
| ACGSHCLA SOPCAA | Community Living Alliance MA PC | \$484,797 |
| | Total | \$484,797 |

Submitted by Supervisors Stubbs, DeSmidt, Vedder, Wheeler and Bruskewitz, November 6, 2008.
Referred to HEALTH & HUMAN NEEDS and PERSONNEL/FINANCE.

RES. 173, 08-09

ACCEPTING CITY OF MADISON / ALLIED TASK FORCE
UTILITY ASSISTANCE MONIES; CREATING REVENUE LINE

DEPARTMENT OF HUMAN SERVICES - DIVISION OF CHILDREN, YOUTH, AND FAMILIES

The Division of Children, Youth, and Families accepts City of Madison - Allied Task Force monies in the amount of \$2,400.00 via this Resolution.

The purpose of these monies is to support Allied Drive area families in need of utility assistance during the forthcoming winter months. The Joining Forces for Families (JFF) community social worker in the Allied Drive area will approve outlays. Monies may be spent during the period November 1, 2008 – March 31, 2009.

NOW, THEREFORE, BE IT RESOLVED that the following revenue account be created and that the revenue 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> |
|------------------------------------|-----------------------|---------------|
| CYFJFFAC NEW | City of Madison - ATF | \$ 2,400.00 |
| Expenditure Account Numbers | Account Titles | Amount |
| CYFJFFAC FMF1AA | JFF initiative – SUMM | \$ 2,400.00 |

BE IT FURTHER RESOLVED that unspent funds from 2008, in an amount not to exceed \$2,400.00, be carried forward for expenditure in 2009.

Submitted by Supervisors Stubbs, DeSmidt, Vedder, Wheeler and Bruskevitz, November 6, 2008.
Referred to HEALTH & HUMAN NEEDS and PERSONNEL/FINANCE.

RES. 174, 08-09

APPROVING ADDITION OF VILLAGE OF ROCKDALE TO THE DANE COUNTY URBAN COUNTY CONSORTIUM

In December 1999, forty-three communities in Dane County, outside the City of Madison, came together to form the Dane County Urban County Consortium (UCC). This consortium allowed the County to become eligible to receive Community Development Block Grant (CDBG) funds from the U.S. Department of Housing and Urban Development (HUD) for the first time. CDBG dollars fund a variety of housing and community development activities targeted towards low-and-moderate-income persons. By being part of the Urban County Consortium, participating units of local government may also participate in the Home Investment Partnerships (HOME) program as Dane County receives HOME funding. Additional communities have elected to join the Consortium over the years such that 54 communities currently participate.

These communities sign three-year cooperation agreements that currently run for the period of January 1, 2008 – December 31, 2010. Any unit of government not in the Urban County Consortium, during the second or third year of the qualification period has the opportunity to be included for the remaining period of the urban county qualification.

The Village of Rockdale (population 192) has elected to participate in the UCC program and has signed a Cooperation Agreement. This new Agreement must be signed by the County and submitted to HUD for approval.

The Village of Rockdale adds 192 in population to the Urban County Consortium bringing the total participating to 96% of the available Dane County population outside the City of Madison. The addition of communities also allows for a more comprehensive approach for the CDBG Program because Dane County CDBG dollars can now be spent in these communities.

NOW, THEREFORE, BE IT RESOLVED that the Dane County CDBG Commission and County Board express their appreciation to the existing communities in the Dane County Urban County Consortium and welcome the Village of Rockdale, and

BE IT FINALLY RESOLVED that the County Executive is authorized to sign the above referenced Cooperation Agreement with the Village of Rockdale and submit the signed agreement to the U.S. Department of

Housing and Urban Development for the purpose of forming the Dane County Urban County Consortium for 2009-2010.

Submitted by Supervisors Stubbs, DeSmidt, Vedder, Wheeler and Bruskewitz, November 6, 2008.
Referred to HEALTH & HUMAN NEEDS and PERSONNEL/FINANCE.

RES. 175, 08-09

AUTHORIZING SUBMISSION OF CONSOLIDATED PLAN AND ONE-YEAR ACTION PLAN TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) FOR PROGRAM YEAR 2009

Dane County is an Entitlement under two (2) U.S. Department of Housing and Urban Development (HUD) grant programs: the Community Development Block Grant (CDBG) and the Home Investment Partnerships (HOME) with the American Dream Downpayment Initiatives (ADDI) program. As such, Dane County receives annual CDBG grants in the amount of \$1,125,511, a HOME grant in the amount of \$548,775, and ADDI funds in the amount of \$7,443.

HUD regulations require the development of a Consolidated Plan every five years to provide an overall framework for the investment of grant funds and a one-year action plan that governs the recommended projects for the upcoming year. The current plan was approved by the County Executive and Dane County Board in November 2003 and covers a five-year time period through December 31, 2008. In order to have Dane County operate on the same cycle as most of Wisconsin's other entitlement communities, we requested and received permission from the U.S. Department of Housing and Urban Development (HUD) to revise our plan to cover one additional year through December 31, 2009.

The revision to the Consolidated Plan included a fairly extensive citizen participation and consultation process with input solicited from the County Board of Supervisors; Dane County cities, villages, and towns; funded subrecipients; JFF participants; a public hearing held on April 24, 2008; and publication of the proposed Plan on the County's CDBG web site.

The development of the one-year action plan was based on the priorities identified in the revised Consolidated Plan. The County established a process for the allocation of the projected grant funds, including a competitive application process with public input. Applications for 2009 CDBG and HOME funds were solicited in May, 2008 and due June 6, 2008. The Application Review Team, a subcommittee of the CDBG Commission, held a series of three meetings in June and July to hear presentations by the applicants and to make preliminary recommendations to the full CDBG Commission. The initial recommendations were posted on the County CDBG website and summarized in a Publication of a Notice of Document Availability along with publication of the potential projects under consideration for funding in the September 23, 2008 edition of the *Wisconsin State Journal*.

Following a public hearing for citizen input regarding the 2009 update to the Consolidated Plan and 2009 Action Plan, the CDBG Commission finalized the funding recommendations at their October 23, 2008 meeting. These were as follows:

| Recipient | Project Description | Source | Amount |
|-------------------------------|----------------------------|---------------|---------------|
| Dane County Housing Authority | Downpayment Assistance | ADDI | \$7,443 |
| | | Total ADDI | \$7,443 |
| Dane County DHS | HOME Administration | HOME | \$54,877 |

| Recipient | Project Description | Source | Amount |
|--------------------------------------|----------------------------|---------------|---------------|
| Habitat for Humanity Dane County | Homebuilding Program | HOME | \$231,000 |
| Movin' Out, Inc. | Homeowner Program | HOME | \$180,582 |
| Movin' Out, Inc. | CHDO – Rental Program | HOME | \$82,316 |
| | | Total HOME | \$548,775 |
| Community Action Coalition (CAC) | Housing Case Management | CDBG | \$33,761 |
| Dane County DHS | Allied Drive ECI | CDBG | \$11,254 |
| Dane County DHS | CDBG Administration | CDBG | \$225,102 |
| Dane County DHS | Paratransit | CDBG | \$20,056 |
| Dane County Housing Authority | Downpayment Assistance | CDBG | \$105,557 |
| Dane County Housing Authority | Housing Resource Center | CDBG | \$39,388 |
| Habitat for Humanity Dane County | Homebuilding Program | CDBG | \$332 |
| Independent Living, Inc. | Homeless Prevention | CDBG | \$29,924 |
| Independent Living, Inc. | Home Modifications | CDBG | \$34,444 |
| TBD | NRSA and Other | CDBG | \$81,500 |
| Operation Fresh Start, Inc. | Housing Rehabilitation | CDBG | \$45,000 |
| Project Home, Inc. | Minor Home Repair | CDBG | \$34,000 |
| Project Home, Inc. | Rehabilitation Program | CDBG | \$285,285 |
| Project Home, Inc. | NOAH | CDBG | \$129,908 |
| WI Women's Business Initiative Corp. | Entrepreneur Training | CDBG | \$50,000 |
| | | Total CDBG | \$1,125,511 |

The funds with the Recipient to be determined are to be held in reserve until the County learns of the 2009 CDBG Entitlement Grant allocation and will be used to offset any funding reductions. If these are not needed, they will be earmarked for eligible projects in the Southdale Neighborhood Revitalization Strategy Area (NRSA). If by mid-2009 the funds remain unallocated, they will be put toward the housing rehabilitation programs.

In addition, the CDBG Commission recommends committing unallocated 2007 Community Housing Development Organization (CHDO) funds in the amount of \$69,353.90 and 2008 CHDO funds in the amount of \$82,320.45 for a total award of \$151,674.35 to Movin' Out, Inc. for their program to create affordable, accessible rental housing for low-income persons with permanent disabilities.

In the event there is a reduction of HOME funds, the CDBG Commission recommends reducing the award to Habitat for Humanity to \$170,000 and Movin' Out to their 2008 allocation. If this does not cover the needed reduction of funds, then all programs are to be cut on an equal percentage basis. If the funding for CDBG is reduced, then the CDBG program allocations should be cut on an equal percentage basis.

In the event additional CDBG funds become available, the CDBG Commission recommends that funding for Operation Fresh Start be increased from \$45,000 to \$54,000, that funds be set aside for economic development which results in jobs creation, and that the allowable 15% of funds be set aside to provide equal percentage increases in funding for the public service agencies. If additional HOME funds become available, then the CDBG Commission recommends that the funding for the Dane County Housing Authority down payment assistance program be increased.

NOW, THEREFORE, BE IT RESOLVED that the County Board expresses its appreciation to the CDBG Commission and Application Review Team for their hard work and recommendations on the Consolidated Plan and Annual Action Plan for 2009 Program Year Funds;

BE IT FURTHER RESOLVED that the County Executive is authorized to submit the above referenced 2004-2009 Consolidated Plan and One Year Action Plan, as well as, any amendments and additional documentation to HUD relating to the 2004-2009 Consolidated Plan and 2009 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 2009 CDBG and HOME programs.

Submitted by Supervisors Stubbs, DeSmidt, Vedder, Wheeler and Bruskewitz, November 6, 2008.
Referred to HEALTH & HUMAN NEEDS and PERSONNEL/FINANCE.

RES. 176, 08-09

**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 \$5,021.24 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 (NIJ), then electronically requests 50% reimbursement from BJA. This is the seventh such grant awarded to the Sheriff's Office and will allow for the continued replacement of worn body armor as well as purchase vests 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 FURHER RESOLVED that \$5,021.24 be added as additional revenue in the Sheriff's Office, Administration, Bulletproof Vest Partnership revenue account (SHRFADM 83127) and credited to the general fund and that \$5,021.24 be transferred form the General Fund to the Sheriff's Office, Administration, Bulletproof Vest Partnership expenditure account (SHRFADM 47142).

BE IT FINALLY RESOLVED that any funds that are part of this grant but not expended and received as of December 31, 2008 be carried forward to future budgets until such funds are expended and revenues received.

Submitted by Supervisors Rusk, Bayrd, Hampton, Willett, Kostelic, Schlicht and Hesselbein, November 6, 2008.

Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

RES. 177, 08-09

**AWARD OF AGREEMENT FOR ENGINEERING SERVICES
ON STEWART LAKE DREDGING PROJECT**

The Department of Public Works, Highway & Transportation reports the receipt of proposals for Engineering Services on the Stewart Lake Dredging Project, Mt. Horeb, WI, Request For Proposal No. 108102.

Interviews were conducted with three firms and an agreement is being negotiated with Foth Infrastructure and Environment, LLC, in the amount of \$39,000.00 + 12% of construction costs.

The Public Works staff finds the amount to be reasonable and recommends the Agreement be awarded to Foth Infrastructure and Environment, LLC.

NOW, THEREFORE, BE IT RESOLVED that an Agreement be awarded to Foth Infrastructure and Environment, LLC in the amount of \$39,000.00 + 12% of construction costs; 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 Department of Public Works, Highway & Transportation 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 \$20,000 or more than 10% of the original approved Agreement amount, whichever is smaller.

Submitted by Supervisors Opitz, Schmidt, Veldran, Martz, and Wiganowsky, November 6, 2008.

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

RES. 178, 08-09

CONTRACT FOR ADVERTISING AT ALLIANT ENERGY CENTER OF DANE COUNTY

In addition to a naming rights sponsor, the Center has four major advertisers. The four major advertisers have rights on the marquee on John Nolen Drive, the Coliseum scoreboards, message centers, lobbies and concourses, and the Exhibition Hall guest information kiosks. Charter Communications has agreed to a three-year agreement with payments of \$43,000 per year over the life of the agreement, beginning January 1, 2009. Both parties have certain cancellation rights over the life of the agreement.

NOW, THEREFORE, BE IT RESOLVED that a three-year agreement for advertising with Charter Communications, 1201 McCann Drive, Altoona, Wisconsin, with annual payments of \$43,000 beginning January 1, 2009 and ending December 31, 2011.

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

Submitted by Supervisors Opitz, Schmidt, Veldran, Martz, and Wiganowsky, November 6, 2008.

Referred to PERSONNEL/FINANCE and PUBLIC WORKS & TRANSPORTATION.

RES. 179, 08-09

AWARDING A CONTRACT TO THE DANE COUNTY HUMANE SOCIETY

Dane County is responsible for enforcing animal care laws under State Statute. Enforcement is currently conducted through Public Health-Madison and Dane County's Animal Services Unit. Custodial care, treatment, holding and processing of stray, abandoned, and impounded animals as well as rabies services are currently provided through a contract that Dane County has with the Dane County Humane Society.

The County issued a Request for Proposal for animal shelter and care services that would begin in January 2009. The only respondent to that request for proposal was the Dane County Humane Society. Staff in the Dane County Department of Administration and Public Health-Madison and Dane County reviewed the proposal and determined that it complied with all of the requirements of the Request for Proposal. Negotiations with the Humane Society have resulted in a contract for stray and abandoned animal care and a contract for impounded animal care and rabies related services for stray, abandoned, and impounded animals. Services under both contracts will be provided on a fee-for-service basis.

The 2009 Budget has transferred the expenditure authority for the Dane County Humane Society contracts to Public Health-Madison and Dane County. The Executive Budget contains sufficient funding to pay for the estimated costs of the contracts.

NOW, THEREFORE, BE IT RESOLVED that the purchase of service agreements for custodial care, treatment, holding and processing of stray, abandoned, and impounded animals be awarded to the Dane County Humane Society for the period of January 1, 2009 through December 31, 2009 with four optional one-year extensions with rates to be negotiated at the time the contract is renewed; and

BE IT FURTHER RESOLVED that the County Executive and County Clerk are authorized to sign the agreement on behalf of Dane County and the City of Madison.

Submitted by Supervisor Hulseby, November 6, 2008.
Referred to PERSONNEL/FINANCE and BOARD OF HEALTH.

RES. 180, 08-09

**AUTHORIZING EXECUTION OF A DRIVEWAY EASEMENT AND RIGHT OF FIRST REFUSAL
RELATED TO LAND AT THE DANE COUNTY REGIONAL AIRPORT**

Total Administrative Services Corporation owns a parcel of land in the Truax Air Park West at the Dane County Regional Airport adjacent to International Lane. TASC Properties, LLC, an entity related to Total Administrative Services Corporation, leases a neighboring parcel of land from the County. Office buildings have been constructed on both of the foregoing adjoining parcels and a common drive through the parcel owned by Total Administrative Services Corporation provides access from International Lane to the parking lots associated with the office buildings. In exchange for the County's grant of a right of first refusal in the leasing of an adjacent vacant parcel owned by the County, Total Administrative Services Corporation has agreed to provide a driveway easement allowing the County to access International Lane from the adjacent vacant parcel by way of the existing common drive on the property owned by Total Administrative Services Corporation.

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 Driveway Easement Agreement and Right of First Refusal, incorporating the terms set forth above.

Submitted by Supervisor O'Loughlin, November 6, 2008.
Referred to PERSONNEL/FINANCE, PUBLIC WORKS & TRANSPORTATION and AIRPORT.

RES. 181, 08-09

2009 PUBLIC HEALTH GRANTS AND CONTRACTS

Public Health-Madison and Dane County (PHMDC) has more than 30 grants and contracts whereby it receives funds to support public health services. Most of these are continuations of grants from previous years and the Dane County Board of Supervisors and the City of Madison Common Council have reviewed each of these contracts in previous years. Under the terms of the merger agreement, PHMDC requires approval of the Dane County Board of Supervisors and the City of Madison Common Council for new grants that are more than \$50,000. (IGA, VII, F.) This approval is required in order to accept the grant and to sign the grant agreement. A list of the 2009 contracts and agreements that are anticipated in the 2009 Public Health Operating Budget is attached to this file. Some are new, some are continuations.

Under procedures established by the Board of Health for Madison and Dane County, the Director of Public Health could sign agreements for grants that are a "continuation" of a grant previously approved by the County Board and Council, but only if the grant contract was identified with specificity in the adopted budget. This year's budget format did not allow for such details, therefore this resolution is required. All funds are included in the 2009 budget.

NOW THEREFORE BE IT RESOLVED, that Public Health-Madison and Dane County is authorized to receive the grants and enter into the grant agreements for 2009 as listed in the attachment to this resolution, and the Director of Public Health is authorized to sign the necessary contracts, pending any additional approval required from the City of Madison Common Council.

Submitted by Supervisor Vogel, November 6, 2008.
Referred to HEALTH & HUMAN NEEDS, PERSONNEL/FINANCE and BOARD OF HEALTH.

COMMUNICATIONS

Summons and Complaint Stephanie Schilling v. County Human Services. Referred to PUBLIC PROTECTION & JUDICIARY.

Summons for Foreclosure of Mortgage State Bank of Cross Plains vs. Lisa Diane Steinberg. Referred to PUBLIC PROTECTION & JUDICIARY.

Notice of Application for Confirmation of Sale and Writ of Assistance Deutsche Bank Trust Co. Americas vs. Scott A. Clark and Kimberly A. Clark. Referred to PUBLIC PROTECTION & JUDICIARY.

Claim from State Farm Insurance representing Anne Young for damages to vehicle cause by County vehicle. Referred to PUBLIC PROTECTION & JUDICIARY.

Communication from Kmiec Law Offices in reference to Thomas L. Smith claim. Referred to PUBLIC PROTECTION & JUDICIARY.

Summons for Foreclosure of Mortgage Associated Bank vs. Brian L. Nelson. Referred to PUBLIC PROTECTION & JUDICIARY.

Claim from Todd Huebler II against Public Works for damage to vehicle caused by rock thrown by mower. Referred to PUBLIC PROTECTION & JUDICIARY.

Civil Summons Mary C. Togstad v. Dane Co. Human Services. Referred to PUBLIC PROTECTION & JUDICIARY.

Summons for Foreclosure of Mortgage M&I Marshall & Ilsey Bank vs. Kevin R. Reed. Referred to PUBLIC PROTECTION & JUDICIARY.

Communication - bill from TDS re: claim for cut cable. Referred to PUBLIC PROTECTION & JUDICIARY.

Certificate of Service Ho-Chunk Nation vs. Dane County. Referred to PUBLIC PROTECTION & JUDICIARY..

Village of Cross Plains Resolution #14-08R – County Library Tax. Referred to EXECUTIVE.

RES. 184, 08-09

CONTINUING THE TASK FORCE FOR THE PRIORITIZED REVISION OF CHAPTER 10

Resolution 243, 2007-08, Continuing the Task Force for the Prioritized Revision of Chapter 10 was adopted by the Dane County Board of Supervisors and signed by the County Executive in April, 2008. The resolution specified that the Task Force sunset on December 31, 2008. Due to the high level of community and stakeholder interest and the volume of recommended revisions, this resolution seeks to continue the Task Force until December 31, 2009.

The Task Force is charged with the following: studying Chapter 10, including a review of recent amendment proposals; identifying problem areas in the ordinance; preparing a report to the County Board listing problem areas in priority order; working with County Board committees and Dane County towns to resolve the most pressing problems; adding the prioritized list to the Dane County Comprehensive Plan; and continuing work on the problem areas in priority order as time permits.

Since its inception, the Task Force has made significant progress identifying priorities and working with towns to implement zoning ordinance improvements. Work has commenced on all six top amendment priorities identified in the Task Force's first report to the county board, with two having been approved (OA #6, 08-09: Review Petitions for Consistency with Town/County Comprehensive Plans, and OA #54, 08-09: Providing for Town Board Consideration of Conditional Use Permits), and one currently pending (OA 21, 08-09: Creating A-4 Small Lot Agriculture District).

Work continues on the remaining initial priorities, including development of a Planned Unit Development District. The Task Force intends to undertake a new prioritization exercise, including consideration of new ordinance provisions to address wind power and other emerging issues. Extending the Task Force through 2009 will allow time for additional improvements to be made to the zoning ordinance.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors continues the Task Force for the Prioritized Revision of Chapter 10 (Zoning) of the Dane County Code of Ordinances by extending the sunset date to December 31, 2009.

Submitted by Supervisors Downing, Bayrd, Schmidt, Richmond, Vedder, Hendrick, Opitz, Stubbs, Levin, Hulse, Stoebig, Willett, Matano, Erickson, Wiganowsky, Veldran, Manning, Hesselbein, DeSmidt, Miles, Salov, Gau and Vogel, November 20, 2008. Fiscal and Policy Notes not required.

Referred to EXECUTIVE and ZONING & LAND REGULATION.

RES. 185, 08-09

**AUTHORIZING ACCEPTANCE OF A STATE OF WI
DEPARTMENT OF NATURAL RESOURCES GRANT**

Dane County Department of Land & Water Resources has been awarded a \$8,088 grant from the County Conservation Aids Program administered by the State of Wisconsin Department of Natural Resources for the continued restoration of Lower Vermont Creek. The County Conservation Aids Program is for projects that improve fish and wildlife habitat. This grant will reimburse Dane County at a 50% cost-share rate with the match coming from available funds in the Land & Water Legacy Streambank Protection account.

The purpose of this project will be to construct and install lunger structures to create pools and overhanging cover for fish and other wildlife. Vermont Creek is listed on the State Impaired Waters list for habitat and sediment.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors and the Dane County Executive hereby accept grant awards from the State of Wisconsin Department of Natural Resources – County Conservation Aids Program totaling \$8,088 for the purpose of the habitat enhancements identified in the grant proposal.

BE IT FURTHER RESOLVED that LWRCONSV 21503 State Aid Expense and LWRCONSV 81770 State Aid Revenue be increased by \$8,088. These funds shall be carried forward until expended.

Submitted by Supervisors Downing and Bruskewitz, November 20, 2008.

Referred to PERSONNEL/FINANCE, ENVIRONMENT, AGRICULTURE & NATURAL RESOURCES and LAND CONSERVATION.

RES. 186, 08-09

**AUTHORIZING MONTH TO MONTH EXTENSION OF LEASE
WITH STATE OF WISCONSIN AT JOB CENTER**

Dane County and State of Wisconsin Department of Workforce Development (DWD), in a mutually beneficial partnership, have collocated in space dedicated to a Job Center at 1801-1821 Aberg Avenue since November 1993.

In a letter dated August 27, 2008 DWD administrators indicated the State's desire to continue occupancy of space in the Job Center building for two of its agencies while vacating space occupied by another of its agencies.

The existing lease expires at the end of November and planning for removal of one agency from the building and reconfiguration of the remaining occupancy is not yet complete. Therefore, the State desires to continue its existing lease on a month to month basis at a rental rate 3% higher than last year's lease until its space reconfiguration is further determined and a new longer term lease can be negotiated. Negotiations of a longer term lease are in process.

NOW, THEREFORE, BE IT RESOLVED that the County of Dane does hereby approve and authorize the approval of extension of the existing lease with Wisconsin DWD at the Job Center at 1801-1821 Aberg Avenue, and

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

Submitted by Supervisors Stubbs, Levin, Bruskewitz, and Vedder, November 20, 2008.
Referred to HEALTH & HUMAN NEEDS and PERSONNEL/FINANCE.

RES. 187, 08-09

DEPARTMENT OF HUMAN SERVICES SHORT PAY (POSTAGE DUE) ACCOUNTS

This resolution increases the funding for an existing "Short Pay" (postage due) account and funds 2 additional accounts with the United States Post Office (USPS) which will enable the affected DCDHS offices to timely receive client/case related mail not having adequate postage.

The USPS provides businesses the opportunity to manage postage due mail deliveries through the use of a "Short Pay" or postage due prepaid account. These accounts do not require any permit or processing fees to be paid. The USPS requires such accounts to be established individually at the related post office.

The Department of Human Services currently maintains two Short Pay accounts for the Northport (NPO - \$50) and South Madison (SMO - \$25) offices that enable those locations to receive incoming mail with postage due (insufficient postage attached).

The Department requests authorization to increase the funding of the SMO office account by \$25 and to fund two additional accounts in the amount of \$50 each for the Sun Prairie and Stoughton, Wisconsin offices.

NOW, THEREFORE, BE IT RESOLVED that the Controller is authorized to issue three checks in the amount of \$25 and two in the amount of \$50 each to the U.S. Post Office for the purpose of increasing/establishing "Short Pay" accounts at the SMO, Sun Prairie and Stoughton, Wisconsin post offices.

Submitted by Supervisors Stubbs, Levin, Bruskewitz, and Vedder, November 20, 2008.
Referred to HEALTH & HUMAN NEEDS and PERSONNEL/FINANCE.

RES. 188, 08-09

AWARDING 2009 PROFESSIONAL SERVICE CONTRACTS
DEPARTMENT OF HUMAN SERVICES

The purpose of this resolution is as follows:

1. To award POS contracts with the following professional service providers for 2009:
Mendota Mental Health Institute (PACT)
Mental Health Center of Dane County
St. Mary's Hospital

Tellurian UCAN
 University Health Care, Inc.
 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 University Health Care, Inc., UW Hospitals and St. Mary's Hospital provide one or more of the following services: inpatient care to persons with mental illness, comprehensive alcohol/drug abuse screening and 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. To accept \$400,000 in additional Children's Long Term Support (CLTS) revenue, which funds specialized treatment for children with autism spectrum disorders and supportive services for children with developmental, emotional and physical disabilities. The State of Wisconsin is awarding all counties funding to address the needs of children with developmental, emotional and physical disabilities and their families who are on waiting lists. Dane County's proportional share is \$221,380 to support 25 new children. In addition, the State of Wisconsin has been approving CLTS funding for specialized treatment for children with autism at the rate of 2 – 5 new approvals per month during 2008. It is estimated that this funding will total \$178,620.

NOW, THEREFORE, BE IT RESOLVED that the professional service contracts listed below be awarded for the period January 1, 2009, through December 31, 2009.

| <u>Adult Community Services Division:</u> | <u>Contract Amount</u> |
|---|------------------------|
| Mendota Mental Health Institute – PACT | \$1,884,506 |
| Mental Health Center of Dane County | \$10,702,873 |
| St. Mary's Hospital | \$231,257 |
| Tellurian UCAN | \$2,019,188 |
| University Health Care, Inc. | \$199,800 |

| <u>Children, Youth, and Families Division:</u> | <u>Contract Amount</u> |
|--|------------------------|
| Mental Health Center of Dane County | \$3,176,325 |
| Tellurian UCAN | \$1,578,638 |
| UW Hospitals and Clinics | \$356,630 |

BE IT FURTHER RESOLVED that the following professional service contract be amended to extend the term of the contract through December 31, 2009, at the amount indicated.

| <u>Badger Prairie Health Care Center</u> | <u>Contract Amount</u> |
|--|------------------------|
| Mental Health Center of Dane County | \$110,000 |

BE IT FURTHER RESOLVED that the following 2009 Department of Human Services revenue and expense accounts be adjusted.

| <u>Revenue:</u> | | |
|-----------------------|----------------------|---------------|
| <u>Account Number</u> | <u>Account Title</u> | <u>Amount</u> |

ACECHILD 81461

CLTS-DD

\$400,000

Expense:

| <u>Account Number</u> | <u>Account Title</u> | <u>Amount</u> |
|-----------------------|----------------------|---------------|
| ACECLFSR FMSUAA | CLNT SUBSIDIES | \$400,000 |

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 Stubbs, Levin, Bruskwitz and Vedder, November 20, 2008.
Referred to HEALTH & HUMAN NEEDS and PERSONNEL/FINANCE.

RES. 189, 08-09

AUTHORIZING A TRANSFER OF FUNDS FOR RECRUITMENT SERVICES

The Department of Administration solicited proposals for an executive search firm to conduct a national search for the next Director of Public Safety Communications. The Mercer Group will be awarded the contract to conduct the search at a fixed, not to exceed cost of \$21,500. In addition to these costs, additional funds will be necessary to pay for advertising in regional and national publications and travel expenses for finalists selected for interviews.

The Director of Emergency Management was immediately assigned to direct the Public Safety Communications Department following the resignation of the previous director. During that time, the cost of her salary and benefits has been charged to the Public Safety Communications Department, and salary and benefit savings has accrued in the Department of Emergency Management. This resolution transfers the salary and benefit savings from Emergency Management to Public Safety Communications to fund the executive recruitment services, advertisements, and candidate travel.

NOW, THEREFORE, BE IT RESOLVED that the following amounts be transferred from the Department of Emergency Management to a new expenditure account in the Department of Public Safety Communications titled "Director Recruitment;" and

| | | |
|----------|-----------------|----------------|
| \$22,260 | Salaries | EMEMRPLN 10009 |
| \$ 2,650 | Retirement | EMEMRPLN 10099 |
| \$ 1,700 | Social Security | EMEMRPLN 10108 |
| \$ 3,013 | Health | EMEMRPLN 10117 |
| \$ 244 | Dental | EMEMRPLN 10153 |
| \$ 115 | Wage | EMEMRPLN 10171 |
| \$ 18 | Life Insurance | EMEMRPLN 10180 |
| \$30,000 | TOTAL | |

BE IT FINALLY RESOLVED that any funds not spent in 2008 be carried forward into 2009.

Submitted by Supervisors Rusk, Bayrd, Hampton, Willett, Hesselbein, Schlicht, and Kostelic, November 20, 2008.

Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

RES. 190, 08-09

AUTHORIZING INCIDENT COMMAND SYSTEM (ICS) TRAINING

Dane County Emergency Management applied for and was awarded a training grant from Office of Justice Assistance (OJA) in the amount of \$16,800.00.

This grant award will be used to conduct two sessions of Basic ICS (ICS-200), three sessions of Intermediate ICS (ICS-300) and three sessions of Advanced ICS (ICS-400) training. These ICS training sessions will enhance all county emergency first responders in their ability to manage the response to emergency operations through the effective use of the National Incident Management System (NIMS) Incident Command System.

NOW, THEREFORE, BE IT RESOLVED that \$16,800.00 be set up as additional revenue in the Emergency Management, Hazardous Materials Planning Division Training Revenue Account 81812 and be credited to the General Fund and that %16,800.00 be transferred from the General Fund to Hazardous Materials Planning Division Training Expense Account 31133.

BE IT FURTHER RESOLVED that all unexpended funds and unrecognized revenues from these accounts be carried forward from 2008 to 2009 budget period.

Submitted by Supervisors Rusk, Bayrd, Hampton, Willett, Kostelic, Schlicht, and Hesselbein, November 20, 2008.

Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

RES. 191, 08-09

**ACCEPTANCE OF THE CY09 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 CY09 Federal Anti-Drug Abuse Grant (2008-DJ-01-4297) is a continuation of the grant identified in Resolution 210, 1991-1992. The total drug grant revenue to be realized as 2009 revenue is in the amount of \$123,126.

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 \$123,126.

BE IT FURTHER RESOLVED that \$123,126 be set up as additional 2009 Sheriff's Office, Field Services, Drug Enforcement Grant Revenue (SHRFFLD-80527) and be credited to the General Fund.

BE IT STILL FURTHER RESOLVED that \$123,126 be transferred from the General Fund to the 2009 Sheriff's Office, Field Services Drug Enforcement POS account (SHRFFLD 30925).

BE IT FINALLY RESOLVED that any of the grant funds that are unexpended as of December 31, 2009, be carried forward to 2010.

Submitted by Supervisors Rusk, Hampton, Willett, Kostelic, Schlicht, and Hesselbein, November 20, 2008.
Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION & JUDICIARY.

RES. 192, 08-09

AUTHORIZING AN AGREEMENT TO ACCEPT ADDITIONAL HIGHWAY SAFETY GRANT FUNDS
"SPEED ENFORCEMENT 2009"

The Department of Transportation, Bureau of Transportation Safety, State of Wisconsin, are making funds available for participation in a 2008/09 highway safety program aimed at increasing the enforcement for violations of speed and aggressive driving in Dane County. The goal is to reduce the number of alcohol and speed related crashes.

NOW, THEREFORE, BE IT RESOLVED that the Sheriff's Office is authorized to accept \$22,000 from the Department of Transportation, Bureau of Transportation Safety, for the "**Speed Enforcement 2009 Grant**".

BE IT FURTHER RESOLVED that \$22,000 be set up as additional revenue in the Sheriff's Office, Field Services Division, Speed and Aggressive Driving Corridor Enforcement Revenue Account (SHRFFLD-80608) and be credited to the General Fund.

BE IT FURTHER RESOLVED that \$22,000 be transferred from the General Fund to the following Sheriff's Office accounts:

Field Services Division:

| | |
|--|-----------------|
| Overtime-Speedwaves – (SHRFFLD-10066) | \$17,902 |
| Social Security (SHRFFLD-10108) | \$974 |
| Retirement Fund (SHRFFLD-10099) | \$2,724 |
| Workers Compensation (SHRFFLD-10189) | \$400 |
| Grand Total | \$22,000 |

BE IT FINALLY RESOLVED that any funds authorized in this resolution that are not expended or received as of December 31, 2008, be carried forward until fully realized.

Submitted by Supervisors Rusk, Bayrd, Hampton, Willett, Kostelic, Schlicht, and Hesselbein, November 20, 2008.

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

RES. 193, 08-09

AUTHORIZING AN AGREEMENT TO ACCEPT THE HIGHWAY SAFETY GRANT FUNDS FOR A COMMUNITY TRAFFIC SAFETY PROJECT "ALCOHOL ENFORCEMENT PROJECT 2009"

The Department of Transportation, Bureau of Transportation Safety, State of Wisconsin, is making funds available for participation in the 2008/09 Alcohol Enforcement Project. The goal of the federally funded enforcement project is to decrease the number of alcohol and drug-related crashes and to decrease the number of persons killed in these crashes.

NOW, THEREFORE, BE IT RESOLVED that the Sheriff's Office is hereby authorized to accept \$25,000 from the Department of Transportation, Bureau of Transportation Safety, for the Alcohol Enforcement Project and to purchase educational equipment to educate persons on the dangers of drinking and driving.

BE IT FURTHER RESOLVED that \$25,000 be set up as additional revenue in the Sheriff, Field Services, Community Safety Project revenue account (SHRFFLD 80708) and to be credited to the General Fund.

BE IT FURTHER RESOLVED that \$25,000 be transferred from the General Fund to the following accounts:

Field Services Division:

| | |
|---|-----------------|
| Overtime-Saturation/Blink Patrol – | \$18,766 |
| (SHRFFLD-10053) | |
| Social Security (SHRFFLD-10108) | \$1,044 |
| Retirement Fund (SHRFFLD-10099) | \$2,920 |
| Workers Compensation (SHRFFLD-10189) | \$426 |
| Sub-Total | \$23,156 |

Vehicles & Equipment (SHRFFLD-48935) \$1,844

Grand Total \$25,000

BE IT FINALLY RESOLVED that any funds authorized in this resolution that are not expended or received as of December 31, 2008, be carried forward until fully realized.

Submitted by Supervisors Rusk, Bayrd, Hampton, Willett, Kostelic, Schlicht, and Hesselbein, November 20, 2008.

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

RES. 194, 08-09

Authorizing An Agreement To Accept Additional Highway Safety Grant Funds
"YOUTH ALCOHOL ENFORCEMENT 2008/09"

The Department of Transportation, Bureau of Transportation Safety, State of Wisconsin, are making funds available for participation in a 2008/09 highway safety program. The goal of the program is to increase the enforcement of the existing Youth Alcohol Laws.

NOW, THEREFORE, BE IT RESOLVED that the Sheriff's Office is authorized to accept \$12,000 from the Department of Transportation, Bureau of Transportation Safety, for the "**Youth Alcohol Enforcement Project**" and to purchase 2 PBT'S.

BE IT FURTHER RESOLVED that \$12,000 be set up as additional revenue in the Sheriff's Office, Field Services Division, "Youth Alcohol Enforcement Project" (SHRFFLD-80544) revenue account and be credited to the General Fund.

BE IT FURTHER RESOLVED that \$12,000 be transferred from the General Fund to the following Sheriff's Office accounts:

Field Services Division:

| | |
|---|-----------------|
| Overtime-Youth Alcohol (SHRFFLD-10068) | \$9,000 |
| Social Security (SHRFFLD- 10108) | \$500 |
| Retirement (SHRFFLD- 10099) | \$1,370 |
| Workers Comp (SHRFFLD- 10189) | \$200 |
| Equipment (48935) | \$930.00 |

Grand Total: \$12,000

BE IT FINALLY RESOLVED that any funds authorized in this resolution that are not expended or received as of December 31, 2008, be carried forward until fully realized.

Submitted by Supervisors Rusk, Bayrd, Hampton, Willett, Kostelic, Schlicht, and Hesselbein, November 20, 2008.

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

RES. 195, 08-09

**AWARD OF AGREEMENT FOR DESIGN SERVICES
FOR EAST SIDE GARAGE, SALT STORAGE & OFFICE FACILITY**

The Department of Public Works, Highway and Transportation prepared a Request For Proposals #108112 for design services on the East Side Garage, Salt Storage & Office Facility and received seven proposals for the project.

After interviewing four design firms, it is recommended that an Agreement be awarded to:

There are sufficient funds in the budget for this project.

NOW, THEREFORE, BE IT RESOLVED, That an Agreement with _____ for ____% of construction costs, not to exceed \$ _____, is hereby approved; and

BE IT FURTHER RESOLVED, That the County Executive and County Clerk are authorized to sign the Agreement; and

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

BE IT 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 Opitz, Martz, Veldran, Schmidt and Wiganowsky, November 20, 2008.
Referred to PERSONNEL/FINANCE, and PUBLIC WORKS & TRANSPORTATION.

RES. 196, 08-09

CHANGE ORDER #1 TO MONTGOMERY ASSOCIATES FOR BABCOCK & TENNEY DAM STUDY

Res. #29, 2008-09, authorized a fund transfer for engineering services for dam failure analysis, stability analysis, permanent benchmarks and an emergency action plan for the Babcock and Tenney Dams, Bid #108040. The amount of the award was \$21,800.00.

The following changes are being made to the original contract per DNR requirements:

C.O. #1—Additional work: surveys for Yahara River hydrology, hydraulics, and developing existing model for application of Tenney lock dam break analysis

ADD: \$17,000.00

There are sufficient funds in the budget.

NOW, THEREFORE, BE IT RESOLVED, That Contract Change Order #1 to Montgomery Associates for Babcock & Tenney Dam Study 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 Opitz, Martz, Veldran, Schmidt, and Wiganowsky, November 20, 2008.
Referred to PERSONNEL/FINANCE and PUBLIC WORKS & TRANSPORTATION.

RES. 197, 08-09

COUNTY EXECUTIVE APPOINTMENTS

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

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

Human Services Board

Supervisor Paul Rusk, 1501 Pleasure Dr, Madison 53704, to fill the seat of a Supervisor representing the Public Protection & Judiciary Committee, replacing Supervisor Schlicht, who resigned. This term will expire 4/20/10.

W-2 Community Steering Committee

Seth Lentz, 1515 Eastwood Avenue, Janesville 53545 (758-0404-H, 249-9001-W), due to the resignation of Karna Hanna. Mr. Lentz is Deputy Director of the Workforce Development Board of South Central Wisconsin. This term will expire 5/1/11.

Jennifer Lord, 5390 Lacy Road, Fitchburg 53711 (239-4725-H), due to the resignation of Gweneth Schuyler. Ms. Lord is the Executive Director of the South Madison Health and Family Center- Harambee. She oversees the Harambee collaboration as well as the functions and programs of the Center, an umbrella organization of five organizations that provide a community-based, culturally sensitive and coordinated health and education programs to serve and promote the health and well being of individuals and families. This term will expire 5/1/11.

Submitted by Supervisor McDonell, November 20, 2008. Fiscal and Policy Notes not required.
Referred to EXECUTIVE.

RES. 198, 08-09

**AUTHORIZING AN INCREASE IN POSITION AUTHORITY BY 0.5 FTE FOR
PUBLIC HEALTH-MADISON AND DANE COUNTY**

Public Health-Madison and Dane County has verbal commitments of grant funding for its work in the prevention of chronic disease that will require the addition of 0.5 FTE to complete the work included in these grants. This resolution increases position authority of 0.5 FTE, with the understanding that this position authority is tied to the availability of grants or other non-GPR sources of funding.

NOW, THEREFORE, BE IT RESOLVED that position authority for Public Health-Madison and Dane County is hereby increased by 0.5 FTE provided that non-GPR sources of funding are available to support this position.

Submitted by Supervisors Stubbs, Levin, Bruskewitz, and Vedder, November 20, 2008.
Referred to HEALTH & HUMAN NEEDS and PERSONNEL/FINANCE.

COMMUNICATIONS

Communication from AFNI Insurance Services re. claim Steven 7 Sonja Foldvari against Highway. Referred to PUBLIC PROTECTION & JUDICIARY.

Certificate of Service for case Ho-Chunk Nation Home Ownership Program vs. Dane County. Referred to PUBLIC PROTECTION & JUDICIARY.

Claim from Torrence Michael Hudson against Sheriff for loss of property. Referred to PUBLIC PROTECTION & JUDICIARY.

Summons for Foreclosure of Mortgage HSBC Mortgage Services, Inc. vs. Silvia Echeverria. Referred to PUBLIC PROTECTION & JUDICIARY.

Summons for Foreclosure of Mortgage World Savings Bank, FSB vs. Edward A. Brunner. Referred to PUBLIC PROTECTION & JUDICIARY.

Claim from Queasha Smith against Sheriff for damage to personal property. Referred to PUBLIC PROTECTION & JUDICIARY.

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

- Petition 9963 – Town of Cross Plains – David Zoromski
- 9968 – Town of Vienna – Dean Hahn
- 9971 – Town of Perry – Norwegian Lutheran Church of Perry Trustees
- 9972 – Town of Black Earth – Dennis Sutcliffe
- 9973 – Town of Oregon – Donna Freitag
- 9974 – Town of Oregon – Monica Gobel
- 9975 – Town of Roxbury – William Muir
- 9977 – Town of Medina – James Steindorf
- 9978 – Town of Cottage Grove – Bradt Holdings LLC
- 9979 – Town of Springfield – George P. Kruchten
- 9980 – Town of Pleasant Springs – Ann Anderson
- 9982 – Town of Primrose – Theodore White
- 9983 – Town of Burke – Maly Real Estate LLC
- 9986 – Town of Albion – Walter Olson

ORD. AMDT. 33, 08-09

**AMENDING CHAPTER 10 OF THE DANE COUNTY CODE OF ORDINANCES,
CLARIFYING DEFINITION OF BUILDING HEIGHT**

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

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

ARTICLE 2. Section 10.01(8) is amended to read as follows:

10.01 DEFINITIONS. For the purposes of this chapter certain terms used herein are defined as set forth in this section. Words and phrases not defined in this section or elsewhere in the ordinance shall be construed by resort to the following, in order of preference: Wisconsin Statutes; Wisconsin zoning case law; other states' zoning case law; the dictionary; and common usage.

(8) Building height. The vertical distance, measured from the mean elevation of the finished grade along the front of the building to the highest point on the roof for flat roofs; to the mean height level between ~~the eaves and the ridge~~ the highest ridge and its associated eave for gable and hip roofs; to the deck line for mansard roofs. The front of the building shall be the side directly facing the public or private thoroughfare which affords primary means of access to the property, excluding the driveway.

[EXPLANATION: This amendment revises the definition of "Building Height" and clarifies how it is determined which side of a building is considered to be the front of the building.]

Referred by Supervisor Downing, November 24, 2008. Submitted to ZONING & LAND REGULATION.

RES. 200, 08-09

AUTHORIZING THE BOARD OF HEALTH FOR MADISON AND DANE COUNTY ON BEHALF OF PUBLIC HEALTH-MADISON AND DANE COUNTY TO EXECUTE A LEASE WITH INTERNATIONAL PROPERTIES LLP FOR OFFICE SPACE LOCATED AT 2701 INTERNATIONAL LANE

The sanitarians working for the Department of Public Health-Madison and Dane County are currently working out of offices in both the City-County Building and the Northport Drive office. It is desirable and will be beneficial to the Environmental Health programs for the sanitarians to be housed in the same location, but no such space is currently available in either a City or County-owned building.

City and County staff and PHMDC staff have located available rental office space at 2701 International Lane that meets PHMDC's needs. The terms of a lease have been negotiated with the owner, International Properties LLP. The lease would provide for rental of approximately 3,656 square feet. Rent expenditures during the first year of the lease will be \$58,313.20 (representing a cost of \$15.95 per square foot), and will increase by 3% in subsequent years. Funds are available in the 2009 Public Health Operating Budget.

NOW, THEREFORE, BE IT RESOLVED that the Board of Health for Madison and Dane County on behalf of Public Health-Madison and Dane County (the "Lessee") is authorized to enter into a lease ("the lease") with International Properties LLP ("the Lessor"), subject to the following terms and conditions:

1. The Leased Premises shall be Suite 204-205 of the commercial building located at 2701 International Lane, Madison, Wisconsin (the "Building") consisting of approximately 3,656 square feet, together with the nonexclusive use in common with others entitled thereto of certain common areas.
2. The Lease shall be for a term of two (2) years, commencing on January 1, 2009 (the "Effective Date") and expiring December 31, 2010.
3. The Lessee shall pay to the Lessor rent for the Leased Premises at the rates set forth below, payable in equal monthly installments in advance on the first day of each month.

| <u>Lease Year</u> | <u>Annual Rent</u> | <u>Monthly Rent</u> | <u>Per Sq. Ft.</u> |
|-------------------|--------------------|---------------------|--------------------|
| 1 | \$58,313.20 | \$4,859.43 | \$15.95 |
| 2 | \$60,062.60 | \$5,005.22 | \$16.43 |

4. If, at the end of the original term of the Lease, the Lessee is not in default under the terms and conditions of the Lease, then the Lessee shall have one (1) option to extend the Lease for an additional term of one (1) year, under the same terms and conditions provided in the original term of the Lease, except that rent during the renewal term shall be as set forth below.

| <u>Lease Year</u> | <u>Annual Rent</u> | <u>Monthly Rent</u> | <u>Per Sq. Ft.</u> |
|-------------------|--------------------|---------------------|--------------------|
| 3 | \$61,864.47 | \$5,155.37 | \$16.92 |

5. The Lessee will occupy and use the Leased Premises as an office for the Department of Public Health-Madison and Dane County, and activities related thereto.
6. The Lessor shall be responsible for all property taxes, assessments and special assessments that accrue to the Leased Premises. The Lessee shall be responsible for any personal property taxes levied against its personal property located in the Leased Premises.

BE IT FURTHER RESOLVED that the Director of Public Health-Madison and Dane County is authorized to execute any and all additional documents that may be required to complete this transaction, subject to review of those documents by the City Attorney and Corporation Counsel.

Submitted by Supervisor Vogel, December 4, 2008.
Referred to PERSONNEL/FINANCE.

RES. 201, 08-09

**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/ HS SWAT 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 \$26,600. The grant period ends February 26, 2009.

NOW, THEREFORE BE IT RESOLVED that the Sheriff's Office be permitted to accept the Homeland Security/HS SWAT Equipment Grant, administered by the Office of Justice Assistance, in the amount of \$26,600.

BE IT FURTHER RESOLVED that \$26,600 be set up as additional revenue in the Sheriff's Office, Field Services Division, Tactical Response Team Equipment Revenue Account (SHRFFLD-80725) and be credited to the General Fund.

BE IT FURTHER RESOLVED that \$26,600 be transferred from the General Fund to the Dane County Sheriff's Office, Field Services Division, Tactical Response Team Equipment Expenditure Account (SHRFFLD-48848).

BE IT FINALLY RESOLVED that all unexpended funds and unrecognized revenues from this account be carried forward until fully realized.

Submitted by Supervisors Rusk, Hesselbein, Schlicht, Willett and Kostelic, December 4, 2008.
Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

RES. 202, 08-09

AUTHORIZING INCIDENT COMMAND SYSTEM (ICS) TRAINING

Dane County Emergency Management applied for and was awarded a training grant from Office of Justice Assistance (OJA) in the amount of \$16,800.00.

This grant award will be used to conduct two sessions of Basic ICS (ICS-200), three sessions of Intermediate ICS (ICS-300) and three sessions of Advanced ICS (ICS-400) training. These ICS training sessions will enhance all county emergency first responders in their ability to manage the response to emergency operations through the effective use of the National Incident Management System (NIMS) Incident Command System.

NOW, THEREFORE, BE IT RESOLVED that \$16,800 be set up as additional revenue in the Emergency Management, Hazardous Materials Planning Division Training Revenue Account 81812 and be credited to the General Fund and that \$16,800.00 be transferred from the General Fund to Hazardous Materials Planning Division Training Expense Account 31133.

BE IT FURTHER RESOLVED that all unexpended funds and unrecognized revenues from these accounts be carried forward from 2008 to 2009 budget period.

Submitted by Supervisors Rusk, Hesselbein, Schlicht, Willett, and Kostelic, December 4, 2008.
 Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

RES. 203, 08-09

AUTHORIZING OPERATING & CAPITAL EXPENDITURES IN ADVANCE OF BORROWING

Dane County Ordinance Sec. 29.52 (11) states that “Capital projects to be financed with borrowed funds may not proceed in advance of borrowing except with prior approval of the County Board and County Executive”.

The Highway and Transportation Department has Capital Budget construction projects scheduled for borrowing, and due to the limited road construction season, it desires to start prior to the 2009 borrowing issue being completed. The effected projects are:

| Object Account | Project Borrowed | Acct Type | Account Description |
|---------------------------|-----------------------------|----------------------|-----------------------------------|
| HWCONCAP-59116 | \$ 450,000 | CB | CTH N & BB Intersection |
| HWCONCAP-59131 | \$ 240,000 | CB | CTH A – Tower to Albion |
| HWCONCAP-59134 | \$ 220,000 | CB | CTH B – W to 73 |
| HWCONCAP-59128 | \$1,000,000 | CB | CTH BB– Monona Drive |
| HWCONCAP-59135 | \$ 830,000 | CB | CTH C–Egre Rd to V |
| HWCONCAP-59136 | \$ 65,000 | CB | CTH M– Intersection w/PD |
| HWCONCAP-59137 | \$ 150,100 | CB | CTH AB– Yahara River Bridge to MN |
| HWCONCAP-59138 | \$ 50,000 | CB | CTH M– Kivlin Railroad Bridge |
| HWCONCAP-59139 | \$ 50,000 | CB | CTH B– Yahara River Bridge |
| HWCONCAP-59140 | \$ 50,000 | CB | CTH Y– Mazomanie Bridge |
| HWCONST-59062 | \$ 350,000 | CB | CTH MS– Allen to Segoe |
| HWCONST-59122 | <u>\$ 160,000</u> | CB | CTH N– Dunkirk Bridge |
| | \$3,615,100 | | |

NOW, THEREFORE, BE IT RESOLVED that these Highway & Transportation capital projects be authorized in advance of the 2009 borrowing, and that it is the intention of the County to reimburse itself the \$2,615,100 portion of the expenditures with proceeds from the 2009 Capital Projects Borrowing.

Submitted by Supervisors Opitz, Schmidt, Veldran, Martz and Wiganowsky, December 4, 2008.
 Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

RES. 204, 08-09

AWARD OF CONTRACT FOR ELECTRIC ELEVATOR MODERNIZATION IN CITY-COUNTY BLDG.

The Department of Public Works, Highway & Transportation reports the receipt of bids for the Electric Elevator (Car No. 8) Modernization in the City-County Building, 210 Martin Luther King, Jr. Blvd, Madison, WI, Bid No. 108140.

A complete tabulation is on file at the Department of Public Works office. The low qualified bidder is:
Schumacher Elevator Co.
One Schumacher Way
Denver, IA 50622

| | |
|----------|-------------------|
| Base Bid | \$128,802.00 |
| Alt. #1 | <u>+ 4,000.00</u> |
| TOTAL: | \$132,802.00 |

The Public Works staff finds the amount to be reasonable and recommends the bid be awarded to Schumacher Elevator Co.

NOW, THEREFORE, BE IT RESOLVED that a Contract be awarded to Schumacher Elevator Co. in the amount of \$132,802.00; 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 \$20,000 or more than 10% of the original approved Contract amount, whichever is smaller.

Submitted by Supervisors Opitz, Schmidt, Veldran, Martz and Wiganowsky, December 4, 2008.
Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

RES. 205, 08-09

**AUTHORIZATION TO PURCHASE A STREAMBANK EASEMENT ON THE
WEST BRANCH OF THE SUGAR RIVER – Glenn Reynolds**

Dane County has negotiated the purchase of a 66-foot wide streambank easement on land owned by Glenn Reynolds in the Town of Primrose. The easement is located along approximately 2,625 feet of both banks of the West Branch of the Sugar River, a DNR designated trout stream and Tier I Stream Project Area in the *Dane County 2006 – 2011 Parks & Open Space Plan*. The purpose of this easement is to provide permanent public trout fishing access, protect water quality, and improve wildlife and fish habitat.

The purchase price of the Streambank Easement has been established at \$40,380. Funds for this purchase are available in the Dane County Land and Water Legacy Fund. The purchase price is based on a sales study and appraisal completed by a general certified appraiser.

NOW, THEREFORE, BE IT RESOLVED, that the Dane County Board of Supervisors and the Dane County Executive hereby authorize the purchase of the Streambank Easement plus associated costs and according to Wisc. Stats. 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.

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 transaction.

Submitted by Supervisors Downing, Kostelic and Ripp, December 4, 2008.
Referred to PERSONNEL/FINANCE and ENVIRONMENT/AGRICULTURE/NATURAL RESOURCES.

RES. 206, 08-09

DANE COUNTY SUPPORTS WISCONSIN'S "25 X 25" GOAL FOR ENERGY INDEPENDENCE

Dane County government operations have a history of energy conservation and alternative energy use. For example, the county has installed energy-efficient lighting in its facilities; built the courthouse to meet LEED standards; and will implement a geothermal heating and cooling system, solar hot water, and a green roof in the new Badger Prairie Health Care Center which is currently being designed. In addition, the county has invested in alternative fuel vehicles and has built bike and pedestrian trails to encourage pollution-free transportation and recreation.

In 2009, Dane County will reach the goal of using alternative energy for 10 percent of total electrical use. The county will accomplish this through the efforts of the Dane County Regional Airport which is purchasing a significant portion of its electricity from wind energy, as well as the Department of Administration initiative to install solar hot water heat in the City-County Building. Additionally, the county has long used the methane gas from the landfill to generate electricity.

Dane County has also taken steps to embrace sustainability. During 2008 several department directors and County Board supervisors participated in The Natural Step training to learn how to incorporate sustainable practices in the county's work. Training opportunities will continue in 2009, and the county has established a "green energy/green jobs project fund" to implement initiatives.

In addition to addressing energy use for county operations, Dane County has initiated projects to encourage community-wide action. For example, the 2009 budget includes a study of the feasibility of locating wind or other renewable energy sources in Dane County. These sorts of projects could help to foster energy independence throughout the county.

These are but a few of the many efforts underway to reduce Dane County's dependence on fossil fuels and reduce pollution. While the county has made considerable efforts to curbs its energy use, it does not currently have a plan in place to prioritize new initiatives or to measure the effects of current approaches.

The Wisconsin Office of Energy Independence was formed to advance energy independence in the state, with a vision of generating 25 percent of the state's electricity and transportation fuels from renewable resources by 2025, capturing 10 percent of the emerging bio-industry and renewable energy market by 2030, and leading the nation in research to make energy more affordable and create jobs. To support this vision, the Office of Energy Independence is seeking partnerships with communities to help them gather data regarding local energy usage and develop local "25 x 25" plans.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors hereby declares itself a partner with the State of Wisconsin in pursuit of the "25 x 25" goals for energy independence.

BE IT FURTHER RESOLVED that the Dane County Board of Supervisors supports long-range planning and policies to reduce the county's own dependence on fossil fuels.

BE IT FINALLY RESOLVED that a copy of this resolution be sent to Governor Doyle, and to the Office of Energy Independence.

Submitted by Supervisors de Felice, Hulsey, Salov, Ripp, Stubbs, Levin, Manning, DeSmidt, Jensen, Wheeler, Matano, Vogel, Opitz, Willett, Erickson, Downing, Rusk, Schmidt, Vedder, Hesselbein, Schlicht, Stoebig, Miles, Wiganowsky, Veldran and Ferrell, December 4, 2008.

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

RES. 207, 08-09

CONFIRMING COUNTY EXECUTIVE APPOINTMENTS

In January, 1992, Dane County joined the Wisconsin Municipal Mutual Insurance Company (WMMIC) as an equity member for the purpose of obtaining a long-term, stable general liability insurance provider.

Under the State of Wisconsin Statutes, WMMIC is organized as a mutual insurance company. Operating policy for this company is controlled by a board of directors, which is elected by the designated voting representatives of each member municipality (one per member).

To designate someone as the voting representative, WMMIC Articles of Incorporation, Article IV, entitled "Governance," Section 4.01 provide that: "The Chief Executive Officer of each member shall, subject to the approval of the Member's Governing body, designate a person to represent such Member Municipality in all matters relating to the Company."

NOW, THEREFORE, BE IT RESOLVED that the following appointment is confirmed: Daniel Lowndes, 502 Wynnwood Way, Madison, Wisconsin 53705 (W) 266-4134 to fill the WMMIC voting representative vacancy until such time as another person is appointed by the Dane County Executive.

Submitted by Supervisor Hulsey, December 4, 2008. Fiscal and Policy Notes not required.
Referred to EXECUTIVE.

COMMUNICATIONS

Summons General Casualty Co. of WI and Capitol Mechanical vs Dane County. Referred to PUBLIC PROTECTION & JUDICIARY.

Summons Randy Wallenkamp and Dane County v Brian Magnusson. Referred to PUBLIC PROTECTION & JUDICIARY.

Notice of Claim and Injury Rachel N. Hron against Sheriff for injuries. Referred to PUBLIC PROTECTION & JUDICIARY.

Claim from Kelly D. Terpstra against Public Works for damage to vehicle caused by item falling of County vehicle. Referred to PUBLIC PROTECTION & JUDICIARY.

Summons for Foreclosure James Stanek v. Jason Humke. Referred to PUBLIC PROTECTION & JUDICIARY.

Notice of Hearing Brenda J. White et al vs. Eight & Eight Partners et al. Referred to PUBLIC PROTECTION & JUDICIARY.

Forest County Resolution offered by Forest County Highway Committee. Referred to EXECUTIVE.

ORD. AMDT. 34, 08-09

AMENDING CHAPTER 25 OF THE DANE COUNTY CODE OF ORDINANCES, REGARDING CERTIFICATION OF COMPLIANCE WITH EQUAL BENEFITS REQUIREMENT

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

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

ARTICLE 2. Section 25.016(8) is rescinded:

~~(8)(a) Upon completion of a contract or grant and before receiving final payment for his or her work on said contract or grant, each contractor or grant beneficiary shall furnish the County with a certification affirming that he or she has complied fully with the requirements of this section. A contractor or grant beneficiary may not receive final payment until such certification is filed.~~

~~(b) Where the contractor or grant beneficiary receives regular monthly payments, the certification shall be filed at least quarterly.~~

~~(c) When requested by the contract compliance officer, the contractor or grant beneficiary shall also furnish certifications from each of his or her subcontractors.~~

[EXPLANATION: This amendment deletes the requirement compliance certification by contractors.]

Submitted by Supervisors Stubbs, Wheeler, Bruskevitz, Levin, and Vedder, December 9, 2008.
Referred to HEALTH/HUMAN NEEDS, PERSONNEL/FINANCE, AND PUBLIC PROTECTION/JUDICIARY.

AUTHORIZING EXPENDITURES IN ADVANCE OF
BORROWING FOR SELECT 2009 CAPITAL BUDGET ITEMS

The 2009 Capital Budget includes a number of smaller project expenditures that are financed with borrowed funds. The County will not do its annual borrowing until the Fall of 2009. Dane County Ordinance Ch. 29.52(11) requires approval of the County Board and the County Executive before expenditures can be made for capital projects financed in advance of the annual borrowing. Larger capital projects that require County Board approval for a contract typically include a provision to allow expenditures in advance of borrowing if they are initiated before the annual borrowing. Most of the smaller projects included in the 2009 Capital Budget do not require separate County Board approval to proceed. To allow such projects to move forward and to avoid a large number of individual resolutions to approve expenditures in advance of borrowing, this resolution seeks approval for a list of projects contained in the 2009 Capital Budget to proceed in advance of the annual borrowing.

Therefore be it resolved that expenditures for the following projects are approved to proceed in advance of borrowing.

| <u>Project</u> | <u>Department</u> | <u>Amount</u> |
|-------------------------------------|--------------------------|---------------|
| Park Improvements | Land and Water Resources | \$ 175,000 |
| North Mendota Trail | Land and Water Resources | \$ 5,000 |
| New Property Stabilization | Land and Water Resources | \$ 50,000 |
| Rockdale to Cambridge Trail | Land and Water Resources | \$ 180,000 |
| Streambank Protection | Land and Water Resources | \$ 75,000 |
| Water Partnership Grant | Land and Water Resources | \$ 25,000 |
| Manure Digester Consulting Study | Land and Water Resources | \$ 30,000 |
| Babcock Lock and Dam | Land and Water Resources | \$ 250,000 |
| Ski trail groomer and Utility Truck | Land and Water Resources | \$ 83,000 |
| 2 electric for Park units and car | Land and Water Resources | \$ 52,000 |
| Grants Management Software | County Executive | \$ 65,000 |
| Solar Hot Water System Design | Administration | \$ 30,000 |
| Digital Microfilm Scanners | Clerk of Courts | \$ 26,925 |
| Vehicle | District Attorney | \$ 7,000 |
| Equipment | Sheriff | \$ 126,900 |
| Training Center Improvements | Sheriff | \$ 60,000 |
| Vehicles and Equipment | Sheriff | \$ 606,958 |
| Ambulance Tracking Software | Public Safety Comm. | \$ 5,000 |
| Info Logging System | Public Safety Comm. | \$ 280,000 |
| EOC and Office Furniture | Emergency Mgt. | \$ 5,000 |
| Telephone System | Emergency Mgt. | \$ 15,000 |
| Resident Care Equipment | Badger Prairie | \$ 72,600 |
| Building Repair Projects | Human Services | \$ 142,300 |
| Sports Capital Grant Prog. | GMCVB | \$ 75,000 |
| Energy Efficiency Improvements | Zoo | \$ 100,000 |
| Zoo Improvements | Zoo | \$ 130,000 |
| Total | | \$ 2,672,683 |

Submitted by Supervisor Hulsey, December 9, 2008. Referred to PERSONNEL/FINANCE.

Res. 209, 08-09

THE FARMS AND NEIGHBORHOODS INITIATIVE AG ENTERPRISE GRANT FUND AWARDS

In the 2008 Dane County budget, \$10,000 was allocated to the Dane County UW-Extension Department for the Farms and Neighborhoods Ag Enterprise grant initiative.

The Ag Enterprise Grant Program was designed to provide these funds to agricultural producers to explore ways to develop new products, practices, or marketing ideas that would benefit the positive future development of local agriculture.

Major emphasis was directed toward issues that address a greater public interest and have the potential to positively impact more people than just the applicant.

The Dane County Agriculture Advisory Council reviewed and recommended allocation of grant funds to one grant proposal.

The Dane County UW-Extension Committee has reviewed the Agriculture Advisory Council's recommendation and has agreed to fund the following project as it successfully represents the intended use of these funds:

| <u>Grant Recipient</u> | <u>Description</u> | <u>Funds Awarded</u> |
|-----------------------------|--|----------------------|
| Dale Secher, Carandale Farm | Introducing Aronia as a Cash Crop in Dane County | \$10,000 |

NOW THEREFORE, BE IT RESOLVED that the Dane County UW-Extension Department expend the funds in the Ag Enterprise Expenditure line in accordance with these recommendations.

Submitted by Supervisors Stoebig, Martz, Wheeler, Hesselbein, and Manning, December 9, 2008.
Referred to PERSONNEL/FINANCE, AND ENVIRONMENT/AGRICULTURE/NATURAL RESOURCES.

RES. 211, 08-09

AUTHORIZING PURCHASE OF INSURANCE

The adopted 2009 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 \$5 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 2009 budget.

NOW, THEREFORE, BE IT RESOLVED that the County Controller be authorized to pay the premiums for these contracts.

Submitted by Supervisor Hulsey, December 11, 2008. Referred to PERSONNEL/FINANCE.

ORD. AMDT. 35, 08-09

**AMENDING CHAPTER 15 OF THE DANE COUNTY CODE OF ORDINANCES,
ETHICS BOARD MEMBERSHIP**

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 15.22(1) is amended to read as follows:

15.22 ETHICS BOARD. (1) The ethics board shall consist of ~~three~~-five members, composed of persons who have not made any contribution to any campaign for county elective office or otherwise actively participated in such a campaign while serving on the ethics board or within the 12 month period immediately preceding appointment to the ethics board. Contributions to or participation in campaigns for judicial office or for district attorney are not campaigns for county elective office within the meaning of this subsection. All appointees shall be subject to county board confirmation. The chairperson shall be elected by ~~the~~ ethics board members. At least one member shall have demonstrated experience or training in the requirements of due process as applied in judicial or quasi-judicial proceedings. The members shall hold no elected or appointed office in government or in a political party. The corporation counsel shall provide legal assistance as the board may request in the conduct of its proceedings.

[EXPLANATION: This amendment increases the size of the Ethics Board from three to five members.]

Submitted by Supervisors Rusk, Hampton, Bayrd, Willett, Kostelic, and Hesselbein, December 18, 2008. Referred to EXECUTIVE.

ORD. AMDT. 36, 08-09

**AMENDING CHAPTER 9 OF THE DANE COUNTY CODE OF ORDINANCES,
UPDATING THE DANE COUNTY ETHICS CODE**

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 9.05 is amended to read as follows:

9.05 ADMINISTRATION. The Dane County Ethics Board shall be the administrative body with respect to the enforcement of the provisions of this ordinance. The board shall adjudicate all complaints involving alleged

violations of the Ethics Code and, upon request, shall issue opinions interpreting code provisions. The board may call upon the department of administration for staff assistance as the need arises. The corporation counsel shall provide such legal assistance as the board requires.

ARTICLE 3. Section 9.22 is renumbered as section 9.39. No changes have been made to the content of the section.

ARTICLE 4. Section 9.23 is renumbered as section 9.40. No changes have been made to the content of the section.

ARTICLE 5. Section 9.26 is amended to read as follows:

9.26 CONDUCT REGULATED; USE OF INFORMATION GAINED IN COURSE OF OFFICIAL DUTIES. No county official or employee may intentionally use or disclose information gained in the course of or by reason of her or his official position or activities in any way that could result in the receipt of anything of value for herself or himself, for a member of her or his immediate family, or for any other person or legal entity if the information has not been previously communicated to the public or is not a public record.

ARTICLE 6. Section 9.27 is amended to read as follows:

9.27 IMPERMISSIBLE USE OF PUBLIC OFFICE. No county official or county employee shall use or attempt to use his or her public office or employment to influence or gain unlawful: benefits, advantages or privileges, personally or for others.

ARTICLE 7. Section 9.30 is amended to read as follows:

9.30 CONDUCT REGULATED; ROLE OF SUPERVISORS IN LEGISLATIVE AND ADMINISTRATIVE MATTERS. (1) *Permitted conduct.* Any supervisor may, at any time, on any matter, regardless of whether the supervisor serves on a committee with oversight on the matter, move ~~for separation, to separate,~~ postpone, personally inspect, seek more information, voice an opinion, vote for or against, or request of another supervisor that any of the above be performed, whether in person or through any form of public information media, on any subject that lawfully may come to the full county board or any standing committee thereof. Such actions lie within the normal and responsible political review process of a county board supervisor, whether at the behest of his or her constituents or at his or her own discretion, absent a showing of violation of s. 9.21.

(2) *Prohibited voting practices.* (a) It shall be a violation of these rules for any member of the county board to give, offer or promise to give his or her vote or influence in favor of or against any resolution or ordinance amendment pending or proposed to be introduced before the county board in consideration or upon condition that any other person elected to the same county board will give or will promise or agree to give his or her vote or influence in favor of or against any other resolution or ordinance amendment pending or proposed to be introduced to such county board.

(b) It shall be a violation of these rules for any member of the county board to give, offer or promise to give his or her vote or influence for or against any resolution or ordinance amendment on condition that any other member will give his or her vote or influence in favor of any change in any other resolution or ordinance amendment pending or proposed to be introduced to the county board.

(c) It shall be a violation of these rules for any member of the county board to give, offer or promise to give his or her vote or influence in favor of or against any resolution or ordinance amendment pending or proposed to be introduced before the county board, or that has already been passed by the county board, in consideration of or on condition that the county executive approve, disapprove, veto or sign, or agree to approve, disapprove, veto or sign, any other resolution or ordinance amendment pending or proposed to be introduced to the county board or that has already been passed by the county board, or in consideration or upon condition that the county executive nominate for appointment or appoint or remove any person to or from any office or position.

(d) The provision of sub. (2) shall not apply to any single ordinance or resolution, to resolutions or ordinances that are germane to one another.

ARTICLE 8. Section 9.32 is amended to read as follows:

9.32 CONDUCT REGULATED; RECEIPT OF FEES AND EXPENSES. (1) County officials, employees, ~~and~~ citizen members and their immediate family members shall not receive and retain anything of value unless the activity or occasion ~~on or for which it is given did not arise from his or her~~ is unrelated to the use of the county's time, information, facilities, equipment, services or supplies not generally available to all residents of the county, ~~and he~~ or she ~~can~~ shall show by clear and convincing evidence that the receipt of the thing of value did not arise from the recipient's holding or having held her or his position and was given or paid for a purpose unrelated to legislation, policies or issues being considered by or affecting the county.

(2) Such persons may accept and retain from persons or entities other than the county the cost of reimbursement of actual and reasonable expenses related to speaking engagements whether or not the same arise from their county roles or positions.

(3) County officials, employees and citizen members may accept and retain anything of value which consists of transportation, lodging, meals, food or beverage, registration fees, honoraria, or reimbursement therefor, if the official, employee or citizen member can show by clear and convincing evidence that the same was incurred or received primarily for the benefit of the county and not primarily for his or her private benefit or that of any other person. It is *prima facie* evidence that the acceptance of anything of value consisting of the enumerated items or services is primarily for the benefit of the county (a) when received by an official, employee or citizen member in connection with a speech or other presentation being given by the county official, employee or citizen member; (b) when received by an official, employee or citizen member attending a government-related function where the same or similar items or services are provided free of direct charge to all attendees; or (c) when received by an official, employee or citizen member in a situation where the county would have to assume the costs of the item or service if not otherwise provided. This section does not prohibit a person from taking any action concerning the lawful payment of salaries or employee benefits or reimbursement of actual and necessary allowable expenses.

ARTICLE 9. Section 9.36 is amended to read as follows:

9.36 CONDUCT REGULATED; DEPOSIT AND REPORT OF CERTAIN RECEIPTS. (1) If, in the course of his or her official duties, a county official or employee receives anything of value which she or he is not otherwise prohibited by statute from accepting, she or he shall either return the item to the payor or giver or, in the alternative, shall deposit with the county treasurer a sum of money equivalent to the fair market value of the item or service.

(2) Whenever a county official or employee receives anything of value, from which she or he is not otherwise prohibited by statute from accepting ~~from~~, or has any fee or expense waived or reduced by, a person or entity other than the county in connection with his or her official duties, he or she shall, within ten (10) business days of the occurrence file a report with the county clerk, on forms provided by the clerk, showing:

(a) The name, address and telephone number of the payor or giver;

(b) A summary of the activity or service provided giving rise to the receipt and a close approximation of the time spent in the activity or service;

(c) The date of the activity or service and the date of the receipt of the thing of value; and

(d) An accounting of the amounts received, waived or reduced, the purposes of the amounts, the disposition thereof, whether retained, deposited or returned and the date of the disposition.

ARTICLE 10. Section 9.38 is amended to read as follows:

9.38 CONDUCT REGULATED; DISCLOSURE BY COUNTY OFFICIALS. A county official or employee who has a substantial financial interest in a matter pending before the body of which he or she is a member shall disclose the nature of the interest. The disclosure shall be made on the record before the body, or, if there is no formal record, in writing to the body. The official or employee shall not participate in any vote in which he or she has a financial interest.

ARTICLE 11. Section 9.64 is amended to read as follows:

9.64 PENALTY FOR FAILURE TO TIMELY FILE. (1) The county treasurer shall withhold the payment of salaries and expenses from any employee who fails to disclose his or her economic interests in accordance with

the requirements of this ordinance. Salary-Salaries and expenses so withheld shall be paid over to the affected employee upon compliance with this ordinance.

(2) County officials or candidates who fail to timely file statements of economic interests shall forfeit not less than \$10 nor more than \$1,000 for each violation.

(3) Each calendar month or part thereof during which a required filing is not made shall constitute a separate violation.

(4) Any official or employee subject to a penalty under subsections (1) or (2) of this section shall first be given a notice by the county clerk that the required filing has not been made. Such notice shall be sent by certified mail, return receipt requested, to the incumbent's last known address and shall allow the official or employee, within the thirty (30) day period from date of receipt, an opportunity to meet the requirements of this ordinance without penalty. Within such thirty day time period the official or employee may, in lieu of filing a statement, request a hearing before the board to determine whether a statement is required from him or her. In addition to notification, any violations of subsections (1) or (2) shall be referred to the board for action by it in accordance with this chapter.

(5) The clerk shall provide to the board a list of all persons who have not filed the statement as required. This list shall be provided no later than fifteen (15) business days after the time identified in sub. (4) herein has elapsed.

(6) The board shall schedule a meeting to determine the penalties under sub. (2), herein.

ARTICLE 12. Section 9.70 is amended to read as follows:

9.70 COMPLAINTS. (1) All complaints regarding violations of this ordinance shall be made in writing and submitted to the county clerk who shall deliver them to the chairperson of the ethics board.

(2) The complaint shall include all of the following:

(a) the name, address, position within the county and telephone number of the complainant;

(b) the name, address and position of the individual who is the subject named in the complaint;

(c) the specific provision(s) of the Dane County Ethics Code and/or Wisconsin Statutes section(s) alleged to have been violated; and

(d) factual details supporting the alleged ethics violations.

ARTICLE 13. Section 9.71 is amended to read as follows:

9.71 PROCEDURE BEFORE THE BOARD. Upon receipt of a complaint, the board shall:

(1) Cause notice to be given to the respondent by regular mail within ten (10) business days of receipt of the complaint by the chairperson. Such a notice shall contain a specification of the charges against the respondent as well as a notice that the respondent may file a written statement of his or her position with the board. The respondent shall receive a copy of the complaint. Both complainant and respondent shall receive a copy of the Dane County Ethics Board Policy and Procedure Manual.

(2) Schedule and hold hearings on the complaint within a reasonable timeframe.

(3) Any party may appear by telephone at the discretion of the chairperson. The board reserves the right to require the personal appearance of parties.

(3)(4) Hear the respondent's position and the testimony of witnesses, if any. All hearings shall be conducted under oath or affirmation.

(5) The board may issue subpoenas and administer oaths. Persons requesting the board to issue a subpoena shall be responsible for all associated costs.

(4)(6) Permit the respondent and the complainant to call such witnesses as either desires and to cross-examine the witnesses of the other. Any party may choose to be represented by counsel or other representative at their own expense.

(5)(7) Consider the evidence presented and make findings thereon.

(6)(8) By its chairperson or his or her designee, make rulings on motions and objections made by any party in such a manner as to assure due process protection to the parties.

(9) Conduct deliberations in closed session and issue an oral decision.

(10) Issue a written decision consisting of its findings and conclusions which shall be served upon all parties by regular mail within thirty (30) days of the oral decision.

~~(7)~~(11) Based upon the evidence presented to it, determine whether or not to seek imposition of a forfeiture pursuant to the penalty provisions of this ordinance. If a forfeiture is deemed advisable, the board may direct the corporation counsel to start an action in the name of the county against the violator.

~~(8)~~(12) When deciding to seek the imposition of a forfeiture, the board shall, at the time of notifying the corporation counsel, serve notice by mail upon the respondent to the effect that a forfeiture will be sought against the respondent, specifying the amount and that court action may be avoided if the amount specified is paid within 30 days of the date of the notice. The notice shall also inform the complainant and the respondent of the right to a review under s. 9.716.

~~(9)~~(13) If a person against whom the board decides to seek imposition of a forfeiture fails to pay the amount specified by the board within 30 days of the date of the notice, the corporation counsel shall initiate an action for the collection of the forfeiture in the circuit court for the County of Dane. If a review is initiated under s. 9.716, the time for payment is extended to a date 30 days after the review is completed.

ARTICLE 14. Section 9.715 is amended to read as follows:

9.715 BURDEN OF PROOF. The burden of proof in any proceeding brought under this chapter shall rest with the complainant. The burden of proof shall be a preponderance of the evidence.

ARTICLE 15. Section 9.716 is amended to read as follows:

9.716 REVIEW OF BOARD DECISION. (1) Any party appearing before the ethics board who is dissatisfied with the decision of the ethics board may request a review under this section.

(2) The review under this section is initiated by a written request to the chief judge of the fifth judicial district, or to the presiding judge of Dane County if the chief judge for the fifth judicial district is not a Dane County judge.

(a) The review request shall be accompanied by a copy of the decision of the ethics board.

(b) The review request shall be filed with the chief judge or presiding judge within 25 days of the board's written decision. Failure to timely file the review request shall bar any review under this section.

(c) The request for review shall be served upon all parties, including the Ethics Board Chairperson, via the County Clerk's Office. Service shall be by certified mail and must be postmarked within 25 days of the board's decision.

(3) Upon receipt of a review request under this section, the chief judge or presiding judge may appoint a reserve judge, court commissioner or attorney to review the decision of the ethics board.

(4) The reviewer appointed under sub. (3) may request position papers from the parties or any of them, may decide the matter upon the record or conduct a hearing, and issue his or her decision on the matter.

(5) It is the intent of the County of Dane that the review decision made under sub. (4) is final and is not reviewable in the courts of this state.

(6) The appellant shall pay no more than \$125 per half day with a maximum of \$500 per review without regard to the number of days involved. Dane County shall be responsible for the payment of the reviewer's fees as well as any reasonable and necessary expenses relating to the review.

ARTICLE 16. Section 9.73 is amended to read as follows:

9.73 ADVISORY OPINIONS. (1) Any person subject to the provisions of this chapter, either personally or on behalf of an organization or governmental body, may at any time request ~~of the board, in writing,~~ an advisory opinion from the board regarding the propriety of any matter to which the person is or may become a party. Any appointing officer, with the consent of a prospective appointee, may request ~~in writing, of the ethics board~~ an advisory opinion from the board regarding the propriety of any matter to which the prospective appointee is or may become a party. The ethics board shall review a request for an advisory opinion and may advise the person making the request in writing. ~~Advisory opinions and requests therefor shall be in writing.~~—The ethics board may authorize the corporation counsel to act in its stead in instances where delay is of substantial inconvenience or detriment to the requesting party. Except as provided in sub. (3), neither the corporation counsel nor a member or agent of the ethics board may make public the identity of an individual requesting an advisory opinion or of

individuals or organizations mentioned in the opinion. The board shall annually publish a synopsis of any advisory opinions it has issued, after first reviewing such material with the corporation counsel to ensure that all individual identifying material has been deleted.

(2) It is *prima facie* evidence of intent to comply with this section or any ordinance enacted under this section when a person refers a matter to the ethics board and abides by the advisory opinion, if the material facts are as stated in the opinion request.

(3) The ethics board may make an advisory opinion public with the written consent of the individual requesting the opinion or the organization or governmental body on whose behalf it is requested and may make public a summary of an advisory opinion issued under this section after making sufficient alterations in the summary to prevent disclosing the identities of individuals involved in the opinion. A person who makes or purports to make public the substance of or any portion of an advisory opinion requested by or on behalf of the person waives the confidentiality of the request for an advisory opinion and of any records obtained or prepared by the ethics board or corporation counsel in connection with the request for an advisory opinion.

(4) The board is expressly authorized to issue advisory opinions interpreting those provisions of chapter 19 of the Wisconsin Statutes which are expressly incorporated in this chapter.

[EXPLANATION: This amendment clarifies numerous substantive and procedural provisions of the Ethics Code. New provisions include requirements that officials and employees abstain from voting on any matters in which they have a financial interest and that the County Clerk notify the Board when Statements of Economic Interest are not filed. The amendment also revises the procedures for filing and adjudicating complaints which come before the Board.]

Submitted by Supervisors Rusk, Hampton, Bayrd, and Kostelic, December 18, 2008. Referred to EXECUTIVE, and PUBLIC PROTECTION/JUDICIARY.

RES. 212, 08-09

AUTHORIZING RELEASE OF FINANCIAL SECURITY DEPOSITS

Dane County Land & Water Resources Department issues all Erosion Control and Stormwater Permits for Dane County. Per Ch. 11 & 14, projects with over a \$5,000 cost estimate require a financial security instrument sufficient to guarantee completion of the project. Once the project has been completed, the financial security deposit is refunded by Dane County.

Currently, any refunds over \$10,000 must be approved by the Personnel & Finance Committee and be submitted to the County Board for approval to be paid. The Land & Water Resources Department would like to be able to process large financial security deposit refunds in a more timely manner.

THEREFORE, BE IT RESOLVED that Erosion Control & Stormwater Permit financial security deposit refunds over \$10,000 will be paid without approval of the Personnel & Finance Committee or the County Board.

Submitted by Supervisors Jensen, Wheeler, Stoebig, Downing, and Bruskevitz, December 18, 2008. Referred to PERSONNEL/FINANCE and ENVIRONMENT/AGRICULTURE/NATURAL RESOURCES.

RES. 213, 08-09

AUTHORIZING THE CREATION OF JAIL CLERK PRE-HIRE POSITION

Jail Clerks are non-sworn positions that are critical to the operation of the Dane County Jail. Jail Clerks are assigned to all shifts and are on duty 24 hours per day 365 days a year. 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 and Sheriff's Aide ranks. Since the positions are funded for only half of the year the savings compared to overtime costs are significant.

The purpose of this resolution is to create one Jail Clerk pre-hire position. Funding for the position, which is 1/2 of the annual cost of a position, will com from funds allocated for one current Sheriff's Aide pre-hires. One of the current tow Sheriff's Aide pre-hire positions will continue to exist.

NOW, THEREFORE, BE IT RESOLVED that the County will create one Jail Clerk pre-hire position.

BE IT FURTHER RESOLVED that the funding of one Sheriff's Aide pre-hire and an additional \$2,470 from the general fund be used to fund one new Jail Clerk pre-hire position.

BE IT FINALLY RESOLVED that the one Sheriff's Aide pre-hire position remains as an authorized, unfunded position.

Submitted by Supervisors Rusk, Bayrd, Willett, Kostelic, and Hesselbein, December 18, 2008. Referred to PERSONNEL/FINANCE, and PUBLIC PROTECTION/JUDICIARY.

RES. 214, 08-09

ACCEPTANCE OF FY 09 FEDERAL ANTI-DRUG ABUSE GRANT FOR A 75% DRUG PROSECUTOR IN THE DANE COUNTY DISTRICT ATTORNEY'S OFFICE

Res. 210, 1991-92, authorized the Dane County Sheriff's Office participate in a multi-jurisdictional drug enforcement group [Dane County Narcotics & Gang Task Force (DCNGTF)], and to operate as the lead agency for the aforementioned group. It also authorized the Sheriff or his designee report all data as required to the Wisconsin Office of Justice Assistance (OJA), who administers this grant. As of FY 03, the Dane County District Attorney's Office has employed a full-time Assistant District Attorney (ADA) to prosecute drug and gang related crimes in connection with the DCNGTF's work, and reports all data as required to OJA. The FY 08 DCNGTF grant award was for \$69,500. This federal grant has ended as of 12-31-08 and will not be renewed.

Another federal funding source for drug prosecution is the Edward Byrne Memorial Justice Assistance Grant (JAG), also administered by OJA. The Wisconsin State Budget Act 20 included JAG-funded drug prosecution projects, appropriating \$65,900 to fund a 75% position in the Dane County District Attorney's Office, exclusively for the prosecution of drug crimes in Dane County. This FY 09 federal anti-drug abuse grant is a continuation of the grant identified in Res. 210, 1991-1992. This resolution is necessary to formalize acceptance of this grant.

NOW THEREFORE BE IT RESOLVED that the Dane County District Attorney's Office be permitted to accept the aforementioned federal anti-drug abuse grant (Byrne Grant) in the amount of \$65,900. (*\$49,425 for salary provided by Office of Justice Assistance, \$16,475 for benefits provided by the WI Department of Justice*).

BE IT FURTHER RESOLVED that \$65,900 is credited to the General Fund, and that these amount are transferred from the General Fund to the following District Attorney Criminal & Traffic – Adult Revenue accounts as follows:

| Expense Acct | Revenue Acct | Description | Amount | ADA | Grant # |
|---------------------|---------------------|----------------------------------|---------------|------------|-----------------|
| 32508 | 80379 | Anti-Drug Grant: Byrne Funded | \$65,900 | Ken Farmer | 2008-DJ-02-4068 |

BE IT FINALLY RESOLVED that any funds not received or expended in FY 09 are carried forward to FY 10.

Submitted by Supervisors Rusk, Hampton, Bayrd, Willett, Kostelic, and Hesselbein, December 18, 2008. Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

RES. 215, 08-09

APPROVING AGREEMENT WITH MADISON GAS AND ELECTRIC TO PURCHASE ELECTRICITY PRODUCED AT THE RODEFELD LANDFILL SITE

Dane County has installed equipment to generate electricity using methane landfill gas as fuel for the generating equipment. The electricity is sold to Madison Gas and Electric for distribution to MG&E customers. The County was recently approached by MG&E about revising and extending the existing contracts governing the sale of electricity to extend the term and increase the rate paid by MG&E. The new contract is effective beginning January 1, 2010 and has a term of 10 years. MG&E will pay a rate of \$0.105 per kilowatt hour of electricity (for the first 12 months) beginning January 1, 2010. An annual escalation rate of 2 percent is applicable to each 12-month period thereafter.

NOW, THEREFORE, BE IT RESOLVED that Madison Gas and Electric be awarded a contract to purchase electricity produced at the Rodefild landfill site, and

BE IT FINALLY RESOLVED that the Dane County Clerk and the Dane County Executive are hereby authorized to sign the appropriate contract on behalf of Dane County.

Submitted by Supervisors Ripp, Opitz, Veldran, Wiganowsky, Stoebig, and Vogel, December 18, 2008. Referred to PERSONNEL/FINANCE, and PUBLIC WORKS/TRANSPORTATION.

RES. 216, 08-09

AUTHORIZING AN AGREEMENT WITH THE CITIES OF MADISON AND MIDDLETON AND THE VILLAGE OF SHOREWOOD FOR THE ENGINEERING DESIGN COSTS OF CTH MS (UNIVERSITY AVE) FROM SEGOE ROAD TO ALLEN BOULEVARD

The Dane County Department of Public Works, Highway & Transportation and representatives of the City of Madison, the City of Middleton and the Village of Shorewood have determined that CTH "MS is in need of reconstruction.

Funding for the design of the project is to be accomplished in accordance with past policies of cost sharing on similar CTH projects. This project will be financed by Dane County, the City of Madison, the City of Middleton and the Village of Shorewood.

The Highway and Transportation Department will have sufficient funds of \$350,000 budgeted in the CTH Construction program account HWCONST 59062.

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

BE IT FINALLY RESOLVED that any unexpended funds as of December 31, 2009, in account HWCONST-59062 be carried forward to 2010.

Submitted by Supervisors Opitz, Veldran, Wiganowsky, and Hulse, December 18, 2008. Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

RES. 217, 08-09

**AUTHORIZING ADDENDUM OF AGREEMENT
WITH STRANG, INC. FOR JOB CENTER REMODEL**

The Dane County Public Works, Highway and Transportation Department awarded an Agreement to Strang, Inc. (Sub. 1 to Res. 86, 2007-08) for professional architectural and engineering design services for the Dane County Job Center Remodel, RFP 107104.

An Addendum of Agreement is needed to extend the term for another year through December 30, 2009 and modify the scope of contracted work for an additional cost of \$12,580.00. Dane County Public Works staff has reviewed this Addendum and recommends adoption.

There are sufficient funds in the Budget for this project.

NOW, THEREFORE, BE IT RESOLVED, That an Addendum of Agreement with Strang, Inc. 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 \$20,000 or more than 10% of the original approved contract amount, whichever is smaller.

BE IT FINALLY RESOLVED, That the Dane County Public Works, Highway and Transportation Department be directed to ensure complete performance of the Addendum of Agreement.

Submitted by Supervisors Opitz, Veldran, Wiganowsky, and Hulse, December 18, 2008. Referred to HEALTH/HUMAN NEEDS, PERSONNEL/FINANCE, and PUBLIC WORKS/TRANSPORTATION.

RES. 218, 08-09

INTERGOVERNMENTAL AGREEMENT WITH THE TOWN OF MADISON

For approximately 15 years the Town of Madison has provided, when requested, EMT service and ambulances to the Alliant Energy Center for various events. For over 20 years the Town has provided firewatch personnel to inspect and monitor barns when animals are present. Due to jurisdiction, the Town of Madison is the only provider of firewatch services. All services are related to public safety. The Town has always provided excellent service to the Alliant Energy Center.

The proposed agreement with the Town of Madison has a term lasting until December 31, 2013. Center staff members have reviewed the agreement and find it to be in the best interests of the County. All costs of this agreement are paid from Alliant Energy Center revenues.

NOW THEREFORE BE IT RESOLVED, that the agreement with the Town of Madison, 2120 Fish Hatchery Rd. Madison, WI 53713 to provide EMT service, ambulances and firewatch personnel to the Alliant Energy Center is hereby approved.

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

Submitted by Supervisors Richmond, Opitz, Veldran, and Wiganowsky, December 18, 2008. Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

RES. 219, 08-09

AMENDING BOUNDARIES FOR SUPERVISORY DISTRICTS 29 & 22
VILLAGE OF DEFOREST, ORDINANCE 2008-041

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 Village of De Forest (Ordinance #2008-041) have been detached from the Town of Vienna. One result of this annexation is that persons residing on these lands will now be voting at a new location and for village president and village offices, instead of for town board members. Village residents voting in this area are also assigned to the 22nd 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. (Population involved is 0)

NOW, THEREFORE, BE IT RESOLVED that the lands described in the attached (available in the County Clerk's Office) annexation ordinance of the Village of De Forest be and the same hereby are detached from the 29th Supervisory District and attached to the 22nd 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 Supervisors O'Loughlin and Ripp, December 18, 2008. Fiscal and Policy Notes not required. Referred to EXECUTIVE.

RES. 220, 08-09

AMENDING BOUNDARIES FOR SUPERVISORY DISTRICTS 29 & 22
VILLAGE OF DEFOREST, ORDINANCE 2008-033

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 Village of De Forest (Ordinance #2008-033) have been detached from the Town of Vienna. One result of this annexation is that persons residing on these lands will now be voting at a new location and for village president and village offices, instead of for town board members. Village residents voting in this area are also assigned to the 22nd 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. (Population involved is 0)

NOW, THEREFORE, BE IT RESOLVED that the lands described in the attached (available in the County Clerk's Office) annexation ordinance of the Village of De Forest be and the same hereby are detached from the 29th Supervisory District and attached to the 22nd 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 Supervisors O'Loughlin, and Ripp, December 18, 2008. Fiscal and Policy Notes not required. Referred to EXECUTIVE.

RES. 221, 08-09

APPROVAL OF FUNDS TO BE CARRIED FORWARD FROM 2008 INTO 2009

The 2009 budget included authorization for certain funds to be carried forward from 2008 to 2009. Those were mainly based on departmental requests that were submitted along with 2009 budget requests. Since that time, for a variety of reasons, it has been determined that additional accounts need to be carried forward to 2009.

NOW, THEREFORE, BE IT RESOLVED that the following funds unexpended and/or unrealized as of December 31, 2008 be carried forward to 2009.

| <u>Agency/Program/Account</u> | <u>2008 Appropriation</u> | <u>Actual through 11/30/08</u> | <u>Projected Carryforward</u> |
|---|-------------------------------|------------------------------------|-----------------------------------|
| Alliant Energy Center | | | |
| Ag Building Upgrade (AECAGRI 47022) | 63,133 | 14,704 | 48,429 |
| Arena Upgrade (AECARNA 47047) | 101,930 | 8,565 | 93,365 |
| Dirt Cultivator (AECARNA 47312) | 12,000 | - | |
| Coliseum Upgrade (AECCOLS 47210) | 698,562 | 82,154 | 616,408 |
| Conference Center Upgrade (AECCONF 47278) | 75,830 | - | 75,830 |
| Exhibition Hall Upgrade (AECXHAL 47403) | 133,564 | 58,097 | 75,467 |
| Landscape Upgrade (AECLAND 47724) | 42,018 | - | 42,018 |
| Parking Lot Upgrade (AECPARK 48042) | 96,758 | 15,949 | 80,809 |
| Technology Upgrade (AECADMN 48748) | 78,850 | 53,209 | 25,641 |
| Sports Development (GMCVB 22480) | 40,000 | 4,000 | 36,000 |
| Borrowing Proceeds (CPAEC 84974) | 2,835,600 | 1,881,000 | 954,600 |
| Facilities Management | | | |
| Detox Roof Replacement (CPFACMGT 57300) | 110,000 | - | 110,000 |
| Public Works | | | |
| Dam Failure Analysis (CPPUBWRK 57274) | 42,000 | 4,948 | 37,053 |
| Airport | | | |
| Deicer Truck Conversion (AIRLNDNG 57288) | 53,326 | - | 53,326 |
| Snowblower (AIRLNDNG 58663) | 225,000 | - | 225,000 |
| Coroner | | | |
| Mobile Xray Machine (CORONRCP 57908) | 76,000 | - | 76,000 |
| Human Services | | | |
| Jail Referral System (ACICRTBD AMJSAA) | 10,000 | - | 10,000 |
| JFF Discretionary Funds (CYFJFFAC CPSDAA) | 38,864 | 2,377 | 36,487 |
| Children's Trust Fund (CYFSUPRT 81409) | 45,000 | - | 45,000 |
| Community Response (CYFACCSS CPCRAA) | 25,000 | - | 25,000 |
| Clerk of Courts | | | |
| Centralized Calendaring System (COCCAP 57196) | 36,000 | - | 36,000 |
| Borrowing Proceeds (COCCAP 84974) | 36,000 | - | 36,000 |
| Land & Water Resources | | | |
| Yaharah River Rainfall Model (LWRLKSW 22847) | 945,000 | 802,000 | 143,000 |
| Scheidegger Community Forest (CPLWRESC 58537) | 100,000 | 2,541 | 97,459 |
| Juvenile Court | | | |

Submitted by Supervisor Hulseley, December 18, 2008. Fiscal and Policy Notes not required. Referred to PERSONNEL/FINANCE.

RES. 222, 08-09

APPROVING MEMORANDUM OF UNDERSTANDING ALLOWING CITY OF MADISON TEMPORARY USE OF VACANT COUNTY SPACE IN CITY COUNTY BUILDING

Dane County Child Support Services agency will vacate approximately 2,545 square feet of space on the ground floor of the City County Building when the Agency moves into its new space on the third floor. The City of Madison desires to use the vacated space, on a temporary basis, for its City Attorney offices while the City Attorney's Office is being remodeled.

City and County staff negotiated a Memorandum of Understanding (MOU) which provides for the City to occupy the space for a minimum of five months commencing April 1, 2009 at a monthly rate of \$3,181.25. The rent includes electricity, HVAC, and janitorial services. The MOU also allows the City to extend the lease for up to three additional months on a month to month basis at the same rate. The rental income is included in the 2009 Executive Budget.

Any city-required telephone or data/computer equipment will be installed at City expense. This MOU does not effect the existing agreement between the City and County for mutual use of the City County Building.

NOW, THEREFORE, BE IT RESOLVED that the County of Dane does hereby approve and authorize the City of Madison to use the identified vacant space at the terms and conditions specified above, and

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

Submitted by Supervisors Bayrd, Manning, and Rusk, December 18, 2008. Referred to PERSONNEL/FINANCE, PUBLIC WORKS/TRANSPORTATION, and CITY-COUNTY LIAISON.

RES. 223, 08-09

**INCREASING THE CONTRACT FOR CITY OF MADISON METRO+PLUS SERVICES
DCDHS - ACS DIVISION**

The City of Madison's Metro+Plus service currently provides about 12,740 billable one way trips per month for people with developmental disabilities who receive Medicaid Waiver funding, such as CIP 1B (Community Integration Program 1B). These are door to door rides, many of which require a wheelchair accessible vehicle. Dane County Department of Human Services bills the cost of Madison Metro services to CIP, and passes the revenue received to Madison Metro. Using federal funds, the CIP program pays for about 58% of the costs. Madison Metro covers the other 42%. There is no cost to Dane County for these rides. The Developmental Disabilities' current contract with Madison Metro+Plus for 2008 is \$2,296,406, which represents 124,759 one way trips. However, DCDHS has anticipated that a revision would be needed because 149,800 trips were provided in

2007 and utilization has grown annually in recent years. Data through November 2008 indicate that an estimated 152,986 billable trips will be provided this year, and CIP revenue of \$2,815,961 will be earned. This is an increase of \$519,555 over the currently budgeted revenue. This resolution accepts \$519,555 in additional CIP revenue and allocates it to Madison Metro.

NOW, THEREFORE, BE IT RESOLVED, that the following 2008 Department of Human Services revenue and expense accounts be adjusted.

| Revenue Account Number | Account Title | Amount |
|---------------------------------------|---------------------------------|---------------|
| ACDADULT 80996 | DD CIP 1B | \$519,555 |
| | | |
| Expenditure Account Number | Account Title | Amount |
| ACDSTMAD TAOTAA | City of Madison – Madison Metro | \$519,555 |

Submitted by Supervisors Stubbs, Levin, Wheeler, Bruskevitz, and Vedder, December 18, 2008. Referred to PUBLIC PROTECTION/JUDICIARYHUMAN NEEDS, and PUBLIC PROTECTION/JUDICIARYFINANCE.

COMMUNICATIONS

- Claim from Erica Foth against Highway for damage to vehicle caused by Highway Dept. vehicle. Referred to PUBLIC PROTECTION/JUDICIARYJUDICIARY.
- Notice of Motion and Motion for Default Judgment of Foreclosure from U.S. Bank vs. Aimee K. Haas. Referred to PUBLIC PROTECTION/JUDICIARYJUDICIARY.
- Claim from Wesley Byers against Jail for damage to personal property. Referred to PUBLIC PROTECTION/JUDICIARYJUDICIARY.
- Claim from Dao Herr against Human Services for mileage due. Referred to PUBLIC PROTECTION/JUDICIARYJUDICIARY.
- Claim from Melissa Garecht against Human Services for mileage due. Referred to PUBLIC PROTECTION/JUDICIARYJUDICIARY.
- Claim from Robert Syring against Human Services for mileage due. Referred to PUBLIC PROTECTION/JUDICIARYJUDICIARY.
- Summons for Foreclosure of Mortgage Wisconsin Housing & Economic Development Authority vs. Timothy L. Burkhalter. Referred to PUBLIC PROTECTION/JUDICIARYJUDICIARY.
- Rock County Resolution regarding: Support of a Change in the Register of Deeds Recording Fee From a “Per Page” to a “Flat Fee” Referred to EXECUTIVE.
- Dodge County Resolution No. 08-66 – A Resolution Requesting the Governor and State Legislators to 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.
- Petitions for Zoning Reclassification. Referred by Clerk Ohlsen to ZONING & LAND REGULATION.
 - Petition 9981 – Town of Christiana – Lee Powers
 - 9984 – Town of Dane – James G. Greiber
 - 9987 – Town of Springfield – Gregory Maier

- 9988 – Town of Vienna – Geraldine Schwoegler
- 9989 – Town of Dunn – Charles Ledin
- 9990 – Town of Deerfield – Joseph Krantz
- 9991 – Town of Springfield – Eugene Griffith
- 9992 – Town of Dunkirk – Donald Heiliger
- 9993 – Town of Vienna – Steven Fahlgren
- 9994 – Town of Middleton – Audrey Koritzinsky

ORD. AMDT. 37, 08-09

**AMENDING CHAPTER 17 OF THE DANE COUNTY CODE OF ORDINANCES,
FLOOD INSURANCE RATE MAP UPDATE CORRECTION**

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 17.05(2)1. is amended to read as follows:

17.05 GENERAL PROVISIONS. (2) Official map and revisions. The boundaries of all floodplain districts are designated as floodplains or A-Zones on the map listed below and the revisions in the Dane County Floodplain Appendix. Any change to the base flood elevations (BFE) in the Flood Insurance Study (FIS) or on the Flood Insurance Rate Map (FIRM) must be reviewed and approved by the DNR and FEMA before it is effective. No changes to regional flood elevations (RFE's) on non-FEMA maps shall be effective until approved by the DNR. This map and revisions are on file in the office of the Dane County Zoning Administrator. If more than one map or revision is referenced, the most restrictive information shall apply.

OFFICIAL MAP:

1. Flood Insurance Rate Map (FIRM) dated January 2, 2009 for unincorporated Dane County, with corresponding profiles that are based on the Dane County Flood Insurance Study (FIS), dated January 2, 2009, volumes 55025CV001B - 002B. The official map applicable to Dane County unincorporated areas includes panel numbers:

- 55025C0011G, 55025C0012G, 55025C0013G, 55025C0014G, 55025C0020G, 55025C0045G, 55025C0050G,
- 55025C0086G, 55025C0088G, 55025C0089G, 55025C0100G, 55025C0125G, 55025C0150G, 55025C0152G,
- 55025C0154G, 55025C0156G, 55025C0157G, [55025C0158G](#), [55025C0159G](#), 55025C0162G, 55025C0165G,
- 55025C0166G, 55025C0167G, 55025C0169G, 55025C0176G, [55025C0180G](#), [55025C0185G](#), 55025C0188G,
- [55025C0189G](#), [55025C0190G](#), 55025C0195G, 55025C0210G, [55025C0218G](#), 55025C0219G, [55025C0220G](#),
- [55025C0225G](#), 55025C0228G, 55025C0229G, 55025C0235G, 55025C0236G, 55025C0237G, 55025C0238G,
- [55025C0239G](#), 55025C0241G, 55025C0242G, 55025C0243G, 55025C0244G, 55025C0251G, 55025C0252G,
- 55025C0253G, 55025C0254G, 55025C0258G, 55025C0259G, 55025C0261G, 55025C0262G, 55025C0263G,
- 55025C0264G, 55025C0266G, 55025C0267G, 55025C0268G, 55025C0269G, 55025C0279G, 55025C0285G,
- 55025C0286G, 55025C0287G, 55025C0288G, [55025C0289G](#), [55025C0293G](#), 55025C0295G, [55025C0303G](#),
- 55025C0304G, [55025C0305G](#), 55025C0310G, 55025C0312G, [55025C0315G](#), 55025C0316G, 55025C0317G,
- 55025C0320G, 55025C0330G, 55025C0335G, 55025C0340G, 55025C0345G, [55025C0352G](#), 55025C0355G,
- 55025C0356G, 55025C0357G, [55025C0360G](#), 55025C0365G, [55025C0370G](#), 55025C0376G, [55025C0377G](#),
- [55025C0378G](#), 55025C0379G, 55025C0381G, 55025C0382G, 55025C0383G, 55025C0389G, 55025C0390G,
- 55025C0393G, 55025C0394G, 55025C0401G, 55025C0402G, [55025C0403G](#), 55025C0406G, 55025C0413G,
- 55025C0416G, 55025C0417G, 55025C0419G, [55025C0426G](#), [55025C0427G](#), 55025C0431G, 55025C0432G,
- 55025C0433G, 55025C0434G, 55025C0436G, 55025C0437G, 55025C0438G, 55025C0439G, 55025C0441G,
- 55025C0442G, 55025C0443G, 55025C0444G, 55025C0451G, 55025C0452G, 55025C0453G, 55025C0454G,
- 55025C0456G, [55025C0457G](#), 55025C0458G, [55025C0459G](#), 55025C0465G, [55025C0466G](#), [55025C0467G](#).

[55025C0470G](#), [55025C0478G](#), 55025C0479G, [55025C0480G](#), [55025C0483G](#), 55025C0484G, 55025C0485G, 55025C0486G, 55025C0487G, [55025C0490G](#), 55025C0491G, 55025C0492G, 55025C0493G, 55025C0494G, 55025C0510G, 55025C0525G, 55025C0530G, [55025C0550G](#), 55025C0552G, [55025C0554G](#), [55025C0555G](#), 55025C0556G, 55025C0557G, 55025C0558G, 55025C0559G, [55025C0565G](#), [55025C0566G](#), [55025C0567G](#), 55025C0568G, [55025C0569G](#), 55025C0576G, 55025C0580G, 55025C0585G, [55025C0590G](#), 55025C0592G, 55025C0601G, [55025C0602G](#), 55025C0605G, [55025C0606G](#), [55025C0607G](#), [55025C0608G](#), 55025C0609G, 55025C0611G, [55025C0615G](#), 55025C0620G, [55025C0626G](#), [55025C0627G](#), 55025C0628G, 55025C0629G, [55025C0635G](#), 55025C0636G, 55025C0637G, 55025C0638G, 55025C0639G, 55025C0645G, 55025C0656G, 55025C0657G, 55025C0658G, 55025C0659G, [55025C0666G](#), 55025C0667G, 55025C0670G, [55025C0675G](#), 55025C0700G, 55025C0725G, 55025C0731G, 55025C0732G, 55025C0750G, 55025C0780G, 55025C0785G, 55025C0802G, 55025C0805G, 55025C0806G, 55025C0810G, 55025C0830G, 55025C0832G, and 55025C0835G.

[EXPLANATION: Ordinance Amendment 23, 2008-2009, approved by the county board on November 6, 2008, inadvertently omitted several floodplain map panels for Dane County. This amendment corrects that error. The Federal Emergency Management Agency has given Dane County until March 3, 2009 to correct this omission.]

Submitted by Supervisors Miles, Hendrick and Jensen, January 22, 2009. Fiscal and Policy Notes not required.

Referred to ZONING & LAND REGULATION.

RES. 224, 08-09

DEPARTMENT OF HEALTH AND FAMILY SERVICES HEALTHCARE FACILITY PREPAREDNESS

The purpose of this resolution is to adjust revenue and expenditures for FY 2009.

The Department of Emergency Management, through the Department of Health and Family Services, applied and received funding in support of the delivery of networking meetings where healthcare facilities meet with emergency managers to discuss emergency preparedness and evacuation planning.

The County was awarded a total of \$1,200 to support this initiative.

NOW, THEREFORE, BE IT RESOLVED that \$1,200 be set up as additional revenue in the Emergency Management, Healthcare Facility Prep Grant Revenue account (EMEMRPLN 81839), and be credited to the General Fund.

BE IT FURTHER RESOLVED that \$1,200 is transferred from the General Fund to the following Emergency Management, Healthcare Facility Preparedness Expense account (EMEMRPLN 21139).

| | | |
|-----------------|----------------|------------|
| Revenue Account | EMEMRPLN 81839 | \$1,200.00 |
| Expense Account | EMEMRPLN 21139 | \$1,200.00 |

BE IT FURTHER RESOLVED that all unexpended funds and unrecognized revenues from this account be carried forward from the 2009 to the 2010 budget period.

Submitted by Supervisors Rusk, Hesselbein, Schlicht, Willett and Kostelic, January 22, 2009.
Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

RES. 225, 08-09

AMENDING THE PROFESSIONAL SERVICES CONTRACT WITH THE MENTAL HEALTH CENTER OF DANE COUNTY, INC. FOR RECOVERY HOUSE DCDHS-ACS DIVISION

The Mental Health Center of Dane County, Inc. operates Recovery House. Recovery House provides private rooms and staff support during short term stays for individuals with a mental health crisis who are at risk of hospitalization. In 2007, 147 guests had 213 stays totaling 858 days. The current budget for Recovery House is \$187,948, roughly two-thirds of which is MA Crisis Stabilization revenue. The cost/resident/day for Recovery House is about \$220, a fraction of the cost of hospitalization.

At the start of 2008, Recovery House used a live in staff model. Given the high needs of residents, the staffing plan was changed mid-year to a shift staff model. While shift staffing is more expensive, it provides a more appropriate level of support for consumers. The higher costs will be addressed by allocating \$26,563 from the MH Inpatient Diversion account. County Board of Supervisors' approval is required to increase the professional services contract with the Mental Health Center of Dane County, Inc.

NOW, THEREFORE, BE IT RESOLVED, that the following 2008 expense accounts be adjusted in the Department of Human Services.

| Expenditure Account Number | Account Title | Amount |
|---------------------------------------|------------------------------------|---------------|
| ACFCRSDN CVIPAA | MHCDC Recovery House | \$26,563 |
| ACFCSUPP CVIPAA | Inpatient Diversion Non-Contracted | (\$26,563) |
| | Total | \$0 |

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the professional services contract listed below be amended for 2008:

Mental Health Center of Dane County, Inc. \$26,563

Submitted by Supervisors Vedder, Bruskewitz and Levin, January 22, 2009.
Referred to HEALTH & HUMAN NEEDS and PERSONNEL/FINANCE.

RES. 226, 08-09

AWARD OF CONTRACT FOR REBID OF DANE COUNTY MULTI-FACILITY LIGHTING UPGRADE

The Department of Public Works, Highway & Transportation reports the receipt of bids for the rebid on Multi-Facility Lighting Upgrade at Dane County Madison & Mt. Horeb Highway Garages, Detoxification Center, Parking Ramp & Zoo, Bid No. 108114.

A complete tabulation is on file at the Department of Public Works office. The low qualified bidder is:

TOTAL AMOUNT: \$ _____

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

NOW, THEREFORE, BE IT RESOLVED that a 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 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 \$20,000 or more than 10% of the original approved Contract amount, whichever is smaller.

Submitted by Supervisors Hulseley, O'Loughlin, Wiganowsky, Schlicht, Martz and Veldran, January 22, 2009.

Referred to PERSONNEL/FINANCE and PUBLIC WORKS & TRANSPORTATION.

RES. 227, 08-9

AUTHORIZING EXPEDITED PAYMENTS FOR FUEL PURCHASES

The Dane County Highway and Transportation Department purchases approximately 21,000 gallons of fuel per month. Fuel is purchased in bulk for the five county fueling sites, and directly from retailers in the Northeast section of the county. The retailers allow for a discount of up to 3 cents per gallon if invoices are paid within 10 days.

Currently, any bills over \$10,000 must be approved by the Personnel & Finance Committee and be submitted to the County Board for approval, delaying payment for weeks. This delay precludes the advantage of the discount, and risks the supply being cutoff from retailers when credit limits are reached. Because the fuel supply must be guaranteed during winter storm events, the Highway Department would like to be able to process fuel purchases in a more timely manner.

NOW, THEREFORE, BE IT RESOLVED that fuel purchases over \$10,000 will be paid without approval of the Personnel & Finance Committee or the County Board.

Submitted by Supervisors Wiganowsky, Schlicht, Martz, Veldran, Hulseley, O'Loughlin and Stoebig, January 22, 2009.

Referred to PERSONNEL/FINANCE and PUBLIC WORKS & TRANSPORTATION.

RES. 228, 08-09

AWARD OF CONTRACT FOR CONCRETE PAVING AT SADDLEBROOK

The Department of Public Works, Highway & Transportation reports the receipt of bids for the concrete paving for Sheriff's Department equipment storage at Saddlebrook, 5668 Woodland Drive, Waunakee, WI, Bid No. 109023.

A complete tabulation is on file at the Department of Public Works office. The low qualified bidder is:
A&M Concrete & Construction, Inc.
N171 Lawn Road
Seymour, WI 54165

Base Bid \$43,999.20

The Public Works staff finds the amount to be reasonable and recommends the bid be awarded to A&M Concrete & Construction, Inc.

NOW, THEREFORE, BE IT RESOLVED that a Contract be awarded to A&M Concrete & Construction, Inc. in the amount of \$43,999.20; 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 \$20,000 or more than 10% of the original approved Contract amount, whichever is smaller.

Submitted by Supervisors Wiganowsky, Schlicht, Martz and Veldran, January 22, 2009.
Referred to PERSONNEL/FINANCE and PUBLIC WORKS & TRANSPORTATION.

RES. 229, 08-09

AMENDING BUDGET FOR TRANSMISSION LINE IMPACT FEE REVENUE

The 2009 operating budget contains \$985,000 in revenue anticipated from the impact fee paid by the American Transmission Company as an impact fee for the transmission line under construction in southeastern Dane County.

Due to the construction schedule for this transmission line, the revenue was actually received by Dane County in December 2008 and must be recorded in fiscal year 2008. Therefore, the budgets for 2008 and 2009 must be adjusted accordingly.

THEREFORE BE IT RESOLVED that revenue in line LWRCONSV 81741 (Environmental Impact Fee) be increased in the 2008 budget by the amount of \$985,000.

BE IT FURTHER RESOLVED that revenue in line LWRCONSV 81741 (Environmental Impact Fee) be decreased in the 2009 budget by the amount of \$985,000.

BE IT FINALLY RESOLVED that the amount designated for future tax levy abatement at the end of 2008 be increased by \$985,000.

Submitted by Supervisors Hulsey and O'Loughlin, January 22, 2009.

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

RES. 230, 08-09

APPROVING THE SALE OF COUNTY-OWNED PROPERTY AT 501 EAST BADGER ROAD, MADISON TO SHAMROCK LAND HOLDING CO. LLC

Dane County purchased the former Badger School property from the City of Madison in 1978. For several years it was leased to the Madison Area Rehabilitation Centers. Most recently it housed the county's Neighborhood Intervention Program (NIP) and records retention center. Since NIP vacated the building it has become surplus to county needs.

Res. 338, 2006-07 DECLARING REAL ESTATE AT 501 EAST BADGER ROAD SURPLUS TO COUNTY NEEDS was adopted by the County Board of Supervisors on June 21, 2007. Local municipalities and neighbors were contacted about purchasing the property.

An offer to purchase was accepted and approved by the County Board and Executive in 2008, which failed to close because the purchaser was unable to secure financing. The County continued to market the property.

Shamrock Land Holding Company, LLC has offered to purchase the property for \$635,000. The County may continue to market the property under the proposed Offer to Purchase.

NOW, THEREFORE, BE IT RESOLVED that the County of Dane does hereby approve and authorize the sale of the property at 501 East Badger Road to Shamrock Land Holding Company, LLC or to its assignees, and

BE IT FURTHER RESOLVED that the Dane County Real Estate Officer is directed to prepare the necessary conveyance documents and to arrange for closing, and

BE IT FINALLY RESOLVED that the Dane County Clerk and the County Executive are hereby authorized to execute a deed on behalf of the County of Dane to convey the property.

Submitted by Supervisors Hulsey and O'Loughlin, January 22, 2009.

Referred to PERSONNEL/FINANCE and PUBLIC WORKS & TRANSPORTATION.

RES. 231, 08-09

ACCEPTANCE OF HOMELAND SECURITY GRANT/ENHANCED SECURITY HYDRITE CHEMICAL COMPANY, COTTAGE GROVE OJA GRANT NUMBER: 2007-HS-14-5785

Dane County Emergency Management applied for and was awarded a Homeland Security Critical Infrastructure Grant from the Wisconsin Office of Justice Assistance in the amount of \$195,322.

This grant award will be used to enhance site security at the Hydrite Chemical Company in Cottage Grove, one of Dane County's larger chemical facilities. This grant will provide for the addition of gates, fences, card access readers and security video cameras/recorders. The fencing/gates would deter general trespassing or other unauthorized activities. The installation of security cameras will provide for early detection and intervention of unauthorized individuals. The card access reader will provide and track access for authorized users while excluding unauthorized entrants. These measures will lessen vulnerability to terrorism and/or other criminal activity.

Project costs will total \$195,322. Per requirements of the grant, the Hydrite Chemical Company will be responsible for 40% of total project costs equaling \$78,129. The grant award will cover the balance of the project costs not to exceed \$117,193.

NOW, THEREFORE, BE IT RESOLVED that \$117,193 be applied to a newly created revenue account in the Emergency Management Hazardous Materials Planning Division and be credited to the General Fund and that \$117,193 be transferred from the General Fund to the newly created Hazardous Materials Planning Division expense account.

BE IT FURTHER RESOLVED that all unexpended funds and unrecognized revenues from these accounts be carried forward from 2009 to 2010 budget period.

Submitted by Supervisors Rusk, Hesselbein, Schlicht, Willett and Kostelic, January 22, 2009.
Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

RES. 232, 08-09

ACCEPTANCE OF HOMELAND SECURITY GRANT/IMPROVED SECURITY MONITORING
ALLIANT ENERGY CENTER, MADISON OJA GRANT NUMBER: 2007-HS-14-5778

Dane County Emergency Management applied for and was awarded a Homeland Security Critical Infrastructure Grant from the Wisconsin Office of Justice Assistance in the amount of \$50,000.

This grant award will be used to enhance site security at the Dane County Alliant Energy Center (AEC), Madison. This grant will provide for the purchase and installation of security cameras and recorders to monitor the AEC during normal shows, conventions, etc. The cameras will also be used during potential emergency use of the AEC such as a back-up EOC, mass care facility, etc. Installation of security cameras would provide for early detection and quicker intervention of unauthorized activities.

Project costs will total \$50,000. Per requirements of the grant, the Alliant Energy Center will be responsible for 20% of total project costs equaling \$10,000. The grant award will cover the balance of the project costs not to exceed \$40,000.

NOW, THEREFORE, BE IT RESOLVED that \$40,000 be applied to a newly created revenue account in the Emergency Management Hazardous Materials Planning Division and be credited to the General Fund and that \$40,000 be transferred from the General Fund to the newly created Hazardous Materials Planning Division expense account.

BE IT FURTHER RESOLVED that all unexpended funds and unrecognized revenues from these accounts be carried forward from 2009 to 2010 budget period.

Submitted by Supervisors Rusk, Hesselbein, Schlicht, Willett and Kostelic, January 22, 2009.

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

RES. 233, 08-09

AUTHORIZING AN AGREEMENT TO ACCEPT ADDITIONAL HIGHWAY SAFETY GRANT FUNDS
“ZERO IN WISCONSIN 2009”

The Department of Transportation, Bureau of Transportation Safety, State of Wisconsin, are making funds available for participation in a 2009 highway safety program aimed at increasing the enforcement for violations of speed, alcohol and seatbelt violations in Dane County. The combination of low seatbelt use, high incidence of alcohol-related fatal crashes and the annual increase in speed calls for a Highly Visible Enforcement (HVE) in Dane County.

Zero in Wisconsin Traffic Grant recipients were chosen based upon geographic location around the state. The intent is to encourage extraordinary traffic enforcement at times during January through September.

NOW, THEREFORE, BE IT RESOLVED that the Sheriff’s Office is authorized to accept \$20,000 from the Department of Transportation, Bureau of Transportation Safety, for the “Zero in Wisconsin 2009 Grant”.

BE IT FURTHER RESOLVED that \$20,000 be set up as additional revenue in the Sheriff’s Office, Field Services Division, Safe & Sober revenue account, (SHRFFLD-80560) and be credited to the General Fund.

BE IT FURTHER RESOLVED that \$20,000 be transferred from the General Fund to the following Sheriff’s Office accounts:

Field Services Division:

| | |
|--|-----------------|
| Overtime-Safe & Sober (SHRFFLD-10055) | \$16,300 |
| Social Security (SHRFFLD-10108) | \$900 |
| Retirement Fund (SHRFFLD-10099) | \$2,450 |
| Workers Compensation (SHRFFLD-10189) | \$350 |
| Grand Total | \$20,000 |

BE IT FINALLY RESOLVED that any funds authorized in this resolution that are not expended or received as of December 31, 2009, be carried forward until fully realized.

Submitted by Supervisors Rusk, Hesselbein, Schlicht, Willett and Kostelic, January 22, 2009.

Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

RES. 234, 08-09

**AUTHORIZATION TO PURCHASE HUNTING RIGHTS ON LANDS IN THE DOOR CREEK WETLANDS
NATURAL RESOURCE AREA**

Res. 182, 2001-2002 authorized the County purchase of 80 acres in the Door Creek Wetlands Natural Resource Area from the Ladd family in 2001. The purchase was part of an ongoing effort to acquire lands needed to restore and improve the wetland system. Restoration plans include the realignment of Door Creek, which would greatly increase spawning habitat for pike and other fish.

As a condition of the sale, the Ladd family prohibited hunting on the property through a deed restriction. The County consented to this restriction because hunting was prohibited on parklands at that time. However, County ordinances now allow for hunting on designated parklands in order to manage wildlife populations and to provide an additional recreational opportunity.

The Ladd family has agreed to remove the deed restriction for \$15,000. Land & Water Resources Department (LWRD) staff recommends this purchase so that all lands in the Door Creek Wetlands Natural Resource Area can be managed as a cohesive unit. LWRD staff are concerned that it will be difficult and burdensome for the public to differentiate between lands open and closed to hunting if the deed restriction remains in place. Furthermore, LWRD staff are also concerned that it will be difficult to honor the intent of the deed restriction due to the impracticability of monitoring the property against hunter access.

Funds for the purchase are available in the Conservation Fund.

NOW, THEREFORE, BE IT RESOLVED, that the Dane County Board of Supervisors and the Dane County Executive hereby authorize the removal of a deed restriction from Rae and Burton Ladd for \$15,000 and according to Wisc. Stats. 27.05(3).

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.

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 transaction.

Submitted by Supervisors Miles, Hendrick and Jensen, January 22, 2009.

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

RES. 235, 08-09

**AUTHORIZING AGREEMENT WITH CHICAGO 2016 WITH RESPECT TO
ADVERTISING SPACE AT THE DANE COUNTY REGIONAL AIRPORT**

As part of the bid for the 2016 Summer Olympic Games, Chicago 2016, the "host organization" must demonstrate to the International Olympic Committee (IOC) that it will take the necessary steps to protect the economic value of authorized Olympic sponsorships and the rights of authorized Olympic marketing partners. In that regard, the IOC requires that Chicago 2016 obtain binding option agreements to purchase outdoor advertising space, advertising space on public transport and advertising space at airports, located in the City and

other cities having an operational role in the 2016 Games, for a specified period of time to include the period of the 2016 Games. It has been proposed that Dane County be a site where Olympic events are held.

Chicago 2016 expects to enter into option agreements with certain advertising sales companies whereby the contractors will grant Chicago 2016 an option to purchase all of the commercial advertising space or signs located in the City and in the other host cities that are under the contractors' control as of the date of the exercise of the option. If the City is successful in its bid to host the 2016 Games, some of the advertising space will be used by Chicago 2016's anticipated successor, the Chicago Organizing Committee for the 2016 Olympic and Paralympic Games, or will be resold by CHICOG for use by sponsors of the IOC or CHICOG.

Dane County owns advertising space within Dane County Regional Airport. In consideration of Chicago 2016 agreeing to pay \$10.00 to Dane County (the receipt of which is hereby acknowledged) and by countersigning the attached agreement, Dane County agrees to be bound by the terms set out in the attached agreement.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors hereby authorizes the County Executive and County Clerk to sign the necessary agreements for Dane County participation in Advertising Options for the 2016 Olympic Games and Paralympic Games as specified in the attached agreement.

Submitted by Supervisors McDonell, O'Loughlin, Rusk, and de Felice, January 22, 2009. Fiscal and Policy Notes not required.
Referred to PERSONNEL/FINANCE and PUBLIC WORKS & TRANSPORTATION.

RES. 236, 08-09

APPROPRIATION OF REVENUE RECEIVED IN THE DANE COUNTY CONSERVATION FUND

Pursuant to various agreements approved by the County Board, Dane County leases land to the Madison Country Day School, City of Verona and Madison Area Youth Soccer Association (MAYSA). Lease payments of \$23,948 were received in 2008. Lease payments of \$4,400 were received in 2007.

This resolution authorizes that the 2007 & 2008 lease payments from Madison Country Day School, City of Verona, and Madison Area Youth Soccer Association be appropriated for expenditure from the Conservation Fund for the acquisition of additional parkland, per Wis. Stats. sec. 27.05(3).

NOW, THEREFORE, BE IT RESOLVED that the revenue budget in line item LWCONSRV 84833 be increased by \$23,948 in 2008 and that the expenditure budget in line item LWCONSRV 57273 be increased in 2008 by \$28,348.

Submitted by Supervisors Ripp and Kostelic, January 22, 2009.
Referred to PERSONNEL/FINANCE and ENVIRONMENT, AGRICULTURE & NATURAL RESOURCES.

RES. 237, 08-09

AUTHORIZING PURCHASE OF SERVICES AGREEMENT FOR DRIVER TRAINING VIDEO FOR THE DANE COUNTY REGIONAL AIRPORT

The Federal Aviation Administration mandates that the Dane County Regional Airport provide annual training for employees whose jobs require them to drive in the Air Operations Area of the Airport. The training is provided by Airport staff and includes presentation of a video produced on-site to demonstrate procedures and environment unique to the Dane County Regional Airport. As a result of changes in Airport procedures and layout the Airport's present training video has become dated and needs to be replaced. A Request for Proposals for the production of an Air Operations Area Driver's Training Video was issued and four proposals were received. The proposals were evaluated and the proposal submitted by the local firm of Madison Productions, Inc., was selected as the most advantageous to the County. The Airport has budgeted \$23,000 for production of the Air Operations Area Driver's Training Video.

NOW, THEREFORE, BE IT RESOLVED that 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 Madison Productions, Inc. for the production of an Air Operations Area Driver's Training Video for use at the Dane County Regional Airport, as set forth above. The Purchase of Services Agreement shall have a maximum cost not to exceed the amount budgeted for the project.

Submitted by Supervisor O'Loughlin, January 22, 2009.

Referred to PERSONNEL/FINANCE and PUBLIC WORKS & TRANSPORTATION, (AIRPORT recommended adoption on 01/21/09).

RES. 238, 2008-2009

AUTHORIZING PURCHASE OF SERVICES AGREEMENT WITH JOHNSON CONTROLS, INC. FOR MAINTENANCE OF THE DANE COUNTY REGIONAL AIRPORT SECURITY MANAGEMENT SYSTEM

Johnson Controls, Inc. owns the proprietary rights to the components of the security management 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 security management system. Under the subject Purchase of Services Agreement, Johnson Controls, Inc. will provide scheduled maintenance for the security management system for three years at a cost not to exceed \$53,584.00. The Agreement provides that it may be renewed for an additional two years.

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 Supervisor O'Loughlin, January 22, 2009.

Referred to PERSONNEL/FINANCE and PUBLIC WORKS & TRANSPORTATION, (AIRPORT recommended adoption on 01/21/09).

RES. 239, 08-09

APPROVAL OF SOLID WASTE FUNDS TO BE CARRIED FORWARD FROM 2008 TO 2009

The 2009 budget included authorization for certain funds to be carried forward from 2008 to 2009. Those were mainly based on departmental requests submitted along with 2009 budget requests. It has been determined that Public Works, Highway & Transportation Department, Solid Waste Division, has additional accounts that need to be carried forward to 2009.

NOW, THEREFORE, BE IT RESOLVED that the following funds, unexpended as of December 31, 2008, be carried forward to 2009.

| | | |
|----------------|---------------------------|--------------|
| SWRODFLD 49491 | ¾ Ton Survey Vehicle | \$ 30,000.00 |
| SWRODFLD 49500 | 3 Biodiesel ¾ Ton Pickups | \$ 55,504.00 |
| SWRODFLD 57229 | Compost Screen Plant | \$194,590.00 |
| SWRODFLD 57389 | End Loader | \$ 19,222.00 |

BE IT FINALLY RESOLVED that the Dane County Board of Supervisors authorize carry-forward of requested funds from 2008 to 2009.

Submitted by Supervisors Hulsey and O'Loughlin, January 22, 2009.
Referred to PERSONNEL/FINANCE and PUBLIC WORKS & TRANSPORTATION.

RES. 240, 08-09

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

Barbara H. McKinney, 1209 Dayflower Drive, Madison 53719 (829-0635-H), 256-0906-W), due to the resignation of Joyce Boggess. Ms. McKinney is a Circle of Support Specialist for the Madison Area Urban Ministry. In her work as a Community Resource Specialist, she works with formerly incarcerated men and women, connecting them with positive community volunteers and community resources. She was also the primary caregiver for an aging parent for six years. She has degrees in Urban Planning & Policy Analysis, Business Administration, and Special Education. She has been involved in community social advocacy for over thirty years. This term will expire 4/20/10.

C.D.B.G. Commission

Marc Gofstein, 1832 Stonehaven Drive, Sun Prairie 53590 (834-5979-H, 358-6272-W), due to the resignation of Katherine Bates. Mr. Gofstein is a Managing Partner in Gofstein-Cline Consulting, a newly-created marketing and public relations firm. Mr. Gofstein has Associate Degrees in Political Science and Performing Arts from the College of Marin, Kentfield, California. He has served as the Executive Director of the Madison Capital Sound, Program Coordinator for Mystikal Youth Arts, Visual Director for the La Canada High School Music, Visual/Program Coordinator for the Burbank High School Music, Government/Client Services Representative for Flight Safety International and TWC Aviation. This term will expire 4/21/09.

Environmental Council

Shelly M. Allness, 323 Overlook Terrace, Marshall 53559 (630-4830-H, 266-2345-W), due to the resignation of Nancy Hylbert. Ms. Allness is an Executive Assistant for the State of Wisconsin Department of Tourism. She has a B.S. degree in Geography with a double minor in Environmental Studies and Geology. She worked for the State of Wisconsin Department of Natural Resources for ten years, working on various environmental issues such as storm water management, land use planning, erosion control, water quality, wetlands, transportation,

communication, and leadership. She served as a Plan Commissioner for the Town of Menasha in Winnebago County for four years and was Vice Chair of their Sustainability Committee. This term will expire 1/31/12.

Richard Bogovich, 3200 Oakridge Avenue, Madison 53704 (244-6903-H), to fill one of two new citizen positions created in OA 5, 2008-09. Mr. Bogovich is the Energy Advisor for Franklin Energy Services and Focus on Energy. He is a LEED (Leadership in Energy and Environmental Design) Accredited Professional as designated by the U.S. Green Building Council. He has worked as a Climate Change Specialist and Energy Campaign director for Clean Wisconsin and the National Environmental Trust and as Chief of Staff and Environment & Energy Committee Clerk for the Office of Wisconsin State Senator Robert Cowles. He has served on the Clean Air Subcommittee of the Dane County Environment, Agriculture, & Natural Resources Committee and currently serves on the Board of Directors of the Wisconsin Interfaith Climate & Energy Campaign, Madison Gas & Electric Company's Community Environmental Advisory Group, and the Board of Directors of the Wisconsin Environmental Initiative. This term will expire 1/31/11.

Human Services Board

Robert Herbst, 6901 Ramsey Road, Middleton 53562 (831-2599-H, 577-8785-W), to fill the seat of a member of the Area Agency on Aging Board, replacing Jon Hochkammer. Mr. Herbst is the current Chairperson of the Area Agency on Aging Board. This term will expire 4/20/10.

Local Emergency Planning Committee

Mark Mathwig, 1100 Turnberry Court, Waunakee 53597 (266-4225-W), to fill the seat of a Joint Public Health Department representative, due to the resignation of Craig Schuetz. Mr. Mathwig is currently the Public Health Preparedness Coordinator for Madison and Dane County. This term will expire 4/20/10.

Craig Schuetz, 314 East Samuelson Drive, Edgerton 53534 (884-6544-H), to fill a vacant citizen seat. Mr. Schuetz served on the Local Emergency Planning Committee for two years as the Public Health Department representative when he was the Public Health Department's Public Health Preparedness Coordinator for five years. He is the Emergency Management Program Coordinator for the William S. Middleton Memorial Veterans Hospital in Madison. He is involved in many committees including the Dane County Metropolitan Medical Response System (MMRS), Dane County Terrorism Task Force, Dane County Disaster Preparedness, Dane County Special Shelters, and he is Chair of the Inter-Hospital Communications and Disaster Planning Committee, comprising all five hospitals in Dane County. He is also the Dane County Emergency Management Hospital Liaison Officer. This term will expire 4/20/10.

Long Term Support Committee

Judith Hunter, 1810 Vilas Avenue, Madison 53711 (257-5710-H), to be reappointed. This term will expire 4/19/11.

Specialized Transportation Commission

Judith A. Wilson, 4522 East Buckeye Road, Madison 53716 (221-9555-H, 243-2071-W), to fill the seat of a member of the Area Agency on Aging Board, replacing Jon Hochkammer. Ms. Wilson is a citizen member of the Area Agency on Aging Board. This term will expire 4/20/10.

South Central Library System Board

Gary Poulson, 637 Charles Lane, Madison 53711 (233-0914-H), to be reappointed. This term will expire 12/31/11.

Patricia J. Peterson Iaccarino, 4302 Mohawk Drive, Madison 53711 (277-5904-H, 263-4540-W), to be reappointed. This term will expire 12/31/11.

Janet D. Pugh, 5021 Tomahawk Trail, Madison 53705 (233-2139-H, 266-2832-W), to be reappointed. This term will expire 12/31/11.

Jaime Healy-Plotkin, 304 North Pinckney Street, Madison 53703 (235-0745-H), to be reappointed. This term will expire 12/31/11.

Zoo Commission, Henry Vilas

Andrea Brunsell-Parks, 6059 Vroman Road, Fitchburg 53593 (442-6239-H, 212-3506-W), to be reappointed. This term will expire 4/30/11.

Submitted by Supervisor McDonell, January 22, 2009. Fiscal and Policy Notes not required.
Referred to EXECUTIVE.

COMMUNICATIONS

Claim from Jeremiah Meicher against Airport for injury caused by snow and ice on sidewalk. Referred to PUBLIC PROTECTION/JUDICIARY.

Notice of Motion re. Foreclosure of Mortgage M&I & Ilsley Bank vs Kevin R. Reed. Referred to PUBLIC PROTECTION/JUDICIARY

Summons for Foreclosure of Mortgage – Colonial Savings vs. Paul A. Johnson Jr. Referred to PUBLIC PROTECTION/JUDICIARY

Claim from Terry Ulrich against Highway for damage to vehicle caused by snow plow. Referred to PUBLIC PROTECTION/JUDICIARY.

Claim from Elaine Backey against Public Works for compensation due to slipping on outside steps of courthouse. Referred to PUBLIC PROTECTION/JUDICIARY.

Claim from Peter Windschiegel on behalf of Kristin Windschiegel against Public Works for compensation due to slipping on sidewalk at Dane County Ice Arena. Referred to PUBLIC PROTECTION/JUDICIARY.

Summons for Civil Case Thomas Smith vs. Dane County for damages caused by snow plow. Referred to PUBLIC PROTECTION/JUDICIARY.

Summons Estate of Brittany Zimmermann vs. Dane County. Referred to PUBLIC PROTECTION/JUDICIARY.

Communication from State Farm Insurance Co. re. Anne Young for claim. Referred to PUBLIC PROTECTION/JUDICIARY.

Summons for Foreclosure of Mortgage Anchorbank v. Dale W. Humboldt. Referred to PUBLIC PROTECTION/JUDICIARY.

Claim from Kevin Ryan against Public Works for damage to vehicle caused by snow plow. Referred to PUBLIC PROTECTION/JUDICIARY.

Summons for personal injury auto case Bridget Duane and Dane County v. Sarah Cortes & Progressive Classic Insurance Co. Referred to PUBLIC PROTECTION/JUDICIARY.

Amended Summons for Foreclosure of Mortgage M&I Marshall & Ilsley Bank vs. Julio C. Guzman. Referred to PUBLIC PROTECTION/JUDICIARY.

Claim from Kevin Pratt against Highway for damage to vehicle caused by snow plow. Referred to PUBLIC PROTECTION/JUDICIARY.

Notice of Hearing from State of Wisconsin Circuit Court re. Brenda J. White et al vs. Eight & Eight Partners et al. Referred to PUBLIC PROTECTION/JUDICIARY.

Notice of Entry of Orders for Foreclosure of Mortgage M&I Marshall & Ilsley Bank vs. Kevin R. Reed. Referred to PUBLIC PROTECTION/JUDICIARY.

ORD. AMDT. 38, 08-09

**AMENDING CHAPTER 41 OF THE DANE COUNTY CODE OF ORDINANCES,
ESTABLISHING A DISCOUNTED RATE FOR HIGH VOLUME USERS AT THE DANE COUNTY LANDFILL**

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 is amended to read as follows:

41.115 USER FEE SCHEDULE. (1) The fees for deposit of allowable solid wastes, other than tires, at Landfill No. 2 (Rodefeld site) shall be assessed according to the following schedule:

Weight of Load

| <u>Deposited</u> | <u>Fee</u> |
|--|------------|
| less than 500 lbs. | \$ 9.60 |
| 500 lbs. but less than 1,000 lbs. | \$ 19.20 |
| 1,000 lbs. but less than 1,500 lbs. | \$ 28.80 |
| 1,500 lbs. but less than 2,000 lbs. | \$ 38.40 |
| 2,000 lbs. or more, per lb. | 1.92 cents |

(2) Notwithstanding the rate set forth in sub. (1), the rate for high volume users shall be 1.72 cents per pound for loads in excess of 2,000 pounds.

(a) As used in this subsection, high volume user means one who has deposited at least 200 tons at the landfill in each of the 6 months immediately preceding the month in which this subsection is applied.

~~(23)~~ Tires deposited at Landfill No. 2 shall be assessed at the rate of \$110.00 per ton.

[EXPLANATION: This amendment creates a discounted rate at the landfill for high volume users.]

Submitted by Supervisors Opitz, Martz, Schmidt, Veldran and Wiganowsky, February 5, 2009.

Referred to PERSONNEL/FINANCE, PUBLIC WORKS & TRANSPORTATION and SOLID WASTE & RECYCLING.

RES. 243, 08-09

**AUTHORIZING ACCEPTANCE OF A GRANT FROM DANE COUNTY
HIGHWAY & TRANSPORTATION DIVISION**

Dane County Land & Water Resources has been awarded a \$13,000 Bike Trail grant administered by Dane County Highway & Transportation Division. This grant will reimburse Dane County Parks Division for expenses incurred in construction of a Bike/Pedestrian trail in Cam-Rock County Park.

THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors and the Dane County Executive hereby accept grant awards from Dane County Highway & Transportation Division totaling \$13,000.

BE IT FURTHER RESOLVED that a new revenue account CPLWRESC Grant Revenue be created and that the new revenue account and CPLWRESC 58036 Park Improvement Expense be increased by \$13,000. These funds shall be carried forward until expended.

Submitted by Supervisors Ripp, Salov and Kostelic, February 5, 2009.

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

RES. 244, 08-09

**ACCEPTING MADISON COMMUNITY FOUNDATION FUNDS FOR
"ENGAGING LARGE PRINT READERS COUNTYWIDE"**

The Dane County Library Service has received a grant from the Madison Community Foundation to expand the collection of materials made available throughout Dane County.

This project will develop the county's large print collection with an emphasis on non-fiction and fiction suited to book discussion.

The Dane County Library Board approved this resolution at its February 5, 2009 meeting.

NOW, THEREFORE, BE IT RESOLVED that \$13,750 be set up as additional Library, MCF revenue and be credited to the Library General Fund, and that \$13,750 be transferred from the Library General Fund to the library operating account entitled "MCF".

Submitted by Supervisors Wheeler and Martz, February 5, 2009.

Referred to PERSONNEL/FINANCE.

RES. 245, 08-09

**ACCEPTING LIBRARY SERVICE AND TECHNOLOGY ACT, TITLE I FUNDS FOR
"JUVENILE DETENTION CENTER LIBRARY SERVICES" PROJECT**

The Dane County Library Service has received a grant from the Wisconsin Department of Public Instruction to address the library service needs of children placed in the Dane County Juvenile Detention Center. This project is a collaboration of the Dane County Library Service, the Dane County Juvenile Detention Center, and the Madison Metropolitan School District.

This project will provide access to literacy materials which meet the variety of needs of juvenile detention residents, provide opportunities for writing and sharing that writing through a web site, and will introduce the services of public libraries in general.

The Dane County Library Board approved this resolution at its February 5, 2009 meeting.

NOW, THEREFORE, BE IT RESOLVED that \$9,898 be set up as additional Library, LSTA revenue and be credited to the Library General Fund, and that \$9,898 be transferred from the Library General Fund to the library operating account entitled "LSTA".

Submitted by Supervisors Wheeler and Martz, February 5, 2009.
Referred to PERSONNEL/FINANCE.

RES. 246, 08-09

**AMENDING THE 2009 CAPITAL BUDGET FOR THE
REMODELING OF THE PUBLIC SAFETY COMMUNICATIONS CENTER**

In order to install new communication center consoles, the HVAC and electrical systems in the operations center must be modified. In addition, as part of the project new carpeting and other noise canceling measures will be installed, and other elements of the center will be remodeled. As part of the effort to increase the training capacity of the center, the training facility will be moved from the first floor to space on the third floor of the City-County Building.

In 2008, Venture Architects was retained by the County to analyze the required improvements and is in the process of finalizing its recommendations.

To facilitate the implementation of this project, a project line item needs to be established in the Capital Budget. Funds are available in two line items within the Capital Budget.

THEREFORE BE IT RESOLVED that an account CPPUBSAF New "Communications Center Remodel" be established in the Capital Budget and that the balance of \$653,345.75 remaining in line CPPUBSAF 58162 Radio Consoles Replacement and the balance of \$1,673,381 in line item CPPUBSAF 58332 Replace Microwave System be transferred to CPPUBSAF New to provide funding for the remodeling project.

Submitted by Supervisors Rusk, Bayrd, Kostelic, Schlicht and Hesselbein, February 5, 2009.

Referred to PERSONNEL/FINANCE, PUBLIC PROTECTION & JUDICIARY and PUBLIC SAFETY COMMUNICATIONS CENTER BOARD.

RES. 247, 08-09

**AMENDING 2008 PROFESSIONAL SERVICES CONTRACTS
FOR INPATIENT MENTAL HEALTH TREATMENT DCDHS - ACS Division**

The Department of Human Services annually contracts with community hospitals for inpatient psychiatric care for indigent individuals as an alternative to Mendota Mental Health Institute (MMHI). The community hospitals offer a different therapeutic environment and are the treatment setting that some consumers prefer. Although the cost of care per day exceeds the MMHI per diem, shorter lengths of stay make community hospitals a cost effective alternative. For 2008, DCDHS budgeted \$358,900 divided among Meriter, St. Marys and UW hospitals. Actual expenses were \$437,200, or \$78,300 more than budgeted. This resolution shifts funds among the hospitals to reflect actual utilization and, to cover the added \$78,300, transfers funds from accounts where there was under-spending.

NOW, THEREFORE, BE IT RESOLVED that the following expense accounts be adjusted in the Department of Human Services.

| Expenditure Account Number | Account Title | Amount |
|-------------------------------|----------------------------------|------------|
| ACFIISMH INSMAA | St Marys Hospital Inpatient | \$127,000 |
| ACFIIMHI INIPAA | Meriter Inpatient | \$32,200 |
| ACFIUWH INUWAA | UW Hospitals & Clinics Inpatient | (\$80,900) |
| ACFCSUPP CVIPAA | Inpatient/Crisis Diversion | (\$35,087) |
| ACFCSUPP MISCAA | Miscellaneous Exp | (\$7,980) |
| ACFCRSDN ILAPAA | ILA Exp | (\$3,850) |
| ACFCRSDN SWEXAA | Spendedown | (\$1,823) |
| ACFIINST INPFAA | Physicians Fees | (\$10,000) |
| ACFCRSDN PLCAAA | Clothing & Personal | (\$19,560) |
| | Total | \$0 |

NOW, THEREFORE, BE IT FURTHER RESOLVED that the professional services contract listed below be amended for 2008:

| | |
|---------------------------------------|------------|
| St Marys Hospital | \$127,000 |
| Meriter Hospital | \$32,200 |
| Univ. of Wisconsin Hospital & Clinics | (\$80,900) |

Submitted by Supervisors Vedder, Wheeler and Bruskewitz, February 5, 2009.
Referred to HEALTH & HUMAN NEEDS and PERSONNEL/FINANCE.

RES. 248, 08-09

AWARDING 2009 PROFESSIONAL SERVICE CONTRACTS DEPARTMENT OF HUMAN SERVICES

The purpose of this resolution is as follows:

- To award a POS contract with St. Mary's Hospital for 2009.

The contract with St. Mary's Hospital provides one or more of the following services: inpatient care to persons with mental illness, comprehensive alcohol/drug abuse screening and assessment, intervention and referral services to Dane County youth 18 years old and under.

NOW, THEREFORE, BE IT RESOLVED that the professional service contracts listed below be awarded for the period January 1, 2009, through December 31, 2009.

| <u>Adult Community Services Division:</u> | <u>Contract Amount</u> |
|---|------------------------|
| St. Mary's Hospital | \$231,257 |

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 Vedder, Wheeler, and Bruskewitz, February 5, 2009.
Referred to HEALTH & HUMAN NEEDS and PERSONNEL/FINANCE.

2. Lussier County Park – Town of Roxbury: 53 acres
\$110.00 per acre; \$5,830.00 per year for 3 years
Lessee: Neal Schoepp

3. North Mendota Natural Resource Area – Town of Westport: 57 acres
\$188.00 per acre; \$10,716.00 per year for 3 years
Lessee: Jeffrey Ballweg

Following are lease addendums for 2 years, commencing January 1, 2009.

4. Lower Mud Lake Natural Resource Area – Town of Dunn: 16 acres
\$126.00 per acre; \$2,016.00 per year for 2 years
Lessee: John Wood

5. Walking Iron County Park – Town of Roxbury: 145 acres
\$125.92 average per acre; \$18,258.00 per year for 2 years
Lessee: Daniel Kaltenberg

6. McCarthy Youth & Conservation County Park – Town of Sun Prairie: 37 acres
\$102.00 per acre; \$3,774.00 per year for 2 years
Lessee: Daniel Kaltenberg

7. Phil's Woods County Park – Town of Roxbury: 12 acres
\$50.00 per acre; \$600.00 per year for 2 years
Lessee: Robert Ziegler

8. Patrick Marsh Natural Resource Area – Town of Bristol: 7 acres
\$133.00 per acre; \$931.00 per year for 2 years
Lessee: Donald Statz

9. Blooming Grove Drumlin Natural Resource Area – City of Madison: 35 acres
\$160.00 per acre; \$5,600.00 per year for 2 years
Lessee: Dennis Acker

Following are addendums for 1 year, commencing January 1, 2009.

10. Donald County Park – Town of Springdale: 18.5 acres
\$20.00 per acre; \$370.00
Lessee: David Hughes

11. Donald County Park – Town of Springdale: 7 acres
\$40.00 per acre; \$280.00
Lessee: David Powell

12. North Mendota Natural Resource Area – Town of Westport: 68 acres
\$95.00 per acre; \$6,460.00
Lessee: Cyril Statz and Sons

The revenue from leases Nos. 1, 2, 6, 7, 8, 9 and 12 is to be included in the 2009 Land and Water Resources budget in Account LWRPKOP 84911.

The revenue from lease Nos. 10 and 11 is to be included in the 2009 Land and Water Resources budget in Account LWRPKOP 84245.

The revenue from lease No. 3 is to be included in the 2009 Land and Water Resources budget in Account LWPKLNAQ 84909.

The revenue from lease No. 4 is to be included in the 2009 Land and Water Resources budget in Account LWRPKOP 84304.

The revenue from lease No. 5 is to be included in the 2009 Land and Water Resources budget apportioned between Accounts LWRPKOP 84309 and LWPKLNAQ 84909.

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 be accepted as revenue in the 2009 Land and Water Resources budget as set forth above.

BE IT FINALLY RESOLVED that the Parks Director (or designee) be authorized to act as the County's representative in administering the leases.

Submitted by Supervisors Ripp and Kostelic, February 5, 2009.

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

RES. 251, 08-09

AUTHORIZING THE PURCHASE OF MICROSOFT LICENSES

The 2009 Budget includes funding to upgrade the County's Microsoft software licenses. The project will upgrade both the Windows and Office products used by the end user as well as server and database platforms used by system administrators. These products have not been upgraded for more than five years.

The project is budgeted to cost approximately \$1.57 million which will cover any upgrades that are needed during a three year period. At the end of this three year commitment, the County may decide to purchase another three year licensing package or to discontinue the agreement. Due to current purchasing incentives, the County may qualify for a 5% discount that can be used to purchase installation services if an agreement is executed before June 30, 2009.

NOW, THEREFORE, BE IT RESOLVED that County Executive and County Clerk are authorized to enter into an agreement to purchase Microsoft licensing as authorized in the 2009 Budget; and

BE IT FURTHER RESOLVED that this project is authorized to proceed in advance of borrowing.

Submitted by Supervisors Hulsey, de Felice and Vogel, February 5, 2009.
Referred to PERSONNEL/FINANCE.

RES. 252, 08-09

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.

Library Board

Jon Hochkammer, 198 Acker Court, Verona 53593 (845-5833-H), to fill the seat of a citizen, previously occupied by Rebecca Young. Mr. Hochkammer is the Director of Insurance Operations for the Wisconsin Counties Association, where he provides financial and budget management, regulatory compliance, strategic planning, and public relations services for two insurance corporations and a health care trust representing local units of government. Mr. Hochkammer served as the Sergeant at arms for the Wisconsin State Senate for eight years. Mr. Hochkammer is the Mayor of the City of Verona, having served on the City Council for nine years and as Chair of the Finance Committee, President of the Verona Fire District Commission, as a member of the Senior Citizens Committee, the Personnel Committee, and the Fitch-Rona EMS Commission. He has served on several Dane County boards and commissions including the Area Agency on Aging Board, the Specialized Transportation Commission, and the Human Services Board. This term will expire 1/31/12.

Dreux J. Watermolen, 6140 Century Avenue, #201, Middleton 53562 (831-0457-H, 266-8931), to be reappointed. This term will expire 1/31/12.

Submitted by Supervisor McDonell, February 5, 2009.

Referred to EXECUTIVE.

COMMUNICATIONS

- Communication from Corporation Counsel re Brenda J. White v. Eight & Eight Partners, et al. Referred to PUBLIC PROTECTION/JUDICIARY.
- Summons for Foreclosure of Mortgage Wisconsin Housing & Economic Development Authority vs. Lillian J. Wales. Referred to PUBLIC PROTECTION/JUDICIARY.
- Claim from Jo Ann Boesel re. Julia K. Homme against Sheriff for damage to personal property. Referred to PUBLIC PROTECTION/JUDICIARY.
- Claim from Jerad and Carrie Pearson against Highway for damage to vehicle caused by snow plow. Referred to PUBLIC PROTECTION/JUDICIARY.
- Claim from Scott Sailor against Highway for damage to vehicle caused by snow plow. Referred to PUBLIC PROTECTION/JUDICIARY.
- Notice of Circumstances of the Claim of Margaret and Roman Hiebing against Sheriff for physical and emotional injuries and medical expenses related in incident at Badger Football game. Referred to PUBLIC PROTECTION/JUDICIARY.
- Notice of Injury and Claim on Excessive and Unlawful Use Value Penalty Special Charge from Captiva LLC against Treasurer. Referred to PUBLIC PROTECTION/JUDICIARY.
- Summons and Complaint Small Claims St. Farm Mutual Auto Insurance Co. re: Randy Hollis v. Dane Co. for damage to his vehicle. Referred to PUBLIC PROTECTION/JUDICIARY.
- Claim from Wald Klimczyk against Highway for damage to vehicle caused by pothole. Referred to PUBLIC PROTECTION/JUDICIARY.
- Summons MHG Properties LLC v County of Dane – Declaratory Judgment Amount in Excess of \$5,000. Referred to PUBLIC PROTECTION/JUDICIARY.
- Claim from Susan Crockett against Public Works for pain and suffering caused by fall on wet floor of WIC office. Referred to PUBLIC PROTECTION/JUDICIARY.

Fond du Lac County Res. No. 117-08 – Resolution Supporting a Change in the Register of Deeds Recording Fee from a “Per Page” to a “Flat Fee: Referred to EXECUTIVE.

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

- Petition 9995 – Town of Perry – George Sundstrom
- 9997 – Town of Albion – David Atkinson
- 9998 – Town of Cross Plains – Jerome Esser
- 9999 – Town of Mazomanie – Eva Wolf
- 10000 – Town of Deerfield – Robert Griggas
- 10001 – Town of Vienna – Richard Diehl
- 10002 – Town of Deerfield – Robert Griggas
- 10003 – Town of Dunkirk – Berdine Alme
- 10004 – Town of Cottage Grove – Sean O’Brien
- 10005 – Town of Rutland – Town of Rutland
- 10006 – Town of Springdale – Glen Schult
- 10007 – Town of Blue Mounds – Linda Jones
- 10008 – Town of Christiana – Howard Lien & Sons, Inc.
- 10009 – Town of Montrose – Anton J. & Bernadette A. Beutler Revocable Trust
- 10010 – Town of Vermont – MDW Investments LLC

RES. 253, 08-09

AWARD OF CONTRACT TO PROVIDE VETERINARY CARE SERVICES TO HENRY VILAS ZOO

The Purchasing Division has solicited proposals to provide veterinary care services to the animal collection of the Henry Vilas Zoo. The Proposal of Stoughton Veterinary Services, represented by Dr. Michael A. Petersen, DVM has been accepted.

NOW THEREFORE BE IT RESOLVED that a five year contract to provide veterinary care services to Henry Vilas Zoo is awarded to Stoughton Veterinary Services, represented by Dr. Michael A. Petersen, DVM.

BE IT FINALLY RESOLVED that Dane County Executive and Clerk are authorized to sign agreements related to this award of contract.

Submitted by Supervisor Erickson, February 11, 2009.
Referred to PERSONNEL/FINANCE, PUBLIC WORKS/TRANSPORTATION, and ZOO COMMISISON.

ORD. AMDT. 39, 08-09

**AMENDING CHAPTERS 2, 11,12 AND 14 OF THE DANE COUNTY
CODE OF ORDINANCES, REGARDING EROSION CONTROL PROVISIONS**

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 2.06(2) is amended to read as follows:

2.06 SCHEDULE OF DEPOSITS.

| Sub. No. | Ordinance No. | Offense | Deposit |
|----------|---------------|---|---------------------------------|
| (2) | Ch. 11 | Various violations of shoreland and flood plain regulations | 150.00 <u>400.00</u> |

ARTICLE 3. Subsection 11.05(2) is amended to read as follows:

11.05 SHORELAND EROSION CONTROL.

(2) *Exemptions and waivers:*

(a) Shoreland erosion control permits are not required for:

1. soil conservation, stream and adjacent wetland protection and restoration practices such as terraces, run-off diversions, grassed waterways, cattle and equipment crossings, cattle watering access, water control structures, dikes, ditch plugs, tile breaks and sediment removal catchments, when construction is overseen by and 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 and Water Resources Department, provided that any such project involving land disturbing activity equal to or greater than one acre shall also comply with the performance standards in s. 14.50(3); and
2. tillage directly related to planting, growing and harvesting of agricultural or horticultural crops, including crop fields and gardens.

(b) The director 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.~~

1. There are no adverse stormwater or erosion impacts to adjacent properties.

2. Soil will be disturbed for less than 30 days.

3. Soil on slopes steeper than 6% will be disturbed for less than 15 days.

4. There is no soil disturbance within 15 feet of the ordinary high water mark.

5. Total area of soil disturbance will not exceed 1,000 square feet.

6. New impervious surfaces will not exceed 500 square feet.

7. There is minimal risk for erosion and stormwater impact to receiving waters.

(c) The director may waive requirements for an engineer's stamp ~~after a preliminary review if the project meets all of~~ if the following criteria are met:

- ~~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.~~

1. Soil disturbance will not exceed 60 days.

2. Soil disturbance on slopes steeper than 12% will not exceed 30 days.

3. Soil disturbance within 15 feet of the ordinary high water mark will not exceed 200 square feet.

4. Soil disturbance will not exceed 2,000 square feet.

5. New impervious surfaces will not exceed 1,000 square feet.

(d) The director may waive requirements for an engineer's stamp and allow for the use of a simplified erosion control checklist for agricultural waterway, ditch, and tile maintenance projects if soil disturbance lasts less than 30 days.

ARTICLE 4. Subsection 11.05(4)(b)3. is amended to read as follows:

11.05 SHORELAND EROSION CONTROL. (4) *Shoreland Erosion control permits and administration.*

(b) *Application materials.* The applicant must provide the following materials when applying for a permit:

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 director under sub. (2)(b), a simplified checklist on a standard form approved by the department. All erosion control plans and simplified checklists shall include provisions for a stable outlet as described in s. 14.51(2)(d);

a. The requirement for a professional engineer's stamp shall not apply to permits for areas that are more than 300 feet from the ordinary high water mark of any lake or pond.

ARTICLE 5. Section 11.50 is created to read as follows:

11.50 PERMIT FEES. (1) For applications submitted under s. 11.05(2)(b) the fee shall be \$100.

(2) For applications submitted under s. 11.05(2)(c) the fee shall be \$200, plus \$.004 per square foot of disturbed area.

(3) The fee for all other applications under this chapter shall be \$400, plus \$.004 per square foot of disturbed area.

(4) Late filing fee: Where work has begun before a permit has been obtained or appropriate approvals obtained the fee shall be doubled.

(5) Municipal street and road projects are exempt from fees required in this section.

ARTICLE 6. Section 11.99 is amended to read as follows:

11.99 ENFORCEMENT AND PENALTIES. Any violation of the provisions of this ordinance by any person shall be unlawful and shall be referred to the corporation counsel for prosecution. A violator shall, upon conviction, forfeit a penalty of not less than ~~\$25200~~ and not more than ~~\$200 \$1,000~~, together with the costs of such action. Each day of violation shall constitute a separate offense. Any violation of this ordinance may be enforced by injunctive order at the suit of the county.

ARTICLE 7. Subsection 12.05(10) is rescinded.

12.05 OTHER PERMIT AND REVIEW FEES.

~~(10) (a) When no structure is being built, the fee for an application for a 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.~~

ARTICLE 8. Subsection 14.41(5a) is created to read as follows:

14.41 DEFINITIONS. As used in subchapter II:

(5a) Development means any of the following activities:

(a) Structural development, including construction of a new building or other structure;

(b) Expansion or alteration of an existing structure that results in an increase in the ground surface dimensions of the building or structure;

(c) Land disturbing activities; or

(d) Creation or expansion of impervious surfaces.

ARTICLE 9. Subsection 14.41(22) is amended to read as follows:

14.41 DEFINITIONS. As used in subchapter II:

(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;~~
- ~~(eb)~~ Land-disturbing activities; or
- ~~(ec)~~ Creation or expansion of impervious surface.

ARTICLE 10. Subsection 14.47(2) is amended to read as follows:

14.47 EXEMPTIONS AND CLARIFICATIONS.

(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.

(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 with less than one acre of land disturbing activity, and 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.

(f) Soil conservation, stream and adjacent wetland protection and restoration practices such as terraces, run-off 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 and Water Resources Department, provided that any such project involving land disturbing activity equal to or greater than one (1) acre shall also comply with the performance standards in s. 14.50(3).

ARTICLE 11. Subsections 14.49(5)(e) and (f) are amended to read as follows:

14.49 EROSION AND STORMWATER CONTROL PERMITS AND ADMINISTRATION. (5) *Inspections*.

(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~~ A professional engineer 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 ~~40~~ 30 days of notification.

ARTICLE 12. Subsection 14.50(1)(r) 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:

(r) existing and proposed elevations (referenced to the ~~National Geodetic Vertical Datum of 1929~~ North American Vertical Datum of 1988, where available) and existing and proposed contours in the area, where deemed necessary;

ARTICLE 13. Subsection 14.50(2) is amended to read as follows:

14.50 EROSION CONTROL PLAN REQUIREMENTS.

(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%).~~ Soil on slopes steeper than 6% will be disturbed for less than 15 days; and

(c) Soil on slopes less than 6% will be exposed for less than 6 months.

ARTICLE 14. Subsection 14.51(2)(c) is amended to read as follows:

14.51 STORMWATER MANAGEMENT PLAN REQUIREMENTS. (2) *Storm-water 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:

(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~~ 83 for HSG D. The TR-55-specified curve numbers for other land uses shall be used. Heavily 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.

ARTICLE 15. Subsection 14.51(2)(e)3. is amended to read as follows:

14.51 STORMWATER MANAGEMENT PLAN REQUIREMENTS. (2) *Storm-water 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:
(e) *Infiltration.*

3. *Pre-treatment.* Before infiltrating runoff, pre-treatment 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 conform to the design standards in s. 14.53 and be designed to protect the infiltration system from clogging prior to scheduled maintenance and to protect groundwater quality.

ARTICLE 16. Subsection 14.55(2)(a) is amended to read as follows:

14.55 PERMIT FEES.

(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 ~~\$200~~ \$100 base fee for projects eligible for a simplified checklist under s. 14.50(2). The base fee for ~~all other projects shall be \$200~~ other projects subject to the erosion control requirements of s. 14.45 shall be \$200, and the base fee for projects subject to the stormwater management requirements of s. 14.46 shall be \$400.

[EXPLANATION: This amendment revises many of the erosion control provisions of Chapters 11 and 14 to achieve consistency between those chapters and with applicable state law. The amendment also increases the forfeiture range and deposit amount for violations of Chapter 11, to be consistent with Chapter 14 and moves the erosion control permit fees from Chapter 12 to Chapter 11.]

Submitted by Supervisors Hulsey, Hendrick, Erickson and Veldran, February 19, 2009.

Referred to ENVIRONMENT/AGRICULTURE/NATURAL RESOURCES, and LAND CONSERVATION.

ORD. AMDT. 40, 08-09

**AMENDING CHAPTER 47 OF THE DANE COUNTY CODE OF ORDINANCES,
REGULATING DANGEROUS ANIMALS**

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 47.18 is rescinded and recreated to read as follows:

47.18 DANGEROUS ANIMALS REGULATED. (1) *Purpose and intent.* It is hereby declared that regulation of dangerous animals is a matter of public interest pertaining to the health, safety and welfare of residents of Dane County. It is further declared that owning, keeping or harboring of dangerous animals is a public nuisance.

(2) *Authority.* This ordinance is enacted under the authority of section 59.03 of the Wisconsin Statutes.

(3) *Applicability.* This ordinance shall apply in the unincorporated areas of Dane County.

(4) *Definitions.* For purposes of this section, the following definitions shall apply:

(a) Department means Department of Public Health for Madison and Dane County.

(b) Director means the director of the department.

(c) Impoundment means the confinement of an animal in a department-approved, supervised facility such as a veterinarian's kennel, commercially operated kennel or the county pound designated under s. 47.31.

(d) Owner means the owner, custodian or person having charge, care or custody of an animal.

(e) Permit includes the otherwise unregulated right to keep an animal not covered by a requirement for a municipal license or permit.

(5) Impoundment of biting or attacking animal. (a) The department or an officer shall have the power to summarily and immediately impound an animal whenever there are reasonable grounds pursuant to sub. (6) to believe that the animal is a dangerous animal. The animal may remain impounded during the entire determination process. If the animal is determined to be dangerous, it shall remain impounded until the owner has complied with all restrictions outlined by the department and found in sub. (7) or until such time as the department determines that the animal may be safely returned to the owner. Any law enforcement officer or humane officer may enter and inspect private property to enforce the provisions of this section. The owner of the animal shall be liable to the County for the costs and expenses of impounding and keeping said animal, unless the department fails to declare the animal dangerous or the department determination is ultimately overturned by administrative review or a reviewing court.

(b) In lieu of impoundment, if there was no tearing of flesh or multiple wounds by the animal and the animal is currently immunized against rabies, or if the animal species is at low risk for transmitting this or other diseases, the department may permit the animal to be confined at the owner's residence provided that the owner complies with conditions set forth by the department.

(c) The owner or custodian of an animal confined under sub. (b) above shall immediately notify the department if said animal is loose, unconfined, has attacked or bitten or injured another animal or has attacked, bitten or injured a human being, or has died. The animal shall not be sold or given away during the impoundment period.

(6) Determination. The department shall investigate situations in which there are reasonable grounds to believe an animal is dangerous. Reasonable grounds to believe an animal is dangerous are that the animal:

(a) has attacked, bitten or injured another domesticated animal or human being engaged in a lawful activity;

(b) has without provocation and off the property of its owner, chased, confronted or approached a person in a menacing fashion such as would put an average person in fear of attack;

(c) has been trained for fighting or attack and is being handled, kept or maintained in a manner that poses a threat to public health and safety; or

(d) has acted in any manner that poses a threat to public health and safety.

(7) *Declaration of dangerous animal.* The department, after considering appropriate evidence, may declare any animal to be a dangerous animal. The department shall make a reasonable attempt to personally notify the owner of the pendency of the department's investigation and shall notify the owner in writing of its determination. Mailing a copy of the determination to the owner's last known address and posting in accordance with approved department policy shall satisfy this notice requirement.

(8) *Dangerous animal disposition.* (a) It shall be unlawful for any person to own, possess, harbor or keep any animal declared by the department to be dangerous, except as allowed in (b) below.

(b) Any animal declared by the department to be a dangerous animal shall be humanely destroyed, removed from the County or placed under restrictions as set forth in this sub. (9) and in department policies. The director shall issue an order authorizing the destruction, removal or restriction of the animal within two (2) days after the time for appeal as provided in sub. (11) has passed without notice of appeal being filed.

(c) Any animal declared by the department to be dangerous, if not already impounded by the department, shall be immediately surrendered to the department upon order of the director, and it is the duty of the department to take up and impound any such animal.

(9) *Dangerous animal restrictions.* Any owner of an animal that has been declared dangerous and placed under restrictions must comply with the restrictions set forth below as well as any additional restrictions imposed by the department. The owner must provide documentation to the department of compliance with these restrictions. Said documentation must be provided within thirty (30) days of the animal being declared dangerous.

(a) The owner of the animal must provide written proof from a licensed veterinarian that the animal has been spayed or neutered.

(b) The owner must provide written proof from a licensed veterinarian that a microchip has been placed in the animal so that the animal can be easily identified. The microchip must contain the following information:

1. the name of the animal,
2. the name of the owner, and
3. the following language "Dangerous Animal, contact Madison - Dane County Animal Control at (608) 267-1989.

(c) The owner must provide written proof from a licensed veterinarian that the animal is current with rabies vaccinations.

(d) The animal must be in compliance with all license requirements.

(e) The owner must post signs no smaller than eight (8) inches by eleven (11) inches, made of metal or plastic, bearing the wording "Warning Dangerous Animal" or "Beware of Dog", no smaller than three (3) inches high. These signs shall be posted at each entrance to the building in which the dangerous animal is kept and at each entrance through a fence and at such location as to be viewable from the public right-of-way to ensure adequate warning and visibility to anyone approaching said building and fence.

(f) When outside but still on the property of the owner or caretaker, the dangerous animal must be supervised by a competent adult and physically restrained at all times to prevent the animal from leaving the property. If the department determines that the animal may be kept in a secure kennel or pen, hereinafter referred to as "structure", and not under the direct supervision of an adult, the department may require that the structure be constructed under some or all of the following guidelines:

1. the structure shall be constructed of strong metal fencing to prevent the animal from exiting on its own volition;
2. the structure shall be secure on all sides and have a secure top attached;
3. the structure shall have a secure bottom or floor attached to the sides of the structure or the sides of the structure shall be embedded in the ground no less than two (2) feet;
4. the structure shall be kept locked at all times with a key or combination lock;
5. the structure shall provide adequate light, ventilation and shelter from the environment for the animal;
6. the structure shall be maintained in a clean and sanitary condition; and
7. the structure must be in compliance with all other building and zoning ordinances.

(g) While off the owner's property, the dangerous animal shall be muzzled and leashed at all times. The muzzle must be made in a manner that will not cause injury to the animal but that will prevent it from biting any person or animal. The leash shall be attached to a secure collar that is of sufficient strength to restrain the animal. The leash shall be no longer than four (4) feet in length and must be secured by and under the direct control and supervision of a competent adult.(h) The owner shall allow the department to take four (4) photographs depicting the animal and owner as outlined below:

1. one (1) photograph showing a close view of the animal's entire face, so that the animal is recognizable;
2. one (1) photograph showing the animal's entire left side of its body, including its legs and tail;
3. one (1) photograph showing the animal's entire right side of its body, including its legs and tail; and
4. one (1) photograph showing the owner, so that the owner is easily identifiable.

(i) Prior to a dangerous animal being sold or given away, the current owner must provide the name, address and telephone number of the proposed new owner to the department. Prior to taking physical custody of the dangerous animal, the new owner must comply with all requirements of this ordinance and any other restriction the department determines to be appropriate to ensure the public's safety.

(j) To ensure compliance with this ordinance, the owner or caretaker of a dangerous animal shall allow the department, on an annual basis and at any other reasonable time determined by the department, the opportunity to inspect the property where the dangerous animal is kept.

(10) Subsequent determination and penalty. (a) The department may make a new determination if an owner fails to comply with the terms, conditions or restrictions imposed by sub. (8)(b).

(b) The failure of any person to comply with any term, condition or restriction imposed by the department is a violation of this ordinance.

(11) Administrative review. (a) The owner or any person aggrieved by a determination of the department declaring any animal to be a dangerous animal may appeal such determination to the Board of Health for Madison and Dane County by filing a notice of appeal stating the grounds therefor with the director within seven (7) days of the date of mailing of the department's declaration under sub. (7) above. Board review pursuant to this procedure is required prior to seeking court review. Failure to so obtain board review shall be deemed a full and complete waiver of the right to any additional review of the determination.

(b) If an appeal is timely and properly filed, the board shall schedule a hearing on whether to affirm, conditionally affirm or reject the determination within thirty-two (32) days, but not sooner than five (5) days, and shall make reasonable efforts to notify the owner, bite or attack victims and their representatives, if any, witnesses and other interested parties of such hearing and the opportunity to present evidence and testimony to the board. The board shall, within a reasonable period of time after the hearing, issue its decision in writing and serve a copy of the same by first class mail upon the owner and all parties requesting the same.

(12) *Appeals to circuit court.* Any person aggrieved by a determination of the Board of Health under sub. (11) may appeal such determination to the circuit court by writ of certiorari within ten (10) days of notification of the board's determination.

(13) *Prosecution.* An investigation or determination under this section shall not prohibit the county from prosecuting the same owner for other animal control violations relating to the same animal or another animal.

(14) *Violation.* The failure or neglect of any person to comply with any lawful order of the department issued pursuant to this section shall constitute a violation of this ordinance.

ARTICLE 3. Section 47.51(10) is repealed and recreated to read as follows:

(10) Any person who violates sec. 47.18 shall be subject to a forfeiture of not less than fifty dollars (\$50) nor more than five hundred dollars (\$500).

[EXPLANATION: This amendment authorizes the Health Department to regulate dangerous animals and creates a procedure for enforcement of such regulation.]

Submitted by Supervisors Solberg, Schlicht, DeSmidt, Jensen, Bruskewitz, Miles, Willett, Ferrell, Hesselbein, Kostelic, Opitz, and Veldran, February 19, 2009.

Referred to HEALTH/HUMAN NEEDS, PUBLIC PROTECTION/JUDICIARY, ENVIRONMENT/AGRICULTURE/NATURAL RESOURCES and BOARD OF HEALTH.

RES. 255, 08-09

SUPPORTING INTERGOVERNMENTAL COMMUNITY PLANNING FOR THE FITCHBURG/VERONA AREA

The area within a mile and a half on either side of the City of Fitchburg/Town of Verona boundary contains some of the most valuable real estate in Dane County. The Fitchburg/Verona area is projected to grow rapidly in future years. Recent attempts to sensibly plan for future growth in this area while protecting its natural resources have been complicated by:

- overlapping municipal, town and county jurisdictional authorities,
- competing and often inconsistent objectives between multiple levels of government, private landowners and quasi-public agencies, and;
- a lack of a cooperative vision for the future of this area.

The Capital Area Regional Planning Commission was established by Wisconsin Executive Order #197 to help local governments to “meet challenges that transcend municipal boundaries and effectively protect the natural resources and beauty of the capital area, as well as promote economic growth and sound land development practices.”

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

- the Capital Area Regional Planning Commission make it a priority to develop a sub-regional, intergovernmental plan for urban development, environmental protection and farmland preservation for the area within a mile and a half on either side of the City of Fitchburg/Town of Verona boundary;
- the governments of the Cities of Verona, Fitchburg and Madison and the Town of Verona join with Dane County in its willingness to participate in such a cooperative plan, and that the plan be designed to foster input and full participation of all affected communities;
- the Capital Area Regional Planning Commission, affected communities and the county work together to identify funding and resources for this effort;
- such a plan include specific implementation steps and guidelines that could be used to develop formal intergovernmental agreements among all the communities in this area, and;
- such a plan is intended to precede expansion of the Urban Service Area or any additional amendments to the *Dane County Water Quality Plan* in this area.

Submitted by Supervisors Miles, Hendrick, Erickson, Veldran, Vedder, Willett, Vogel, Downing, Bayrd, Schmidt, Richmond, Stoebig, Jensen, Bruskewitz, Wheeler, and Hesselbein, February 19, 2009. Fiscal and Policy Notes not required.

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

RES. 256, 08-09

AUTHORIZING A CAD ANALYST POSITION FOR PUBLIC SAFETY COMMUNICATIONS

Matrix Consulting Group recently completed a comprehensive review of Dane County's Public Safety Communications Center. One of their recommendations was to add a Computer-Aided Dispatch (CAD) Analyst position to support the Public Safety Communications Center (PSCC) and client agencies with data requests. These functions are currently provided by various staff who also have other duties.

The benefits from adding a CAD Analyst include:

- Improved support for both client agencies and the PSCC;
- Enhanced access to data for use in evaluating operations relative to performance measures; and
- Support for quality assurance staff.

The position would be part a 1.0 FTE Computer-Aided Dispatch Analyst at a pay grade G-17 located in Support Services of the department. The annual costs of the position follow:

| | |
|----------------|-----------------|
| Salary & Wages | 43,724 |
| Retirement | 5,116 |
| FICA | 3,345 |
| Health | 12,897 |
| Dental | 1,266 |
| Wage Insurance | 85 |
| Life Insurance | 8 |
| Workers Comp | 92 |
| <u>Total</u> | <u>\$66,533</u> |

In addition, there would be an initial cost of \$1,200 for a work station for this position.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors hereby authorizes one FTE Computer-Aided Dispatch (CAD) Analyst position at pay grade G-17 in the Public Safety Communications Center effective July 1, 2009; and

BE IT FINALLY RESOLVED that \$33,267 be transferred from the general fund to personal services accounts in the Department of Public Safety Communications to fund 1.0 FTE CAD Analyst position in 2009 and that \$1,200 be transferred from the general fund to PSC 22043 (Office supplies) to purchase a computer work station.

Submitted by Supervisors McDonell, Rusk, Bayrd, Veldran, Manning, Levin, Hampton, Schlicht, Kostelic, and Solberg, February 19, 2009.

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

RES. 257, 08-09

DIRECTING THE PSC DEPARTMENT TO IMPLEMENT PHONE-RELATED AUDIT RECOMMENDATIONS

Last year the Dane County Board of Supervisors retained Matrix Consulting Group to conduct a comprehensive review of the Public Safety Communications (PSCC) Center. In their recent report, Matrix found that approximately 72 percent of calls to the 9-1-1 Center are made to a number publicized as a non-emergency number. The consultants recommended approaches to reduce the number of calls coming into the Center as well as the installation of phone tree technology on incoming listed non-emergency telephone numbers to direct callers to an appropriate number.

To implement these two recommendations, the PSCC will need to work with client agencies to limit the distribution of the Center's non-emergency phone number and to develop the parameters of how to handle the various types of in-coming non-emergency calls. The Matrix report suggested that it would take two months to

initiate the procurement process for phone tree technology. In addition to working with client agencies, during this time the department would also explore the technology used in other emergency communication centers, identify possible phone tree products, and work with the Center's telephone vendor to identify an approach that would continue to meet customer service goals while freeing communicators to focus on emergency calls.

The Matrix report also suggested the PSCC add a recording between the third and fourth ring on the emergency lines to assure callers that a communicator will be with them shortly. This is meant to discourage a caller from hanging up and calling again, thereby tying up two emergency lines. The PSCC answers calls in 1.3 rings on average.

To add a recorded message after three rings, the PSCC will also need to work with the Center's telephone vendor to program this change. In addition, staff will consider the needs of non-English speakers and the disabled when programming this change. This work could take place at the same time as the analysis of approaches to the phone tree technology.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors directs the Public Safety Communications Department to work with the Public Safety Communications Center Board and with client agencies to limit the number of calls made to non-emergency Center phone lines, and to develop an approach to use phone tree technology to address the remaining non-emergency calls; and

BE IT FURTHER RESOLVED that the Dane County Board of Supervisors directs the Public Safety Communications Department to work with necessary vendors to program a recorded message after the third ring to assure callers that their call will be answered shortly and to discourage them from hanging up.

BE IT FURTHER RESOLVED that the funds necessary to implement a phone tree as well as a recorded message after the 3rd ring of a 911 call, up to \$30,000 be transferred from the CAD and Related Systems Replacement capital account (CPPUBSAF 57146) to a new Phone Tree System capital account (CPPUBSAF NEW) in the Department of Public Safety Communications.

BE IT FINALLY RESOLVED that the PSC director shall report to the Public Protection and Judiciary Committee by June 1st regarding progress in implementing these recommendations.

Submitted by Supervisors McDonell, Rusk, Bayrd, Hampton, Willett, Schlicht, Stoebig, Vogel, Solberg, Manning, Levin, Kostelic, Hesselbein, Opitz, and Veldran, February 19, 2009.

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

RES. 258, 08-09

AUTHORIZING THE ACQUISITION OF LAND FROM THE LYMAN F. ANDERSON FAMILY

The Department of Land & Water Resources (LWRD) has negotiated the acquisition of land in the Town of Oregon owned by the family of Lyman F. Anderson. Anderson, who passed away in 2005, was a former County Board Supervisor and also served in the Wisconsin State Legislature. In his 28-year tenure on the County Board, Supervisor Anderson served on innumerable committees, boards and commissions and attended countless meetings. Many of his committee assignments reflected his interest and dedication to agricultural, natural resource, and land use issues.

The property will be acquired in partial response to the need identified in the *Dane County Parks & Open Space Plan* for additional recreational lands in the Oregon vicinity. LWRD strives to provide an even distribution

of recreational opportunities throughout Dane County. Additionally, the property is located along a rail corridor that has been identified as a future regional bicycle and pedestrian trail that will connect to the Capital City State Trail.

The complete vision for the acquisition is up to 400 acres. However, the County will work with the family to purchase the land in phases. The first phase will be approximately 127 acres. LWRD has negotiated a purchase price of \$12,000 per acre, for a total cost of approximately \$1,524,000. The property appraised at \$20,000 per acre or \$2,540,000 total. The County will also receive the option to purchase an additional approximate 207 acres. The cost to secure this option through December 31, 2010 will be \$10,000. The option may be extended through December 31, 2011 for an additional \$10,000. Funds for the purchase and option are available in the Conservation Fund.

Patricia Anderson, Lyman's widow, also intends to make two charitable acts:

1. The establishment of an endowment for the purpose of planning, developing and maintaining the property. The endowment fund will be roughly equivalent to \$1,000 for every acre purchased by the County.
2. The donation of 60 acres that is currently operated as a quarry. This land may be donated to the County at the time that the quarry is mined out and reclaimed. LWRD intends to work closely with both the family and the quarry operator, Payne & Dolan, Inc., to incorporate an educational component regarding both the benefit of locally produced aggregate and the geological history of the property into plans for the property.

The lands, if purchased, will be managed under the authority of the Dane County Park Commission. The Park Commission looks forward to working with both the County Board and Anderson Family to establish an appropriate name for the property.

NOW THEREFORE BE IT RESOLVED, that the Dane County Board of Supervisors and the Dane County Executive hereby authorize the purchase of the approximately 127 acres from the Anderson Family (Patricia E. Anderson Living Trust/ Lyman F. Anderson Family Trust) for \$12,000 per acre along with an option to purchase an additional 207 acres for \$10,000 (\$5,000 to the Patricia E. Anderson Living Trust/Lyman F. Anderson Family Trust and \$5,000 to Jerry Anderson and Lynette Anderson) according to Wis. Stats. Chapter 27.05(3).

BE IT FURTHER RESOLVED that the County Board authorizes this purchase in advance of the 2009 annual borrowing.

BE IT FINALLY RESOLVED, that the Dane County Real Estate Officer or Conservation Fund Manager are 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 Jensen, Bruskewitz, Wheeler, Miles, Matano, Kostelic, Hulse, Manning, Vedder, Erickson, McDonell, Opitz, Hesselbein, Richmond, Hendrick, Bayrd, Rusk, Solberg, Schmidt, and Veldran, February 19, 2009.

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

RES. 259, 08-09

**AUTHORIZING EXECUTION OF PURCHASE OF SERVICES AGREEMENT FOR
YAHARA RIVER WATERSHED PHOSPHORUS MODEL**

Dane County Land & Water Resources Department has selected Montgomery Associates Resources Solutions LLC to develop a phosphorus model of the Yahara River Watershed. The 2009 Land & Water Resources budget contains funds for the development of the model for the Yahara CLEAN project that was created to assess and identify needs to improve water quality in the Yahara Chain of Lakes. The Purchase of Services Agreement with Montgomery Associates Resources Solutions LLC is in the amount of \$106,800.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Executive and the Dane County Clerk are hereby authorized to execute, on behalf of the County of Dane, a Purchase of Services Agreement with Montgomery Associates Resources Solutions LLC.

Submitted by Supervisors Schmidt, Erickson, Veldran, Miles, Wheeler, Hesselbein, Matano, Levin, and Manning, February 19, 2009.

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

RES. 260, 08-09

**AUTHORIZATION OF SALVATION ARMY 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 free office space with the Salvation Army at 3030 Darbo Road, in Madison, Wisconsin for several years. The space consists of approximately 450 sq. ft. with access to restrooms and other rooms in the Community Building. The Salvation Army is requesting \$100 per month or \$1200 per year rent for the space allocated to the Joining Forces for Families Program to help offset the cost of maintaining the building.

The negotiated rental rate for the designated JFF space is presently considerably below market rate for this space which is 450 square feet. The space will be utilized by a Dane County Community social worker.

The 2008-09 rental rate would be \$100 per month or \$1200 per year. The current lease will run from June 1, 2008 to May 31, 2009, with two one-year renewal options.

NOW, THEREFORE, BE IT RESOLVED that Dane County enter into a lease with the Salvation Army of Madison, WI for 2008-09; 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 Wheeler, Vedder, and Bruskewitz, February 19, 2009.
Referred to HEALTH/HUMAN NEEDS, and PERSONNEL/FINANCE.

RES. 261, 08-09

**APPROVING AGREEMENT FOR COMMUNITY DEVELOPMENT BLOCK GRANT LOAN YAHARA
RIVER GROCERY COOPERATIVE**

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.

Yahara River Grocery Cooperative (YRGC) opened for business March 1st, 2008, on Main St. in downtown Stoughton. YRGC established a new locally owned community grocery cooperative offering high value local and organic products, as well as some traditional food items - replacing an empty store front that was previously home to a local grocer. YRGC currently employs eight people, and has a nine member board of directors. The overall cooperative membership of over 950 members, 300 of whom use the store on a regular basis. YRGC made some initial miscalculations, and while they had some success in the beginning, rising food costs, limited product mix and pricing structure, as well as unresponsive management, left them with sales at 50% of initial projections.

In response, YRGC made some changes in their management structure. Willy Street Co-op provided one of their top staff members to perform as Interim General Manager, free of cost, to help them re-configure their product offerings and re-position the store within the marketplace. With the assistance of the Interim GM, the YRGC Board, and the support of numerous cooperative, business, marketing and human resource experts, YRGC has taken significant steps to reposition the store to improve sales and correct earlier errors regarding their target customer base, product mix, and pricing.

The YRGC Board and its members are seeking a loan for \$60,000. The funds will be used to replenish and expand their inventory, create a new meat department and add new deli features in order to better meet customer demand. They will also hire a new general manager, expand marketing efforts and pay down some of their vendor debt. During their expansion, YRGC plans to retain their existing staff, and create at least three new full-time positions. The total project costs are \$120,000.

The Dane County RLF Loan Committee met on January 13, 2009, and February 13, 2009. The Loan Committee recommended approval of a loan of \$60,000 at 6% interest for seven years, and a 1-point loan fee of \$600.00. The loan will be disbursed after the following requirements are met: 1) YRGC supplies the Dane County RLF Manager with a statement from the bank indicating YRGC has met their cash match of \$30,000, and 2) a copy of an accepted Letter of Offer for the new General Manager position is also provided. No funds will be disbursed until these terms have been met.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors does approve a RLF-ED loan of \$60,000 with a seven-year term at an annual interest rate of 6% and a 1-point loan fee of \$600.00 to the Yahara River Grocery Cooperative. The loan will be disbursed only after the following terms have been met by YRGC: 1) YRGC supplies the Dane County RLF Manager with a bank statement indicating YRGC has deposits of

a minimum of \$30,000, and 2) YRGC provides a copy of a signed letter of intent from the new General Manager accepting the offer of employment.

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 on behalf of Dane County.

Submitted by Supervisors Vogel, Miles, and O'Loughlin, February 19, 2009.
Referred to HEALTH/HUMAN NEEDS, PERSONNEL/FINANCE and CDBG.

RES. 262, 08-09

AUTHORIZING SUBMISSION OF APPLICATION FOR PARTICIPATION IN THE WISCONSIN SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT EMERGENCY ASSISTANCE PROGRAM

WHEREAS, Federal monies are available under the Wisconsin Small Cities Community Development Block Grant-Emergency Assistance housing program, administered by the State of Wisconsin, Department of Commerce, Bureau of Local Development to assist in the rehabilitation of housing units, businesses, and public infrastructure damaged during the storms and flooding of June 5 through July 25, 2008.

WHEREAS, after a public hearing held on February 26, 2009 and due consideration, the Dane County CDBG Commission has recommended that an application be submitted to the State of Wisconsin for the following projects:

- To be determined pending public hearing

WHEREAS, it is necessary for the Dane County Board of Supervisors to approve the preparation and filing of an application for Dane County to receive funds from this program; and

WHEREAS, the County Board of Supervisors has reviewed the need for the proposed projects and the benefits to be gained therefrom;

NOW THEREFORE BE IT RESOLVED that the Dane County Board of Supervisors does APPROVE and authorize staff to prepare and file an emergency application for funds under this program in accordance with this resolution; and

BE IT FURTHER RESOLVED that the Dane County Executive and Dane County Clerk are hereby authorized and directed to sign all necessary documents on behalf of Dane County; and

BE IT FINALLY RESOLVED that the Dane County Controller is authorized to issue checks necessary to implement the project.

Submitted by Supervisors Wheeler, Vedder, and Bruskevitz, February 19, 2009.
Referred to HEALTH/HUMAN NEEDS, and PERSONNEL/FINANCE.

RES. 263, 08-09

ACCEPTING MOBILITY MANAGEMENT PROJECT GRANT
DCDHS - ACS Division

As the result of a competitive application process, the Wisconsin Department of Transportation has awarded a \$97,896 Mobility Management Project Grant to Dane County Department of Human Services. The project will promote coordination between specialized and public transportation and will help people with disabilities achieve integration into the work force and community. The grant will fund a Mobility Specialist position, travel training for people with disabilities, and software to facilitate ride ordering and management. The Mobility Specialist will provide information and referral to appropriate programs, determine eligibility, assist with hard to serve transportation issues, and maximize the use of fiscal and capital resources. The grant period is calendar year 2009, with an opportunity to apply for continuation funding for 2010. The Mobility Specialist position is budgeted beginning April 26, 2009, with LTE coverage prior to April 26.

NOW, THEREFORE, BE IT RESOLVED, that position authority in the Department of Human Services, Adult Community Services Division, is increased by 1.0 FTE Mobility Program Specialist (Project Position) effective April 26, 2009.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the following 2009 Department of Human Services revenue and expense accounts be adjusted.

| Revenue Account Number | Account Title | Amount |
|-------------------------------|----------------------------|----------|
| ACAADMIN NEW | Mobility Management Grant | \$97,896 |
| Expenditure Account Number | Account Title | Amount |
| ACAADMIN AAYAAA | Salary | \$27,800 |
| ACAADMIN AAYMAA | Retirement | \$3,229 |
| ACAADMIN AAYPAA | Social Security | \$2,112 |
| ACAADMIN AAYSAA | Health | \$8,598 |
| ACAADMIN AAZBAA | Dental | \$844 |
| ACAADMIN AAYGAA | Limited Term Employees | \$9,890 |
| ACGSTRAN NEW | Mobility Training Services | \$27,255 |
| ACGSTRAN NEW | Software Lease | \$11,940 |
| ACAADMIN ABTRAA | Travel | \$808 |
| ACAADMIN ABPRAA | Supplies | \$2,000 |
| ACGSTRAN NEW | Mobility Grant TBD | \$3,420 |
| | Total | \$97,896 |

Submitted by Supervisors Wheeler, Vedder, and Bruskewitz, February 19, 2009.
Referred to HEALTH/HUMAN NEEDS, and PERSONNEL/FINANCE.

RES. 264, 08-09

AWARDING 2009 PROFESSIONAL SERVICE CONTRACTS
DEPARTMENT OF HUMAN SERVICES

The purpose of this resolution is as follows:

5. To award a POS contract with University of Wisconsin Hospitals and Clinics for 2009.

The contract with University of Wisconsin Hospitals and Clinics provides one or more of the following services: inpatient care to persons with mental illness, comprehensive alcohol/drug abuse screening and assessment, intervention and referral services to Dane County youth 18 years old and under.

NOW, THEREFORE, BE IT RESOLVED that the professional service contracts listed below be awarded for the period January 1, 2009, through December 31, 2009.

| <u>Children Youth and Families Division:</u> | <u>Contract Amount</u> |
|---|------------------------|
| University of Wisconsin Hospitals and Clinics | \$356,630 |

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 Vedder, Wheeler, and Bruskewitz, February 19, 2009.
Referred to HEALTH/HUMAN NEEDS, and PERSONNEL/FINANCE.

RES. 265, 08-09

AUTHORIZING THE TRANSFER OF UNREPRESENTED DEPARTMENT OF PUBLIC HEALTH
FOR MADISON AND DANE COUNTY EMPLOYEES

The Intergovernmental Agreement that created the Department of Public Health for Madison and Dane County directed that all Department employees would become County employees through a phased transition schedule. The County has negotiated memoranda of understanding with the three bargaining units representing employees in the Department. This resolution establishes similar terms under which nine (9) unrepresented City employees will transfer to County employment.

The Department's 2009 Budget included \$100,000 of general purpose revenue to fund transition costs. These transition costs are caused by wage adjustments that occur as City employees are integrated into the County's existing classification schedules and their hours of work are increased from 38.75 hours per week to 40 hours per week. The AFSCME employee transfers used approximately \$88,400 of the available funding, leaving \$11,600 to fund the unrepresented transitions.

NOW, THEREFORE, BE IT RESOLVED that unrepresented City of Madison employees employed by the Department of Public Health for Madison and Dane County are authorized to transfer to County employment under the following terms:

1. Employees may voluntarily transfer to County employment upon passage of this resolution. Employees electing to transfer in 2009 must provide notice to the County no later than March 20, 2009.
2. City classifications will be converted to County classifications and associated wage ranges according to the following table:

| | | |
|---|---|---------|
| Public Health Nursing Supervisor | Public Health Nursing Supervisor | M-12 |
| Public Health Director of Operations | Director of Operations – Public Health | M-14 |
| Household Hazardous Waste Coordinator | Household Hazardous Waste Coordinator | M-11 |
| Director of Environmental Health and Labs | Director of Environmental Health and Labs | M-14 |
| Environmental Tech Services Supervisor | Environmental Tech Services Supervisor | M-12 |
| Program Asst. 3 | Administrative Services Supervisor | M-06-08 |
| Environmental Health Services Supervisor | Environmental Health Services Supervisor | M-12 |

3. For employees who voluntarily transfer in 2009, wage adjustments will become effective on the first day of pay period 23 beginning on October 25, 2009. Hours of work for employees who transfer in 2009 will be increased from 38.75 per week to 40 hours per week effective on the first day of the first pay period of 2010.
4. Employees will be provided another voluntary election period in 2010. Employees electing to transfer in 2010 must provide notice to the County no later than August 1, 2010. Voluntary elections and wage adjustments will become effective on the first day of the first pay period of 2011. Hours will be increased from 38.75 to 40 hours per week upon transfer.
5. City employees who have not transferred during the voluntary transfer periods will be involuntarily transferred to County employment effective on the first day of the first pay period in 2012. At that time, wage and hours adjustments will be implemented.
6. Employees will be placed in existing County salary and vacation schedules in accordance with the timelines noted above and based on the seniority earned while City employees. If a placement results in a loss of wages or benefits, the employee will maintain the higher level of wage and/or benefit until the County schedule meets or exceeds the wage or benefit amount.
7. City employees transferring to County employment will transfer any accumulated sick leave, vacation hours, and any other accrued paid leave time balances to County employment at the time of transfer. City employees are currently paid for sick leave accumulations that exceed 150 days. The City will pay out any sick leave accumulation over 150 days at the time of transfer. Consistent with County policy, this benefit will no longer be available to an employee following transfer to County employment.
8. Transferring employees will have access to all County insurance programs on the same basis as regular County employees. Transferring employees will not experience waiting periods or exclusions upon transfer, provided that employees are enrolled in comparable programs with the City. If no comparable program exists, transferring employees will be treated as new hires. If an employee is not enrolled in a comparable program, the employee will be required to wait until the next open enrollment period.

BE IT FINALLY RESOLVED that the Department of Administration is authorized to create the necessary administrative processes and procedures to implement this resolution.

Submitted by Supervisor Hulse, February 19, 2009
 Referred to HEALTH/HUMAN NEEDS, PERSONNEL/FINANCE, and BOARD OF HEALTH.

RES. 266, 08-09

AUTHORIZING AN AMENDMENT TO THE ENCROACHMENT AGREEMENT WITH THE CITY OF MADISON FOR THE BLAIR STREET BOATHOUSE

Dane County and the City of Madison entered into an encroachment agreement on December 2, 1980 which conveyed the Blair Street Boathouse to the County and granted to the County a Street Encroachment Permit for as long as the building was used as a boathouse. Dane County has made application to the City for a privilege in streets permit to remove and replace the existing boathouse building. The amendment to the agreement now requires the County to pay an annual fee of \$250 which may adjusted from time to time in order to continue to occupy part of the south Blair Street right-of-way.

NOW, THEREFORE, BE IT RESOLVED that on behalf of the County of Dane, the County Clerk and County Executive are authorized to execute the agreement described above with the City of Madison.

Submitted by Supervisors Rusk, Bayrd, Hampton, Willett, and Kostelic, February 19, 2009.

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

RES. 267, 08-09

AUTHORIZING EMERGENCY FIRE WARDENS FOR DANE COUNTY FOR THE YEAR 2009

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 2009.

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 |
| Mike Diebold | 4972 W. Brewery, Cross Plains 53528 | Berry |
| Anthony Varda | 9332 Spring Valley Rd., Mazomanie, 53560 | Roxbury & Berry |
| Rod Johnson | 10440 Enerson Rd., Black Earth 53515 | Vermont, Black Earth, & Mazomanie (Arena) |
| Stephanie Lathrop | 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 |
| Shirley Brandt | 4670 Cedar Hill Ln, Black Earth 53515 | Vermont, Black Earth, Brigham & Arena |

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, Downing, and Schlicht, February 19, 2009. Fiscal & Policy Notes not required.

Referred to ENVIRONMENT/AGRICULTURE/NATURAL RESOURCES.

RES. 268, 08-09

**AUTHORIZING AN AEC CAPITAL PROJECT EXPENDITURE
IN ADVANCE OF BORROWING**

Dane County Ordinance Sec. 29.52 (11), states that, "Capital projects to be financed with borrowed funds may not proceed in advance of borrowing except with the prior approval of the County Board and County Executive. The Alliant Energy Center has one capital project in the 2009 budget – Center Improvements costing \$659,000. Included in this project are upgrades to most of the Center buildings and replacement of a radio system that is nearing 20 years old.

NOW THEREFORE BE IT RESOLVED, that the Alliant Energy Center's 2009 capital project, Center Improvements is approved to proceed in advance of borrowing and that it is the intention of the County to reimburse itself the \$659,000 of expenditures with proceeds from the 2009 Capital projects Borrowing.

Submitted by Supervisors Opitz, Wiganowsky, Schmidt, and Veldran, February 19, 2009.
Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

RES. 269, 08-09

**AUTHORIZING PURCHASE OF SERVICES AGREEMENT FOR TELECOMMUNICATION SERVICES
AT THE DANE COUNTY REGIONAL AIRPORT**

Dane County Regional Airport staff have negotiated an agreement with TDS Metrocom, LLC to continue to provide telecommunication services throughout the Airport. The agreement provides for continuation of telecommunication services at a rate usually available only under longer term contracts. The Purchase of Services Agreement has a term of three years and a maximum total cost of \$48,322.

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 Purchase of Services Agreement with TDS Metrocom, LLC, as set forth above, for the provision of telecommunication services at the Dane County Regional Airport.

Submitted by Supervisors O'Loughlin, and Rusk, February 19, 2009.
Referred to PERSONNEL/FINANCE and PUBLIC WORKS/TRANSPORTATION.

COMMUNICATIONS

Claim from Charlotte M. Cole against Public Works for damage to vehicle caused by debris falling from bridge.
Referred to PUBLIC PROTECTION/JUDICIARY.

Notice of Injury and Claim from Gregory L. Johnson and Anita C. Johnson against County re. death of Mark Gregory Johnson. Referred to PUBLIC PROTECTION/JUDICIARY.

Claim from Matthew Moran Jr. against Jail for damage to personal property. Referred to PUBLIC PROTECTION/JUDICIARY.

Summons for Foreclosure of Mortgage – M & I Marshall & Ilsley Bank vs. Darryl D. Bomkamp. Referred to PUBLIC PROTECTION/JUDICIARY.

Summons for Foreclosure of Mortgage – US Bank National Association vs. estate of Michael L. Turner. Referred to PUBLIC PROTECTION/JUDICIARY.

Communication from Madison PD re. claim from Charlotte M. Cole for damage to her vehicle. Referred to PUBLIC PROTECTION/JUDICIARY.

Communication from Kerry Pugh re. claim against Sheriff. Referred to PUBLIC PROTECTION/JUDICIARY.

Claim from AT&T against highway for damage to pedestal and telephone cable while removing snow at eh corner of CTH B and Skyline Dr. Referred to PUBLIC PROTECTION/JUDICIARY.

Notice of Foreclosure Sale U.S. Bank vs. Aimee K. Haas. Referred to PUBLIC PROTECTION/JUDICIARY.

Communication from State Farm Insurance re. claim for Anne Young. Referred to PUBLIC PROTECTION/JUDICIARY.

Communication from R&L Carriers against County. Referred to PUBLIC PROTECTION/JUDICIARY.

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

- Petition 10011 – Town of Roxbury – Marvin Breunig
- 10012 – Town of Medina – Carl Munson
- 10013 – Town of Dane – Darrell A. Clemens Revocable Trust
- 10014 – Town of Middleton – L. Kane
- 10015 – Town of Springfield – Hugh Anderson
- 10029 – Town of Pleasant Springs – John Julseth

RES. 272, 08–09

AUTHORIZING MONTH-TO-MONTH LEASE WITH USDA FARM SERVICE AGENCY AT LYMAN ANDERSON AGRICULTURE & 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 expired on September 30, 2008. COC has leased 2,687 square feet for the USDA local offices at the Lyman F. Anderson Agriculture and Conservation Center under the present lease agreement at a rental rate of \$14.15 per square foot since 2005. A supplemental lease was submitted to extend the existing lease at an increased rental rate of \$15.00 per square foot or \$3,358.75 per month for one year. The supplemental lease was approved by Res. 111, 2008-2009. The federal government has requested that the supplemental lease be on a month-to-month basis until further notice, retroactive to and subject to the rental increase commencing October 1, 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 Jensen, Bruskevitz, Stoebig, Downing and Hendrick, March 6, 2009.

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

RES. 273, 08-09

**AUTHORIZING THE CONVEYANCE OF AN EASEMENT FOR A PEDESTRIAN/BICYCLE OVERPASS
ON LAND AT THE DANE COUNTY REGIONAL AIRPORT**

As part of its Starkweather Creek Corridor Project, the City of Madison is connecting and extending its pedestrian/bicycle path network on the City's Northeast side. The project includes construction of a pedestrian/bicycle bridge over Aberg Avenue providing access from the south to the existing pedestrian/bicycle path running along the Starkweather Creek. Construction of the overpass requires an easement over .91 acres of County-owned land at the Dane County Regional Airport bounded by Aberg Avenue to the southwest, the Starkweather Creek to the southeast and the existing Starkweather Bike Path to the north. The easement parcel is presently part of the property the County leases to the Bridges of Madison, LLC for a golf course and the easement granted by the County is expressly subject to the rights of the LLC under the lease. Pursuant to an appraisal, the City is paying the County \$2348 in consideration for the permanent limited easement for construction and use of the land for the pedestrian/bicycle overpass.

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 permanent limited easement granting to the City of Madison the right to build and use the land described therein for a public pedestrian/bicycle bridge over Aberg Avenue, as set forth above.

Submitted by Supervisors O'Loughlin, Hendrick and Veldran, March 5, 2009.

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

RES. 274, 08-09

CONTRACT FOR FLY DANE 2009-2010 DIGITAL ORTHOPHOTOGRAPHY & TERRAIN PROJECT

Dane County in participation with the Fly Dane Partnership is undertaking for 2009-2010, the development of its third county wide project to develop digital orthophotography and terrain data. This project will produce updated color, black/white and color infrared imagery, an updated digital terrain model with 2-foot contour information, building footprint updates and contract optional data upgrades for Fly Dane Partners. The contract takes advantage of the reduced prices and economy of scale offered by participation in the consortium by leveraging funding from the Wisconsin Land Information Program (WLIP), the Fly Dane Reserve Fund, Dane County Capital funding and participating partners. Proceeds received from the sale of Dane County orthoimagery and terrain data products will be closed into the LIO Fund/Fly Dane Reserve Fund. The Fly Dane Reserve Fund is a component of community participation in Fly Dane projects to maintain and periodically acquire updated countywide imagery and related products.

NOW, THEREFORE, BE IT RESOLVED that the following contract is approved for the period through December 31, 2012:

Ayres Associates
1802 Pankratz Street
Madison, WI 53704-4069

BE IT STILL FURTHER RESOLVED that \$170,000 be moved from the Fly Dane Reserve Fund to the Land Information Office Orthophotography expense line (31837) to cover the partnership contribution to the Fly Dane 2009-2010 project. The balance of the project funding comes from municipal partners, regional partners and capital expenditures.

BE IT STILL FURTHER RESOLVED that any unexpended or unrealized funds at 12/31/2010 be carried forward to 2011.

BE IT STILL FURTHER RESOLVED that proceeds received from the sale of Dane County orthophoto imagery and terrain data products will be closed into the Land Information Office/Fly Dane Reserve Fund.

BE IT STILL FURTHER RESOLVED that this project be allowed to proceed in advance of borrowing.

BE IT STILL FURTHER RESOLVED that the Director of the Department of Administration is authorized to sign Fly Dane partner Memoranda of Understanding with Dane County.

BE IT FINALLY RESOLVED that the County Clerk and County Executive are authorized to sign the contract for professional services.

Submitted by Supervisors Hulseay, O'Loughlin, Opitz, Erickson, Vedder, Hampton, Downing, Veldran and Schmidt, March 5, 2009.

Referred to PERSONNEL/FINANCE and ZONING & LAND REGULATION.

RES. 275, 08-09

**AUTHORIZING AN INCREASE IN THE EXPENDITURE LIMIT FOR THE SHERIFF'S OFFICE
PETTY CASH REVOLVING FUND**

The Dane County Sheriff's Office maintains an existing petty cash fund of \$4,200. The maximum expenditure allowed from this account is \$75. This fund is used to advance monies to deputies who make out-of-state prisoner conveyances, conduct investigations, attend out-of-state conferences, etc. This fund is also used to make miscellaneous purchases including registration and title transfer of new vehicles, and to purchase CDL permits and licenses.

Due to increased costs imposed by the Department of Transportation in 2009, the fee for registration of a new vehicle has increased. The new rates include \$69.95 for Registration and Title; \$1 Transfer Fee; \$5 Regular Plate or \$6 Municipal Plate; and a \$5 Counter Fee. The Department of Transportation does not accept credit cards and a typical transaction will cost more than the \$75 allowed from petty cash.

NOW THEREFORE BE IT RESOLVED that the Dane County Board authorize the maximum amount for single expenditure transactions to be increased from \$75 to \$100 in the Sheriff's Office petty cash revolving fund.

Submitted by Supervisors Rusk, Bayrd, Hampton, Willett, Kostelic and Schlicht, March 5, 2009.

Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION & JUDICIARY.

RES. 276, 08-09

**AUTHORIZING ACCEPTANCE OF FUNDS FOR HOMELAND SECURITY/LAW ENFORCEMENT
SPECIALTY TEAM EQUIPMENT**

The Dane County Sheriff's Office has been awarded a grant from the State of Wisconsin, Office of Justice Assistance, Homeland Security Program made available through the U.S. Department of Homeland Security Office for Domestic Preparedness. This grant supports Dane County's Homeland Security/LETPP 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 \$152,500. The grant period ends March 30, 2009.

NOW, THEREFORE BE IT RESOLVED that the Sheriff's Office be permitted to accept the Homeland Security/Law Enforcement Specialty Team Equipment Grant, administered by the Office of Justice Assistance, in the amount of \$152,500.

BE IT FURTHER RESOLVED that \$152,500 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 \$152,500 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 2009 budget period to the 2010 budget period.

Submitted by Supervisors Rusk, Hampton, Willett, Kostelic, Schlicht and Hesselbein, March 5, 2009.
Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION & JUDICIARY.

RES. 277, 08-09

AWARD OF CONTRACT FOR JOB CENTER REMODEL

The Department of Public Works, Highway & Transportation reports the receipt of bids for the Job Center Remodel, 1819 Aberg Avenue, Madison, WI, Bid No. 109001.

A complete tabulation is on file at the Department of Public Works office. The low qualified bidder is:

TOTAL AMOUNT: \$_____

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

NOW, THEREFORE, BE IT RESOLVED that a 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 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 \$20,000 or more than 10% of the original approved Contract amount, whichever is smaller.

Submitted by Supervisors Opitz, Schmidt, Veldran, Martz and Wiganowsky, March 5, 2009.

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

RES. 278, 08-09

**FUND TRANSFER & NEW LINE ITEM ACCOUNT FOR GAS
COMPRESSOR SKID AT LANDFILL SITE NO. 2**

The Department of Public Works, Highway & Transportation reports the receipt of proposals for the Gas Compressor System Dane County Landfill Site No. 2, 7102 U. S. Highway 12 & 18, Madison, WI, Proposal 108147.

Unison Solutions, Inc., 5451 Chavenelle Road, Dubuque, IA 52002 will be providing the equipment for a Bid Price of \$398,753.00, with an additional \$8,000.00 for modifications to add a chiller at a later date.

A fund transfer and a specific line item account are required.

NOW, THEREFORE, BE IT RESOLVED That \$500,000.00 be transferred from Landfill Site No. 2, Phase VII Account No. SWRODFLD 58060 to a new Gas Compressor Skid Account; and

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

Submitted by Supervisors Opitz, Schmidt, Veldran, Martz and Wiganowsky, March 5, 2009.

Referred to PERSONNEL/FINANCE and PUBLIC WORKS & TRANSPORTATION.

RES. 279, 08-09

**ADDENDUM OF AGREEMENT TO VEOLIA ENVIRONMENTAL
FOR HAZARDOUS WASTE SERVICES AT CLEAN SWEEP**

Sub. 1 to Res. 225, 2005-06 awarded a Purchase Of Services Agreement to Veolia Environmental Services (formerly Onyz Environmental Services, LLC) for the household hazardous waste collection facility (Clean Sweep).

The Agreement was for a three year period (2006-07-08), with renewal options in 2009 and 2010. Based on the estimated amount of material to be collected this year, the Agreement will be for \$273,000.00 in 2009. Calendar year 2010 prices shall be based on the percentage change in the annual Consumer Price Index.

The Public Works & Transportation Committee finds the Addendum Of Agreement amount reasonable and recommends that the Agreement be extended.

Funds are available in the Budget for this Agreement extension.

NOW, THEREFORE, BE IT RESOLVED, that an Addendum of Agreement be approved to Veolia Environmental Services for collection, transportation, treatment, storage and disposal of hazardous waste collected at the Clean Sweep Collection Facility in 2009 and 2010 and that the County Executive and the County Clerk be authorized and directed to sign the Addendum.

BE IT FINALLY RESOLVED, That the Dane County Public Works, Highway & Transportation Department be directed to ensure complete performance of the Addendum.

Submitted by Supervisors Opitz, Schmidt, Veldran, Martz and Wiganowsky, March 5, 2009.
Referred to PERSONNEL/FINANCE and PUBLIC WORKS & TRANSPORTATION.

RES. 280, 08-09

**ACCEPTANCE OF STATE OF WI DEPARTMENT OF NATURAL RESOURCES
LAKE PLANNING GRANT – Lake Mendota Watershed**

Dane County Land & Water Resources - Lakes & Watersheds Division has received a State of Wisconsin Department of Natural Resources Lake Planning Grant for \$9,990. The purpose of the grant is to complete an inventory of farming practices that exist now, after the Priority Watershed Project has been completed in the watershed of Lake Mendota.

This inventory will help Dane County and other decision makers understand the progress made by the Priority Watershed Project implementation practices, all to ultimately reduce nutrient loading to Lake Mendota.

The 2009 Lakes & Watersheds Budget includes funds to meet the required project match.

NOW, THEREFORE, BE IT RESOLVED, that the Dane County Board of Supervisors and the Dane County Executive hereby accept the grant award from the Wisconsin Department of Natural Resources totaling \$9,990.

BE IT FURTHER RESOLVED, that new expense and revenue accounts "Post-NPS Farm Practice Inventory Grant" be established under the Lakes & Watersheds Budget for \$9,990 and that these funds be carried forward until expended.

Submitted by Supervisors Hulse, Erickson, Miles, Jensen and Hesselbein, March 5, 2009.
Referred to PERSONNEL/FINANCE, ENVIRONMENT, AGRICULTURE & NATURAL RESOURCES and LAKES & WATERSHED.

RES. 281, 08-09

**ACCEPTANCE OF STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES
LAKE PLANNING GRANT – Dane County Lakes**

Dane County Land & Water Resources - Lakes & Watersheds Division has received a State of Wisconsin Department of Natural Resources Lake Planning Grant for \$3,000. The purpose of the grant is to develop comprehensive lake user surveys for all Dane County lakes and streams and includes a survey plan. This will allow the future assessment of the economic importance of lake and stream use, help develop recreational use plans and identify user conflicts.

The 2009 Lakes & Watersheds Budget includes to meet the required project match.

NOW, THEREFORE, BE IT RESOLVED, that the Dane County Board of Supervisors and the Dane County Executive hereby accept the grant award from the Wisconsin Department of Natural Resources totaling \$3,000.

BE IT FURTHER RESOLVED, that new expense and revenue accounts "Lake User Survey Design Grant" be established under the Lakes & Watersheds Budget for \$3,000 and that these funds be carried forward until expended.

Submitted by Supervisors Hulse, Erickson, Miles, Jensen and Hesselbein, March 5, 2009.
Referred to PERSONNEL/FINANCE, ENVIRONMENT, AGRICULTURE & NATURAL RESOURCES and LAKES & WATERSHED.

RES. 282, 08-09

SETTLEMENT WITH THE TOWN OF MIDDLETON FOR SHERIFF DISTRICT OFFICE PLANNING FEES

Dane County and the Town of Middleton participated in the planning for a potential district office for the Sheriff in the Town. The County decided not to move forward with the plan, and has decided it would be fair to defray some of the costs of the planning effort.

WHEREAS, the Town of Middleton and Dane County wish to resolve the issue amicably.

NOW, THEREFORE, BE IT RESOLVED that Dane County agrees to compensate the Town of Middleton in the amount of \$27,500 to defray some of the cost of the planning effort.

NOW, THEREFORE, BE IT FURTHER RESOLVED that an account in the capital budget be created CPSHRF NEW Town of Middleton District Office and the \$27,500 be transferred to this account from the \$36,000 remaining amount in capital account COCCAP 57196 Centralized Calendaring System.

Submitted by Supervisors O'Loughlin, Miles, Ripp, Wiganowsky, Kostelic and Vogel, March 5, 2009.
Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION & JUDICIARY.

COMMUNICATIONS

Notice of Application for Confirmation of Sale and Writ of Assistance- Foreclosure of Mortgage - Wells Fargo Bank vs. Travis K. Stram. Referred to PUBLIC PROTECTION/JUDICIARY.

Notice of Claim estate of Mark Gregory Johnson, deceased. Referred to PUBLIC PROTECTION/JUDICIARY.

Notice of Claim of Anita C. Johnson and Gregory L. Johnson. Referred to PUBLIC PROTECTION/JUDICIARY.

Notice of Violation/Notice of Claim from DNR re. Dane County Landfill Site #1. Referred to PUBLIC PROTECTION/JUDICIARY.

Communication from Wald Klimczyk re. claim for damage to vehicle. Referred to PUBLIC PROTECTION/JUDICIARY.

Communication from Judge Juan Colas re. Case Randy Wallenkamp, et al. vs. Brian Magnusson, et al. Referred to PUBLIC PROTECTION/JUDICIARY.

Kewaunee County Resolution 40-02-09 – A Resolution Supporting Standard Enforcement of Seatbelt Law. Referred to EXECUTIVE.

RES. 284, 08-09

**AUTHORIZING EMPLOYMENT AGREEMENT FOR DIRECTOR OF PUBLIC SAFETY
COMMUNICATIONS CENTER (JOHN DEJUNG)**

A candidate has been selected to serve as the director of the public safety communications center. Consistent with the budget, county ordinances, and existing practice for employment contracts, a contract has been negotiated with John Dejung. This contract is similar to contracts negotiated with other department heads.

NOW, THEREFORE, BE IT RESOLVED that the county executive is hereby authorized to execute, on behalf of the County of Dane, an employment contract with John Dejung to serve as director of the public safety communications center for a five-year period ending May 23, 2014, at a beginning base salary of \$120,000.00.

Submitted by Supervisor McDonell, March 19, 2009.

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

RES. 285, 08-09

**AUTHORIZING THE ACCEPTANCE OF GRANT FUNDS FOR PARKS &
NATURAL RESOURCE AREAS – SPRING 2009**

The Department of Natural Resources has awarded grants to Dane County for the acquisition of lands identified in the *Dane County Parks & Open Space Plan*. The grants are funded through the Knowles-Nelson Stewardship Program through a highly competitive annual application process. The grant awards cover lands previously acquired in the following areas:

- McCarthy County Park - \$139,050
- Fish Lake Natural Resource Area – \$96,000

- North Mendota Natural Resource Area - \$330,000

These funds, totaling \$565,050, are anticipated in the 2009 budget.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors and the Dane County Executive hereby accept the grant funds from the Wisconsin Department of Natural Resources for the reimbursement of lands purchased for natural resource protection and recreation.

BE IT FINALLY RESOLVED that the Conservation Fund Manager, County Executive and County Clerk are authorized to execute documents necessary to accept the funds.

Submitted by Supervisors Ripp and Kostelic, March 19, 2009.

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

RES. 286, 08-09

AUTHORIZING AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF MADISON AND DANE COUNTY CREATING THE CITY-COUNTY HEALTH DEPARTMENT

The Board of Health for Madison and Dane County (BOHMDC) and the Department of Public Health for Madison and Dane County were created by an Intergovernmental Agreement (IGA) between the City of Madison and Dane County dated November 20, 2007.

The BOHMDC is in the process of adopting Bylaws consistent with the IGA for governance of its operation. While drafting Bylaws, the BOHMDC has determined that two provisions of the IGA are not consistent with its effective governance and operation. Specifically, those provisions of the IGA are as follows:

Art. VI, Para. A (2)(c)(3)c which states that “The board member’s term shall be automatically terminated and a vacancy created upon his or her absence from three (3) consecutive meetings.”

Art. VI, Para. A(5) states that “By majority vote of members present the BOHMDC shall elect officers on an annual basis.”

The BOHMDC has adopted a Resolution requesting that the City of Madison and Dane County amend Art. VI, Para. A(2)(c)(3)c of the IGA, to provide greater flexibility for dealing with absences and providing for excused absences. The BOHMDC further requests that Art. VI, Para A(5) be amended to provide that a majority of the members appointed to the BOHMDC elect officers on an annual basis.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors authorizes an amendment to Art. VI, Para. A(2)(c)(3)c of the IGA, to state:

The chair of the Board shall report to the County Executive and Mayor each instance in which a member is absent without excuse from three of four consecutive meetings. The County Executive and Mayor shall take appropriate action to secure the attendance of such members including, in their discretion, requesting their resignation.

BE IT FURTHER RESOLVED that the Dane County Board of Supervisors authorizes an amendment to Art. VI, Para. A(5) of the IGA, to state:

5. Officers. By majority vote of the members appointed, the BOHMDC shall elect officers on an annual basis. Elected officials of the City and County may not serve as Board Officers.

BE IT FURTHER RESOLVED, that these amendments shall be effective upon adoption of resolutions of both the City and the County, and the appropriate officers of each may then sign the amendments.

Submitted by Supervisor Vogel, March 19, 2009, Fiscal and Policy Notes not required.
Referred to EXECUTIVE, HEALTH/HUMAN NEEDS, and BOARD OF HEALTH.

COMMUNICATIONS

Notice of Appearance and Claim for Surplus Anchorbank v Dale W. Humboldt. Referred to PUBLIC PROTECTION/JUDICIARY.

Claim from AFI re. Jason L. Haldemann against Public Works for damage to vehicle caused by mile marker sign laying in the roadway. Referred to PUBLIC PROTECTION/JUDICIARY.

Summons for Foreclosure of Mortgage M&I Marshall & Ilsley Bank vs. Vernon C. Brown and Sabrina D. Brown. Referred to PUBLIC PROTECTION/JUDICIARY.

Summons for Foreclosure of Homeowners Financial Services Inc. vs. Douglas D. Rockhill & Tracey D. McClure-Rockhill. Referred to PUBLIC PROTECTION/JUDICIARY.

Communication from Murphy & Presentin LLC re. White, et al vs. Society Insurance. Referred to PUBLIC PROTECTION/JUDICIARY.

Summons & Complaint City of Madison vs. Dane County re. building code matter at 215 S. Hamilton. Referred to PUBLIC PROTECTION/JUDICIARY.

Communication from AT&T regarding claim of damage CTH B and Skyline Dr. Referred to PUBLIC PROTECTION/JUDICIARY.

Summons & Complaint for Foreclosure of Mortgage US Bank, National Association vs. Melvin R. Grantz Jr. & MaryAnn Gratz. Referred to PUBLIC PROTECTION/JUDICIARY.

Notice of Hearing Randy Wallenkamp et al vs. Brian Magnusson et al. Referred to PUBLIC PROTECTION/JUDICIARY.

Claim from Rebecca Jorge against Public Works for damage to vehicle cause by pot hole. Referred to PUBLIC PROTECTION/JUDICIARY.

Claim from Royal Container Service against Public Works for damage to vehicle at the landfill. Referred to PUBLIC PROTECTION/JUDICIARY.

RES. 291, 08-09

ESTABLISHING THE DANE COUNTY ENERGY TASK FORCE

Dane County is eligible for an entitlement grant of \$2,267,000 through the new federal Energy Efficiency and Conservation Block Grant (EECBG) program which is initially funded with federal stimulus dollars. The purposes of the program are to:

- Reduce fossil fuel emissions;
- Decrease total energy consumption;
- Improve energy efficiency in transportation, building, and other energy consuming sectors;
- Spur economic growth; and
- Create and/or retain jobs.

A new Dane County Energy Task Force with membership across key standing committees should be established to develop a county energy plan and make recommendations regarding allocation of EECBG funds.

During the 2006-08 County Board term, three County Board standing committees established a joint subcommittee called the Energy Independence Subcommittee (EIS) to address energy-related issues. Two members of the Personnel & Finance Committee, the Environment, Agriculture and Natural Resources Committee, and the Public Works and Transportation Committee served on the subcommittee. Over the course of their meetings, the subcommittee discussed the need to create an inventory of emissions, develop a baseline year, and develop a plan to reduce greenhouse gases and other pollutants.

The need for this type of multi-disciplinary group to address energy-related issues is made even more urgent by the influx of federal funding.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors hereby establishes the Dane County Energy Task Force

BE IT FURTHER RESOLVED that the task force shall have the following members appointed by the County Board Chair:

- Two members of the Public Works and Transportation Committee;
- Two members of the Environment, Agriculture, and Natural Resources Committee; and
- Two members of the Personnel and Finance Committee.

BE IT FURTHER RESOLVED that the task force shall have the following duties and mission:

- Development of a plan to address state and federal energy initiatives available to the county, including development of a plan for the Energy Efficiency and Conservation Block Grant program.
- Short term and long range energy planning to increase Dane County's energy independence through conservation and increased reliance on alternative sources of energy.
- Development of a comprehensive approach to reduce emissions to address global warming; including efforts such as hybrid cars for the county fleet, wind generation, light bulbs for county residents, and LEED certification for county buildings.
- Coordination with the Dane County Green Energy/Green Jobs Subcommittee of the Public Works and Transportation Committee regarding current county energy initiatives.

BE IT FURTHER RESOLVED that the Public Works and Transportation Department shall provide administrative support for agendas and minutes, with technical support from other departments as necessary.

Submitted by Supervisor McDonell, March 26, 2009.

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

ORD. AMDT. 41, 08-09

AMENDING CHAPTER 62 OF THE DANE COUNTY CODE OF ORDINANCES, REGARDING FEES CHARGED BY THE SHERIFF FOR SEIZURE OF PROPERTY OR EVICTIONS

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

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

ARTICLE 2. Section 62.56 is amended to read as follows:

62.56 SERVICE OF PROCESS FEES. (1) The sheriff shall collect, for each defendant or person served or attempted to be served, a fee of \$40.00 for each service or attempted service of a summons or any other process for commencement of an action, a writ, an order of injunction, a subpoena or any other order. If there is more than one defendant or person at a given address, the sheriff shall collect a fee of \$40.00 for each additional defendant or person served or attempted to be served.

(2) The sheriff shall collect a fee of \$40.00 for each service or attempted service of an execution on a judgment demanding payment thereof or other writ not provided for.

(3) For serving any writ or other process, the sheriff shall collect a fee per hour equal to the actual cost to the County for wages and benefits for a Deputy Sheriff III, Step 4, for each deputy assigned to inventory the property when seizing property on attachment, replevin, execution or evicting on a writ of restitution or writ of assistance, plus all necessary expenses incurred thereby.

(34) For travel in serving any summons, writ or other process, including criminal process, the sheriff shall collect a fee at the current Internal Revenue Service rate for deductible costs for operation of an automobile for each mile actually and necessarily traveled.

[EXPLANATION: This amendment authorizes the Sheriff to charge a fee equal to the actual cost to the County when executing on a writ of restitution or writ of assistance.]

Submitted by Supervisors Rusk, Bayrd, Hampton and Hesselbein, April 2, 2009.
Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

RES. 293, 08-09

APPROVING LEASE WITH ICE AGE PARK AND TRAIL FOUNDATION

The Ice Age Park and Trail Foundation (IAPTF) and the Dane County Parks Division desire to enter into an agreement to allow county employees and volunteers to access IAPTF lands to burn and otherwise assist in their maintenance.

It was agreed that a five-year revocable lease was the best vehicle to achieve that end while limiting each party's liability and protecting each party's rights. The lease provides for access by the county at a rental rate of \$1.00 per year for five years. The lease may be terminated by either party with a 30-day written notice.

NOW, THEREFORE, BE IT RESOLVED that the County of Dane does hereby approve and authorize the above-described lease with the Ice Age Park and Trail Foundation, 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 Supervisor Ripp, April 2, 2009.
Referred to PERSONNEL/FINANCE, ENVIRONMENT, AGRICULTURE & NATURAL RESOURCES and
PARK COMMISSION.

RES. 294, 08-09

APPROVING BILLBOARD LEASE ON COUNTY LAND

When Dane County purchased the former Sunnyside property in the Town of Middleton, it was subject to a multi-year lease to a billboard company. That lease ended December 31, 2008, but weather and soil conditions prevented the lessee from removing the billboards timely. The lessee requested an extension of the lease for the current year, and Land Acquisition Division stipulated that any extension would be for no more than one year and that the billboards would have to be removed at the end of the current year.

Following is a lease for 1 year, commencing January 1, 2009.

Black Earth Creek Natural Resource Area – Town of Middleton
\$ 11,307.71 for one year
Lessee: The Lamar Companies

The revenue from this lease is to be included in the 2009 Land and Water Resources budget in Account LWRPKOP 84915.

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 be accepted as revenue in the 2009 Land and Water Resources budget as set forth above.

BE IT FINALLY RESOLVED that the Conservation Fund Manager be authorized to act as the County's representative in administering the lease.

Submitted by Supervisor Ripp, April 2, 2009.
Referred to PERSONNEL/FINANCE, PUBLIC WORKS & TRANSPORTATION and ENVIRONMENT,
AGRICULTURE & NATURAL RESOURCES.

RES. 295, 08-09

AUTHORIZING GRANT APPLICATIONS TO THE WI DEPARTMENT OF NATURAL RESOURCES

Several grant programs administered by the WI Department of Natural Resources support acquisition and development costs for projects identified in the *Dane County Parks & Open Space Plan*. These programs include: the Knowles-Nelson Stewardship Program, the Lake Protection Program, the River Protection Program, the Land & Water Conservation Fund and the Recreational Trails Program. The Department of Land and Water Resources intends to apply for these funds in order to off set expenditures.

NOW, THEREFORE, BE IT RESOLVED that the County Board of Supervisors and County Executive hereby authorize applications to the WI Department of Natural Resources for financial assistance for the following projects:

1. Stewart County Park Lake Improvements
2. Donald County Park Rustic Cabin Development
3. Lake Farm County Park Rustic Camping Development
4. Lake Farm County Park Bicycle Pedestrian Trail
5. Indian Springs Hiking Trail Bridge
6. Recharge Area for Frederick Springs Acquisition
7. Sugar River Natural Resource Area Acquisition
8. Potential South Central Recreation Park Acquisition
9. Ice Age Trail Acquisition
10. Black Earth Creek Natural Resource Area Acquisition
11. Brigham County Park Acquisition

BE IT FURTHER RESOLVED that the County Board of Supervisors and County Executive hereby authorize the Conservation Fund Manager, Parks Planner, Water Resources Planner and Acquisition & Planning Specialist to submit grant applications to the State of Wisconsin Department of Natural Resources, submit reimbursement claims along with necessary supporting documentation within 6 months of project completion, submit signed documents and take necessary action to undertake, direct and complete approved 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 & 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 Supervisor Ripp, April 2, 2009.

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

RES. 296, 08-09

AWARD OF CONTRACT FOR TENANT IMPROVEMENTS 1st & 3rd FLOOR - CCB

The Department of Public Works, Highway & Transportation reports the receipt of bids for the Tenant Improvements on the 1st & 3rd Floor of the City-County Building, 210 Martin Luther King, Jr. Blvd., Madison, WI, Bid No. 309001.

A complete tabulation is on file at the Department of Public Works office. The low qualified bidder is:

TOTAL AMOUNT: \$ _____

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

NOW, THEREFORE, BE IT RESOLVED that a 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 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 \$20,000 or more than 10% of the original approved Contract amount, whichever is smaller.

Submitted by Supervisors Opitz, Schmidt, Veldran, Martz, Wiganowsky and McDonell, April 2, 2009.
Referred to EXECUTIVE, PERSONNEL/FINANCE and PUBLIC WORKS & TRANSPORTATION.

RES. 297, 08-09

WORKER'S COMPENSATION REAUTHORIZATION OF SELF-INSURANCE

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

WHEREAS, the Wisconsin Worker's Compensation Act (ACT) provides that employers covered by the Act either insure their liability with worker's compensation insurance carriers authorized to do business in 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

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors approves the continuation of the self-insured worker's compensation program, in compliance with Wisconsin Administrative Code DWD 80.60(3); and 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 County Clerk to forward certified copies of this resolution to the Worker's Compensation Division, Wisconsin Department of Workforce Development.

Submitted by Supervisors Hulsey and O'Loughlin, April 2, 2009.
Referred to PERSONNEL/FINANCE.

RES. 298, 08-09

**APPROVING CONTRACT WITH THE GREATER MADISON CONVENTION
AND VISITOR'S BUREAU FOR 2009**

The 2009 Budget includes three categories of funding for the Greater Madison Convention and Visitor's Bureau (GMCVB). The budget includes \$265,321 for general marketing assistance, \$40,000 for sports development incentives and \$75,000 for a sports venue capital program. The purchase of service contract for these activities requires approval by the County Board.

THEREFORE BE IT RESOLVED that the County Board approves the annual contract with the GMCVB and the County Executive and County Clerk are authorized to execute the contract documents.

Submitted by Supervisors McDonell and Opitz, April 2, 2009.
Referred to PERSONNEL/FINANCE.

RES. 299, 08-09

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.

Long Range Transportation Planning Committee

Supervisor Melanie Hampton, 9 Lynbrook Cir, Madison 53719, to be reappointed. This term will expire 4/20/10.

Submitted by Supervisor McDonell, April 2, 2009. Fiscal and Policy Notes not required.
Referred to EXECUTIVE.

RES. 300, 08-09

URGING EQUITABLE FUNDING FOR LONG TERM CARE

Frail elderly and adults with physical or developmental disabilities in Dane County are currently eligible for community-based services under the state-funded Community Options Program (COP) and the federal, state and county-funded MA-Waiver Programs as an alternative to traditional nursing home care. An estimated 1,850 adults in Dane County receive services through these COP and MA-Waiver programs at a cost of about \$80 million.

Since start-up of the COP and MA-Waiver Programs more than 20 years ago, some counties including Dane increasingly added local funding to these waiver programs to provide better services and reduce waiting lists. Statewide, county contributions to adult long term care services totaled approximately \$100 million in 2006. Referred to as the "overmatch", an estimated \$19.5 million in mostly county tax levy was allocated in 2006 in Dane County as the required match for federal Medicaid dollars to serve adults with developmental disabilities, by far the largest single county investment in Wisconsin.

In 1997, the State of Wisconsin initiated on a pilot basis a capitated rate, managed long term care program for frail elders and adults with physical and developmental disabilities, called Family Care. The state's goal is to replace COP and the various MA-Waiver Programs and provide an entitlement to long term care in Wisconsin that would eliminate current waiting lists and combine current levels of county, state and federal funding to accomplish this task. Currently, the Wisconsin Department of Health Services (DHS) intends to phase-in Family Care implementation on a statewide basis over a five-year period. To accomplish this, state law requires each county, beginning on the date of entry into Family Care, to return its current local "overmatch" to the state.

The disparity in the amount of county investment for long term care statewide has been a significant issue for many counties, especially Dane County. To assuage these county concerns, state law was revised to gradually lessen this local impact over a five-year period through a state "buy down" of the county contribution to eventually equal 22% of a county's Community Aids allocation. Thus, Dane County would continue to return about \$3.9 million to the state for Family Care after year-five following program start-up, barring any legislative change to the contrary.

In the Governor's proposed biennial budget, Dane County is expected to begin Family Care enrollment on January 1, 2011 at which time we will forfeit an estimated \$19.5 million to the state. Three major issues must be resolved as Dane County negotiates its participation in Family Care:

- Dane County must backfill the funding gaps created by the take-away of our current county tax levy and local revenue support for long term care services, including funding for Madison Metro for paratransit services. Start-up of Family Care in Dane County will also mean the loss of Medicaid waiver administrative revenues that currently support many areas of the County Human Services Department, including portions of management salaries that help to support current COP and MA-Waiver programs.
- Dane County needs reimbursement for the initial costs to establish the required Aging and Disability Resource Center (ADRC) and sufficient continuing operating support. Prior to participation in Family Care, Dane County will be required to reorganize many elements of County Human Services Department and to contract for many currently provided county government functions to establish an Aging and Disability Resource Center (ADRC). As part of its Family Care planning efforts, Dane County has estimated preliminary start-up funds for an ADRC of \$367,000. Reports from existing ADRCs have indicated insufficient state funding allocations for start-up and continuing support of these critical operations.
- Dane County needs reimbursement for start-up costs if the county chooses to operate the required Care Management Organization. The Dane County Developmental Disabilities Coalition strongly supports and recommends that Dane County should operate the required Care Management Organization (CMO) under Family Care rather than relinquish this responsibility to a private entity. As part of its planning efforts, the Dane County Human Services Department has projected as much as \$8.4 million in start-up costs if we decide to administer a Family Care CMO on our own.

Lastly, while Dane County continues to devote resources for planning Family Care participation, the county is severely impacted financially by other state biennial budget proposals that impair the quality of long term care support services. One such proposal relates to the higher Medicaid reimbursement levels available to states under the American Reinvestment and Recovery Act. Currently, the Wisconsin Department of Health Services has proposed to prohibit counties, such as Dane, from receiving the higher federal MA reimbursement rates for long term care programs, such as the CIP 1B and Brain Injury local match programs, in which the county is the sole source of the required non-federal match for receiving Medicaid reimbursement. Although Dane County provides the non-federal match for these programs as well as an additional local contribution for other programs,

the state would retain the increased federal MA reimbursement rather than passing it on to the level of government providing the service. This proposal has an estimated \$4 million fiscal impact on Dane County.

NOW, THEREFORE, BE IT RESOLVED, that the Dane County Board of Supervisors requests the Governor and Wisconsin Legislature to extend higher federal MA reimbursement rates under the federal economic stimulus package to current county-administered long term care MA waiver programs where county revenues comprise the non-federal match; and

BE IT FURTHER RESOLVED, that the Dane County Board of Supervisors requests the Governor and Wisconsin Legislature, as part of the 2009-2011 biennial budget, to freeze further county participation in Family Care until the state can fully fund county program start-up costs and find more equitable ways of funding Family Care without penalizing counties, such as Dane, for the substantial financial commitment and innovative approaches already taken to meet the long term care needs of its residents; and

BE IT FINALLY RESOLVED, that a copy of this resolution be sent to Governor James Doyle and members of Dane County's state legislative delegation, and members of the Joint Finance Committee.

Submitted by Supervisors Stoebig, Vedder, Vogel, Rusk, Wiganowsky, Hulsey, Richmond, Veldran, Hampton, Erickson, McDonell, DeSmidt, Schmidt, O'Loughlin, Bayrd, Downing, Opitz, Gau and Ferrell, April 2, 2009. Fiscal and Policy Notes not required.

Referred to EXECUTIVE and HEALTH & HUMAN NEEDS.

RES. 301, 08-09

**AUTHORIZING AN AGREEMENT TO PROVIDE PUBLIC SAFETY RADIO
INTEROPERABILITY IMPLEMENTATION SERVICES**

Dane County Public Safety Communications requires engineering and project management services to complete evaluation, contracting, installation, acceptance, training and transition of and for an interoperable voice radio communications system. The 2009 budget includes funds for this project.

The Public Safety Communications Director, along with the Technical Committee, will oversee the project on behalf of the county.

Dane County issued RFP #108125 on September 9, 2008, and received five responses. After grading and interviews, _____, of _____, was selected.

NOW, THEREFORE, BE IT RESOLVED that Dane County enter into this agreement with _____, with the cost being \$_____.

FINALLY BE IT RESOLVED that the Dane County Executive and the Dane County Clerk authorize this agreement with _____.

Submitted by Supervisors Rusk, Bayrd and Hampton, April 2, 2009.

Referred to PERSONNEL/FINANCE and PUBLIC PROTECTION/JUDICIARY.

RES. 302, 08-09

**ACCEPTANCE OF A GRANT FROM THE WISCONSIN DEPARTMENT OF JUSTICE
FOR LEADERSHIP IN POLICE ORGANIZATIONS TRAINING**

The Wisconsin Department of Justice is offering Leadership in Police Organizations (LPO) training to law enforcement executives in Wisconsin. The training, offered in partnership with the Dane County Sheriff's Office and the International Association of Chiefs of Police (IACP), will be held in Madison during May and June, 2009.

The IACP leadership model recognizes that a police organization can no longer rely on a single leader or a small group of leaders. In order to develop leaders, law enforcement executives must first create a culture in their organization that is supportive of dispersed leadership. They need to establish expectations that officers will take leadership actions at their level of responsibility.

The Wisconsin Department of Justice has approved a \$34,500 grant to the Dane County Sheriff's Office to help fund this career development training. Reimbursable expenses are restricted to this course for direct instructional service costs, including fees and travel expenses for instructors; instructional material used during training and/or presented directly to students; costs of breakfast, lunch and an afternoon break; and classroom expenses.

NOW THEREFORE BE IT RESOLVED that the Dane County Sheriff's Office be permitted to accept the \$34,500 grant from the Wisconsin Department of Justice.

BE IT FURTHER RESOLVED that \$34,500 be added as additional revenue to the Sheriff's Office, Administration, Hosted Training Course Revenue Account (SHRFTC - NEW) and credited to the general fund.

BE IT FURTHER RESOLVED that \$34,500 be transferred from the General Fund to the Sheriff's Office, Administration, Hosted Training Course Expenditure Account (SHRFTC - NEW).

BE IT FINALLY RESOLVED that any funds authorized in this resolution that are not expended or received as of December 31, 2009 be carried forward to 2010.

Submitted by Supervisors Rusk, Bayrd, Hampton, Willett and Hesselbein, April 2, 2009.
Referred to PERSONNEL/FINANCE and PUBLIC PROJECTION/JUDICIARY.

RES. 303, 08-09

URGING THE STATE TO ADOPT A COMPREHENSIVE APPROACH TO CONTROL LAKE LEVELS

Record rains and snowfalls, and saturated ground combined with increased development and impermeable surfaces result in greater runoff directly into our lakes. This increased runoff has led to significant flooding in low-lying areas damaging our infrastructure, homes and environment. In addition to the direct damages of flooding, considerable resources are spent by local governments, homeowners, and businesses responding to each flood event.

Dane County currently manages the Yahara River Chain of Lakes system, including maintaining Wisconsin Department of Natural Resources (DNR) established water level limits (maximum and minimum) established for summer and winter conditions using the available tools of controlling flow from the lakes through the 3 dams under its authority, and by eliminating or minimizing obstructions to water flow. The Yahara River

Watershed and the Chain of Lakes includes Lakes Mendota, Monona, Waubesa, Kegonsa and Wingra in central Dane County. Managing the lake levels within DNR limits is more difficult due to physical features including the fact that the channel between the Babcock Dam in McFarland and Lake Kegonsa is very flat, dropping only 1.5 feet in 21,000 feet. This low gradient with a slope of 0.007% decreases the speed in which water naturally flows in the river.

The county operates the dams at Babcock and Lafollette Park (controlling water levels in Lakes Waubesa and Kegonsa, respectively), and both dams have continued to allow maximum flow (no logs installed and lock doors on both sides open wide) since the heavy rains in August 2007. While the county does not have regulatory authority over the Stoughton Dam, how that dam is managed impacts the County's ability to provide balance lake levels..

The main obstructions to water flow include weeds, bridges and sediment deposits. To control weeds, the county deploys a series of plant harvesters in the river all summer, using a "weed scout" funded by the county to direct the location of the plant harvesters. To enhance this effort, the county built two new offloading ramps in the river in 2008 to facilitate efficient river harvesting. Financial contributions in 2007 and 2008 from the Mad City Ski Team allowed the county to purchase additional smaller harvesters with shallow drafts that can be more easily maneuvered in the river.

With respect to bridge restrictions, the County is working with the State Department of Transportation, Wisconsin Department of Natural Resources, Wisconsin Railroad Commissioner, the Cities of Madison, and Monona and Village of McFarland, as well as the Wisconsin Southern Railroad to broaden the span of the trestle bridge over Upper Mud Lake. Funds for planning that project are included in the County budget.

The county recognizes that there is a need for a comprehensive approach to managing lake levels that includes bringing all affected parties together, including dam operators, municipalities as well as regulatory agencies.

NOW, THEREFORE, BE IT RESOLVED, that the Dane County Board of Supervisors requests the Department of Natural Resources to adopt a comprehensive approach to managing the levels of the lakes, including the following actions:

- Recognizing that all communities within the Yahara Lake watershed have an impact on lake management, bring together community leaders from the communities within the drainage basin of the Yahara River Chain of Lakes to discuss and agree upon strategies to minimize flooding from runoff and maximize infiltration.
- Recognizing the advancements in storm predictions and the severity of recent storms, authorize the temporary lowering of lake levels below established minimum levels in anticipation of upcoming severe storm events to increase storage capacity in the lakes;
- Recognizing that everyone has a role to play in decreasing runoff, initiate a comprehensive education program to encourage everyone to do their part by minimizing runoff from their property, including the use of rain gardens and/or rain barrels, supporting stronger measures to protect our lakes and wetlands, and sensible efforts to move water downstream more efficiently; and

BE IT FINALLY RESOLVED, that a copy of this resolution be sent to Secretary Matt Frank, and the Mayors of Middleton, Madison, Monona, McFarland, Fitchburg, and Stoughton, as well as town chairs of the towns of Windsor, Vienna, Westport, Madison, Burke, Blooming Grove, Dunn, Pleasant Springs, Dunkirk, Springfield, Middleton, Sun Prairie, Cottage Grove, and Dane, which are in the Yahara River watershed.

Submitted by Supervisors Schmidt, Hulsey, Richmond, Opitz, Willett, DeSmidt, Levin, Manning, Stoebig, Erickson, Hendrick, Matano, Solberg, Hesselbein, Vogel and McDonell, April 2, 2009. Fiscal and Policy Notes not required.

Referred to EXECUTIVE, ENVIRONMENT, AGRICULTURE & NATURAL RESOURCES and LAKES & WATERSHED.

RES. 304, 08-09

**URGING THE LEGISLATURE TO EXPAND PROPERTY TAX EXEMPTIONS
FOR LOW INCOME HOUSING**

In the past, municipal tax assessors granted property tax exemptions to non-profits that own and manage rental property reserved for very low income households. The tax exemption is necessary in order for non-profit organizations to operate this housing with rents kept low to insure affordability.

A recent Dane County circuit court case and a ruling by the Department of Revenue adopted a restrictive position that makes it difficult for many non-profit housing organizations to retain property tax exemptions for the units reserved for very low income tenants.

Section 70.11 of the Wisconsin State Statutes provides that leasing a part of property that is otherwise tax exempt will not make it taxable “. . . if the lessor uses all of the leasehold income for maintenance of the leased property or construction debt retirement of the leased property, or both.” Definitions of “maintenance” and “construction debt retirement” are not provided in the statutes.

Non profits use rent income to cover routine operating costs such as repairs, property management, insurance, accounting and audit fees, and other costs of maintaining the operational viability of the project. The court case and Department of Revenue ruling both define “maintenance” so narrowly that virtually all costs but repair and routine maintenance of the physical plant are excluded.

The new interpretation of old, established law will result in hundreds of low-income housing units being subject to property taxation, when they have not been taxed in the past. This added cost for non-profit rental providers adds to the cost of housing creates the risk of displacement for vulnerable households with very low incomes.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors urges the Wisconsin State Legislature to clarify Section 70.11 Wis. Stats. to define “maintenance” to include the following: repair and maintenance of the property, capital replacements, insurance premiums, project management, debt retirement, project-related reserves, general administrative expenses, resident services, utilities, financing costs, preservation expenses, and similar project-related expenses.

BE IT FINALLY RESOLVED that a copy of this resolution be sent to Governor James Doyle and members of the Dane County Legislative delegation.

Submitted by Supervisors Bayrd, McDonnell, Levin, Vedder, Richmond, Stoebig, Hendrick, DeSmidt, Hulse, Vogel, and O’Loughlin, April 2, 2009. Fiscal and Policy Notes not required.
Referred to EXECUTIVE.

TAKING ACTIONS TO SAFEGUARD SENSITIVE INFORMATION ON THE REGISTER OF DEEDS WEBSITE

The Federal Trade Commission (FTC) recently reported that identity theft complaints increased 20% nationwide in 2008 compared to 2007. Reports from Wisconsin residents increased almost 30% identity theft involving government document and benefits fraud more than doubled in Wisconsin and the Madison Area (*Theft of government documents and benefit fraud doubled in Madison area*, Wisconsin State Journal, March 20, 2009). In addition, the Wisconsin Office of Privacy Protection (OPP) estimated that over 100,000 cases of identity theft in Wisconsin go unreported each year.

The FTC, Federal Bureau of Investigation (FBI), State of Wisconsin OPP, Wisconsin Department of Agriculture Trade and Consumer Protection, Wisconsin Attorney General's office, and every major law enforcement agency all promote this consistent and irrefutable message.

Dane County, via the Register of Deeds Web site, provides access to digitized public records that reveal SSNs and other sensitive information. Anyone, anywhere with Web/Internet access and a valid credit card number can access SSNs through their Web site for \$5.95. This type of access to public records creates a significant vulnerability to identity theft according to reports by the U.S. Government Accounting Office and the President's Identity Theft Taskforce.

Millions of public records have been digitally imaged by Dane County. It is not known how many of these digitized documents disclose sensitive personal information, however, personal identifiable information obtained from these online records can be used by thieves for not only identity theft and related fraud, but also by stalkers, harassers, and others who desire to unlawfully violate another person's right to privacy. The county's current privacy policy creates a risk to public and personal safety by potentially facilitating identity and other crimes.

Wisconsin Statutes do not require online access to public records; however, Web/Internet access is important for commercial, legal, title insurance, and real estate firms that need timely access to land records. Any interim and long-term solution to securing personally sensitive information, should also accommodate timely access to online public records to those legitimate entities with an authenticable need to access them.

There are several acceptable methods to secure public records containing sensitive information such as SSNs. For example, Dodge County, WI, does not allow Web access to historical documents known to display SSNs, for example, Uniform Commercial Code Financing Statements and Tax Liens. Dodge County also uses a strict authentication protocol so that the identity of the person requesting access to Web/online records is verified. In other states, counties are required by statute to redact/remove or truncate/abbreviate SSNs on public records. This method is becoming the *de facto* reasonable and appropriate national standard.

NOW, THEREFORE BE IT RESOLVED that Dane County has an obligation to its citizens to deter the misuse of county records for identity fraud and other crimes and to institute an identification protocol for legitimate Internet/Web access; and,

BE IT FURTHER RESOLVED, that the Dane County Register of Deeds is hereby directed to remove without delay any and all links or records on its Web/Internet site and immediately direct the county's record management software provider, Fidlar Technologies (Rock Island, IL), to do the same, so as to limit online access to Dane County public records that have the greatest probability of revealing SSN's. Online access to these high risk records shall remain unavailable to the general public until the implementation of a *reasonable and appropriate* solution that safely and securely provides online access to public records without disclosing sensitive information such as SSN's; and,

BE IT FURTHER RESOLVED, that the Dane County Board Chairman meet with the District Attorney and take immediate action to comply with the Wisconsin's Breach Notification requirement (Wisconsin Statute § 134.98, Notice of Unauthorized Acquisition of Personal Information) by April 4, 2009, based on the date of February 18, 2009 when the County Executive was first notified in writing by a county resident of the risks associated with the Register of Deeds Web site. Applicability of the law is based on the assertions that online access to real estate and financial records disclosing SSNs and other sensitive information are not mandated by state or local law; that said records have been available online for an indeterminate period; and that said records exposing a first and last name with a corresponding SSN have been at risk of having been accessed for other than the intended purpose; and,

BE IT FURTHER RESOLVED, that the Dane County Board Chairman and the Executive Committee meet with the Department of Administration and the Register of Deeds to provide additional recommendations and actions to 1) safeguard the sensitive information, such as Social Security Numbers contained in Web/Internet public records, 2) that the Register of Deeds, immediately implement an authentication protocol so that legitimate users of the Web/Internet site have access to all records within the shortest time possible time, 3) begin the competitive procurement process for necessary software, services and/or staff resources, and 4) draft a budget amendment to fund this initiative. Elements in the procurement process should include "buy local considerations;" redaction accuracy, for example 95% or higher by using automated software; time-to-completion, for example, less than 90 days from procurement; and experience as evidenced by a history of providing similar services or software to other counties. and,

BE IT FINALLY RESOLVED, that these recommendations and actions be presented to the Dane County Board at its meeting on April 23, 2009.

Submitted by Supervisors Bruskewitz, Jensen, Vogel, O'Loughlin, Solberg, Erickson, Hampton, Schmidt, Ferrell, Wiganowsky, Martz, Gau, Salov, Opitz, Veldran, DeSmidt, McDonell, Levin, Hesselbein, and Downing, April 2, 2009.

Referred to EXECUTIVE, PERSONNEL/FINANCE, PUBLIC PROTECTION/JUDICIARY and ZONING & LAND REGULATION.

COMMUNICATIONS

Claim from Dexter H. Mueller against Public Works for injury that occurred outside Alliant Energy Center.

Referred to PUBLIC PROTECTION/JUDICIARY.

Summons for Foreclosure of Mortgage Wisconsin Housing & Economic Development Authority vs. Christopher M. Rucks. Referred to PUBLIC PROTECTION/JUDICIARY.

Notice of Entry of Order Wells Fargo Bank vs. Travis K. Stram. Referred to PUBLIC PROTECTION/JUDICIARY.

Notice of Chapter 7 Bankruptcy Case Laverne E. Luchsinger Jr. Referred to PUBLIC PROTECTION/JUDICIARY.

Claim from Wendy Scott against Public Works for damage to vehicle caused by pot hole. Referred to PUBLIC PROTECTION/JUDICIARY.

Claim from William C. Murphy against County for damages to home purchased from Dane County Land Resources Department. Referred to PUBLIC PROTECTION/JUDICIARY.

Claim from Hobie Cat Co. for missing merchandise from booth at Alliant Energy Center show. Referred to PUBLIC PROTECTION/JUDICIARY.

Summons for Foreclosure of Mortgage - Associated Bank, vs. Timothy J. Baio and Michelle S. Baio. Referred to PUBLIC PROTECTION/JUDICIARY.

Communication from Wald Klimczyk asking for public records request in regards to his claim. Referred to PUBLIC PROTECTION/JUDICIARY.

Oconto County Resolution #18-09 – Opposition to S.149 “Weekend Voting Act” and “2009 Assembly Joint Resolution 2”. Referred to EXECUTIVE.

Trempealeau County Resolution – Requesting that the State of Wisconsin Department of Corrections Increase Reimbursement Payments for State Probation and Parole Prisoners Held in the Trempealeau County Jail. Referred to EXECUTIVE.

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

Petition 10018 – Town of Deerfield – Arnold Berge

10019 – Town of Medina – Keith & Joan Rademacher Living Trust

10020 – Town of Medina – Anthony Schlimgen

10021 – Town of Vienna – Larry Ripp

10022 – Town of Medina – Jonathan Hornby

10023 – Town of Sun Prairie – Hwy. TT LLC

10024 – Town of Springfield – Laverne Maier

10025 – Town of Oregon – Gary Leverenz

10026 – Town of Dunkirk – Jeremiah Johnson

10027 – Town of Deerfield – Ronald Dorshorst

10028 – Town of Vermont – Robyn Sandin

