

## Chapter 2. GENERAL GOVERNMENT AND ADMINISTRATION

Note: Ordinance 07-18 was adopted by the County Board on 08-14-2018 to repeal and recreate Chapter 2 as indicated below.

### GENERAL GOVERNMENT

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  - (g) Land Conservation and Forest Management Committee.
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  - (b) Board of Adjustment.
  - (c) County Traffic Safety Commission.
  - (d) Health and Human Services Board.
  - (e) Housing Authority Commission.
  - (f) Indianhead Federated Library System Representatives.
  - (g) Land Conservation and Forest Management Committee.
  - (h) Land Information Council.
  - (i) Local Emergency Planning Committee.
  - (j) Nutrition Advisory Council on Aging.
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(a) Appointment and term.  
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**GENERAL GOVERNMENT****ARTICLE I. IN GENERAL****Sec. 2-1. Open meetings.**

- (a) Declaration of policy. Meetings of all units of county government shall be held in places reasonably accessible to members of the public and shall be open to all persons at all times unless otherwise provided by law.
- (b) Adherence to state law. All units of county government shall adhere to the Open Meeting Law as set forth in Wis. Stats. §§ 19.81--19.98.
- (c) Special accommodations. The county is committed:
- (1) To ensuring equal opportunity of access to its facilities, programs and activities.
  - (2) To providing appropriate language to persons with limited ability to read, speak or understand English.
  - (3) To providing readers for persons with visual impairments.
  - (4) To providing literature, audio-visual and posted information in formats which are understandable to persons with hearing or visual impairment.
  - (5) To providing access to meeting rooms and facilities for those with special physical needs.
  - (6) To providing special assistance for persons with developmental or learning disabilities.
- (d) Special accommodations notice requirement. To further this policy, the following statement shall be included in all county units of government meeting notices required by Wis. Stats. § 19.84. Each unit posting such a notice shall include therein a contact person's name and telephone number as set forth in the following:

Chippewa County shall attempt to provide reasonable special accommodations to the public for access to its public meetings, provided reasonable notice of special need is given. If special accommodations for a meeting are desired, contact the County Clerk's Office at (715)726-7980.

**Sec. 2-2. Courthouse hours.**

All offices in the county courthouse and annex shall generally be staffed and open to the public from 8:00 a.m. to 4:30 p.m. of each day that the courthouse is open.

**Sec. 2-3. Official newspaper designated.**

The County Board designates *The Chippewa Herald*, Chippewa Falls, Wisconsin, as the official newspaper for publishing notices under Wis. Stats. §§ 985.04--985.06.

**Sec. 2-4. Jury commissioners' per diem compensation.**

The per diem compensation for jury commissioners shall be set by separate resolution.

**Sec. 2-5. Self-organized status.**

The County shall act in accordance with Wis. Stats. § 59.10 and any and all existing and future amendments, revisions, or modifications thereto as a self-organized county, effective upon passage and publication and the filing of a certified copy of the ordinance from which this section is derived with the Secretary of State.

**Sec. 2-6. Department of Administration**

In accordance with Wis. Statutes § 59.52 (1)(b) the county shall exercise its authority to incorporate a Department of Administration under the supervision and direction of the County Administrator. The following divisions shall be incorporated into the Department: Corporation Counsel Division, Criminal Justice Services Division, Facilities and Parks Division, Finance Division, Human Resources Division and Information Technology Division.

(Ord. No. 11-19, 11-12-2019)

Secs. 2-7--2-30. Reserved.

**ARTICLE II. PUBLIC RECORDS**

**Sec. 2-31. Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

- (a) *Authority* means any of the following having custody of a record: an office, elected official, agency, board, commission, committee, council, department or public body corporate and politic created by constitution, law, ordinance, rule or order; or a formally constituted subunit of the foregoing.
- (b) *Record* means any material on which written, drawn, printed, spoken, visual or electromagnetic information is recorded or preserved, regardless of physical form or characteristics, which has been created or is being kept by an authority. The term "record" includes, but is not limited to, handwritten, typed or printed pages, maps, charts, photographs, films, recordings, tapes (including computer tapes), and computer printouts. The term "record" does not include drafts, notes, preliminary computations and like materials prepared for the originator's personal use or prepared by the originator in the name of a person for whom the originator is working; materials which are purely the personal property of the custodian and have no relation to his office; materials to which access is limited by copyright, patent or bequest; and published materials in the possession of an authority other than a public library which are available for sale, or which are available for inspection at a public library.

**Sec. 2-32. Legal custodians.**

- (a) An elected official is the legal custodian of their records and the records of their office, but the official may designate an employee of their staff to act as the legal custodian.
- (b) Unless otherwise prohibited by law, the clerk or designee shall act as legal custodian for the County Board and for any County Board committees. The clerk shall have prior consultation with

the chair of each respective committee regarding any record, or parts thereof, he has reason to believe should not be made available to the public.

- (c) For every authority not specified in subsections (a) or (b) of this section, the authority's chief administrative officer is the legal custodian for the authority, but the officer may designate an employee of his staff to act as the legal custodian.
- (d) Each legal custodian shall name a person to act as legal custodian in his absence or the absence of his designate. This section does not apply to members of the County Board.
- (e) The designation of a legal custodian does not affect the powers and duties of an authority under this section.

### **Sec. 2-33. Procedural information.**

Pursuant to Wis. Stats. § 19.34, and the guidelines therein listed, each authority shall adopt, prominently display and make available for inspection and copying at its offices, for the guidance of the public, a notice containing a description of its organization and the established times and places at which the legal custodian from whom and the methods whereby, the public may obtain information and access to records in its custody, make requests for records or obtain copies of records and the costs thereof. This section does not apply to members of the County Board.

### **Sec. 2-34. Separation of information.**

If a record contains information that may be made public and information that may not be made public, the authority having custody of the record shall provide the information that may be made public and delete the information that may not be made public from the record before release. Each authority shall consult with the Corporation Counsel before releasing any information under this section.

### **Sec. 2-35. Access to records; fees**

- (a) Statutory authorization. The rights of any person who requests inspection or copies of a record are governed by the provisions and guidelines of Wis. Stats. § 19.35(1).
- (b) Copier regulations. Each authority shall provide any person who is authorized to inspect or copy a record which appears in written form pursuant to Wis. Stats. § 19.35(1)(b) or any person who is authorized to and requests permission to photograph a record the form of which does not permit copying pursuant to Wis. Stats. § 19.35(1)(f), with facilities comparable to those used by its employees to inspect, copy and abstract the record during established office hours. An authority is not required by this subsection to purchase or lease photocopying, duplicating, photographic or other equipment or to provide a separate room for the inspection, copying or abstracting of records.
- (c) Fees.
  - (1) Each authority shall impose a fee upon the requester of a copy of a record which may not exceed the actual, necessary and direct cost of reproduction and transcription of the record, unless a fee is otherwise specifically established or authorized to be established by the law.



- (2) Each authority shall impose a fee upon the requester of a copy of a record for the actual, necessary and direct cost of photographing and photographic processing if the authority provides a photograph of a record, the form of which does not permit copying.
  - (3) Except as otherwise provided by law or as authorized to be prescribed by law, an authority shall impose a fee upon a requester for locating a record, not exceeding the actual, necessary and direct cost of location.
  - (4) Each authority shall impose a fee upon a requester for the actual, necessary and direct cost of mailing or shipping of any copy or photograph of a record which is mailed or shipped to the requester.
  - (5) An authority may provide copies of a record without charge or at a reduced charge where the authority determines that waiver or reduction of the fee is in the public interest.
  - (6) Each authority may require prepayment by a requester of any fee or fees imposed under this subsection if the total amount exceeds \$5.00.
- (d) Response and procedures. Each authority, in acting upon a request for any record, shall respond within the times and according to the procedures set out in Wis. Stats. § 19.35(4).

**Sec. 2-36. Fees for Child Support Services in Non IV-D Cases.**

- |     |                                    |                            |
|-----|------------------------------------|----------------------------|
| (a) | Printed Payment History            | \$35.00 per request.       |
| (b) | Certified Copy of Payment History  | \$35.00 per year requested |
| (c) | Send Out Income Withholding Order  | \$35.00 per request.       |
| (d) | Credit Account for Direct Payments | \$35.00 per request.       |

**Sec. 2-37. Fee for Providing Copies of Child Support Payment Records**

- (a) A fee of \$5.00 per year per case requested shall be paid by the requestor for all requests for copies of Child Support payment records.
- (b) All attorneys making requests for these payment records shall provide a copy of the Notice of Retainer to the Child Support Agency before copies of the payment records will be provided.

Secs. 2-38—2-49. Reserved.

## COUNTY BOARD OF SUPERVISORS

**ARTICLE I. SUPERVISORY DISTRICTS**

One supervisor shall be elected from each supervisory district, commencing with the spring election of 2012. The 15 supervisory districts described in this section shall be in effect for each succeeding county supervisory election until changed by ordinance or state statute.

District		Population
1.	Towns of Birch Creek, Cleveland, Lake Holcombe, Sampson, and all of the Town of Bloomer, excepting an area laying west of State Hwy 40 and south of 210 <sup>th</sup> Ave., and east of County Hwy F; also excepting an area laying west of County Hwy F and south of 200 <sup>th</sup> Ave., continuing west as State Hwy 64, and also excepting an area bounded by the town line of Auburn, 220 <sup>th</sup> Ave., 75 <sup>th</sup> St. 215 <sup>th</sup> Ave., 78 <sup>th</sup> St., and 80 <sup>th</sup> St., running south to State Hwy 64.	4,135
2.	Towns of Arthur, Colburn, Estella, and Ruby, and Wards 1-4, City of Cornell	4,009
3.	Towns of Auburn, Cooks Valley and Howard, Village of New Auburn, a portion of the Town of Woodmohr laying south of County Hwy SS, the city limits of Bloomer, and 170 <sup>th</sup> Ave., and a portion of Eagle Point laying north of 145 <sup>th</sup> Ave., continuing west as County Hwy Y and then running north on State Hwy 124, then west on 155 <sup>th</sup> Ave., to the town line.	4,203
4.	Wards 1-4, City of Bloomer, a portion of the Town of Woodmohr laying north of County Hwy SS, then city limits of Bloomer, and 170 <sup>th</sup> Ave., and a portion of Town of Bloomer laying west of County Hwy F and south of 200 <sup>th</sup> Ave., continuing west as State Hwy 64, an area laying west of State Hwy 40, south of 210 <sup>th</sup> Ave., and east of County Hwy F, and an area bounded by the town line of Auburn, 220 <sup>th</sup> Ave., 75 <sup>th</sup> St., 215 <sup>th</sup> Ave., 78 <sup>th</sup> St., and 80 <sup>th</sup> St. running south to State Hwy 64.	4,094
5.	Town of Delmar and City of Stanley	4,538
6.	Towns of Anson and Goetz, a portion of Town of Lafayette laying north and east of a line described as follows: 40 <sup>th</sup> Ave., west from the Town of Sigel line, then north on County Hwy K to the Canadian National Railroad, then west to 190 <sup>th</sup> St., then north to 70 <sup>th</sup> Ave., then west to 185 <sup>th</sup> St., then north to 75 <sup>th</sup> Ave., then west to 180 <sup>th</sup> St., then north to end of road.	4,219
7.	Town of Wheaton, and all of Town of Tilden excepting the area south and east of County Hwy S and 110 <sup>th</sup> St.	3,973
8.	Towns of Edson and Sigel, Village of Boyd, Village of Cadott, and a portion of Town of Lafayette consisting of Sections 21, 28, and 33 of T28N, R7W.	4,166
9.	Town of Hallie, Town of Lafayette excepting Sections 21, 28 and 33 of T28N, R7W, and excepting an area laying north and west of 40 <sup>th</sup> Ave., from the Town of Sigel line and running north on County Hwy K to the Canadian National Railroad then west to 190 <sup>th</sup> St., then north to 70 <sup>th</sup> Ave., then west to 185 <sup>th</sup> St., then north to 75 <sup>th</sup> Ave., then west to 180 <sup>th</sup> St., then north to end of road, and excepting an area laying north of County Hwy J, west of County Hwy X and J intersection.	4,208
10.	That portion of the Village of Lake Hallie laying south and east of the Canadian National Railroad except an area laying west and south of the following line 111 <sup>th</sup> St., south to 20 <sup>th</sup> Ave., east to 112 <sup>th</sup> St. south to 16 <sup>th</sup> Ave., northeast to 115 <sup>th</sup> St., then south to city limits to Eau Claire.	4,288
11.	Wards 16, 40 and 41, City of Eau Claire, that portion of the Village of Lake Hallie north and west of the line roughly marked by the Canadian National Railroad, also an area laying west and south of the following line 111 <sup>th</sup> St., south to 20 <sup>th</sup> Ave., east to 112 <sup>th</sup> St., south to 16 <sup>th</sup> Ave., northeast to 115 <sup>th</sup> St., then south to the city limits of Eau Claire.	4,142
12.	Wards 6 and 7, City of Chippewa Falls, a portion of the Town of Lafayette laying north of County Hwy J west of the County Hwy X and J intersection.	4,226
13.	Wards 2 and 3, City of Chippewa Falls, a portion of the Town of Tilden south and east of County Hwy S and 110 <sup>th</sup> St.	3,947

District		Population
14.	Wards 4 and 5, City of Chippewa Falls, a portion of the Town of Eagle Point laying east of County Hwy I and County Hwy S and running north of Chippewa Falls and laying south of said areas.	4,201
15.	Ward 1, City of Chippewa Falls, Town of Eagle Point excepting the area laying north of 145 <sup>th</sup> Ave., continuing west as County Hwy Y, and then running north on State Hwy 124, then west on 155 <sup>th</sup> Ave., to the town line, and also excepting the area laying to the east of County Hwy I and County Hwy S running north of Chippewa Falls and all of the Town of Eagle Point laying south of said areas.	4,066

## ARTICLE II. THE COUNTY BOARD

### Sec. 2-50. Role.

The role of the County Board is to set the strategic mission and priorities for the County, establish the general policies by which the County is guided in its management of County affairs, consider and act upon resolutions and ordinances, provide financial oversight and build community relationships in support of the mission and priorities. The County Board appoints the County Administrator and monitors the County Administrator's management of the daily operations and implementation of policy.

### Sec. 2-51. Powers.

The County Board may exercise any of the powers conferred on it by the laws of the State of Wisconsin in accordance with the Chippewa County Code of Ordinances and the County Board Rules and Procedures contained herein.

### Sec. 2-52. Attendance, Absences, Vacancies and Removal.

- (a) Attendance. Supervisors are expected to attend all County Board meetings and all committee, board or commission meetings to which they are assigned. Citizen members are expected to attend all committee, board or commission meetings to which they are assigned.
- (b) Absences. If a Supervisor or citizen member is unable to attend such meetings, they are expected to notify the County Clerk or the respective Chair of the absence at least three hours prior to the start of the meeting. This will allow time to contact the County Board Chair to attend as the ex officio member in case he/she is needed to secure a quorum. Telephone or video conference appearances shall not be allowed. All absences should be noted in the minutes of the meeting.
  - (1) Attendance to be tracked. In addition to tracking attendance at County Board meetings, the County Clerk shall also track attendance at the following committee, board or commission meetings: Agriculture & Extension Committee, Economic Development Committee, Executive Committee, Facilities & Parks Committee, Highway Committee, Legal & Law Enforcement Committee, Planning and Zoning Committee, ADRC Board, Health & Human Services Board, Land Conservation & Forest Management Committee, and Veterans Service Commission.
  - (2) Report of absences. The Chair of any committee, board or commission shall report the name of any Supervisor who accumulates three consecutive absences or five total absences within a year from properly noticed committee, board or commission meetings to the County Clerk. The County Clerk shall provide a report to the County Board Chair of

any member of the County Board who accumulates three consecutive absences or five total absences within any 12 month period from County Board, committee, board or commission meetings.

- (3) Action taken to address absenteeism. The County Board may, consistent with the requirements of Wisconsin law, take whatever action it deems appropriate with respect to a person who has three consecutive absences or five total absences within any 12 month period from County Board, committee, board or commission meetings. Such action may include censure, suspension, or removal from the County Board, committee, board or commission.
  - (4) County Administrator authority to address absenteeism. The County Administrator shall recommend action to be taken to address absenteeism, pursuant to subsection (3), for any County Board Supervisor member of any statutory committee, board or commission listed in subsection (1), if the absenteeism criteria in subsection (2) is met. That recommendation shall be subject to County Board approval.
- (c) Supervisor vacancies. If a vacancy occurs on the County Board, the County Board Chair shall seek candidates in the district in which the vacancy exists by publishing a notice of the vacancy in the newspaper and taking other steps as needed to inform citizens of the vacancy and asking for applicants. The County Board Chair shall review the applicants and recommend an appointment to be confirmed by the full County Board.
- (1) Qualifications. The County Board Chair shall appoint, subject to County Board confirmation, a person who is a qualified elector and resident of the supervisory district in which the vacancy exists.
  - (2) Term of office. The person appointed shall serve for the remainder of the unexpired term, including any committee, board or commission assignments. In the event the County Board Chair does not appoint a person to fill the unexpired term within 60 days of the vacancy, the County Board Chair shall explain to the County Board why no such appointment/nomination has been made.
- (d) Vacancy of County Board Chair or County Board Vice-Chair. In the event a vacancy in the office of Chair or Vice-Chair occurs due to resignation, death, or other cause, a new Chair or Vice-Chair shall be elected to fulfill the unexpired term of office, as soon as practicable, pursuant to the election procedures set out for the Organizational Meeting of the County Board in § 2-60(a)(3)c.
- (e) Removal. Any member of the County Board, subunit or other governmental body of the County may be removed for cause as provided in Wisconsin Statutes §§ 17.10 and 17.14.

(Ord. No. 13-19, 01-14-2020)

## **Sec. 2-60. Meetings of the County Board.**

- (a) Meetings. The meetings of the County Board of Supervisors shall be as provided in Wis. Stats. § 59.11, to transact the general business of the County.
  - (1) Evening meetings. The meetings of the County Board shall convene at 6:00 p.m., unless otherwise scheduled by the Chair.

- (2) Annual meeting. The annual meeting of the County Board shall commence on the Tuesday after the second Monday of November of each year pursuant to s. 59.11(1)(a), Wis. Stats. When the day of the meeting falls on November 11, the meeting shall be held on the next succeeding day. The annual meeting may be rescheduled by prior resolution of the County Board.
- (3) Organizational meeting. The Organizational Meeting of the County Board shall be held on the third Tuesday in April pursuant to sec. 59.11(1)(c), Wis. Stats. In County Board Supervisor election years, the initial business of the meeting shall be the elections of a Chair and Vice-Chair and the three at large members of the Executive Committee.
- a. The Corporation Counsel shall call the Organizational Meeting to order and preside over the meeting until a Chair is elected, at which time the Chair shall preside over the meeting.
  - b. The Chair and Vice-Chair shall be elected to two-year terms, which shall run from supervisory election to supervisory election and in no event shall any term overlap a supervisory election.
  - c. The elections of the Chair and Vice-Chair shall be held by secret ballot. The County Clerk shall collect and keep the voted ballots in a safe place and shall show the voted ballots to any person upon request. Two Supervisors who were not nominated for the position of Chair or Vice-Chair shall assist the Clerk in collecting and tabulating the ballots and shall attest to the final results.
  - d. Following the election of the Chair and Vice Chair, an election for the three at large members of the Executive Committee shall be held as set out in Sec. 2-82(c).
  - e. The Organizational meeting shall be adjourned for two days to the following Thursday to allow the County Board Chair, in consultation with the Vice-Chair, and the County Administrator to determine committee, board and commission appointments. The final list of appointments shall be presented to the County Board for approval at the adjourned Organizational Meeting.
- (4) Special meeting. A special meeting of the board shall be held in accordance with Wis. State § 59.11(2). Upon a written request of a majority of the supervisors delivered to the clerk, specifying the time and place of the meeting. The time shall not be less than 48 hours from the delivery of the request. Upon receiving the request the clerk shall immediately provide notice to each supervisor of the time and place of the meeting. Any special meeting may be adjourned by a vote of a majority of all the supervisors. A special meeting may also be called by the Chair as set forth in sub. (5) below.
- (5) Emergency meeting. An emergency meeting may be called by the County Board chairman by notifying the County Clerk to contact the County Board supervisors and the media according to Wis. Statute § 19.84.
- (b) Officers. At the Organizational Meeting, the County Board shall elect a chair and first vice-chair who, in absence or disability of the chair, shall perform all the duties of the chair.

- (c) *Powers and duties of chair.* The chair shall have the powers and duties under Wis. Stats. Ch. 59 and as set forth below:
- (1) The chair shall preserve order and decide questions of order subject to an appeal of the Board and shall vote on all questions taken by ayes and nays, except on appeals from his own decision.
  - (2) The Chair shall preside over County Board meetings in an efficient and effective manner and shall set the general tone of the meeting through positive leadership.
  - (3) The Chair shall ensure that the County Board and individual Supervisors act consistently with the County Board's Rules and Policies adopted by the County Board.
  - (4) The Chair shall maintain impartiality when presiding over County Board meetings.
  - (5) The Chair shall set the agenda for the County Board meetings and shall direct the County Clerk on what items are to appear on the agendas.
  - (6) The Chair shall have the authority to change County Board meeting dates and times, if necessary and at the Chair's discretion.
  - (7) The chair shall be an ex officio member of all standing committees and may meet and deliberate in the meetings. The chairperson shall have the power to vote only when present in order to form a quorum and only until such time as a quorum of the committee members is present.
  - (8) The Chair may represent or may assign a designee to represent Chippewa County at all ceremonial events or functions when attendance is requested.
  - (9) The Chair shall authorize County Board Supervisor attendance for compensation at a meeting for which the Supervisor is not a member or for which the Chair requests attendance on behalf of Chippewa County.
  - (10) The Chair shall recommend, subject to County Board approval, candidates to fill vacancies on the County Board.
  - (11) The Chair shall appoint all members of county standing committees and the chairs and vice chairs of those committees during County Board reorganization. The Chair shall also have the authority to remove members of standing committees, subject to County Board approval.
- (e) *Order of business.* The order of business for regular monthly County Board meetings shall be as follows:
- I. CALL TO ORDER
  - II. PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE
  - III. ROLL CALL
  - IV. APPROVE THE AGENDA
  - V. MEMBERS OF THE PUBLIC WISHING TO BE HEARD  
(Comments from the public will be limited to five minutes per speaker.)

- VI. CONSENT AGENDA  
(Unless separation of an item is required, all will be adopted in one motion.)
1. Approve Minutes
  2. County Board Chair Appointments
  3. County Administrator Appointments
  4. Amendatory Zoning Ordinance

VII. REPORTS

VIII. BUSINESS ITEMS

1. Resolutions
2. Ordinances (1<sup>st</sup> and 2<sup>nd</sup> readings)
3. Policies (1<sup>st</sup> and 2<sup>nd</sup> readings)

IX. COMMUNICATION

1. Petitions, claims and communication
2. Correspondence items

X. AGENDA ITEMS FOR FUTURE CONSIDERATION

XI. ADJOURN

(f) Exceptions to reading at length. Every subject matter that shall come before the Board shall be read at length except:

- (1) Claims.
- (2) Petitions may be read by title only if County Board members have numbered copies of such petition.
- (3) Ordinances and resolutions, and all zoning ordinances, may be read by title only if County Board members have numbered copies thereof and provided those documents are read consistent with Secs. 2-70(a)(4) and 2-70(b)(4).
- (4) Any member shall have the right to call for the reading of any of the exceptions in subsection (f) of this section in full, but such request shall be supported by a majority vote of the members present.
- (5) A motion to hold a written ballot vote may be called for on any issue by any member of the Board. If the motion is seconded, a majority vote of the County Board members present shall be required to hold a vote by ballot. Each voting member's signature is required on his ballot so the vote may be recorded; otherwise, the ballot is invalid. After votes are recorded, each member's vote shall be announced.

(g) Prefiling requirements.

- (1) Filing date. All documents, including resolutions, ordinances and petitions, to be acted upon by the County Board shall be filed in the office of the County Clerk before 12:00 noon on the Wednesday preceding the regularly scheduled County Board meeting. The chair may grant leave to hear the matter if same has not been timely filed provided the requirements of Wis. Stats. § 19.84 have been met.

- (2) Fiscal impact. All resolutions and ordinances that require or may require the expenditure of funds may be filed with the County Clerk only if a fiscal impact statement including funding source is prepared and attached thereto. Such fiscal impact shall be shown for the current budget year as well as the subsequent budget year. If there is no fiscal impact it shall be so stated. Prior to filing a resolution or ordinance that contains a fiscal impact, both the policy committee and the finance director shall review and verify the amounts there stated.
- (h) Withdrawal of motion. After a motion is stated by the presiding officer, or a resolution is read by the clerk, it shall be deemed in possession of the Board. A motion may be withdrawn or altered at any time by the author of the motion with the consent of the Board before a decision of the Board thereon is announced.
- (i) Voting. The ayes and nays shall be ordered upon any question involving the appropriation of moneys or directing the drawing of orders on the county treasurer or at the request of any member and the clerk shall call the roll in alphabetical order starting with the supervisor making the motion for adoption.
- (j) Motion to reconsider. When a question has once been decided, whether in the affirmative or negative, it shall be in order for any member who voted in the majority or, when the Board is evenly divided, for any member who voted in the negative, to move for a reconsideration at the same meeting and if a reconsideration, the subject shall be before the Board for further action. A motion to reconsider being brought and defeated shall not be renewed.
- (k) Limit for speaking on question. No member shall speak more than twice on any question until all members who desire to speak have been heard. Such member shall then obtain leave of the chair and, in speaking, shall confine himself to the question under consideration and avoid all personalities.
- (l) Motion to excuse a member from voting. All motions to excuse a member from voting shall be made before calling ayes and nays on the question pending and any member wishing to be excused from voting shall make a brief verbal statement of the reason for making such request and the question shall then be taken without further notice.
- (m) Claims.
- (1) Any person having a demand or claim against the county shall make such demand or claim by following the procedure prescribed by Wis. Stats. § 59.64 and shall make out a statement thereof in writing pursuant to Wis. Stat. §59.07 and file the statement with the clerk pursuant to Wis. Stat. §893.80 (1)(b).
- (2) Such claims shall be referred to the Corporation Counsel. The County Clerk shall report at the next session of the Board all claims filed in the Clerk's Office since the last County Board meeting, as set out in Wis. Stat. §59.64.
- (3) Payment of claim against county. The Executive Committee is authorized to settle claims not to exceed \$10,000 as provided in Wis. Stats. §59.52(12)(a). The Corporation Counsel is authorized to settle claims not to exceed \$500 as provided for in Wis. Stats. §59.52(12)(b). When any claim against the county is allowed by the Board, it shall be the duty of the clerk to prepare a warrant or order on the treasurer for payment of the claim, such warrant or order to be signed by the clerk and countersigned by the Administrator.



- (n) Ordinance adoption. All ordinances introduced to the Board, except amendatory zoning ordinances which change zoning districts, shall have a first reading and be held over to the next ensuing meeting for a second reading and motion for adoption unless a suspension of this rule is granted.
- (o) Citizens addressing the Board. Citizens may address the Board or any committee on any subject with permission of the body. All citizens addressing the Board shall give their name and organization affiliation, if any, and shall limit their comments to five minutes unless the chair grants an extension.
- (p) Closed sessions. The County Board or any committee may go into closed session as part of its meeting agenda pursuant to one of the exceptions listed in Wis. Stats. § 19.85. The County Board or committee shall follow the following procedures when convening into closed session:
- (1) A supervisor or committee member shall make a motion, consistent with the listed agenda item, to move into closed session. The motion shall also include the names of all individuals that will be allowed to attend the closed session. If a second to that motion is made, a roll call vote shall be taken and if a majority of the members present support the motion, the body shall then convene into closed session. Prior to moving into closed session, the Chair shall announce in open session those individuals that will be allowed to attend the closed session.
  - (2) The minutes from the closed session shall include those members in attendance as well as the time that the County Board or committee convened into closed session and the time that the body convened back into open session. In addition, the minutes shall also include any motions made and the votes taken on those motions.
- (q) Rules of order. Robert's Rules of Order, Newly Revised, shall govern the proceedings of the Board in all cases where they are not inconsistent with these rules or law.

(Ord. No. 02-19, 02-19-2019; Ord. No. 10-19; 09-10-2019; Ord. No. 05-20, 03-10-2020)

**Secs. 2-61—2-69. Reserved.**

**Sec. 2-70. Business of the County Board.**

- (a) Resolutions. All proposed resolutions shall be provided to the Corporation Counsel for drafting and/or review. The Corporation Counsel shall input all resolutions into the agenda management software and initiate the workflow for review prior to committee, board or commission review.
- (1) All resolutions shall be submitted to the appropriate committee, board or commission for review and input prior to submission to the County Board, unless the County Board Chair authorizes the placement of a resolution directly on the County Board agenda. A two-thirds (2/3) vote of the members present must vote to suspend the rules before the resolution placed on the agenda by the County Board Chair is discussed or voted on by the County Board.
  - (2) All resolutions shall be accompanied by a Statement of Explanation.
  - (3) All resolutions shall contain a statement of the effect and/or fiscal impact of the resolution as set forth in Sec. 2-60(g)(2).

- (4) The Title and the "Resolved" portions of the resolution shall be read for consideration at the County Board meeting, unless reading of the entire resolution is requested by a majority of the Supervisors present.
- (b) Ordinances. All proposed ordinances or ordinance amendment shall be provided to the Corporation Counsel for drafting and/or review. The Corporation Counsel shall input all ordinances into the agenda management software and initiate the workflow for review prior to committee, board or commission review.
- (1) All ordinances or ordinance amendments shall be submitted to the appropriate committee, board or commission for review and input prior to submission to the County Board.
- (2) All ordinances and ordinance amendments shall be accompanied by a Statement of Explanation.
- (3) All ordinances and ordinance amendments shall contain a statement of the effect and/or fiscal impact of the ordinance as set forth in Sec. 2-60(g)(2).
- (4) For consideration of an ordinance or ordinance amendment, the ordinance title and subject matter shall be read, unless reading of the entire ordinance is requested by a majority of the Supervisors present.
- (c) Board action final. Action of the County Board on all resolutions, ordinances and petitions or other matters coming before it is final and is to remain in force until changed by vote of the Board and no committee of the Board has any authority vested in it to take any action not authorized by a vote of the County Board.
- (d) Public notice.
- (1) In addition to the requirements of Wis. Stats. § 19.84, notice of all meetings of all county governmental bodies shall be:
- a. Posted on notice board located on the first floor of the county courthouse.
  - b. Filed with the clerk's office.
  - c. Posted on the county website.
  - d. Provided to all members of the governmental board, committee or commission.
- (2) The notices shall be given at least 24 hours prior to the commencement of such meeting unless for good cause such notice is impossible or impractical, in which case shorter notice may be given, but in no case may the notice be provided less than two hours in advance of the meeting.
- (3) The notices shall contain the following language informing the public of possible unanticipated quorums: "Members of the Chippewa County Board of Supervisors who are not members of this committee are entitled to attend this meeting. It is possible that the attendance of one or more such nonmember Supervisors may create a quorum of some other County Board committee, board or commission. Such a quorum is unintended and the nonmember Supervisors are not meeting for the purpose of

exercising the responsibility, authority, power, or duties of any other committee, board or commission."

- (4) The notices shall contain the following language informing the public of accommodations for those with special needs. "Chippewa County shall attempt to provide reasonable special accommodations to the public for access to its public meetings, provided reasonable notice of a special need is given. If special accommodations for a meeting are desired, contact the County Clerk's Office, at (715)726-7980."

(Ord No. 02-19, 02-19-2019)

**Sec. 2-71. Board salary, per diem, mileage and expense reimbursement.**

- (a) County Board Supervisors. Board salary, per diem and expense reimbursement shall be as follows:

(1) Salary.

- a. Chair: \$400.00 per month plus per diem and mileage.
- b. First vice-chair: \$100.00 per month plus per diem and mileage.
- c. Board members: \$70.00 per month plus per diem and mileage.

(2) Per diem. \$35.00 per meeting.

- a. Only regularly scheduled meetings and other meetings as defined in subsection (c) of this section when requested to attend by the committee chair or County Board chair shall qualify for per diem. Supervisors shall be paid \$70.00 per diem for days in which they attend two or more meetings in one day. Per diem slips must be signed by the committee chair or County Board chair. Per diem slips shall be audited by the County Clerk or designee pursuant to guidelines promulgated by the executive committee. Any per diem slips not filled out completely or that do not conform to the Executive Committee guidelines, shall be sent back to the committee chair or County Board chair to be reviewed and completed before payment shall be authorized.
- b. If a County Board member must attend two scheduled meetings of different committees on the same day, and if the meetings are morning and early afternoon, a noon meal is an allowable cost, according to subsection (b)(3)a.
- c. Meetings. A meeting for purposes of receiving per diem and mileage shall be defined as:
  1. The convening of a standing or special committee, board or commission of the County Board as set forth in sections 2-31, 2-393 and 2-31(d) or a subcommittee thereof for duly authorized purposes pursuant to Wis. Stats. ch. 19 and the rules of the County Board wherein an agenda is published, a quorum is present and regular business is conducted.
  2. Any meeting of any other entity where the County Board Chair authorizes attendance at the meeting by a supervisor as a representative

of the county. The per diem slip for those meetings shall be approved and signed by the County Board chair.

- d. Per diem limitation. Per diem compensation to County Board members shall be limited as follows: Board members attending any County Board committee meetings of which they are not members shall not be entitled to per diem unless the attendance is as chair of the County Board, chair of an interested County Board committee, or the chair's designee. This limitation shall apply to all regular and special meetings of County Board committees and specifically shall apply to members appearing before the executive committee in budget matters.

(3) Mileage and expense reimbursement.

County Board Supervisors are entitled to reimbursement for expenses incurred for reasonable, necessary and actual travel and lodging expenses incurred in the performance of authorized official duties and as set forth below. All expense reimbursement requests shall be made using County reimbursement forms supported by written receipts documenting the expenses incurred. The completed reimbursement request forms shall be submitted to the County Clerk for reimbursement within 30 days of the qualifying event.

- a. Qualifying events. Events that qualify for expense reimbursement are those out-of-county conventions, seminars, and like meetings in which a County Board Supervisor has received prior approval by the County Board Chair to attend.
- b. Out-of-state travel. All out-of-state travel and mode of transportation at county expense shall have the prior approval of the County Board Chair. If air travel is the approved mode of transportation, that air travel shall be coordinated by the County Clerk in a prudent and fiscally responsible manner. Any frequent flyer award, discount, or rebate derived from air travel shall be the property of the County.
- c. Use of County owned vehicles. County Board Supervisors are encouraged to use County owned vehicles for out-of-county travel. Use of those vehicles shall be coordinated by the County Clerk and be consistent with the Vehicle Fleet Policy.
- d. Use of personal vehicles for County business. County Board Supervisors shall be reimbursed for the use of their personal vehicles for qualifying events out-of-county. Mileage reimbursement shall be made at the rates established by the County Administrator for use of personal vehicles by County employees.
- e. Reimbursement for vehicle parking and storage costs while attending qualifying events out-of-county shall be allowed in addition to the mileage allowance.
- f. Traffic violation expenses are not reimbursable.

- (4) Meals. Reimbursement for meal expenses while attending a qualifying event out-of-county shall be allowed and as set forth below. All meal expense reimbursement requests shall be made using County reimbursement forms supported by written receipts documenting the expenses incurred. The completed reimbursement request forms shall be submitted to the County Clerk for reimbursement within 30 days of the qualifying event.

- a. Reimbursement shall be at the rates set by the State of Wisconsin.
  - b. If a County Board Supervisor is required to eat more than one meal, the Supervisor shall be allowed reimbursement for the total of the meals with the total being split among the meals at the Supervisor's option.
  - c. Meal expense claims may only be made for meals purchased outside the county, except in the case of county sanctioned meetings/events that received prior approval by the County Board Chair.
  - d. Any amount requested for reimbursement that is in excess of the maximum amount allowed shall be accompanied by a full explanation of such expenses and must be approved by the County Board Chair.
- (5) Lodging. All lodging arrangements for County Board Supervisors attending qualifying events shall be coordinated by the County Clerk in a prudent and fiscally responsible manner.
- (6) Registration fees. All required registration fees for County Board Supervisors attending qualifying events shall be coordinated and paid by the County Clerk.
- (b) Citizen members. Citizen members appointed to serve on committees, boards and commissions shall be entitled to per diem of \$35.00 per meeting attended unless the citizen member formally waives the right to collect the per diem or the citizen member receives compensation from the individual's place of employment or from the committee, board or commission for attending the meetings.
- (c) Expense Reimbursement. County Board Supervisors are entitled to reimbursement for expenses incurred for reasonable, necessary and actual travel and lodging expenses incurred in the performance of authorized official duties as set out in Sec. 2-356.

(Ord No. 02-19, 02-19-2019)

Secs. 2-72—2-80. Reserved.

### **ARTICLE III. BOARDS, COMMISSIONS AND COMMITTEES.**

#### **Sec. 2-81. County Board Standing Committees enumerated.**

The following committees of the County Board are authorized pursuant to Wis. Stats. § 59.13(1). The purpose and duty of each committee shall be to act as an advisory and policy oversight body for their respective departments. Members of the following standing committees, except for the Executive Committee, shall be County Board members appointed by the County Board Chair in consultation with the Vice-Chair. The Executive Committee membership shall consist of the County Board Chair and the Vice Chair with three at large Supervisors being elected by the County Board during the County Board Organizational Meeting as set out in Sec. 2-60(3). The frequency of meetings shall be as indicated or at the discretion of the committee chair.

- (a) Agricultural and Extension (bi-monthly meetings).
- (b) Economic Development (quarterly meetings).

- (c) Executive (twice monthly meetings).
- (d) Facilities and Parks (bi-monthly meetings).
- (e) Highway (monthly meetings).
- (f) Legal and Law Enforcement (bi-monthly meetings).
- (g) Planning and Zoning (monthly meetings).

(Ord. No. 09-19; 09-10-2019; Ord. No. 10-19; 09-10-2019)

#### **Sec. 2-82 County Board Standing Committees, Roles and Duties.**

All standing committee board chairs shall, at the first regular meeting, establish a regular meeting date and time with due consideration given to the scheduling conflicts, including working hours of each member and the County Administrator. Notification of these regular meeting dates shall be placed on file in the office of the County Clerk and the County Administrator.

Each of the committees in this section shall consist of five County Board members. The first supervisor named shall be the chair and the second supervisor named shall be the vice-chair of that committee. No supervisor shall chair more than one of the standing committees listed in this section.

- (a) The Agriculture & Extension Committee provides policy oversight to the UW Extension Department as set forth in Wis. Stats. § 59.56(b).
- (b) The Economic Development Committee (EDC) provides policy oversight of the county economic development activities including the county owned business parks. In addition, it is the liaison group for coordinated activities with the Chippewa County Economic Development Corporation (CCEDC), the Chippewa County Tourism Council and the Chippewa Valley Regional Airport.
- (c) The Executive Committee shall consist of five County Board Supervisors including the County Board Chair, the Vice-Chair and three at large members. The three at large members shall be elected by the County Board Supervisors at the County Board Organizational Meeting held in County Board Supervisor election years. All nominations for the at large members shall be made from the floor. After the list of nominations is closed, each Board Supervisor shall vote by paper ballot for up to three supervisors from the nomination list. Those Supervisors receiving a majority, equivalent to more than half of the number of Supervisors present, shall be elected to the committee. Successive ballots shall be held to fill any remaining positions following the same procedure as above. If a tie should result to fill the third slot, a final ballot will be held to break the tie.

No quorum of any other standing committee shall be created by the membership of the Executive Committee.

Pursuant to County Board Resolution 30-09, the duties of the Executive Committee are as follows:

- (1) Provide leadership for the implementation of the County's Strategic Plan.
- (2) Provide leadership of the Implementation of the County's Strategic Plan core strategies.
- (3) Proactively identify County policy development needs.

- (4) Request the County Board Chairperson assign requests for any policy development to the appropriate Committee(s).
  - (5) Identify the need for short-term task forces to address policy formation recommendations and to fulfill the committee's duties and responsibilities.
  - (6) Establish County Board policy goals and monitor the success of the County Board policy implementation, reporting the results to the County Board.
  - (7) Provide leadership for the development of a biennial County Administrator plan of work, and consult in the completion of the plan. Monitor progress on an ongoing basis and conduct an annual performance review and a biennial survey.
  - (8) Participate in the selection of a County Administrator, and recommend a candidate for County Board approval. Recommend to the County Board appropriate contract and compensation considerations.
  - (9) Monitor the County Boards adherence to and progress in implementing its rules and procedures. Appoint a taskforce to update the County Board rules every two years.
  - (10) Consult with the County Board Chairperson regarding the content and structure of the County Board meeting agendas.
  - (11) Provide leadership for the allocation of County resources by major County function.
  - (12) Perform additional duties as assigned by the County Board Chairperson.
  - (13) Provide policy oversight to the Department of Administration in the areas of Administration, Corporation Counsel, Criminal Justice Services, Finance, Human Resources, and Information Technology, provide supervision of the County Administrator, and provide policy oversight of the offices of the County Clerk, Treasurer, Register of Deeds, and Veterans Service.
- (d) The Facilities & Parks Committee provides policy oversight to the Facilities & Parks Division of the Department of Administration.
- (e) The Highway Committee provides policy oversight to the Highway Department as set forth in Wis. Stats. § 83.015(1)(a).
- (1) Condemnation and relocation.
 

The Board of Supervisors authorizes the county highway committee under Wis. Stats. § 32.05(1), to issue relocation orders as needed for the public purposes listed in Wis. Stats. Ch. 32.
  - (2) Use of county gravel by towns.
    - a. Permission required. Before any gravel may be taken from the several piles of crushed gravel of the county Highway Department for the use of the town or residents therein, the chair of the town shall obtain the permission to take the gravel from the highway commissioner.

- b. Highway department to load. No gravel may be taken from the several piles of crushed gravel of the county highway department under any circumstances unless such gravel to be taken is loaded by the county Highway Department.

(3) Access to county highway right-of-way.

Pursuant to Wis. Stats. § 86.07(2) the County Board of Supervisors authorizes the county Highway Department to permit the following activities on county trunk highway right-of-way. In addition, permit and application fees as set forth in this section shall be established by the Highway Committee and assessed by the county Highway Department to offset the cost involved in the permit or application review. All necessary permits are to be obtained prior to the occurrence of the associated activities.

- a. Access driveways. A permit shall be obtained from the county Highway Department for all new driveways/accesses or modifications of existing access onto the county trunk highways. The county Highway Department shall assess a fee of \$50.00 for each driveway permitted.
- b. Public and private road access. A permit shall be obtained from the county Highway Department for all new public or private road access on to county trunk highways. The county Highway Department shall assess a fee of \$300.00 for each public and private road access permitted
- c. Work in right-of-way permit. A permit shall be obtained from the county Highway Department for any type of private work to be performed within the Chippewa County right-of-way. There shall be no fee for this permit.
- d. Utilities. The county Highway Department shall issue permits for the construction or alteration of utility facilities on county trunk highway right-of-way. The county Highway Department shall assess fees for utility permits according to the following schedule:

Utility Activity	Fee
First service installation	\$80.00
First 200 feet of run parallel to centerline of right-of-way	80.00
Additional service installations	60.00
Each additional 1000 feet of run parallel to centerline of right-of-way	60.00

- (4) Over-sized load permit. A permit shall be obtained from the county Highway Department anytime a load is moved on county trunk highways which is above statutory limitations for width, height, or weight. The county Highway Department shall assess a fee for \$20 for each single-trip permit issued and \$100 for each annual permit issued.
- (5) Application fee for new ATV/UTV routes on county highways. The fee for an application for a new ATV/UTV route on a county highway, made pursuant to §58-39, shall be \$100 and shall be included with the application. The fee shall cover the costs of the initial review and approval of the application by the Highway Department, as well as any future reviews of the designated route.



- (f) The Legal and Law Enforcement Committee provides policy oversight to the following departments: Sheriff's Department, Emergency Management, Child Support, Register in Probate, District Attorney, Crime Victim Witness and Clerk of Courts. One member of the committee shall also serve on the CJCC Council and Steering Committee. The Legal and Law Enforcement Committee shall act as the county emergency management committee as set out in § 22-4.
- (g) The Planning & Zoning Committee provides policy oversight to the Planning & Zoning Department including land records and GIS responsibilities as set forth in Wis. Stats. § 59.69(2). A member of the Land Conservation and Forest Management Committee shall be a member of the Planning and Zoning Committee and a member of the Planning and Zoning Committee shall also be a member of the Land Conservation and Forest Management Committee.

(Ord. No. 06-18, 08-14-2018; Ord. No. 03-19, 02-19-2019; Ord. No. 10-19, 09-10-2019; Ord. No. 11-19, 11-12-2019; Ord. No. 07-20, 06-09-2020)

**Sec. 2-83. Statutory Committees, Commissions and Boards enumerated.**

Where a statute provides the Board of Supervisors appoints or elects a board, committee or commission, the administrator per Wis. Stat. § 59.18(c) shall have that authority, subject to confirmation by the Board of Supervisors. Where a statute provides the Board of Supervisors appoint or elect a committee or other subunit of county government specifically not including a board or commission, the Board chair shall prepare and present at the meeting to appoint the list of the nominated members of committees as chosen by the chair in consultation with the 1<sup>st</sup> Vice-Chair. The chair shall then present the list of committees to the board for approval. All nominees must satisfy all qualifications or standards prescribed by statute. This section does not apply to single position appointments or elections.

The County Administrator as provided in Wis. Stats. § 59.18(c) shall appoint the members of all statutory commissions and boards, subject to confirmation of the county board, as follows:

- (a) Aging and Disability Resource Center Board (bi-monthly meetings)
- (b) Board of Adjustment (meetings as needed)
- (c) County Traffic Safety Commission (quarterly meetings)
- (d) Criminal Justice Collaborating Council (quarterly meetings)
- (e) Health and Human Services Board (monthly meetings)
- (f) Housing Authority Commission (quarterly meetings)
- (g) Indianhead Federated Library System Representatives (monthly meetings)
- (h) Land Conservation and Forest Management Committee (monthly meetings)
- (i) Land Information Council (meetings as needed)
- (j) Local Emergency Planning Committee (five meetings per year)
- (k) Nutrition Advisory Council on Aging (quarterly meetings)
- (l) Veterans Service Commission (bi-monthly meetings)

(Ord. 02-20; 03-10-2020)

**Sec. 2-84. Statutory Committees, Commissions and Board Roles and Duties.**

*Meetings.* All statutory board chairs shall, at the first regular meeting, establish a regular meeting date and time with due consideration given to the scheduling conflicts, including working hours of each member and the County Administrator. Notification of these regular meeting dates shall be placed on file in the office of the County Clerk and the County Administrator.

(a) Aging and Disability Resource Center Board.

(1) *The Aging and Disability Resource Center Board is established, pursuant to Wis. Stat. § 46.283(6) and shall be a subcommittee of the Health and Human Services Board.*

(2) *Definitions.*

- a. "ADRC Board" means the Aging and Disability Resource Center Board.
- b. "ADRC" means the Aging and Disability Resource Center.
- c. "Older individuals" means individuals 60 years of age or over.

(3) *ADRC Board composition, appointment and tenure.* The ADRC Board shall consist of 7 members appointed by the County Administrator, 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 3 of the members shall be older persons or persons with physical or developmental disabilities or their family members, guardians for other advocates. All members shall serve a term of 3 years from the 3<sup>rd</sup> Tuesday of April and 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:

- a. 6 citizen members.
- b. 1 member of the County Board of Supervisors who shall also be a member of the Health and Human Services Board.
- c. Members shall be chosen on the basis of recognized ability and demonstrate an interest in services for older persons or persons with physical or developmental disabilities. No person shall be appointed who has a conflict of interest as determined by state law or regulations or by county ordinance. No member of the ADRC Board may have any direct or indirect financial interest in a managed care organization.

(4) *Organization and by-laws.*

- a. The County Administrator 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 following their

election until their respective successors are elected and qualified. All succeeding terms shall be for one year.

- b. The ADRC Board shall meet as the members determine or the chair directs. A majority of the full ADRC Board shall constitute a quorum. The ADRC Board may appoint sub-committees, or advisory committees consisting of either members or non-members or both, to encourage community involvement and carry out the purposes and objectives of the ADRC Board.
- c. 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.

(5) *The ADRC Board shall have the following responsibilities:*

- a. Be accountable for the mission and goals of the ADRC.
- b. Oversee development of a mission statement for the organization that is consistent with the goals of the ADRC.
- c. Determine the policies of the ADRC within state guidelines and local governance.
- d. Identify unmet needs and develop strategies to address them.
- e. Assure input from consumers, service providers, and local constituents in general in the policies, practices and goals of the ADRC.
- f. Represent the interests of all target groups served by the ADRC.
- g. Serve as a grievance committee after other local steps to resolve concerns about the ADRC have proved unsuccessful.
- h. If proposed statutory language changes are adopted, designate members to participate in a regional long term care council that will have quality oversight responsibilities for managed long-term care programs in its service area.
- i. Make an annual report of its activities to the County Board.
- j. To carry out such additional responsibilities as may from time to time be authorized by the County Board.
- k. To act as the commission on aging.

(b) Board of Adjustment.

The Zoning Board of Adjustment shall consist of seven members, including five voting members and two alternates, appointed by the administrator and confirmed by the County Board with duties as prescribed by Wis. Stats. § 59.694 and Sections 55-13 and 70-35 of this code.

(c) County Traffic Safety Commission.

- (1) *Composition.* The County traffic safety commission as set forth in Wis. Stats. §83.013, shall consist of nine members appointed by the county administrator and approved by the County Board.
- (2) *Chair.* The chair of County Traffic Safety Commission shall be elected annually by commission members.
- (3) *Meetings.* Meetings of the County Traffic Safety Commission shall be as follows:
  - a. The County Traffic Safety Commission shall appoint a secretary to keep a record of attendance, minutes and official proceedings.
  - b. The County Traffic Safety Commission shall develop a meeting schedule that includes a minimum of four meetings per year.
- (4) *Responsibilities and duties.* The County Traffic Safety Commission shall:
  - a. Secure voluntary coordination and re-enforcement of highway safety activities conducted by the political subdivisions of the county in the functional areas of:
    1. Drivers education.
    2. Codes and laws.
    3. Traffic courts.
    4. Alcohol in relation to highway safety.
    5. Identification and surveillance of accident locations.
    6. Traffic records.
    7. Emergency medical services.
    8. Highway design, construction and maintenance.
    9. Traffic control devices.
    10. Pedestrian safety.
    11. Police traffic services.
    12. Debris hazard control and cleanup.
    13. School bus safety.
    14. Pupil transportation safety.
  - b. Review and develop a written statement of highway needs in the functional areas listed in subsection (d)(1) of this section and develop immediate priorities and long range goals for highway safety improvements.

- c. Advise the County Board and its various committees on highway safety matters.
  - d. Maintain liaison with highway safety programs carried on by the cities of the county and related state functions conducted in the county.
  - e. Serve as an advisory body to the county highway safety coordinator for the purpose of developing local actions necessary to implementing projects under the Federal Highway Act of 1966.
  - f. Cooperate with nonofficial organizations and groups in developing and conducting public information programs directed to highway safety improvements.
  - g. Develop procedures for periodic review of local highway safety improvement programs.
- (5) *Committees and study groups.* The commission may establish special study groups and subcommittees necessary to meet its responsibilities as outlined in this section.

(d) Criminal Justice Collaborating Council

The Criminal Justice Collaborating Council was formed by the County Board under Resolution 13-12. The Council was created to provide coordinated leadership to establish and foster innovation in policy, programming and operational decision-making for adult and juvenile offenders within the Chippewa County criminal justice system, while also ensuring a balance between offender accountability, rehabilitation and re-entry with community safety and victims' rights. The Council shall work with the Criminal Justice Services Director to fulfill the duties of that position as outlined in Sec. 2-224 of these Ordinances.

The Council holds no legal authority to order changes to Chippewa County's criminal justice system, but may bring about changes through consensus by the participating agencies and branches. The Council reviews and makes recommendations to the County Administrator for review, implementation or revision. Such recommendations may include, but not be limited to the creation, elimination or modification of programs, policies, procedures and budgets that reflect the Chippewa County criminal justice system mission. These recommendations may be brought to the Executive Committee for consideration by the County Administrator.

- (1) *Director.* The Criminal Justice Services (CJS) Director develops and coordinates the planning and implementation of the CJCC initiatives and activities under the direction of the CJCC Steering Committee. The CJS Director shall attend all Council and Steering Committee meetings and is a non-voting member.
- (2) *Membership.* The Council shall consist of the members listed below. All members, except the citizen members, shall be permanent appointments to the Council, unless removed for cause. The citizen members shall be appointed by the County Administrator to serve 2 year terms. The Council members include the following:
  - a. Presiding Judge for Chippewa County or Designee
  - b. County Administrator
  - c. County Sheriff or Designee
  - d. Jail Administrator or Designee
  - e. Juvenile Court Intake Representative

- f. Chief of Police – Chippewa Falls or Designee
- g. Chief of Police – Outlying Community or Designee
- h. District Attorney or Designee
- i. Representative of the State Public Defender Office
- j. Clerk of Circuit Court or Designee
- k. Department of Corrections Supervisor for Chippewa County or Designee
- l. Director of Chippewa County Department of Human Services or Designee
- m. Child Support Director or Designee
- n. County Board Supervisor
- o. Up to three Citizen Members

(3) *Meetings.* Meetings of the Council shall be held on a quarterly basis (May, August, November and February). The Council shall elect a Chair and Vice Chair at the first meeting of the Council following the reorganizational meeting of the County Board in April of County Board Supervisor election years.

(4) *Steering Committee.* The Criminal Justice Collaborating Steering Committee shall consist of the Chair, Vice-Chair, the County Board supervisor representative to the Council, and the County Administrator. Any member of the Council may attend and participate in CJCC Steering Committee meetings. The CJCC Steering Committee shall meet on a quarterly basis (July, October, January and April) and be responsible for developing agendas and ensuring sufficient preparation for Council meetings.

(e) Health and Human Services Board.

(1) *Membership.*

- a. The Health and Human Services Board shall be composed of 9 members appointed by the County Administrator and subject to the confirmation by the County Board including 5 Supervisors and 4 citizen members who are not Supervisors or employees of the County.
- b. The citizen members shall have a demonstrated interest or competence in Human Services, Public Health or community health and at least 1 of the 4 citizen members shall be an individual who receives or has received Human Services or shall be a family member of such an individual.
- c. A good faith effort shall be made to appoint a registered nurse and a physician and the Health and Human Services Board shall reflect the diversity of the community.
- d. No public or private provider of services may be appointed to the Health and Human Services Board. Health care providers shall be exempt from this subsection unless they provide direct services paid by Chippewa County.

(2) *Terms.*

- a. Members of the Health and Human Services Board shall serve for terms of 3 years, so arranged that as nearly as practicable, the terms of 1/3 of the members shall expire each year.
- b. Vacancies shall be filled in the same manner as the original appointments.

- (3) *The Health and Human Services Board shall act as the policy oversight board for the following departments:*
- a. Department of Human Services; and
  - b. Department of Public Health.
- (4) *Duties and Powers of the Health and Human Services Board:*
- a. Functions as the county human services board and is responsible for providing program oversight of the Human Services Department pursuant to Wis. Stats., §§ 46.23(3)(b)2.c. and 46.23(5m), and § 34-1 of this Code.
  - b. Responsible for developing policies and authorizing direction and planning for the delivery of all human services and Wis. Stats., §§ 51.42 51.437, services that meet the physical and mental health, social and economic needs of individuals and families within the County; reviews the coordinated plan and budget; sets priorities on program operations within the funding mechanisms provided by federal, state, and county governments.
  - c. Functions as the county Board of Health and is responsible for the policy oversight of the Public Health Department with the powers and duties as set forth in Wis. Stats. § 251.04, incorporated herein by reference.
- (f) Housing Authority Commission.
- (1) *Appointment and term.* The appointment, qualifications and tenures of the county housing commissioners are prescribed in Wis. Stats. § 66.1201. Pursuant to statute, five persons shall be appointed commissioners. No commissioner may be connected in any official capacity with any political party nor shall more than two be officers of the county. The term of office shall be five years. Commissioners shall receive no compensation for services but shall be entitled to necessary expenses, including traveling expenses. The County Administrator shall make the appointment, with confirmation by the Board. (Code 1980, § 1.28(1))
  - (2) *Powers and duties.* As authorized by Wis. Stats. § 59.53(22), the powers and duties set forth in Wis. Stats. §§ 66.1201--66.1211 are conferred upon the county housing authority.
- (g) Indianhead Federated Library System.
- Chippewa County is a member of the Indianhead Federated Library System, which was formed pursuant to Wis. Stat. §43.11, Wis. Stats. A County Board member and a citizen shall be appointed by the County Administrator, subject to County Board approval, to represent Chippewa County on the IFLS Board for three year terms.
- (h) Land Conservation and Forest Management Committee.
- The composition and powers and duties of the Land Conservation and Forest Management Committee are set forth in Wis. Stats. §§ 59.70(19), 92.06, 92.07 and 28.11. Members of the committee shall be appointed by the County Board. A member of the committee shall also be a member of the Planning and Zoning Committee and a member of the Planning and Zoning Committee shall also be a member of this committee.

(i) Land Information Council.

(1) *Composition.* The Chippewa County Land Information Council shall consist of the Register of Deeds, the Treasurer, and the Real Property Lister or their designees and the following members appointed by the Board of Supervisors for terms prescribed by the Board of Supervisors:

- a. A member of the board.
- b. A representative of the Land Information Office.
- c. A realtor or a member of the Realtors Association employed within the county.
- d. A public safety or emergency communications representative employed within the county.
- e. The County Surveyor or a registered professional land surveyor employed within the county.
- f. Any other members of the Board of Supervisors or public that the Board of Supervisors designates.

(2) *Appointment and Term.*

- a. The terms of the non-county employee members of the Chippewa County Land Information Council appointed by the County Administrator and confirmed by the Chippewa County Board of Supervisors shall be for a period of two years.
- b. The terms of service on the Land Information Council for any members appointed by the County Administrator, who are also county employees, shall be indefinite until changed by the County Board.

(j) Local Emergency Planning Committee.

The Local Emergency Planning Committee is a federal requirement for each county under the Emergency Planning and Community Right-to-Know Act. The requirements are outlined in the Federal Register; 40 CFR 301 and 302. The committee's focus is hazardous materials and, by state statute, it typically is the reviewing entity for expenses related to chemical releases [Wis. Stats. secs. 323.60(3) and 323.71(5)]. The committee also serves informally as a community relations board for emergency services.

(k) Nutrition Advisory Council on Aging.

(1) The Nutrition Advisory Council on Aging is established to advise the nutrition director in the Aging and Disability Resource Center (ADRC) on all matters relating to the delivery of nutrition and nutrition supportive services within the program.

(2) The Council shall have the following roles and responsibilities:

- a. Make recommendations to the Nutrition Program Coordinator regarding the food preference of participants.



- b. Make recommendations to the Nutrition Program Coordinator and the aging unit regarding days and hours of dining center operations and locations.
- c. Make recommendations to the Nutrition Program Coordinator regarding dining center furnishings with regard to disabled or handicapped participants.
- d. Conduct a yearly on-site review of each dining center in the program.
- e. Advise and make recommendations to the Nutrition Program Coordinator and aging unit regarding supportive social services to be conducted at dining centers.
- f. As an organized group, give support and assistance to the ongoing development of the nutrition program.
- g. Represent and speak on behalf of nutrition participants and the nutrition program.
- h. As a liaison group, act as a communications clearinghouse between the nutrition program and the general public.

(3) *Membership and Structure.* More than one-half of the council membership shall consist of nutrition program participants elected as dining center representatives and shall include representation from home-delivered meal recipients. The remaining council membership should provide for broad representation from public and private agencies who are knowledgeable and interested in the senior dining and home-delivered-meal program. The seven voting members of the Council shall be appointed by the County Administrator. The four consumer members of the Council shall be appointed for two year terms. The non-consumer members shall be permanent members of the Council. The Council shall be composed of the following membership:

- a. Bloomer Congregate Diner meal recipient.
- b. Home delivered meal recipient from the Romeis meal routes.
- c. At large meal recipient.
- d. Home delivered meal recipient from Chippewa Falls.
- e. Chippewa Falls Senior Center Director.
- f. ADRC Board Member.
- g. Nutritionist

(4) *Meetings.* The council shall meet as often as is useful and practical, but no less than quarterly. The Nutrition Program Coordinator shall facilitate the meetings. Meetings shall be open, with notices posted in accordance with the Open Meetings Law and minutes shall be kept for all nutrition advisory council meetings. Records shall be maintained for at least three years.

(5) *Bylaws.* The bylaws of the Council shall be developed by the Council at the initial meeting of the Council. The bylaws may be amended from time to time by a 60% vote of the membership or at least six members voting to approve the amendment.

(I) Veteran's Service Commission.

(1) *Composition.* The veteran's service commission shall consist of 5 members including 2 County Board Supervisors and three of the members shall be residents of the county who are veterans.

- (2) *Appointment and term.* Members of the Veteran's Service Commission shall be appointed by the Administrator, subject to confirmation by the County Board, to staggered three-year terms.
- (3) *Applicable statutes.* See Wis. Stats. § 45.81 for applicable statutes regarding the Veteran's Service Commission.
- (4) The Executive Committee shall provide policy oversight to the Veterans Service Office.

(Ord. No. 02-20; 03-10-2020; Ord. No. 07-20, 06-09-2020)

#### **ARTICLE IV. RULES AND PROCEDURES OF THE COUNTY BOARD**

Secs. 2-85—2-179. Reserved for insertion of the County Handbook.

#### **ARTICLE V. CODE OF ETHICS OF THE COUNTY BOARD**

##### **Sec. 2-180. Declaration of Policy.**

To ensure that the public can have complete confidence in the integrity of Chippewa County Government, each County Board Supervisor shall respect and adhere to the fundamental principles of ethical service. This Code of Ethics is hereby created as the proper operation of Chippewa County government demands that:

- (a) Chippewa County Board Supervisors be independent, impartial and responsible to the people;
- (b) Decisions be made in the proper channels of the county governmental structure;
- (c) County offices should not be used for personal gain;
- (d) County business should be conducted in such a way so as to re-enforce the public's confidence in its integrity.

##### **Sec. 2-181. Purpose.**

The purpose of this Code of Ethics is to establish ethical standards of conduct for County Board Supervisors by identifying those acts or actions that are not compatible with the best interest of the County. Because representatives of the County are drawn from society, they cannot and should not be without all personal and economic interest in the decisions and policies of government. Citizens who serve as County Board Supervisors retain their rights as citizens to personal and economic interests. Therefore, the standards of ethical conduct for County Board Supervisors must distinguish between minor and inconsequential conflicts which are unavoidable and those conflicts which are substantial and material. The provisions of this Ethics Code, and such rules and regulations which may be established are to be interpreted in the context of the above principles and are deemed to be in the best interest of the public.

##### **Sec. 2-182. Responsibility of Public Office.**

County Board Supervisors are agents of public purpose and hold office to serve the public interest. They are bound to uphold the Constitution of the United States, the Constitution of the State of Wisconsin and to carry out efficiently and impartially all laws of the United States, the State of Wisconsin, and the Ordinances of Chippewa County. Further, they are bound to observe in their official acts, the standards of ethics set forth in this code and to faithfully discharge the duties of their office. The public interest must be their primary concern.

**Sec. 2-183. Coverage.**

This Ethics Code governs all County Board Supervisors as well as appointed citizen members of County boards, committees and commissions.

**Sec. 2-184. Exemptions.**

Political contributions which are reported under Chapter 11, Wis. Stats., are exempt from the provisions of this code.

**Sec. 2-185. Definitions.**

- (a) *Anything of Value.* Any money or property, favor, service, payment, advance forbearance, loan or promise of future employment, but does not include such things as compensation and expenses paid by the state or County, fees, honorariums and expenses, unsolicited advertising or promotional material such as pens, pencils, notepads, calendars, informational or educational materials of unexceptional value, plaques, other advertising giveaways or any other thing which is not likely to influence the judgment of individuals covered by this code.
- (b) *Financial Interest.* Any interest which yields, directly or indirectly, a monetary or other material benefit to the County Board Supervisor or appointed citizen member of a board, committee or commission or to any person employing or retaining the services of the County Board Supervisor or appointed citizen member of a board, committee or commission.
- (c) *Immediate Family.* A County Board Supervisor's or appointed citizen member's spouse, children, stepchildren, parents, stepparents, or other legal relation who contributes more than one-half to the support of the Supervisor or appointed citizen member or receives that level of support from the Supervisor or appointed citizen member.
- (d) *Person.* Any individual, corporation, partnership, joint venture, association or organization.
- (e) *Privileged Information.* Any written or oral material related to County government which has not become part of the body of public information and which is designated by statute, court decision, lawful orders, ordinances, resolution or custom as privileged.

**Sec. 2-186. Fair and Equal Treatment.**

- (a) *Use of Public Property.* A County Board Supervisor shall not use, or knowingly permit the use, of County services or County-owned vehicles, equipment, materials for unauthorized nongovernmental purposes or for unauthorized personal convenience or for profit, unless such services or uses are available to the public generally and consistent with practices and policies of the County.
- (b) *Obligations to Citizens.* A County Board Supervisor shall not grant any special consideration, treatment or advantage to any citizen beyond that which is available to every other citizen. This section does not affect the duty of County Board Supervisors to diligently represent their constituency.

**Sec. 2-187. Conflicts of Interest.**

- (a) No County Board Supervisor may use his or her public position or office to obtain financial gain or anything of substantial value for the private benefit of himself or herself or his or her immediate family, or for an organization with which he or she is associated.
- (b) No person may offer or give to a County Board Supervisor, directly or indirectly, and no County Board Supervisor may solicit or accept from any person, directly or indirectly, anything of value if it could reasonably be expected to influence the County Board Supervisor's vote, official action or judgment, or could reasonably be considered as a reward for any official action or inaction on the part of the County Board Supervisor.
- (c) No County Board Supervisor may take any official action substantially affecting a matter in which the County Board Supervisor, a member of his or her immediate family, or an organization with which the official or employee is associated, has a substantial financial interest.
- (d) No County Board Supervisor may use his or her office or position in a way that produces or assists in the production of a substantial benefit, direct or indirect, for the County Board Supervisor, one or more members of the County Board Supervisor's immediate family either separately or together, or an organization with which the County Board Supervisor is associated.

**Sec. 2-188. Political Activities.**

A County Board Supervisor has the right to freely express his or her views as a citizen and cast his or her vote, subject to the following:

- (a) No County Board Supervisor shall directly or indirectly use or seek to use his or her authority or position to control or modify the political activity of another person.
- (b) No County Board Supervisor shall at any time use any Chippewa County-owned or leased equipment for any political activity.
- (c) No County Board Supervisor shall attempt to or influence an attempt to remove, discharge, demote, reduce pay, or otherwise discriminate against any employee because of the employee's political opinions or affiliations.

**Sec. 2-189. Disclosure of Privileged Information.**

A County Board Supervisor shall not knowingly disclose or permit the disclosure of privileged information to any person not lawfully authorized to receive such privileged information. A County Board Supervisor shall not use privileged information to advance his or her personal financial interest or that of his or her immediate family.

**Sec. 2-190. Gifts and Favors.**

A County Board Supervisor shall not accept, from any person or organization directly or indirectly, anything of value without full payment, if it could reasonably be expected to influence his or her vote, governmental actions or judgments or is provided to such County Board Supervisor because of their position or office and could reasonably be considered as a reward for any governmental action or inaction.

**Sec. 2-191. State Statutes Incorporated.**

- (a) *Statutes Incorporated by Reference.* The following sections of the Wisconsin Statutes are hereby incorporated by reference and made a part of this Code of Ethics:

§19.01 (Oaths and Bonds)

§19.21 (Custody and Delivery of Official Property and Records)

§19.81-§19.89 (Open Meetings of Governmental Bodies)

§19.59 (Codes of Ethics for Local Government Officials, Employees and Candidates).

- (b) *Violation of Incorporated Statutes.* County Board Supervisors shall comply with the sections of the Wisconsin Statutes incorporated in this Code and failure to do so shall constitute a violation of this Code of Ethics.

**Sec. 2-192. Investigations and Enforcement.**

- (a) *Advisory Opinions.* Any person governed by this Code of Ethics may apply in writing to the County Corporation Counsel for an advisory opinion and shall be guided by any opinion rendered. The applicant shall present his or her interpretation of the facts at issue and of the applicability of provisions of this Code before the advisory opinion is rendered. All requests for opinion and opinions rendered shall be in writing. Records of the Corporation Counsel's opinions, opinion requests and investigations of violations shall be closed to public inspection, as required by Chapter 19, Wis. Stats. However, such records may be made public with the consent of the applicant.
- (b) *Complaints.* The Corporation Counsel shall accept from any person a verified written complaint which states the name of the County Board Supervisor alleged to have committed a violation of this Code and sets forth the material facts involved in the allegation. The Corporation Counsel shall forward a copy of the complaint to the accused County Board Supervisor and the Ethics Inquiry Board within ten (10) days. If no action on the verified complaint is taken by the Ethics Inquiry Board within thirty (30) days, the complaint shall be dismissed.
- (c) *Preliminary Investigations.* Following the receipt of a verified complaint, the Ethics Inquiry Board may make preliminary investigations with respect to alleged violation of this Code. A preliminary investigation shall not be initiated unless the accused County Board Supervisor is notified in writing. The notice shall state the exact nature and purpose of the investigation, the individual's specific action or activities to be investigated and a statement of such person's due process rights. If the Ethics Inquiry Board finds probable cause to believe the allegations contained in the complaint, the complaint shall be referred to hearing pursuant to sub. (e)(3), below before the Ethics Inquiry Board.
- (d) *Time Limitations.* The Ethics Inquiry Board may investigate any complaint properly filed with it. However, no action may be taken on any complaint which is filed more than one year after a violation of the Ethics Code is alleged to have occurred.
- (e) *Ethics Inquiry Board.* There is hereby created an Ethics Inquiry Board to consist of three members and one alternate, one of whom shall be an attorney licensed to practice law in the State of Wisconsin, appointed by the County Board Chairperson subject to confirmation by the County Board. The members of the Ethics Inquiry Board shall be residents of the Chippewa County and shall not be County Public Officials during the time of appointment, and shall serve staggered three year terms expiring on the third Tuesday in April of the third year following their

appointment except as otherwise provided in the implementation of this ordinance. The Corporation Counsel shall provide legal advice, administrative support and assistance to the Ethics Inquiry Board. The Ethics Inquiry Board shall be entitled to mileage and per diem payments for meetings and hearings of the Ethics Inquiry Board on the same basis as provided to members of other Chippewa County Boards, Committees or Commissions.

- (1) *Powers and Duties.* The Ethics Inquiry Board shall be responsible for investigating a complaint, and conducting a fact finding hearing pursuant to sub. 3, in any case where the Ethics Inquiry Board has found that probable cause exists for believing the allegations of a complaint referred to the Ethics Inquiry Board after preliminary review pursuant to subs. (b - d) above.
- (2) *Burden of Proof.* The burden of proving a violation alleged in the complaint shall be on the complainant. Violations shall be proved by evidence that is clear, satisfactory and convincing.
- (3) *Hearing.* The Ethics Inquiry Board may hold, and an individual against whom a complaint has been made and where the complaint has been referred to the Ethics Inquiry Board may request, a hearing before the Ethics Inquiry Board. The Ethics Inquiry Board shall keep a record of the hearing. The Ethics Inquiry Board shall have the power to compel the attendance of witnesses and to issue subpoenas as granted to other boards and commissions under Section 885.01 of the Wisconsin Statutes.
  - a. Within ten (10) work days of the conclusion of the hearing, the Ethics Inquiry Board shall file its written findings and recommendations signed by all participating Ethics Inquiry Board members, together with findings of fact and conclusions of law, concerning the propriety of the conduct of the public official. If the Ethics Inquiry Board determines that no violation of the Code of Ethics has occurred, it shall dismiss the complaint, and if requested to do so by the accused, issue a public statement.
  - b. No recommendation of the Ethics Inquiry Board becomes effective until twenty (20) working days after it is issued, or while an application for rehearing or rehearing before the Board is pending, or the Ethics Inquiry Board has announced its final determination on rehearing.
- (4) *Enforcement and Penalties.* If the Ethics Inquiry Board finds that clear, satisfactory and convincing evidence exists for believing the allegations of the complaint, the Ethics Inquiry Board shall refer its findings and recommendation to the County Board. The Ethics Inquiry Board may make the following recommendations:
  - a. Recommend that the County Board order the County Board Supervisor to conform his or her conduct to the Ethics Code or recommend that the County Board Supervisor be censured, suspended, removed from office, or be issued a private reprimand or public reprimand.
  - b. The Ethics Inquiry Board may also refer the matter to the District Attorney to commence enforcement pursuant to the procedures and remedies of §19.59, Wis. Stats.

(Ord. No. 01-19; 04-09-2019)

Secs. 2-193 – 2-199

## ADMINISTRATION

### ARTICLE I. OFFICERS AND EMPLOYEES

#### DIVISION 1. GENERALLY

##### Sec. 2-200. Oaths and bonds.

- (a) *Oaths.* Elected and appointed officials shall take and file the official oath within 20 days after receiving official notice of election or appointment, or if not officially notified, within 20 days after the commencement of the term for which elected or appointed as provided in Wis. Stats. § 59.21.
- (b) *Bonds.* Each county officer except county supervisors shall execute and file an official bond as provided in Wis. Stats. § 59.21
- (c) All Oaths and bonds of all elected or appointed county officers except those of the circuit court shall be filed in the office of the County Clerk as provided in Wis. Stats. § 19.01(4)(d).

##### Sec. 2-201. Removals.

- (a) *Elected officials.* Elected officials may be removed as provided in Wis. Stats. §§ 17.09, 17.11 and 17.14.
- (b) *Appointed officials.* Appointed officials may be removed as provided in Wis. Stats. § 59.18(2)(b).

##### Sec. 2-202. Vacancies.

- (a) *How occurring.* Vacancies in elective and appointive positions are caused as provided in Wis. Stats. § 17.03.
- (b) *How filled.* Vacancies in elective and appointive offices shall be filled as provided in Wis. Stats. §§ 17.21, 17.22 and 59.18(2)(b).

##### Sec. 2-203. Salaries.

The established salaries of all appointed officials including members of boards and commissions, shall be as determined by the County Board from time to time unless otherwise provided in this Code, except that the salary of the members of the County Board of Supervisors and other elected officials shall not be increased during their terms of office.

##### Sec. 2-204. Elected officials.

The following are elected county officials:

- (1) Fifteen County Board Supervisors.
- (2) Clerk.

- (3) Clerk of Circuit Court.
- (4) Coroner.
- (5) District Attorney.
- (6) Register of Deeds.
- (7) Sheriff.
- (8) Treasurer.

Sec. 2-205-209. Reserved.

## **DIVISION 2. ELECTED OFFICIALS.**

### **Sec. 2-210. Clerk.**

- (a) The clerk shall be elected for a four-year term at the November presidential general election.
- (b) *Applicable statutes.* See Wis. Stats. §§ 59.21 59.23 and 59.24 for applicable statutes regarding the County Clerk.
- (c) *Board of Canvassers.* The County Clerk shall appoint a Board of Canvassers pursuant to sec. 7.60 Wis. Stats. To serve for two year terms commencing on January 1<sup>st</sup> on each odd numbered year. The per diem for the Board of Canvass shall be established at a rate of \$35.00 for a half-day (4 hours and a rate of \$70.00 for a full-day (over 4 hours). If more than one day is needed the following days shall be paid at the same rate as the first day of canvass.

### **Sec. 2-211. Clerk of Circuit Court.**

- (a) *Election and term.* The Clerk of the Circuit Court shall be elected for a four-year term at the November gubernatorial general election.
- (b) *Applicable statutes.* See Wis. Stats. §§59.21, 59.40, and 59.41, and for applicable statutes regarding the Clerk of the Circuit Court.

### **Sec. 2-212. Coroner.**

- (a) *Election and term.* The County Coroner shall be elected for a four-year term at the November gubernatorial general election.
- (b) *Applicable statutes.* See Wis. Stats. §§ 59.21 59.34, 59.35, 59.36 59.37 and 59.39 for applicable statutes regarding the coroner.

### **Sec. 2-213. Register of Deeds.**

- (a) *Election and term.* The Register of Deeds shall be elected for a four-year term at the November presidential general election.



- (b) *Applicable statutes.* See Wis. Stats. §§ 59.21, 59.43 and 59.44 for applicable statutes regarding the Register of Deeds.
- (c) *Filing and recording of documents.*
- (1) *Statutes adopted.* Wis. Stats. §§ 59.20(3) and 59.14(3), are adopted for cutoff reception time in filing and recording documents in the Register of Deeds office.
  - (2) *Hours.* The Register of Deeds office shall remain open from 8:00 a.m. until 4:30 p.m., during normal business days that the courthouse is open to the public (or the official business day of the courthouse established by the County Board), but any filing and recording of documents after one-half hour before the closing of the business day shall be recorded on the next business day.
- (d) *Review of condominium instruments prior to recording.*
- (1) *Planning & Zoning Department Review.* All condominium plats involving property under the jurisdiction of an applicable county land use ordinances shall be reviewed by the Planning & Zoning Department to insure compliance, prior to the review and recording by the Register of Deeds.
  - (2) *Register of Deeds Review.* Pursuant to Wis. Stats. §703.115, all condominium instruments shall be reviewed by the register of deeds or an employee of Chippewa County designated by the Register of Deeds prior to recording.
    - a. *Time of review.* Review of condominium instruments under this section shall be completed within 10 working days after submission of the condominium instrument to the register of deeds. If the review is not completed within 10 working days, the condominium instrument shall be deemed approved for recording.
    - b. *Criteria for acceptance for recording.* The Register of Deeds may reject a condominium instrument under this section only if it does not comply with the applicable requirements of Wis. Stat. ss. 703.095, 703.11(2)(a), (c) and (d) and (3), 703.275(5) and 703.28(1m) or if the surveyor's certificate under s. 703.11(4) is not attached to or included in the condominium plat.
    - c. *Certification for recording.* The Register of Deeds, or his or her deputy, shall certify approval for recording under this section in writing, accompanied by his or her signature and title.
    - d. *Fee for review.* The Register of Deeds shall charge and collect a fee in the amount of \$100.00 to perform the review required under this section.
    - e. *Definitions.* In this section, "condominium instruments" shall mean the declaration, plats and plans of a condominium together with any attached exhibits or schedules, all in conformity with the definitions in Wis. Stat. s 703.02.

#### **Sec. 2-214. Sheriff.**

- (a) *Election and term.* The Sheriff shall be elected for a four-year term at the November gubernatorial general election.

- (b) *Powers and duties.* See chapter 42 of this Code for the powers and duties of the Sheriff. See Wis. Stats. §§ 59.21, 59.26, and 59.27 for applicable state statutes regarding the Sheriff and deputies.

**Sec. 2-215. Treasurer.**

- (a) *Election and term.* The County Treasurer shall be elected for a four-year term at the November presidential general election.
- (b) *Eligibility.* No person holding the office of Sheriff, Circuit Judge, District Attorney, Clerk of the Circuit Court, County Clerk or member of the County Board shall be eligible for the office of County Treasurer or Deputy County Treasurer.
- (c) *Applicable statutes.* For applicable statutes regarding the County Treasurer see Wis. Stats. §§59.21 and 59.25.

Secs. 2-216—219. Reserved.

**DIVISION III. APPOINTED OFFICIALS ENUMERATED.**

The following are the county appointed officials who are appointed in the manner and for the term indicated and all positions appointed by the Administrator are subject to County Board confirmation:

TABLE INSET:

	<b>Official</b>	<b>How Appointed</b>	<b>Term</b>
(1)	County Administrator	County Board	Indef.
(2)	Child Support Director	County Administrator	Indef.
(3)	Corporation Counsel	County Administrator	Indef.
(4)	County Health Officer/ Public Health Director	County Administrator	Indef.
(5)	Criminal Justice Services Director	County Administrator	Indef.
(6)	Director of Land Conservation and Forest Management	County Administrator	Indef.
(7)	Emergency Management Director	County Administrator	Indef.
(8)	Facilities and Parks Director	County Administrator	Indef.
(9)	Family Court Commissioner	Circuit Court Judges	1 year
(10)	Finance Director	County Administrator	Indef.
(11)	Highway Commissioner	County Administrator	Indef.
(12)	Human Resources Director	County Administrator	Indef.
(13)	Human Services Director	County Administrator	Indef.
(14)	Information Technology Director	County Administrator	Indef.
(15)	Planning and Zoning Administrator / Land Information Officer	County Administrator	Indef.
(16)	Register in Probate	Circuit Court Judges (subject to County Board confirmation)	Indef.
(17)	Veteran's Service Officer	County Administrator	Indef.

(Ord. No. 11-19, 11-12-2019)

**Sec. 2-220. County Administrator.**

- (a) *Appointment and Term.* Pursuant to Wis. Stats. § 59.18, the position of County Administrator is created. The Administrator shall be appointed by a majority vote of the County Board of Supervisors.
- (b) *Powers and duties.*
- (1) The County Administrator shall be the chief administrative officer of the county, and ensure that every county ordinance and state or federal law is observed, enforced and administered within the county if the ordinance or law is subject to enforcement by the County Administrator or any other person supervised by the County Administrator. The duties and powers of the County Administrator shall be as outlined in Wis. Stats § 59.18.
- (2) Subject only to policies adopted or directions given by official actions of the board of supervisors, the County Administrator shall be responsible for the general supervision, direction, administration and coordination of all the affairs of the county except those conducted by the other elected officials of the county. The County Administrator shall:
- a. Interpret and execute the policies of the board of supervisors, and promulgate rules and regulations as necessary to implement those policies;
  - b. Be responsible for the daily operations of county government under the general supervision of the Board of Supervisors, including the direction supervision and administration of the county departments, agencies and offices;
  - c. Present policy alternatives and recommendations to the Board of Supervisors for action;
  - d. Review all agendas for meetings of the Board of Supervisors, and all agendas for committee, board or commission meetings; evaluate departmental and other requests to determine if such requests should be submitted to the board, and make recommendations to the board on agenda items as warranted;
  - e. Attend all meetings of the County Board, except when excused;
  - f. Attend and participate in all committee meetings unless significant events make such attendance unworkable;
  - g. Approve all request for proposals (RFPs) to be submitted on behalf of the county or a department of the county;
  - h. Investigate the use of funds appropriated by the Board of Supervisors and used by any person or group and report the findings to the board;
  - i. Hear and investigate inquiries and complaints from county citizens involving the operation of county government and report the findings to the board and/or the supervisor from the district in which the inquiry or complaint originated.
  - k. In conjunction with the office of Corporation Counsel and other relevant county officers and employees, negotiate and/or supervise the negotiation of all county contractual agreements, including but not limited to all agreements between the county and any third party to acquire, buy, sell, borrow, loan, or encumber real

- or personal property, including county surplus property, and all collective bargaining agreements with county employee representative bargaining units. Further, to execute on behalf of the board, subject to the limitation and procedures established by state law and the board, all county agreements and to administer and enforce said agreements on behalf of the county;
- l. Maintain or supervise the maintenance of inventories of all of the county's real and personal property, and undertake activities to prevent the misuse, loss, theft or damage of county property.
  - m. Prepare an annual county budget and exercise continuous budgetary control after the adoption of the budget. All requests for appropriations and transfers shall be reviewed by the Administrator prior to submission to the board or a committee. The Administrator may at any time recommend to the board such budgetary and other expenditure controls that the Administrator believes to be necessary and desirable.
  - n. Serve as the executive manager of all appointed departments;
  - o. Evaluate all proposed departmental programs and recommend those to the board that should be approved or modified; periodically evaluate existing departmental programs and recommend changes to the board as required;
  - p. Evaluate departmental organization on a continual basis, initiate changes in interdepartmental organization, structure, duties, or responsibilities when warranted, including authorizing the transfer of equipment or personnel between departments; assign space to county departments in county facilities, recommend to the board the consolidation or combining of county offices, departments, or units;
  - q. Appoint, discipline, transfer and dismiss all non-elected department heads in accordance with any applicable procedures provided by state or federal law or by any personnel ordinances, resolutions, handbooks, or memorandum of understanding duly adopted by the board. In any case where final action by the Board of Supervisors is mandated by applicable state law, actions by the County Administrator shall not be effective unless and until ratified by the board;
  - r. Review and approve all requests to fill, or reclassify, permanent, limited-term personnel and contracted positions to ensure that the position is required and that salary funds are available; approve all requests for new positions prior to County Board action;
  - s. Supervise the administration of employee relations, classifications, recruitment and selection, affirmative action and management, employee training, personnel policies and procedures and other performance programs;
  - t. Serve as the county's chief media spokesperson and handle all public relations for the county; prepare for board approval and administer a county media policy;
  - u. Prepare for board approval, and maintain a county administrative policy manual which defines the operating policies and procedures of the county;
  - v. Provide administrative staff support to the County Board Chair;

- w. Coordinate and provide orientation and annual training to all County Board Supervisors. The training shall include open meetings and public records, parliamentary procedures, the role of the County Board Supervisors, current issues facing the County Board, and per diem and mileage reimbursement.
- (c) The County Administrator may serve as the head of one (1) or more departments, agencies or offices of the county for a period not to exceed 120 days, absent County Board approval, and may appoint one (1) person as the director of two (2) or more departments, agencies or offices;
- (d) The County Administrator shall have such other duties and responsibilities as are reasonably necessary for the efficient administration of the county and as may be authorized by the board.
- (e) No individual member of the Board of Supervisors shall give orders, instruct or interfere, publicly or privately, with any employee under the supervision of the county administrator except through the County Administrator. The Board of Supervisors and its members have delegated administrative responsibilities over county governmental activities to the County Administrator and shall, except for the purposes of normal inquiry, not intervene or detract from this delegation.

**Sec. 2-221. Child Support Director.**

- (a) *Appointment and term.* The Child Support Director shall be appointed by the County Administrator for an indefinite term, subject to County Board confirmation.
- (b) *Powers and duties.* The Child Support Director shall have the powers and duties as set out in state statutes.

**Sec. 2-222. Corporation Counsel.**

- (a) *County legal services.* The Corporation Counsel for the county shall be appointed by the Administrator for an indefinite term subject to County Board confirmation and shall perform all statutory duties under Wis. Stat. §59.42 as well as the following duties:
  - (1) Serve as legal advisor and parliamentarian to the County Board and attend meetings of the Board.
  - (2) Serve as legal advisor to all county departments, agencies, committees, boards and officers and attend such meetings of those bodies as may be requested.
  - (3) Perform all legal duties in connection with court proceedings under Wis. Stats. ch. 48 and Wis. Stats. § 938.13.
  - (4) Perform all duties in connection with court proceedings under Wis. Stats. chs. 51, 54 and 55 (commitment, guardianship and protective placement and protective services).
  - (5) The Corporation Counsel is authorized to appoint an Assistant Corporation Counsel.

**Sec. 2-223. County Health Officer / Public Health Director.**

- (a) *Appointment and term.* The County Health Officer / Public Health Director shall be appointed by the Administrator for an indefinite term subject to County Board confirmation and shall possess

the necessary qualifications as set forth in Wis. Stats. § 251.06. The County Health Officer / Public Health Director shall serve for an indefinite term.

- (b) *Powers and duties.* The County Health Officer / Public Health Director shall exercise the powers and duties as set forth in Wis. Stats. § 251.06.

**Sec. 2-224. Criminal Justice Services Director.**

- (a) *Appointment and term.* The Criminal Justice Services Director shall be appointed by the County Administrator for an indefinite term, subject to County Board confirmation
- (b) *Powers and duties.* The Criminal Justice Services Director shall oversee the operations of the Criminal Justice Services Division of the Department of Administration to work to decrease costs, reduce recidivism, decrease repetition throughout the system, and help create alternatives to incarceration for lower risk offenders in the Chippewa County criminal justice system.
- (C) *Pretrial Services Program.* The Criminal Justice Services Director shall be responsible to oversee the Pretrial Services Program within the Criminal Justice Services Division. The Criminal Justice Services Division, including the pretrial subunit, performs the administration of criminal justice related responsibilities including pretrial release and supervision, rehabilitation of accused persons or criminal offenders through diversion efforts and programs. The goals and purposes of the program are as follows:
1. The Pretrial Services Program focuses on completing risk assessments and supervision of individuals released in pretrial status and allowed to return to the community while their criminal proceedings are pending.
  2. The Pretrial Services Program uses evidence based practices to offer pretrial services to individuals earlier in the criminal justice process so that they are able to remain out of jail and in the community.
  3. The Pretrial Services Program provides services that will assure that people are being released from custody based on identified risk levels and provided appropriate risk based supervision to maximize safety, release and return.

**Sec. 2-225. Director of Land Conservation and Forest Management.**

- (a) *Appointment and term.* The Director of Land Conservation and Forest Management shall be appointed by the County Administrator for an indefinite term, subject to County Board confirmation.
- (b) *Powers and duties.* The Director of Land Conservation and Forest Management shall have the powers and duties as set out in state statutes and county ordinances.

**Sec. 2-226. Emergency Management Director.**

- (a) *Appointment and term.* The Emergency Management Director shall be appointed by the County Administrator for an indefinite term, subject to County Board confirmation.
- (b) *Powers and duties.* The Emergency Management Director shall have the powers and duties as set out in state statutes and county ordinances.

**Sec. 2-227. Facilities and Parks Director.**

- (a) *Appointment and term.* The Facilities and Parks Director shall be appointed by the County Administrator for an indefinite term, subject to County Board confirmation.
- (b) *Powers and duties.* The Facilities and Parks Director shall have the powers and duties as set out in county ordinances.

**Sec. 2-228. Family Court Commissioner.**

- (a) *Appointment and term.* The Family Court Commissioner shall be appointed by the Circuit Court for a one year term.
- (b) *Powers and duties.* The Family Court Commissioner shall have the powers and duties as delegated by the courts and as set out in state statutes.

**Sec. 2-229. Finance Director.**

- (a) *Appointment and term.* The Finance Director shall be appointed by the County Administrator for an indefinite term, subject to County Board confirmation.
- (b) *Powers and duties.* The Finance Director shall perform the duties as prescribed in Wis. Stats. § 59.47. and such other duties as may be designated by the County Administrator. In addition, the Finance Director duties shall include payroll, debt management and the general accounting for the county as well as the examination of the books and accounts of any county department, board, commission, committee, or other officer or employee entrusted with the receipt, custody or expenditure of money, or by or on whose certificate any funds appropriated by the County Board are authorized to be expended. The Finance Director shall have free access to such books, accounts, bill, vouchers, and receipts as often as may be necessary to perform the duties required under this subsection, and shall report, in writing, the results of the examinations to the County Board. The Finance Director shall direct the keeping of all of the accounts of the county, in all of its offices, departments and institutions, and shall keep such books of account as may be necessary to properly perform the duties of the office, and to perform such other duties as assigned.
- (c) *Wisconsin retirement fund agent.* The Finance Director is designated as the agent of the County Board of Supervisors in matters pertaining to the state retirement fund, pursuant to the provisions of Wis. Stats. ch. 40. If the Finance Director is unable to perform the duties of such agent, either because of absence or disability or death, the Senior Accounting Manager is designated as the agent only during such inability and prior to the time of the qualification of a successor who shall thereupon be such agent.

**Sec. 2-230. Highway Commissioner.**

- (a) *Appointment and term.* The Highway Commissioner shall be appointed by the County Administrator for an indefinite term, subject to County Board confirmation
- (b) *Powers and duties.* The Highway Commissioner shall have the powers and duties as set out in state statutes.

**Sec. 2-231. Human Resources Director.**

- (a) *Appointment and term.* The Human Resources Director shall be appointed by the County Administrator for an indefinite term, subject to County Board confirmation.
- (b) *Powers and duties.* The Human Resources Director shall have the powers and duties as set out in county ordinances and policies.

**Sec. 2-232. Human Services Director.**

- (a) *Appointment and term.* The Human Services Director shall be appointed by the County Administrator for an indefinite term, subject to County Board confirmation.
- (b) *Powers and duties.* The Human Services Director shall have the powers and duties as set out in state statutes and county ordinances.

**Sec. 2-233. Information Technology Director.**

- (a) *Appointment and term.* The Information Technology Director shall be appointed by the County Administrator for an indefinite term, subject to County Board confirmation.
- (b) *Powers and duties.* The Information Technology Director shall have the powers and duties as set out in county ordinances and policies.

**Sec. 2-234. Planning and Zoning Administrator / Land Information Officer.**

- (a) *Appointment and term.* The Planning and Zoning Administrator shall be appointed by the County Administrator for an indefinite term, subject to County Board confirmation.
- (b) *Combination of positions.* Commencing January 4, 2012 and pursuant to Resolution 33-11, the Planning and Zoning Administrator shall be designated as the County Land Information Officer pursuant to § 59.72, Wis. Stats.
- (c) *Powers and Duties.* The Planning and Zoning Administrator shall have the duties and powers as set forth in § 70-32 of this code and shall be responsible for maintaining the county maps, and other duties and responsibilities as the County Board may provide.
- (d) *County maps.*
  - (1) Section maps of the county delineating the property ownership thereof shall be utilized by county departments and other units of government. The County Board creates a continuing program for county mapping provided as follows:
    - a. Unplatted parcels.
    - b. Plats and certified surveys.
    - c. Public lands and public ways.
    - d. Lakes, streams and rivers.
    - e. Railroads.
    - f. Other divisions and/or property interests.



- (2) The maps shall be prepared to encompass one-half section in area. The maps shall be indexed and uniform in size for reproduction and distribution.
- (3) The extent of annual map preparation shall be determined by County Board appropriation.

**Sec. 2-235. Register in Probate.**

- (a) *Appointment and term.* The Register in Probate shall be appointed by the Circuit Court for an indefinite term.
- (b) *Powers and duties.* The Register in Probate shall have the powers and duties as delegated by the courts and set out in state statutes.

**Sec. 2-236. Veteran's Service Officer.**

- (a) *Appointment and term.* The Veteran's Service Director shall be appointed by the County Administrator for an indefinite term, subject to County Board confirmation.
- (b) *Powers and duties.* The Veteran's Service Director shall have the powers and duties as prescribed in Wis. Stats. Ch. 45.

(Ord. No. 12-19, 11-12-2019)

Secs. 2-237—2-349. Reserved.

**ARTICLE III. FINANCE, TAXATION, INSURANCE AND RISK MANAGEMENT**

**Sec. 2-350. Annual budget.**

- (a) *Preparation and adoption.* The annual budget for the county shall be prepared by the administrator on a line item basis and adopted according to the procedures established under Wis. Stats. § 65.90.
- (b) *Overdrafts.* There shall be no overdrafts in any department's legally adopted budget total. The legally adopted budget total for any department shall be the bottom-line total budgets approved for that department by County Board adjusted for non-lapsing funding, grants obtained after budget approval, and excess revenues in flexible budgets. The Finance Director shall not allow a check to be issued when there are no available funds in the budget. Any anticipated overdrafts shall require a transfer from the contingency or general funds with County Board approval. A line item transfer approved by both the policy committee and the County Administrator is required for any anticipated capital line item expenditure in excess of \$1,000.00 of the amount budgeted. Department heads shall report any deviations from budgeted line items to both the Administrator and their policy committees.
- (c) *Capital improvements.* Money approved in the budget for capital expenditures shall be used for that designated purchase only. Any surplus must remain unexpended unless approval is received from the Administrator, the Executive Committee and the County Board.
- (d) *Investments.* The Executive Committee shall by separate resolution pursuant to Wis. Stats. § 34.01 designate responsibility for the investments of county funds. County funds shall be invested at the designee's discretion for the term determined by the designee. All county funds

shall be invested at the best possible interest rate either by bid or negotiated placement as time deposits at the state local government investment pool, a credit union, bank, savings bank, trust company or savings and loan authorized to transact business in this state pursuant to Wis. Stats. § 66.0603. Since the FDIC, FSLIC and Wisconsin Credit Union Savings Insurance Corporation guarantees \$100,000.00 and the Wisconsin State Deposit Guarantee Fund guarantees \$400,000.00, all county invested funds above \$500,000.00 with any given financial institution shall be collateralized by a surety bond, insurance or other government security. The county's demand (checking) deposit account shall be maintained in an interest bearing account at one of the public depositories designated for use by County Board resolution. All demand deposit fund balances in excess of \$500,000.00 shall be collateralized with a surety bond, insurance or government security.

- (e) *County aid bridge petitions.* All county aid bridge petitions shall be submitted to the Chippewa County Highway Commissioner prior to September 15 for inclusion in the budget.

#### **Sec. 2-351. Indemnification of county employees.**

- (a) Wis. Stats. § 895.46 is hereby adopted by reference.
- (b) The indemnification granted in this section shall be effective during the term for which one is actively engaged by the county and any later claims as may result therefrom.
- (c) Indemnities shall include all elected and appointed officials, employees, retained professional consultants and others acting for the county in any capacity.

#### **Sec. 2-352. Enforcement of tax liens.**

The county elects to adopt the provisions of Wis. Stats. § 75.521 for the purpose of enforcing tax liens where the procedure provided by such section is applicable.

#### **Sec. 2-353. Acquisition, management and sale of property acquired in the enforcement of delinquent tax liens.**

- (a) *Policy.* The general policy of the County Board in acquiring, managing and disposing of tax-deeded land is to realize as much tax revenue as existing circumstances may permit, without speculation as to possible future sales value of such tax-deeded land.
- (b) *Definitions.*
  - (1) The term "tax-deeded land" means land which has been acquired by the county through enforcement of the collection of delinquent taxes by tax deed, foreclosure of tax certificates by action in rem, deed in lieu of tax deed or other means.
  - (2) The term "Type A tax-deeded land" means tax deeded-land that has not been retained pursuant to this section by the County Board for a specific future use listed under subsec. (e)(3);
  - (3) The term "Type B tax-deeded land" means tax-deeded land that has been retained pursuant to this section by the County Board for a specific future use listed under subsec. (e)(3). "Type B tax-deeded land" also includes the tax-deeded land identified in Attachment 1 of County Policy 308 – Policy Governing the Allocation and Use of County Tax-Deeded Land Sale Parcel Proceeds adopted by the County Board on August 13, 2013.

- (c) *Committee authorized for retention and sale of tax deeded land.* The Planning & Zoning Committee, hereinafter referred to as the “Committee”, through the Department of Planning & Zoning, is empowered to retain and sell, subject to the approval of the County Board, all tax-deeded land.
- (d) *Appraisal committee.* The appraisal price of tax-deeded land shall be determined by an appraisal committee consisting of the County Clerk, County Treasurer and County Administrator, or a certified appraiser, as defined in Wis. Stats. §458.01(7). This committee is authorized to employ an appraisal service if in its judgment such additional service is considered desirable. Fees for such appraisal service shall be paid out of the tax deed expense account.
- (e) *Disposition of tax-deeded land.*
- (1) *List of tax-deeded land.* As soon as reasonably practicable following county acquisition of tax-deeded land, the Planning & Zoning Administrator shall provide the Director of Land Conservation and Forest Management and the Facilities and Parks Director with a list of the legal description(s) and tax parcel identification number(s) of the tax-deeded land acquired by the county.
- (2) *Requests to retain tax-deeded land.* Upon receipt from the Planning and Zoning Administrator of the list under subsec. (e)(1), the Director of Land Conservation and Forest Management and the Facilities and Parks Director shall each review the list and submit to the Committee, through the Planning & Zoning Administrator, written requests for the retention by the county of tax-deeded land that meets the eligibility criteria under subsec. (e)(3). The written requests shall include the legal description(s) and tax parcel identification number(s) of the tax-deeded land being requested for retention, and a detailed description of one or more of the specific future uses listed under subsec. (e)(3) to which the tax-deeded land being requested for retention will be dedicated.
- (3) *Eligibility for retention.* Eligibility for retention under subsec. (e)(2) shall be limited to tax-deeded land that meets at least one of the following criteria:
- a. The tax-deeded land is located adjacent to or within the County Forest Blocking Boundary as approved by the County Board, and will be dedicated to the specific future use of enrollment in county forest, public recreation, conservation, or environmental protection.
- b. The tax-deeded land is located adjacent to an existing county park, and will be dedicated to the specific future use of maintenance or development of county parks.
- (4) *Decision to retain or sell tax-deeded land.* The Committee shall consider the listing of tax-deeded land acquired by the county, along with any recommendations submitted pursuant to (e)(2) by the Director of Land Conservation and Forest Management and the Facilities and Parks Director. Upon consideration, the Committee shall present a resolution to the County Board listing by legal description(s) and tax parcel identification number(s) the tax-deeded land that it recommends for sale and the tax-deeded land that it recommends for retention for a specific future use listed under subsec. (e)(3). Tax-deeded land that the Committee recommends for sale shall be identified in the resolution as Type A tax-deeded land, and tax-deeded land that the Committee recommends for retention for a specific future use listed under subsec. (e)(3) shall be identified in the resolution as Type B tax-deeded land.

- (5) *Appraisal and sale of Type A tax-deeded land.* Following County Board approval of the resolution under (e)(4), the Planning and Zoning Administrator shall, in consultation with the Corporation Counsel Division, administer a process whereby the Type A tax-deeded land specifically identified in the resolution under subsec. (e)(4) shall be appraised by the appraisal committee or a certified appraiser pursuant to subsec. (d), then advertised by publication and sold pursuant to Wis. Stat. §75.69(1).
- (6) *Requests to sell Type B tax-deeded land.* Requests to offer Type B tax-deeded land for sale may be made by the Director of Land Conservation and Forest Management or the Facilities and Parks Director, and shall be presented to the Committee for consideration. Requests that are approved by the Committee shall be presented by a resolution to the County Board listing by legal description(s) and tax parcel identification number(s) the Type B tax-deeded land that is recommended to be offered for sale.
- (7) *Appraisal and sale of Type B tax-deeded land.* Following County Board approval of the resolution under subsec. (e)(6), the Planning and Zoning Administrator shall, in consultation with the Corporation Counsel Division, administer a process whereby the Type B tax-deeded land specifically identified in the resolution under subsec. (e)(6) shall be appraised by the appraisal committee or a certified appraiser pursuant to subsec. (d), then advertised by publication and sold pursuant to Wis. Stat. §75.69(1).
- (8) *Method of conveyance.* Following the advertising and taking of bids pursuant to Wis. Stat. §75.69(1) on Type A or Type B tax-deeded land under subsec. (e)(5) or subsec.(e) (7), and upon receipt of the approval by the Committee of the sale to the successful bidder and receipt of the full purchase price, the County Clerk and County Administrator shall execute and deliver a county deed prepared by the Corporation Counsel Division conveying title of the tax-deeded land to the successful bidder.
- (f) *Management of Type A tax-deeded land.* The Department of Planning and Zoning shall manage all Type A tax-deeded land.
- (g) *Management of Type B tax-deeded land.* The Department of Land Conservation and Forest Management shall manage all Type B tax-deeded land listed under subsec. (e)(3)a. The Department of Administration, through the Facilities and Parks Division, shall manage all Type B tax-deeded land listed under subsec. (e)(3)b.

(Ord. No. 12-19, 12-10-2019)

**Sec. 2-354. Sale of surplus county property.**

- (a) *Definition.* The term "surplus property" means obsolete, defective or surplus personal property designated for disposal, which has a saleable value. Surplus property does not include motor vehicles licensed for road use or technology/electronic equipment.
- (b) *Value.* The sale price shall be the fair market value as determined by the department head or the County Clerk.
- (c) *Sale.* All sales of surplus property shall be scheduled and conducted by the clerk or designee. The sale may be by private or public sale via the county website or on-site.

- (d) *Interdepartmental transfers.* Priority will be given to transfers of surplus property between county departments in an attempt to repurpose surplus items. Interdepartmental transfer of surplus property shall not apply to motor vehicles licensed for road use or technology/electronic equipment.
- (e) *Storage.* Where feasible, a central location for the storage of surplus property designated for sale shall be established and maintained by the Facilities and Parks Division.
- (f) *Sales taxes.* The sale of surplus property to private purchasers shall have sales taxes charged and collected. The sale of surplus properties to governmental agencies, or other tax exempt bodies, shall have no sales tax charged. Any sales tax collected shall be remitted to the state.
- (g) *Method of payment.* Only cash, check or money order, made payable to the Chippewa County Treasurer, shall be accepted for payment of county surplus property. All surplus property shall be receipted by the county clerk's office immediately after the sale.
- (h) *Proceeds.* The proceeds from the surplus property sale are to be deposited to the county general fund or to designated department accounts when required by statute, regulation, grant contract or if authorized by the executive committee.

#### **Sec. 2-355. Computerized tax rolls.**

No town, village or city within the county shall contract with anyone to convert the assessment and tax rolls to computer without first consulting the County Treasurer's Office. This is to provide the standard procedure necessary for the whole county that is in conformity with statute and to ensure that the information contained in the rolls may be properly available and usable to all who need it.

#### **Sec. 2-356. Mileage and expense reimbursement.**

- (a) *Transporting, mileage and lodging allowances.*
  - (1) *General travel and lodging policy.*
    - a. Each person shall be reimbursed for reasonable, necessary and actual travel and lodging expenses incurred in the performance of authorized official duties subject to limitations expressed in this article.
    - b. All travel expenses shall be budgeted in advance of authorization.
    - c. All out-of-state travel at county expense shall have the approval of the Administrator.
    - d. Approval required. Only conventions, seminars, and like meetings which have been approved by the Administrator and justified in the budget process, shall be allowed.
    - e. Receipts required. All expense claims \$2.00 and over shall be supported by written receipts.
  - (2) *Transportation.*
    - a. Air travel.

1. The maximum allowed for air travel shall be limited to the lesser of the most economical fare available or the standard county mileage allowance. The administrator shall have the authority to determine the most economical method after consideration of all per diem costs. The making of a reservation well in advance is recommended so as to ensure the lowest possible air fare is obtained.
  2. Unless circumstances do not permit, payment of airfare shall be made upon arrangements with the Administrator.
  3. Flight insurance will not be reimbursed.
  4. Passenger's copy of the airline ticket must be attached to the voucher.
  5. When a favorable price differential exists, round trip tickets shall be provided.
  6. Any frequent flyer award, discount or rebate becomes the property of the county.
- b. Use of Personal Vehicles for County Business
1. Rates of Reimbursement. Employees will be reimbursed for the use of their personal vehicles at the following rates (to be set each year by the County Administrator generally based on the established State of Wisconsin vehicle mileage reimbursement rates):
    - a) a "standard" rate when a county fleet vehicle is not available, and
    - b) at a lower "turn down" rate if a fleet vehicle is available, but the employee makes a decision to use their personal vehicle. (The "turn down" rate is the state approximate cost per mile of operating a vehicle, including maintenance, fuel, insurance, and depreciation expenses.)
  2. Reimbursement Approval. Supervisors can approve reimbursement at the standard rate only after they have viewed a printout of the Outlook schedule that shows no vehicles are available. Each supervisor will be required to keep a "fleet vehicle reimbursement log" of reimbursed personal trips that will include the date and time of the trip with a copy of the computer printout. The County Administrator or their designee, will be responsible for a monthly check of the non-availability reimbursement log.
  3. Remote Work Sites. If an employee's job assignment includes providing services in outlying areas of the county where the employee also resides, either the employee's department head or supervisor can approve standard mileage reimbursement for those service visits if they determine a cost advantage to the County by doing so. An analysis of that cost advantage must accompany any proposed reimbursement at the standard rate.

4. Traffic violation expenses are not reimbursable.
5. Vehicle parking and storage costs while on authorized county activities shall be allowed in addition to the mileage allowance.

(3) *Meals.*

- a. Maximum meal expense shall be set by state standards.
- b. If a person is required to eat more than one meal, the person shall be allowed the total of the meals with the total being split among the meals at the person's option.
- c. Meal expense claims may only be made for meals purchased outside the county, except in the case of county sanctioned meetings/events.
- d. Any amount to be claimed in excess of the maximum shall be accompanied by a full explanation of such expenses and may be allowed by the Executive Committee.
- e. Receipts for all meals are required.
- f. Departure and returning time shall be recorded on the travel voucher when submitted.
- g. Any person required to be gone longer than three days may draw up to 100 percent of the total meal money in advance, if it is authorized by the Administrator. The request shall be presented to the finance director five days in advance. Receipts for all meal money shall accompany settlement and settlement shall occur within three working days after such meeting.

(4) *Lodging.*

- a. Lodging expenses, including taxes, shall not exceed state standards except with documentation that the rate of the host hotel or motel is greater. Persons traveling together shall, whenever feasible, share lodging accommodations. All lodging expenses shall be supported by written receipt. Expenses for lodging at homes of relatives are not reimbursable.
- b. The Administrator may allow higher lodging limits depending on circumstances and based on guidelines annually approved by the Executive Committee and permission granted prior to incurring the expense.

- (5) *County credit card use.* All credit cards issued by the county to employees of the county shall be approved by the Administrator. The credit cards shall be used only under special circumstances. Use of any county issued credit card shall not be deemed a substitute for following standard County purchasing policies and practices and each user shall comply with all of the following procedures:

- a. All county credit cards shall be used strictly for county business. At no time shall any county issued credit card be used to pay for personal expenses incurred by the user.
  - b. All credit card receipts must be submitted to the Finance Division along with the monthly credit card statement before consideration for payment will be made. Any credit card charges submitted without proper documentation shall be deemed the personal obligation of the department head.
  - c. All credit card statements, along with accompanying credit card receipts with an itemization of charges, shall be submitted to the department head for approval. Once the department head has signed the credit card statement approving payment of the account, the credit card statement and attachments shall be submitted to the Finance Division for payment.
  - d. Late payments of accounts. All credit card statements shall be submitted to the Finance Division in a timely manner to avoid assessment of late charges. Any late charges assessed on the county's credit card account which occur as a result of delay in providing the statement to the Finance Director, shall become the personal responsibility of the department head.
  - e. Purchases of meals and gasoline.
    1. Any gasoline purchases made with a county credit card shall be for county vehicles only. County employees who use personal vehicles for county business shall be reimbursed for mileage only.
    2. Meals are chargeable only when overnight travel is required by the county. All requests for payment of meal charges shall be accompanied by itemized receipts.
  - f. Tax exemption. Purchases on behalf of the county are tax exempt, except for purchases of meals and gasoline. All holders of county issued credit cards shall be issued a statement of tax exemption to be presented at the time of purchase. Any taxes assessed against purchases made by individuals using a county issued credit card which are determined by the Finance Director to be unacceptable, shall become the personal obligation of the department head for payment.
  - g. Any individual or department who violates the procedures set forth in this section may have their credit card privileges terminated by the Administrator at the request of the Finance Director.
- (6) *Registration fees.* Registration fees shall be allowed in addition to the authorized per diem.
- (7) *Dues.* Dues shall be paid by the county for its officials in state level organizations only, and national association in the name of the office, not the officeholder, only with County Administrator approval.

**Sec. 2-357. Accounting, auditing, and financial reporting guidelines.**



- (a) *Generally accepted accounting practices.* The county shall establish and maintain a high standard of accounting practices. Accounting standards shall conform to generally accepted accounting practices as promulgated by the governmental accounting standards board.
- (b) *Annual audit.* An annual audit shall be conducted by a properly licensed independent certified public accounting firm. All general purpose, combining, and individual fund and account group statements and schedules shall be subject to full scope audit.
- (c) *Other audits.* From time to time audits other than annual audits may be requested of the county. Such audits shall be coordinated through the audit committee. Examples of other audits would include, but not be limited to, the audit of a department upon the change of department heads, operational audits, efficiency audits, internal audits or special grant audits.
- (d) *Audit committee.* The Executive Committee is the audit committee of the county. It shall have the responsibility for selecting an independent certified public accounting firm for the county as well as monitoring the independent audit process and making suggestions regarding internal controls within the county. It shall also have the responsibility for approving, funding and monitoring other audits requested of the county.
- (e) *Selection of the independent public accounting firm.* The selection of the independent certified public accounting firm may be made by either an independent bid or a negotiated contract process. Independent auditor rotation is not required. The agreement between the independent auditor and the county shall be in the form of a written contract. The contract shall include the request for proposal as an appendix to the written contract and all issues addressed in the request for proposal shall be required as part of the contract.
- (f) *Financial reports.* At a minimum, the Finance Director shall prepare quarterly financial reports for the Executive Committee and County Board review. Either the Finance Director or the independent auditor shall present the results of the annual audit to the County Board upon its completion.

**Sec. 2-358. Apportionment of county taxes.**

- (a) *By county clerk.* Pursuant to Wis. Stats. § 70.63, the clerk shall apportion the county tax and the whole amount of state taxes and charges levied upon the county, as certified by the Department of Administration, among the several towns, cities and villages of the county, according and in proportion to the valuation thereof as determined by the County Board.
- (b) *Record book.* The clerk shall carry out in the record book opposite the name of each town, city and village in separate columns, the amount of state taxes and charges and the amount of county taxes so apportioned thereto, and the amount of all other special taxes or charges apportioned or ordered, or which he is required by law to make in any year to any such town, city or village, to be collected with such annual taxes.
- (c) *Certification.* Within ten days after the assessment of values by the County Board the clerk shall certify to the clerk of, and charge to each town, city and village, the amount of all such taxes so apportioned to and levied upon the values, and shall, at the same time, file with the county treasurer a certified copy of the apportionment so certified by him to each town, village and city clerk.

**Sec. 2-359. Overdue or delinquent real estate taxes and special assessments.**

Interest rate and penalty on overdue or delinquent real estate taxes and special assessments shall be charged as follows:

- (1) There is imposed a penalty of one-half of one percent per month.
  - a. In addition to the interest provided for in Wis. Stats. § 74.47.
  - b. The one-half percent per month penalty of this section shall apply to all overdue and delinquent real estate taxes and special assessments.
- (2) The County Treasurer shall exclude the additional revenue generated by the penalty from the distributions required by Wis. Stats. § 74.47(3).

**Sec. 2-360. Chargeable costs in sale of county real estate.**

- (a) In the sale of county real estate, it shall be the obligation of the purchaser to pay all of the costs of survey, abstracting and corporate counsel legal fees incurred in relation to the sale.
- (b) Petitions or requests to vacate, release or terminate county roadway rights-of-way, gravel or other easements shall be approved only on condition that the petitioning party agrees to assume and pay all legal costs of the corporation counsel incurred in the preparation of legal documents in relation thereto.

**Sec. 2-361. Sales and use tax.**

- (a) *Authority and purpose.*
  - (1) This section is enacted on the authority of subch. V of the Wisconsin Statutes chapter 77 (Wis. Stats. § 77.70 et seq.).
  - (2) A minimum of \$1,000,000.00 of county sales tax generated shall be applied as a property tax credit to the county property tax levy.
  - (3) Sales tax not applied as a property tax credit to the county property tax levy shall be used as follows:
    - a. To fund debt service for liabilities incurred as expeditiously as possible, provided funding for those liabilities is individually approved by separate County Board resolution.
    - b. To fund the five year capital improvements program established and updated by the Executive Committee during the annual budget process. Any item financed for the capital improvements program shall meet the following criteria:
      1. Shall be a capital asset, defined in the Governmental Accounting, Auditing, and Financial Reporting (GAAFR) Blue Book as "Land, improvements to land, easements, buildings, building improvements, vehicles, machinery, equipment, works of art and historical treasures, infrastructure, and all other tangible or intangible assets that are used in operations and that have initial useful lives extending beyond a single reporting period", or

2. Must be a capital project, defined in the GAAFR Blue Book as "Major capital acquisition and/or construction of capital assets, usually reported separately from ongoing operating activities to avoid distortion in financial resources trend information, and usually financed through borrowings or contributions.", and
  3. Capital asset or project shall have a minimum total cost of \$50,000.00, not all of which must come from the sales tax funding.
  4. Any spending of the sales tax shall be approved by separate County Board resolution prior to approval of the annual county budget.
  5. A capital asset cost pool, which meets the criteria and definitions set forth in subsections 2-361(a)(3)b.1--4 above, may be eligible for sales tax funding.
- (4) All monies collected from the sales and use tax shall be kept separate from the other funds of the county and used only for the purposes set forth in this subsection (a).
- (5) Sales tax funding earned in one budget year cannot be expended until the subsequent budget year as documented by the approved annual county budget or County Board resolution.
- (b) *Imposition of tax.* There is imposed a county sales and use tax at the rate of one-half percent in the manner and to the extent permitted as set forth in subch. V of Wisconsin Statutes chapter 77 (Wis. Stats. § 77.70 et seq.) which are incorporated herein and acts amendatory thereto.
- (c) *Repeal.* This section may be repealed by subsequent ordinance duly enacted by the County Board of Supervisors. In the event of repeal, a certified copy of the repeal ordinance shall be delivered to the Secretary of the Department of Revenue of the state at least 60 days before the effective date of repeal.

(Ord. 05-20; 03-10-2020)

**Sec. 2-362. Environmental site assessment.**

- (a) *Intent.* Hazardous waste and toxic substances are a major concern in the acquisition and ownership of real estate. Federal and state laws and regulations impose severe restriction and significant economic sanction upon the owners of real estate containing hazardous waste and toxic substances. While the county acknowledges its obligations to a clean environment, this section is intended to prevent the acquisition, knowingly or unknowingly, of lands by the county containing hazardous waste or toxic substances.
- (b) *Scope.* All interest in real property acquired by the county pursuant to Wis. Stats. § 59.52(6, 19), or chs. 32, 75, 83, or by any other method, shall be subject to this section.
- (c) *Preapproval.* Prior to the acquisition or the execution of any contract or document obligating acquisition of any real property in the name of the county or its subunits, the responsible county department or entity shall make referral to the hazardous waste coordinator. No acquisitions by any county department or entity described in subsection (b) of this section shall be valid unless the hazardous waste coordinator site assessment has been completed.

- (d) *Procedure for environmental site assessment resource panel.*
- (1) Upon receiving referral from any county agency or entity proposing real estate acquisition, the hazardous waste coordinator shall within 60 days of such referral, inspect the premises to make an initial determination as to whether there is a reasonable basis to believe hazardous waste or toxic substances may exist on or beneath the surface of such premises.
  - (2) In the event it reasonably appears to the hazardous waste coordinator that no hazardous waste or toxic substances are present, the hazardous waste coordinator shall, on appropriate forms, return approval to the referring department or entity.
  - (3) In the event the hazardous waste coordinator cannot reasonably determine the presence of hazardous waste or toxic substances, or has reason to believe such do exist, the hazardous waste coordinator may be authorized by the referring department or entity to engage an engineering consultant to prepare a formal environmental assessment of the premises.
  - (4) In making the assessment, the hazardous waste coordinator may utilize as resources, all agencies and departments of the county, including but not limited to:
    - a. Recycling Coordinator.
    - b. County Treasurer.
    - c. Facilities and Parks Director.
    - d. Highway Commissioner.
    - e. Planning and Zoning Administrator.
    - f. County Health Officer / Public Health Director.
    - g. Director of Land Conservation and Forest Management.
- Upon request, county departments and agencies shall cooperate with and assist the hazardous waste coordinator in the assessment.
- (5) In the event the environmental assessment discloses the presence of hazardous waste or toxic substances, such report shall include a cost estimate for removal and remedial action as may be required by Environmental Protection Agency and department of natural resources regulations. A copy of the environmental assessment shall be returned to the referring department or entity, the Board Chair, and clerk.
  - (6) Acquisition of lands containing hazardous waste or toxic substances by the county is not precluded, but such decision by the County Board or other subunit of the county authorized to acquire land shall do so only after being provided the information set forth in the environmental assessment.
  - (7) The required 60-day return date may be extended by mutual consent of the referring department or entity and the hazardous waste coordinator.

- (e) *Personal liability.* The hazardous waste coordinator shall not be personally liable or responsible for decisions made or judgments rendered in implementing this section.
- (f) *Charge back of assessment costs.*
- (1) The hazardous waste coordinator shall determine the cost of each site assessment including staff costs, experts and any removal or remedial action.
  - (2) Each county department or entity proposing to acquire the property shall be furnished a copy of the cost determination and shall be charged with the payment thereof from their respective budgets. The Finance Director is required to make the necessary transfer to implement this charge back provision.
  - (3) Where the acquisition is not initiated by a specific county department or entity having its own budget, the charge shall be made to the environmental site assessment budget.

**Sec. 2-363. Insurance and risk management.**

- (a) *Insurance.* The county shall carry public liability and property damage insurance. The Executive Committee of the Board shall, at the proper time each year, affect such insurance on behalf of the county.
- (b) *Risk management.*
- (1) *Purpose.* The Board of Supervisors specifies the following policies and procedures of risk management to identify and analyze potential liability and to:
    - a. Prevent the occurrence of loss and particularly uninsured losses of a catastrophic nature.
    - b. Invest in realistic long-term loss prevention and reduction programs.
    - c. Provide safe working conditions for employees.
    - d. Implement, wherever possible, loss prevention recommendations made by insurance companies, state and federal agencies, local inspectors or local fire authorities.
  - (2) *Administration.* To implement this risk management policy the administrator or designee, under the direction of the Executive Committee, shall:
    - a. Develop a program of risk identification, measurement, control and financing.
    - b. Recommend insurance coverage placement.
    - c. Maintain property appraisals and inventories.
    - d. Process claims and loss records.
    - e. Supervise loss prevention activities.
    - f. Contract a yearly training program in safety and risk management.

- g. Review all contracted service contracts for risk and insurance.
- (3) *Departmental responsibilities.* Each department of county government shall:
- a. Assist insurers or the Administrator or designee in conducting loss abatements.
  - b. Promptly report losses, claims and lawsuits to the clerk's office.
  - c. Provide assistance to the administrator or designee and/or insurance company personnel in developing defenses of claims and lawsuits and in determining proof of loss.
  - d. Communicate appropriate information to the administrator or designee including new exposures, acquisitions, or activities that may have an effect on insurance coverage or exposure.
  - e. Require employees to attend a yearly training program in safety and risk management.
- (4) Highway Department and Sheriff's Department shall hold their own yearly training program.

#### **Sec. 2-364. Payments to Chippewa County**

- (a) *Manner of Payment.* Payments to Chippewa County may be made in legal tender, by personal check or individual check drawn in the ordinary course of business (unless otherwise required by individual departments), postal money order, express money order, bank draft, certified check, through the use of money transfer techniques or credit/debit cards.
- (1) Any fees or processing charges that may be charged to Chippewa County because of the payer's choice of manner of payment shall be paid by the payer at the time of the payment in addition to the original amount owed.
- (b) *Protested Payment.* If a personal check tendered to make any payment to Chippewa County is not paid by the bank on which it is drawn, if an electronic funds transfer does not take place because of insufficient funds, or if a demand for payment under a debit or credit card transaction is not paid by the bank upon which demand is made, the person by whom the check has been tendered, the person whose funds were to be electronically transferred, or the person entering into the debit or credit card transaction shall remain liable for the payment of the amount for which the check was tendered, the amount that was to be electronically transferred, or the amount agreed to be paid by debit or credit card and for all legal penalties, additions and a charge set forth below which is comparable to charges for unpaid drafts made by establishments in the private sector.
- (1) A charge of \$25.00 is assessed for the first incident.
  - (2) A charge of \$50.00 is assessed for the second and subsequent incidents.
  - (3) In addition, the officer to whom the payment was tendered, if there is probable cause to believe that a crime has been committed, shall provide any information or evidence relating to the crime to the district attorney for prosecution as provided by law.

- (4) If any license has been granted upon any such check, any such electronic funds transfer, or any such debit or credit card transaction, the license shall be subject to cancellation for the nonpayment of the check, the failure to make the electronic funds transfer, or failure of the bank to honor the demand for payment authorized by debit or credit card.
- (c) *Overpayments and Underpayments.* Unless otherwise provided by law, Chippewa County may retain overpayments of fees, licenses, and similar charges when the overpayment is \$2.00 or less, unless such refund is specifically requested in writing. Underpayments of not more than \$2.00 may be waived when the administrative cost of collection would exceed the amount of underpayment.

**Sec. 2-365. Accounts Receivable.**

- (a) *Accounts Receivable When Due.* Except where prohibited by law, all Chippewa County accounts receivable for goods and services provided shall be paid within 60 days of the date of the invoice or demand for payment for those services. The bill for goods or services provided will be invoiced upon service completion or delivery.
- (b) *Interest Fees on Delinquent Accounts.* Except where prohibited by law, all accounts receivable more than 60 days past the billing date shall be assessed a 1% per month interest fee on all outstanding balances until paid in full.

**ARTICLE IV. ADMINISTRATIVE REVIEW**

**Sec. 2-421. Review of administrative determinations.**

Any person aggrieved by an administrative determination of the County Board or a board, commission, committee, agency, official or employee of the county or an agent acting on its behalf may have such determination reviewed as provided in this article. The remedies under this article shall not be exclusive, but an election to proceed hereunder shall be an election of remedies.

**Sec. 2-422. Determinations reviewable.**

The following determinations are reviewable under this article:

- (a) The grant or denial in whole or in part, after application, of an initial permit, license, right, privilege or authority.
- (b) The suspension, revocation or non-renewal of an existing permit, license, right, privilege or authority, except as otherwise provided by IAN.
- (c) The denial of a grant of money or other thing of value under a statute or ordinance prescribing conditions of eligibility for such grant.
- (d) The imposition of a penalty or sanction upon any person except county employee or officer, other than by a court.

**Sec. 2-423. Determinations not subject to review.**

The following determinations are not reviewable under this article:

- (a) A legislative enactment. A legislative enactment is an ordinance, resolution or adopted motion of the County Board.
- (b) Any action subject to administrative or judicial review procedures under state statutes or other provisions of this Code.
- (c) The denial of a tort or contract claim for money required to be filed with the county under Wis. Stats. § 59.64(1).
- (d) Judgments and orders of a court.
- (e) Determinations made during governmental labor negotiations.
- (f) Determinations subject to grievance, arbitration or other procedures provided in collective bargaining agreements.

**Sec. 2-424. Governmental authority defined.**

The term "governmental authority" includes the County Board, commission, committee, agency, official, employee or agent of the county making a determination under section 2-421, and every person, committee or agency of the county authorized to make an independent review under subsection 2-428(b).

**Sec. 2-425. Persons aggrieved.**

A person aggrieved includes any individual, partnership, corporation, association, public or private organization, and any official, department, board, commission or agency of the county, whose rights, duties or privileges are adversely affected by a determination of a governmental authority. No department, board, commission, agency, official or employee of the county who is aggrieved may initiate review under this article of a determination of any other department, board, commission, agency, official or employee of the county but may respond or intervene in a review proceeding under this article initiated by another.

**Sec. 2-426. Reducing determination to writing.**

If a determination subject to this article is made orally or, if in writing, does not state the reasons therefor, the governmental authority making such determination shall, upon written request of any person aggrieved by such determination made within ten days of notice of such determination, reduce the determination and the reasons therefor to writing and mail or deliver such determination and reasons to the person making the request. The determination shall be dated and shall advise such person of this right to have such determination reviewed, shall advise that such review may be taken within 30 days and shall name the office or person to whom a request for review shall be addressed.

**Sec. 2-427. Request for review of determination.**

Any person aggrieved may have a written or oral determination reviewed by written request mailed or delivered to the governmental authority which made such determination within 30 days of notice to such person of such determination. The request for review shall state the grounds upon which the person aggrieved contends that the determination should be modified or reversed. A request for review shall be made to the official, employee, agent, agency, committee, board, commission or body who made the determination; but failure to make such request to the proper party shall not preclude the person aggrieved from review unless such failure has caused prejudice to the governmental authority.



**Sec. 2-428. Review of determination.**

- (a) *Initial determination.* If a request for review is made under section 2-427, the determination to be reviewed shall be termed an initial determination.
- (b) *Who shall make review.* A review under this section may be made by the official, employee, agent, agency, committee, board, commission or body who made the initial determination. However, an independent review of such determination by another person, committee or agency of the county appointed by the administrator or County Board Chair, without confirmation, shall be provided if practicable.
- (c) *When to make review.* The governmental authority shall review the initial determination within 15 days of receipt of a request for review. The time for review may be extended by agreement with the person aggrieved.
- (d) *Right to present evidence and argument.* The person aggrieved may file with his request for review or within the time agreed with the governmental authority written evidence and argument in support of his position with respect to the initial determination.
- (e) *Decision on review.* The governmental authority may affirm, reverse or modify the initial determination and shall mail or deliver to the person aggrieved a copy of the governmental authority's decision on review, which shall state the reasons for such decision. The decision shall advise the person aggrieved of his right to appeal the decision, shall advise that the appeal may be taken within 30 days and shall name the office or person with whom notice of appeal shall be filed.

**Sec. 2-429. Administrative appeal.**

- (a) *From initial determination or decision on review.*
  - (1) If the person aggrieved had a hearing substantially in compliance with section 2-430 when the initial determination was made, he may elect to follow sections 2-426 through 2-428 but is not entitled to a further hearing under section 2-430 unless granted by the governmental authority. The person aggrieved, however, may seek judicial review under section 2-432.
  - (2) If the person aggrieved did not have a hearing substantially in compliance with section 2-430 when the initial determination was made, he shall follow sections 2-426 through 2-428 and may appeal under this section from the decision made under section 2-428.
- (b) *Time within which appeal may be taken under this section.* Appeal from a decision on review under section 2-428 may be taken within 30 days of notice of such decision.
- (c) *How appeal may be taken.* An appeal under this section may be taken by filing with or mailing to the office or person designated in the governmental authority's decision on review a written notice of appeal.

**Sec. 2-430. Hearing on administrative appeal.**

- (a) *Time of hearing.* The county shall provide the appellant a hearing on an appeal under section 2-429 within 15 days of receipt of the notice of appeal and shall serve the appellant with notice of

such hearing by mail or personal service at least ten days before such hearing. The office or person with whom a notice of appeal is filed shall immediately notify the district attorney, who shall forthwith advise the County Board Chair of such appeal.

- (b) *Conduct of hearing.* At the hearing, the appellant and the governmental authority may be represented by counsel and may present evidence and call and examine witnesses and cross examine witnesses of the other party. Such witnesses shall be sworn by the person conducting the hearing. The County Board Chair shall appoint, without confirmation, an impartial decision-maker, who may be an official, committee, board or commission of the county or the County Board who did not participate in making or reviewing the initial determination, who shall make the decision on administrative appeal and who may issue subpoenas. The hearing may, however, be conducted by an impartial person, committee, board or commission designated by the County Board Chair to conduct the hearing and report to the decision-maker.
- (c) *Record of hearing.* The person conducting the hearing or a person employed for the purpose of making a record of the hearing shall take notes of the testimony and shall mark and preserve all exhibits. The person conducting the hearing may, and upon request of the appellant shall, cause the proceedings to be taken by a stenographer or by a recording device, the expense thereof to be paid by the county.
- (d) *Hearing on initial determination.* Where substantial existing rights are affected by an initial determination, the governmental authority making such determination shall, when practicable, give any person directly affected an opportunity to be heard in accordance with this article before making such determination.

**Sec. 2-431. Final determination.**

- (a) Within 20 days of completion of the hearing conducted under section 2-430 and the filing of briefs, if any, the decision-maker shall mail or deliver to the appellant its written determination, stating the reasons therefore. Such determination shall be a final determination.
- (b) A determination following a hearing substantially meeting the requirements of section 2-430, or a decision on review under section 2-428 following such hearing, shall be a final determination, judicial review of which may be obtained under section 2-432.

**Sec. 2-432. Judicial review.**

- (a) Any party to a proceeding resulting in a final determination may seek review thereof by writ of certiorari within 30 days of receipt of the final determination.
- (b) The record of the proceedings shall be transcribed at the expense of the person seeking review. A transcript shall be supplied to anyone requesting the transcript at his expense. If the person seeking review established impecuniousness to the satisfaction of the reviewing court, the court may order the proceedings transcribed at the expense of the county; and the person seeking review shall be furnished a free copy of the transcript. By stipulation, the court may order a synopsis of the proceedings in lieu of a transcript. The court may otherwise limit the requirement for a transcript.

**Sec. 2-433. Legislative review.**

- (a) Seeking review pursuant to this article does not preclude a person aggrieved from seeking relief from the County Board or any of its boards, commissions, committees or agencies which may have jurisdiction.
- (b) If, in the course of legislative review under this section, a determination is modified, such modification and any evidence adduced before the County Board, board, commission, committee or agency shall be made part of the record on review under section 2-432.
- (c) The County Board, board, commission, committee or agency conducting a legislative review under this section need not conduct the type of hearing required under section 2-430.

(Ord No. 07-18; 08-14-2018)