

**2009-10 COUNTY BOARD PROCEEDINGS**  
**NOVEMBER 16, 2009, 7:00 P.M. SESSION**

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The Dane County Board of Supervisors met pursuant to statute. Chair McDonell called the meeting to order. County Clerk Ohlsen called the roll:

PRESENT: Bayrd, de Felice, DeSmidt, Downing, Duranczyk, Ferrell, Hampton, Hendrick, Hesselbein, Hulsey, Jensen, Kostelic, Levin, Manning, Matano, O'Loughlin, Opitz, Richmond, Ripp, Rusk, Salov, Schlicht, Schmidt, Solberg, Stoebig, Veldran, Wheeler, Willett, and McDonell. Supervisors Bruskewitz, Erickson, Gau, Miles, Stubbs, and Vedder arrived after roll call.

EXCUSED: Martz and Wiganowsky

Supervisor DeSmidt led the Pledge of Allegiance.

**OPERATING BUDGET RESOLUTION**

**RES. 145, 09-10**

**2010 DANE COUNTY OPERATING BUDGET APPROPRIATIONS RESOLUTION**

Personnel & Finance Committee recommended adoption of Sub. 1 to Res. 145.

**SUB 1 to RES. 145, 09-10**

**2010 DANE COUNTY OPERATING BUDGET APPROPRIATIONS RESOLUTION**

The 2010 Operating Budget is a financial plan for the operational needs of the County and was developed in accordance with the Uniform Accounting Manual for Wisconsin Counties and the pronouncements of the Governmental Accounting Standards Board (GASB).

This resolution constitutes the 2010 Adopted Operating Budget, formulated in accordance with s. 65.90 Wis. Stats., and consists of several parts, as follows:

<b>TABLE 1:</b>	<b>TAX LEVY COMPUTATION AND FUND BALANCE ANALYSIS</b>
<b>TABLE 2:</b>	<b>TAX LEVY HISTORY</b>
<b>TABLE 3:</b>	<b>2010 APPROPRIATIONS FOR OPERATIONS</b>
<b>TABLE 4:</b>	<b>EXPENDITURE &amp; REVENUE HISTORY - OPERATIONS</b>
<b>TABLE 5:</b>	<b>CARRY-FORWARDS</b>
<b>TABLE 6:</b>	<b>INDEBTEDNESS</b>
<b>TABLE 7:</b>	<b>2010 BUDGETED POSITIONS</b>
<b>APPENDIX A</b>	<b>PERSONNEL SAVINGS INITIATIVES</b>

Together with the 2010 Adopted Capital Budget Appropriations Resolution, this document shall constitute the County Budget as defined in s. 65.90, Wis. Stats.

**NOW, THEREFORE, BE IT RESOLVED** that in accordance with s. 65.90, Wis. Stats, the Dane County Board of Supervisors hereby appropriate for 2010 fiscal year operations, the expenditures and revenue amounts on lines designated as appropriations in the attached Table 3. Amounts on lines not designated as appropriations are for informational purposes only. Expenditures in excess of the amounts appropriated or use of general purpose revenues in excess of the amounts listed on the lines designated as appropriations shall require County Board authorization in accordance with s. 65.90(5), Wis. Stats.

**BE IT FURTHER RESOLVED** that the Dane County Board of Supervisors authorize carry-forward of expenditures and revenues from 2009 to 2010 as recommended in Table 5.

**BE IT FURTHER RESOLVED** that the Dane County Board of Supervisors authorizes positions for the 2010 fiscal year as shown in Table 7.

**BE IT FURTHER RESOLVED** that 2010 operating expenditures and revenues shall be subject to the following provisions and controls in addition to all budget control policies enumerated in D.C. Ord. sec. 29.52:

- In addition to reviewing and approving contracts in accordance with Chapter 25, D.C. Ords., the County Board shall adopt resolutions approving all contracts with non-county agencies for which a separate appropriation has been made except for those contracts whose scope of services remains the same as the previous year. No disbursement of funds shall be made to such non-county agencies until a contract has been adopted by the County Board and approved by the County Executive except as otherwise provided. Each Miscellaneous Appropriations contract is to be controlled separately. The Department of Administration has the responsibility to administer these contracts.
- The budgets for all departments having fourteen or more employees shall include a "Salary Savings" line that will be 2% of the budgeted "Salaries & Wages" account for that department.
- The Department of Administration shall provide written quarterly reports on personnel transactions to the Personnel & Finance Committee. Such report will include information desired by the Committee such as information on new hires and employee resignations and terminations; work force balance of affirmative action groups; costs of limited term employees and overtime; and reclassifications requested and authorized within the current year and annualized costs.
- Information Management hardware and software have been budgeted within individual departments. These funds have not been moved into the Information Management program. All expenditures for computer hardware and software must receive prior approval of the Technical Systems Manager.
- The Corporation Counsel may account and charge, where allowed by law, for all legal services provided to nonprofit agencies. Notice of this policy shall be provided to such agencies prior to the provision of services. The Corporation Counsel shall confer with the Public Protection & Judiciary Committee to formulate a policy for making such charges.
- The rate for limited term employee Staff Attorney positions in the Clerk of Courts shall be up to \$14.07 with the one position dedicated to Prisoner Litigation work subject to an additional incentive of \$2 per hour above those rates.
- The Human Services Department, Children, Youth & Family Services program includes a contract with Planned Parenthood that is subject to the following provision: "No funds shall be used for political or advocacy work".
- Expenditures and program activities for the Urban Land Use, Development and Education initiative shall be approved by the Better Urban In-fill Development (BUILD) Committee.
- The 2009 Budget includes a \$20,000 contribution to Thrive, the regional economic development enterprise for the eight County Madison region. This contribution helps to fund the Thrive work to increase the production and consumption of regionally produced food.
- Rather than being closed directly into the General Fund at the end of the year, Alliant Energy Center funds are to be closed into the General Fund, Reserve for Alliant Energy Center. This policy will enable the Alliant Energy Center to retain profits made in one year to assist in covering costs of future years.
- The account established in the Register of Deeds Office for "Redaction Special Projects" is dependent upon receipt of revenue from a new \$5 fee, which would be authorized by the State Legislature, on every document filed with the Register of Deeds, and would be funded only after the funding requirements for the SSN Redaction Program had been met. Rather than being closed directly into the General Fund at the end of the year, unspent funds in this account would carry over to 2011.
- The Department of Land and Water Resources is directed to prepare a Lake Level Management Guidelines draft by April 15th and present it to the Lakes and Watersheds Commission and EANR Committee for them to conduct hearing and finalize before the May 15th.
- The 2010 budget contains savings from the Hiring Moratorium Program and a Leave Without Pay Initiative. The operations of these programs are more fully described in Appendix A.
- Any new positions that are authorized in the 2010 budget and are funded with general purpose revenue shall not begin until after March 31, 2010, except with authorization by the County Executive.
- All out of state conference and training requests will be subject to the approval of the County Executive or his/her designee.
- The Controller's Office may add standard "Personal Services" lines to department's budgets to properly account for Personal Services expenditures not specifically budgeted for. The new accounts added will not change the department's total appropriation.
- The Controller is authorized to make technical corrections to the Budgeted Position List, subject to the review and approval by the County Board Chair.

**BE IT FINALLY RESOLVED** that the Department of Administration is directed to prepare, in consultation with the Office of the County Board, appropriate narrative information explaining County Board budget related actions, and County Executive veto actions, if any, to be distributed in late 2009 or early 2010, following review and approval by the County Board Chair.

**Appendix A - Personnel Savings Initiatives**  
**Hiring Moratorium and Voluntary Leave Without Pay Program**

**Hiring Moratorium**

The 2010 Budget imposes a moratorium on all hiring except for specific exemptions and special considerations detailed below. The purpose of the moratorium is to maximize savings from position vacancies and to strategically fill vacant positions assigned to the most critical County government functions. Any position that is vacant as of January 1, 2010 or becomes vacant during the 2010 fiscal year will be subject to the hiring moratorium.

The Department of Administration will administer the hiring moratorium. As savings from the moratorium is realized, it will be recorded in a line item called Personnel Savings Initiatives. This line item will be located in the program in which vacancies occur and is in addition to the traditional salary savings line items included in most program budgets. The Department of Administration will track savings from the hiring moratorium countywide. Once the Countywide savings target of \$1,215,000 is achieved, departments may be allowed to count additional savings toward their salary savings goals.

**Exemptions and Special Considerations**

The hiring moratorium applies to all positions funded by general purpose revenue (GPR) even if the positions are partially GPR funded. Only those positions specifically identified below will be exempt from the moratorium.

- Non-GPR supported positions will be exempt from the moratorium. Non-GPR supported positions include those assigned to the Alliant Energy Center, Dane County Regional Airport, Solid Waste, and positions supported completely and directly by federal, state, or other external revenues.
- The Chief Deputy, Captain, Deputy IV, Deputy III, Deputy I-II, Sheriff Aide, and Jail Clerk positions assigned to the Sheriff's Office are exempt from the moratorium.
- Any Lieutenant, Sergeant, or Administrative Services Supervisor/Manager position in the Sheriff's Office that becomes vacant during 2010 must be held open for at least twelve (12) weeks. Once the twelve (12) weeks has elapsed, the Department may proceed with the recruitment process without appeal.
- Certified Nursing Attendants and Registered Nurses assigned to the Badger Prairie Health Care Center are exempt from the moratorium.
- Child Protective Social Worker and Economic Support Specialist positions are exempt from the moratorium
- Public Safety Communicator and Communications Supervisor positions are exempt from the moratorium.

All other positions will be subject to the moratorium and will not be filled during 2010 unless, an appeal is granted by the County Executive.

**Appeal Process**

Departments may appeal to the County Executive to fill positions covered by the hiring moratorium. Appeals should be submitted to the Department of Administration. The Department will record the appeal and forward it to the County Executive for a final decision. These decisions will be made within sixteen (16) weeks of being received by the Department of Administration. Any appeal that is outstanding after the sixteen (16) week period will be automatically granted. This amount will be recorded as a negative amount in the Personnel Savings Initiative line item. These reductions will not be included in the following year's base budget.

**Leave Without Pay**

The 2010 Budget includes a leave without pay program. The Department of Administration will initiate a memorandum of understanding with each of the County's bargaining units that will allow represented employees the opportunity to participate in the leave without pay program. The details of the initiative will be communicated to employees once the memoranda are finalized.

The savings from this initiative will be recognized when an employee elects to take a voluntary leave without pay. The calculated savings will be recorded in the Personnel Savings Initiative line item in the employee's home department, and a corresponding amount will be credited toward the Countywide Leave Without Pay goal of \$250,000.

Moved by Supervisor Willett, seconded by Supervisor Schlicht to add the following provision: "All non-represented employees pay shall be froze for a period of two years. Non-represented employees shall not receive any step increases or longevity percentage increases for a period of two years beginning December 20, 2009." Roll call requested:

AYES: 9 – Bruskewitz, Ferrell, Gau, Jensen, O'Loughlin, Salov, Schlicht, Solberg, and Willett.

NOES: 25 – Bayrd, de Felice, DeSmidt, Downing, Duranczyk, Erickson, Hampton, Hendrick, Hesselbein, Hulsey, Kostelic, Levin, Manning, Matano, Miles, Opitz, Richmond, Ripp, Rusk, Schmidt, Stoebig, Vedder, Veldran, Wheeler, and McDonell.

ABSENT: 3 – Martz, Stubbs, and Wiganowsky.

Motion failed.

Moved by Supervisor Gau, seconded by Supervisor Willett to decrease expenditures by \$1,291,575 and the identified currently vacant FTE positions & PTE, listed on the attachment, be frozen and funding eliminated for all for 2010 or until the Personnel and Finance Committee approves reauthorization of positions. The following footnote should be attached to these positions in the personnel schedule, "Funding for these positions has been eliminated for 2010, but the positions authority remains."

Supervisor Solberg offered a friendly amendment, seconded by Supervisor Hendrick to delete the federally funded employees from the amendment. Reducing the amount to \$1,182,990.

Roll call requested:

AYES: 10 – Bruskewitz, Ferrell, Gau, Jensen, O'Loughlin, Ripp, Salov, Schlicht, Solberg, and Willett.

NOES: 24 – Bayrd, de Felice, DeSmidt, Downing, Duranczyk, Erickson, Hampton, Hendrick, Hesselbein, Hulsey, Kostelic, Levin, Manning, Matano, Miles, Opitz, Richmond, Rusk, Schmidt, Stoebig, Vedder, Veldran, Wheeler, and McDonell.

ABSENT: 3 – Martz, Stubbs, and Wiganowsky.

Motion failed.

Moved by Supervisor Gau to decrease expenditures by \$1,291,575 and the identified currently vacant FTE positions & PTE, listed on the attachment, be frozen and funding eliminated for all of 2010 or until the Personnel and Finance Committee approves reauthorization of positions. The following footnote should be attached to these positions in the personnel schedule, "Funding for these positions has been eliminated for 2010, but the positions authority remains."

Motion was ruled out of order because it was the same as the previous motion.

Moved by Supervisor Willett, seconded by Supervisor Schlicht to reduce expenditures in the County Board, Legislative Services program by \$65,600 to reflect a voluntary 20% pay reduction for 2010 for the County Board Chair and all County Board Supervisors.

Roll call requested:

AYES: 7 – Bayrd, Bruskewitz, Ferrell, Gau, Jensen, Schlicht, and Willett.

NOES: 27 – de Felice, DeSmidt, Downing, Duranczyk, Erickson, Hampton, Hendrick, Hesselbein, Hulsey, Kostelic, Levin, Manning, Matano, Miles, O'Loughlin, Opitz, Richmond, Ripp, Rusk, Salov, Schmidt, Solberg, Stoebig, Vedder, Veldran, Wheeler, and McDonell.

ABSENT: 3 – Martz, Stubbs, and Wiganowsky.

Motion failed.

Moved by Supervisor Gau, seconded by Supervisor Ripp that the \$20,000 to expand services to additional high school students through Commonwealth Development be reduced. Roll call requested:

AYES: 8 – Bruskewitz, Gau, O'Loughlin, Ripp, Salov, Schlicht, Wheeler, and Willett.

NOES: 26 – Bayrd, de Felice, DeSmidt, Downing, Duranczyk, Erickson, Ferrell, Hampton, Hendrick, Hesselbein, Hulsey, Jensen, Kostelic, Levin, Manning, Matano, Miles, Opitz, Richmond, Rusk, Schmidt, Solberg, Stoebig, Vedder, Veldran, and McDonell.

ABSENT: 3 – Martz, Stubbs, and Wiganowsky.

Motion failed.

Moved by Supervisor Gau, seconded by Supervisor Hendrick that neither expenditures nor revenues be changed and the allocation of \$9,547 for the Safe Communities Coalition for a suicide prevention program to be subcontracted to HOPES, Helping Others Prevent and Educate about Suicide. Motion carried unanimously.

Moved by Supervisor Gau, seconded by Supervisor Ferrell to eliminate an additional \$5,000 in funding for Thrive. Motion failed.

Moved by Supervisor Richmond, seconded by Supervisor Vedder (Page 1) Revenues be increased by \$4,476,000 in the Highway Fund to reflect revenue from a vehicle registration fee authorized by O.A. 33, 09-10; (Page 2) Expenditures be increased by \$1,800,000 in the Department of Human Services to provide a 1% increase to purchase of services (POS) agencies; (Page 3) Expenditures be increased by a total of \$1,094,000 throughout county government departments to restore salary to county employees equivalent to 2 of the 8 furlough days (or an equivalent in reduction in the number of lay-offs); (Page 4) Expenditures be increased by \$1,582,000 to increase the General Fund Reserve as shown in Table 1 (Tax Levy Computation Fund Balance Analysis for GPR Supported Operating and Capital Funds) of Res. 145 from \$2 million to \$3,582,000.

Page 1 was separated from Pages 2 thru 4. The question before the Board was the Page 1 amendment. Roll call requested:

AYES: 7 – Bayrd, Hendrick, Manning, Matano, Opitz, Richmond, and Vedder.

NOES: 28 – Bruskevitz, de Felice, DeSmidt, Downing, Duranczyk, Erickson, Ferrell, Gau, Hampton, Hesselbein, Hulse, Jensen, Kostelic, Levin, Miles, O’Loughlin, Ripp, Rusk, Salov, Schlicht, Schmidt, Solberg, Stoebig, Stubbs, Veldran, Wheeler, Willett, and McDonell.

ABSENT: 2 – Martz, and Wiganowsky.

Motion failed.

Pages 2 thru 4 were before the Board. On Page 2 Supervisor Vedder asked the percentage increase to purchase of services agencies be changed from 1% to 2.83%. Supervisor Richmond withdrew his motion.

The question before the Board was adoption of Sub. 1 to Res. 145 as amended. Roll call requested:

AYES: 22 – Bayrd, de Felice, DeSmidt, Duranczyk, Erickson, Hendrick, Hesselbein, Hulse, Kostelic, Levin, Manning, Matano, Opitz, Rusk, Schmidt, Solberg, Stoebig, Stubbs, Vedder, Veldran, Wheeler, and McDonell.

NOES: 13 – Bruskevitz, Downing, Ferrell, Gau, Hampton, Jensen, Miles, O’Loughlin, Richmond, Ripp, Salov, Schlicht, and Willett.

ABSENT: 2 – Martz, and Wiganowsky.

Motion carried.

A three minute break was taken.

**CAPITAL BUDGET RESOLUTION**

**RES. 146, 09-10**

**2010 DANE COUNTY CAPITAL BUDGET APPROPRIATIONS RESOLUTION**

Personnel & Finance Committee recommended adoption of Sub. 1 to Res. 146.

**SUB. 1 to RES. 146, 09-10**

**2010 DANE COUNTY CAPITAL BUDGET APPROPRIATIONS RESOLUTION**

The 2010 Capital Budget is a financial plan for the capital needs of the County and was developed in accordance with the Uniform Accounting Manual for Wisconsin Counties and the pronouncements of the Governmental Accounting Standards Board (GASB).

This resolution constitutes the 2010 Adopted Capital Budget, formulated in accordance with s. 65.90, Wis. Stats., and consists of several parts, as follows:

- TABLE 1: TAX LEVY COMPUTATION AND FUND BALANCE ANALYSIS**
- TABLE 2: TAX LEVY HISTORY**

**TABLE 3: 2010 APPROPRIATIONS FOR CAPITAL EXPENDITURES**  
**TABLE 4: CAPITAL EXPENDITURE HISTORY**  
**TABLE 5: CAPITAL BUDGET CARRY-FORWARDS**  
**TABLE 6: COUNTY INDEBTEDNESS**

Together with the 2010 Adopted Operating Budget Appropriations Resolution, this document shall constitute the County budget as defined in s. 65.90, Wis. Stats.

**NOW, THEREFORE, BE IT RESOLVED** that in accordance with s. 65.90, Wis. Stats., the Dane County Board of Supervisors hereby appropriate for the 2010 fiscal year capital projects, the expenditure and revenue amounts shown for each capital project in the attached Table 3. Total amounts for each department are for informational purposes only. Expenditures in excess of the amounts appropriated or use of outside revenues, county general purpose revenues, or borrowing proceeds in excess of the amounts appropriated shall require County Board authorization in accordance with s. 65.90(5), Wis. Stats.

**BE IT FURTHER RESOLVED** that the Dane County Board of Supervisors authorize carry-forward of expenditures and revenues from 2009 to 2010 as recommended in Table 5.

**BE IT FURTHER RESOLVED** that 2010 capital expenditures and revenues shall be subject to the following provisions and controls as well as all budget control policies listed in D.C. Ord. sec. 29.52:

1. Expenditures in excess of the amount appropriated for any capital project shall require either Personnel & Finance Committee approval or County Board approval, in accordance with s. 65.90(5), Wis. Stats.
2. No Capital Projects expenditures may be incurred prior to April 1 of each year without prior approval of the County Executive.
3. Prior to incurring any costs on capital projects in excess of \$100,000 included in the 2010 capital budget or carried forward from the 2009 capital budget, departments must receive prior approval of the Personnel and Finance Committee. The requirement for such approval shall cease in the event that first quarter projections indicate that the county will meet its financial goals. In the event that subsequent projections indicate that the county may not meet its financial goals, the requirement shall be reinstated.

**BE IT FINALLY RESOLVED** that the Department of Administration is directed to prepare, in consultation with the Office of the County Board, appropriate narrative information explaining County Board budget related actions, and County Executive veto actions, if any, to be distributed in late 2009 or early 2010, following review and approval by the County Board Chair.

Moved by Supervisor Gau, seconded by Supervisor Schlicht to decrease expenditures and borrowing proceeds \$337,000 for the Land Acquisitions (LWLEGACY 57725). Roll call requested:

AYES: 7 – Bruskewitz, Ferrell, Gau, Jensen, Schlicht, Solberg, and Willett.

NOES: 28 - Bayrd, de Felice, DeSmidt, Downing, Duranczyk, Erickson, Hampton, Hendrick, Hesselbein, Hulsey, Kostelic, Levin, Manning, Matano, Miles, O’Loughlin, Opitz, Richmond, Ripp, Rusk, Salov, Schmidt, Stoebig, Stubbs, Vedder, Veldran, Wheeler, and McDonell.

ABSENT: 2 – Martz, and Wiganowsky.

Motion failed.

Moved by Supervisor Gau, seconded by Supervisor Ferrell to decrease expenditures and borrowing proceeds \$1,000,000 for property acquisition in 2010 (LWCONSRV 57273). Roll call requested:

AYES: 9 – Bruskewitz, de Felice, Ferrell, Gau, Jensen, Salov, Schlicht, Solberg, and Willett.

NOES: 26 – Bayrd, DeSmidt, Downing, Duranczyk, Erickson, Hampton, Hendrick, Hesselbein, Hulsey, Kostelic, Levin, Manning, Matano, Miles, O’Loughlin, Opitz, Richmond, Ripp, Rusk, Schmidt, Stoebig, Stubbs, Vedder, Veldran, Wheeler, and McDonell.

ABSENT: 2 – Martz and Wiganowsky.

Motion failed.

The question before the Board is adoption of Sub. 1 to Res. 146. Roll call requested:

AYES: 27 – Bayrd, de Felice, DeSmidt, Downing, Duranczyk, Erickson, Hampton, Hendrick, Hesselbein, Hulsey, Kostelic, Levin, Manning, Matano, Miles, O’Loughlin, Opitz, Ripp, Rusk, Salov, Schmidt, Stoebig, Stubbs, Vedder, Veldran, Wheeler, and McDonell.

NOES: 8 – Bruskewitz, Ferrell, Gau, Jensen, Richmond, Schlicht, Solberg, and Willett.

ABSENT: 2 – Martz, and Wiganowsky.

Motion carried.

**ORDINANCE AMENDMENTS CREATING OR CHANGING FEES**

**ORD. AMDT. 26, 09-10**

**AMENDING CHAPTER 12 OF THE DANE COUNTY CODE OF ORDINANCES,  
ESTABLISHING A FARMLAND PRESERVATION ZONING CONVERSION FEE**

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

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

ARTICLE 2. Section 12.05(1)(e) is created to read as follows:

12.05 OTHER PERMIT AND REVIEW FEES. (1) The fee for a petition to amend the zoning ordinance in the M-1, C-1, or C-2 districts shall be \$500.00. The fee for a petition to amend the zoning ordinance in all other districts shall be \$350.00. Late Filing Fee: Where work has begun before a permit has been obtained, or where a change in the use of the property has occurred which requires a change in zoning district, or where necessary approvals have not been obtained prior to commencing a change in use, the fee shall be doubled.

[\(e\) The zoning administrator shall collect an additional Farmland Preservation Zoning Conversion Fee of \\$55 per acre when the petition seeks to rezone land that is in the A1-Exclusive Agriculture District or the A-3 Agriculture District.](#)

*[EXPLANATION: This amendment creates a fee for county administration of the State Farmland Preservation Law (Working Lands Initiative) as set forth in WIS STATS. §91.48(b).]*

Zoning & Land Regulation and Personnel & Finance Committees recommended adoption of Ord. Amdt. 26.

The question before the Board was adoption of Ord. Amdt. 26.

Roll call requested:

AYES: 23 – Bayrd, de Felice, DeSmidt, Erickson, Hampton, Hendrick, Hesselbein, Hulsey, Kostelic, Levin, Manning, Matano, Miles, Opitz, Richmond, Rusk, Schmidt, Stoebig, Stubbs, Vedder, Veldran, Wheeler, and McDonell.

NOES: 12 – Bruskewitz, Downing, Duranczyk, Ferrell, Gau, Jensen, O'Loughlin, Ripp, Salov, Schlicht, Solberg, and Willett.

ABSENT: 2 – Martz, and Wiganowsky

Motion prevailed.

**ORD. AMDT. 27, 09-10**

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

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

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

ARTICLE 2. Subsection 12.05(3)(b) is amended to read as follows:

12.05 OTHER PERMIT AND REVIEW FEES. (3)(b) The fee for an application for a conditional use permit for the construction, placement or modification of a communication tower under section 10.194 of this code of ordinances shall be ~~\$1,500.00~~ 3,000.00. Late Filing Fee: Where work has begun before a permit has been obtained or appropriate approvals obtained the fee shall be doubled.

ARTICLE 3. Subsection 12.05(5) is amended to read as follows:

12.05 OTHER PERMIT AND REVIEW FEES. (5) The fee for an appeal to the board of adjustment of an administrator's decision shall be ~~\$165.00~~ 350.00.

[EXPLANATION: This amendment increases the fee for an application for a conditional use permit for communication towers and the fee for an appeal of a zoning administrator's decision.]

Zoning & Land Regulation and Personnel & Finance Committees recommended adoption of Ord. Amdt. 27. Motion carried.

**ORD. AMDT. 28, 09-10**

**AMENDING CHAPTER 62 OF THE DANE COUNTY CODE OF ORDINANCES,  
ADJUSTING FEES CHARGED BY FAMILY COURT COUNSELING SERVICE**

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

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

ARTICLE 2. Subsection 62.13(5) is amended to read as follows:

62.13 FAMILY COURT COUNSELING SERVICE FEES.

(5) For a custody study required by sec. 767.11(14), Wis. Stats., the parties shall pay to the Family Court Counseling Service a fee which shall be determined as follows:

- (a) For parties with combined annual gross incomes of both households of less than ~~\$75,000~~ 60,000 the fee shall be \$500;
- (b) For parties with combined annual gross incomes of both households of at least ~~\$75,000-60,000~~ but less than ~~\$150,000~~ 120,000 the fee shall be \$750;
- (c) For parties with combined annual incomes of both households of ~~\$150,000~~ 120,000 or more the fee shall be \$1,500.

[EXPLANATION: This amendment adjusts the income levels for determination of fees charged by the Family Court Counseling Service for a custody study.]

Public Protection & Judiciary and Personnel & Finance Committees recommended adoption of Ord. Amdt. 28. Motion carried.

**ORD. AMDT. 29, 09-10**

**AMENDING CHAPTER 35 OF THE DANE COUNTY CODE OF ORDINANCES,  
HUBER LAW PRISONER FEES**

Public Protection & Judiciary and Personnel & Finance Committees recommended adoption of Sub. 1 to Ord. Amdt. 29.

**Sub. 1 to ORD. AMDT. 29, 09-10**

**AMENDING CHAPTER 35 OF THE DANE COUNTY CODE OF ORDINANCES,  
HUBER LAW PRISONER FEES**

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

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

ARTICLE 2. Section 35.03 is amended to read as follows:

35.03 HUBER LAW PRISONERS. Each Huber prisoner who is confined in the jail shall be liable for the cost of his or her maintenance and board in the amount of ~~\$47.08~~ 23.79 per day for the period during which he or she is so confined and gainfully employed. The rate shall be reduced by one-half for prisoners employed less than ~~29~~ 30 hours in a week.

ARTICLE 3. NON-CODE PROVISION. The amendments made by Article 2 above shall first take effect on January 1, 2010, or the day after publication, whichever is later.

*[EXPLANATION: This amendment changes the daily rate charged Huber prisoners for maintenance and board and the number of hours worked each week from 20 to 30 when determining the Huber board rate charged for prisoners who work, said amendments to take effect on January 1, 2010. This latter revision is a technical amendment to correct an error whereby two amendments to the same section were adopted previously, the second accidentally cancelling out the first one.]*

The question before the Board was adoption of Sub. 1 to Ord. Amdt. 29. Motion carried unanimously.

**ORD. AMDT. 30, 09-10**

**AMENDING CHAPTER 62 OF THE DANE COUNTY CODE OF ORDINANCES,  
INCREASING THE CREMATION CERTIFICATE FEE**

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

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

ARTICLE 2. Subsection 62.80(1) is amended to read as follows:

62.80 CORONER; FEES FOR CERTAIN SERVICES. Pursuant to section 59.36, Wis. Stats., the Dane County Coroner is authorized to charge the following fees:

(1) a fee of ~~\$485~~ 200 for services rendered in connection with cremation certificates.

*[EXPLANATION: This amendment increases the fee charged by the coroner for cremation certificates by \$15.]*

Public Protection & Judiciary and Personnel & Finance Committees recommended adoption of Ord. Amdt. 30. Motion carried.

**ORD. AMDT. 31, 09-10**

**AMENDING CHAPTERS 45 & 46 OF THE DANE COUNTY CODE OF ORDINANCES,  
REVISING FEES CHARGED FOR ENVIRONMENTAL HEALTH SERVICES**

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

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

ARTICLE 2. Subsection 45.51(1) is amended to read as follows:

45.51 FEE SCHEDULES. (1) The fee for a well siting permit shall be ~~\$79.00~~ 95.00.

ARTICLE 3. Section 46.23 is amended to read as follows:

46.23 FEES. (1) (a) The county fee for each inspection block required for the installation of a POWTS shall be ~~\$443~~ 172. Inspection blocks for POWTS will be assigned according to the following:

1. A POWTS system reconnection, septic tank or pump chamber only, a repair of an existing POWTS system, a process or activity intended to restore the absorptive capacity of the soil treatment or dispersal surface, or similar technologies, requires a 0.71 inspection block for the installation or process inspection.
2. A holding tank, a gravity fed or dosed below grade soil treatment POWTS system that does not include any other treatment or dispersal component, or similar technology, requires one inspection block for the system installation.
3. A POWTS system incorporating pressurized in-ground soil treatment, ~~a drip line effluent dispersal component, or similar technology~~ the repair or reconstruction of an existing mound, requires 2 inspection blocks for the system installation. This subsection shall not apply to a drip line effluent dispersal component.
4. A single pass sand filter, recirculating sand filter, split bed sand filter or similar technology requires ~~3~~ 4 inspection blocks for the system installation.
5. A POWTS system incorporating a pressurized mound, any at-grade mound, a drip line effluent dispersal component, or similar technology, requires 4 inspection blocks for the system installation.
6. A nonpressurized POWTS system incorporating chemical or mechanical treatment or disinfection component(s) with discharge into a soil treatment or soil dispersal component or similar technology requires 2 inspection blocks for the system installation.

7. A system component authorized in Ch. COMM 91, non-plumbing sanitation units (NPSU) or similar technology requires 1 inspection block for installation of the component.
8. A POWTS system that utilizes a technology that is added to the approved system list under s. COMM 83.61 after July 1, 2000 shall require the number of inspection blocks included as part of the approved system design, approved system package or the number of inspection blocks necessary to provide adequate assurance of proper installation as established in procedures approved by the Dane County Board of Health.
9. A POWTS system that incorporates a design for wastewater discharge less than 2,000 gallons per day shall qualify for a county fee equal to the sum of the permit review and processing fee plus the associated inspection block fee.
10. A POWTS system that incorporates a design for wastewater discharge between 2,001 and 12,000 gallons per day shall qualify for a county fee equal to the sum of the permit review fee plus the associated inspection block fee plus one additional inspection block fee for each 2,000 gallon per day increment in wastewater discharge.
- (b)** The county fee for the review and processing of a sanitary permit application shall be assigned according to the following:
  1. The county fee for review and processing of a sanitary permit application for a POWTS system reconnection, septic tank/pump chamber only, repair of existing POWTS system, a holding tank, a gravity fed below grade soil treatment POWTS system that does not include any other treatment or dispersal component, a system component authorized in Ch. COMM 91, non-plumbing sanitation units, or other similar technologies or activities shall be ~~\$102 122~~.
  2. The county fee for review and processing of a sanitary permit application with a POWTS design incorporating a drip line effluent dispersal component, aerobic treatment unit, dosing apparatus not connected to a pressurized distribution network or similar technology shall be ~~\$119 143~~.
  3. The county fee for review and processing of a sanitary permit application with a POWTS design incorporating a pressurized distribution network shall be ~~\$137 164~~.
  4. The county fee for review and processing of a sanitary permit application with a POWTS design incorporating a component claiming nitrate reduction credit, chemical or mechanical sewage treatment credit, sewage discharge disinfection credit or any treatment component that will allow final discharge into soil that is not intended to be part of the final sewage treatment process shall be ~~\$244 257~~.
  5. The county fee for review and processing of a sanitary permit application with a POWTS design incorporating a technology that is added to the approved system list under s. COMM 83.61 after July 1, 2000, shall be ~~\$119 143~~ in addition to the fee for the review and processing category closest to the POWTS design the technology is incorporated into.
  - (2) Fees for the issuance or renewals of sanitary permits shall not be reduced below the sum specified by s. 145.19(2), Wis. Stats., or acts amendatory thereto.
  - (3) There shall be a county fee of \$145 for the transfer of permits under section 46.08(5), when such transfers do not involve any site changes relating to the location of the private sewage system, and for the revision of a sanitary permit due to a change in plumber.
  - (4) There shall be a county fee of ~~\$137 164~~ for the preliminary on-site inspections of soils by the department as provided for in sections 46.10 and 46.45. Fees paid under this subsection shall not be used to reduce or offset the fee for the issuance of any permit under this chapter.
  - (5) There shall be a county fee of ~~\$103 172~~ for any private sewage system inspections or re-inspections which are either not included in the sanitary permit fee or are not specifically required by the plumbing code, or both.
  - (6) There shall be a county fee of \$54 for a verification from the department's files of data relating to water and private sewage systems.
  - (7) There shall be an additional county fee of \$145 for any inspection performed after normal work hours and at the request of any person for whom performed.
  - (8) There shall be a county fee of \$107 for an on-site verification of a private sewage system when requested in connection with securing financing of the subject property.
  - (9) ~~There shall be a The county fee of \$107 for the collection of a water sample for bacteriological analysis shall be \$107 plus the current analysis fee charged by the Department laboratory. to be performed by the state laboratory of hygiene.~~
  - (10) ~~There shall be a The county fee of \$107 for the collection of a water sample for fluoride and nitrate chemical analysis shall be \$107 plus the current analysis fee charged by the Department laboratory. to be performed by the state laboratory of hygiene.~~
  - (11) ~~There shall be a The county fee of \$214 when for all services listed in subsections (8) through (10) above, of sec. 46.23 are requested to be performed at one time. when requested to be performed in one site visit, shall be \$214 plus the current analysis fee charged by the Department laboratory.~~
  - (12) There shall be a county fee of \$26 for the performance of departmental duties required by sec. 46.11(5).
  - (13) There shall be a county fee of \$159 for the application for a Wisconsin Fund grant from the department of commerce.
  - (14) ~~(a) There shall be a county fee of \$95-114 for the revision of a plan an issued sanitary permit that has been reviewed and approved by the division department as part of a sanitary permit application, for which a sanitary permit has been issued. The fee in sub. 46.23(3) shall apply when the revision is due to a change of plumber.~~
  - ~~(b) There shall be a county fee of \$85 for the review of revisions to a previously approved plan that is submitted to the county pursuant to Wis. Admin. Code s. COMM 83.22(1)(c).~~
  - (15) The fee for the review of a holding tank plan shall be as follows:
 

<u>Holding tank capacity:</u>	<u>Fee</u>
0-5,000 gallons	\$ <del>80.00</del> <u>90.00</u>
5,001-10,000 gallons	\$ <del>120.00</del> <u>150.00</u>
more than 10,000 gallons	\$ <del>170.00</del> <u>225.00</u>
  - (16) ~~(a)~~ The fee for review and processing of a plan that is submitted to the county pursuant to Wis. Admin. Code sec. COMM 83.22(1)(c), shall be as follows:

<u>Design wastewater flow</u>	<u>Fee</u>
1,000 gpd or less	\$ <del>195.00</del> <u>250.00</u>
1,001-2,000 gpd	\$ <del>245.00</del> <u>325.00</u>
2,001-5,000 gpd	\$ <del>295.00</del> <u>400.00</u>
<del>more than 5,000 gpd</del>	<del>\$320.00 plus 0.05/gpd</del>

(b) There shall be a fee of \$80 per hour for review and processing of a plan to replace a septic tank, add effluent filters or other pretreatment devices, or otherwise alter an existing system that was approved under Wis. Admin. Code s. COMM 83.22(1)(c).

(17) The fee for the review and processing of an application for an annual septage landspreading permit shall be \$65.

ARTICLE 4. NON-CODE PROVISION. The amendments made by Articles 2 and 3 of this document shall first take effect on January 1, 2010 or the day after publication, whichever is later.

[EXPLANATION: This amendment revises some of the fees charged by the Health Department for Environmental Health services, effective January 1, 2010, or as soon thereafter as adopted.]

Health & Human Needs and Personnel & Finance Committees recommended adoption of Ord. Amdt. 31. Roll call requested:

AYES: 26 – Bayrd, de Felice, DeSmidt, Duranczyk, Erickson, Hampton, Hendrick, Hesselbein, Hulsey, Jensen, Kostelic, Levin, Manning, Matano, Miles, Opitz, Richmond, Rusk, Schmidt, Solberg, Stoebig, Stubbs, Vedder, Veldran, Wheeler, and McDonell.

NOES: 9 – Bruskwewitz, Downing, Ferrell, Gau, O’Loughlin, Ripp, Salov, Schlicht, and Willett.

ABSENT: 2 – Martz and Wiganowsky.

Motion prevailed.

**ORD. AMDT 32, 09-10**

**AMENDING CHAPTER 54 OF THE DANE COUNTY CODE OF ORDINANCES,  
REGARDING PARKING FEES AT THE ALLIANT ENERGY CENTER**

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

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

ARTICLE 2. Section 54.21 is amended to read as follows:

54.21 PARKING REGULATIONS CONTINUED; IMPOSITION OF FEES. (1) There is hereby imposed a fee of ~~\$5.50~~ 6.00 for the entry of a motor vehicle onto Alliant Energy Center grounds.

(2) There is hereby imposed a fee of ~~\$16.50~~ 18.00 for the entry of a bus onto Alliant Energy Center grounds. This fee shall not apply to a bus which does not remain on Alliant Energy Center grounds after discharge of passengers or which enters Alliant Energy Center grounds for the sole purpose of picking up passengers; such buses are fee exempt.

(3) There is hereby imposed a fee of ~~\$5.00~~ 5.50 per day for an exhibitor’s pass. An exhibitor’s pass is a pass issued to a person who is presenting an exhibit at the Alliant Energy Center and shall entitle the holder thereof to bring his or her motor vehicle onto the grounds of the Alliant Energy Center. When authorized by the Alliant Energy Center executive director, an exhibitor’s pass may also be issued to a non-exhibitor for the purpose of allowing the holder admission on the dates specified on the pass.

ARTICLE 3. NON-CODE PROVISION. The effective date of this amendment shall be July 1, 2010 or the day after publication of the adopted amendment, whichever is later.

[EXPLANATION: This amendment increases parking fees at the Alliant Energy Center to take effect on July 1, 2010 or the day after publication of the adopted amendment, whichever is later.]

Public Works & Transportation Committee recommended adoption of Ord. Amdt. 32 with the following amendments: in Article 2 (1) increase fees by \$0.25 to \$5.75; Article 2 (2) change to \$16.75 and Article 2 (3) change to \$5.25.

Personnel & Finance Committee recommended adoption of Ord. Amdt. 32.

Moved by Supervisor Opitz, seconded by Supervisor Hesselbein to adopt Ord. Amdt. 32 as recommended by Personnel & Finance Committee. Motion carried.

The question before the Board was adoption of Ord Amdt. 32. Motion carried.

ORD. AMDT. 33, 09-10

**AMENDING CHAPTER 62 OF THE DANE COUNTY CODE OF ORDINANCES,  
IMPOSING A COUNTY VEHICLE REGISTRATION FEE**

Ord. Amdt. 33 was not before the Board.

ORD. AMDT. 34, 09-10

**AMENDING CHAPTER 62 OF THE DANE COUNTY CODE OF ORDINANCES,  
REGARDING FEES CHARGED BY THE SHERIFF FOR SEIZURE OF PROPERTY OR EVICTIONS**

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

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

ARTICLE 2. Section 62.56 is amended to read as follows:

62.56 SERVICE OF PROCESS FEES. (1) The sheriff shall collect, for each defendant or person served or attempted to be served, a fee of \$40.00 for each service or attempted service of a summons or any other process for commencement of an action, a writ, an order of injunction, a subpoena or any other order. If there is more than one defendant or person at a given address, the sheriff shall collect a fee of \$40.00 for each additional defendant or person served or attempted to be served.

(2) The sheriff shall collect a fee of \$40.00 for each service or attempted service of an execution on a judgment demanding payment thereof or other writ not provided for.

(3) For serving any writ or other process, the sheriff shall collect a fee per hour equal to the actual cost to the County for wages and benefits for a Deputy Sheriff III, Step 4, for each deputy assigned to inventory the property when seizing property on attachment, replevin, execution or evicting on a writ of restitution or writ of assistance, plus all necessary expenses incurred thereby.

~~(34)~~ For travel in serving any summons, writ or other process, including criminal process, the sheriff shall collect a fee at the current Internal Revenue Service rate for deductible costs for operation of an automobile for each mile actually and necessarily traveled.

*[EXPLANATION: This amendment authorizes the Sheriff to charge a fee equal to the actual cost to the County when executing on a writ of restitution or writ of assistance.]*

Public Protection & Judiciary and Personnel & Finance Committees recommended adoption of Ord. Amdt. 34. Roll call requested:

AYES: 27 – Bruskewitz, DeSmidt, Downing, Duranczyk, Erickson, Ferrell, Gau, Hampton, Hesselbein, Hulsey, Jensen, Kostelic, Levin, Miles, O’Loughlin, Opitz, Ripp, Rusk, Schlicht, Schmidt, Solberg, Stoebig, Stubbs, Veldran, Wheeler, Willett, and McDonell.

NOES: 8 – Bayrd, de Felice, Hendrick, Manning, Matano, Richmond, Salov, and Vedder.

ABSENT: 2 – Martz and Wiganowsky.

Motion prevailed.

ORD. AMDT. 37, 09-10

**AMENDING CHAPTER 67 OF THE DANE COUNTY CODE OF ORDINANCES,  
AIRPORT TERMINAL RENT AND LANDING FEES**

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

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

ARTICLE 2. Subsections 67.26(3) and (5) are amended to read as follows:

67.26 LANDING FEES AND SPACE RENTAL.

(3) A non-signatory commercial air carrier leasing exclusive use terminal space at the Airport shall pay an annual base rent of ~~\$32.12~~ 33.09 per square foot, payable in advance in equal monthly installments.

(5) A non-signatory commercial air carrier shall pay the following fees for aircraft landing at the Airport, including transitional landings:

- (a) For landing an aircraft with a Federal Aviation Administration Maximum Certified Gross Landing Weight (GLW) of less than 12,500 pounds: ~~\$28.75~~ 33.63.
- (b) For landing an aircraft with a GLW equal to or greater than 12,500 pounds but less than 30,000 pounds: ~~\$69.00~~ 80.70.
- (c) For landing an aircraft with a GLW equal to or greater than 30,000 pounds but less than 70,000 pounds: ~~\$164.00~~ 188.30.
- (d) For landing an aircraft with a GLW equal to or greater than 70,000 pounds: ~~\$2.30~~ 2.69 per 1,000 pounds of GLW.

ARTICLE 3. NON-CODE PROVISION. The amendments made by Article 2 above are to be effective January 1, 2010, or the day after publication, whichever comes later.

[EXPLANATION: This amendment updates the Airport's terminal space rental rates and landing fee schedule for commercial air carriers effective January 1, 2010.]

Public Works & Transportation and Personnel & Finance Committees and Airport Commission recommended adoption of Ord. Amdt. 37. Motion carried unanimously.

### ORD. AMDT. 38, 09-10

#### AMENDING CHAPTER 46 OF THE DANE COUNTY CODE OF ORDINANCES, REGARDING COLLECTION OF FEES FOR PRIVATE SEWAGE SYSTEM MAINTENANCE PROGRAM

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

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

ARTICLE 2. Section 46.11(5)1. is amended to read as follows:

46.11 INSPECTIONS. (5) 1. The ~~division~~ department shall place all septic tanks on a ~~three-year periodic~~ maintenance program. ~~All private sewage systems including aerobic treatment units or other technology intended to treat wastewater shall be placed on a three-year inspection program cycle appropriate to the component per Ch. COMM 83.54(4), Wisconsin Administrative Code. Pumping reports for holding tanks shall be submitted semi-annually per s. 46.06(5)(b). All other private sewage systems shall be placed on a three-year inspection program in conformance with WIS. ADMIN. CODE s. COMM 83.54(4). Notices of the maintenance due shall be sent by the department to the system owner at least 30 days prior to every triennial anniversary of the due date. (a) of completion of the private sewage system, or (b) for systems in place prior to January 1, 1980, the randomly selected initial inspection date.~~ All such owners, or their successors or assigns, shall demonstrate compliance with this chapter by returning report forms prepared by the ~~division~~ department, or certifications approved by the ~~division~~ department, prior to the due date identified in the notice, duly signed by a person authorized in s. 145.245(3), Wis. Stats., or Ch. COMM 5, Wis. Admin. Code., ~~along with the fee required by sec. 46.23(12).~~

ARTICLE 3. Section 46.23(12) is amended to read as follows:

46.23 FEES. (12) ~~There shall be a county fee of \$26 for the performance of departmental duties required by sec. 46.11(5). Each owner of a private sewage system shall annually be charged a fee of \$8.67 for administration of the inspection programs required by s. 46.11(5). Such fee is authorized by WIS STAT. s. 145.20(4) and will be collected in the same manner that municipalities may make property assessments pursuant to WIS STAT s. 66.0703.~~

ARTICLE 4. Section 46.40 is rescinded.

~~**46.40 GROUNDWATER PROTECTION FUND. (1)** Ten dollars from each fee collected under s. 46.23(12) shall be placed in a segregated account titled Groundwater Protection Fund.~~

~~**(2)** The department is authorized to disburse grants from the fund to persons who replace their failing private sewage systems, subject to the following conditions:~~

~~**(a)** The structure served by the sewage system must be an owner-occupied 1 or 2 family residence;~~

~~**(b)** The grantee must be ineligible for a grant from the State of Wisconsin under s. 145.245, Wis. Stats., unless the amount of the state grant is less than \$750, in which case the grantee may apply for a grant under this section to bring the total of the combined state and county grant to \$750;~~

~~**(c)** Grants shall be limited to a maximum of \$750.00 each with grants awarded to eligible applicants in the order received, provided that any application that cannot be fully funded in the year submitted will be placed on a priority list for funding consideration in the next or succeeding funding cycles;~~

~~**(d)** The owner of the system voluntarily agrees to replacement of the system. A person is ineligible for a grant if the department has referred the failing system to the corporation counsel for legal action due to refusal or neglect on the part of the system owner to voluntarily make the correction;~~

~~**(e)** The grantee has not previously received a grant for the same residence; and~~

~~**(f)** Applications for reimbursement of system replacement costs to Dane County must include evidence of property ownership, evidence of the premises being the primary residence of the owner and evidence that the replacement system has been paid for.~~

~~**(3)** For purposes of this section, grantee includes all eligible owners of the system.~~

~~(4) The program will operate on a funding cycle which begins January 1 and ends December 31 of the succeeding year. Eligibility for funding is determined as of the calendar year in which the replacement system is approved by the department. The grant application must be made in the same or succeeding calendar year in which the determination of failure is made.~~

ARTICLE 5. Section 46.42 is rescinded.

~~46.42 WELL ABANDONMENT GRANT PROGRAM. (1) In this section, (a) Abandonment costs include materials and labor involved in the abandonment of a malfunctioning well.~~

~~(b) Eligible owner means the owner of a property served by a well that has been determined to be a malfunctioning well.~~

~~(c) Formal enforcement action is commenced with the earlier of issuance of a citation or a written referral to the corporation counsel.~~

~~(d) Malfunctioning well means a private well which is the subject of a written determination by a county sanitarian that the well does not meet the minimum standards of the applicable State of Wisconsin regulations. The term also includes an unused, unsafe or non-complying well.~~

~~(e) Properly abandoned means the act of permanently sealing off or removing a well when performed by a licensed well driller, pump installer or other person with demonstrated knowledge of abandonment requirements and proficiency in performing well abandonments. Persons other than licensed individuals must be approved in advance in writing by the division. All well closures and removals must be performed in accordance with applicable State of Wisconsin regulations.~~

~~(2) There is hereby created a program to provide financial assistance to eligible owners for the proper abandonment of malfunctioning wells.~~

~~(3) Eligible owners will receive 75% of the abandonment costs up to a maximum of \$350.00.~~

~~(a) A grant will not be made if formal enforcement action has been commenced against an otherwise eligible owner.~~

~~(4) Owners of malfunctioning or unused wells that are eligible for reimbursement through the Dane County Land Conservation Office are not eligible for grants under this section.~~

~~(5) Owners of wells located in the city of Madison are not eligible for this program.~~

~~(6) Applicants for grants under this section must submit evidence of compliance with the following eligibility criteria:~~

~~(a) A copy of the property ownership document as recorded at the Dane County Register of Deeds Office;~~

~~(b) A copy of the invoice marked "paid in full" from the individual that performed the abandonment work; and~~

~~(c) A copy of the properly completed well abandonment report in compliance with Wisconsin Administrative Code chapter NR 812.~~

~~(7) Grants shall be awarded to eligible applicants in the order received, provided that any application that cannot be fully funded in the year submitted will be placed on a priority list for funding consideration in the next of succeeding funding cycles.~~

ARTICLE 6. NON-CODE PROVISION. The amendments made herein shall first take effect on January 1, 2010, or the day after publication, whichever comes later.

*[EXPLANATION: This amendment revises the method of collecting fees associated with private sewage system inspections and provides for collecting fees as a special assessment on tax bills. It also abolishes the Groundwater Protection Fund and the Well Abandonment Grant Program, all to take effect January 1, 2010.]*

Health & Human Needs and Personnel & Finance Committees recommended adoption of Ord. Amdt. 38. Roll call requested:

AYES: 25 – Bayrd, de Felice, DeSmidt, Downing, Duranczyk, Erickson, Hampton, Hendrick, Hesselbein, Hulsey, Kostelic, Levin, Manning, Matano, Miles, Opitz, Richmond, Rusk, Schmidt, Stoebig, Stubbs, Vedder, Veldran, Wheeler, and McDonell.

NOES: 10 – Bruskwitz, Ferrell, Gau, Jensen, O'Loughlin, Ripp, Salov, Schlicht, Solberg, and Willett.

ABSENT: 2 – Martz, and Wiganowsky

Motion prevailed.

**ORD. AMDT. 41, 09-10**

**AMENDING CHAPTER 62 OF THE DANE COUNTY CODE OF ORDINANCES,  
REGARDING FEES FOR DEFERRED PROSECUTION PROGRAM**

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

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

ARTICLE 2. Section 62.30 is amended to read as follows:

62.30 FEES; DISTRICT ATTORNEY'S DEFERRED PROSECUTION PROGRAM. (1) For each consecutive 30-day period during which a person participates in the deferred prosecution program the participant shall pay a fee as follows:

- (a) Participants having an annual gross income of \$50,000 or more shall pay a fee of ~~\$26.25~~ 30.00;
  - (b) Participants having an annual gross income of less than \$50,000 shall pay a fee of ~~\$24.00~~ 25.00;
  - (c) Notwithstanding the foregoing, a participant who is in the deferred prosecution program due to a retail theft charge shall pay a fee of ~~\$45.75~~ 25.00.
- (2) The fees established in this section may be waived by the director of the deferred prosecution program upon the director's determination of financial need.

Personnel & Finance and Public Protection & Judiciary Committees recommended adoption of Ord. Amdt. 41. Motion carried unanimously.

**ORD. AMDT. 42, 09-10**

**AMENDING CHAPTER 70 OF THE DANE COUNTY CODE OF ORDINANCES,  
INCREASING FEES AT THE DANE COUNTY PARKING RAMP CONSISTENT WITH THE 2010 BUDGET**

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

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

ARTICLE 2. Subsection 70.05(1) is amended to read as follows:

70.05 PARKING METERS, TIME AND RATES. (1) Parking meters shall be placed at each stall and shall be set at the rate of ~~\$1.25~~ \$1.50 per hour for all meters. All meters shall be operable on quarters, dimes and nickels.

ARTICLE 3. NON-CODE PROVISION. The amendment made by Article 2 shall first take effect on January 1, 2010 or the day after publication, whichever is later.

*[EXPLANATION: This amendment increases the hourly rate charged to park in the Dane County Parking Ramp to conform to the 2010 budget.]*

Personnel & Finance and Public Works & Transportation Committees recommended adoption of Ord. Amdt. 42. Motion carried.

**RESOLUTION SETTING THE TAX LEVY**

**RES. 147, 09-10**

**SETTING THE 2009 TAX LEVY**

The County Board of Supervisors may, according to law, levy certain taxes each year as follows:

<u>Tax Levy</u>	<u>Levied to</u>
State Tax	Entire County
County Taxes	
State Special Charges	Entire County
Bridge Aid	All Towns and the City of Monona
Highway	Entire County
County Library	All towns; the Villages of Blue Mounds, Brooklyn, Cottage Grove, Dane, Maple Bluff, Rockdale, Shorewood Hills; and the City of Fitchburg.
Board of Health	Entire County except the City of Madison

**NOW, THEREFORE, BE IT RESOLVED** that the State Taxes in conformity thereto, be levied in the amount of \$8,796,541.71 for State Forestation Tax on the taxable property of Dane County as provided in Section 70.58 f the Wisconsin Statutes.

**BE IT FURTHER RESOLVED** that County Taxes in conformity thereto:

1. \$93,400 be levied for County Bridge Aid on the taxable property of Dane County, exclusive of all villages and cities in the County which have never received County Bridge Aid except as otherwise provided in Sections 81.38 of the Wisconsin Statutes.

2. \$4,474,282 be levied for a County Library Tax on the taxable property of Dane County, exclusive of those towns, villages or cities which have filed a written application for exemption from a County Library Tax as provided in Section 43.64 of the Wisconsin Statutes.
3. \$4,891,358 be levied for a County Board of Health on the taxable property of Dane County exclusive of those towns, villages and cities having a full-time Health Department as provided in Section 140.09(11) of the Wisconsin Statutes.
4. Taxes be levied on the taxable property of Dane County as follows:
 

A. \$ -44,421	for State Special Charges
B. \$ 5,177,879	for Highway
C. \$114,083,721	County Taxes

Summary:

Gross County Taxes		\$ 169,964,228
Gross Tax Rate Per \$1,000		\$ 3.37
County Sales Tax Applied		\$ 40,143,843
Net Proposed County Property Taxes	\$ 129,820,385	
State Aid – Exempt Computers	\$ 1,099,745	
Net Required County Property Taxes	\$ 128,720,640	
Net Tax Rate Per \$1,000		\$ 2.55

Personnel & Finance Committee recommended adoption of Res. 147. Roll call requested:

AYES: 21 – Bayrd, de Felice, DeSmidt, Duranczyk, Erickson, Hendrick, Hesselbein, Hulsey, Kostelic, Levin, Manning, Matano, Opitz, Rusk, Schmidt, Stoebig, Stubbs, Vedder, Veldran, Wheeler, and McDonell.

NOES: 14 – Bruskewitz, Downing, Ferrell, Gau, Hampton, Jensen, Miles, O’Loughlin, Richmond, Ripp, Salov, Schlicht, Solberg and Willett.

ABSENT: 2 – Martz and Wiganowsky.

Motion prevailed.

**ADJOURNMENT**

Moved by Supervisor de Felice, seconded by Supervisor Erickson, to adjourn to Thursday, November 19, 2009, at 7:00 p.m., or at the call of the Chair. Motion carried unanimously at 10:56 p.m.