

If anyone would like to speak at the meeting, County Board Rules require they contact the County Clerk's Office no later than 4:00 pm on the day of the meeting to register. 608.935.0399.

IOWA COUNTY BOARD MEETING

AGENDA

Tuesday, December 19, 2023

6:00 p.m.

Conference Call 1-312-626-6799

<https://us02web.zoom.us/j/87929786043>

Meeting ID 879 2978 6043

Health and Human Services Center - Community Room

303 West Chapel St., Dodgeville, WI 53533

For information regarding access for the disabled, please call 935-0399.

Healthy and Safe Place to Live, Work and Play – Iowa County

The Mission of Iowa County Government is to protect and promote the health and safety, economic well-being, and environmental quality of our county by providing essential services in a fiscally responsible manner.

1. Call to order by Chairman John M. Meyers.
2. Pledge of Allegiance.
3. Roll Call.
4. Approve the agenda for this December 19, 2023 meeting.
5. Approve the minutes of the November 14, 2023 meeting.
6. Special matters and announcements.
 - Committee Chair reports.
 - 2023 Annual Report for SW Regional Planning Commission.
7. Comments from the public.
8. Land use changes from the Towns:
 - 1-1223 Arena - Rezoning request by Trevor Martinsen and Walter P. Mathys.
 - 2-1223 Brigham - Rezoning request by Larry & Margaret Monson.
 - 3-1223 Brigham - Rezoning request by Larry & Margaret Monson.
 - 4-1223 Highland - Rezoning request by Keith & Amanda Hasburgh.
 - 5-1223 Linden - Rezoning request by William Neal.
 - 6-1223 Mifflin - Rezoning request by Dennis & Joshua Welsh.
 - 7-1223 Mifflin - Rezoning request by Dennis & Joshua Welsh.
 - 8-1223 Mifflin - Rezoning request by Ryan & Candy Temperly.

- 9-1223 Pulaski - Rezoning request by Mark & Margo Aide and Daniel Aide, etal.
- 10-1223 Waldwick - Rezoning request by Bryan & Fred Kendall.

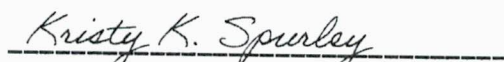
9. Authorize the County Clerk to publish in January and March a Class 1 Notice notifying the public that dog licenses and rabies vaccinations are required under the Wisconsin Statutes.

Public Works Committee

10. Consider amendment to Ordinance 600.18B ATV-UTV Ordinance for additional road routes.

Executive Committee

11. Consider Resolution 11-1223 Approving a Public-Private Partnership to Facilitate the Deployment of Affordable, Reliable, High-Speed Internet Services Within the County.
12. Consider Amending the Ethics Ordinance.
13. Consider Resolution 12-1223 Recommending Transfer of Funds in 2023 from the General Fund Balance to the Sheriff's Department for Humane Society Expenses.
14. Consider Resolution 13-1223 Recommending Transfer of Funds in 2023 from the General Fund Balance to Health and Human Service Building Capital Outlay.
15. County Administrator's report.
16. Chair's report.
17. Mileage and Per Diem Report for this December 19, 2023 meeting.
18. Motion to adjourn to January 16, 2024.


Kristy K. Spurley, County Clerk

Posted 12/13/2023 @ 1:00 pm

Send Result Report



MFP

ECOSYS M3645idn

Firmware Version 2TA_S000.002.403 2019.12.05

R4S9910930
12/13/2023 13:28
[2V2_1000.003.011] [2T6_1100.001.001] [2TA_7000.002.403]

Job No.: 072924

Total Time: 0°01'38"

Page: 002

Complete

Document: doc07292420231213132414

If anyone would like to speak at the meeting, County Board Rules require they contact the County Clerk's Office no later than 4:00 pm on the day of the meeting to register. 608.935.0399.

IOWA COUNTY BOARD MEETING

AGENDA

Tuesday, December 19, 2023

7:00 p.m.

Conference Call 1-312-626-6799

<https://us02web.zoom.us/j/87929786043>

Meeting ID 879 2978 6043

Health and Human Services Center - Community Room

303 West Chapel St., Dodgeville, WI 53533

For information regarding access for the disabled, please call 935-0399.

Healthy and Safe Place to Live, Work and Play - Iowa County

The Mission of Iowa County Government is to protect and promote the health and safety, economic well-being, and environmental quality of our county by providing essential services in a fiscally responsible manner.

1. Call to order by Chairman John M. Meyers.

2. Pledge of Allegiance.

No.	Date/Time	Destination	Times	Type	Result	Resolution/ECM
001	12/13/23 13:25	Dodge Chronicle	0°00'16"	FAX	OK	200x100 Normal/On
002	12/13/23 13:27	WDMP	0°01'22"	FAX	OK	200x100 Normal/Off

PROCEEDINGS OF THE NOVEMBER SESSION OF
THE BOARD OF COUNTY SUPERVISORS
OF IOWA COUNTY, WISCONSIN

The meeting was held in person and via electronic videoconferencing/teleconferencing.

The Board of Supervisors met in the Health and Human Services Center Community Room in the City of Dodgeville on Tuesday, November 14, 2023 at 6:00 p.m. and was called to order by the Honorable John M. Meyers, Chair of the Board.

The Board, in unison, led the reciting of the Pledge of Allegiance to the flag.

Roll call:

Members attending in person: Doug Richter, Ingmar Nelson, Dan Nankee, Curt Peterson, Darrell Kreul, Joan Davis, Dody A. Cockeram, Brad Stevens, Richard Rolfsmeyer, John Meyers, Tim Lease, Jerry Galle, Don Gander, Justin O'Brien, Don Leix, Mel Masters and Kevin Butteris.

Remotely: Mike Peterson Excused: Dave Gollon, Roger Geisking

Approval of the Agenda: Motion by Lease seconded by Sup. Davis to approve the agenda for this November 14, 2023 meeting. Motion carried unanimously.

Approval of Minutes: Motion by Sup. Nankee seconded by Sup. Cockeram to approve the minutes from the October 17, 2023 meeting. Motion carried unanimously.

Special matters and announcements.

- Committee Chair Reports: Sup. Nankee announced the hiring of a new SUN Executive Director. Sup. Masters reported on the Public Safety and Airport committees.
- Resignation of Supervisor Alan, District #7.
- 2024 Discover Wisconsin Calendar.
- 2024 Standing Committee and Board meeting schedule.
- Forward Analytics

Administrator Bierke recognized Keith Hurlbert on his retirement from Iowa County. He received a Certificate of Appreciation and a gift card from the County.

Comments from the public: None

Motion by Sup. Kreul seconded by Sup. Nankee to adopt Amendatory Ordinance 1-1123 thru 6-1123 as a group. Motion carried unanimously.

Amendatory Ordinance No. 1-1123 to zone 34.067 acres from A-1 Agricultural to AR-1 Agricultural Residential being Lot 1 of CSM 1977 in Town of Arena.

Amendatory Ordinance No. 2-1123 to zone 5.067 acres from AR-1 Agricultural Residential, C-1 Conservancy & B-2 Highway Business to all AR-1 Agricultural Residential and 10.495 acres from AR-1 Agricultural Residential, C-1 Conservancy & B-2 Highway Business to all B-2 Highway Business in the Town of Arena.

Amendatory Ordinance No. 3-1123 to zone 30.37 acres from A-1 Agricultural to AR-1 Agricultural Residential in the Town of Arena.

Amendatory Ordinance No. 4-1123 to zone 5.94 acres from A-1 Agricultural to AR-1 Agricultural Residential in the Town of Brigham.

Amendatory Ordinance No. 5-1123 to zone 5.56 acres from A-1 Agricultural to AR-1 Agricultural Residential in the Town of Highland.

Amendatory Ordinance No. 6-1123 to zone two lots of 7.24 acres & 14.64 acres from A-1 Agricultural to AR-1 Agricultural Residential in the Town of Moscow.

Public Works Committee

Motion by Sup. Butteris seconded by Sup. Leix to approve the amendment to Policy 1114 County-Township 50-50 Bridge program. Motion carried unanimously.

Motion by Sup. C. Peterson seconded by Sup. Butteris to approve Resolution No. 7-1123 County Aid Town Road Bridge Construction Under Section 82.08 of the Statutes. Motion carried unanimously.

Executive Committee

A Public Hearing was held on the proposed Iowa County 2024 Budget starting at 6:11 p.m.

There were no comments made during the Public Hearing.

The Public Hearing ended at 6:15 p.m.

Motion by Sup. Butteris seconded by Sup. Davis to approve Resolution No. 8-1123 Notice of Intent to Issue Financing for Capital Improvement Projects. Motion carried unanimously.

Motion by Sup. C. Peterson seconded by Sup. Lease to approve Resolution No. 9-1123 Notice of Intent to Issue Financing for Highway Equipment and Projects. Motion carried unanimously.

Motion by Sup. Nankee seconded by Sup. Cockeram to approve Resolution No. 10-1123 Notice of Carryover of Certain Accounts from 2023 to 2024. Motion carried unanimously.

Motion by Sup. Davis seconded by Sup. Masters to approve Resolution No. 11-1123 to approve the Budgets and Approve Funds for 2024 Budgets. Motion carried unanimously.

Motion by Sup. Nankee seconded by Sup. Rolfsmeyer to approve Resolution No. 12-1123 Authorizing 2023 Tax Levy for the 2024 Budget. Motion carried unanimously.

Motion by Sup. Nankee seconded by Sup. Nelson to approve the Iowa County Library Plan. Motion carried unanimously.

Motion by Sup. Masters seconded by Sup. Cockeram to approve Contract Agreement Between Iowa County and WPPA (Sheriff's Office). Motion carried unanimously.

Motion by Sup. Davis seconded by Cockeram to approve the Administrator's appointment of:

- Brett White to the Iowa County Library Board for a two-year term expiring on April 30, 2025.
- Amanda Gardner to the Local Emergency Planning Committee on behalf of the Iowa County Emergency Management Department.
- Keith Hurlbert to the Local Emergency Planning Committee on behalf of the Upland Hills Health Care.
- Austin Durst as the Acting Emergency Management Director until February 1, 2024.

Motion carried unanimously.

County Administrator Bierke updated the board on a housing project he is working with SW CAP on and grants that the Sheriffs' Dept. have received.

Chairman Meyers reported that the Traffic Safety Commission is meeting next week. Sup. Gollon's mother passed away.

Mileage and Per Diem Report for this November 14, 2023 Session of the Board was presented.

18 Members 427 Miles and Per Diem \$1,009.69

Motion by Sup. Kreul seconded by Sup. Stevens to approve. Motion carried unanimously.

Motion by Sup. Davis seconded by Sup. O'Brien to convene in closed session pursuant to State Statute 19.85(1)(g), Wisconsin Statutes, conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved. (Receive update and advice regarding ongoing court lawsuits, prosecutions, and the funding thereof).

Entered closed session 6:46 p.m. with Administrator Bierke, David Morzenti, Zach Leigh and Michael Peterson.

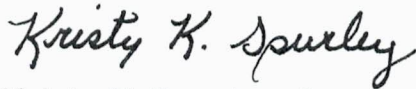
Motion by Sup. Kreul seconded by Sup. Nelson to return to open session. Motion carried unanimously.

Returned to open session at 7:29 p.m.

Motion by Sup. Leix seconded by Sup. Davis to adjourn to December 19, 2023. Motion carried unanimously.

Meeting adjourned at 7:30 p.m.


John M. Meyers, Chairman


Kristy K. Spurley, County Clerk

IOWA COUNTY

ALL-TERRAIN and UTILITY TERRAIN VEHICLE ROUTE ORDINANCE

SECTION 1.0: INTRODUCTION

1.1 NAME

This Ordinance shall be called the Iowa County All-Terrain and Utility-Terrain Vehicle Route Ordinance.

1.2 INTENT

Following due consideration of the recreational and economic value to connect trail opportunities and weighted against possible dangers, public health, liability aspects, terrain involved, traffic density and history of automobile traffic, this ordinance has been created pursuant to County Board authority under Wis. Stat. ss. 59.02, 23.33(4)(d)3.b., 23.33(11)(a) and (am), and 23.33(8)(b) as amended.

1.3 DEFINITIONS

- A. All-Terrain Vehicle ("ATV") has the meaning specified within Wis. Stat. ss. 340.01 (2g).
- B. ATV/UTV Route shall mean a highway or sidewalk designated for use by all-terrain and utility-terrain vehicle operators by the governmental entity having jurisdiction.
- C. Utility-Terrain Vehicle ("UTV") has the meaning specified within Wis. Stat. ss. 23.33 (1), (ng).

1.4 SEVERABILITY

The provisions of this Ordinance shall be deemed severable and it is expressly declared that Iowa County would have passed the other provisions of this Ordinance irrespective of whether one or more provisions may be declared invalid. If any provision of this Ordinance or the application to any person or circumstance is held invalid, the remainder of this Ordinance and the application of such provisions to other persons and circumstances shall not be deemed affected.

1.5 SAVING CLAUSE

This Ordinance shall in no way be deemed to supplant or otherwise invalidate any provision of state statutes relating to the subject matter hereof. Any person entrusted with the enforcement of this Ordinance may; in the exercise of his or her discretion, proceed under applicable state statutes.

SECTION 2.0: ATV/UTV ROUTES AND OPERATION

2.1 RULES OF OPERATION

- A. All ATV/UTVs shall operate only on the paved portion of the roadway. Operation on the gravel shoulders, grassy in-slope, ditches, or other highway right-of-way area is prohibited and illegal.
- B. No ATV/UTV shall be operated at a speed greater than 30 miles per hour (MPH), or the posted speed limit, whichever is lower.
- C. No ATV/UTV may be operated on any designated route between the hours of 1:00 AM and 5:00 AM daily.
- D. All ATV/UTV operators shall ride in single file on the extreme right hand side of the paved portion of the highway except that left turns may be made from any part of the roadway which is safe given prevailing conditions.
- E. All ATV/UTV operators shall have their headlight and taillight illuminated, while operating on a county highway.
- F. All operators
 - a. of ATV's and UTV's must be 16 years of age or older.
 - b. Of ATV's, who are at least 16 years of age and who are born on or after January 1, 1988 shall possess a valid state-issued ATV/UTV Safety Certificate.
 - c. of UTV's who are at least 16 years of age and who are born on or after January 1, 1988 must possess a valid state-issued Safety Certificate.
 - d. of ATV/UTV's and any passengers under 18 years old shall wear protective headgear while operating on route-designated county highways.
- G. Mandatory Use of Seatbelts during operation of a UTV. ALL occupants riding in, or operating a UTV, shall be required to wear a seatbelt when travelling on any trail or route within Iowa County.
- H. Possession of Open Intoxicants in an ATV or UTV while in operation. It shall be unlawful for any person to possess any bottle or receptacle containing alcohol beverages if the bottle or receptacle has been opened, the seal has been broken, or the contents of the receptacle have been partially removed, while operating or as a passenger on an ATV or UTV on any road or road route in Iowa County.
- I. ATV/UTV operation shall be subject to all provisions of WI Stats. S. 23.33, which is adopted as a part of this ordinance by reference.

2.2 SIGNAGE OF ATV ROUTES

- A. Routes shall be marked with uniform all-terrain vehicle route signs in accordance with

s. NR 64.12(7), Wisconsin Administrative Code. No person may do any of the following in regard to signs marking ATV/UTV routes:

- 1) Intentionally remove, damage, deface, move, or obstruct any uniform ATV/UTV route or trail sign or standard or intentionally interfere with the effective operation of any uniform ATV/UTV route or trail sign.
 - 2) Possess any uniform ATV/UTV route or trail sign or standard of the type established by the department for the warning, instruction or information of the public, unless he or she obtained the uniform ATV/UTV route or trail sign or standard in a lawful manner. Possession of a uniform ATV/UTV route or trail sign or standard creates a rebuttable presumption of illegal possession.
- B. Every area authorized as being closed to an all-terrain vehicle/utility-terrain vehicle shall be designated by a No all-terrain vehicle/utility-terrain vehicle pictogram sign having a reflectorized black all-terrain vehicle symbol, a red circle with a red line through it, and on a reflectorized white background with a minimum size of 12 inches by 12 inches or a green reflectorized background with a minimum sign size of 24 inches by 18 inches with a white message stating END ATV/UTV ROUTE and a white atv/utv pictogram; where appropriate, placed at the location of the end of an ATV/UTV route or at the closest side road intersection, and such location as to notify the ATV/UTV operators to not drive beyond that point.
- C. All required designated route signs shall be paid for by an ATV/UTV club, with approval, installation, and maintenance of the signs by the Iowa County Highway Department.
- D. The quantity and location of signage shall be reviewed and approved by the Iowa County Highway Commissioner, where appropriate, placed at the beginning of an all-terrain vehicle route within the county and at such locations and intervals deemed necessary to enable the ATV/UTV operators to follow the route.
- E. No sign may be mounted on any existing County sign post or telephone post/pole. Posts shall be suitably sized for mounting the necessary amount of signs at the location
- F. No person shall operate an ATV/UTV contrary to any authorized and official posted sign.

2.3 DESIGNATION OF ROUTES

All requests for new or revised ATV/UTV route designations shall first be submitted to the Iowa County Traffic Safety Commission for review at its November quarterly meeting. The Iowa County Traffic Safety Commission shall review such requests for County Trunk Highway (CTH) route designations and make a recommendation to the Iowa County Public Works Committee. The Public Works Committee shall review designation of ATV/UTV routes, including appropriate criteria for making a designation, and make a recommendation to the Iowa County Board of Supervisors. County highways designated as ATV/UTV routes shall be approved by the Iowa County Board of Supervisors by amendment of Sec. 2.3 of

this Ordinance.

A copy of ATV/UTV routes, along with a map showing their location, shall be kept on file at the Highway Department. The Iowa County Highway Department shall file ATV/UTV routes adopted by this Ordinance with the Department of Natural Resources Conservation Warden for Iowa County and with the Madison, Wisconsin, Office of the Wisconsin Department of Natural Resources.

The Iowa County Highway Commissioner shall have the authority to temporarily close, suspend operation on, or terminate any ATV/UTV route enacted by this Ordinance for a period up to ninety (90) days due to hazard, safety, construction, or emergency conditions on any highway segment by placement of signage at the locations of the closure. The Highway Commissioner may also for a period of up to (90) ninety days, have the authority to designate any of the above closed segments to be opened for use and utilized for an alternate route. Alternates or closures for duration of greater than ninety (90) days shall be reviewed by the Public Works Committee.

- A. All Iowa County Trunk Highways shall be considered as ATV/UTV routes except as noted in Subsection B herein and posted as otherwise.
- B. The following sections of Iowa County Trunk Highways shall be PROHIBITED from ATV/UTV route usage and will be signed CLOSED to ATV/UTV traffic:
 - a. CTH A from the intersection of Heins Road easterly to USH 151.
 - b. CTH A in the Township of Moscow from Brue Road easterly to Dane County.
 - c. CTH B from Sunny Slope Road westerly to STH 39.
 - d. CTH BH within and from Blackhawk Lake County Park westerly to the end of the horizontal curve 1,000 Ft north/east of Fire Number #1907 at the Carter/Bettner Field Entrance.
 - e. CTH C from Fire #6279 driveway at the Spring Valley Inn easterly to and including the STH 14 intersection.
 - f. CTH C from High Point Road westerly to STH 23.
 - g. CTH C from STH 23 westerly to STH 130 in the Townships of Clyde and Wyoming.
 - h. CTH CH from County Farm Road northerly to STH 18.
 - i. CTH D from Sunny Ridge Road southerly to STH 39.
 - j. CTH DD from Pleasant View Road westerly to STH 39.
 - k. CTH E from Cave Road westerly to STH 39.
 - l. CTH F from CTH A ~~southerly~~ to ~~the Village of Blanchardville limits~~. East Pecatonica Road, through the STH 39 intersection.
 - m. CTH F from Prairie Grove Road northerly to Dane County.
 - ~~n. CTH H from Twin Court northerly to CTH Y / Dugway Road.~~
 - ~~o. n.~~ CTH H from Fire #7195 Pappas' Trading Post driveway northerly to and including the STH 14 intersection.
 - ~~p. o.~~ CTH HHH from Strutt Road southeasterly to USH 18/151.
 - ~~q. p.~~ CTH I in the Township of Clyde from CTH P (South) easterly to STH 130.
 - ~~r. q.~~ CTH II in the Township of Clyde from Adams Hill Road northerly to CTH I.
 - ~~s. r.~~ CTH K from Jones Street ~~northerly~~ to USH 18/151.
 - ~~t. s.~~ CTH K from CTH ID ~~southerly~~ to USH 18/151.
 - ~~u. t.~~ CTH K from CTH HH ~~north~~ to Mounds Park Road.
 - ~~v. u.~~ CTH K from Ridgeview Road ~~northerly~~ to Sweeney Road.
 - ~~w. v.~~ CTH K from Zwettler Road ~~northerly~~ to Frame Road.
 - w. CTH K from Roelke Road ~~northerly~~ to CTH KK.

- x. CTH K from Knight-Hollow Road to STH 14.
- y. CTH KK from CTH K easterly to Dane County.
- z.y. CTH M from Hunter Hollow Road northerly to and including the STH 130 intersection.
- aa.z. CTH N in the Township of Clyde from Pine Knob Road southerly to CTH I.
- bb.aa. CTH N from Wisconsin Avenue northerly to STH 133.
- ee.bb. CTH NN in the Township of Clyde from CTH N to STH 130.
- dd.cc. CTH O from the Lafayette County line northerly to Business 151 at Mineral Point.
- ee.dd. CTH Q from Hazy Lane southwesterly to STH 80
- ff.ee. CTH QQ from CTH Q north to STH 39.
- gg.ff. CTH P from Hach Road westerly to STH 80.
- hh.gg. CTH P from Busch Road easterly to STH 80.
- ii.hh. CTH P from Old 80 Road northerly to STH 133.
- jj.ii. CTH S from Ferrell Road westerly to STH 39.
- kk.jj. CTH T from Schurch Road northerly to USH 18/151.
- ll.kk. CTH T in the Township of Wyoming from Erdmann Road to STH 23.
- mm.ll. CTH W from CTH DD northerly to STH 39.
- nn.mm. CTH W from Sylvan Road southerly to STH 39.
- oo.nn. CTH W from Sunny Ridge Road northerly to STH 39.
- pp.oo. CTH Y from Governor Dodge Road westerly to USH 23/151.
- qq.pp. CTH Y from McGraw Road northerly to STH 191.
- rr.qq. CTH Y from STH 191 northerly to USH 18/151; with exception to the intersection with Section Line road.
- ss.rr. CTH YD from the Midway Bowling Lanes driveway westerly to and including the intersection with USH 23/151.
- tt.ss. CTH YZ from Evans Quarry Road southerly to USH 18/151.
- uu.tt. CTH XX from CTH B northerly to STH 18.
- vv.uu. CTH Z in the Township of Wyoming from Korbeck Road northerly to CTH T.
- ww.vv. CTH ZZ from Fire Number #4425 westerly to STH 23.

C. Under Wis. Stat. ss. 23.33(4)(d)3.b and 23.33 (11)(am)~~34~~, the County authorizes the operation of ATVs/UTVs on:

- i. STH 39 in the village of Linden and Town of Linden, from the intersection with Galena Street to the intersection with Dodgeville Street (also known as Wearne Road) including the bridge over Peddler creek, in the town of Linden ,Sec 8 and 9; T5N; R2E; a distance of 0.25 miles.
- ii. STH 39 in the Town of Mineral Point and the City of Mineral Point, from the intersection of CTH QQ to the 30/45 speed limit transition near the City of Mineral Point, including the bridge over the Mineral Point Branch of the Pecatonica River, in Sec. 36; T5N; R2E, a distance of 0.5 miles more or less.
- iii. STH 191, in the Village of Hollandale, from the intersection with 5th Avenue to the intersection with CTH K including the bridge over the Dodge Branch of the Pecatonica River, Sec.30; T5N; R5E; a distance of 787 feet more or less.

SECTION 3.0: ENFORCEMENT AND PENALTIES

This ordinance shall be enforced by any officer employed by the Iowa County Sheriff Department or any other law enforcement official as set forth in Wisconsin Statute § 23.33(12).

3.1 PENALTIES

The penalty for violating any provision of § 2.2 of this ordinance or §§ 2.3(A) (1) or (2), (D), or (E) shall result in a forfeiture of not more than \$250.00, plus court costs.

SECTION 4.0: EFFECTIVE DATE

This Ordinance and subsequent amendments to it shall be effective on the date after publication. Ordinance No. 600.18B was adopted by the Iowa County Board of Supervisors on July 16, 2013, and amended at the following sessions of the County Board: April 21, 2015; April 19, 2016; December 20, 2016; December 19, 2017; March 20, 2018; March 19, 2019; December 17, 2019; March 17, 2020; March 16, 2021; June 15, 2021; December 21, 2021. [December 19, 2023](#)

RESOLUTION NO. 11-1223

**RESOLUTION APPROVING A PUBLIC-PRIVATE PARTNERSHIP TO FACILITATE THE
DEPLOYMENT OF AFFORDABLE, RELIABLE, HIGH-SPEED INTERNET
SERVICES WITHIN THE COUNTY**

WHEREAS, the County, a certified Broadband Forward! Community, seeks to promote the development of affordable, reliable, high-speed broadband service within its boundaries for the public purpose of supporting its residents' desired quality of life and its businesses' need to compete in a global economy; and

WHEREAS, the County believes that the economic activity and public benefits likely to be generated by studying, analyzing, developing, and, ultimately, providing reliable, affordable, high-speed broadband services throughout the County constitutes a valid public purpose; and

WHEREAS, the County has areas that are underserved or unserved by affordable, reliable, high-speed broadband service; and

WHEREAS, the County desires to expand its residents' and businesses' access to affordable, reliable, high-speed broadband service; and

WHEREAS, Iowa County has partnered with MH Telecom, LLC, doing business as MHTC, for the purpose of applying for a 2022 Public Service Commission of Wisconsin Grant to extend fiber internet connectivity in Iowa County; and Iowa County has also partnered with MH Telecomm, LLC, to provide a funding contribution specifically for fiber internet connectivity in the subdivision of Green Leaf Glen in Dodgeville Township; and

WHEREAS, MHTC is pursuing a new project in Iowa County that is anticipated to make Fiber-to-the-Home (FTTH) high speed internet service available to approximately 244 businesses and residences in the Village of Cobb; and

WHEREAS, in accordance with Iowa County Policy 309, Partnerships With Businesses, MHTC requested Iowa County to provide a financial contribution to the MHTC Village of Cobb project to further expand and develop high speed fiber internet connectivity in Iowa County; and

NOW, THEREFORE, BE IT RESOLVED, the Iowa County Board of Supervisors approves the County Administrator, or his designee, to enter into a partnership agreement with MHTC, in accordance with Iowa County Policy 309, to facilitate the provision of affordable, reliable, high-speed internet services within the County.

BE IT FURTHER RESOLVED, the Iowa County Board of Supervisors approves the expenditure from the Environmental Impact Fee Fund in an amount not to exceed Two Hundred Thousand and 00/100 Dollars (\$200,000.00) to facilitate the partnership between Iowa County and MHTC in accordance with the terms of the partnership agreement.

Respectfully submitted by the Executive Committee.

Adopted by the Iowa County Board of Supervisors this ____ day of _____, 2023.

John M. Meyers, Chairman
Iowa County Board of Supervisors

Attest:

Kristy K. Spurley, Clerk
Iowa County

BROADBAND EXPANSION CONTRIBUTION AGREEMENT

This **BROADBAND EXPANSION CONTRIBUTION AGREEMENT** ("*Agreement*") is made and entered into effective as of December 19, 2023, by and between:

Iowa County
222 N. Iowa Street
Dodgeville, WI 53533 ("*County*"),

and

MH Telecom, LLC
305 N. Iowa Street,
Dodgeville, WI 53533 ("*MHTC*").

WHEREAS, the County, a certified Broadband Forward! Community, seeks to promote the development of affordable, reliable, high-speed broadband service within its boundaries for the public purpose of supporting its residents' desired quality of life and its businesses' need to compete in a global economy; and

WHEREAS, the County believes that the economic activity and public benefits likely to be generated by studying, analyzing, developing, and, ultimately, providing reliable, affordable, high-speed broadband services throughout the County constitutes a valid public purpose; and

WHEREAS, the County has areas that are underserved or unserved by affordable, reliable, high-speed broadband service; and

WHEREAS, the County desires to expand its residents' and businesses' access to affordable, reliable, high-speed broadband service; and

WHEREAS, Iowa County has partnered with MH Telecom, LLC, doing business as MHTC, for the purpose of applying for a 2022 Public Service Commission of Wisconsin Grant to extend fiber internet connectivity in Iowa County; and Iowa County has also partnered with MH Telecomm, LLC, to provide a funding contribution specifically for fiber internet connectivity in the subdivision of Green Leaf Glen in Dodgeville Township; and

WHEREAS, MHTC is pursuing a new project in Iowa County that is anticipated to make Fiber-to-the-Home (FTTH) high speed internet service available to approximately 244 businesses and residences in the Village of Cobb; and

WHEREAS, in accordance with Iowa County Policy 309, Partnerships With Businesses, MHTC requested Iowa County to provide a financial contribution to the MHTC Village of Cobb project to further expand and develop high speed fiber internet connectivity in Iowa County; and

WHEREAS, Iowa County, by Resolution adopted on December 19, 2023, agreed to provide a contribution to the MHTC Village of Cobb project from Iowa County's Environmental Impact Fee Fund in an amount up to and including the sum of Two Hundred Thousand and 00/100 Dollars (\$200,000.00); and

WHEREAS, the terms and conditions of this Agreement shall describe the procedures for the payment of the County's contribution to the MHTC Village of Cobb project; and

WHEREAS, this Agreement is exclusive of and is distinguished from all previous agreements between MHTC and County and contains the entire understanding between the Parties.

NOW, THEREFORE, in consideration of the mutual promises and dependent authorizations, the Parties agree as follows:

The following documents are incorporated and made part of this Agreement:

- 1) The attached Terms and Conditions.
- 2) Iowa County Environmental Impact Fee request letter dated September 6, 2022; and Public Service Commission of Wisconsin response letter and approval dated September 9, 2022.
- 3) Iowa County Policy 309, Partnerships With Businesses
- 4) Resolution dated December 19, 2023, Approving County Contribution.
- 5) MHTC Village of Cobb Project Area.

[Signature Page Follows]

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be duly executed as of the date first referenced above.

MHTC:

COUNTY:

MH TELECOM, LLC

IOWA COUNTY:

By: _____
Name: John Van Ooyen
Title: CEO/General Manager

By: _____
Name: Larry Bierke
Title: Iowa County Administrator

TERMS AND CONDITIONS

- 1.0 **Applicability.** These terms and conditions apply to the County's broadband expansion contribution for the MHTC Village of Cobb project (the "**Project**").
- 2.0 **Contribution.** Subject to this Agreement, the County will contribute an amount not to exceed Two Hundred Thousand and 00/100 Dollars (\$200,000.00, the "**Contribution**") to the Project. This maximum contribution amount limit for the County is anticipated to be less than 20 percent of the total project funding cost.
- 3.0 **Reimbursement.** The following conditions apply to requests by MHTC for contribution payments by the County ("**Requests for Payment**"):
 - 3.1 No Contribution payments will be issued without a Request for Payment.
 - 3.2 The Contribution is exclusive funding and will be used only for the Project.
 - 3.3 MHTC shall prepare and submit to the County a written Request for Payment in order to receive any Contribution payments under this Agreement.
 - 3.4 Each Request for Payment must include a copy of an invoice (or receipt) for each expense (materials or labor) for which reimbursement is requested.
 - 3.4.1 The invoice will be used to document reimbursement costs.
 - 3.4.2 MHTC may, with prior authorization from County, in lieu of an invoice, submit a narrative description of the expense for which reimbursement is requested along with any relevant documentation.
 - 3.4.3 County shall promptly make Contribution payments upon receipt of a Request for Payment; provided, however, County may delay reimbursement of a Request for Payment until sufficient documentation of costs, as reasonably determined by County, is provided by MHTC.
 - 3.4.4 MHTC shall not submit a Request for Payment to County more than thirty (30) days after the completion of the Project.
 - 3.5 MHTC shall submit a final project report to County no later than thirty **(30) days after the completion of the Project**. The final project report shall include how much (length) of fiber has been installed, the internet speed (highest data rate plan available to customers), and the number of residents being served.
 - 3.6 Under no circumstances will the County's Contribution exceed Two Hundred Thousand and 00/100 Dollars (\$200,000.00).
 - 3.7 If the Project is not completed, County may require and be entitled to reimbursement of any or all Contribution funds under this Agreement. Any reimbursement of funds that is required by County, with or without termination of this Agreement, will be due within forty-five (45) days after giving written notice to MHTC. Any funds due after the forty-five (45) days will accrue interest at a rate of ten percent (10%) per annum.

County also reserves the right to recover such funds by any other legal means including litigation.

- 3.8** By executing this Agreement MHTC is committing to complete the entirety of the Project. Any costs over and above the Contribution are the responsibility of MHTC. MHTC understands and agrees any costs over and above the Contribution includes unforeseen and unanticipated costs and expenses necessary to complete the Project.

* * * * *

701 IOWA COUNTY ETHICS CODE ORDINANCE

The County Board of Supervisors of Iowa County do ordain as follows:

701 Title.

(a) Title:

This ordinance shall be cited as the Iowa County Ethics Code.

701.01 Authority

(a) Statutory Authorization

(1) This ordinance is enacted under the Authority of Wisconsin State Statute 19.59.

701.02 Ethics Board.

(a) There is hereby created an Ethics Board to consist of five members who are individuals from the Iowa County community, appointed by the County Board Chairperson, or his or her designee, with the approval of the County Board. The members of the Ethics Board shall be residents of the Iowa County and shall not be County Public Officials during the time of appointment, and the Ethics Board members 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 Board shall elect a Chairperson, Vice Chairperson, and Secretary from among its members. The County Administrator shall provide administrative support and assistance to the Board. The Corporation Counsel shall provide legal advice and assistance to the Board. The Board shall be entitled to mileage and per diem payments for meetings and hearings of the Board on the same basis as provided other Iowa County Boards, Committees or Commissions.

(b) *Powers and duties.* The Ethics Board shall be responsible for investigating an ethics complaint, and conducting a fact-finding hearing as described in Section 701.22 below, in any case where the Ethics Board receives a written complaint or allegation of an ethics violation pursuant to Section 701.21 below.

(c) *Burden of proof.* The burden of proving a violation alleged in the complaint shall be on the Ethics Board. The Respondent may be called as a witness but may not be required or compelled to testify. Violations shall be proved by evidence that is clear, satisfactory, and convincing ~~for by a preponderance of the evidence~~.

(d) *Hearing.* The Ethics Board may hold, and an individual against whom a complaint has been made and where the complaint has been referred to the Ethics Board may request, a hearing before the Board using the procedures described in Section 701.22 below. The Board shall keep a record of the hearing. The Board shall have the power to compel the attendance of witnesses and to issue subpoenas as granted to other boards and commissions under Wis. Stat. § 885.01.

- i. Within ten work-days of the conclusion of the hearing, the Board shall file its written findings and recommendations signed by all participating Board members the Ethics Board Chairperson and Secretary, together with findings of fact and conclusions of law, concerning the propriety of the conduct of the public official. In order for the Board to find and substantiate a violation of the Ethics Code by a Respondent, it must be supported by a two-thirds (2/3) supermajority vote of those Board members present and voting. If the 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 Respondent, issue a public statement.~~
 - ii. No recommendation of the Board becomes effective until 20 work-days after it is issued, or while an application for rehearing or rehearing before the Board is pending, or the Board has announced its final determination on rehearing.
- (e) *Enforcement and penalties.* If the Ethics Board finds that clear, satisfactory, and convincing evidence exists for believing the allegations of the complaint, the Ethics Board may make recommendations or take action as indicated in Sections 701.22, 701.24, and 701.26. The Ethics Board shall also refer all findings and recommendations to the County Board, and in the case of a County employee, to the County Administrator.

701.03 Definitions

(a) General

- (1) The word "shall" is mandatory; the word "may/should" is permissive.
- (2) The words "used" or "occupied" also mean intended, designed or arranged to be used or occupied.
- (3) The word "person" includes any individual, firm, association, joint stock association, organization, partnership, limited, trust, body politic, governmental agency, company, corporation and includes any trustee, receiver, assignee, or other representative thereof.

(b) Definitions

- (1) Administrative Agency – any board, commission, committee, task force, or other entity which is listed in Chapter 15.
- (2) Anything of value – any money or property, favor, service, payment, advance, forbearance, loan or promise of future employment, but does not include compensation and expenses paid by the county, fees and expenses which are permitted and reported under Ordinance 701.16, political contributions which are reported under §11, hospitality extended for a purpose unrelated to county business by a person other than an organization or anything having a value of less than \$20 per occurrence or \$50 in total during a calendar year.
- (3) Board – the Iowa County Ethics Board created by Section 701.02 of the Iowa County Code of Ordinances.
- (4) Business – any corporation, partnership, proprietorship, firm, enterprise, franchise, association, organization, self-employed

individual or any other legal entity which engages in profit-making or nonprofit m-making activities.

- (5) Citizen or citizen member refers to a person appointed to any position by the County Board, who is neither an elected county office holder nor a county employee.
- (6) County employee shall refer to any person holding a full- or part-time position with Iowa County, other than a county official.
- (7) County official – any person holding a county elected office.
- (8) Department – any department of county government having its own budget.
- (9) Elected Official – any person who holds an elected position and whose salary is funded in full or in part by Iowa County.
- (10) Organization – any legal entity other than an individual or body politic.
- (11) Public official – a person who is a “County employee,” “County official,” or “Elected Official.”
- (12) Respondent – a person against whom has been filed a complaint alleging a violation of this chapter.
- (13) Substantial financial interest¹ – any interest required to be placed on a disclosure statement by 701.19 of this ordinance.

701.04 Application of Chapter

- (a) This ordinance shall apply to all county officials and county employees.

701.05 Administration

- (a) The Iowa County Ethics Board shall be the administrative body with respect to the enforcement of the provisions of this ordinance. The board may call upon the Iowa County Administrative Offices for staff assistance as the need arises. The Corporation Counsel shall provide such legal assistance as the board requires.

701.06 Certain County Transactions Prohibited.

- (a) The county shall not have or seek to have a business or financial relationship with a county official which would potentially place the official in violation of § 946.13 or any provision of this chapter.

¹ “Substantial financial interest” is not currently defined in the Wisconsin Statutes or Wisconsin Administrative Code. However, Wis. Stat. § 19.44 requires certain state public officials to disclose “substantial income” from certain sources for the purposes of financial disclosure requirements. Wis. Stat. § 19.44 provides several categories of “substantial income” that must be reported, and these categories and reporting thresholds can be viewed as examples of “substantial financial interest” for the purposes of this ordinance.

- (b) It shall be the duty of the department head overseeing negotiations and requests for bids or proposals or other proposed transactions to assure compliance with this section.

701.07 Declaration of Policy.

- (a) The proper operation of representative government requires that county officials and employees be independent, impartial and responsible to the people; that government decisions and policy be made in the proper channels of the governmental structure; that public office not be used for personal gain; and that the public have confidence in the integrity of its government. In recognition of these goals, there is hereby established a code of ethics for all County of Iowa officials and employees. The purpose of this code is to assist county officials and employees in avoiding conflicts between their personal interest and their public responsibilities in order to improve standards of public service and promote and strengthen the faith and confidence of the people of Iowa County in their county public officials and employees and to provide for disclosure by county officials and managerial employees of substantial financial interest in matters affecting the county. The provisions and purpose of this code and such rules and regulations as may be established are hereby declared to be in the best interests of the County of Iowa.
- (b) The county board hereby reaffirms that each county official and employee occupies a position of public trust that requires adherence to a high standard of conduct. Any effort to realize substantial personal gain through official conduct is a violation of that trust. This code of ethics does not prevent any county public official from accepting other employment or following any pursuit which in no way interferes with the full and faithful discharge of his or her duties to this county. The county board further recognizes that in a representative democracy, the representatives are drawn from society and, therefore, cannot and should not be without all personal and economic interest in the decisions and policies of government; that citizens who serve as county officials retain their rights as citizens to interests of a personal or economic nature; that standards of ethical conduct for county officials need to distinguish between those minor and inconsequential conflicts that are unavoidable in a free society, and those conflicts which are substantial and material; and that county officials may need to engage in employment, professional or business activities, other than official duties, in order to support themselves or their families and to maintain a continuity of professional or business activity, or may need to maintain investments which activities or investments do not conflict with the specific provisions of this code.

701.08 Standard of Conduct; Use of public position to obtain private benefit prohibited.

- (a) No county official, county employee or citizen member 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.

701.09 Standard of Conduct; Solicitation or acceptance of anything of value.

- (a) No county official, county employee or citizen member may solicit or accept from any person directly or indirectly, anything of value if it could reasonably be expected to influence official actions or judgement, or could reasonably be considered as a reward for any official action or inaction on the part of the county official, county employee or citizen member.

701.10 Standard of Conduct; Conflict of interest prohibited.

- (a) No county official, county employee or citizen member may:
 - (1) Take any official action substantially affecting a matter in which the official, a member of his or her immediate family or an organization with which the official is associated has a substantial financial interest.
 - (2) 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 official, one or more members of the official's immediate family either separately or together, or an organization with which the official is associated.
- (b) Paragraph (a) does not prohibit a county official from taking any action concerning the lawful payment of salaries or employee benefits or reimbursement of actual and necessary expenses, or prohibit a county official from taking official action with respect to any proposal to modify a county or municipal ordinance.

701.11 Mileage Reimbursement Eligibility

- (a) A county board supervisor is eligible for reimbursement, at the current mileage reimbursement rate as established by the Internal Revenue Service, of only that mileage actually traveled in attending those meetings for which she or he is eligible for reimbursement.

701.12 Standard of Conduct; Use or disclosure of information gained in course of official activities.

- (a) No county official or employee may intentionally use or disclose information gained in the course of or by reason of her or his official position or activities in any way that could result in the receipt of anything of value for herself or himself, for a member of her or his immediate family, or for any other person or legal entity if the information has not been communicated to the public or is not a public record.

701.13 Impermissible use of public Office.

- (a) No county official or county employee shall use or attempt to use his or her public office or employment to influence or gain unlawful benefits, advantages or privileges personally or for others.

701.14 Standard of Conduct; Representation for compensation by county official before county entities.

- (a) No county official shall appear on behalf of private interests for compensation, before any county entity nor represent private interests in any action or proceedings against the county.
 - (1) This subsection shall not apply:
 - i. In a contested case which involves a part other than the county with interests adverse to those represented by the public official or employee; or
 - ii. At an open hearing before a body other than the county board or a committee of the county board, at which a stenographic or tape record is maintained; or
 - iii. In a matter that involves only ministerial action by the department; or
 - iv. To representation by an elected official acting in his or her official capacity.
 - (2) This section may not be construed to limit in any fashion whatsoever an elected official's business or professional partner's or associate's right to practice or appear before a county entity, provided, however, the elected official does not participate in any vote or in the decision-making process.
 - (3) Nothing in this section shall be construed to prohibit an elected official from representing herself or himself before any county entity, including the one of which he or she is a member.

701.15 Standard of Conduct; Representation by citizen members and employees before county entities.

- (a) No county employee or citizen member shall appear on behalf of private interest with or without compensation before any entity for or with which the person works nor appear on behalf of private interests with or without compensation in any action or proceeding against the county.
 - (1) This subsection shall not apply to matters involving employee appearances before any county entity as a representative of a collective bargaining unit, whether on behalf of the unit or a county employee represented by the unit.
- (b) This section shall not be construed to prohibit a citizen member from dealing directly with staff of the agency on behalf of private interests, for compensation or otherwise, provided that if the representation is for compensation, that fact is contemporaneously disclosed, in writing, to the affected county department or agency.

- (c) This section shall not be construed to limit in any fashion whatsoever a citizen member's or employee's business or professional partner's or associate's right to practice or appear before the administrative agency.
- (d) Nothing in this section shall be construed to prohibit a citizen member or employee from representing herself or himself before any county entity, including the one of which he or she is a member.

701.16 Standard of Conduct; Receipt and retention of anything of value unrelated to official duties.

- (a) County officials, employees and citizen members may receive and retain anything of value if the activity or occasion on or for which it is given is unrelated from his or her use of the county's time, information, facilities, equipment, services or supplies not generally available to all residents of the county and he or she can show by clear and convincing evidence that the payment or reimbursement was unrelated to and did not arise from the recipient's holding or having held her or his position and was paid for a purpose unrelated to a matter being considered by or affecting the county. Such persons may accept and retain from persons or entities other than the county the cost of reimbursement or actual and reasonable expenses related to speaking engagements whether or not the same arise from their county roles or positions.

701.17 Standard of Conduct; Receipt and retention of anything of value for the benefit of the county.

- (a) County officials, employees and citizen members may accept and retain anything of value which consists of transportation, lodging, meals, food or beverage, or reimbursement therefore, if the official, employee or citizen member can show by clear and convincing evidence that the same was incurred or received primarily for the benefit of the county and not primarily for his or her private benefit or that of any other person. It is prima facie evidence that the acceptance of anything of value consisting of enumerated items or services is primarily for the benefit of the county:
 - (1) when received by an official, employee or citizen member in connection with a speech or other presentation being given by the county official, employee or citizen member;
 - (2) when received by an official, employee or citizen member attending a government-related function where the same or similar items or services are provided free of direct charge to all attendees; or
 - (3) when received by an official employee or citizen member in a situation where the county would have to assume the costs of the item or service if not otherwise provided.

701.18 Standard of Conduct; Receipts from political committees.

- (a) Notwithstanding any other provision of this chapter, county officials may receive and retain from a political committee under §11, transportation, lodging, meals, food, beverages, or reimbursement therefor, or payment or reimbursement of costs permitted and reported in accordance with §11.

701.19 Standard of Conduct; Disclosure by county officials.

- (a) A county Official who has a substantial financial interest in a matter pending before the body of which he or she is a member shall disclose the nature of the interest. The disclosure shall be made on the record before the body, or if there is no formal record, in writing to the body.

701.20 Standard of Conduct; Disclosure by county officials of matters pertaining to a closed session prohibited.

- (a) No county official may disclose any information discussed, debated or acted upon in a closed session of the Iowa County Board or its standing committees.

701.21 Complaints.

- (a) All complaints regarding violations of this ordinance shall be made in writing and submitted to the county clerk who shall deliver them to the chairperson of the Ethics Board.

701.22 Procedure before the Board.

- (a) Upon receipt of a complaint, the board shall:
 - (1) Cause notice to be given to the respondent. Such a notice shall contain a specification of the charges against the respondent as well as the notice that the respondent may file a written statement of his or her position with the board.
 - (2) Schedule and hold hearings on the complaint.
 - (3) Hear the respondent's position and the testimony of witnesses, if any.
 - (4) Permit the respondent and the complainant to call such witnesses as either desires and to cross-examine the witnesses of the other.
 - (5) Consider the evidence presented and make findings thereon.
 - (6) By its chairperson or his or her designee, make rulings on motions and objections made by any party in such a manner as to assure due process protection to the parties.
 - (7) Based upon the evidence presented to it, determine whether or not to seek imposition of a forfeiture pursuant to the penalty provisions of this ordinance. If a forfeiture is deemed advisable, the board may direct the corporation counsel to start an action in the name of the county against the violator.
 - (8) When deciding to see the imposition of a forfeiture, the board shall at the time of notifying the corporation counsel, serve notice by mail upon

the respondent to the effect that a forfeiture will be sought against the respondent, specifying the amount and that court action may be avoided if the amount specified is paid within 30 days of the date of the notice.

- (9) If a person against whom the board decides to seek imposition of a forfeiture fails to pay the amount specified by the board within 30 days of the date of the notice, the corporation counsel shall initiate an action for the collection of the forfeiture in the circuit court for the County of Iowa.

701.23 Closed Session.

- (a) Pursuant to §19.85(1)(a) and (f), the board shall conduct its hearings in closed session unless the person complained of requests open hearings.

701.24 Advisory Opinions.

- (a) Any person subject to the provisions of this ordinance, either personally or on behalf of an organization or governmental body, may at any time request of the board an advisory opinion regarding the propriety of any matter to which the person is or may become a part. Any appointing officer, with the consent of a prospective appointee, may request of the ethics board an advisory opinion regarding the propriety of any matter to which the prospective appointee is or may become a party. The Ethics Board shall review a request for an advisory opinion and may advise the person making the request. Advisory opinions and request therefor shall be in writing. Except as provided in sub. (3), neither the corporation counsel nor a member or agent of the Ethics Board may make public the identity of an individual requesting an advisory opinion or of individuals or organizations mentioned in the opinion. The Board shall annually publish a synopsis of any advisory opinions it has issued, after first reviewing such material with the corporation counsel to ensure that all individual identifying material has been deleted.
- (b) It is prima facie evidence of intent to comply with the Iowa County Ethics Code or any amendment of the same when a person refers a matter to the Ethics Board and abides by the advisory opinion, if the material facts are as stated in the opinion request.
- (c) The Ethics Board may make an advisory opinion public with the consent of the individual requesting the opinion or the organization or governmental body on whose behalf it is requesting and may make public a summary of an advisory opinion issued under this section after making sufficient alterations in the summary to prevent disclosing the identities of individuals involved in the opinion. A person who makes or purports to make public the substance of or any portion of an advisory opinion requested by or on behalf of the person waives the confidentiality of the request for an advisory opinion and of any records obtained or prepared by the Ethics Board or corporation counsel in connection with the request for an advisory opinion.

- (d) The Board is expressly authorized to issue advisory opinions interpreting those provisions of chapter 19 of the Wisconsin Statutes which are expressly incorporated in this ordinance.

701.25 Open Records.

- (a) All records of the board shall be open to public inspection at any time except that the names of individuals and identifying matter which clearly discloses the identity of any individual shall be kept confidential, and copies of such records shall be altered to remove any such identifying information.

701.26 Sanctions.

- (a) Violation of any provision of this code should raise conscientious questions for the official or employee concerned as to whether voluntary resignation or other action is indicated to promote the best interests of the County of Iowa. If the Ethics Board determines that an official or employee has violated any provision of this code, the board may, as part of its report to the County Board, make any of the following recommendations:
- a. In the case of an official who is an elected County Board Supervisor, that the County Board consider sanctioning, reprimanding, censuring or expelling the person;
 - b. In the case of a citizen member, the County Board or other appointing authority consider removing the person from the administrative agency;
 - c. In the case of an employee, that the employee's appointing authority consider imposing discipline, up to and including discharge of the employee.
- (b) In addition to the sanctions available under sub. (1), any official or employee violating the provisions of this section shall be subject to a non-reimbursable forfeiture of not more than one hundred dollars (\$100).

701.27 Severability.

- (a) The provisions of this chapter are severable. If any provision of this chapter is held to be invalid or unconstitutional or if the application of any provision of this chapter to any person or circumstance is held to be invalid or unconstitutional, such holding shall not affect the other provisions or applications of this chapter which can be given effect without the invalid or unconstitutional provisions or applications. It is hereby declared to be the intent of the County Board that this chapter would have been adopted had any invalid or unconstitutional provisions or applications not be included herein.

IOWA COUNTY,

By: John M. Meyers, Chairman
Iowa County Board of Supervisors

ATTEST:

Kristy K. Spurley, County Clerk

Published:

AGENDA ITEM COVER SHEET

Title: Transfer of Funds from General Fund Balance to Sheriff's Dept.

☒ Original

☐ Update

TO BE COMPLETED BY COUNTY DEPARTMENT HEAD

DESCRIPTION OF AGENDA ITEM (Please provide detailed information, including deadline):

The Sheriff's Department removed animals from a property in Iowa County and is now responsible to make payment to the Iowa County Humane Society for the cost of the care of the animals.

RECOMMENDATIONS (IF ANY):

Staff is recommending the approval to transfer \$25,475 from the General Fund Balance to the Sheriff's Dept. Humane Society Expense account.

ANY ATTACHMENTS? (Only 1 copy is needed)

☒ Yes

☐ No

If yes, please list below:

Resolution Recommending Transfer of Funds in 2023 from the General Fund Balance to the Sheriff's Department for Humane Society Expenses

FISCAL IMPACT:

\$25,475 reduction to the General Fund Balance

LEGAL REVIEW PERFORMED:

☐ Yes

☒ No

PUBLICATION REQUIRED:

☒ Yes

☐ No

PRESENTATION?:

☒ Yes

☐ No

How much time is needed? 5 minutes

COMPLETED BY: Jamie Gould

DEPT: Finance Department

2/3 VOTE REQUIRED:

☒ Yes

☐ No

TO BE COMPLETED BY COMMITTEE CHAIR

MEETING DATE:

AGENDA ITEM #

COMMITTEE ACTION:

RESOLUTION NO. 12-1223

Resolution Recommending Transfer of Funds in 2023 from the General Fund Balance to the Sheriff's Department for Humane Society Expenses

WHEREAS, the Iowa County Sheriff's Department has removed animals from a property in Iowa County; and

WHEREAS, Iowa County is now responsible to make payment to the Iowa County Humane Society for the cost of the care of the animals removed; and

WHEREAS, the Executive Committee is recommending a transfer from the General Fund Balance to the Sheriff's Department Humane Society Expense account for the cost of the care of the animals removed by the Iowa County Sheriff's Department; and

THEREFORE, BE IT RESOLVED THAT, the Executive Committee does hereby recommend to the Iowa County Board of Supervisors a transfer of funds from the General Fund Balance in the amount of \$25,475 to cover the cost of the care of the animals removed by the Iowa County Sheriff's Department in the following 2023 account:

Humane Society Expense

10052110 - 50781

\$ 25,475.00

NOW, THEREFORE, BE IT FURTHER RESOLVED THAT: The Iowa County Board of Supervisors adopts the recommendations of the Executive Committee and approves the transfer of funds from the General Fund Balance to cover the cost of the care of the animals removed by the Iowa County Sheriff's Department. The Board further directs the County Clerk to publish this Resolution pursuant to Wisconsin State Statute number 65.90 (5)(a) for the statutory requirement:

Respectfully submitted by the Iowa County Executive Committee

Adopted this 19th day of December 2023.

John M. Meyers
Iowa County Chairman

ATTEST:

Kristy K. Spurley
Iowa County Clerk

AGENDA ITEM COVER SHEET

Title: Transfer of Funds from General Fund Balance to HHS Building Cap. Outlay

☒ Original

☐ Update

TO BE COMPLETED BY COUNTY DEPARTMENT HEAD

DESCRIPTION OF AGENDA ITEM (Please provide detailed information, including deadline):

The Social Services Department is requesting to construct a new office in the ADRC suite to house their new APS Social Worker.

RECOMMENDATIONS (IF ANY):

Staff is recommending the approval to transfer \$11,500 from the General Fund Balance to the HHS Building Capital Outlay.

ANY ATTACHMENTS? (Only 1 copy is needed)

☒ Yes

☐ No

If yes, please list below:

Resolution Recommending Transfer of Funds in 2023 from the General Fund Balance to the Health and Human Service Building Capital Outlay

FISCAL IMPACT:

\$11,500 reduction to the General Fund Balance

LEGAL REVIEW PERFORMED:

☐ Yes

☒ No

PUBLICATION REQUIRED:

☒ Yes

☐ No

PRESENTATION?:

☒ Yes

☐ No

How much time is needed? 5 minutes

COMPLETED BY: Jamie Gould

DEPT: Finance Department

2/3 VOTE REQUIRED:

☒ Yes

☐ No

TO BE COMPLETED BY COMMITTEE CHAIR

MEETING DATE:

AGENDA ITEM #

COMMITTEE ACTION:

RESOLUTION NO. 13-1223

Resolution Recommending Transfer of Funds in 2023 from the General Fund Balance to Health and Human Service Building Capital Outlay

WHEREAS, the 2023 Social Services budget included an additional Social Worker position in the Adult Protective Services Unit; and

WHEREAS, an additional office is needed in the Aging and Disability Resource Center suite to house the new Social Worker position; and

WHEREAS, the Executive Committee is recommending a transfer from the General Fund Balance to the Health and Human Service Building Capital Outlay for the cost to construct a new office in the Aging and Disability Resource Center; and

THEREFORE, BE IT RESOLVED THAT, the Executive Committee does hereby recommend to the Iowa County Board of Supervisors a transfer of funds from the General Fund Balance in the amount of \$11,500 to cover the cost of the new office in the Aging and Disability Resource Center in the following 2023 account:

Health and Human Service Building – Capital Outlay	
40057620 - 50821	\$ 11,500.00

NOW, THEREFORE, BE IT FURTHER RESOLVED THAT: The Iowa County Board of Supervisors adopts the recommendations of the Executive Committee and approves the transfer of funds from the General Fund Balance to cover the cost to construct a new office in the Aging and Disability Resource Center. The Board further directs the County Clerk to publish this Resolution pursuant to Wisconsin State Statute number 65.90 (5)(a) for the statutory requirement:

Respectfully submitted by the Iowa County Executive Committee

Adopted this 19th day of December 2023.

John M. Meyers
Iowa County Chairman

ATTEST:

Kristy K. Spurley
Iowa County Clerk