

## Title 2

### ADMINISTRATION

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Chapter 2.04

RULES OF THE COUNTY BOARD OF SUPERVISORS\*

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\* For statutory provisions regarding the powers of the county board, see WSA 59.02 and 59.51; for the provisions regarding county board meetings, see WSA 59.11. (Ord. 161-6, Sec. 17 & 19, 2017; Ord. 157-47, Sec. 4, 2014; Ord.152-25, 2008)

## II. STANDING AND SELECT COMMITTEES--RULES AND DUTIES THEREOF

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### 2.04.010 Rule 1--Meetings.

A. Regular meetings of the board for the purpose of transacting general business shall be held on the 1st and 3rd Tuesday of each month, except for the months of January, February, June, July, August, and September, when there shall be one meeting held on the 3rd Tuesday of the month, commencing at 7:00 p.m., unless otherwise ordered by the board and subject to recesses and adjournments to a date and time certain. If the September meeting conflicts with the Wisconsin Counties Associations Annual Convention, it shall be automatically moved to the 2<sup>nd</sup> Tuesday of September. At one or both regularly-scheduled county board meetings in May in even numbered years, there will be a county board working session to consider and review the strategic plan. Said meetings will commence at 5:00 p.m. with the county board meeting to follow at 7:00 p.m. Each year all responsible parties for identified strategic initiatives shall report to the county administrator the progress on items in the strategic plan.

B. All meetings shall be held in the county board of supervisors' chambers at the courthouse unless otherwise ordered by the board.

C. The meeting on the Tuesday after the 2nd Monday of November in each year shall be the annual meeting at held in lieu of the 3rd Tuesday of the month meeting at which time the board shall conduct a public hearing on and thereafter adopt the county budget and tax levy for the ensuing fiscal year, in addition to its regular business. Unless otherwise ordered, the board shall adjourn at 11:00 p.m. until 1:00 p.m. the next day until the business of the annual meeting is concluded.

D. Special meetings shall be held upon written request of a majority of the supervisors delivered to the clerk, specifying the time and place of the meeting and the subjects to be considered. The time shall not be less than 48 hours from the delivery of the request. Upon receiving the request, the clerk shall forthwith mail to each supervisor notice of the time, place and purpose of the meeting. Any special meeting may be adjourned by a vote of a majority of all the supervisors.

E. Should the date of any regular meeting fall on November 11th, the date of a spring or general election in this state, or a county holiday observed under 3.35.040, the meeting shall be held on the next day at 7:00 p.m.

F. The chair of the county board may, by written call filed with the county clerk, convene an emergency meeting of the county board as provided in 2.36.080 in the event of a declared emergency as defined in 2.36.070. The call shall specify the time and place of the meeting and the subjects to be considered. The time shall be not less than 12 hours from the filing of the call. The clerk or, if not possible, the sheriff shall immediately notify the media and each member in person, by telephone, facsimile or e-mail of the time, place and purpose of the meeting.

G. The board shall sit with open doors, and all persons conducting themselves in an orderly manner may attend, except that the board may convene in closed session for the duly authorized purposes of and as provided in Wis. Stat. § 19.85.

H. The chair of the county board shall have the authority to cancel any regular meeting of the county board due to severe weather, other emergency conditions, or when in the chair's judgment there is insufficient legislative business to justify the expense of a regular meeting. The clerk shall immediately notify all supervisors and the media by telephone, facsimile or e-mail of such cancellation. (Ord. 161-6, Sec. 1, 2017; Ord. 159-43, Sec. 1, 2016; Ord. 159-29, Sec. 1, 2016; Ord. 153-35, Sec. 1, 2010; Ord. 148-49, 2005; Ord. 147-80, Sec. 1, 2003; Ord. 146-66, 2002; Ord. 141-97 Sec.1, 1998; Ord. 140-02, 1996; Ord. 128-67, Sec.1, 1985; Ord. 126-35 Sec.1, 1982; Ord. 81-82/355 Secs.1--5, 1981; Ord. 80-81/345 Sec.1, 1981; Ord. 110-78 Sec.11, 1978; Ord. 322-76 Sec.1, 1976).

#### 2.04.020 Rule 2--Meeting organization.

A. The county board shall meet on the 3rd Tuesday of April annually as provided by law and shall proceed to organize. The county board at such meeting shall be called to order by the chair of the county board for the preceding term, and in the chair's absence or disability by the 1st vice-chair of the county board for the preceding term, if still a supervisor; if and in the absence or disability of such chair and vice-chair, by the county clerk. A judge of the circuit court, or in the judge's absence, the county clerk, shall then administer the official oath of office as prescribed in Wis. Stat. § 19.01(1m), and required by Wis. Stat. § 59.21(1).

B. If a majority of the supervisors, duly elected and qualified, answer to the call of the roll, they shall proceed to elect officers from their number, a chair, 1st vice-chair, and 2nd vice-chair, in that order and in the manner provided in this section. Said officers shall take office immediately upon election and shall serve a term of two years or until their successors are elected and qualified.

C. All positions which are to be filled by election by the county board shall be chosen in the following manner:

1. Nominations for the office to be filled shall be called for by the chair and may be made by any member of the board upon recognition by the chair. The person nominated shall immediately state an objection if he or she wishes the nomination to be withdrawn from consideration. Nominations so made need not be seconded and shall be entered by the clerk. The chair shall request 3 times if additional nominations are to be made and hearing none may entertain a motion to close nominations. If there is only one nominee a voice vote to cast a unanimous ballot is in order. Nominations having been closed the board shall proceed with written ballots to vote for one of the nominees. If any nominee receives a majority of the votes cast, he or she shall be declared elected. If no nominee receives a majority of the votes cast on the 1st ballot, successive ballots shall be taken with the nominee receiving the lowest number of votes on the 3rd ballot being eliminated, until one of the nominees shall receive a majority of the votes cast;

2. Written ballots provided herein shall be secret for the election of the officers of the county board, but shall be endorsed on the reverse thereof by the person casting the ballot in the case of all other elections;

3. All ballots cast shall be open to public inspection for 90 days after which the clerk will destroy them.

D. The county board shall then proceed to consider amendments to the rules of order and to establish or amend the rules of the board dealing with the committees thereof, their duties and manner of reporting. The chair of the county board shall appoint all committees as established by the board under 2.04.120, 2.04.150 and 2.04.200 as provided under 2.04.340 B. (Ord. 161-6, Sec. 2, 2017; Ord.141-97 Sec.2, 1998; Ord.141-03, Sec.1, 1997; Ord. 130-08 Secs.1,2, 1986; Ord. 126-28 Sec.1, 1982; Ord. 79-80/282 Sec.1, 1979; Ord. 110-78 Sec.3, 1978; Ord. 105-78 Sec.1, 1978).

2.04.030 Rule 3--Opening of meeting.

A. Call to Order. Promptly at the hour of meeting, the chair of the board, or in the chair's absence, the 1st vice-chair or in the 1st vice-chair's absence, the 2nd vice-chair, shall call the members to order. In case of the absence of the chair and vice-chairs for any meeting, the members present shall choose a temporary chair.

B. Roll Call. The chair shall order the calling of the roll. The clerk of the county board, on recording the initial roll call at the opening of each board session, shall mark those supervisors who are present "present" and those who are absent "absent", and shall, in the paragraph immediately following said roll call, insert the names of those supervisors who have been marked absent, who are present later in the meeting of the board, and said clerk shall further record the appearance of such supervisors marked absent at the point in the proceedings when they appear during meetings of the board. If a majority of the members-elect record themselves present, the chair shall announce the presence of a quorum.

C. Order of Business for Regular Meetings. The order of business shall be as follows for all regular meetings of the board, except as otherwise provided by rules for the annual and organizational meetings:

1. Call to order;
2. Honoring of the flag and moment of reflection;
3. Call of the roll;
4. Approval of the journal of proceedings;
5. Public comment;
6. Reports to the county board under 2.04.320;
7. Presentation of petitions, claims, and communications;
8. First reading of ordinances by committees;
9. First reading of ordinances and resolutions by members;
10. Reports of standing committees, committees, commissions and boards under 2.04.,160 and second reading of ordinances. The committee chair(s) responsible for reporting shall give an oral report and fact sheet by staff explaining the reasons for the committee action;

11. Appointments.

D. Order of Business for the Annual Meeting. The order of business shall be as follows for the annual meeting:

1. Call to order;
2. Honoring of the flag and moment of reflection;
3. Call of the roll;
4. Approval of the journal of proceedings;
5. Public hearing on the annual budget;
6. Presentation of petitions, claims and communications;
7. Budget deliberations-1<sup>st</sup> vice-chair presides;
8. Reports to the county board under 2.04.320;
9. First Reading of ordinances by committees;
10. First reading of ordinances and resolutions by members;
11. Reports of standing committees, committees, commissions and boards

under 2.04.160 and second reading of ordinances. The committee chair(s) responsible for reporting shall give an oral report and fact sheet by staff explaining the reasons for the committee action;

12. Reports of select committees and second reading;
13. Appointments.

E. Order of Business for the Organizational Meeting. The order of business shall be as follows for the organizational meeting:

1. Call to order;
2. Presentation of the colors and honoring of the flag;
3. Moment of reflection;
4. Certificate of election;
5. Administration of the oath of office;
6. Call of the roll;
7. Election of board officers;
8. Adoption of the rules of order;
9. Approval of the journal of proceedings;
10. Public Comment;
11. Reports to the county board under 2.04.320;
12. Presentation of petitions, claims, and communications;
13. First reading of ordinances by committees.
14. First reading of ordinances and resolutions by members;
15. Reports of standing committees, committees, commissions and boards

under 2.04.160 and second reading of ordinances. The committee chair(s) responsible for reporting shall give an oral report and fact sheet by staff explaining the reasons for the committee action;

16. Appointments.(Ord. 159-43, Sec. 2, 2016; Ord. 157-47, Sec. 1-3, 2014; 156-29, Sec. 1, 2012; Ord. 155-37, Sec. 1, 2012; Ord. 155-2, Sec. 1, 2011; Ord. 152-12, Sec. 1 & 2, 2008; Ord.152-3, Sec. 3 & 4, 2008; Ord. 151-35, Sec. 1, 2007; Ord. 149-13; Secs. 1-6, 2005; Ord.144-01 Sec. 1, 2000; Ord.142-01; Ord.141-97 Sec.3, 1998; Ord.135-95, 1991; Ord.126-28 Secs.2--4, 1982; Ord.79-80/424 Secs.1, 2, 3, 1980; Ord.110-78 Sec.5, 1978).

2.04.040 Rule 4--Voting.

A. Quorum. A majority of the supervisors entitled to a seat on the county board shall constitute a quorum for the transaction of business. All questions shall be determined by a majority of the supervisors present, unless otherwise provided by law or these rules.

B. Voting Procedure.

1. Every member present when a question is put shall vote unless excused by the county board, by the affirmative vote of a majority of the members present, for reason of a conflict of interest or other special cause. All motions to excuse a member from voting shall be made before recording the vote on the question pending. Any members wishing to be so excused may make a brief verbal statement of the reason for such request, and the question upon such motion shall then be taken without further debate.

2. All members shall be in their seats when voting. Prior to the announcement by the chair of the final vote on any question, members have the right to change their vote by rising for recognition and so announcing the change to the clerk. Thereafter, members shall not be allowed to change their vote.

3. When using the voting system, individual votes will be reflected in the minutes. When voting by voice vote or by division of the house, if members request that their vote be entered in the journal, it shall be so ordered.

C. Roll Call--How Taken. When a roll call is ordered by the chair, members shall use the voting system, and the clerk shall deliver to the chair the final number of those voting on each side. Debate shall be closed with the commencement of the roll call and no motion shall be entertained until after the result of the vote is announced by the chair.

D. Roll Call Obligatory--When. A roll call vote shall be taken on:

1. Any action to suspend the rules, unless unanimous consent be granted;
2. Any motion to convene in closed session pursuant to Wis. Stat. § 19.84;
3. Any question at the request of any member prior to a voice vote;
4. Any question decided by voice vote where the chair is in doubt as to the prevailing side if a division of the house is not used;
5. Any resolution adopting the county budget;
6. The sale or purchase of real estate or the transfer of an interest in real property.
7. Any measure referred to in E.

E. Measures Requiring More Than a Majority Vote. The following matters require the affirmative vote of two-thirds or more of the members-elect of the county board, as designated hereinafter:

1. Any resolution or ordinance transferring funds from the general fund pursuant to Wis. Stat. § 65.90(5)(a), (2/3);
2. Temporary borrowing under Wis. Stat. § 67.12, (3/4);
3. Any public work done directly by the county under Wis. Stat. § 59.52(29), (3/4);
4. Any motion to withdraw a matter from committee unless notice has been given as provided in 2.04.160 (2/3). (Ord. 161-6, Sec. 3, 2017; Ord. 159.43, Secs. 3 & 4, 2016; Ord 156-38, Sec. 2, 2013; Ord. 156-29, Sec. 5, 2012; Ord 156-29, Sec. 2, 2012; Ord. 146-41, Sec. 1, 2002; Ord.141-97 Sec.4, 1998; Ord.141-03, Sec.1, 1997; Ord.127-46 Sec.1, 1983; Ord.80-81/336 Sec.1, 1981; Ord.79-80/424 Secs.5, 8, 1980: Ord. 110-78 Sec.7, 1978).

2.04.050 Rule 5--Speaking at meetings.

A. Recognition Before Speaking. Any member wishing to speak in debate or present any matter to the board, shall press the request to speak button. Upon being recognized, the member shall not be interrupted except by a call to order. If called to order by the chair, a member shall not proceed without leave of the chair, unless granted leave by appeal from the decision of the chair, sustained by the board.

B. Limitations of Speech. No member shall speak a 2nd time on a question during any meeting until any other member desiring to speak on same shall have been heard. No member shall speak more than twice on a question nor for more than 5 minutes at any one time without first obtaining leave of a majority of the members present. Merely asking or answering a question for a member shall not be counted as speaking in debate. Each member shall speak only to the merits of the question under consideration, maintain a courteous tone, refrain from attacking or questioning the motives of any other member and avoid the mention of other members' names in a demeaning or derogatory manner.

C. Method of Address. At all times the chair shall be addressed as "Mister Chairman" or "Madame Chair and fellow members as "Supervisor\_\_\_\_\_". (Ord. 161-6, Sec. 4, 2017; Ord. 159-43, Sec. 5, 2016; Ord. 157-2, Sec. 1Ord. 0144-01 Sec. 2, 2000; Ord.141-97 Sec.5, 1998; Ord. 110-78 Sec.9, 1978).

2.04.060 Rule 6--Departure from meeting.

Members shall avoid absenting themselves from the board chambers unless for good cause. (Ord. 144-91, 2001; Ord.141-97 Sec.6, 1998; Ord. 127-85, Secs.2--3, 1984).

2.04.070 Rule 7--Motions in general.

A. Presentation and Form of Motions.

1. Every motion received by the chair shall be seconded and restated by the chair prior to debate, and at the request of any member shall be reduced to writing by the clerk and shall then be read before any action is taken thereon.

2. Upon any motion containing several points, a division of the question may be called for, and the clerk shall separate said motion and restate each part before debate or a vote is taken thereon. (Ord. 128-15, 1984; Ord. 79-80/424 Sec.7, 1980; Ord. 111-78 Sec.2, 1978).

2.04.080 Rule 8--Rules of chambers. All persons not members of the board shall be excluded from within the bench of the board chambers reserved for the board during its meetings except the county administrator, the corporation counsel, the county clerk, or designees of such persons, unless such persons are present at the invitation of the board or authorized to address the board pursuant to 2.04.320. (Ord. 159-43, Sec. 6, 2016; Ord. 154-2, Sec. 3, 2010; Ord.141-92 Sec.1, 1998; Ord. 79-80/424 Sec.4, 1980).

2.04.090 Rule 9--Reports of standing and select committees and second reading. After the clerk advises the board of reports of standing or special committees concerning resolutions or ordinances being considered on second reading, the vote on the resolution or ordinance shall be taken. (Ord. 161-6, Sec. 5, 2017; Ord. 134-39, Sec. 1, 1990)

2.04.095 Rule 10--Public comment. The purpose of public comment is to provide nonmembers with an opportunity to present information to the county board. It is not intended to provide for interactive debate or for the cross examination of nonmembers. Any person who is not a member of the board shall be given, subject to the chair's discretion, up to 3 minutes to speak to the board during the public comment time period. The public comment time period will be limited to no more than 30 minutes per meeting. Any person wishing to speak may sign in prior to the meeting to obtain a priority order to addressing the board. After all speakers who signed up have spoken, anyone else interested in speaking will be given the opportunity if any time remains within the 30-minute public comment period. All speakers must follow the guidelines established by the chair. The 30-minute public comment time period may be extended at the discretion of the chair. (Ord. 152-3, Sec. 5, 2008)

2.04.110 Rule 11--Calendar of regular meetings.

A. All resolutions, ordinances, petitions and reports to be presented to the board shall be typewritten, signed by the member or committee, and filed in the office of the county administrator not later than noon on the 4th working day prior to a regular meeting of the board in order to be placed on the calendar thereof for consideration under the appropriate order of business.

B. Resolutions, ordinances, petitions and reports received by the county administrator after the time specified in A., but over 24 hours before a regular meeting of the board shall be placed on the agenda thereof for consideration under the appropriate order of business.

C. No resolutions, ordinances or petitions received later than the time specified in B., may be acted upon unless upon suspension of the rules and a ruling by the chair, sustained by a majority of the board, that an emergency exists as interpreted by the Attorney General from time to time under Wis. Stat. ch. 19.

D. The calendar shall be prepared under the direction of the county administrator in accord with the orders of business provided in 2.04.030. Approval of vouchers, rezoning and comprehensive plan reviews will be listed under second reading. Ordinances received from committees will be listed under first reading and resolutions under second reading. Ordinances and resolutions received from members will be listed under first reading. All standing committee reports shall be listed by committee in the order that they are designated in 2.04.120, and all select committee reports shall be listed alphabetically by committee name

E. A copy of the completed agenda packet, shall be delivered electronically to each member no less than 2 days prior to the meeting. Sufficient copies of the agenda only shall be provided in the county board chambers for the public.

F. Copies of any resolutions, ordinances, or discussion items received under C. shall be delivered as soon thereafter as possible. (Ord. 161-6, Sec. 6 & 7, 2017; Ord. 159-43, Sec. 7, 2016; Ord. 149-14, 2005; Ord.141-97 Sec.7, 1998; Ord.141-92 Sec.2, 1998; Ord. 136-05, 1992; Ord. 80-81/385 Secs.1, 2, 1981; Ord. 79-80/424 Sec.9, 1980; Ord. 111-78 Sec.4, 1978).

2.04.120 Rule 12--Standing committees.

A. As soon as practical, the following standing committees shall be appointed by the chair of the board and shall consist of five members each except as specifically designated in this section:

1. Committee on administration (3 of whom shall be the county board officers);
2. Committee on human resources;
3. Committee on judiciary and law enforcement;
4. Committee on UW-Extension education;
5. Committee on planning and development;
6. Highway committee;
7. Committee on parks and forest;
8. Committee on finance and budget;
9. The human services board (for appointment of 6 county board members);

B. The chair of the board shall make written announcements of appointments to said committees to the board, and shall designate a chair pro tempore of each of said committees. Each member shall be appointed to at least one committee. All appointments shall be for 2 year terms commencing on the 3rd Tuesday of April in even-numbered years. In case of a vacancy in any committee the same shall be filled by written appointment of the chair as and for the unexpired portion of the term. In the event of a vacancy in the office of chair of the board and a successor is elected, such successor may, within 30 days, make changes in committee appointments in the manner provided in this section.

C. Committee Assignments.

1. Each supervisor shall submit to the county administrator's office prior to the annual organizational meeting of the board a statement setting forth his or her background, experience, responses to questions on potential conflicts of interest and requested committee assignments. The form of the statement shall be approved by the committee on administration.

2. Following the annual election of supervisors, the county administrator's office shall notify by letter each supervisor of the provisions of A. and shall solicit responses from each. (Ord. 154-2, Sec. 4, 2010; Ord. 151-10, Sec. 2, 2007; Ord. 146-14, Sec. 3, 2002; Ord. 144-01, Sec. 6, 2000; Ord.141-97 Sec.8, 1998; Ord.141-26, Sec.1, 1997; Ord. 136-83, Sec. 1; Ord. 136-78, Sec. 1, 1992; Ord. 132-25 Sec.1, 1988, Ord. 131-73. Secs. 1, 2, 127-2 Secs.1, 2, 3, 1983; Ord. 127-1 Secs.1, 2, 1983; Ord. 126-2 Secs.1 and 1m, 1982; Ord. 81-82/13 Secs.8, 9, 1981; Ord. 80-81/247 Sec.2, 1980; Ord. 80-81/142 Sec.1, 1980; Ord. 80-81/06 Sec.1(part), Sec.2(part), Sec.3(part) and Sec.20, 1980; Ord. 78-80/282 Sec.2, Ord. 102-79 Sec.1, 1979; Ord. 38-79 Secs.1, 2, 1979; Ord. 111-78 Sec.5, 1978).

2.04.130 Rule 13--Diligent committee service.

A. It shall be the responsibility of each committee member to serve diligently. The following circumstances shall constitute less than diligent service and shall be subject to the sanctions expressed in this section:

1. The failure of any member to attend the greater portion of any committee meeting shall be cause for the chair thereof to not enroll said member on the attendance form for the purpose of claiming per diem provided in 3.20.040. Any member aggrieved thereby may appeal said denial of per diem to the committee on finance and budget and will not be paid except upon the written directive of the committee on finance and budget.

2. The consistent failure to attend the meetings of any committee on a regular basis without cause shall constitute neglect of committee duty and shall be prima facie cause for removal therefrom by the chair of the board.

B. In addition to the sanctions imposed in A., the chair of the board may remove any member from a committee for cause as defined in Wis. Stat. § 17.001, and fill such vacancy in accord with 2.04.120 B. (Ord. 161-6, Sec. 8, 2017; Ord. 156-38, Sec. 3, 2013; Ord. 147-80, Sec. 2, 2003; Ord. 144-01 Sec. 3-5, 2000; Ord.141-97 Sec.9, 1998; Ord. 80-81/06 Sec.2(part), 1980).

2.04.140 Rule 14--General duties and powers of standing committees.

A. Each committee shall be convened to organize by the chair pro tempore. At such meeting each committee, except those named in 2.04.120 A.1., shall elect a chair and a vice-chair. The chair shall appoint a member thereof or a staff person as committee clerk.

B. Each committee shall have the following powers:

1. To introduce all such legislation as may fall in its general jurisdiction, and to report on all such legislation as may be referred thereto;

2. Such ministerial powers as may be provided by ordinance, but such enumeration shall not be exclusive;

3. Responsibility for the departmental policy and oversight of such departments, commissions, councils and boards as shall be directed to report thereto;

4. To review, at least quarterly, the budgetary printouts of every department, agency, board or commission under its jurisdiction

C. Each committee shall review all personnel and budget requests made by departments or bodies under its jurisdiction and shall forward recommendations thereon to the human resources department and to the county administrator for referral to the committees on human resources and finance and budget.

1. The human resources director shall inform each committee of any collective bargaining negotiations being conducted with employees of any department under the jurisdiction of the committee and the committee may advise the human resources director on departmental needs related to hours of performance or working conditions.

2. For any department under its jurisdiction, each committee shall review any work rules promulgated pursuant to 3.70.001.

D. Each committee shall be responsible and accountable to the county board, and shall promptly act on all matters referred to the committee and report on same to the board.

F. No committee shall enter into any contract, lease or agreement, commit the county board to any course of action, sell any real or personal property of the county, purchase or take an option to purchase any real property, or promulgate any rules without the express approval of the county board, unless otherwise provided by law or ordinance.

G. Duties of the committee clerk.

1. The committee clerk shall be responsible for the files, typing and records of the committee, and for recording the minutes of each committee meeting which shall be reduced to typewritten copy, distributed to the members and approved at the next succeeding meeting following preparation thereof. The original copy of the approved minutes of each meeting shall be filed in the office of the county clerk within two working days of their approval or correction.

2. The committee clerk shall be responsible for recording the attendance of members on the appropriate forms and for submitting same to the county clerk.

3. The committee clerk shall see that all resolutions, ordinances, amendments and reports of the committee are properly drafted, typed, signed and submitted to the county administrator for the county board calendar.

H. Each committee may by order filed with the county clerk and the human resources director create any subcommittee or (with another committee) joint subcommittee, provided that the charge to any such subcommittee or joint subcommittee is within the jurisdiction of the parent committee or committees.

1. Subcommittees shall consist of not less than 2 members of the parent committee appointed by the chair thereof, one of whom shall be designated as subcommittee chair.

2. Joint subcommittee shall consist of not less than 2 members of each parent committee appointed by the chair thereof who shall thereafter jointly designate a member of the joint subcommittee as subcommittee chair.

3. Each subcommittee or joint subcommittee chair shall appoint a subcommittee clerk who shall perform the duties of G. and shall file the order creating the subcommittee or joint subcommittee as provided herein.

I. Meetings scheduled beyond 24 annually by a committee shall be approved in writing by the county board chair.

J. The human services board, and the aging and disability resource center board shall be considered standing committees within the meaning of this section.

K. All committees shall include a public comment item on each agenda at the outset of the meeting. The purpose of public comment is to provide non county board members with an opportunity to present information to the committee. It is not intended to provide for interactive debate or for the cross examination of nonmembers. Any person who is not a member of the county board shall be given, subject to the chair's discretion, up to 3 minutes to speak to the committee during the public comment time period. The public comment time period will be limited to no more than 15 minutes per meeting. Each person wishing to speak shall include their name, address and county of residence when signing in, and also state their name, address and county of residence when speaking. All speakers must follow the guidelines established by the chair. The 15-minute public comment time period may be extended at the discretion of the chair.

The land conservation commission shall be considered a standing committee within the meaning of this subsection. (Ord. 161-6, Sec. 9, 2017; Ord. 160-16, Sec. 1, 2016; Ord. 159-13, Sec. 1, 2015; Ord. 152-31, Sec. 1, 2008; Ord. 152-001, Sec. 1 & 2, 2008; Ord. 151-10, Sec. 3, 2007; Ord. 147-80, Sec. 3, 2003; Ord. 145-65, Sec. 2, 2001; Ord.141-97 Sec.10, 1998; Ord.141-92 Sec.3-4, 1998; Ord. 138-15, Sec. 1&2, 1994; Ord. 136-91, 1993; Ord. 136-31, 1992; Ord. 131-85 Sec.1 1988; Ord. 81-82/13 Secs.1, 2, 3, 1981; Ord. 80-81/06 Sec.3(part), Sec.4, 1980).

#### 2.04.150 Rule 15--Select and special committees.

A. Select and special committees may be created by resolution, specifying the committee charge, number of members and termination date. Select committees shall consist solely of members of the board, and special committees shall have at least 1 member of the board. Select and special committees created without a termination date shall expire on the 3rd Tuesday of April next following creation thereof. Said committees shall have such authority as shall be granted by resolution, except that the reports of special committees shall be referred to a standing committee pursuant to 2.04.160.

B. The chair of the county board shall make written announcements of his or her appointments to said committees and shall designate a chair and vice-chair on each. All appointments shall expire upon the termination of the respective committee or the 3<sup>rd</sup> Tuesday of April in even-numbered years, whichever comes first. Vacancies shall be filled by written appointment of the chair for the unexpired portion of the respective terms of appointment.

C. The county administrator shall assign staff or clerical assistance to each select or special committee, and the committee chair shall appoint a committee member or assigned staff member as committee clerk. (Ord. 161-6, Sec. 10, 2017; Ord. 159-43, Sec. 8, 2016; Ord.141-92 Sec.5, 1998; Ord. 80-81/06 Sec.21, 1980).

2.04.160 Rule 16--Reference to appropriate committee.

A. All resolutions and ordinances other than those embodied in a committee report and all petitions and claims shall upon introduction be read by title by the clerk and shall then be referred by the chair without motion to the committee(s) having jurisdiction, or if not referred held over, and shall not be acted upon by the board at such meeting unless a suspension of the rules is granted. The clerk shall immediately thereafter enter on the folio of the petition, claim, resolution or ordinance the date and committee of reference and the calendar supplement page on which it appeared, or if distributed at a meeting or by separate mailing, a notation to that effect.

B. Each member of the board shall receive a copy of any resolution or ordinance submitted to the board for adoption under suspension of the rules, unless there is unanimous consent to suspend this requirement. The clerk shall read such resolution or ordinance by title, except for those offered from the floor which shall be read in their entirety. If suspension of the rules is granted, the question on the passage of the resolution or ordinance shall be put by the chair without a motion from the floor.

C. Resolutions or ordinances referred to committee shall be acted upon by the committee or committees and reported to the board at a succeeding meeting, within 60 days of such referral, with a recommendation for adoption, or amendment and adoption, or indefinite postponement, or placement on file, or rejection. In the absence of committee action during said period of time, the resolution or ordinance shall automatically be placed upon the agenda for the next succeeding regular session of the county board following the expiration of the 60 day period herein described. Additional 60 day extensions to the above-described period of time for committee action may be granted by the county board upon adoption of a report to the board by the committee requesting said extension. Petitions or claims shall be acted upon by the appropriate committee(s) and reported to the board at a succeeding meeting by resolution granting, denying or filing the petition, or allowing or disallowing the claim.

D. Any member of the board may give notice to the board at a regular or special meeting that a motion will be made to withdraw a matter from committee at the next succeeding regular meeting of the board, and such motion when made may be adopted by a majority vote of the members present. If such notice is not served, a matter may be withdrawn from committee only by a 2/3 vote of the members present, provided notice of such action has been entered on the calendar in accord with Wis. Stat. § 19.84.

E. All matters referred to committee and not reported to the board by the end of the session year shall be placed on file by the clerk and no further action taken thereon unless the board shall by resolution order any matter to be carried over to the succeeding session year. All calendar items referred or introduced for first reading at the first meeting in April will be carried over into the succeeding session year.

F. The land conservation commission, the airport commission and the human services board shall be considered standing committees within the meaning of this section and shall report to the board as provided in this section and 2.04.030. (Ord. 161-6, Sec. 11, 2017; Ord. 158-12, Sec. 3, 2014; Ord. 143-106, Sec. 1, 2000; Ord.142-02; Ord.141-97 Sec.12, 1998; Ord.141-83, 1997; Ord. 126-28 Sec.5, 1982; Ord. 81-82/399 Sec.4, 1982; Ord. 80-81/385 Secs.3, 4, 5, 1981; Ord. 79-80/281 Sec.1, 1979; Ord. 65-78 Sec.1, 1978; Res. 220-75 (part), 1975; Res. 153-73 (part), 1973; Res. (part) dated April 16, 1969).

2.04.190 Rule 19--Duties of the chair. The chair shall preserve order and shall decide questions of order, subject to an appeal to the board, and shall vote on all questions taken by ayes and noes except for appeals from the chair's own decision. (Ord.141-97 Sec.14, 1998; Res. (part) dated April 16, 1969).

2.04.200 Rule 20--Appointment of standing committees. The chair with the 1<sup>st</sup> vice-chair and 2<sup>nd</sup> vice-chair shall make appointments to all standing committees of the board. (Ord. 146-14, Sec. 1, 2002).

2.04.210 Rule 21--Correspondence. Correspondence sent by department heads and elected officials costing more than \$500 must be approved by the finance and budget committee if not budgeted. (Ord. 152-25, Sec. 1, 2008)

2.04.220 Rule 22--Permission to address the board. Any person not a member of the board desirous of addressing the board on any subject matter shall first obtain leave by request of some member. In case of objection, such person must have the majority consent of the board members present. (Res. (part) dated April 16, 1969).

2.04.230 Rule 23--Reconsideration of the vote. It shall be in order for any member voting with the prevailing side to move for reconsideration of the vote on any question on the same or next succeeding day of the board session. (Res. (part) dated April 16, 1969).

2.04.240 Rule 24--Termination of debate.

A. Any person desirous of terminating the debate may call the previous question which, when seconded by 6 members other than the mover, shall be submitted by the chair in this form: "Shall debate be closed?"

B. If 2/3rds of the board present shall vote in the affirmative, the next vote shall be upon the amendments and then upon the main question. A call for the previous question shall end all debate. (Ord. 161-6, Sec. 12, 2017; Ord.141-97 Sec.15, 1998; Res. (part) dated April 16, 1969).

2.04.280 Rule 28--Resolutions, ordinances and amendments.

A. Every resolution or ordinance presented to the board shall be typewritten, shall have a title expressing the essence of the resolution or ordinance, and shall be approved as to form by the corporation counsel. Resolutions which direct that an action be taken shall specify by title the official or officials so directed or authorized.

B. Except for amendments arising during the course of debate or consisting of editorial changes, each amendment to a proposed ordinance or resolution shall be typewritten prior to the meeting, approved as to form by corporation counsel and provided to each member prior to introduction from the floor.

C. Resolutions and ordinances may only be introduced by a member only after consideration by a committee unless immediate action is required or a committee under 2.04.120 or 2.04.150. Amendments to proposed legislation may be introduced by a member or a committee under 2.04.160. Prior to introduction or placement on the calendar, all such proposed enactments shall be subscribed as follows:

1. Legislation or amendments introduced by member(s) shall be signed by the member(s).
2. Legislation introduced by or any amendment or report from a committee shall be signed by a majority of its members, or shall include the written certification of the committee chair or vice-chair that the legislation, report or amendment correctly states the action of the committee. The date of the committee meeting and the committee vote tally shall be noted in the certificate.
3. All signatures shall be personally endorsed. No typewritten signatures shall be permitted, except when legislation is retyped and conformed to the original document, which shall be kept on file. (Ord. 161-6, Sec. 13 & 14, 2017; Ord. 159-43, Sec. 9, 2016; Ord.141-97 Sec.16, 1998; Ord. 126-73 Sec.3, 1983).

2.04.281 Rule 28.1--Fact sheets--fiscal notes.

A. Every resolution, ordinance or substitute amendment shall be accompanied by a fact sheet which shall incorporate a reliable estimate of the fiscal effect or absence thereof including an estimate of the anticipated changes in current county fiscal year liability and projected fiscal liability in future years. Estimates shall be prepared by the department administering the appropriation or collecting the revenue, under the direction of the finance director.

B. If a resolution, ordinance or substitute amendment is not accompanied by a fact sheet meeting the requirements of this section, it shall not be included in the county board agenda or in the case of a substitute amendment offered from the board floor will not be considered.

C. Every resolution, ordinance or substitute amendment having a fiscal effect exceeding the amount of funds budgeted for that purpose shall be referred to the finance and budget committee. (Ord.139-50, 1995).

2.04.290 Rule 29--Suspension of rules. No rule of the board shall be suspended or amended except by a 2/3 vote of all the members present. (Res. (part) dated April 16, 1969).

2.04.300 Rule 30--Robert's Rules of Order applicable. In all matters not especially provided for, the rules of parliamentary procedure in "Robert's Rules of Order Newly Revised" and all subsequent editions thereof shall govern the board so far as the same may be applicable. (Ord.141-97 Sec.17, 1998; Ord. 79-80/100 Sec.1, 1979: Res. (part) dated April 16, 1969).

2.04.310 Rule 31--Committee meetings.

A. It shall be the duty of the chair of each committee to give at least 2 days call notice to each member of such standing committee when they meet between sessions of the board.

B. No standing committee meeting shall be held without the majority of the members in physical attendance, except in case of extreme emergency as approved by the committee chair. Other committees, commissions, boards and councils may meet via telephone conference phone using a speaker phone or videoconferencing at the discretion of the chair, but only if all available county board members are in physical attendance at the meeting site.

C. Whenever a committee meets in closed session pursuant to Wis. Stat. § 19.85, the clerk shall record all motions made, who initiated and seconded the motions, and how each member voted on all votes taken by such committee in separate closed meeting minutes in the same manner as the regular minutes. Before being sealed, the closed session minutes shall be reviewed for accuracy and initialed by the committee chair.

1. The closed session minutes shall be kept secure in the county clerk's vault, and no persons except members of the county board, the corporation counsel, the county clerk and the county administrator shall have access thereto. No copies or notes may be made from said minutes except upon the signed order of the chair of the board.

2. Prior to the end of each session year, the corporation counsel shall examine the closed session minutes and determine what portions, if any, should be made public. The corporation counsel shall inform the county clerk. (Ord. 159-43, Sec. 10, 2016; Ord.141-97 Sec.18, 1998; Ord.141-92 Sec.6, 1998; Ord.141-82 Sec.1, 1997; Ord.139-87; Ord. 139-62, 1995; Ord. 136-10, 1992; Ord. 132-17 Sec.1, 1988, Ord. 127-61 Sec.1, 1983: Res. (part) dated April 16, 1969).

2.04.320 Rule 32--Reports to the county board.

A. Reference of communications and reports: All communications to the board, written reports of county officers, requests of department heads and employees, and communications from the county administrator shall be referred by the chair to the appropriate standing committee for a report except when such report or communication is informational only.

B.. Each department head will annually prepare and submit to the county administrator a report in a form, length and at a time prescribed by the county administrator. Department heads will orally report to the county board as determined by the county administrator.

C. The county administrator shall present his or her annual message and report to the county board at its meeting on the 3rd Tuesday of April annually and shall file the original copy thereof with the county clerk. In addition the county administrator shall report orally to the county board monthly.

D. Members appointed to represent the board on the governing bodies of independent agencies shall submit to the county administrator written reports, except where department heads already submit annual reports, of such agency activities or issues as may be of interest to the board by the calendar deadline in 2.04.110 A. annually at the second meeting in March. Copies of such reports shall be sent with the calendar to each board member. Discussion of and directives by the board for action by the appropriate committee on any matters so reported shall be in order.

E. Persons representing agencies funded, created by or functioning in a contractual relationship to the board may present reports to the board as authorized by the board chair.

F. Reports and questions under this rule shall be limited to 15 minutes per report; provided, that the board may extend or limit the time.

G. Reports other than those authorized herein shall not be scheduled on the calendar or presented in the absence of prior approval having been given by the chair of the county board or under suspension of the rules.

H. The auditor retained by the county will annually present the prior year audit results to the county board for review and acceptance. (Ord. 161-6, Sec. 15 and 16, 2017; Ord. 159-52, Sec. 1, 2016; Ord 155-37, Sec. 2, 2012; Ord. 154-2, Sec. 5, 2010; Ord. 153-29, Sec. 1, 2010; Ord. 150-012, Sec. 1, 2006; Ord. 144-81, Sec. 1, 2001; Ord.141-97 Sec. 19, 1998; Ord.141-92 Sec.7, 1998; Ord.141-41; Ord.141-35, 1997; Ord.140-24, 1996; Ord. 128-12 Sec.1, 1984; Ord. 127-25 Sec.1, 1983; Ord. 81-82/399 Secs.1--3, 1982; Ord. 81-82/44 Secs.1--6, 1981; Ord. 79-80/6 Sec.1, 1979;).

(Ord. 161-6, Sec. 17, 2017 (Repealed 2.04.330)Ord. 159-43, Sec. 11; 2016; Ord. 139-14, 1995).

2.04.340 Rule 34--Consideration and confirmation of appointments. The county board chair shall seek the advice of the committee on administration, or such other committee or governmental body provided by ordinance, prior to making nominations for any appointment. (Ord. 161-6, Sec. 18, 2017; Ord. 159-51, Sec. Ord.141-92 Sec.8, 1998; Ord. 134-04, 1990; Ord. 131-36 Sec.1, Ord. 130-56 Sec.1, 1986; Ord. 127-2 Sec.4, 1983; Ord. 126-18 Sec.2, 1982).

(Ord. 159-43, Sec. 15, 2016 Repealed 2.04.350; Ord. 143-64 Sec. 1, 1999; Ord.141-92 Sec.9, 1998; Ord. 126-18 Sec.3, 1982).

(Ord. 161-6, Sec. 19, 2017 (Repealed 2.04.400);Ord.141-97 Sec.20, 1998; Ord.141-92 Sec.10, 1998; Ord.139-33, 1995; Ord. 126-1 Sec.1, 1982).

## II. STANDING AND SELECT COMMITTEES-- RULES AND DUTIES THEREOF

### 2.04.435 Committee on administration.

A. The committee shall be responsible to the county board for the departmental policy and oversight of the offices of the county administrator, corporation counsel, information systems director, facilities director, purchasing director, county medical examiner, veteran services director and veterans service commission. In addition the committee shall have the following specific duties:

1. Oversee the administration of all county insurance matters, including property and casualty insurance, general liability insurance, and group health and life insurance;
2. Approve all bonds for county officers and employees as to form and sufficiency at the amounts authorized by ordinance;
3. Examine and settle on behalf of the county all insured claims and causes of action against the county, in cooperation with the appropriate insurers;
5. Exercise those powers and duties provided in Chapter 2.70 in the operation of the centralized purchasing system;
6. Develop and administer policies for the operation of the county board office, county board staff, board chambers and committee rooms;
7. Exercise the committee powers and duties under Chapter 2.07 governing the office of corporation counsel;
8. Act as the general coordination committee of the county board;
9. Oversee the management of general county business not under the jurisdiction of another committee or governmental body;
10. Resolve county board jurisdictional conflicts and general conflict issues not under the jurisdiction of another committee.
11. Advise the chair of the board on all appointments to be made by the chair to boards, councils, commissions, committees or offices where appointment is vested in the chair by law, ordinance, or resolution;
12. Advise the board on all appointments vested therein, including boards, councils, commissions, committees or county officers, except as otherwise provided by law or ordinance;
13. Advise the board on calendar changes in order to more efficiently plan the consideration of legislative matters, recommend to the board the placement on the calendar of such special orders of business as deemed proper and administer Chapter 2.10.
14. Enforce standards for the disbursement of aid under Wis. Stat. § 45.86, to needy veterans by veteran services staff under the supervision of the veterans service commission.

B. The chair and vice-chair of the county board shall be the chair and vice-chair of the committee, respectively. The chairs of all other standing committees in 2.04.120 shall be ex-officio members of the committee without voting privileges. (Ord. 160-15, Sec. 2, 2016; Ord. 160-12, Sec. 1, 2016; Ord. 159-43, Sec. 13, 2016; Ord. 159-35, Sec. 1 & 2, 2016; Ord. 157-47, Sec. 5, 2014; Ord. 154-2, Sec. 6, 2010; Ord. 146-14, Sec. 2, 2002; Ord.141-97 Sec.21, 1998; Ord.141-92 Sec.11, 1998; Ord.141-82 Sec.2; Ord.140-118, Secs.1-2, 1997; Ord. 138-19; Ord. 137-62, 1994; Ord. 130-16 Sec.1, 1986; Ord. 129-61 Secs.2-4, 1986; Ord. 127-2 Secs.5, 6, 1983; Ord. 80-81/06 Sec.7, 1980).

2.04.440 Committee on human resources.

A. The committee shall be responsible to the county board for the departmental policy and oversight of the human resources department, for the administration of those committee duties in Title 3, and for the administration of those committee duties under any county board approved collective bargaining agreements.

B. The committee shall act as the collective bargaining representative of the county board and shall oversee the corporation counsel in the conduct of collective bargaining negotiations with represented employees over hours, wages, benefits, terms and conditions of employment in county service.

D. The committee shall act as the grievance committee under Chapter 3.10, for discrimination grievance hearings under the affirmative action plan adopted pursuant to 3.10.030, and where authorized by approved collective bargaining agreements. All grievance hearings shall be conducted in accordance with due process standards and the corporation counsel, or designee, shall be present whenever possible. No grievance involving the following may be settled by the committee without the approval of the county board:

1. The alteration, amendment or termination of any contract approved or authorized by the county board;
2. The enactment, repeal or amendment of any ordinance or resolution;
3. The allowance of any claim for money damages or expenses except as provided under Chapter 4.90.

E. All members of the committee shall receive training in equal employment opportunity legal requirements and affirmative action programs.

F. The committee shall administer the civil service responsibilities for deputy sheriffs as provided in Chapter 3.85. (Ord. 158-15, Sec. 1, 2014; Ord. 151-10, Sec. 4, 2007; Ord. 151-010, Sec. 1, 2007; Ord. 147-80, Sec. 4., 2003; Ord. 143-64, Sec. 2, 1999; Ord.141-97 Sec.22, 1998; Ord. 128-22, Secs.1-2, 1984; Ord. 127-9 Sec.1, 1983).

2.04.445 Committee on judiciary and law enforcement.

A. The committee shall be responsible to the county board for the departmental policy and oversight of the sheriff's department, the offices of the district attorney, clerk of courts, register in probate, family court commissioner, and criminal justice collaborating council.

B. The committee shall advise the board on all matters pertaining to criminal justice, public safety, the emergency communications and telephone number system and ordinances dealing with offenses under Title 9. (Ord. 161-6, Sec. 21, 2017; Ord. 160-12, Sec. 2, 2016; Ord. 157-020, Sec. 1, 2013; Ord. 153-25, Sec. 1, 2009; Ord. 152-26, Sec. 1, 2008; Ord. 149-57, Sec. 1, 2006; Ord.131-97 Sec.23, 1998; Ord. 134-09, Sec.1&2, 1990; Ord. 128-7 Sec.1(part), 1984; Ord. 126-62 Sec.1, 1983; Ord. 81-82/13 Secs.4, 5, 1981; Ord. 80-81/184 Sec.1, 1980; Ord. 80-81/06 Sec.8, 1980).

2.04.450 Committee on UW-Extension education.

A. The committee shall be responsible to the county board for the departmental policy and oversight of the county extension department and its board authorized functions including:

1. Eau Claire County Junior Fair Committee;
2. County 4-H youth programs.

B. The committee shall exercise those powers and duties authorized under Wis. Stat. § 59.56(3). All agreements under Wis. Stat. § 59.56(3)(c) 2., shall be approved by the county administrator. (Ord. 161-6, Sec. 22, 2017; Ord. 157-47, Sec. 6, 7 & 8, 2014; Ord. 154-2, Sec. 7, 2010; Ord. 152-39; Sec.1, 2008; Ord. 143-106, Sec. 2, 2000; Ord.141-97 Sec.24, 1998; Ord.141-03, Sec.1, 1997; Ord.140-124, Secs.1-2, 1997; Ord. 136-83, Sec. 2, 1992; Ord. 133-08, 1989; Ord. 127-1 Secs.3, 4, 5, 1983; Ord. 126-14 Sec.1, 1982; Ord. 80-81/388 Secs.2--5, 1981; Ord. 80-81/06 Sec.9, 1980).

2.04.455 Committee on planning and development.

A. The committee shall be responsible to the county board for the departmental policy and oversight of the department of planning and development and register of deeds. The committee shall:

1. Oversee the administration of authorized department functions in Chapters 2.44 and 15.01 and Titles 17 and 18, and exercise the committee duties prescribed therein;
2. Oversee enforcement of the provisions of Titles 17 and 18 and Chapter 8.12; examine and report to the board on all petitions for or proposed amendments to any of the provisions thereof;
3. Recommend to the board the approval of the annual county surveying program and oversee the execution thereof;
4. Act as the board liaison with and act on matters pertaining to the West Central Wisconsin Regional Planning Commission and any boards or commissions attached to the department for administrative purposes;
5. Report on all matters relating to town boundaries, municipal annexation studies under 2.44.015 C., and amendments to Chapter 1.08;
6. In cooperation with other committees having jurisdiction, it shall report on all matters regarding municipal annexation or detachment of county-owned lands and easements on or over county-owned lands.
7. Oversee county industrial development planning and promotion matters.
8. Oversee or report on county library service matters.
9. Oversee the county recycling program and the administration of Subtitle III of Title 12 of the code and shall seek federal and state funding for recycling.

B. The committee shall formulate, in cooperation with the State Bureau of Aeronautics, all airport approach protection ordinances under Wis. Stat. § 114.136.

C. The committee shall be responsible for the policy oversight of all boards and commissions attached to the department of planning and development under 2.44.020 B. These boards and commissions and the industrial development agency shall report to the county board through the committee. The committee shall advise the board of all matters pertaining to emergency medical services and perform the duties of the emergency management committee as set forth in Chapter 2.40. This subsection does not apply to the land conservation commission.(Ord. 152-26, Sec. 2, 2008)

D. The chair of the county board shall appoint a minimum of 3 members of the committee to represent supervisory districts outside the incorporated city limits of Eau Claire. (Ord 149-57, Sec. 2 & 3, 2006; Ord.142-103 Sec.1, 1999; Ord.141-97 Sec.25, 1998; Ord.140-124, Sec.3, 1997; Ord.140-120, Sec.1-2, 1997; Ord. 137-61, Sec. 1, 1993; Ord.137-33, Sec.1, 1993; Ord. 134-45 Sec.2, 1990; Ord. 130-16 Sec.2, 1986; Ord. 127-89 Secs.2 and 3, 1984; Ord. 128-7 Sec.1, 1984; Ord. 81-82/421 Secs.1 and 2, 1982; Ord. 80-81/46 Sec.1, 1980; Ord. 80-81/06 Sec.11, 1980).

#### 2.04.465 Highway committee

A. The committee shall be responsible to the county board for the departmental policy and oversight of the county highway department and shall exercise such of those powers and duties under 83.015(2) and Wis. Stat. ch. 83 and 84, as may be consistent with the code of general ordinances. In such capacity, the committee shall:

1. Oversee the construction and maintenance of all county trunk roads and bridges and the construction, improvement, equipment, maintenance and operation of the highway department and grounds;
2. Report to the board on all matters under the jurisdiction of the department including highways, county highway speed limits and traffic control devices;
3. Exercise those powers and duties as authorized in Chapter 2.70 and recommend to the board for approval all leases, contracts or agreements not covered therein.

B. The chair of the county board shall select one member from and residing in each of three areas:

1. The city of Eau Claire;
2. The towns of Bridge Creek, Clear Creek, Fairchild, Lincoln, Ludington, Otter Creek and Wilson; the Villages of Fairchild and Fall Creek; and the city of Augusta;
3. The towns of Brunswick, Drammen, Pleasant Valley, Seymour, Union and Washington; and the city of Altoona.

The remaining 2 members shall be appointed at large. The provisions of Wis. Stat. § 83.015(1)(d), shall not apply.

C. The highway department and the committee shall use the system of cost accounting devised by the State Department of Revenue, as required by Wis. Stat. § 83.015(3). (Ord. 161-6, Sec. 23 & 24, 2017; Ord.141-97 Sec.26, 1998; Ord.141-26, Sec.2, 1997; Ord.136-40, 1994; Ord. 136-101, Sec.1, 1993; Ord. 131-43. Secs.1 & 2, 1987, Ord. 81-82/429 Secs.1 and 2, 1982; Ord. 126-2 Secs.3--8 and 10, 1982; Ord. 81-82/13 Sec.9m, 1981; Ord. 80-81/265 Sec.2, 1981; Ord. 80-81/06 Sec.13, 1980).

2.04.475 Committee on parks and forest.

A. The committee shall be responsible to the county board for the departmental policy and oversight of the parks and forest department and of all county parks, parkways, waysides, special use areas, the Exposition Center including county owned lands and facilities and the county forest.

B. The committee shall have the following powers and duties:

1. To annually propose making reservations and acquisitions of lands and improvements thereof for park related functions. The county board reserves the authority to adopt, modify, change or extend plans proposed by them as provided in Wis. Stat. § 27.04(2);

2. To enter into agreements for timber sales from the county forest, pursuant to Wis. Stat. § 28.11(6);

3. To insure that the parks and forest director utilizes the concept of multiple-use management, pursuant to Wis. Stat. § 28.11, reserving to the county board the authority vested therein in Wis. Stat. § 28.11(3)(a) to (e) and (i) thereunder;

4. To take options for purchase of lands in the county for authorized parks or forest purposes, such options not to exceed in the aggregate more than 5% of the total land acquisition line item in the departmental budget in any year;

C. The committee shall appoint an advisory committee, approved by the county board chair, whose function it shall be to actively participate in the formulation of the yearly and long range plans for the Eau Claire County parks and forest including the exposition facility. It shall be composed of 11 members experienced or interested in the management and development of the county parks and forest and broadly representative of the county population. No members of the county board shall be appointed thereto.

(Ord. 160-13, Sec. 1 & 2., 2016; Ord. 157-47, Sec. 9, 2014; Ord. 157-040, Sec. 1 & 2, 2014; Ord. 156-004, Sec. 1, 2012; Ord. 154-2, Sec. 8, 2010; Ord. 154-2, Sec. 2, 2010; Ord. 145-22, 2001; Ord. 129-30 Sec.1, 1985; Ord. 80-81/432 Sec.1, 1981; Ord. 80-81/06 Sec.14(part), 1980; Ord. 52-79 Sec.1, 1979; Ord. 313-78 Sec.1, 1978).

2.04.485 Committee on finance and budget.

A. The committee shall be responsible to the county board for the departmental policy and oversight of the following:

1. County treasurer;
2. Finance director;
3. County clerk.

B. The committee shall have the following powers and duties:

1. Examine and settle all claims, demands or causes of action against the county referred thereto by the county clerk as provided in Chapter 4.90.
2. Exercise control over all non-tax deeded land acquired by the county through any of its departments, agencies, officials and employees. The committee shall refer all land acquisitions to appropriate governing committees whenever such lands abut or adjoin lands under the control of any such committee. No county official or employee may acquire, purchase or accept any land on behalf of the county without the prior written permission of the finance and budget committee except as otherwise provided by law. The county clerk, acting under the supervision of the committee, is hereby empowered to manage and sell all non-tax deed lands owned by Eau Claire County, subject to approval of the County Board consistent with provisions of Chapter 4.20.
3. Examine and settle all accounts, invoices, and expenditures of the county as determined on a pre-audit basis by the finance director and administer Chapter 1.22.

C. The committee shall submit a written report to the board of its action on any claim under 4.90.020 C. (Ord. 161-6, Sec. 25, 2017; Ord. 158-012, Sec. 1 & 2, 2014; Ord. 157-400, Sec. 2, 2014; Ord.141-97 Sec.27, 1998; Ord.141-82 Secs. 3-4; Ord.140-118, Sec.4, 1997; Ord.140-79, Secs.2-3, 1996; Ord.138-75; Ord. 138-15, Sec.3, 1994; Ord. 137-61, Sec.2-3, 1993; Ord. 131-86 Secs. 1-4, Ord. 128-29 Sec.1, 1984; Ord. 127-1 Sec.10, 1983; Ord. 126-76 Sec.1, 1983; Ord. 126-57 Secs.1, 2, 3, 1983; Ord. 81-82/13 Secs.6, 7, 1981; Ord. 80-81/06 Sec.16, 1980).

Chapter 2.05

COUNTY COMMISSIONS, BOARDS, COUNCILS AND AUTHORITIES

Sections:

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2.05.001 Legislative policy and intent. It is declared to be the legislative policy and intent of the county board that:

A. All permanent county commissions, boards, councils and authorities be created by ordinance. The ordinances creating each said county commission, board, council or authority shall be codified in this chapter unless there exists another title in this code under which said ordinance should logically be codified.

B. The terms "commission," "board," "council," and "authority" shall have their ordinary meanings, but shall only be used in ordaining the creation of a body composed entirely of citizens not members of the county board, or a body composed of members of the county board and citizens not members thereof.

C. No body shall be construed to have any of the rights, duties or privileges of a standing or select committee of the county board as provided in Chapter 2.04.

D. Any commission, board, council or authority may introduce legislation before the county board by requesting a member thereof who is also a member of the county board to introduce legislation on behalf of said body. In case a said body is composed entirely of citizens not members of the county board, it may request any member of the county board to do so.

E. All legislation introduced as provided in D. shall be referred to a standing committee as provided in 2.04.160. (Ord. 159-43, Sec. 14, 2016; Ord. 126-28 Sec.6, 1982; Ord. 126-5 Sec.4, 1982; Ord. 149-78 Sec.2, 1978).

#### 2.05.002 Advertisement of positions.

A. Notice of public appointments to vacant positions on bodies enumerated in 2.05.001 shall be published at least once by the county administrator in the official newspaper and in other media deemed appropriate by the chair of the board no later than 11 days prior to the date for selection of appointments.

B. The publication shall require that sufficient information be submitted by each candidate on an application form so as to allow a determination on such qualifications to be properly made. Names may also be solicited directly from organizations whose members are likely to have the requisite qualifications.

C. The county administrator shall administer the provisions of this section, shall prepare appropriate application forms for public distribution, and shall file and retain for a period of 3 years all resumes submitted.

D. Failure to submit an application in a timely fashion shall not preclude any person from being appointed to any body, provided that sufficient personal background data is provided to the chair of the board and the reviewing committee. (Ord.143-91 Sec.1, 2000; Ord.141-92 Sec.12, 1998; Ord.126-5 Secs.2 and 5, 1982; Ord.100-78 Sec. 1, 1978).

2.05.003 Public service name bank. The county administrator shall establish a public service name bank consisting of the names and resumes submitted under 2.05.002 and others interested in public service appointments. Appointments to bodies under 2.05.001 may be made from names listed in the public service bank in addition to names submitted under 2.05.002. (Ord.141-92 Sec.13, 1998; Ord. 126-5 Sec.6, 1982).

#### 2.05.005 Terms of office and filling of vacancies.

A. Any member of a governmental body created by any ordinance shall hold office during the term of office prescribed therein and until a successor is elected or appointed and qualifies, or, if no definite term of office is prescribed by law or ordinance, until a successor is elected or appointed and qualifies.

B. When no different provision is made, any person elected or appointed to fill a vacancy on a governmental body created by any ordinance shall qualify in the manner required therein or by law for that office and shall enter upon the duties of that office immediately thereafter. Such person shall hold office for the residue of the unexpired term and until a successor is elected or appointed and qualifies, or, if no definite term of office is prescribed by law or ordinance, until a successor is elected or appointed and qualifies.

C. Except as otherwise provided by law or ordinance, should any county supervisor appointed by the county board or the chair thereof to any governmental body vacate his or her seat on the county board during the term of the appointment, his or her position on the governmental body shall be declared and deemed vacant.

D. Any vacancy on a governmental body created by law or ordinance shall be filled for the remainder of the unexpired term in the same manner as the initial appointment. (Ord. 155-11, Sec. 1; Ord. 149-036, Sec. 1, 2005; Ord. 143-91 Sec.2, 2000; Ord.126-12 Sec.1, 1982; Ord.81-82/70 Sec.3, 1981; Ord.80-81 Sec.1, 1980).

#### 2.05.010 West Central Wisconsin Regional Planning Commission.

A. The county board of supervisors reaffirms its support of Resolution 19-72 and its participation in the West Central Wisconsin Regional Planning Commission, as established pursuant to Wis. Stat. § 66.0309.

B. The chair shall appoint, subject to the confirmation of the board, 3 persons to represent the county on the commission for concurrent 2-year terms commencing on May 1, 1986, and every second year thereafter. Appointments shall be as follows:

1. Two members of the county board at large;
2. A citizen experienced in local government in either elected or appointed office, or one professionally engaged in advising local government in the field of law, finance, engineering, recreation or natural resources development.

C. Should any commissioner so appointed vacate the position or office held under B., his or her position on the commission shall be declared vacant. (Ord. 146-14, Sec. 5, 2002; Ord.143-91 Sec.3, 2000; Ord.129-56 Sec.1, 1986; Ord.126-12 Sec.2, 1982; Ord.126-3 Sec.1, 1982; Ord.248-78 Sec.1(part), 1978).

#### 2.05.030 County housing authority.

A. The County Housing Authority, established pursuant to a finding of need therefore by Resolution 64-73 of the county board, shall be managed by a board of 5 commissioners to be appointed by the chair of the county board, as confirmed by the county board.

1. No commissioner shall be connected in any official capacity with any political party, nor shall more than 2 commissioners, at any one time, be officers of the county. For purposes of this ordinance, "officers" shall include county supervisors, and elected and appointed department heads.

2. Appointments shall be for 5-year terms expiring on the 3rd Tuesday of April. The chair or the county board shall file with the county clerk a certificate of appointment. (Ord.143-91, Sec. 4, 2000; Ord.140-17, 1996; Ord.126-12 Secs.5-8, 1982; Ord.201-78 Sec.1, 1978).

2.05.040 Western Dairyland participation.

A. The Eau Claire County board hereby reaffirms its desire to participate in the Western Dairyland Economic Opportunity Council, Inc., and to appoint such number of directors for the corporation's board of directors from among the supervisors of the county board as the corporation's articles of incorporation or bylaws may permit.

B. The chair of the board shall appoint, subject to the confirmation of the board, 2 county supervisors to serve as directors for 1-year terms commencing on the 3rd Tuesday of April annually. (Ord.126-12 Secs.9 and 10, 1982; Ord.265-78 Sec.1, 1978).

(Repealed 2.05.035 Ord. 161-003, Sec. 1, 2017)  
(Repealed 2.05.050, Ord. 160-15, Sec. 3, 2016)

2.05.060 Eau Claire Economic Development Corporation.

A. The Eau Claire County Board of Supervisors hereby affirms its desire to participate in the Eau Claire Economic Development Corporation and to have the chair of the board or the chair's designee from the county board and the county administrator serve as permanent directors pursuant to the corporation's by-laws.

B. The committee on administration shall recommend annually a rural Eau Claire person who has demonstrated an interest in involvement in industrial development, but who is not a current member of the board of supervisors, to serve a 1-year term on the board of directors. (Ord. 148-23; 2004; Ord.143-91 Sec. 6, 2000; Ord.141-92 Sec.14, 1998; Ord.135-98, 1991)

2.05.080 Chippewa Valley Business Innovation Center.

A. The Eau Claire County Board of Supervisors hereby affirms its desire to participate in the Chippewa Valley Business Innovation Center and to appoint one supervisor as a member of the board of directors as the Corporation's articles of incorporation or by-laws permit.

B. The chair of the board shall appoint, subject to confirmation of the board, one county board supervisor to serve as a director of the Chippewa Valley Business Innovation Center commencing December 16, 1986 to the 3rd Tuesday in April, 1988. Thereafter, the appointment shall be for a two-year term commencing the 3rd Tuesday of April. (Ord. 154-2, Sec. 9, 2010; Ord.143-91 Sec.8, 2000; Ord.130-57 Sec.1, 1986).

2.05.090 County board of canvassers.

A. In accord with Wis. Stat. § 7.60, the county clerk and two reputable citizens previously chosen by the clerk shall constitute the county board of canvassers. One member of said board shall belong to a political party other than the clerk's. If the county clerk's office is vacant, or if the clerk cannot perform his or her duties, the chair of the county board or a reputable citizen appointed by the chair shall perform the county clerk's duties, and is subject to the same punishments for violations. Such appointment shall be exempt from 2.05.002.

B. No person shall serve on the county board of canvassers when he or she is a candidate for an office to be canvassed by that board, except the county clerk only if the clerk has no opponent whose name appears on the ballot; however, nothing herein shall be construed to prohibit the appointment by the chair of the county board under A. of a deputy county clerk who is otherwise qualified by law.

C. Each political party county committee shall submit to the county clerk a list of not less than 3 names from which the clerk shall choose the members of the county board of canvassers.

D. The county board of canvassers shall meet and perform such duties as are provided by law. The county clerk shall provide public notice as required by Wis. Stat. § 19.84, of the meetings of said board. (Ord. 151-18, Sec. 1, 2007; Ord.126-12 Sec.19(part), 1982; Ord.80-81/245 Sec.1, 1980).

2.05.100 Emergency medical services council.

A. The county emergency medical services council is established, pursuant to Wis. Stat. § 59.54(8) and Wis. Stat. § 256.12 as the single county agency designated by the county board to act, in concert with the designated federal and state agencies, as the county wide planning, coordination and recommendation body for emergency medical services systems. The council shall be responsible to the county board through the committee on planning and development.

- B. The council shall consist of 11 members, appointed by the chair of the county board,  
with the approval of the county board, from among the following:
1. A member of the county board,
  2. An administrator of each hospital in the county or a designee thereof,
  3. The president of Chippewa Valley Technical College or designee thereof,
  4. A representative from each ambulance service based in Eau Claire County,
  5. The director of the communications center or a designee thereof,
  6. The County contracted CPR Director,
  7. A first responder representative.
- C. Terms.
1. Except as provided in 2., 3. and 4., all members shall serve for staggered 3-year terms expiring on the third Tuesday of April. Notwithstanding the foregoing, appointments made subsequent to the effective date of this section shall be staggered so that the terms of 1/3 of the members expire in each year. Upon expiration of those terms, subsequent appointments shall be for full terms.
  2. Designees authorized in B. shall serve on the council at the pleasure of the appointing official.
  3. The county board representative shall be appointed for a term coinciding with his or her term on the board.
- D. Should any council member cease to qualify as a representative of any office or employment position in accord with B. or C., his or her position on the council shall be deemed vacant. (Ord. 155-11, Sec. 2, 2011; Ord. 152-26, Sec. 3, 2008; Ord. 152-27, 2008; Ord. 147-104, 2004; Ord. 146-14, Sec. 6, 2002; Ord.143-91 Sec.9, 2000; Ord.141-03, Sec.1, 1997; Ord.139-51, Sec.1-2, 1995; Ord.131-78 Secs. 1, 2, 130-16 Sec.3, 1986; Ord.129-70 Secs. 1-3, 5, 1986; Ord.129-19 Sec.1, 1985; Ord.126-12 Sec.14, 1982; Ord.81-82/70 Sec.1, 1981).

2.05.103 Council organization.

- A. Officers. The chair of the county board shall appoint a chair pro tem to chair the first meeting. The council shall elect a chair from its membership at the first meeting following appointment of new members, to serve a term of one year. No chair may serve in this capacity for more than two consecutive years.
1. The council chair shall carry out all directives of the council; report as directed to the committee on planning and development or the county board; see that all accounts are duly audited and recommended for allowance or disallowance; and be responsible for assuring compliance with Wis. Stat. § 19.84, regarding public notice of meetings.
  2. The council shall elect a vice chair from its membership at the first meeting following appointment of new members. The council vice-chair shall perform all the duties of the chair during his or her temporary absence.
  3. The staff member from the office of planning and development, as provided in B. below shall act as clerk for the council. The clerk shall attend all meetings of the council, record and distribute the minutes of same and carry out all directives of the council.
- B. The council shall be attached for administrative purposes to the office of planning and development which shall serve as staff to the council.

C. The council is authorized to create and appoint standing and special committees thereof, and to create citizen task forces to assist the council in the exercise of its authorized powers and duties. (Ord. 152-26, Sec. 4, 2008; Ord.139-84, Sec.1; Ord.139-51, Sec.3, 1995; Ord. 136-78; Ord.136-59, 1992; Ord.130-16 Sec.13, 1986; Ord.129-70 Secs.4,5, 1986).

2.05.105 Powers and duties of the council. The powers and duties of the council shall be divided as follows:

A. The council shall guide and set general policy and direction for the emergency medical services program. The council shall set standards for provision of emergency medical services in Eau Claire County.

B. A subcommittee consisting, at a minimum, of medical directors representing local services shall oversee and approve protocols of emergency medical services.

C. The council shall meet at least once per year.

D. The council shall evaluate and plan for provisions of an emergency medical service system in Eau Claire County, specifically addressing these components:

1. Disaster Planning
2. Prevention and early recognition of emergencies,
3. Bystander action and system access,
4. Complaint taking functions,
5. Telephone inquiry and pre-arrival care,
6. First response dispatch,
7. Ambulance dispatch,
8. First responders services,
9. Ambulance services,
10. On-Off line medical control,
11. Receiving facility interface,

E. The council shall produce a report regarding emergency medical services for Eau Claire County every even numbered calendar year, identifying pertinent demographic information and highlighting strengths and weaknesses of the system. This report will provide a plan to address any deficiencies of the system and to make use of any advances in emergency medical services. This report shall be presented to the county board by the chair of the EMS council at the discretion of the county board chair. (Ord. 151-17, Sec. 1, 2007; Ord. 147-104, 2004; Ord.143-91 Sec.10, 2000; Ord.139-84, Sec.2; Ord.139-51 Sec.4, 1995).

2.05.106 EMS Projects.

A. The council shall oversee and be accountable for the policy direction of all county board authorized emergency medical services projects.

B. The council may accept in the name of the county public funds or private contributions in furtherance of its authorized functions. Expenditure of the funds shall be subject to county budget authorization. (Ord.129-70 Secs.6, 11, 1986).

(Ord 152-31, Sec. 2-4; 2008)

2.05.610 Aging and Disability Resource Center Board

A. The Aging and Disability Resource Center Board is established, pursuant to Wis. Stat. §46.283 to provide all services as set forth therein.

B. Definitions.

1. “ADRC Board” means the Aging and Disability Resource Center Board.

2. “ADRC” means the Aging and Disability Resource Center.

3. “Older individuals” means individuals 60 years of age or over.

C. ADRC Board composition, appointment and tenure. The ADRC Board shall consist of 11 members appointed by the chair of the county board, upon the advice of the committee on administration, and subject to confirmation by the county board. The ADRC Board shall reflect the ethnic and economic diversity of the geographic area served by the resource center. At least ¼ of the members shall be older individuals, adults with a physical or developmental disability, or their family members, guardians or other advocates. Initially 3 members shall serve a term of 1 year, 4 members shall serve a term of 2 years and 4 members shall serve a term of 3 years. Thereafter all members shall serve a term of 3 years from the 3rd Tuesday of April until their respective successors are appointed and qualified. No member may serve more than 2 consecutive 3-year terms. Any vacancy shall be filled for the unexpired term in the same manner as the original appointment. The board shall be composed of:

1. 6 citizen members, 4 older individuals, 1 adult with a developmental disability, and one adult with a physical disability, or their family members, guardians, or advocates.

2. 5 members of the county board of supervisors with 1 member residing outside the city limits of Eau Claire.

3. Members shall be chosen on the basis of recognized ability and demonstrate an interest in services for older individuals or adults with a physical or developmental disability. No person shall be appointed who has a conflict of interest as determined by state law or regulations or by county ordinance. Individuals who are employed by, have a financial interest in, or serve on the governing board of a managed care organization, PACE program, Family Care Partnership Program, SSI managed care plan, or who have a family member with any of these same conflicts may not serve on the ADRC Board. Providers under contract with a managed care organization are considered to have a financial interest in the MCO and therefore are not eligible to serve on the ADRC Board. IRIS Independent Consultants and Financial Services Agency employees are also considered to be providers, therefore are not eligible to serve on the ADRC Board.

D. Organization and by-laws.

1. The chair of the county board shall appoint a chair pro tem to chair the first meeting. The ADRC Board shall elect a chair, a vice-chair and a secretary. Officers so elected shall serve a term of 1 year from the 1<sup>st</sup> Monday of May next following their election or until their respective successors are elected and qualified. All succeeding terms shall be for one year.

2. The ADRC Board shall meet as the members determine or the chair directs. The majority of the ADRC Board shall constitute a quorum. The ADRC Board may appoint subcommittees, or advisory committees consisting of either members or nonmembers or both, to encourage community involvement and carry out the purposes and objectives of the ADRC Board.

3. The ADRC Board shall be authorized to adopt by-laws and procedures providing they are not inconsistent with this ordinance or any county ordinance or resolution.

E. The ADRC Board shall have the following responsibilities:

1. Be accountable for the mission and goals of the ADRC;
2. Determine the structure, policies and procedures of the ADRC within state guidelines and local governance structure;
3. Oversee the ongoing operation of the ADRC;
4. Identify unmet needs of the client populations;
5. Assure input from consumers, service providers, MCOs and local constituents regarding the policies, and goals of the ADRC;
6. Ensure that there are no conflicts of interest involving or affecting the ADRC;
7. Serve as a grievance committee after other local steps to resolve concerns about the ADRC have proved unsuccessful;
8. Review the number and type of grievances and appeals concerning the long term care system in the service area and make recommendations for improvement as appropriate;;
9. Provide financial oversight, including development of a budget and monitoring of expenditures;
10. Exercise county board oversight over specialized transportation assistance programs under Wis. Stat. § 85.21;
11. Carry out such additional responsibilities as may from time to time be authorized by the county board;

F. The ADRC is designated as the aging unit pursuant to Wis. Stat. § 46.82. (Ord. 154-14, Sec. 1, 2010; Ord. 154-13, Sec. 1-2, 2010; Ord. 152-31, Sec. 5, 2008; Ord. 152-16, Sec. 1, 2008; Ord. 151-42, Sec. 1, 2008; Ord. 151-022, Sec. 1, 2007)

2.05.611 ADRC subcommittee on Older Americans Act programs

A. Membership. The subcommittee will consist of at least 5, but no more than 11, members appointed by the chair of the ADRC as follows:

1. At least 51% of the members will be older individuals, 60 years of age or older.
2. At least 2 county board members.
3. At least 2 members will be members of the ADRC board.
4. 2 members will be from areas outside the City of Eau Claire.

B. Organization. ADRC board members will serve as the chair and vice chair of the subcommittee and will be responsible for reporting back to the ADRC board.

C. Duties and Responsibilities. The subcommittee will:

1. Develop and monitor the county aging plan;
2. Act as the Nutrition Program Advisory Council;
3. Conduct a yearly on-site review of each dining center in the program;
4. Advise and make recommendations to the nutrition director and ADRC director regarding supportive social services to be conducted at dining centers;
5. Carry out such additional responsibilities as from time to time may be authorized by the ADRC.

D. Representative of area agency on aging. The subcommittee chair will recommend 1 member to serve on the board of directors of the area agency on aging. (Ord. 161-6, Secs. 27 & 28, 2017)

2.05.613 Alzheimer's Family and Caregiver Support Program. The aging and disability resource center is hereby designated, pursuant to Wis. Stat. § 46.87, as the administering agency for the Alzheimer's Family and Caregiver Support Program.(Ord. 157-3, Sec. 1, 2013)

2.05.620 Eau Claire County Industrial Development Agency.

A. The Eau Claire County Board of Supervisors has established an Industrial Development Agency which shall be attached to the department of planning and development for administrative purposes.

B. The agency's board of directors shall consist of 5 persons knowledgeable and interested in economic development. Two members shall be members of the county board; the remaining members shall be citizen members. All appointments shall be made by the county board chair subject to confirmation by the county board. County board members shall be appointed for terms coinciding with their county board terms; the remaining three directors shall be appointed for staggered three year terms.

C. The industrial development agency shall review proposals for economic development grant applications within Eau Claire County offered by the planning and development department and make a written recommendation to the committee on administration. The industrial development agency shall also review, modify, and approve proposals with private businesses wanting to locate business developments on county property that the county has previously targeted for industrial development. The industrial development agency shall have the authority to negotiate sale or lease rates for less than appraised value where development results in new job creation and jobs pay a reasonable amount above minimum wage. The industrial development agency shall condition any sale or lease of land upon construction of building(s) starting within 2 years of the sale or lease agreement, or the land will automatically revert back to the county. Development of county lands shall be compatible with existing or proposed land uses. All arrangements negotiated by the industrial development agency are subject to approval by the county board.

D. The authority to establish an industrial development agency is included in Wis. Stat. §§ 59.57(1) and 59.57(2). (Ord.143-91 Sec.13, 2000; Ord.143-37 Sec.1, 1999; Ord.142-38, 1998; Ord.141-03 Sec.1, 1997; Ord.135-53, 1991; Ord.132-26 Sec.2, 1988).

(Ord. 158-010, Sec. 1, 2014 Repeal of 2.05.612)

2.05.630 Momentum Chippewa Valley, Inc.

A. The Eau Claire County Board hereby affirms its desire to participate in Momentum Chippewa Valley, Inc. and to appoint one supervisor as a sustaining member as allowed by Momentum Chippewa Valley, Inc.'s bylaws.

B. The chair of the county board shall appoint, subject to the confirmation of the county board, one county supervisor to serve as a sustaining member for a 2-year term commencing on the 3rd Tuesday of April semi-annually in even numbered years. If the appointee cannot attend a meeting the chair shall have the authority to appoint a substitute to represent the county board. (Ord.138-27 Secs.1, 2, 1994; Ord.133-24, 1989).

2.05.640 Groundwater advisory committee.

A. There is established a groundwater advisory committee which shall be attached to the department on planning & development for administrative purposes.

B. The committee shall consist of nine persons knowledgeable and interested in groundwater quality and protection, appointed by the chair of the county board, subject to approval of the county board, for staggered 3-year terms commencing on the 3rd Tuesday of April and in the following manner:

1. Annual vacancies shall be noticed publicly.
2. Three members shall be county board members.
3. One member shall be from the board of health.
4. One member shall be from the Department of Natural Resources, Water Quality Division.
5. One member shall be the president of the Eau Claire County Town's Association or designee.
6. Three members shall be citizens at large with one having expertise in a groundwater related field.
7. All members shall be citizens of the county at the time of appointment and for the duration of their terms.
8. Should any member no longer meet the qualifications for appointment, his or her seat shall be declared vacant.
9. Mid-term vacancies may be filled from a list of citizens who have applied for annual vacancies but have not been selected, or through a separate public notice, or by using both.

C. The county board chair shall appoint a chair pro tem to chair the first meeting. At the first meeting the membership shall elect a chair and a vice-chair. The committee chair shall appoint a committee member or a department staff member as secretary.

D. The committee shall coordinate information on groundwater concerns within Eau Claire County and as part of that process shall:

1. Monitor state and federal regulation of groundwater.
2. Oversee the development and implementation of a comprehensive, county-wide groundwater management plan.
3. Perform such other tasks as directed by the planning & development committee.

E. The committee shall report to the planning & development committee at its request, but no less than annually.

F. The director of planning & development shall assign staff assistance to the committee who shall act as liaison with the planning & development committee, reporting regularly to both bodies. In addition, extension & health department staff shall be assigned as needed.

G. The committee shall meet at least four times per year. (Ord. 158-009, Sec. 1, 2014; Ord. 146-14, Sec. 7, 2002; Ord.143-91 Sec.14, 2000; Ord.137-100, 1994; Ord.133-29, 1989).

#### 2.05.650 Local Emergency Planning Committee.

A. There is established, pursuant to Wis. Stat. § 59.54(8), a local emergency planning committee which shall be attached to the department on planning & development for administrative purposes.

B. The committee shall consist of not more than 16 persons, appointed by the chair of the county board upon recommendation of the committee on planning and development and subject to approval of the county board, for staggered 2-year terms expiring the third Tuesday in April and coinciding with the rules of operation adopted by the local emergency planning committee in the following manner.

1. Annual vacancies shall be noticed publicly. The planning & development committee shall submit a list of nominees to the county board chair prior to consideration of any committee appointment.

2. Members shall be from the following groups:

- a. Group 1: Elected state and local officials.
- b. Group 2: Representatives from law enforcement, civil defense, firefighting, first aid, health, transportation, hospitals, and local environmental groups.
- c. Group 3: Broadcast and print media.
- d. Group 4: Community groups.
- e. Group 5: Owners and operators of facilities subject to the requirements of SARA Title III.

3. Should any member no longer meet the qualifications for appointment, the member's seat shall be declared vacant.

4. Mid-term vacancies may be filled from a list of citizens who have applied for annual vacancies but have not been selected, or through a separate public notice, or by using both.

C. The county board chair shall appoint a chair pro tem to chair the first meeting. At the first meeting the membership shall elect a chair and a vice-chair. The committee chair shall appoint a committee member or a department staff member as secretary.

D. The committee shall have the powers and duties established for such committees under 42 U.S.C. 11050 and under Wis. Stat. §§ 323.60 and 323.61.

E. The committee shall report to the planning and development committee at its request, but no less than annually.

F. The director of planning & development shall assign staff assistance to the committee.

G. The committee shall meet at least 4 times per year.

H. Committee members, excluding county employees serving on the committee, shall receive per diem reimbursement as authorized in Chapter 3.20.

I. The emergency management coordinator and in his or her absence the LEPC is designated as the reviewing entity for hazardous substance discharges under Wis. Stat. § 166.22. (Ord. 154-2, Sec. 10 & 11, 2010; Ord. 152-26, Sec. 5, 2008; Ord. 150-003, Sec 1, 2006; Ord. 147-80, Sec. 5, 2003; Ord. 145-36, 2001; Ord. 144-101, Sec. 1, 2001; Ord. 144-24, Sec. 3; 2000; Ord.142-103 Sec.2, 1999; Ord.141.03, Sec.1, 1997; Ord.137-31, Sec.1, 1993; Ord.139-121, 1996; Ord.136-106, 1993; Ord.135-36, Sec. 2, 1991; Ord.133-44, 1989; Ord.135-21, Sec.1, 1991).

2.05.660 Airport Commission

A. There is established, effective January 1, 1991, pursuant to Wis. Stat. § 114.14, an airport commission in which shall be vested jurisdiction for the construction, improvement, maintenance, operation and promotion of the Chippewa Valley Regional Airport.

B. The airport will be managed consistent with the “*Ownership and Operation*” Agreement between Chippewa and Eau Claire Counties.

C. The commission shall prepare bylaws for the conduct of its business.(Ord 157-8, Sec. 1, 2013; Ord. 154-2, Sec. 12-13, 2010; Ord. 147-80, Sec. 6, 2003; Ord.142-85, 1999; Ord.140-43, 1996; Ord.139-125, 1996; Ord.139-82, 1995; Ord.136.101, 1993; Ord.136-78, Sec. 3; Ord.136-33, 1992; Ord.135-40, 1991)

2.05.670 Land Information Council -- Purpose and Definitions.

A. There is established a land information council as set forth in Wis. Stat. § 59.72(3m), which will be attached to the department of planning and development for administrative purposes. The purpose of the council shall be to review the priorities, needs, policies, and expenditures of the land information office and advise the county on matters affecting the land information office.

B. "Council" means the county land information council. (Ord. 154-20, Sec. 1, 2010; Ord.143-91 Sec.16, 2000; Ord.138-22, Sec.1, 1994).

2.05.671 Duties and Responsibilities of the Council.

A. The council shall be responsible to the county board through the committee on planning and development. The council shall report to the committee on planning and development at their request, but no less than annually.

B. The land information council shall review priorities, needs, policies, and expenditures of the land program and advise the county on matters affecting the land information office.

C. The council shall meet annually and at such additional times as the members determine or the chair directs. A majority of the council shall constitute a quorum.

D. The council may appoint subcommittees or advisory committees, consisting of either members or nonmembers or both, to encourage community involvement and to carry out the purpose and objectives of the council. (Ord. 154-20, Sec. 2-3, 2010; Ord.143-91, Sec.17, 2000; Ord.138-22, Sec.2, 1994).

2.05.672 Council Membership and Organization.

A. The council shall consist of 9 members with those enumerated in paragraphs 4-9 below appointed by the chair of the county board, with the approval of the county board as follows:

1. Register of deeds or designee.
2. Treasurer or designee.
3. Real property lister or designee.
4. A member of the committee on planning and development for a term co-terminus with the member’s term on the committee on planning and development.
5. A representative of the land information office.
6. A realtor or member of the Realtor Association employed within the county.

7. A public safety or emergency communications representative employed within the county.

8. The county surveyor.

9. A member of a City of Eau Claire agency.

B. Upon appointment, all members shall serve on the council until the 3<sup>rd</sup> Tuesday of April 2012, after which they will serve 2-year terms.

C. The land information officer shall chair the first meeting. At the first meeting the membership shall elect a chair and a vice-chair and appoint a staff member of the department of planning and development as secretary.

D. Upon establishment of the council, interest from the public for ex-officio membership on the council shall be solicited. The council shall have the authority to appoint individuals that are interested and knowledgeable about land records as ex-officio members. (Ord. 158-2, Sec. 1, 2014; Ord. 154-20, Sec. 4, 2010; Ord. 144.24, Sec. 4, 2000; Ord.138-22, Sec.3, 1994).

2.05.680 County Traffic Safety Commission. The county board chair shall appoint a county safety coordinator who shall be responsible for implementing Wis. Stat. § 83.013 and guidelines issued by the Wisconsin Department of Administration regarding county traffic safety commissions. (Ord. 161-13, Sec. 2, 2017)

(Ord. 161-6, Sec. 29, 2017 Repealed 2.05.690; Ord. 158-12, Sec. 4., 2014 Repeal Sec. 2.05.680; Ord. 155-11, Sec. 3, 2011; Ord. 148-57, Sec.1, 2004)

## Chapter 2.06

### COUNTY ADMINISTRATOR

#### Sections:

<a href="#">2.06.010</a>	Established.
<a href="#">2.06.020</a>	Appointment.
<a href="#">2.06.030</a>	Qualifications.
<a href="#">2.06.040</a>	Salary.
<a href="#">2.06.050</a>	Meeting attendance--Agenda and legislative duties.
<a href="#">2.06.060</a>	Budget preparation and execution.
<a href="#">2.06.070</a>	Financial reports and planning.
<a href="#">2.06.100</a>	Property management.
<a href="#">2.06.110</a>	Appointments of office staff and officials.
<a href="#">2.06.120</a>	Administrative duties.
<a href="#">2.06.130</a>	Coordination and liaison with other jurisdictions.
<a href="#">2.06.140</a>	Accountability and responsibility.
<a href="#">2.06.150</a>	Tenure--Removal--Authority in absence.

2.06.010 Established. There is created the position of county administrator, pursuant to the authority granted the county board by Wis. Stat. § 59.18. (Ord.143-91, Sec.18, 2000; Ord.141-92 Secs.15-16, 1998; Ord.141-03, Sec.1, 1997; Ord. 386-76 Sec.1, 1976).

2.06.020 Appointment. The county administrator shall be appointed by a majority vote of the county board, upon the recommendation of the committee on administration. The committee shall prepare an appropriate job description and shall publicly advertise same in at least two newspapers of state wide circulation as well as in appropriate county association journals. The committee shall interview selected qualified applicants, and present its written recommendation to the county board for action. (Ord.143-91 Sec.19, 2000; Ord.141-92 Sec.17, 1998; Ord. 134-03 Sec.4, 1990; Ord.386-76 Sec.2, 1976).

2.06.030 Qualifications. The county administrator shall be chosen on the basis of administrative and executive ability, education, experience, and knowledge of governmental management operations. The successful applicant shall have at least 5 years experience in responsible executive or administrative positions. The successful applicant shall possess the ability to plan and execute programs for the board, including budgeting, budgetary control, and coordination of varied activities. At the time of appointment, the county administrator must be a citizen of the United States. If not a resident of the county when appointed, the county administrator shall become a resident within six months and shall remain a resident while in office. The county administrator shall devote his or her entire time to the duties of his or her office and shall not engage in any other business or occupation. (Ord.143-91, Sec.20, 2000; Ord.141-92 Sec.18, 1998; Ord.141-92 Sec.18, 1998; Ord.386-76 Sec.3, 1976).

2.06.040 Salary. The salary of the county administrator shall be established through an employment contract approved by the county board and shall be paid by the finance department in the same manner as the salaries of other county employees. The county administrator is granted all of the benefits conferred on county employees relating to paid time off, holidays, insurance benefits, worker's compensation, and travel expense reimbursements. (Ord. 161-6, Sec. 30, 2017; Ord.143-91 Sec.21, 2000; Ord.141-92 Sec.19, 1998; Ord.131-86 Sec.13 1988, Ord.386-76 Sec.4, 1976).

2.06.050 Meeting attendance--Agenda and legislative duties.

A. The county administrator shall attend all meetings of the county board, except when excused; advise and make recommendations to the board on matters within his or her administrative authority; and present to the board all data pertaining to the responsibilities of the board and all needs for legislative action which come to his or her attention.

B. In consultation with the chair of the county board, the county administrator shall prepare the agenda for meetings of the board and prepare, with the corporation counsel, all resolutions and ordinances thereunder.

C. The county administrator shall attend and participate in as many committee meetings as possible and provide research and data as requested by committee chairs. (Ord.143-91 Sec.22, 2000; Ord.386-76 Sec.5(1), 1976).

2.06.060 Budget preparation and execution. Pursuant to Wis. Stat. §59.18(5) the county administrator is responsible for submission of the annual budget to the board. The county administrator will consult with the committee on finance and budget regarding procedures, format and priorities in the preparation of the budget. (Ord. 161-6, Sec. 31, 2017; Ord.143-91 Sec.23, 2000; Ord.141-92 Secs.20-21, 1998; Ord.134-03 Sec.5, 1990; Ord.386-76 Sec.5(2), 1976).

2.06.070 Financial reports and planning. In cooperation with the finance and budget committee, the county administrator shall do the following:

- A. Make regular reports to the board, keeping the board fully advised as to the financial condition of the county and its future financial needs;
- B. Develop financial plans in which revenues and expenditures are projected against anticipated county growth, and recommend methods of financing future needs;
- C. Perform such other finance duties as may be required by the board. (Ord.141-92 Sec.22, 1998; Ord.386-76 Sec.5(3), 1976).

2.06.100 Property management. Subject to the overall supervision of the board or committees thereof, the county administrator shall do the following:

- A. Be responsible for the care and custody of all real and personal property of the county over which the board has authority, maintain and keep such property in repair, maintain in a permanent record a perpetual inventory of such property;
- B. Direct the preparation of long-range plans for the management of county properties and for the construction and alteration of physical facilities needed to render county services properly, said plans to be submitted to the board, recommending the priority of projects;
- C. Coordinate, with the appropriate committee, the preparation of architectural plans for county buildings and their construction, and allocate space to county departments and agencies;
- D. Nothing in this section shall be construed to grant the county administrator any authority vested by law in any other county officer, commission, committee, or board. (Ord.143-91 Sec.24, 2000; Ord.141-92 Sec.23, 1998; Ord.33-78 Sec.1, 1978; Ord.386-76 Sec.5(6), 1976).

2.06.110 Appointments of office staff and officials. The county administrator shall make recommendations to the county board or the chair of the board on the appointment of persons to positions for which the board or the chair is the appointing authority. (Ord. 161-6, Sec. 32, 2017; Ord. 147-80, Sec. 7, 2003; Ord.141-92 Sec.24, 1998; Ord.81-82/473 Sec.1, 1982).

2.06.120 Administrative duties. The county administrator shall have the following additional responsibilities:

- A. To see that all orders, ordinances, resolutions, and regulations of the county board are faithfully executed, whether personally or by other department heads;
- B. To supervise and coordinate the work of the departments and agencies under the direct jurisdiction or fiscal control of the board and for this purpose, to require the periodic submission of organization charts and departmental activity reports, and shall conduct regular staff meetings with department heads;
- C. To develop county administrative code procedures, to be adopted by the board;
- D. To appraise the value of transferring responsibility for specific functions between county departments and agencies or consolidating departments and agencies, and report such findings to the board;

E. Subject to the supervision of the finance and budget committee, to manage all county investments and securities and invest surplus funds;

F. To remain informed about federal and state grant programs and procedures, provide data on same to the departments, and assist in applications for and procurement of these grants;

G. To recommend to the board the adoption of new or revised ordinances, orders, and resolutions, when in his or her judgment these actions will promote improved county services and operations and are in the public interest;

H. To remain informed on all federal or state legislation affecting the county and solicit the board's position on such legislation in cooperation with the legislative committee;

I. To prepare or provide or cause to be prepared or provided such reports, studies, and research as the board may require concerning operations of the county government; and to prepare plans and programs for the board's consideration in anticipation of future needs;

J. To receive complaints concerning county operations, refer same to the appropriate committee or department head, and conduct appropriate investigations when directed by said committee or the county board and report such findings to the appropriate parties;

K. To handle the public relations affairs of the county and the County Board;

L. With the approval of the board, to utilize the services of personnel of other departments and agencies under control of the board and the services of outside experts and consultants. (Ord.143-91 Sec.25, 2000; Ord.141-92 Sec.25, 1998; Ord.386-76 Sec.5(8), 1976).

2.06.130 Coordination and liaison with other jurisdictions. The county administrator shall represent the county, at the direction of the board, in the transaction of its business, and shall do the following:

A. Serve as the board's representative in communications with autonomous county officers and boards and with other federal, state, or local governmental agencies;

B. Invite other local units of government in the county to cooperate with the board through the establishment of joint conference committees, and other arrangements;

C. When necessary, coordinate county and county special district functions with federal, state, and other county, municipal or special district functions. (Ord.141-92 Sec.26, 1998; Ord.386-76 Sec.5(9), 1976).

2.06.140 Accountability and responsibility.

A. The county administrator is accountable to the county board for the administration of its policies and programs, and for his or her conduct as a responsible public official.

B. No provision of this chapter is intended to vest in the county administrator any duty, or grant the county administrator any authority, which is vested by law in any other County officer, employee, commission, committee, or board. In the absence of specific authority vested by statute, ordinance or resolution with the county administrator, policy direction shall be solicited from the county board. (Ord.141-92 Sec.27, 1998; Ord. 386-76 Sec.6, 1976).

2.06.150 Tenure--Removal--Authority in absence.

A. The county administrator shall hold office at the will of the county board, which may remove the county administrator at any time that his or her conduct of duties become unsatisfactory. The action of the board in removing the county administrator shall be final.

B. A vacancy in the office of county administrator created by reason of death, resignation, or removal shall be filled by appointment as provided in 2.06.020.

C. In the event that the county administrator is absent from office by reason of illness, vacation, or vacancy under B., the corporation counsel shall act as county administrator and perform all duties of such office, until such time as the county administrator returns or the board appoints a successor. (Ord.141-92 Sec.28, 1998; Ord.139-100, 1996).

Chapter 2.07

CORPORATION COUNSEL

Sections:

<a href="#">2.07.010</a>	Purpose.
<a href="#">2.07.020</a>	Corporation Counsel.
<a href="#">2.07.030</a>	Human services department representation.
<a href="#">2.07.040</a>	Child support agency representation
<a href="#">2.07.060</a>	Review of legal documents and instruments.
<a href="#">2.07.080</a>	Appointment of special counsel.

2.07.010 Purpose. It is the intent of this chapter to establish the duties and responsibilities of the office of the Eau Claire County corporation counsel. Except as hereinafter provided, said office and its individual attorneys shall constitute the sole civil legal counsel for the body politic and corporate of the county, its board of supervisors, committees, commissions, boards, departments and agencies, without restriction because of enumeration herein. (Ord. 79-80/250 Sec.1(part), 1979).

2.07.020 Corporation counsel. The office of the corporation counsel shall constitute a county department to be supervised on a full-time basis by an attorney in good standing, licensed to practice law in the state of Wisconsin.

A. The duties of the corporation counsel shall include the following:

1. To serve as legal counsel for the county board, its standing, special and select committees and the various county departments, offices, boards, agencies and commissions;

2. To render legal opinions on behalf of the county and to interpret the powers and duties of the county board, appointed and elected county officers and administrative staff;

3. To attend county board sessions and, upon request, to attend committee, board and commission meetings and to act as county parliamentarian;

4. To prosecute and defend all civil actions and proceedings in which the county or an officer or administrator thereof, in his or her official capacity, is interested or a party;

5. To perform all forms of legal representation deemed to be advisable or necessary on behalf of the county;

6. To assist in the legislative drafting process in the manner specified at Chapter 2.10;

7. To perform specified duties with respect to civil legal representation as may be designated, from time to time, by the county board or the committee on administration;

8. To perform all duties related to the prosecution of commitment actions under Wis. Stat. ch. 51, on behalf of the county and the state of Wisconsin;

9. To perform these and other duties in accord with Wis. Stat. § 59.42 (1);

10. To serve as ethics code administrator under the provisions of Chapter 3.50.

11. To notify the county board in writing of receipt of WCA Resolutions and forward resolutions from other counties to the chair of the appropriate committee.

B. The corporation counsel is granted the authority to appoint the number of assistants approved by the county board, whose duties shall include but not be limited to those expressed in this chapter and as otherwise assigned by the corporation counsel. The assistants shall be subject to the control and supervision of the corporation counsel. The assistants so appointed shall be attorneys in good standing, licensed to practice law in the state of Wisconsin.

C. The corporation counsel shall be subject to the supervision of the committee on administration, which committee may, in its discretion, act on behalf of the county board in directing or authorizing the performance of specified courses of legal representation.

D. The corporation counsel shall be appointed by the county board and his or her employment may be terminated at any time by a majority vote of all the members of the board. (Ord. 150-17 Sec. 2, 2006; Ord.143-65 Sec. 1 and 2, 1999; Ord.141-82 Sec.6; Ord.141-03 Sec.1, 1997; Ord. 133-19 Sec.1, 1989; Ord.81-82/132 Sec.2, 1981; Ord.79-80/250 Sec.1(part), 1979).

2.07.030 Human services department representation. Subject to the control and supervision of the corporation counsel, the following legal representation shall be provided on behalf of the Eau Claire County department of human services:

A. Advice and counsel for the human services board, the director of the department and departmental personnel;

B. The prosecution of all matters arising under Wis. Stat. ch. 48, the Children's Code and Wis. Stat. 938.13 , the Juvenile Justice Code. Delinquency cases arising under Wis. Stat. § 938.12, shall be referred to the Eau Claire County District Attorney;

C. The pursuit of Wis. Stat. ch. 51, mental commitment actions, Wis. Stat. ch. 55, protective services actions and Wis. Stat. ch. 54, guardianship actions with respect to clients of the department;

D. The collection of monies due and repayment of benefits of claims and probating of estates of recipients for the purpose of recovering from them assistance provided to them by the department;

E. Representation of the department in the course of litigation and at administrative hearings;

F. The performance of such other legal representation as may, from time to time, be requested by the human services board or the director of the department. (Ord. 161-8, Sec. 1, 2017; Ord. 154-2, Sec. 14, 2010; Ord.143-65 Sec. 3, 1999; Ord.141-50, Sec.1, 1997; Ord. 133-19 Sec.2, 1989; 79-80/250 Sec.1(part) 1979).

2.07.040 Child support agency representation. The child support agency was established pursuant to Wis. Stat. §§ 59.03(1) and 59.53(5), for the purpose of implementing Title IV-D of the Federal Social Security Act and related Wisconsin statutory and administrative provisions creating a Child and Spousal Support, Paternity Establishment and Medical Support Liability Program. The agency is the sole county authority designated by the board as its policy and contracting body with the Department of Children and Families for the implementation and administration of the program within the county, and shall be responsible to the board through the committee on administration. Subject to the control and supervision of the corporation counsel, the following legal representation shall be provided on behalf of the Eau Claire County child support agency:

A. The prosecution of paternity establishment and child support proceedings in accord with federal and state statutes, rules and regulations governing and promoting the establishment of paternity and the recovery of past due child support payments and the maintenance of current and future child support payments;

B. The coordination of functions with the county family court commissioner for the purpose of maximizing enforcement of court orders for child support payments. (Ord. 161-8, Sec. 2, 2017; Ord. 133-19, Sec. 4, 1989; Ord. 79-80/250, Sec. 1 (part), 1979).

2.07.060 Review of legal documents and instruments.

A. The corporation counsel shall review all legal documents, instruments, contracts, agreements, leases, mortgages, deeds or land contracts prior to execution. With respect to commissions, boards and agencies, this provision is limited to those documents and instruments which may impose some financial commitment or administrative responsibility upon the county, whether express or implied or vested or contingent. The corporation counsel shall review all such documents and instruments for their legal impact, fiscally and administratively upon the county and shall recommend approval or rejection thereof by the appropriate officials.

B. The corporation counsel shall draft instruments and documents on behalf of the county, its board of supervisors, committees, commissions, boards, departments, agencies and officials. (Ord. 161-8, Sec. 3, 2017; Ord.143-65 Sec. 4, 1999; Ord. 79-80/250 Sec.1(part), 1979).

2.07.080 Appointment of special counsel. The corporation counsel under the following circumstances, may with the approval of the committee on administration retain special legal counsel to act on behalf of the county, its officers and subunits:

A. When, in his or her opinion, special expertise not available in his or her office is required in the pursuit of a specified matter of civil legal representation;

B. When, in his or her opinion, a potential conflict of interest or ethical problem would result from his or her representation;

C. When, upon request with just and good cause shown an individual officer, department, committee or other subunit establishes a need for independent counsel. (Ord. 161-8, Sec. 4, 2017; Ord.143-65 Sec. 5, 1999; Ord. 79-80/250 Sec.1(part), 1979).

Chapter 2.09

HOURS OF OPERATION; USE AND REGULATION  
OF COUNTY FACILITIES

Sections:

<a href="#">2.09.001</a>	Purpose.
<a href="#">2.09.005</a>	Definitions.
<a href="#">2.09.010</a>	Business hours.
<a href="#">2.09.020</a>	Evening and weekend use of the county courthouse.
<a href="#">2.09.030</a>	Use of county facilities by independent organizations for noncounty business purposes.
<a href="#">2.09.040</a>	Minimal wearing apparel.

2.09.001 Purpose. This chapter is intended to establish a uniform policy governing the hours of operation and use of the county offices and facilities so as to insure optimum public access. (Ord. 127-47 Sec.1(part), 1983).

2.09.005 Definitions.

A. "Legal holidays" mean the days designated by or commonly celebrated in the state of Wisconsin as New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, the day after Thanksgiving, Christmas Eve Day and Christmas Day.

B. "Facilities" means all structures, real property, offices and buildings owned, operated or leased by the county of Eau Claire. (Ord. 161-8, Sec. 5, 2017; Ord. 127-47 Sec.1(part), 1983).

2.09.010 Business hours.

A. All county offices, inclusive of elective and appointive offices, agencies and departments, except the highway department, shall be open to the general public during usual business hours, which shall be defined as being the hours of 8:00 a.m. to 5:00 p.m., Monday through Friday of each week with the express exception of legal holidays, and the Eau Claire County Government Center for Martin Luther King Day for employee training. However, the Register of Deeds office cut-off time for recording documents shall be 4:30 p.m. Said hours shall be computed in accord with Wis. Stat. §§ 175.09 and 175.095.

B. The following offices shall have the business hours hereunder specified:

1. The highway department office hours shall be from 7:30 a.m. to 4:00 p.m.
  2. For Eau Claire County Jail visitation hours consult the county website.
- (Ord. 161-8, Sec. 6, 2017; Ord. 159-27, Sec. 1, 2016; Ord. 159-23, 2015; Ord. 155-17, Sec. 1, 2011; Ord. 148-42; 2004; Ord.140-117, Secs.2-3, 1997; Ord. 129-72 Sec.1, 1986; Ord. 129-49 Sec.1, 1985; Ord. 127-47 Sec.1(part), 1983).

2.09.020 Evening and weekend use of the county courthouse.

A. Such meetings of the board, its committees, other commissions, boards or agencies as may be held in the county courthouse shall be completed before 11:00 p.m., if possible, or within a reasonable period of time thereafter. Meetings of bodies or organizations which are not county sanctioned or created shall be concluded no later than 11:00 p.m.

B. Utilization of courthouse facilities on Saturdays and Sundays shall be permitted only with the approval of the county administrator. (Ord.141-92 Sec.29, 1998; Ord. 127-47 Sec.1(part), 1983).

2.09.030 Use of county facilities by independent organizations for noncounty business purposes.

A. Use of county facilities by organizations or persons not associated with the county government or for purposes unrelated to county proprietary or governmental functions shall be subject to the control of the office of the county administrator which shall, upon request, issue room or facility reservations. Availability of county facilities or rooms for such purposes shall be conditioned upon need therefore with respect to county government functions. The county reserves the right to establish a fee system for the use of county facilities.

B. Facilities subject to the control of the Eau Claire county committee on parks and forest and the county committee on UW-Extension education shall not be subject to the provisions of A. (Ord. 154-2, Sec. 15, 2010; Ord.143-65 Sec. 6, 1999; Ord.141-92 Sec.30, 1998; Ord.138-39, Sec.2, 994); Ord. 127-47 Sec.1(part), 1983).

2.09.040 Minimal wearing apparel. No person shall be allowed to conduct business in any county facility without shoes and appropriate attire. (Ord. 127-47 Sec.1(part), 1983).

Chapter 2.10

UNIFORM PROCEDURE FOR THE INTRODUCTION OF LEGISLATION

Sections:

<a href="#">2.10.001</a>	Purpose.
<a href="#">2.10.005</a>	Definitions.
<a href="#">2.10.010</a>	Drafting of legislation.
<a href="#">2.10.020</a>	Assistance of corporation counsel.
<a href="#">2.10.030</a>	Form of legislation.

2.10.001 Purpose. The purpose of this chapter shall be to establish a uniform procedure for the introduction of legislation for consideration by the county board, consistent with Chapter 2.04. (Ord. 161-8, Sec. 7, 2017; Ord. 83-79, Sec. 1 (part), 1979).

2.10.005 Definitions. For the purposes of this chapter, the following definitions shall apply:

A. "Legislation" means both ordinances and resolutions. (Ord. 81-82/443 Sec.38, 1982; Ord. 83-79 Sec.1(part), 1979).

2.10.010 Drafting of legislation. Resolutions and ordinances shall be introduced to the board in the standard format determined by the corporation counsel, by standing or select committees; or individual supervisors as provided in 2.04.280 C. (Ord. 161-8, Sec. 8, 2017; Ord.141-111, Sec.1, 1998; Ord. 83-79 Sec.1(part), 1979).

2.10.020 Assistance of corporation counsel.

A. The chair of a standing or special committee or designee may request the corporation counsel to draft legislation, if so authorized by the said committee. Supervisors may avail themselves of the services of the corporation counsel in the drafting of proposed legislation.

B. Each proposed ordinance shall be referred to the corporation counsel prior to adoption for consideration and drafting assistance in accord with the following principles:

1. To ascertain compliance, thereof, with relevant state and federal constitutional, statutory and administrative edicts, regulations, provisions and enactments;
2. To ascertain compliance thereof, with the common law of Wisconsin and the United States;

3. For technical assistance in drafting of ordinance language and to approve of the ordinance as to form, which approval shall be endorsed thereupon;

4. For the rendering of opinions as to the legality of the proposed ordinance and as to its effects upon existing county legislation;

5. For the preparation and maintenance of a legislative history.

C. Legislation proposed on behalf of any commission, board, council or special committee shall be introduced either by an individual supervisor or a standing or select committee with competence in the area of the proposal, as established in 2.05.001 D. and E. (Ord. 161-8, Sec. 9, 2017; Ord.141-111, Sec.2, 1998; Ord. 83-79 Sec.1(part), 1979).

2.10.030 Form of legislation. All legislation introduced to the county board for consideration shall be in standard format prepared by the corporation counsel and accompanied by a fact sheet.

A. Resolutions. The body of each resolution shall include the rationale and factual basis expressed clearly and concisely.

B. Ordinances. The body of each ordinance shall be prepared for insertion in the code of general ordinances without further revisions. (Ord. 161-8, Sec. 10, 2017; Ord.141-111, Sec.3, 1998; Ord. 81-82/443 Secs.39 and 40, 1982; Ord. 83-79 Sec.1(part), 1979).

Chapter 2.12

COUNTY OFFICERS

Sections:

- [2.12.030](#) Treasurer and clerk check-signing authority.
- [2.12.140](#) Medical examiner system.
- [2.12.210](#) County clerk uniform policy for county board mail distribution.

2.12.030 Treasurer and clerk check-signing authority. The county clerk and treasurer shall co-sign all authorized orders for payment to be drawn against the county. All signed checks shall be turned over to the county treasurer for bursting and mailing. (161-8, Sec. 12, 2017, Ord. 132-19 Sec.1, Ord. 131-86 Sec.7 1988)

2.12.140 Medical examiner system.

A. Appointment. The medical examiner shall be appointed by the county board, pursuant to Wis. Stat. § 59.34(1)(a), upon the recommendation of the committee on administration.

B. Fees. The medical examiner and any deputies shall collect all such fees which they are entitled by law to receive, as provided in Wis. Stat. § 59.38(1). Except in situations involving indigents, \$153.15 shall be collected for the issuance of a cremation permit in accordance with Wis. Stat. § 59.36, \$102.10 as the fee for signing death certificates and \$51.05 for issuing a disinterment and reinterment permit pursuant to Wis. Stat. § 69.18. The finance department shall bill the appropriate funeral home directly for these fees.

C. Statutory Duties. The medical examiner shall perform all statutory duties including but not limited to those set forth in Wis. Stat. § 59.34(1)(a), Wis. Stat. ch. 59 and Wis. Stat. ch. 979. (Ord. 160-28, Sec. 1, 207; Ord. 160-12, Sec. 3, 2016; Ord. 159-008, Sec. 1, 2015; Ord. 152-30, Sec. 1, 2008; Ord. 151-032, Sec. 1, 2007; Ord. 150-28, Sec. 1, 2006; Ord. 148-102, Sec. 1, 2004; Ord. 146-58, 2002; Ord. 146-22, 2002; Ord. 146-02, Sec. 1, 2002; Ord. 145-62, 2001; Ord.142-52, 1998; Ord.141-03, Sec.1, 1997; Ord.140-124, Sec.4, 1997; Ord.140-65, 1996; Ord.139-71, 1995; Ord. 137-98, 1994; Ord.137-31, Sec.2, 1993; Ord. 128-16, Secs.1-6, 1984; Ord. 81-82/411 Sec.2, 1982; Ord. 80-81/04 Sec.1, 1979; Ord. 357-76 Sec.1, 1976: Ord. 323-76 Sec.2, 1976).

2.12.210 County clerk uniform policy for county board mail distribution.

A. The county clerk shall distribute to county board supervisors at the most reasonable and least possible expense to the county all county government related material only.

B. All other material received by the county clerk for distribution to county board supervisors shall be left in the supervisor's mail box for placement on desks the night of county board meetings. (Ord. 154-19, Sec. 1, 2010; Ord. 139-18, 1995)

Chapter 2.15

OFFICE OF COUNTY SHERIFF

Sections:

- [2.15.010](#) Office policy code
- [2.15.020](#) Sheriff's deputies serving as municipal police
- [2.15.030](#) Use of county authority and equipment prohibited

2.15.010 Office Policy Code. The office shall develop and maintain a code of departmental policy to include, to the extent practicable, all policies, rules of conduct, internal regulations and enforcement procedures of the department and its divisions, subject to review by the corporation counsel, human resources director and sheriff. (Ord. 161-9, Sec. 1, 2017)

2.15.020 Sheriff's deputies serving as municipal police. No person appointed as a deputy sheriff of this county and employed by any municipality in the county, may use his or her powers as a deputy sheriff, uniform, badge or any other county equipment, inclusive of, but not limited to county vehicles, weapons or ammunition while serving on behalf of the municipality unless the municipality has contracted for the services of the department as municipal police agency under Wis. Stat. § 59.03(2), with the approval of the county board or in response to a mutual aid request under Wis. Stat. §§ 59.28, 66.0313, or 66.0513. (Ord. 161-9, Sec. 1, 2017)

2.15.030 Use of county authority and equipment prohibited. No person appointed as a deputy sheriff of this county and employed by any municipality in the county, may use his or her powers as a deputy sheriff, uniform, badge or any other county equipment, inclusive of, but not limited to county vehicles, weapons or ammunition while serving on behalf of the municipality unless the municipality has contracted for the services of the department as municipal police agency under Wis. Stat. § 59.03(2), with the approval of the county board or in response to a mutual aid request under Wis. Stat. §§ 59.28, 66.0313, or 66.0513. (Ord. 161-9, Sec. 1, 2017)

Chapter 2.20

BEAVER CREEK RESERVE

Sections:

Article I. General Provisions

- [2.20.010](#) Purpose.
- [2.20.020](#) Administration.
- [2.20.030](#) Land management.
- [2.20.040](#) Contributions to educational and recreational activities.
- [2.20.050](#) Property ownership.

Article II. Prohibition of Public Hunting and Trapping within the Eau Claire County Beaver Creek Reserve or Carrying of Loaded Guns or Rifles

- [2.20.101](#) Definitions.
- [2.20.102](#) Policy.
- [2.20.103](#) Penalties.

Article I. General Provisions

2.20.010 Purpose. Eau Claire County hereby declares that it is in the best interests of its residents to support and authorize an entity, known as the Eau Claire County Beaver Creek Reserve, whose purpose shall be to develop and promote, primarily for youth under 18 years of age, a better understanding of conservation practices and the practice of good citizenship and to provide a facility for outdoor education. (Ord. 161-8, Sec. 13, 2017)

2.20.020 Administration. Administration is the responsibility of the Friends of Beaver Creek Reserve Inc. (FBCR) as set forth in the Beaver Creek Facilities Operation Lease between the Friends of Beaver Creek Reserve Inc. and Eau Claire County.

2.20.030 Land management. The FBCR shall have charge of such land as was set aside on November 18, 1947, and subsequent thereto, by the board as and for beaver creek reserve purposes. The land and the structures situated thereupon shall be utilized for the educational and recreational benefit of those defined in 2.20.010. Rules and regulations may be adopted by the FBCR, for the usage of said facilities, consistent with the purpose of the beaver creek reserve.

2.20.040 Contributions to educational and recreational activities. The FBCR is empowered, on behalf of and in the name of Eau Claire County, to accept monetary contributions or donations of property to be utilized in the creation, promotion and conducting of education and recreational programs of the beaver creek reserve which are consistent with the statement of purpose in 2.20.010. Gifts to the beaver creek reserve, also known as the Eau Claire County Youth Camp, or any of its entities including, but not limited to, the Hobbs Observatory, Wise Nature Center and Citizen Science Center, shall be directed to and become part of the Friends of Beaver Creek Reserve Trust for their management, investment and distribution. Restricted gifts will be distributed according to the donor's instructions or returned.

2.20.050 Property ownership. All property now in the possession of or hereafter acquired by and for the Eau Claire County Beaver Creek Reserve shall be held in the name of Eau Claire County.

Article II. Prohibition of Public Hunting and Trapping within the Eau Claire County Beaver Creek Reserve or Carrying of Loaded Guns or Rifles.

2.20.101 Definitions. Unless the context dictates otherwise, the following definitions shall apply to this chapter:

A. "Hunt" or "hunting" includes the shooting, shooting at, pursuing, taking, catching or killing of any wild animal or animals.

B. "Trapping" includes the taking of, or the attempt to take, any wild animal by means of setting or operating any device, mechanism or a contraption that is designed, built or made to close upon, hold fast or otherwise can capture a wild animal or animals. When the word trap is used, it shall have the same meaning as the word trapping as defined herein. (Ord. 161-8, Sec. 14, 2017)

2.20.102 Policy. No unauthorized person shall, at any time or in any manner, hunt or trap within the boundaries of the Eau Claire County Beaver Creek Reserve, nor have in his or her possession or under his or her control therein, any gun or rifle unless the same is unloaded and enclosed within a carrying case unless authorized by the director for educational or management purposes.

2.20.103 Penalties. Any person violating any of the provisions of 2.20.102 shall be subject to a forfeiture of not less than \$200 nor more than \$1,000 together with the costs of the action. Said violation shall be subject to prosecution pursuant to Chapter 1.50.(Ord. 152-39, Sec. 2, 2008)

## Chapter 2.22

### HUMAN SERVICES PROGRAM

#### Sections:

<a href="#">2.22.010</a>	Authority.
<a href="#">2.22.020</a>	Intent.
<a href="#">2.22.030</a>	Definitions.
<a href="#">2.22.040</a>	County human services board.
<a href="#">2.22.050</a>	Powers, duties and functions of the board.
<a href="#">2.22.055</a>	Structure of board.
<a href="#">2.22.060</a>	Composition of board.
<a href="#">2.22.070</a>	Term of directorship/appointments.
<a href="#">2.22.080</a>	Department of human services.
<a href="#">2.22.090</a>	Human services director.
<a href="#">2.22.100</a>	Appointment of director.
<a href="#">2.22.125</a>	Long-term support committee.
<a href="#">2.22.130</a>	Elder-Adult-At-Risk and Adult-At-Risk Agency Designation.

2.22.010 Authority. This chapter is created and adopted pursuant to the authority granted to Eau Claire County by Wis. Stat. §§ 46.23 and 59.03(1). Said authority shall be interpreted as granting to the county the largest measure of organizational autonomy compatible with the constitution and such enactments of the legislature of statewide concern as shall with uniformity affect every county. (Ord.141-03, Sec.1, 1997; Ord. 81-78 Sec.1(part), 1978).

2.22.020 Intent. This chapter is intended to facilitate the consolidation of the existing social services programs being provided for in Eau Claire County, which functions are currently being administered by the Eau Claire County department of social services and the Eau Claire County unified services board, respectively, into an integrated community human services program, under the management of a single county department, controlled and directed by a single governing and policy making board. It is further intended that the development and availability of a comprehensive human services program, under which governmental, voluntary and private county resources shall be mobilized and coordinated, is the primary objective of this legislation. (Ord. 81-78 Sec.1(part), 1978).

2.22.030 Definitions. The following definitions shall apply to this chapter:

- A. "Board" means the county human services board.
- B. "County board" means the Eau Claire County board of supervisors.
- C. "Department" means the department of human services.
- D. "Director" means the director of the department of human services.
- E. "Human services" means the total range of services to people including and not limited to public assistance, social services to children, adults and families, counseling, mental illness treatment, developmental disability services and alcohol and drug abuse services.
- F. "Program" means the services and facilities available to meet the county's human services needs. (Ord. 81-78 Sec.1(part), 1978).

2.22.040 County human services board. A policy making board, known as the county human services board, is hereby established and shall have charge of the integrated human services program for Eau Claire County. Said board shall be subordinate and answerable to the county board. (Ord.141-92 Sec.31, 1998; Ord. 81-78 Sec.1(part), 1978).

2.22.050 Powers, duties and functions of the board.

- A. The board shall be subject to the following statement of purpose and shall carry out its functions in accord therewith:
  - 1. The improvement of the social condition and mental health of residents of the county;
  - 2. The improvement of the accessibility, acceptability, continuity and quality of the total human services program available in the county;
  - 3. The restraint of increases in the cost of the total human services program made available in the county; and
  - 4. The prevention of unnecessary duplication of services and facilities.
- B. The board shall have all of the powers and duties designated and assigned to committees, commissions and/or boards organized under Wis. Stat. §§ 46.23(5m), and 51.437.
- C. The board shall have such other powers, duties and responsibilities, as are necessary to carry out the human services program.
- D. The board shall advise the county board on policy matters affecting the department of human services, shall administer policies established by the county board and shall annually submit a report of its activities to the county board.
- E. It shall be the intent of the county board that the board continue to avail itself of private resource-providers' services wherever economically and administratively feasible and appropriate, in light of the stated objects in this chapter, and where in the best interests of the consuming public.
- F. The board shall have the power to adopt administrative regulations to enforce its duties under this chapter, subject to the approval of the corporation counsel as to the conformity thereof with applicable state and federal statutes and rules, and county ordinances and resolutions. (Ord. 154-13, Sec. 4, 2010; Ord.141-92 Sec.32, 1998)

2.22.055 Structure of board. A chair and vice-chair shall be elected in even-numbered years for 2-year terms. The chair shall be a county board member. The chair shall appoint a staff person as committee clerk. (Ord. 161-8, Sec. 15, 2017; Ord.140-38, Sec.1, 1996; Ord. 133-31, 1989; Ord. 131-21 Sec.1, 1987; Ord. 131-78 Sec.1, 1978; Ord. 81-78 Sec.1(part), 1978).

2.22.060 Composition of board. The board shall be composed of 10 persons of recognized ability and demonstrated interest in human services, 6 of whom shall be county board supervisors. The board shall be considered a standing committee of the county board for purposes of appointment of the 6 supervisors.

A. Board members other than county board supervisors shall be selected from nominees whose names are solicited pursuant to 2.05.002 from various client interest groups in the county, consumers of services and citizens-at-large. The county board shall assure the broadest and most balanced possible representation of the client interests served in making all selections.

B. No public or private provider of human services, an employee or a member of a governing or policy making board thereof, may be appointed to the board. (Ord. 146-14, Sec. 4, 2002; Ord. 126-12 Sec. 19 (part), 1982; Ord. 81-78 Sec.1(part), 1978).

2.22.070 Term of directorship/appointments.

A. Appointments shall be made by the county board subject to the provisions of the appointment procedures duly established by the county board.

B. Board members shall serve for terms of three years, subject to the following conditions:

1. Each of the 10 positions, as cited in 2.22.060, shall be numbered from 1 through 10. Board members 1, 2, 4, 6, 8 and 9 shall be selected from among the members of the county board; board members 3, 5, 7, and 10 shall be selected as provided in 2.22.060 A.;

2. All board members shall be appointed, subject to the provisions of C., at the organizational meeting of the county board, to be held in accord with 2.04.010 A. on the 3<sup>rd</sup> Tuesday of April of even-numbered years;

C. Board members may be removed from office for cause only by 2/3 vote of the county board, upon due notice in writing and hearing of the charges against the member. (Ord. 147-81, Sec. 1, 2003; Ord. 126-12 Sec.17, 1982; Ord. 81-78 Sec.1(part), 1978).

2.22.080 Department of human services. The department of human services is hereby established, which department shall carry out the policies established by the county board and the board so as to accomplish the intent of this chapter, as stated at 2.22.020. The department and its staff shall carry out the functions of the former department of social services, and the unified services board. It shall have all of the authority, express and implied, granted in Wis. Stat. ch. 46, 48, 49, 51, 54, 55 and 938. (161-8, Sec. 16, 2017; Ord.141-50, Sec.3, 1997; Ord. 81-78 Sec.1(part), 1978).

2.22.090 Human services director. The position of human services director shall have all of the powers, duties and responsibilities designated in Wis. Stat. § 46.23(6m) and such other powers, duties and responsibilities, as are necessary to carry out the human services program. The director is empowered, on behalf of and in the name of Eau Claire County, to accept gifts and donations supporting the human services program of a value not to exceed \$10,000. (Ord. 152-17, Sec. 1, 2008; Ord.141-92 Sec.34, 1998).

2.22.100 Appointment of director. The director shall be appointed by the county administrator subject to confirmation by the county board. (Ord. 161-8, Sec. 17, 2017; Ord.141-92 Sec.35, 1998; Ord. 81-78 Sec.1(part), 1978).

2.22.130 Elder-Adult-At-Risk and Adult-At-Risk Agency Designation. The department of human services is hereby designated as the Elder-Adult-At-Risk Agency and the Adult-At-Risk Agency responsible for filling the duties and carrying out the purposes of Wis. Stat. §§ 46.90 and 55.043. (Ord. 150-29, 2006; Ord. 144-24, Sec. 5; 2000; Ord. 128-65 Sec.1, 1984).

(Ord. 161-8, Sec. 18, 2017 Repealed 2.22.125; Ord. 152-31, Sec. 7, 2008; Ord. 147-81, Secs. 2-5, 2003; Ord. 147-81, Sec. 3, 2003; Ord.140-117, Secs. 4-6, 1997; Ord. 137-117, Sec. 1; Ord. 137-94, Sec. 1-2, 1994; Ord. 135-67, 1991; Ord. 134-12, 1990; Ord. 129-65 Secs.1,2. 1986; Ord. 129-24 Sec.1, 1985).

(157-3, Sec. 2, 2013)

(Ord. 161-13, Sec. 1, 2017 Repealed 2.28)

Chapter 2.36

CONTINUITY OF GOVERNMENT\*

Sections:

<a href="#">2.36.020</a>	Definitions.
<a href="#">2.36.030</a>	Emergency interim successors--Designation, status, qualifications and term.
<a href="#">2.36.040</a>	Emergency interim successor--Assumption of powers and duties.
<a href="#">2.36.050</a>	Emergency interim successor--Data to be filed.
<a href="#">2.36.060</a>	Emergency interim successor--Formalities of taking office.
<a href="#">2.36.070</a>	Declared emergency.
<a href="#">2.36.080</a>	County board meetings in a declared emergency.

2.36.020 Definitions. As used in this chapter, unless the context otherwise clearly indicates:

A. "Duly authorized deputy" means a person who is presently authorized to perform all of the functions, exercise all of the powers and discharge all of the duties of an office in the event the office is vacant or at such times as it lacks administration due to the death, absence or disability of the incumbent officer.

B. "Emergency interim successor" means a person designated pursuant to this chapter for possible temporary succession to the powers and duties, but not the office, of a county officer in the event that such officer or any duly authorized deputy is unavailable to exercise the powers and discharge the duties of the office. (Ord. 138-83, Sec. 1-3, 1994; Res. (part) and Sec. 2 of Ord. dated November 13, 1962).

2.36.030 Emergency interim successors--Designation, status, qualifications and term.

A. Elective Officers. Within 30 days after first entering upon the duties of his or her office, each member of the board and all county elected officers shall, in addition to any duly authorized deputy, designate such number of emergency interim successors to his or her office, and specify their rank in order of succession after any duly authorized deputy, so that there will be not less than 3 duly authorized deputies or emergency interim successors or combination thereof for the office.

B. Appointive Officers. The county administrator shall, within the time specified in A, in addition to any duly authorized deputy, designate for appointive officers such number of emergency interim successors to these officers and specify their rank in order of succession after any duly authorized deputy, so that there will be not less than three duly authorized deputies or emergency interim successors or combination thereof for each officer.

C. Review of Designations. The incumbent in the case of those elective officers specified in A, and the county administrator in the case of those appointive officers specified in B, shall review and, as necessary, promptly revise the designations of emergency interim successors to insure that at all times there are at least three such qualified emergency interim successors or duly authorized deputies or any combination thereof for each officer specified.

D. Qualifications. No person shall be designated or serve as an emergency interim successor unless he or she may under the constitution and statutes of this state and the ordinances of this county, hold the office of the person to whose powers and duties he or she is designated to succeed, but no provision of any ordinance prohibiting an officer or employee of this county from holding another office shall be applicable to an emergency interim successor.

E. Status of Emergency Interim Successor. A person designated as an emergency interim successor holds that designation at the pleasure of the designator, provided, that he or she must be replaced if removed. He or she retains this designation as emergency interim successor until replaced by another appointed by the authorized designator. (Ord.142-103 Sec.4, 1999; Ord. 138-83, Sec. 4-6, 1994; Res. (part) and Sec.3 of Ord. dated November 13, 1962).

2.36.040 Emergency interim successor--Assumption of powers and duties. If, in the event of a declared emergency, any officer named in 2.36.030 A. and B. and any duly authorized deputy is unavailable, his or her emergency interim successor highest in rank in order of succession who is not unavailable shall, except for the power and duty to appoint emergency interim successors, exercise the powers and discharge the duties of such officer. An emergency interim successor shall exercise these powers and discharge these duties only until such time as the lawful incumbent officer or any duly authorized deputy or an emergency interim successor higher in rank in order of succession exercises, or resumes the exercise of, the powers and discharge of the duties of the office, or until, where an actual vacancy exists, a successor is appointed to fill such vacancy or is elected and qualified as provided by law. (Ord. 138-83, Sec. 7, 1994; Res. (part) and Sec.4 of Ord. dated November 13, 1962).

2.36.050 Emergency interim successor--Data to be filed. The name, address and rank in order of succession of each duly authorized deputy shall be filed with the county clerk and emergency management coordinator and each designation, replacement or change in order of succession of an emergency interim successor shall become effective when the designator files with the clerk the successor's name, address and rank in order of succession. The clerk and emergency management coordinator shall keep on file all such data regarding duly authorized deputies and emergency interim successors and it shall be open to public inspection. (Ord.142-103 Sec.5, 1999; Ord.138-83 Sec.8, 1994; Res.(part) and Sec.5 of Ord. dated November 13, 1962).

2.36.060 Emergency interim successor--Formalities of taking office. At the time of their designation, emergency interim successors shall take such oath and do such other things, if any, as may be required to qualify them to exercise the powers and discharge the duties of the office to which they may succeed. (Res. (part) and Sec.6 of Ord. dated 11-13-62).

2.36.070 Declared emergency.

A. Upon the recommendation of the emergency management coordinator, the chair of the county board is authorized to issue and file with the county clerk a written declaration of emergency in the county under the following circumstances:

1. Whenever conditions arise by reason of war, conflagration, flood, heavy snowstorm, blizzard, tornado, catastrophe, natural or man-made disaster, riot or civil commotion, acts of God, and including conditions, without limitation because of enumeration, which impair transportation, food or fuel supplies, medical care, health, human services, police protection or other vital functions or facilities of the county;

2. Whenever the Governor proclaims a state of emergency in the county or the President of the United States declares the county to be a disaster area and the chair of the county board determines that the emergency or disaster meets the conditions in this subsection.

B. The period of such declared emergency shall be limited to the time during which such emergency conditions exist or are likely to exist. The declaration of emergency shall be subject to ratification, alteration, modification or repeal by the county board or the emergency management committee as soon as either body can meet, but such subsequent action taken by the county board or committee shall not affect the prior validity of the declaration. (Ord.142-103 Sec.7, 1999; Ord. 138-83, Sec. 9, 1004; Ord. 130-16 Sec.7, 1986; Ord. 81-82/355 Sec.6, 1981; Res. (part) and Sec.7 of Ord. dated 11-13-62).

2.36.080 County board meetings in a declared emergency.

A. When the chair of the county board determines that the declared emergency warrants immediate county board action, he or she may convene the county board as provided by the rules of the county board.

B. If the chair determines that it is important, inexpedient or impossible to conduct the affairs of the county board at the courthouse, he or she shall convene the board at the emergency operating center or at any other site designated in the current emergency management plan, in which case the board shall proceed under Wis. Stat. § 323.52 (1), to designate an emergency temporary location of government.

C. When so convened, no business shall be transacted except as shall be necessary to accomplish the emergency purpose for which the board was convened. Any emergency meeting may be adjourned by a majority vote of those present.

D. The powers of the county board may be exercised in light of the existences of the emergency situation without regard to or in compliance with the formalities prescribed by law or rules of the county board which would prohibit immediate action, but all such acts shall be as valid as if performed in conformity thereto.

E. The powers of the chair, county clerk and sheriff as provided by rule shall be exercised by their emergency interim successors in their absence or disability.

F. The requirements of 2.04.040, regarding the affirmative vote of a specified proportion of the members elect for approval of an ordinance, resolution or other action, shall be suspended and substituted by a requirement that the proportion be of the members present. (Ord. 154-2, Sec. 16, 2010; Ord.142-103 Sec.8, 1999; Ord. 81-82/355 Sec.7, 1981).

## Chapter 2.40

### EMERGENCY MANAGEMENT

#### Sections:

<a href="#">2.40.010</a>	Wisconsin Emergency Management Plan adopted.
<a href="#">2.40.020</a>	County-municipal emergency management organization -Created-Purpose.
<a href="#">2.40.030</a>	Definitions.
<a href="#">2.40.040</a>	Emergency management committee.
<a href="#">2.40.050</a>	Emergency management coordinator.
<a href="#">2.40.060</a>	Emergency management program cost.
<a href="#">2.40.070</a>	Duties of the emergency management coordinator.
<a href="#">2.40.080</a>	Authority to declare emergencies.
<a href="#">2.40.090</a>	Applicant's agent.
<a href="#">2.40.100</a>	Violation--Penalties.
<a href="#">2.40.110</a>	Mutual agreement to provide program.

2.40.010 Wisconsin Emergency Operations Plan adopted. The state of Wisconsin "Emergency Operations Plan" is adopted by the Eau Claire County board of supervisors as the official program of the county for emergency management. (Ord.142-103 Sec.10, 1999; Ord. 138-83, Sec. 10, 1994; Ord. 134-45, Sec. 1, 1990).

2.40.020 County-municipal emergency management organization--Created--Purpose. To ensure that the county and participating municipalities thereof will be prepared to cope with emergencies resulting from enemy action and with emergencies resulting from technological and natural disasters, a county-municipal emergency management organization is created to carry out the purposes set out in Wis. Stat. ch. 323. (Ord. 154-2, Sec. 17, 2010; Ord.142-103 Sec.11, 1999; Ord. 134-45, Sec. 1, 1990).

2.40.030 Definitions. As used in this chapter:

- A. "Civil defense" means all measures undertaken by or on behalf of the state and its subdivisions to prepare for and minimize the effect of enemy action upon the civilian population.
- B. "Emergency" means any event which threatens to, or actually does, inflict damage to property or people.
- C. "Emergency management" includes "civil defense" and means all measures undertaken by or on behalf of the state and its subdivisions:
  - 1. To prepare for and minimize the effect of enemy action and natural or man made disaster upon the civilian population.
  - 2. To effectuate emergency repairs to, or the emergency restoration of, vital public utilities and facilities destroyed or damaged by such action or disaster.

D. "Enemy action" means hostile action by a foreign power which threatens the security of this state or a portion thereof.

E. "Management" means an organized effort to mitigate against, prepare for, respond to and recover from an emergency.

F. "Natural disaster" includes all other extraordinary misfortunes affecting the county, natural or man made, not included in the term "enemy action". (Ord. 142-43, Sec. 12, 1999; Ord. 134-45, Sec. 1, 1990).

2.40.040 Emergency management committee.

A. How Constituted. The committee on planning and development shall function as the emergency management committee.

B. Duties of Emergency Management Committee. The emergency management committee shall be an advisory and planning group and shall advise the county emergency management coordinator and the county board on all matters pertaining to emergency management. (Ord.152-26, Sec. 6. 2008; Ord. 149-57, Sec. 4, 2006; Ord.142-103 Sec.13, 1999; Ord. 134-45, Sec. 1, 1990).

2.40.050 Emergency management coordinator.

A. Coordinator. There is hereby created the office of emergency management coordinator. The emergency management coordinator shall have the duties and responsibilities for each participating municipality set forth in Wis. Stat. ch. 323.

B. Municipal Deputy Emergency Management Coordinator. The City of Eau Claire risk manager shall function as municipal deputy emergency management coordinator, operating under the administrative direction of the county emergency management coordinator. The deputy municipal emergency management coordinator shall be paid by the City of Eau Claire. (Ord. 154-2, Sec. 18, 2010; Ord.142-103 Sec.14, 1999; Ord. 134-45, Sec. 1, 1990).

2.40.060 Emergency management program cost.

A. Office and staff. The county board shall provide the funding necessary to carry out the functions of the emergency management coordinator. The City of Eau Claire shall provide funding necessary to carry out the functions of the municipal deputy emergency management coordinator.

B. Major equipment and services. Costs of equipment and services shall be born 100% by the municipal government requiring such procurement with federal matching funds procured by the emergency management coordinator when applicable. Federal matching fund reimbursement shall be returned to the treasurer of the municipality procuring the equipment or services.

C. Reimbursement to highway department for transporting Mobile Command Post (MCP): \$250.00/per event.(Ord.159-18, Sec. 1, 2015; Ord.142-103 Sec.15, 1999; Ord. 134-45, Sec. 1, 1990).

2.40.070 Duties of the emergency management coordinator.

A. The coordinator, subject to the policy, oversight and direction of the emergency management committee shall:

1. Develop and promulgate emergency management plans for the county consistent with state plans;

2. Coordinate and assist in the development of municipal emergency management plans within the county, and integrate such plans with the county plan;
3. Direct the county emergency management program;
4. Direct county-wide emergency training programs in exercises;
5. Advise the state administrator of emergency management of all emergency management planning for the county and render such reports as may be required by the administrator;
6. In case of a state of emergency proclaimed by the Governor, direct and coordinate all county and municipal emergency management activities within the county, subject to the coordinating authority of the State Administrator. Identify and implement precautionary measures to mitigate against potential hazards;
7. Prepare, maintain and annually review the local emergency preparedness plan;
8. Develop and maintain effective relationships with government, private, and volunteer sections of the county;
9. Establish, implement, maintain, test and evaluate the actual operational systems for responding to known threats to the county;
10. See that all emergency tasks are carried out within the legal authority as guided by the state statutes and the county code and participate in, and contribute to, the legislative and regulatory process as it relates to emergency management;
11. Develop and implement public information and public relations activities;
12. Spend up to \$2,000 for necessary emergency response materials for services with approval by the county administrator;
13. Perform such other duties relating to emergency management as may be required by the emergency management committee or county board.

B. The deputy coordinator, in assuming the functions of a municipal deputy emergency management coordinator, subject to intergovernmental cooperative agreement under Wis. Stat. § 66.0301 shall:

1. Direct the organization of emergency municipal management;
2. Develop, promulgate, and integrate into the county plan, emergency management plans for the operating services of the municipality;
3. Direct participation of the municipality and such emergency management training programs and exercises as may be required on the county level or by the state administrator;
4. Direct the municipal emergency management training programs and exercises.
5. In the absence of the emergency management coordinator, function as emergency management coordinator and exercise all duties of the emergency management coordinator contained in this chapter.

C. The coordinator, in assuming the functions of the emergency management coordinator for the Local Emergency Planning Committee (LEPC) and designated as coordinator of information and community emergency coordinator shall:

1. If not already completed, develop county-wide hazardous materials response plan and submit with completed review guide for State Emergency Response Board (SERB) approval;

2. Develop off-site facility plans for each facility having the threshold planning quantity (TPQ) of an extremely hazardous substance (EHS) and submit with review guides for SERB approval;
3. Annually publish the Section 324 official notice to the public concerning information available from the LEPC;
4. Provide information as requested by the public concerning facility and LEPC activities;
5. Receive and maintain notifications and reports from facilities;
6. Determine the schedule of exercises of Superfund Amendments and Reauthorization Act (SARA) plans;
7. Provide the SERB with an official mailing address for the LEPC and annually submit an updated list of LEPC members which includes their names, group represented, addresses and phone numbers, plus indicate who is the chair, vice-chair, coordinator of information and community emergency coordinator;
8. When a new SERB facility computer printout is received, compare the SERB's listing of facilities in your county with the LEPC's records. Assist the SERB with updating their list;
9. Develop an outreach and public information program;
10. Annually exercise SARA plans;
11. Complete emergency planning grant application. When requesting a second advance for emergency planning grant, provide the SERB with information on actual expenditures to date. Submit required information for closing out the grant by March 1.
12. Provide the SERB information concerning hazardous materials response teams and equipment available from the facilities and from government. (Ord. 160-15, Sec. 10, 2016; Ord.142-103 Sec.16, 1999; Ord.142-75, 1999; Ord. 135-27, 1991; Ord. 134-45, Sec. 1, 1990).

2.40.080 Authority to Declare Emergencies. In the event the Governor, the chair of the board, or the emergency management coordinator determines that an emergency exists growing out of natural or man made disasters, any expenditures for services rendered in participating municipalities shall be paid by such municipalities. (Ord. 144-24, Sec. 8; 2000; Ord.142-103 Sec.17, 1999; Ord.135-27, 1991; Ord. 134-45, Sec. 1, 1990).

2.40.090 Applicant's agent. The county emergency management coordinator shall have the authority to execute, for and on behalf of the county, applications, assurances and agreements as and for emergency federal financial assistance available through the Federal Disaster Assistance Administration, the Department of Housing and Urban Development, the President's Disaster Relief Fund and other sources. The coordinator shall be referred to in this capacity as "the applicant's agent." The authority granted to the coordinator in this section shall be subject to the coordinator's procuring prior approval from the emergency management committee except where the nature of the natural disaster or enemy action is such as to create an exigency which requires the immediate execution of these duties in light of applicable federal standards. (Ord. 144-24, Sec. 9; 2000; Ord.142-103 Sec.18, 1999; Ord. 134-45, Sec. 1, 1990).

2.40.100 Violation--Penalties. It is unlawful for any person wilfully to obstruct, hinder or delay any member of the emergency management organization in the enforcement of any order, rule, regulation or plan issued pursuant to this chapter, or to do any act forbidden by any order, rule, regulation or plan issued pursuant to the authority contained in this chapter. For a violation of any of the provisions of 2.40.020 through 2.40.080 the sanctions in 1.16.010 shall apply. (Ord.142-103 Sec.19, 1999; Ord. 134-45, Sec. 1, 1990).

2.40.110 Mutual agreement to provide program. Municipalities in Eau Claire County may execute an intergovernmental cooperative agreement with the county under Wis. Stat. § 66.0303. Execution of such agreement shall bind a municipality to participate in emergency management as set forth in this chapter. (Ord. 160-15, Sec. 9, 2016; Ord.142-102 Sec.20, 1999; Ord.0134-45, Sec. 1, 1990; Ord. 134-45, Sec. 1, 1990).

## Chapter 2.42

### ENHANCED EMERGENCY 9-1-1 TELEPHONE SYSTEM

#### Sections:

<a href="#">2.42.010</a>	Authority.
<a href="#">2.42.020</a>	Purpose.
<a href="#">2.42.030</a>	Administration
<a href="#">2.42.040</a>	Plan of Operation.
<a href="#">2.42.050</a>	Emergency Network and Universal Number Service; Installation of Equipment.
<a href="#">2.42.060</a>	Application of Tariff.
<a href="#">2.42.070</a>	Exchange Areas Covered by E 9-1-1 Operational Plan.
<a href="#">2.42.080</a>	System Costs; Assessed Against Users.
<a href="#">2.42.090</a>	User Rates; Subject to Change.
<a href="#">2.42.100</a>	User Charges; Selective Routing.

2.42.010 Authority. This ordinance is enacted under the authority of Wis. Stat. § 256.35. (Ord. 154-2, Sec. 19, 2010; Ord. 136-107, 1993).

2.42.020 Purpose. This ordinance is enacted for the purpose of creating an enhanced emergency telephone system which can be accessed from telephones located in Eau Claire County by dialing the numbers 9-1-1. (Ord. 136-107, 1993).

2.42.030 Administration. This ordinance shall be administered by the Eau Claire City-County Emergency Communications Center. (Ord. 154-2, Sec. 20, 2010; Ord. 136-107, 1993).

2.42.040 Plan of Operation. There is hereby created in Eau Claire County an Enhanced 9-1-1 emergency telephone system with a single public safety answering point (PSAP). The system shall be partially funded through a surcharge on the telephone bills of the users of said system as permitted by Wis. Stat. § 256.85(3). The service supplier shall provide the essential components of such system, including arrangements with other telecommunications utilities to allow the system to be functional throughout Eau Claire County. (Ord. 154-2, Sec. 21, 2010; Ord. 136-107, 1993).

2.42.050 Emergency Network and Universal Number Service; Installation of Equipment. The service supplier shall install and maintain an E 9-1-1 emergency telephone system and provide a universal central office number 9-1-1 for use by the county's PSAP in protecting the safety and property of the general public. The system shall operate so that when the number 9-1-1 is dialed it will provide the following E 9-1-1 system features to all access lines described in 2.42.070:

- A. Automatic Number Identification (ANI)
- B. Automatic Location Identification (ALI) (Ord. 136-107, 1993).

2.42.060 Application of Tariff. The service supplier's provision of the services contemplated herein shall be governed by its tariff. (Ord. 136-107, 1993).

2.42.070 Exchange Areas Covered by E 9-1-1 Operational Plan. The E 9-1-1 system established herein shall be provided to all telephone users in Eau Claire County served by any telephone exchange. (Ord. 136-107, 1993).

2.42.080 System Costs; Assessed Against Users. The service supplier shall bill its customers within the county in amounts sufficient to recover its nonrecurring and recurring charges, as provided for in Wis. Stat. § 256.85(3), and in the manner allowed by Public Service Commission rules, regulations and tariffs. For purposes of determining the charges to be so billed, the service supplier is hereby authorized to assess the following charges against telephone lines located in Eau Claire County.

A. Nonrecurring Charges. Total nonrecurring charges of \$115,376 shall be recovered by the service supplier over a period of 36 months at the rate of \$0.055 per month per telephone line.

B. Recurring Charges. In addition to nonrecurring charges, recurring charges of \$8,158.18 per month shall be recovered by the service supplier at the rate of \$0.19 per month per telephone line or at such other rate as may be authorized from time to time by the Public Service Commission. (Ord. 154-2, Sec. 22, 2010; Ord. 136-107, 1993).

2.42.090 User Rates; Subject to Change. The service supplier shall review access line counts 60 days before cutover and annually thereafter. This count shall be provided to the county. The access line count shall be used as the basis for adjusting the monthly user rate. The service supplier shall timely notify the county, in writing, whenever any change is pending to its tariff, whether initiated by the service supplier, the Public Service Commission or any other person. (Ord. 136-107, 1993).

2.42.100 User Charges; Selective Routing. Telephone utility costs for selective routing, whether for equipment or recurring expenses, shall not be included in any user charge authorized under this ordinance unless agreed to between the telephone utility, the municipality and the county. (Ord. 136-107, 1993).

## Chapter 2.44

### DEPARTMENT OF PLANNING AND DEVELOPMENT

#### Sections:

- 2.44.010 Creation.
- 2.44.015 Departmental program responsibilities.
- 2.44.020 Department divisions and attached boards and commissions.
- 2.44.030 Program responsibilities of the departmental divisions.

#### 2.44.010 Creation.

A. There is created a department of planning and development under the direction and supervision of a director who shall be appointed under 3.01.010 B. on the basis of recognized interest, administrative ability, training, experience and knowledge of the fields of comprehensive planning, land use conservation and regulation, and community development.

B. The director shall be responsible to the county board through the committee on planning and development for the administration of departmental policies and programs. The director shall appoint, and be responsible for the management of all county board authorized personnel in the department. (Ord. 147-80, Sec. 9, 2003; Ord. 126-28 Sec.9, 1982; Ord. 80-81/247 Sec.1(part), 1980).

2.44.015 Departmental program responsibilities. The department shall have the following general program responsibilities:

A. Preparation of community development plans and assistance to the municipalities in the county in such areas;

B. Providing staff resources and liaison service between the committee on planning and development and county municipalities in the areas of planning and community development;

C. Preparation of plans and studies on proposed or possible future municipal annexations and detachments in the county in cooperation with affected municipalities. The department shall also issue an analysis of any proposed municipal annexation or detachment of county-owned lands, or easements on or over them, and shall file copies of all executed easement maps in the department;

D. Preparation of short and long range planning documents and studies assigned by the committee or county board; assisting other departments in their planning and implementation of adopted plans under the department's jurisdiction;

E. Preparation and submittal of authorized grant applications for state or federal funding, and administration of grant aid programs assigned thereto;

F. Administer Chapter 16.18 on sale or transfer of minerals and mineral rights on county land.

G. Assisting the county board designated agency in the promotion of industrial development in the county by providing authorized land use planning, zoning and surveying assistance as requested.

H. Providing staff assistance to the County Library Services Council and administration of the County Library Services Contract.

I. Administration and supervision of emergency services and disaster planning.

J. To perform the functions and duties of the land information office as defined in Wis. Stat. § 59.72. (Ord. 154-20, Sec. 5, 2010; Ord.141-03, Sec.1, 1997; Ord. 133-72, 1989; Ord. 130-16 Sec.9, 1986; Ord. 127-89 Sec.5, 1984; Sec.2, 1982; Ord. 81-82/421 Secs.2M, 2P and 3, 1982; Ord. 80-81/247 Sec.1 (part), 1980).

#### 2.44.020 Department divisions and attached boards and commissions.

A. There are created in the department the divisions enumerated in 2.44.030, each to be headed by an administrator appointed by the director of the department with the approval of the committee. Each division shall have the program responsibilities assigned in this chapter as well as other departmental duties authorized in 2.44.015 that may be delegated thereto by the director. The administrator of each division shall be responsible for the programs therein and shall be accountable to the director.

B. The Board of Land Use Appeals, the Land Conservation Commission and the Industrial Development Agency are attached to the department for administrative purposes. (Ord. 161-003, Sec. 2, 2017; Ord. 135-94, Sec. 1, 1991; Ord. 127-89 Sec.6, 1984).

#### 2.44.030 Program responsibilities of the departmental divisions.

A. Land Use Controls Division. The division shall administer and enforce Title 18 dealing with zoning and subdivision controls; Chapter 15.01, the Uniform Dwelling Code; Wis. Stat. § 59.69, as provided in Title 18; and shall administer the county surveying program as authorized by law and Title 17.

B. Real Property Description Division. The division shall be responsible for the maintenance, updating and improvement of the master file and sectional plat maps of real property in the county as provided in Wis. Stat. § 70.09(2), and shall further:

1. Make and keep accurate lists and descriptions of all parcels of real property in the county which are subject to tax and also those which are exempt from such tax;

2. Provide lists, maps and descriptions of real property tax parcels in the county for the use of municipal assessors and clerks and county offices requiring such lists and descriptions;

3. Take information regarding assessment values from the assessor's field book and make the real property parcel list conform as nearly as possible to the assessor's field books at all times;

4. Coordinate with the information systems department, the needs and requests of the assessors, clerks and treasurers;
5. Assist the public on questions dealing with real property descriptions and ownership;
6. Assist the municipal assessors, clerks and treasurers with questions dealing with real estate descriptions and ownerships;
7. Provide cartography, drafting, graphic arts and printing layout assistance to other county departments.

C. Planning Division. The division shall be responsible for the following:

1. Preparing community development grant applications including need assessments, feasibility studies, environmental review of records and impact statements, application drafting, and monitoring of state and federal funding sources, as well as similar activities for other departments of the county;
2. Managing community development programs including development of program budgets, monitoring programs in light of their schedules and goals, and insuring compliance with state and federal regulations;
3. Assisting county communities in the establishment and management of community development programs;
4. Administration and supervision of emergency services and disaster planning.
5. Preparing long and short range plans and studies in such areas as land use, solid waste management and special planning projects;
6. Preparing reports and analyses and assisting in the administration of county land use regulations.

D. Land Conservation Division. The division shall have such of the program responsibilities under the Wisconsin Statutes and Wisconsin Administrative Code, as are authorized in Title 17. (Ord. 161-003, Sec. 3, 2017; Ord.142-39 Sec.1, 1998; Ord.141-03, Sec.1, 1997; Ord.137-33, Sec.3, 1993; Ord. 135-94, 1991; Ord. 130-16 Sec.10, 1986; Ord. 126-28 Secs.11, 12, 1982; Ord. 126-3 Sec.3, 1982; Ord. 81-82/112 Sec.2, 1981; Ord. 80-81/247 Sec.1(part), 1980).

## Chapter 2.48

### PARKS

#### Sections:

- [2.48.070](#) Boating--County-owned park regulations.
- [2.48.110](#) Aquatic recreation provisions--Applicability and enforcement.
- [2.48.120](#) Aquatic recreation provisions--Wis. Stat. §§ 30.65, 30.66(1) and (2) and 30.68 adopted.
- [2.48.130](#) Aquatic recreation provisions—Boating regulations.
- [2.48.140](#) Aquatic recreation provisions--Markers and navigational aids.
- [2.48.150](#) Aquatic recreation provisions--Violation--Penalties.

2.48.070 Boating--County-owned park regulations. No person while within the limits of a county-owned or operated park in the county shall:

- A. Put a boat in or out of the water in other than a designated launching area;
  - B. Moor a boat other than in a designated mooring area;
  - C. Use a motor on a boat in Coon Fork Lake except for electric trolling motors.
- (Ord.142-84 Sec.2, 1999; Res. (part) and Sec.4 of Ord. dated November 15, 1966).

2.48.110 Aquatic recreation provisions--Applicability and enforcement. This section shall apply to the waters of Lake Altoona, within the territorial jurisdiction of the city of Altoona, town of Washington, and town of Seymour; and the waters of Eau Claire Lake, within the territorial jurisdiction of the town of Ludington and the town of Bridge Creek. This section shall be enforced by the sheriff and the DNR. (Ord. 161-8, Sec. 20, 2017; Ord. 160-030, Sec. 1, 2017; Res. 214-73, 1973; Res. 147-73 Sec.2, 1973).

2.48.120 Aquatic recreation provisions--Wis. Stat. §§ 30.65, 30.66(1) and (2) and 30.68 adopted. The provisions of Wis. Stat. §§30.65 and 30.66(1) and (2) and 30.68 are adopted by reference insofar as applicable. (Res. 147-73 Sec.3, 1973).

2.48.130 Aquatic recreation provisions--Boating regulations. In addition to the traffic rules in Wis. Stat. § 30.65, adopted in 2.48.120 of this chapter, the following rules shall apply to boats using the waters covered by 2.48.110 through 2.48.140:

- A. No person shall operate any boat contrary to any legally placed regulatory buoys.

B. No person shall operate a boat within the water area which has been clearly marked by buoys or some other distinguishing device as a bathing or swimming area. (Ord. 161-8, Sec. 21, 2017; Ord. 160-30, Sec. 2, 2017; Res. 147-73 Sec.4, 1973).

2.48.140 Aquatic recreation provisions--Markers and navigational aids.

A. Buoys will be placed to provide the public with knowledge of the beach and swimming areas

B. Standard Marker. All markers so placed will be in compliance with regulations of the DNR.

C. Interference with Markers Prohibited. No person shall without authority remove, damage or destroy or moor or attach any watercraft to any buoy, beacon or marker placed in the waters of any lake by the authority of the United States, state, county or town, or by any private person pursuant to the provisions of 2.48.110 through 2.48.140. (Ord. 161-8, Sec. 22, 2017; Ord. 160-30, Sec. 3, 2017; Res. 147-73 Sec.5, 1973).

2.48.150 Aquatic recreation provisions--Violation--Penalties. Any person who violates any provision of 2.48.110 through 2.48.140 shall upon conviction thereof be punished as provided in 1.16.010. (Ord. 161-8, Sec. 23, 2017; Ord. 160-30, Sec. 4, 2017; Res. 147-73 Sec.6 1973).

Chapter 2.50

VETERAN SERVICES

Sections:

2.50.300 County veterans service commission.

2.50.500 Veterans transportation.

2.50.550 Services limited to county residents.

2.50.300 County veterans service commission.

A. The veterans service commission is established pursuant to Wis. Stat. § 45.81.

B. The chair of the board shall appoint to the commission, subject to confirmation by the board, three residents of the county who are veterans as defined in Wis. Stat. §45.01(12), and who represent a broad cross-section of veterans interested in the county. The county administrator shall, in addition to the requirements of 2.05.002, solicit nominations from county veterans' organizations. Following the expiration of initial terms (1979), all subsequent appointments shall be for staggered 3 year terms expiring on the 31st day of December.

C. Commission Officers.

1. A chair shall be elected from among the members of the commission whose duty it shall be to preside over the meetings of the commission, carry out all duties prescribed by law, see that all claims before the commission are audited and allowed or disallowed, and assure compliance with Wis. Stat. § 19.84, on the public notice of meetings.

2. A vice-chair shall also be elected from among the members of the commission who shall perform the duties of the chair in the absence thereof.

3. The county veteran services director shall serve ex-officio as executive secretary of the commission and shall perform the duties provided in Wis. Stat. §§ 45.80 and 45.81. The secretary shall keep and record all minutes as directed by the commission, furnish copies to the commissioners, file the original copies with the county clerk, and act as liaison with the committee designated by the county board.

4. Elective officers shall be chosen for 1-year terms at the organizational meeting of the commission to be held within 2 weeks following the annual appointment of commissioners.

5. The commission may appoint a member thereof to serve as recording secretary when deemed necessary.

D. The commission shall be responsible for:

1. Furnishing veterans relief pursuant to Wis. Stat. § 45.81, to any person eligible under Wis. Stat. § 45.86, if the right of the person to aid shall be established to its satisfaction. Its actions in this respect shall conform with the standards for disbursement of aid established by county ordinance. (Ord. 159-35, Sec. 3 & 4, 2016; Ord. 154-2, Sec. 23, 2010; Ord. 142-30; Ord. 141-92 Sec. 37, 1998; Ord. 141-03, Sec. 1, 1997; Ord. 130-56 Sec. 2, 1986; Ord. 130-07 Sec. 1, 1986; Ord. 126-53 Sec. 1m, 1982; Ord. 126-17 Secs. 1--7, 1982; Ord. 126-12 Sec. 11, 1982; Ord. 80-81/177 Sec. 2, 1980; Ord. 365-78 Sec. 2, 1978).

2.50.500 Veterans transportation. Contingent on the Veterans Administration funding a vehicle, including maintenance costs, transportation will be provided to veterans facilities as determined by the veteran services director. (Ord. 160-30, Sec. 5, 2017; Ord. 159-35, Sec. 5, 2016; Ord. 151-10, Sec. 7, 2007; Ord. 147-80, Sec. 10, 2003; Ord. 144-10, 2000; Ord. 126-53 Sec. 1a, 1982).

2.50.550 Services limited to county residents.

A. The county board declares it to be the policy of the county that county taxes be levied to provide services to veterans and their dependents residing in this county, and further declares that services to veterans residing in other counties should be the responsibility of those counties.

B. Unless otherwise provided, all veterans services authorized under this chapter shall be provided only to veterans who are residents of this county, inclusive of students enrolled at any post-secondary educational institution in the county. Veterans residing outside this county shall be referred to the veteran services director of the county of residence. (Ord. 159-35, Sec. 6, 2016; Ord. 127-20 Sec. 1, 1983).

Chapter 2.52

BOARD OF HEALTH

Sections:

<a href="#">2.52.010</a>	Definitions
<a href="#">2.52.020</a>	Health department established
<a href="#">2.52.030</a>	Board of health
<a href="#">2.52.040</a>	Powers and duties
<a href="#">2.52.050</a>	Regulations
<a href="#">2.52.060</a>	Director
<a href="#">2.52.070</a>	Budget; Appropriation; Fund

2.52.010 Definitions. In this chapter, the following words and terms shall have the following meanings, unless the context clearly requires otherwise:

- A. "Board of health" means the board of health established under 2.52.030.
- B. "City" means the city of Eau Claire.
- C. "City council" means the city council of the city of Eau Claire.
- D. "County" means Eau Claire County.
- E. "County board" means the Eau Claire County Board.
- F. "DHFS" means the State of Wisconsin Department of Health and Family Services.
- G. "Health department" means the Eau Claire city-county health department established under 2.52.020. (Ord. 137-104, 1994).

2.52.020 Health department established. A city-county health department is hereby established as required under Wis. Stat. § 251.020(1m), to have jurisdiction within the city and county. (Ord. 147-103, Sec. 14, 2004; Ord. 137-104, 1994).

2.52.030 Board of health.

- A. The health department shall be managed by a board of health. The board of health shall have complete and exclusive control over the management and operations of the health department. The board of health shall consist of 8 members. The members shall reflect the diversity of the community. At least 3 of the members who are not elected officials or employees of the city or county shall have a demonstrated interest or competence in the field of public health or community health. The members shall be qualified and appointed as follows:
  - 1. One member of the city council, appointed by the city council.
  - 2. One member of the county board, appointed by the chair of the county board with the approval of the county board.

3. Two physicians practicing in the county. Such physicians shall be selected from a list provided by the Eau Claire County Medical Society, where practical and desirable. One physician shall be appointed by the chair of the county board with the approval of the board. The other physician shall be appointed by the city council.

4. One dentist practicing in the county. Such dentist shall be selected from a list provided by the Eau Claire County Dental Society, where practical and desirable. Such dentist shall be appointed by the chair of the county board with the approval of the board.

5. One registered nurse with experience in community health practice. Such nurse shall be jointly appointed by the city and the county.

6. Two members of ability and known to have a board social viewpoint and a serious interest in the protection of health of the community. One member shall be appointed by the chair of the county board with the approval of the board. The other member shall be appointed by the city council.

B. The term of office of the members shall be 5 years.

C. Public notice shall be given of the annual vacancies occurring on the board of health.

D. Members of the board of health shall be residents of the city or county.

E. If any member of the board of health no longer meets the qualifications for appointment as set forth in 2.52.030, the position held by such member shall be vacated.

F. Any vacancy occurring on the board of health shall be filled in the same manner as the original appointment.

G. The board of health shall elect one member as president and one member as vice-president. An accurate record shall be kept of all board of health meetings. (Ord. 137-104, 1994).

2.52.040 Powers and duties. The board of health shall:

A. Govern the health department and assure the enforcement of state public health statutes and public health rules of the state.

B. Assure that the health department is a Level I, Level II or Level III local health department as specified in Wis. Stat. § 251.05(1).

C. Report to the DHFS as required by rule.

D. Meet at least quarterly.

E. Assess public health needs and advocate for the provision of reasonable and necessary public health services.

F. Develop policy and provide leadership that fosters local involvement and commitment, that emphasizes public health needs, and that advocates for equitable distribution of public health resources and complementary private activities commensurate with public health needs.

G. Assure that measures are taken to provide an environment in which individuals can be healthy.

H. Employ qualified public health professionals, such other staff as are necessary to carry out the mission of the health department, and a public health nurse to conduct general public health nursing programs under the direction of the board of health and in cooperation with the DHFS. The board of health may employ environmental health specialists, known as sanitarians, to conduct environmental programs and other public health programs not specifically designated by statute as functions of the public health nurse.

- I. Appoint the director of the health department.
- J. Determine the compensation for the director and employees of the health department. (Ord. 137-104, 1994).

2.52.050 Regulations. The board of health may adopt regulations that it considers necessary to protect and improve public health. The regulations shall be no less stringent than, and shall not conflict with, state statutes and rules and regulations of DHFS. Such regulations shall be published as a class 1 notice under Wis. Stat. ch. 985, and, unless otherwise specifically provided, shall take effect immediately following publication. Such regulations shall be incorporated by reference as if fully set forth herein. (Ord. 137-104, 1994).

2.52.060 Director. The director of the health department shall serve as the local health officer. The director shall be a full-time employee of the health department, as required by Wis. Stat. § 251.06(2)(a). The director shall maintain the qualifications required under Wis. Stat. § 251.06. (Ord. 137-104, 1994).

2.52.070 Budget; Appropriation; Fund.

A. The board of health shall annually prepare a budget of its proposed expenditures for the ensuing fiscal year and determine the proportionate cost to the county and the city on the basis of equalized valuation. A certified copy of the proposed budget, which shall include a statement of the amount required from the city and the county, shall be delivered to the county administrator and to the city manager. The proposed budget shall be reviewed by a joint budget review team of county staff members selected by the county administrator and city staff members selected by the city manager.

B. The appropriation to be made by the county and the city shall be determined by the county board and the city council, respectively. No part of the cost apportioned to the county shall be levied against any property in the city.

C. A city-county health department fund shall be established and maintained in the office of the treasurer of the city, as determined by the board of health. The county and the city shall each make an annual payment into said fund, the share of the county and the city as determined and appropriated by the city and the county. (Ord.141-92 Sec.38, 1998; Ord.137-104, 1994).

Chapter 2.70

COUNTY PURCHASING CODE

Sections:

<a href="#">2.70.010</a>	Purpose.
<a href="#">2.70.020</a>	Authority.
<a href="#">2.70.030</a>	Director of Purchasing and Central Services.
<a href="#">2.70.040</a>	Definitions.
<a href="#">2.70.050</a>	Duties and responsibilities of the committee.
<a href="#">2.70.060</a>	Duties and responsibilities of the director.
<a href="#">2.70.061</a>	Requisitions for purchases.
<a href="#">2.70.070</a>	Purchasing procedures and methods.
<a href="#">2.70.075</a>	Purchase from government vendors and group purchasing programs.
<a href="#">2.70.080</a>	Emergency purchases.
<a href="#">2.70.090</a>	Miscellaneous purchases.
<a href="#">2.70.091</a>	Insurance procurement and administration.
<a href="#">2.70.093</a>	Transactions affecting general county policy.
<a href="#">2.70.095</a>	Transactions involving real property.
<a href="#">2.70.100</a>	Disposal of surplus property.
<a href="#">2.70.110</a>	Invalid purchases.
<a href="#">2.70.120</a>	Central stores.
<a href="#">2.70.130</a>	Photocopy machines.
<a href="#">2.70.140</a>	Payment procedures and contracts.
<a href="#">2.70.150</a>	Purchase limitations.
<a href="#">2.70.160</a>	Statutory and ordinance conflicts.
<a href="#">2.70.170</a>	Constitutionality.

2.70.010 Purpose. This chapter shall establish The powers and duties of the purchasing and central services department and the direction of purchasing and central services with the intent of creating a system for uniform procedures for Eau Claire County to secure, for county taxpayers, the advantages and economies which could result from centralized control over the expenditure of county funds for supplies, materials, equipment and contractual services; to provide for administration of county purchases; promote efficiency and standardization of purchasing methods for all county departments and agencies through centralization of purchases by the director; to promote competitive bidding and to provide for the administration, regulation, control, and enforcement of the purchasing procedures and methods hereby established. (Ord. 144-37, Sec. 1, 2000; Ord. 79-80/165 Sec.2(part), 1979).

2.70.020 Authority. This chapter is created and adopted pursuant to authority granted by Wis. Stat. §§ 59.51 and 59.52 (9). (Ord. 144-37, Sec. 2, 2000; Ord.141-03, Sec.1, 1997; Ord. 79-80/165 Sec.2(part), 1979).

2.70.030 Director of Purchasing and Central Services. The provisions of this chapter and such regulations as are duly enacted hereunder shall be supervised by the county administrator and the committee on administration. The director of purchasing and central services under the general supervision of the county administrator and the committee on administration shall manage the purchasing department and with the assistance of such employees as are assigned to the department, shall be responsible for carrying out its mandates. (Ord. 144-37, Sec. 3, 2000; Ord.141-92 Sec.40, 1998; Ord.136-40 Sec. 1, 1992; Ord. 79-80/165 Sec.2(part), 1979).

2.70.040 Definitions. In this chapter the following definitions shall be applied unless the content clearly indicates to the contrary:

A. "Bid" means an offer submitted to the county for the provision of goods or services in accord with the specifications supplied by the county. All bids shall be in writing and on such forms as may, from time to time, be specified by the director.

B. "Committee" means the committee on administration.

C. "Committees" means the committee and departmental committees.

D. "Department" or "agency" includes all of the departments, offices or other organizational units of the county whose affairs and funding are under the control and supervision of the county board.

E. "Director" means the director of purchasing and central services or those duly authorized to act in that capacity, unless otherwise specified.

F. "Departmental committees" means the highway committee and the human services board.

G. "Employee" means all elected and appointed officials, employees of the county, and appointees to any county committee, board or commission.

H. "Governing committee" means the governing and policy making board, commission, committee, or authority operating on behalf of the county.

I. "Irresponsible bidder" means a bidder or prospective bidder who fails to furnish, upon written request, proof of his or her responsibility; who has, as a vendor or contractor with the county, repeatedly made slow or unsatisfactory deliveries; or, who has, violated or attempted to violate, the provisions of this chapter.

J. "Purchase of goods" means any transaction between the county and any party or parties by which the county receives a tangible commodity or property, except real property, in exchange for money or other valuable consideration.

K. "Purchase of services" means any transaction between the county and any other party or parties, not another unit of government, by which the county receives useful labor or activity, in return for money or other valuable consideration, but does not include labor performed as an employee of Eau Claire County.

L. "Miscellaneous transaction" means any transaction between the county and any other party other than: purchases of goods; transactions involving real property; and purchases of services.

M. "Quotation" means an indication of a price for goods or services which is available for sale to the county and which lacks the formality of a bid.

N. "Regulations" means those administrative rules adopted by the committee to implement the provisions of this chapter.

O. "Responsible bidder" means a bidder who submits a responsible bid or quotation; who has furnished, when requested, information and data to establish that his or her financial resources, production or service facilities, service reputation and experience are adequate to insure the satisfactory delivery of the supplies, materials, equipment or contractual service on which he bids; and, who has not violated or attempted to violate, any provisions of this chapter.

P. "Responsible bid or quotation" means an offer, submitted by a responsible bidder to furnish supplies, materials, equipment or contractual services in conformity with the specifications, delivery terms and conditions, and other requirements included in the invitation for bids or quotations.

Q. "Supplies, materials, and equipment" includes, without limitation by enumeration hereunder, all office supplies, printing, office equipment, furniture, maintenance and housekeeping supplies, pharmacy needs, food supplies, computer hardware and software, building acquisition, remodeling and construction, vehicles, aggregate and materials.

R. "Transaction" means any act or agreement for the purchase of supplies, materials and equipment between the county and any other party or parties which establishes a legal relationship between them.

S. "Transactions affecting general county policy" means those aggregate purchases or dealings under express or implied contracts which:

1. Have an express, agreed upon valuation, or in the absence thereof, a fair market value in excess of \$20,000.

T. "Transactions involving real property" means all conveyances of real property entered into by the county, as grantor or grantee, or as lessor or lessee, whereby fee title to such property is transferred or any leasehold interest is created.

U. "Vendors list" means a current file of sources of supply of articles for each category of commodities and services regularly and/or repetitively purchased for county use. (Ord. 144-37, Sec. 4, 2000; Ord.141-54, Sec.1; Ord.141-51 Sec.1, 1997; Ord.141-26 Sec.3; Ord.140-117 Sec.7, 1997; Ord.136-40, 1992; Ord. 131-75 Sec. 2, 129-33 Secs. 1, 2, 1985; Ord.128-16 Secs.8-9, 1984; Ord.79-80/165 Sec.2(part), 1979).

2.70.050 Duties and responsibilities of the committee. The committee shall have those duties, and exercise those responsibilities imposed by the rules of the board, and in addition, shall:

A. Advise and consult with the director on all matters related to purchasing;

B. Through the director, enforce compliance with the provisions of this chapter;

C. Implement and supplement the provisions of this chapter by regulation when deemed necessary;

D. Advise and consult with all concerned agencies or departments regarding transactions where requested or where otherwise deemed necessary;

E. Promote standardization of items of equipment and supplies within departments where practicable;

F. Exercise general supervision of the director and of all matters related to purchasing, not otherwise provided for by the board, and establish through the director all accounting and voucher systems for purchasing;

G. Decide all policy questions arising under this chapter relating to methods of purchasing;

H. Investigate, on its own motion, all matters related to purchasing methods used by the director, recommend to the director and departments improvements or changes in purchasing methods and, in case of noncompliance therewith, refer the matter to the board for decision, including any other matters related to purchasing not covered by the provisions of this chapter;

I. Defer to the committee on finance and budget the functions of auditing and authorizing approval of bills for payment; provided, however, that the committee on finance and budget shall refer all questionable purchases to the director for appropriate investigation. (Ord. 144-37, Sec. 5; 2000; Ord. 79-80/165 Sec.2(part), 1979).

#### 2.70.060 Duties and responsibilities of the director.

A. The director shall, subject to the provisions of this chapter and applicable provisions of federal or state law or administrative regulations promulgated thereunder:

1. Establish a central purchasing office responsible for management and direction of the full spectrum of procurement activities.

2. Except as specified in this chapter, purchase all authorized and budgeted supplies, materials, equipment and contractual services required by county departments in amounts or estimated amounts of \$10,000 or less and submit to the committee for approval all purchases of supplies, materials, equipment and contractual services in amounts or estimated amounts in excess of \$10,000. However, it will not be necessary to obtain additional county board approval for capital outlay items specifically described in the capital budget as adopted by the board, other than transactions affecting general county policy;

3. Transfer between agencies of supplies, materials and equipment which are no longer needed by a holding agency but which can be used by the receiving agency;

4. Exchange, trade in or sell those supplies, materials and equipment which are surplus, obsolete or unused and which are found by the committee not to be required for public use. Funds derived therefrom shall revert to the general fund unless otherwise provided by law or approved by the county board;

5. Develop standard forms and conditions of invitations to bid or quote, purchase orders and contracts; as approved by the corporation counsel; develop and prescribe the use by agencies of additional forms required in carrying out the provisions of this chapter and amend or eliminate any such forms;

6. Perform all duties under the general supervision of the committee. Pursuant to the provisions of this chapter, all department heads shall cooperate with the director in purchases for the departments which they administer.

7. Have direct supervision, management and control of the purchasing system and be responsible for submitting an annual budget for the centralized purchasing system, when necessary;

8. Have the authority to delegate purchasing activities to user agencies and purchasing staff subject to the code.

9. Insure that user agencies shall adhere to central purchasing policies and procedures when delegation is extended. All delegated purchasing activities shall be monitored by the director.

10. Prepare specifications based on information furnished by the department or its governing committee, for which the purchase is to be made and from such other sources as may be necessary in order to meet the needs of the department, consistent with the purpose of this chapter;

11. Have the authority and be responsible for the content and correctness of solicitations and contracts, including specifications and contractual terms;

12. Recommend to the committee the adoption of administrative regulations to be contained in a purchasing manual which he shall circulate to all departments, and shall insure compliance therewith;

13. Require information from departments where deemed necessary for efficient purchasing for the county;

14. Maintain necessary records to account for expenditures of funds for purchases made. All bids received shall be tabulated and open to inspection;

B. The director may delegate any of the director's duties and responsibilities which shall be stated in the purchasing policy and procedure manual.

C. Prohibited Conduct by Director.

1. The director shall not directly, indirectly, personally or financially be interested in or in any manner profit from any contract or bid for the furnishing of supplies, materials, equipment or services of any kind.

2. The director shall not accept any gratuity in the form of cash, merchandise or any other thing of value from any vendor or contractor or prospective vendor, contractor or supplier. Acceptance of a gratuity contrary to this provision may be deemed cause for removal or other disciplinary action.

D. Prohibited Conduct by Vendors.

The offer of any such gratuity to any county employee by any supplier, vendor, contractor, prospective vendor, prospective contractor, or prospective supplier, may constitute cause for invalidating the bid related thereto and may be taken into consideration in any future bid. (Ord. 144-37, Sec. 6, 2000; Ord.141-54, Sec.2; Ord.141-51 Sec.2, 1997; Ord. 136-40, Secs. 3-7, 1992; Ord. 129-33 Secs. 3-6, 1985; Ord. 128-16 Secs. 10, 11, 1984; Ord. 127-71 Sec.1, 1983; Ord. 79-80/165 Sec.2(part), 1979).

2.70.061 Requisition for purchases. Each department shall be responsible for ascertaining its own purchase needs and for the requisitioning for such purchases. Requisitions shall be made to the purchasing department unless otherwise delegated and shall be on such forms and prepared in accord with such regulations as are duly established by the director. Departments shall adhere to the provisions of 2.70.110 and 2.70.150 in making requisitions for purchases and in accord with policies established by their governing committees. ( Ord. 144-37, Sec. 7, 2000; Ord. 129-33 Sec. 7, 1985; Ord. 79-80/165 Sec.2(part), 1979).

2.70.070 Purchasing procedures and methods.

A. Except as specified in this chapter, all invitations for bids for the purchase of goods or services whose estimated cost exceeds \$10,000 shall be made only after the proper public notice is given. At least one advertisement shall be in the official newspaper. The director shall determine if it is necessary to advertise in any additional or trade magazine. The advertisement shall call for sealed bids or proposals to furnish the desired items, supplies or services in accord with specifications prepared or approved by the director. Specifications shall fully describe the items, supplies or services to be furnished the department for which the same are required and the quantities desired. Such specifications shall be drawn so as to make competitive bidding reasonably possible in the interest of obtaining the best product at the most advantageous price to Eau Claire County.

B. All purchases whose estimated cost is under \$10,000 may be made on the open market by the director directly from a company or supplier by obtaining multiple quotations.

C. In case of the bulk purchase of gasoline, gravel or motor oil, the director may purchase from an approved supplier, if in the director's opinion, sealed bids or quotations, multiple quotations or proposals are unobtainable. The director, with the approval of the committee, may also authorize such purchases without sealed bids or multiple quotations under circumstances deemed justifiable and advantageous to the county.

D. The justification and reasons for awards of purchases made pursuant to the procedures authorized in A, B, and C, shall be recorded and filed in the director's offices, open to public inspection.

E. It shall be the duty of the director to receive and publicly open in the presence of at least one other county official all sealed bids or quotations on the date and at the time and place specified in the advertisement or bid inquiry. The director shall prepare a written, comparative synopsis of each bid or quotation received to facilitate approval by the committee(s) or the county board, when required by this chapter.

F. The director or, in the case of a purchase exceeding \$10,000 in value, the committees, reserve the right to accept or reject any or all bids, options, quotations, or proposals; to waive any technicality or error in any bid, option, quotation, or combination thereof, in whole or in part, which is deemed to be in the best interest of the county and the needs of the department for which the purchase is to be made; and to separately consider the qualifications of each bidder and to take such qualifications into consideration in awarding a contract. Input from appropriate departments shall be solicited with respect to specified purchases, as deemed necessary or advisable by the director or the committees.

G. The director shall notify all bidders after the approval of the award by the proper authority.

H. Contracts for purchases shall be awarded to the lowest responsive and responsible bidder or to the bidder determined to be the best value by achieving the highest number of evaluation points. Awards of contracts to other than the lowest bidder or best value may be made only with the approval of the committees under circumstances deemed advantageous to the county.

I. A bid-bond, cash, irrevocable letter of credit or certified check shall accompany all construction bids in excess of \$10,000 or as determined by the director. Whenever any bid or quotation shall have been accepted, the director may require of the successful bidder a contract bond payable to the county treasurer with good and sufficient surety for the full amount of the bid submitted, subject to the approval of the director and corporation counsel. The bond shall be conditioned on the full and faithful execution and performance of the terms of the contract into which the bidder has entered. Whenever a contract bond is required, the same shall be filed with the director within the time set by them after acceptance of the bid. Failure to file the required bond within the time specified, may be cause for rejecting the bid and award thereunder. (Ord. 144-37, Sec. 8, 2000; Ord.141-54, Sec.3, 1997; Ord. 136-40, Sec. 8, 1992; Ord. 129-33 Secs. 8-11, 1985; Ord. 80-81/404 Sec.1, 1981; Ord. 79-80/165 Sec.2(part), 1979).

2.70.075 Purchase from government vendors and group purchasing programs.

A. Purchase from government vendors. In order to utilize the mass purchasing power of government vendors such as the state, United States or other municipalities, goods may be purchased by the director directly from vendors awarded bids by government, without solicitation of bids. This procedure shall constitute an alternative to the purchasing method under 2.70.070.

B. Purchase through group purchasing programs. In order to utilize the mass purchasing power of purchasing groups, the director, shall have the authority to enter into agreements on behalf of the county to join group purchasing programs. Goods may be purchased by the director pursuant to 2.70.070 or directly from vendors awarded bids by the purchasing group, without solicitation of bids. If the latter procedure is followed, it shall constitute an alternative to the purchasing method under 2.70.070. (Ord. 144-37, Sec. 9, 2000; Ord. 129-33 Sec. 12, 1985; Ord. 126-26 Sec.1, 1982).

2.70.080 Emergency purchases.

A. An emergency shall be deemed to exist when an essential service is immediately required or when unforeseen circumstances arise including delays by contractors, delays in transportation, natural disasters or other similar exigencies.

B. If an emergency occurs the department or agency head or his or her designee may purchase the required commodity, except, that if the amount to be purchased exceeds \$300 in value he or she shall first obtain approval of the director, if possible. In the event the director or designee is absent, the county administrator or finance director shall sign such requisition. For every emergency purchase made, the purchaser shall not later than the next working day thereafter, submit to the director, a requisition and a written explanation of the circumstances of the emergency. The director shall determine if said purchase constitutes an emergency purchase as defined in A, and if determined not to be an emergency purchase, it shall be declared invalid. (Ord. 144-37, Sec. 10, 2000; Ord.141-54, Sec.4, 1997; Ord. 79-80/165 Sec.2(part), 1979).

2.70.090 Miscellaneous purchases.

A. Foods. Foods shall be requisitioned by the departmental user and shall be purchased by the director subject to the user's established quality standards.

B. End of Year Purchases. With the exception of repair parts, road salt, sand, foods, expendable maintenance supplies, fuel, gas and oil for vehicles, and drugs, there shall be no purchases made during the month of December for the current year except as approved by the director.

C. Purchases from Governmental Units. Materials, supplies, machinery and equipment offered for sale by the state or federal government or by any municipality may be purchased without bids, at prices to be agreed upon between the director and the respective department for which the item is to be acquired.

D. Purchase of Used Equipment. Purchase of used machinery equipment may be made with the approval of the departmental committee. Such purchases that exceed \$20,000 shall require the approval of the departmental committee and ratification of the county board.

E. Federal Surplus Property.

1. The county elects to participate in the Federal Property Program as accepted by the state of Wisconsin for its political subdivisions pursuant to Wis. Stat. § 16.54 (6), and agrees to abide by the provisions of Wis. Stat. § 16.54, and the administration thereof.

2. All authorization cards for purchase under the program shall be issued by the committee. Expert assistance for the appraisal of such items may be employed at the discretion of the director or the committee. (Ord. 144-37, Sec. 11, 2000; Ord.141-54, Sec.5, 1997; Ord. 129-33 Sec. 13, 1985; Ord. 79-80/165 Sec.2(part), 1979).

2.70.091 Insurance procurement and administration. The director shall:

A. Be the custodian of the originals of all insurance policies and shall file duplicates thereof with the appropriate department or agency, if any;

B. Under the supervision of the committee on administration, administer the county insurance program and insure all such property, liability, auto, excess, workers compensation, health and life, and other insurance risks, as the board may from time to time direct. This duty shall include, but not be limited to, the provision of complete and adequate coverage or the administration of self-insurance programs for said risks;

C. Analyze all insurance coverage and insurance bidding for the express purpose of proposing alternatives for coverage and for specifications for bidding to the committee on administration;

D. Make recommendations to the committee on administration on the issues of prospective insurance coverage for new or uncovered risks and on the need for increased coverage for other risks;

E. Monitor the processing and retain records of all insurance claims made against the county and make appropriate referrals, thereof, to county committees, the county board and the corporation counsel. (Ord. 144-37, Sec. 12, 2000; Ord. 136-94, Sec.2, 1993).

2.70.093 Transactions affecting general county policy. All transactions affecting general county policy shall require approval by resolution of the county board, which shall act only upon the recommendation of the committee or departmental committees, as appropriate. (Ord. 79-80/165 Sec.2(part), 1979).

2.70.095 Transactions involving real property. All transactions involving real property to which the county is a party shall be consummated in the following manner, except those transactions referred to at B., which shall be subject to this chapter.

A. Negotiations shall be initiated either by the county board, an individual department or the governing committee thereof. The governing committee or, with respect to general county transactions, the committee, shall make a recommendation with respect to the transaction to the director. The director may commit the county to the transaction only after county board approval, subject to execution by the county clerk in accord with Wis. Stat. § 59.52(6).

B. Transactions of the highway committee or commissioner authorized under Wis. Stat. §§ 83.07 and 83.08. (Ord. 144-37, Sec. 13, 2000; Ord.141-26, Sec.4; Ord.141-03, Sec.1, 1997; Ord. 79-80/165 Sec.2(part), 1979).

2.70.100 Disposal of surplus property.

A. Departments which have surplus equipment or supplies shall report a description of such equipment/supplies to the director who shall canvass other county departments to determine whether such equipment or supplies may be used by them. Transfers between departments shall be authorized by the director with or without consideration as deemed appropriate. If such equipment or supplies are not needed by any county department, they may be sold by the director or designee on the open market through competitive bids, or at a minimum price, whichever method is the most advantageous to the county.

B. The director shall report the disposition of any surplus equipment or supplies to the committee.

C. The proceeds from the sale of any equipment or supplies shall be returned to the general fund, unless otherwise specified by law, ordinance or administrative rule.

D. Surplus property may be withheld from trade-in and retained in a used property pool controlled and administered by the director; such property to be utilized as needed by the departments in accord with established regulations. (Ord. 144-37, Sec. 14, 2000; Ord.141-26, Sec.5, 1997; Ord. 129-33 Sec. 14, 1985; Ord. 79-80/165 Sec.2(part), 1979).

2.70.110 Invalid purchases. The county shall consider as void any purchase, contract or contract for purchase made for the county which is contrary to the provisions of this chapter. The employee making such purchase transactions shall personally indemnify the county for the amount of such purchase or contract in the event that the county is subjected to any liability thereunder. (Ord. 79-80/165 Sec.2(part), 1979).

2.70.120 Central stores.

A. A central store system is hereby created under supervision of the director.

B. The director shall be responsible for the system and purchase of supplies required by county departments and the committee shall prescribe rules for the issuance of supplies to such departments. (Ord. 144-37, Sec. 15, 2000; Ord. 79-80/165 Sec.2(part), 1979).

2.70.130 Photocopy machines. The director shall be responsible for the ordering of supplies for all photocopy machines. The director shall take all necessary actions to insure inventory control and optimum use of the machines in order to take advantage of the flexible pricing structure. The director shall conduct cost studies to determine if existing machines are the most economical for the services provided. (Ord. 144-37, Sec. 16, 2000; Ord. 79-80/165 Sec.2(part), 1979).

2.70.140 Payment procedures and contracts. The finance director shall direct the processing of payment and auditing of all purchase orders, vouchers and invoices for payment, attaching a copy of the purchase order to the invoice except for purchases made that are exempt from the purchase order requirement. Payment shall be made in accord with the terms of controlling contracts and existing laws, ordinances and resolutions. (Ord. 144-37, Sec. 17, 2000; Ord. 136-40, Sec. 9, 1992; Ord. 131-86 Sec.11 1988, Ord. 79-80/165 Sec.2(part), 1979).

2.70.150 Purchase limitations. All purchases shall be made in accord with the budgetary line item appropriations as established by the board for the operation of the respective departments. The responsibility for adhering to existing line items appropriations rests with the departments. The director shall refuse to issue any purchase order when the item requisitioned exceeds the line item appropriation or in the absence of a required authorization, except as provided in 2.70.080 for emergency purchase. (Ord. 144-37, Sec. 18, 2000; Ord. 79-80/165 Sec.2(part), 1979).

2.70.160 Statutory and ordinance conflicts.

A. In the event of conflict between this chapter and any other ordinances, this chapter to the extent of such conflict shall prevail.

B. The provisions of this chapter shall not be interpreted as superseding or negating such powers to enter into contracts as are granted by the statutes to the human services board and highway committee. (Ord.141-26, Sec.6, 1997; Ord. 79-80/165 Sec.2(part), 1979).

2.70.170 Constitutionality. Should any section or provision of this chapter be declared unconstitutional, otherwise invalid, or be repealed, the constitutionality or validity of the remainder shall not be affected thereby. (Ord. 79-80/165 Sec.2(part), 1979).

Chapter 2.71

DISPOSAL OF ABANDONED PERSONAL PROPERTY

Sections:

<a href="#">2.71.001</a>	Purpose.
<a href="#">2.71.005</a>	Definitions.
<a href="#">2.71.010</a>	Disposal of abandoned property.
<a href="#">2.71.020</a>	Notices.
<a href="#">2.71.030</a>	Proof of ownership.
<a href="#">2.71.032</a>	Records.
<a href="#">2.71.034</a>	Disposal of abandoned or unclaimed flammable, explosive or incendiary substances, materials or devices.
<a href="#">2.71.036</a>	Abandoned, unclaimed or seized dangerous weapons or ammunition.
<a href="#">2.71.040</a>	Scope.

2.71.001 Purpose. To dispose of personal property which has been abandoned, or remained unclaimed, for a period of 30 days after taking of the property pursuant to Wis. Stat. § 66.0139. (Ord. 150-17 Sec. 1, 2006; Ord. 130-22 Sec.1(part), 1986).

2.71.005 Definitions.

A. "Personal property" means money, goods, chattels, things in action, evidences of debt and energy.

B. "Public sale" means sale by auction, written bid, best offer or surplus sale. (Ord. 130-22 Sec.1(part), 1986).

2.71.010 Disposal of abandoned property. Unless otherwise specified herein, personal property which has been abandoned, or remained unclaimed for a period of 30 days after the county takes possession, shall be sold at public sale with the proceeds going to the county general fund, unless otherwise provided for by law.

A. Personal property other than money which can be utilized by any county department shall be retained by the county as determined by the director of purchasing and central services.

B. Money shall be deposited in the general fund.

C. Negotiable securities shall be converted into money and deposited in the general fund. (Ord. 144-37, Sec. 19, 2000; Ord. 130-22 Sec.1(part), 1986).

2.71.020 Notices. The department taking possession of property under this chapter shall be responsible for contacting the owner and any lienholders of record of the property which has been abandoned. Notice shall be sent to the owner and any lienholders of record by certified mail on a form developed by the director of purchasing and central services and approved by the corporation counsel. The notice, whenever possible, shall describe the property abandoned, including brand, serial number, etc., as well as the date and location found and where the property is being held. The notice shall state that the failure of the owner or lienholders to exercise their rights to reclaim the property shall be deemed a waiver of all right, title and interest in the property and a consent to the sale of the property. The property shall be deemed abandoned and subject to sale or deposited in the general fund 30 days after the date of the certified mail return receipt. A copy of the notice shall be provided to the director of purchasing and central services. If certified mail is not received, or if the owner cannot be identified, a class 1 legal notice shall be published. The property shall be available for public sale or deposit in the general fund if not claimed within 30 days of publication. (Ord. 144-37, Sec. 20; 2000; Ord. 130-22 Sec.1(part), 1986).

2.71.030 Proof of ownership. Proof of ownership shall be required before releasing abandoned personal property. Questions concerning proof of ownership shall be referred to the corporation counsel. (Ord. 130-22 Sec.1(part), 1986).

2.71.032 Records. If abandoned or unclaimed personal property is not disposed of in a sale open to the public the department taking possession of the property shall maintain an inventory of the property including a record of the date and method of disposal, including the consideration received for the property, if any, and the name and address of the person taking possession of the property. The inventory shall be kept as a public record for a period of not less than two years from the date of disposal of the property. (Ord. 151-9, Sec. 1, 2007)

2.71.034 Disposal of abandoned or unclaimed flammable, explosive or incendiary substances, materials or devices. The county may safely dispose of abandoned or unclaimed flammable, explosive or incendiary substances, materials or devices posing a danger to life or property in their storage, transportation or use immediately after taking possession of the substances, material or devices without a public auction. If the substance, material or device appears to be or is reported stolen, an attempt shall be made to return the substance, material or device to the rightful owner. The department having possession shall attempt to return to the rightful owner such substances, materials or devices that have a commercial value in the normal business usage and do not pose an immediate threat to life or property. (Ord. 151-9, Sec. 1, 2007)

2.71.036 Abandoned, unclaimed or seized dangerous weapons or ammunition. Abandoned, unclaimed or seized dangerous weapons or ammunition may be disposed of only under Wis. Stat. §968.20. (Ord. 151-9, Sec. 1, 2007)

2.71.040 Scope. This chapter shall not apply to disposition of abandoned vehicles as outlined in Chapter 10.20, items normally sold at the annual surplus sale or as otherwise provided by law. (Ord. 130-22 Sec.1(part), 1986).

Chapter 2.72

SALE OF SURPLUS COUNTY REAL PROPERTY

Sections:

<a href="#">2.72.001</a>	Purpose
<a href="#">2.72.010</a>	Inventory
<a href="#">2.72.020</a>	Designation of property as surplus
<a href="#">2.72.030</a>	Retention of outside appraisal
<a href="#">2.72.040</a>	Final decision by County Board
<a href="#">2.72.060</a>	Disposal of surplus property
<a href="#">2.72.070</a>	Lease properties

2.72.001 Purpose. To establish procedures for the inventory, identification, and disposal of surplus county real property except for real property acquired by tax deed and county parks and forestry lands. (Ord. 132-27, Sec. 1, 1988).

2.72.010 Inventory. The planning and development department shall inventory all county-owned real property assets. The inventory shall include a physical description of the properties, characteristics of their use, and a detailed financial profile that includes the county's original cost, carrying costs, the properties' value to the county's general operation, and each property's value to the overall asset base. The planning and development department shall annually update said inventory. It shall immediately include any newly acquired real estate in the inventory. The committee on planning and development shall review the inventory and all changes thereto. (Ord. 132-27, Sec. 1, 1988.)

2.72.020 Designation of property as surplus. The committee on administration shall be responsible for designating county-owned real estate as surplus. (Ord. 132-27, Sec. 1, 1988).

2.72.030 Retention of outside appraisal. The committee on planning and development shall contract for an independent certified appraisal for evaluation of all the county's surplus property. These appraisals should be performed to determine fair market value of the subject properties in their current use, as well as fair market value based on their optimum use. (Ord. 132-27, Sec. 1, 1988).

2.72.040 Final decision by County Board. The county board shall annually review and approve the inventory of surplus real property. The county board shall make the final decision regarding the disposal of any county-owned real property. (Ord. 132-27, Sec. 1, 1988).

2.72.060 Disposal of surplus property. All property subject to this chapter shall be disposed of through a negotiated process arranged with the buyer through the Eau Claire County Industrial Development Agency. The IDA may lease, sell or convey or contract to sell designated county surplus property with the contingency that such negotiated arrangement must be approved by the county board. The county board must review and approve any conveyance arranged by the IDA within 30 days of its submittal to the board chair. The board shall not modify or otherwise alter the negotiated agreement; it can only approve or reject it. (Ord. 132-27, Sec. 1, 1988).

2.72.070 Lease properties. All properties leased by the county shall be included as part of the inventory of surplus county properties. For the county's leasehold assets, the inventory shall include leases and descriptions of leased properties, the characteristics of their use, a schedule of costs, lease expirations, renewal options, escalations, pass throughs and expense stops, and other terms and conditions. On-going escalation of the market, alternative space analysis, and relocation and lease renewal strategies should also be part of the inventory.

All county departments are required to notify the director of planning and development 90 days prior to the expiration of any leased properties. Through the committee on administration, the department of planning and development will provide a recommendation to the governing committee of the respective department on the renewal of the lease. (Ord. 137-53, 1993; Ord. 132-27, Sec.1, 1988).

Chapter 2.75

COUNTY RISK MANAGEMENT PROGRAM

Sections:

<a href="#">2.75.001</a>	Purpose.
<a href="#">2.75.010</a>	Definitions.
<a href="#">2.75.020</a>	Responsibilities of director.
<a href="#">2.75.030</a>	Responsibility of departments.
<a href="#">2.75.040</a>	Employee responsibility.

2.75.001 Purpose. The purpose of this chapter shall be to establish a risk management program including the promotion of employee safety for the county. The risk management objectives include:

- A. Protection of the county against financial consequences of accidental losses which are catastrophic in nature and preservation of county assets and public service capabilities.
- B. Minimization of long term costs to the county due to activities related to the identification, prevention and control of accidental losses and their consequences.
- C. Provision of a safe and healthy work and service environment, in which employees, and the general public can enjoy safety and security in the course of their daily pursuits. It is the county's goal to prevent employee illness and injury and to reduce county losses of property and productivity, which may result because of employee accidents.
- D. Specific risk management provisions.
  - 1. Loss control committee (with members representing upper management who will establish county goals, support R.M. activities and monitor for effectiveness).
  - 2. Hazard identification activities (including facilities, equipment, environmental assessments, job hazard analysis and work practice monitoring).
  - 3. Insurance/self-insurance program (distribution of risk where appropriate).
  - 4. Self-insurance of worker's compensation program (reducing claims and losses).
  - 5. Compliance with OSHA and Wisconsin Department of Commerce safety requirements (federal and state laws).
  - 6. Employee and management training programs (such as alcohol and drug awareness; defensive driving; safe work practices, sexual harassment prevention and others).
  - 7. Safety committees (to facilitate employee partnerships for promoting communication of safety needs, expectations, and resources).
  - 8. Contract managing program (enforcing minimum insurance levels and safety requirements for contractors).
  - 9. Safety coordinator (to promote a proactive safety environment; to coordinate and facilitate hazard control activities within the workplace). (Ord. 140-116, 1997).

2.75.010 Definitions. The following definitions apply to this chapter:

- A. "Committee" means the committee on administration.
- B. "Director" means the purchasing director.
- C. "Employee" means all persons, whether paid on an hourly basis or via salary, both management and nonmanagement and represented by a collective bargaining agreement and nonrepresented.
- D. "Loss control" means any action designed to reduce financial losses to the least possible amount.
- E. "Loss reduction" means any measure taken to reduce the severity of a loss after it occurs.
- F. "Loss prevention" means any measure taken to reduce the frequency of loss.
- G. "Workers compensation coordinator" means the employee assigned the responsibility for coordinating the workers compensation paperwork. (Ord. 140-116, 1997).

2.75.020 Responsibilities of director.

- A. The director shall have the responsibility of implementing the county's risk management program and shall enforce county policies and procedures by directive. The loss control committee shall promulgate policies and procedures which shall be formulated and recommended by the director.
- B. With respect to employee safety matters, subject to the supervision of the county administrator, the director shall have line authority over all county administrative personnel and officers solely for the purpose of implementing the county risk management program with respect to this chapter.
- C. The director is authorized to appoint, with the concurrence of the respective department heads, safety committees and loss control committees to be composed of supervisory and nonsupervisory personnel therein. Such committees shall assist the director in the formulation of risk management policies and procedures and in their implementation.
- D. Other responsibilities include:
  - 1. Identifying and measuring all risk of accidental loss.
  - 2. Selection and recommendation of appropriate risk management techniques for specific exposure problems.
  - 3. Develop and maintain an information system for timely and accurate recording of losses, claims, insurance premiums and other costs.
  - 3. Analyzing and allocating insurance premiums, uninsured losses and other risk costs to the budgetary units. (Ord. 140-116, 1997).

2.75.030 Responsibility of Departments.

- A. The respective department heads and their subordinate supervisors shall cooperate with and implement the directives of the director.
- B. Department heads shall be primarily responsible for the implementation of county risk management policies, procedures and activities.

C. Subject to the general supervision of their department heads, supervisors shall be responsible for the following aspects of the safety program:

1. Inspection of work areas or job sites for physical hazards;
2. Supervision of employees for the purpose of ascertaining and enforcing compliance of their work habits with county risk management policies and procedures; and
3. Within one working day of the knowledge of the occurrence or the report thereof, whichever is first, the reporting to the worker's compensation coordinator of all employee accidents, injuries and near misses and the causes thereof.

D. Failure of department heads or subordinate administrators to comply with the county risk management policies and procedures may result in discipline invoked by the county administrator or the appropriate department head, in accordance with 2.75.040 D. (Ord.141-92 Sec.42, 1998).

2.75.040 Employee responsibility.

A. All employees shall comply with such provisions of the county risk management policies and procedures as may affect or concern their job description, work habits and work sites.

B. Each employee who suffers an injury or is involved in an accident on the job shall report the same verbally to the supervisor as soon as is physically possible after the occurrence. Within one working day he or she shall submit, upon forms supplied by the supervisor, a detailed written report of the nature of the occurrence. The injured employee shall keep the supervisor or the worker's compensation coordinator informed of the injury status, including informing the supervisor or worker's compensation coordinator within one working day after learning of a recommended surgery for cure or treatment of the injury. The injured employee shall make "contact" with the supervisor or worker's compensation coordinator at least once every 7 loss work days. "Contact" meaning: Providing detailed information regarding the condition of the employee's injury in the form of written physician reports; and status updates (via a personal telephone call or visit) of other relevant findings and plans.

C. Employees shall submit only worker's compensation claims pertaining to employment at Eau Claire County. Inappropriate and fraudulent claims will be denied. Information related to fraudulent claims will be forwarded to the district attorney for appropriate action and to the human resources department for the appropriate discipline which may lead to termination.

D. Failure to comply with the county risk management policies and procedures may result in discipline of an employee based upon just cause. Discipline shall be invoked by the appropriate department head based upon information provided by the director and the human resources director. (Ord. 151-10, Sec. 8, 2007; Ord. 140-116, 1997).

## Chapter 2.90

### RECORDS RETENTION

#### Sections:

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<a href="#">2.90.270</a>	Destruction after request for inspection.
<a href="#">2.90.280</a>	Destruction pending litigation.
<a href="#">2.90.285</a>	Microfilming or electronic format storage of departmental records.
<a href="#">2.90.290</a>	Review and approval by Public Records and Forms Board.

2.90.001 Purpose. The purpose of this chapter is to establish a county-wide records retention schedule and authorize destruction of county records pursuant to that schedule on an annual basis. Record custodians do not have the authority to destroy records prior to the established retention period unless such records have been reproduced as original records pursuant to Wis. Stat. § 16.61(7). If there is not a specific law requiring a specific retention period, all records must be retained 7 years, unless the public records and forms board fixes a shorter period. (Ord. 146-51, 2002; Ord. 132-62 Sec.1, 1988).

2.90.003 Historical Records. The State Historical Society of Wisconsin (SHSW) has waived the required statutory 60 day notice under Wis. Stat. § 19.21(5)(d) for the records marked "W" which designates waived notice. SHSW must be notified prior to destruction of records marked "N" designating non-waiver. Notice is also required for any record not listed in this ordinance. "N/A" indicates not applicable and applies to all county records designated for permanent retention. (Ord. 135-02 Sec.1, 1991).

2.90.005 Definitions.

- A. "Legal custodian" means the individual responsible for maintaining records pursuant to Wis. Stat. § 19.33.
- B. "Record" means record as defined in Wis. Stat. § 19.32(2).
- C. "§" means section of the Wisconsin Statutes. (Ord. 132-62 Sec.1, 1988)

2.90.010 Countywide. The following records are found throughout various departments in the county and are subject to uniform regulation unless otherwise specified.

	<u>RECORD</u>	<u>RETENTION</u>	<u>AUTHORITY</u>	<u>WAIVER</u>
A.	Contracts, leases, agreements	7 years	§ 59.52(4)(a.)10.	W
B.	Insurance policies			
	1. Claims made	7 years after expiration	§ 59.52(4)(a.)10.	W
	2. Occupance	Permanent		
C.	Canceled checks	7 years *	§ 59.52(4)(a.)16.	W
D.	Receipts	7 years *		W
E.	Accounts payable-purchasing invoices/vouchers/detail listing/vendor listing	7 years *		W
F.	Accounts receivable/receipts	7 years *		W
G.	Receipt journals	7 years *		W

	<u>RECORD</u>	<u>RETENTION</u>	<u>AUTHORITY</u>	<u>WAIVER</u>
H.	Vouchers/order register	7 years *		W
I.	General journal	7 years		W
J.	Construction plans for county buildings & bridges	Life of structure		N
K.	Blueprints	Until superseded by as-built tracings		N
L.	As-built tracings	Life of project		W
M.	Human resources records	See 2.90.180		W
N.	Warranty records	Life of product or end of warrant, whichever occurs first		W
O.	Equipment & furnishings inventories	Until superseded		W
P.	Any record subject to litigation, claim, audit or other action	Until permission to destroy obtained from Corporation Counsel		W
Q.	Citations (copies)	2 years		W
R.	Correspondence	3 years		W
S.	Annual Reports	3 years		N
T.	Inventory of unclaimed or abandoned personal property	2 years	§66.0139	W
U.	Closed underground storage tanks			W
	1. Site assessment, investigation, reimbursement and closure records.	As long as property owned by county.		W
	2. Existing underground storage tank records.	All records will be retained according to Comm. 10.500(9)		W

\* Time reduced to 2 years if the original records are maintained in the Finance Department. (Ord. 157-46, Sec. 1, 2014; Ord. 154-7, Sec. 1, 2010; Ord. 153-21, Sec. 1, 2009; Ord. 151-10, Sec. 9, 2007; Ord 151-9, Sec. 2, 2007; Ord. 149-2, 2005; Ord. 148-30, 2004; Ord.141-03, Sec.1, 1997; Ord. 135-107, 1992; Ord. 135-02, Sec. 1, 1991; Ord. 132-62 Sec.1, 1989; Ord. 132-62 Sec.1, 1988)

2.90.020 County Administrator.

	<u>RECORD</u>	<u>RETENTION</u>	<u>AUTHORITY</u>	<u>WAIVER</u>
A.	Investment records (Ord.141-92 Sec.45, 1998; Ord. 135-02 Sec.1, 1991; Ord. 132-62 Sec.1, 1988)	6 years		W

2.90.030 Aging & Disability Resource Center. All financial and programmatic records, supporting documents, statistical records, and other records which are required to be maintained by the terms of the grant/contract or otherwise reasonably considered as pertinent to the grant/contract are governed by federal DHSS Regulations Title 45 part 74 Subpart D.

	<u>RECORD</u>	<u>RETENTION</u>	<u>AUTHORITY</u>	<u>WAIVER</u>
A.	Records as defined above	3 years from date the Office on Aging Submits to HSS the last federal expenditure report for each grant award		W
B.	Litigation, claims, audit or other action involving records	Completion of action & resolution of all issues or the regular 3 year period, whichever is later		W
C.	Equipment records	3 years from date of disposition or Replacement or transfer. (Direction of awarding agency)		
D.	Indirect cost rate proposals & cost allocation plans	3 years from the end of the contract covered by the plan or proposal		W
E.	Non-expendable property acquired with Title III or other federal or state funds	At least 3 years after final sale or disposition		W
F.	Elder Benefit Specialist case files	7 years from the closing date of the file.		W
G.	Managed Care Organization member related records	7 years		W
H.	IRIS Medicaid waiver Participant records	7 years	DHS 106.02 Admin. Code	W

In case of litigation, claim, audit or other action involving records or records concerning non-expendable property, such records may not be disposed until authorization has been obtained by the awarding agency to dispose of records. (Ord. 157-41, Sec. 1, 2014; Ord. 157-3, Sec. 3, 2013; Ord. 156-38, Sec. 5, 2013; Ord. 147-102 Sec. 2, 2004; Ord. 135-02 Sec.1, 1991; Ord. 132-62 Sec.1, 1988)

2.90.040 Beaver Creek Reserve.

	<u>RECORD</u>	<u>RETENTION</u>	<u>AUTHORITY</u>	<u>WAIVER</u>
A.	Health histories and treatment records	3 years	HFS 175.13 (4) Admin. Code	W
B.	Daily inventory sheets	3 years and after audit		W
C.	Receipt book	3 years		W

(Ord. 135-02 Sec.1, 1991; Ord. 132-100 Sec.2, 1989; Ord. 132-62 Sec.1, 1988)

2.90.060 Child support.

	<u>RECORD</u>	<u>RETENTION</u>	<u>AUTHORITY</u>	<u>WAIVER</u>
A.	Expenditure reports & supporting documentation	4 years; or until all litigation, claims or audit findings resolved and final action taken, whichever is later.	45 CFR §74.53	W
C.	Closed IV-D cases	3 federal fiscal years after year of closure	45 CFR §74.53	W
D.	Closed IV-D cases where a legal action taken by IV-D agency	6 years	Wis. Stat. ch. 893	W

(Ord. 154-22, Sec. 2, 2011; Ord. 143-82; 1999; Ord. 137-115, Sec.1, 1994; Ord. 135-02 Sec.1, 1991; Ord. 132-62 Sec.1, 1988).

2.90.070 Corporation Counsel.

	<u>RECORD</u>	<u>RETENTION</u>	<u>AUTHORITY</u>	<u>WAIVER</u>
A.	Case files/non-litigation	3 years		W
B.	Case files/litigation	3 years after closure or when appeal time has run, whichever is longer or per SCR		W
C.	Legal memos	7 years		W
D.	Legal opinions	Permanent		N/A

(Ord. 135-02 Sec.1, 1991; Ord. 132-62 Sec.1, 1988)

2.90.080 County Clerk.

	<u>RECORD</u>	<u>RETENTION</u>	<u>AUTHORITY</u>	<u>WAIVER</u>
A.	Notices of tax apportionment from secretary of state	3 years	§59.52(4)(a.)1.	W
B.	Copies of notices of tax apportionment sent to local taxing districts	3 years	§59.52(4)(a.)2.	W
C.	Records of county claims forwarded to DNR	1 year	§59.52(4)(a.)3.	W
D.	List of town, city & village officers certified to county clerk	After date of expiration of term listed	§59.52(4)(a.)4.	N
E.	Illegal tax certificates charged back to local tax districts	3 years after charging back	§59.52(4)(a.)6.	W
F.	Notices of application taking of tax deeds & certification of non-occupancy, proofs of service & tax certificates filed	15 years	§ 59.52(4)(a.)7.	W
G.	Claims paid by county & supporting papers	7 years	§59.52(4)(a.)9.	W
H.	Reports of town treasurers-on dog licenses sold & records of dog licenses issued.	3 years	§59.52(4)(a.)11.	W
I.	Copies of receipts issued by treasurer	4 years or until audited, whichever is earlier	§59.52(4)(a.)12.	W
J.	Oaths of office	7 years	§59.52(4)(a.)17.	W
K.	Marriage license applications & supporting papers	10 years	§59.52(4)(a.)19.	W

	<u>RECORD</u>	<u>RETENTION</u>	<u>AUTHORITY</u>	<u>WAIVER</u>
L.	* Original papers, resolutions & reports concerning county board proceedings	6 years after date of publication	§59.52(4)(c.)1.	W
M.	* Committee minutes	6 years after date of publication	§59.52(4)(c.)1.	W
N.	Deeds	Permanent or listing of when & where recorded		N/A
O.	Abstracts & certificates of title, title insurance policies	Permanent or as long as land owned		N/A
P.	Apportionment maps	Until next census		W
Q.	Relocation orders/maps	Retain latest revision for each project		W
R.	Mill rate from towns	2 years		W
S.	Journal of Proceedings	6 years after date of publication		N
T.	Canceled voter registration cards	4 years after cancellation	§7.23(1)(c)	W
U.	Election financial registration statements & reports	6 years	§7.23(1)(d)	W
V.	Registration & poll lists: non-partisan elections partisan elections	2 years after election 4 years after election	§7.23(1)(e)	W
W.	Federal elections records other than registration cards	22 months	§7.23(1)(f)	W
X.	Detachable recording units	14 days for primary and 21 days after any other election-clear or erase after transfer to a disk or other recording medium	§7.23(1)(g)	W

<u>RECORD</u>	<u>RETENTION</u>	<u>AUTHORITY</u>	<u>WAIVER</u>
X. Electronic ballot tallies	22 months after date of election	§7.23(1)(g)	W
Y. Ballots	30 days after election	§7.23(1)(h)	W
Z. Official canvasses	10 years after election	§7.23(1)(i)	W
AA. Election notices & proofs of publication & correspondence	1 year after date of election unless contested, then by court order	§7.23(1)(j)	W
BB. All other election materials & supplies	90 days after election	§7.23(1)(k)	W
CC. Records transferred by registrants who submit dissolution reports after primary and general elections	3 years after their last election	§10.74(8)(h)	W

\* These records have historical value.

(Ord. 160-4, Sec. 1, 2016; Ord. 157-46, Sec 2, 2014; Ord. 145-76, Sec. 1, 2001; Ord.141-03, Sec.1, 1997; Ord. 135-02 Sec.1, 1991; Ord. 132-100 Secs.6-13, 1989; 132-62 Sec.1, 1988)

2.90.090 Courts. All records maintained by the clerk of courts, register in probate, juvenile court or juvenile intake office relating to juvenile court, and the family court commissioner shall be retained in compliance with Supreme Court Rules Chapter 72. Records not specified therein of a general county-wide nature shall be retained pursuant to 2.90.010.

<u>RECORD</u>	<u>RETENTION</u>	<u>AUTHORITY</u>	<u>WAIVER</u>
A. Group care records	8 years after 18th birthday	HFS 57.08 or 59.07	W

(Ord. 154-16, Sec. 1, 2010; Ord. 146-03, Sec. 1, 2002; Ord.142-102, 1999; Ord. 135-02 Sec.1, 1991).

2.90.100 Information Systems. Provides information technology services for departments and stores records information electronically for departments. Record information stored electronically must be maintained pursuant to the guidelines established for the specific departmental records and county-wide records enumerated in this chapter. (Ord.142-39 Sec.2, 1998; Ord. 135-02 Sec.1, 1991; Ord. 132-62 Sec.1, 1988).

2.90.110 District Attorney. The records retention/disposition authorization schedules for the district attorney approved by the Public Records Board will be followed. (Ord. 159-47, Sec. 1, 2016; Ord. 147-103, Sec. 15, 2004; Ord.141-03, Sec.2, 1997; Ord. 135-02 Sec.1, 1991; Ord. 133-74, Ord. 132-100 Secs.14&15, 1989; Ord. 132-62 Sec.1, 1988).

2.90.120 Extension.(Ord. 132-62 Sec.1, 1988).

2.90.130 Finance Department.

	<u>RECORD</u>	<u>RETENTION</u>	<u>AUTHORITY</u>	<u>WAIVER</u>
A.	Certified special assessment roll	After assessment collected or 7 years, whichever is longer		W
B.	Statement of new special assessments	5 years		W
C.	Special assessment payment register	Until all assessments collected or 7 years, whichever is longer		W
D.	All accounts of county and books of account	7 years		W
E.	General ledger	15 years		W
F.	Bank statements	4 years		W
G.	Balancing reports	4 years		W
H.	Payroll registers, other payroll report, & social security & retirement earnings reports	10 years		W
I.	Withholding allowance certificates, employee wage and tax statements, and other tax records	7 years		W
J.	Time cards, attendance records, salary schedules	7 years		W
K.	Insurance records	7 years		W
L.	Garnishment records	7 years		W
M.	Rough work papers used in payroll calculations	3 years		W
N.	Unemployment compensation records	3 years		W

	<u>RECORD</u>	<u>RETENTION</u>	<u>AUTHORITY</u>	<u>WAIVER</u>
O.	Retirement records	8 years after end of service		W
P.	Deferred compensation payment records	8 years after end of service		W
Q.	Budget, vendor listing, Combined payables	3 years		W
R.	Investment Records	3 years		W
S.	Check register/treasurer	7 years		W
T.	Canceled bonds, coupons & promissory notes	Until audited		W
U.	Journal entries & any audits or journal entries	7 years		W

(Ord. 160-4, Sec. 2, 2016; Ord. 157.11, Sec. 1, 2013; Ord. 145-76, Sec. 2, 2001; Ord. 136-12, Sec.1, 1992; Ord. 135-02 Sec.1, 1991; Ord. 132-100 Sec.16, 1989; 132-62 Sec.1, 1988).

2.90.135 Highway Department.

	<u>RECORD</u>	<u>RETENTION</u>	<u>AUTHORITY</u>	<u>WAIVER</u>
A.	Machinery, time sheets	1 year after machinery replaced		W
B.	Permits			
	1. Oversized load	1 year		W
	2. Driveway & utility	permanent		W
	3. Tourist oriented Directional signing	1 year after expiration		W
C.	State gas reports	3 years		W
D.	Accident reports (copies)	3 years		W
E.	Insurance reports (copies)	3 years		W
F.	Stock control records	2 years		W
G.	Fuel usage reports	2 years		W
H.	Heavy equipment and vehicle inventory ledger	Heavy equipment and/or vehicle until superseded		W
I.	Vehicle maintenance histories	Life of vehicle		W

	<u>RECORD</u>	<u>RETENTION</u>	<u>AUTHORITY</u>	<u>WAIVER</u>
K.	Vehicle usage reports	2 years		W
L.	Local road improvement program records	8 years		W
M.	Drug and alcohol testing	2 years		W
N.	County bridge aid documents	7 years after completion of project		W
O.	Report of functional jurisdiction of roads	10 years or until next report received		W
P.	Certified mileage lists	Until next list received		W
Q.	Award of damage for scenic rights	Until recorded		W

(Ord. 160-4, Sec. 3, 2016; Ord. 146-72, 2003; Ord. 145-76 Sec. 3, 2001; Ord.143-95, 2000; Ord.142-97, 1999; Ord.141-26 Sec.7, 1998; Ord.135-02 Sec.1, 1991; Ord.132-62 Sec.1, 1988).

2.90.140 Human Services.

	<u>RECORD</u>	<u>RETENTION</u>	<u>AUTHORITY</u>	<u>WAIVER</u>
A.	Case records & other materials of all public assistance kept as required under Chapter 49	If no payments have been made for at least 3 years & a fact sheet & financial record retained per DHSS	§ 59.52(4)(a.)18.	W
C.	Juvenile examination records 48.59			W
D.	Open public assistance case records			W
	1. Records specified in DWD 18.03(1).	As long as case is open	DWD 18.03(1)	
	2. Records specified in DWD 18.03(3).	Until next certification period or 6 months after closing case if information duplicated in CARES. If not duplicated then 2.90.140 E. applies.	DWD 18.03(3)	
E.	Closed public assistance cases & denied cases			W
	1. Records specified in DWD 18.03(4).	3 years from date of closing	DWD 18.03(4)	
	2. Records specified in DWD 18.03(5).	Until DHFS instructs destruction	DWD 18.03(5)	

	<u>RECORD</u>	<u>RETENTION</u>	<u>AUTHORITY</u>	<u>WAIVER</u>
F.	Social service case files	7 years after case is closed	DHSS Memo (82-1A)	
	1. State required case documentation Initial contact sheet, Notice of Agency Action, Social Services Face Sheet, Social Services Agreement, Social Services Narrative, Financial Information, Any other records documenting client eligibility and activity			W
	2. State required & County developed case documentation Assessment or diagnostic forms, records & narratives, Social and medical histories, Copies of court reports pertinent to the case, Release of information forms, Client progress notes, Case review forms, Client or service agreements, Forms and documentation of eligibility or financial status	7 years after case is closed		
	3. Social Services records for cases not opened for services Applications, Referral actions not resulting in case opening, Miscellaneous requests and correspondence about individual clients from consumer and other agencies which do not result in case opening	1 year after final action/determination		

<u>RECORD</u>	<u>RETENTION</u>	<u>AUTHORITY</u>	<u>WAIVER</u>
G. 51.42/437 Treatment records	7 years unless minor, until 19 years of age or 7 years after treatment completed, whichever is longer	HFS 92.12(1)&(2)	W
1. Undergoing federal or state audit	Until completion of audit	HFS 92.12(3)	
2. Relating to legal actions legal action	Until completion of HSS 92.12(4)		
H. Client collection files			W
1. Active client records	Active as long as liability exists except for inpatient mental services when 3 <sup>rd</sup> party sources are exhausted and it has been determined the responsible parties have a permanent inability or unlikely future ability to pay	HFS 1.06(3)(d)	
2. Inactive client records	5 years except where liability for inpatient mental health services remains, then 10 years after last transaction posted to the record	HFS 1.06(3)(e)	
I. Payee records	30 years		N/A
1. Year-to-Date General Ledger			
2. Check Register Report			
J. Case management files	7 years		W

	<u>RECORD</u>	<u>RETENTION</u>	<u>AUTHORITY</u>	<u>WAIVER</u>
K.	Payee fiscal records	7 years		W
	1. Audit Trails (weekly/monthly)			
	2. Canceled checks/bank statements/account signatures			
	3. Voucher support files (by date paid)			
	4. Voucher payment (including savings account vouchers/expired vouchers)			
	5. Check reconciliation reports/deleted check reports			
	6. Savings balance reports			
	7. Receipt books			
	8. Bank reconciliation Folders (work papers)			
L.	Child-placing agency records			W
	1. Individual case records for each child served & family	7 years after case closed	HFS 54.06(2)(a)2.	
	2. Individual foster home records for each foster home used by the agency, which includes signed applications and agreements	7 years	HFS 54.06(2)(a)3.	
	3. Individual records of studied adoptive applicants	7 years	HFS 54.06(2)(a)4.	
	4. Human resource records	7 years	HFS 54.06(2)(a)5.	
	5. Financial reports and audits	7 years	HFS 54.06(2)(a)6.	

	<u>RECORD</u>	<u>RETENTION</u>	<u>AUTHORITY</u>	<u>WAIVER</u>
	6. Licensing and certification records for in-home and family day care; adult family homes; foster homes; and group foster homes for children Application or other request forms Inspection and observation check lists, Correspondence, Other documentation relating to licensing or certification, Approved license or certificate	2 years after the license or certificate is no longer active		
	7. Licensing and certification records for above types of facilities where license or certificate was not approved.	1 year after final action/determination		
	8. Adoption records County agencies providing child welfare services under s. 48.56 or child-placing agencies licensed under §48.60, should follow the detailed procedures for adoption information search and disclosure detailed in HSS 53.	Permanent	HFS 53.07(1)	
M.	Third-party recovery records	one year after case closure Recommend microfilming essential information		W
N.	Fraud referral records	5 years after issue resolved or claim collected	Income maintenance manual Chapter 1.5.1	W
O.	Energy assistance records	6 years after case closed		W
P.	General relief records	6 years after case closed		W
Q.	Staff calendars	3 years		W
	(Ord. 157-46, Sec. 3, 2014; Ord. 154-10, Sec. 1, 2010; Ord. 151-10, Sec. 10, 2007; Ord. 150-16, Sec. 1, 2006; Ord. 147-97, 2004; Ord. 147-76, 2003; Ord. 146-03, Sec. 2, 2002; Ord. 145-76, Sec. 4, 2001; Ord.143-36 Secs.1-2, 1999; Ord.141-50 Sec.4; Ord.141-03 Sec.1, 1997; Ord.140-47, 1996; Ord.135-02 Sec.1, 1991; Ord.132-100 Secs.17-23, 1989; Ord.132-62 Sec.1, 1988).			

2.90.150 Maintenance.

	<u>RECORD</u>	<u>RETENTION</u>	<u>AUTHORITY</u>	<u>WAIVER</u>
A.	Blueprints	Permanent or until building disposed of		W
B.	Shop drawings	Permanent		N/A
C.	Equipment & machine maintenance	Life of equipment		W
D.	Utility usage	5 years		W
E.	Inventory	Until superseded		W
F.	Receipts from county treasurer	4 years or until audited, whichever is sooner		W
G.	Keying list	Until superseded		W
H.	Material data sheets (Ord. 135-02 Sec.1, 1991; Ord. 132-62 Sec.1, 1988)	7 years after product used up		W

2.90.160 Medical examiner.

	<u>RECORD</u>	<u>RETENTION</u>	<u>AUTHORITY</u>	<u>WAIVER</u>
A.	Homicide or suspicious deaths	75 years		W
B.	All other records (Ord. 135-02 Sec.1, 1991; Ord. 132-62 Sec.1, 1988)	7 years unless subject - to litigation and then until litigation resolved		W

2.90.170 Parks & Forest.

	<u>RECORD</u>	<u>RETENTION</u>	<u>AUTHORITY</u>	<u>WAIVER</u>
A.	Master park plan	Until superseded		N/A
B.	Plats	Permanent		N/A
C.	Aerial photographs	Permanent		N/A
D.	Committee agendas & summaries	6 years		W

	<u>RECORD</u>	<u>RETENTION</u>	<u>AUTHORITY</u>	<u>WAIVER</u>
E.	Citation, violation notices & park usage records	2 years		W
F.	Guidebooks, trail	Until updated or no longer useable		W
G.	Wisconsin Conservation Corps projects/crew info.	3 years		W
H.	Annual work plans/annual reports	3 years		W
I.	Dam information	Permanent		N/A
J.	Equipment & vehicle registration reports	Until equipment & vehicles disposed of		W
K.	General information	Until updated		W
L.	Land acquisitions-deeds, abstracts	Permanent or until land disposed of		W
M.	Land Use Permits	Permanent		N/A
N.	Timber sale contracts (bid openings, etc.)	7 years		W
O.	Construction contracts	7 years		W
P.	County forest plan (15 year plan)	Until superseded	Wis. Stat. § 28.11(5)(a)	N
Q.	DNR agreements	7 years		W

(Ord. 157-46, Sec. 4, 2014; Ord. 156-38, Sec. 6, 2013; Ord. 146-03, Sec. 3, 2002; Ord. 145-76, Sec. 6, 2001; Ord. 135-02 Sec. 1, 1991; Ord. 132-62 Sec. 1, 1988).

2.90.180 Human Resources.

	<u>RECORD</u>	<u>RETENTION</u>	<u>AUTHORITY</u>	<u>WAIVER</u>
A.	Department training records	8 years after end of service		W
B.	Performance evaluations and medical records	8 years after end of service		W
C.	EEO-4 reports, obsolete job descriptions and any personnel or employment records made or kept, including but not limited to application forms or test papers by applicants and other records or decisions pertaining to hiring, promotion, demotion, transfer, terms layoff or termination, terms of compensation, and selection of training	3 years except where a charge of discrimination has been filed; all personnel records relevant to a charge or action shall be retained until final disposition of the charge or the action		W
D.	Union contracts and grievance, mediation and arbitration records	100 years		N/A
E.	Individual employee personnel files	8 years after end of service		W
F.	Accident reports, non-workers compensation	8 years after end of service		W
G.	Directives and policies	7 years after being updated or terminated		W
H.	Employee exposure and medical records	Duration of employment plus 30 years	29 CFR §1910.1020	N/A
I.	Workers compensation record	12 years from the date of injury or death or last payment of compensation.	§102.17(4)	W
J.	Employment eligibility form I-9	1 year after termination, or 3 years after date of filing, whichever is later.		W

	<u>RECORD</u>	<u>RETENTION</u>	<u>AUTHORITY</u>	<u>WAIVER</u>
K.	Hearing related records (Ord. 159-13, Sec. 3, 2015; Ord. 151-43, Sec. 1, 2008; Ord. 151-23, Sec. 1, 2007; Ord. 151-10, Sec. 11, 2007; Ord. 145-76, Sec. 7, 2001; Ord.140-48, 1996; Ord.139-42; Ord.139-16, Sec.2, 1995; Ord. 137-99; 1994; Ord. 136-12, Secs.2-6, 1992; Ord. 135-02 Sec.1, 1991; Ord. 132-62 Sec.1, 1988).	12 years after end of service		W

2.90.190 Planning & Development

	<u>RECORD</u>	<u>RETENTION</u>	<u>AUTHORITY</u>	<u>WAIVER</u>
A.	Plats	Permanent		N/A
B.	Certified surveys	Permanent		N/A
C.	Assessors plats	Permanent		N/A
D.	Aerial photographs	Until superseded		N
E.	Final real property assessment rolls	15 years "No assessment roll containing forest crop acreage may be destroyed without prior approval of the secretary of revenue."	§59.52(4)(c)3.	W
F.	Permit application	Permanent		N/A
G.	Code compliance inspection reports	Permanent		N/A
H.	State approved commercial building plans	4 years		W
I.	Permit ledger	3 years		W
J.	Quarter section maps, copies	Until superseded		W
K.	Decisions & supporting documents of Bd. of Land Use Appeals	Permanent		N/A
L.	Hazardous waste manifests	Permanent		N/A
M.	Hazardous waste recycling Surveys	7 years	§NR 544.07	W
N.	Copies of notices to assessors Re lands sold & owned by county	3 years	§59.52(4)(a)13.	W

	<u>RECORD</u>	<u>RETENTION</u>	<u>AUTHORITY</u>	<u>WAIVER</u>
O.	U.S. Geological survey Maps received		Until next set of maps received	W
P.	Town plats	3 years		W
	(Ord. 160-4, Sec. 4, 2016; Ord. 159-13, Sec. 2, 2015; Ord. 157-46, Sec. 5; Ord. 146-03, Sec. 4, 2002; Ord.141-03, Sec.1, 1997; Ord. 137-99, 1994; Ord. 135-02 Sec.1, 1991; Ord. 132-100 Sec.24, 1989; 132-62 Sec.1, 1988)			

2.90.200 Purchasing.

	<u>RECORD</u>	<u>RETENTION</u>	<u>AUTHORITY</u>	<u>WAIVER</u>
A.	Fleet car usage, purchase requisitions	1 year after audit		W
B.	Purchase orders	7 years		W
C.	Bids & proposals, successful and contract Administration	7 years after contract expiration		W
D.	Bids & proposals, unsuccessful	1 year after audit		W
E.	Property inventory	Until superseded		W
F.	Public works contracts			W
	1. Notice to contractors			
	a. Successful bidders	7 years		
	b. Unsuccessful bidders	2 years		
	2. Bidder's proof of responsibility			
	a. Successful bidders	7 years		
	b. Unsuccessful bidders	2 years		
	3. Bids			
	a. Successful bidders	7 years after project completion		
	b. Unsuccessful bidders	2 years		
	4. Affidavit of organization & authority			
	a. Successful bidders	7 years after project completion		
	b. Unsuccessful bidders	2 years		
	5. Bid tabulations	7 years		
	6. Performance bond	7 years after project completion		
	7. Contract	7 years after project completion		
	8. Master project files	20 years		

	<u>RECORD</u>	<u>RETENTION</u>	<u>AUTHORITY</u>	<u>WAIVER</u>
G.	Procurement records for contracts funded in whole or part by assistance from a federal agency.	3 years from closeout date of assistance agreement or final disposition of controversy arising out of assistance agreement.		W
H.	Insurance			
	1. Insurance Policies	Permanent		W
	2. Claims data/loss run			
	a. monthly	7 years		
	b. annually	Permanent		
	c. reports	7 years		
	3. Claims received and submitted	7 years after settlement		
I.	Official Bonds	6 years	§59.52(4)(a)8.	W
	(Ord. 160-4, Sec. 5, 2016; Ord. 145-76, Secs. 8&9, 2001; Ord. 139-11, Sec. 1, 1995; Ord. 136-40, Sec. 10, 1992; Ord. 135-02 Sec.1, 1991; Ord. 132-62 Sec.1, 1988).			

2.90.210 Register of Deeds.

	<u>RECORD</u>	<u>RETENTION</u>	<u>AUTHORITY</u>	<u>WAIVER</u>
A.	Obsolete documents pertaining to chattels, including final books of entry	6 years	59.43(12)(a)	W
B.	Deeds	Permanent or listing of when & where recorded		N/A
C.	Applications for copies of vital records.	2 years		W
	(Ord. 149-61, Sec. 1 2006; Ord. 145-76, Sec. 10, 2001; Ord.141-03, Sec.1, 1997; Ord. 135-02 Sec.1, 1991; Ord. 132-62 Sec.1, 1988).			

2.90.220 Sheriff.

Process Division

	<u>RECORD</u>	<u>RETENTION</u>	<u>AUTHORITY</u>	<u>WAIVER</u>
A.	Attorney letters	7 years		W
B.	Form 50's	7 years		W
C.	Transport records	7 years		W
D.	Proof of service	7 years		W

	<u>RECORD</u>	<u>RETENTION</u>	<u>AUTHORITY</u>	<u>WAIVER</u>
E.	Correspondence instructing civil process service	7 years		W
F.	Process receipt print-outs	7 years		W
G.	Process deposit receipts	7 years		W

Jail Division

	<u>RECORD</u>	<u>RETENTION</u>	<u>AUTHORITY</u>	<u>WAIVER</u>
H.	Dockets & daily jail records & cash books	8 years	§59.27(8)	N-except cash books
I.	Check book	7 years		W
J.	Ledger sheets	7 years		W
K.	Accounts work sheets	7 years		W
L.	Meal books	7 years		W
M.	Canteen sheets	7 years		W
N.	Visit log	7 years		W
O.	Menus	7 years		W
P.	Jail billing	8 years	§59.27(8)	W
Q.	Bond receipts	8 years	§59.27(8)	W
R.	Daily bond	8 years	§59.27(8)	W
S.	Inmate files: Disciplinary forms Huber revocation forms Employer information forms Employer job search Verification sheets Court orders	8 years after release of inmate	§59.27(8) DOC 348.09(1) DOC 348.09(3)	W
T.	Daily work location forms	8 years	§59.27(8)	W

	<u>RECORD</u>	<u>RETENTION</u>	<u>AUTHORITY</u>	<u>WAIVER</u>
U.	Inmate daily activity log forms	8 years	§59.27(8)	W
V.	Exercise logs	8 years	§59.27(8)	W
W.	Phone logs	8 years	§59.27(8)	W
X.	Huber rules forms	8 years	§59.27(8)	W
Y.	Jailer logs	8 years	§59.27(8)	W
Z.	Daily cell block check sheets	8 years	§59.27(8)	W
AA.	Medical records	8 years	§59.27(8) DOC 348.09(2)	W
BB.	Booking sheets	15 years		W

Detective Division

	<u>RECORD</u>	<u>RETENTION</u>	<u>AUTHORITY</u>	<u>WAIVER</u>
CC.	Ordinance violation citations	2 years	2.90.010 Q.	W
DD.	Arrest records	8 years	§59.27(8)	W
EE.	Incident records	10 years	§59.27(8)	W
FF.	Evidence cards	10 years	§59.27(8)	W

Patrol Division

	<u>RECORD</u>	<u>RETENTION</u>	<u>AUTHORITY</u>	<u>WAIVER</u>
GG.	Uniform traffic citations	1 year after closed, disposed or cancelled		W
HH.	Work schedules	7 years		W
II.	Wisconsin accident reports	5 years after investigation closed.		W
JJ.	Traffic fatalities	Permanent		W

	<u>RECORD</u>	<u>RETENTION</u>	<u>AUTHORITY</u>	<u>WAIVER</u>
KK.	Death investigations	Permanent		W
LL.	Monitoring and Surveillance Recordings	Monitoring and surveillance recordings that document incidents that may lead to claims against the government unit. Retain for 120 days and then destroy	FAC00082 Wis. Stat. 893.80	W

(Ord. 157-46, Sec. 6, 2014; Ord. 154-22, Sec. 1, 2011; Ord. 149-060, Sec. 1, 2006; Ord. 149-035, Sec. 1, 2005; Ord. 146-03, Sec. 5-6, 2002; Ord. 145-76, Sec. 11, 2001; Ord.141-03, Sec.1, 1997; Ord.140-05, 1996; Ord.139-120, 1996; Ord. 135-63, Sec. 1, 1991).

2.90.240 Treasurer

	<u>RECORD</u>	<u>RETENTION</u>	<u>AUTHORITY</u>	<u>WAIVER</u>
A.	General receipts and settlement receipts	7 years	§59.52(4)(a)15	W
B.	Municipal tax rolls (See also "Planning & Development")	15 years	§59.52(4)(c)2.	N
C.	Balancing reports	3 years		W
D.	Audit letters	3 years		W
E.	Accounts payable/detail listing/check register (copies)	3 years		W
F.	Journal entries, resolutions, general receipts, treasurer's cash	3 years		W
G.	Bank reconciliations	7 years		W
H.	Outstanding checks	7 years		W
I.	Check register	7 years		W
J.	Deposit tickets	1 year after audit		W
K.	Bank credit/debit notices	1 year after audit		W
L.	Cash drawer reconciliations	1 year after audit		W
M.	Tax receipts	15 years	§59.52(4)(a)14.	W

N. All other receipts of county treasurer 7 years §59.52(4)(a)15. W

O. Mill rates from towns 2 years W  
 (Ord. 160-4, Sec. 6, 2016; Ord. 145-76, Sec. 12, 2001; Ord.142-31, Sec.2, 1998; Ord.141-03, Sec.1, 1997; Ord. 136-12, Sec.7-8, 1992; Ord. 135-02 Sec.1, 1991; Ord. 132-100 Sec.25, 1989; 132-62 Sec.1, 1988).

2.90.250 Veteran Services.

	<u>RECORD</u>	<u>RETENTION</u>	<u>AUTHORITY</u>	<u>WAIVER</u>
A.	Regulations	Until superseded		W
B.	Military separation records of veterans	Permanent		N/A
C.	News releases	2 years		W
D.	Grave registration files	Permanent		N
E.	Veterans' benefit case files	2 years after inactive		N
F.	Wisconsin Department of Veterans' Affairs bulletins	Until superseded		W

(Ord. 159-35, Sec. 7, 2016; Ord. 145-76, Sec. 13, 2001; Ord. 135-89, 1992; Ord. 135-02 Sec.1, 1991; Ord. 132-62 Sec.1, 1988).

2.90.270 Destruction after request for inspection. No requested record may be destroyed until after the request is granted or 60 days after the request is denied. If an action is commenced under Wis. Stat. §19.37, the requested record may not be destroyed until a court order is issued and all appeals have been completed. See Wis. Stat. § 19.35(5). (Ord. 132-62 Sec.1, 1988).

2.90.280 Destruction pending litigation. No record subject to pending litigation shall be destroyed until the litigation has been resolved. (Ord. 132-62 Sec.1, 1988).

2.90.285 Microfilming or Electronic Format Storage of Department Records.

Departments may keep and preserve public records through the use of microfilm or electronic format storage providing that the applicable standards established in Wis. Stat. §§ 16.61(7) and 16.612. respectively are met. Departments should consider factors such as retention periods and estimated costs and benefits of converting records between different media in deciding which records to microfilm or store on electronic format. After verification paper records converted to either microfilm or electronic format storage should be destroyed after notification to the SHSW if applicable. The retention periods identified in this ordinance apply to records in any media. (Ord. 146-03, Sec. 7, 2002; Ord. 135-63, Sec. 2, 1991).

2.90.290 Review and approval by Public Records and Forms Board. This chapter has been reviewed and approved by the Public Records and Forms Board. (Ord.132-62 Sec.1, 1988).

(Ord. 155-11, Sec. 6, 2011-Repealing Ch. 2.99)

Chapter 2.95

LIVING WAGE

Sections:

<a href="#">2.95.001</a>	Policy.
<a href="#">2.95.005</a>	Definitions.
<a href="#">2.95.010</a>	Standards Requirement
<a href="#">2.95.020</a>	Contracting Requirements.
<a href="#">2.95.030</a>	Maintenance and Monitoring of Records.
<a href="#">2.95.040</a>	Severability and Savings.
<a href="#">2.95.050</a>	Waiver by County Board/Rights of Enforcement

2.95.001 Policy. It shall be the policy of the County that certain contractors, subcontractors, lessees and recipients of economic development financial assistance doing business with the County shall be subject to the requirements of this chapter. This living wage ordinance shall apply to all contractors, subcontractors, and recipients of economic development financial assistance as defined herein party to an agreement covered under this chapter with any County unit, division, office, department, or sub-unit thereof, and County quasi-public entity including:

- A. A service contract as defined in 2.95.005 A. or an agreement to provide personal care and supportive home care to persons with disabilities or the frail elderly provided by agencies that exclusively contract with the County, involving an amount greater than or equal to \$30,000; and,
- B. A lease agreement involving the County funding or a public asset involving an amount greater than or equal to \$30,000; and
- C. A concession agreement involving an amount greater than or equal to \$30,000; and,
- D. Economic development financial assistance involving an amount of financial assistance from the County greater than or equal to \$1,000,000. (Ord. 160-8, Sec. 1, 2017)

2.95.005 Definitions. For all agreements covered under this chapter, the following definitions shall apply:

- A. Service contract means an agreement between the County or related entity and another party that provides a set of services, primarily related to staff services including, but not limited to, housekeeping, security, landscaping, maintenance, clerical services, food services, and other non-professional services, as well as personal care, or supportive home care provided to persons with disabilities or the frail elderly by a preferred provider.

1. Service contracts do not include:
  - a. Purchase of goods or commodities or its delivery.
  - b. Equipment lease and maintenance.
  - c. Professional services contracts.
  - d. Contracts with any school district, municipality, or any other governmental unit.
  - e. Contracts in which State or Federal funder has a prevailing wage requirement.
  - f. Child alternate care contracts.
  - g. Child contracts that are administered through the State TPA (Third Party Administrator).

B. Concession agreement means an agreement between the County or related entity and another party to allow the organization the exclusive or semi-exclusive right to operate a particular enterprise usually making use of some resource of the County or related entity requiring payment to the County or related entity fees, rent, or percentage of revenues derived from the particular enterprise.

C. Lease means an agreement between the County or related entity as lessor and another party as lessee to provide exclusive use of real property, a particular asset or resource in exchange for rental payments or a fee, and which involves financial assistance consistent with Wis. Stat. Ch. 104.001(3). The following leases are exempted:

1. Cultural institutions: Leases with institutions including the Friends of Beaver Creek Reserve and any other cultural organization that receives contributions from the County.
2. Nonprofit: Leases with nonprofit corporations, unless the nonprofit corporation passes through to a for-profit entity an amount greater than or equal to \$1,000,000, in which case the for-profit entity shall be subject to this chapter as a subcontractor as in 2.95.010 A.2.
3. Other local units of government: Leases with any school district, municipality or any other governmental or quasigovernmental unit.

D. Economic development financial assistance means any form of assistance, consistent with Wis. Stat. Ch. 104.001(3), of an amount greater than or equal to \$1,000,000, provided to a recipient directly by the County in the form of loan rates below those commercially available, loan forgiveness or guarantees, bond financing or forgiveness, sales or leases of land or real property or other assets for an amount below fair market value, or grants of land or real property, or other valuable consideration, or any other assets provided to develop real property, to foster economic development or to create or retain jobs or for other similar purposes which inure to the benefit of the recipient. The following are exempted:

1. Nonprofit corporations: Economic development financial assistance provided to nonprofit corporations, unless the nonprofit corporation passes through to a for-profit entity an amount greater than or equal to \$1,000,000, in which case the for-profit entity shall be subject to this chapter as a subcontractor as in 2.95.010 A.2.
2. Cultural institutions: Economic development financial assistance to the Friends of Beaver Creek Reserve, any other cultural organization that receives contributions from County.

3. Other units of government: Economic development financial assistance provided to any school district, municipality or any other governmental or quasi-governmental unit.

E. Living wage means a minimum hourly wage rate equal to the following percentage levels of the poverty income level set forth annually by the U.S. Department of Health and Human Services for a family of four (4), divided by 2,080 hours:

1. 100%, as of January 1, 2017
2. 103.75%, as of January 1, 2018
3. 107.5%, as of January 1, 2019
4. 111.25%, as of January 1, 2020
5. 115%, as of January 1, 2021

F. Contractor means a person or an entity that has a service contract, lease, or concession agreement with the County covered under this chapter.

G. Subcontractor means a person or an entity:

1. Having an agreement or arrangement with a contractor to furnish a service for the benefit of the County that would be covered under this chapter; or,
2. Having an agreement or arrangement with a contractor to operate on a property that is subject to a lease or concession agreement with the County that would be covered under this chapter; or,
3. Purchasing or leasing from a recipient of economic development financial assistance; or, managing or operating an enterprise employing people on the premises of property developed or improved as a result of financial assistance.

H. Recipient means a person or entity receiving economic development financial assistance as defined in 2.95.005 D. but does not include a person or entity indirectly benefiting from incidental effects of County policies, regulations or ordinances.

I. Professional services shall typically include services customarily rendered by architects, engineers, surveyors, real estate appraisers, certified public accountants, attorneys, financial personnel, medical services, system planning, management, and other consultants. (Ord. 160-8, Sec. 1, 2017)

#### 2.95.010 Standards Requirement.

A. All employees performing part- or full-time work for a contractor, subcontractor, lessee or recipient of economic development financial assistance covered under this chapter and all direct employees of the County, shall be paid the Living Wage rate defined in 2.95.005 E., except as provided in paragraph 3. of this section.

1. Tipped employees, employees paid on commission, or employees whose compensation consists of more than hourly wages shall be paid an hourly wage, when coupled with the other compensation, that will at least equal the minimum wage rate.

2. Contractors and subcontractors as defined in 2.95.005 G. 1. and 2. shall be subject to the requirements of this chapter for the duration of the agreement with the County. Employees of contractors and subcontractors shall be covered under the requirements of this chapter for the hours worked in performance of covered agreements.

3. Recipients of economic development financial assistance and subcontractors as defined herein shall be subject to the requirements of this chapter for a period equal to one year for every \$100,000 provided in economic development financial assistance, rounded to the nearest whole year; and employees of such recipients and subcontractors shall be covered under the requirements of this chapter for work performed on the premises of a project benefiting from financial assistance.

4. The living wage rate requirement will be updated annually on the last business day of September.

B. Excluded employees:

1. The provisions in this chapter shall exclude:

- a. Student learners as defined by Wis. Stat. Ch. 104.01(7); and,
- b. Employees of sheltered workshops as defined by Wis. Stat. Ch. 104.01 (6); and,
- c. Employees under the age of 18; and,
- d. Employees not performing work under a County service contract, concession, or lease; and,
- e. Employees not working in a financially assisted economic development project; and,
- f. Interns; and,
- g. Volunteers receiving stipends; and
- h. Any other category of employee excluded under Wis. Stat. Ch. 104.

i. Employees of a contractor, subcontractor, concessionaire or recipient of economic development financial assistance otherwise covered under this chapter where the employer otherwise subject to the provisions of this chapter employs no more than 20 employees and where the employer otherwise subject to the provisions of this chapter is not an affiliate or subsidiary of another business entity dominant in its field of operation.

j. Employees of a member who receives personal care and supportive home care through a self-directed service program model in the County.

2. The requirements of this section may be modified or waived as regards employees who are covered by a collective bargaining agreement between the employer and a bona fide union, where the parties to such collective bargaining agreement expressly specify their intent in the agreement. (Ord. 160-8, Sec. 1, 2017)

2.95.020 Contracting Requirements.

A. Department heads or their designee shall include requirements for compliance with this chapter in:

- 1. Every bid, request for proposal, or request for qualifications for services, leases, concessions or economic development financial assistance covered under this chapter,
- 2. All new service, lease, and concession agreements, and all new agreements involving financial assistance; and,
- 3. All renewals or amendments of agreements for services, leases, concessions, or economic development financial assistance covered under this chapter after the effective date of this ordinance.

B. Contractors, subcontractors, and recipients of economic development financial assistance must submit to the department a notarized affidavit certifying that they will comply with the requirements of this chapter prior to contract or subcontract award or receipt of any financial assistance.

C. Contractors, subcontractors and recipients of economic development financial assistance shall not use the requirements of this chapter to reduce the wages of employees.

D. County reserves the right to inspect and audit any payroll records of any contractor or subcontractor or recipient of economic development financial assistance for which this chapter applies, for any reason and at any time. (Ord. 160-8, Sec. 1, 2017)

2.95.030 Maintenance and Monitoring of Records. The Purchasing Department will maintain all records required by this chapter. The Purchasing Department will:

A. Retain a log of all contracts, noting which contracts are covered by this chapter.

B. Retain notarized affidavits from all contractors subject to the provisions of this chapter that they understand and will comply with its provisions.

C. Retain a one-page document, filled out annually by all contractors subject to the provisions of this chapter, asserting that they remain in compliance with the provisions of this chapter and providing the required wage range information. (Ord. 160-8, Sec. 1, 2017)

2.95.040 Severability and Savings. If any provision of this chapter or application thereof is judged invalid, the invalidity shall not affect other provisions or application of the chapter which can be given effect without the invalid provisions or application, and to this end the provisions of this chapter are declared severable. (Ord. 160-8, Sec. 1, 2017)

2.95.050 Waiver by County Board/Rights of Enforcement. The County recognizes that from time to time it may be in the County's best interest to enter into contracts, leases or other agreements, including agreements involving financial assistance, which have been negotiated, bid for, or otherwise entered into in a manner which is not in strict conformity with the terms of this ordinance. Upon adoption or ratification of any such contract, lease or other agreement by the county board, any such nonconformity shall be deemed to have been waived by the County. This ordinance shall not be construed to create any right or rights of enforcement in any person seeking to do business with the County and compliance with the terms of the ordinance shall rest solely with County. (Ord. 160-8, Sec. 1, 2017)