

Pursuant to Section 19.84, Wisconsin Statutes, notice is hereby given to the public that the
Iowa County Board of Supervisors will meet in

Regular Session
of the
IOWA COUNTY BOARD
Tuesday December 17, 2019
6:00 p.m.

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.

Agenda

1. Call to order by Chairman John M. Meyers.
2. Pledge of Allegiance.
3. Roll Call.
4. Approve the agenda for this December 17, 2019 meeting.
5. Approve the minutes of the November 12, 2019 meeting.
6. Recognition of Tim Graber on his retirement.
7. Resolution No. 1-1219 Commending Iowa County 2019 4-H Key Award Recipient Dana Hanson.
8. Update on the financial impact of the Southwest Technical College to Iowa County.
9. Presentation by the City of Dodgeville as follow up to receiving an Iowa County Structure Grant.
10. Special matters and announcements.
 - a) Committee Chair reports.
 - b) Thank you card from the family of Jim Toay.
11. Comments from the public.
12. Land use changes from the Towns:
 - Arena – 2-1219 Rezoning request by Henry A. Fasking.
 - Dodgeville – 3-1219 Rezoning request by R&B Beckman LLC and Daniel & Sandra Beckman.
 - Mifflin – 4-1219 Rezoning request by Ryan L. Walter and Roger L. Walter.

- Moscow – 5-1219 Rezoning request by Peterson Living Trust.
- Waldwick – 6-1219 Rezoning request by Ed Reichling.

13. County Administrator's report.

14. Approve the Administrator's appointments of:

- Marilyn Rolfsmeyer to the ADRC Board to fill a vacancy for a term ending on May 31, 2020.
- Nancy Clements to the ADRC Board to fill a vacancy for a term ending on May 31, 2020.
- Carol Anderson to the Southwestern Wisconsin Regional Planning Commission for a three-year term ending on September 15, 2022.
- Al Bauman to the Board of Adjustments for a three-year term ending on July 31, 2022.

Board of Health:

15. Resolution No. 7-1219 Requesting the Wisconsin Legislature End the Use of Personal Conviction Waivers for School and Day Care Center Immunizations.

Public Works Committee:

16. Consider amending the ATV/UTV Route Ordinance No. 600.18B as presented.

General Government Committee:

17. Consider revisions to Policy 401: Iowa County Handbook as presented.

Executive Committee:

18. Resolution No. 8-1219 Recommending 2019 Budget Amendment to Transfer Funds from the General Fund to the Corporation Counsel Budget. (takes 2/3 vote)

19. Resolution No. 9-1219 Recommending 2019 Budget Amendment for the Health Department. (takes 2/3 vote)

20. Resolution No. 10-1219 Opposing Proposed Rule Changes Regarding Medicaid Fiscal Accountability.

21. Consider increasing the Corporation Counsel position from a ¼-time position to a ½-time position.

22. Consider the Audit Services Contract from Johnson Block and Company for the years 2019-2023.

23. Consider the ComElec Broadband Grant Proposal.

Other:

24. Resolution No. 11-1219 Establishing 2020 Future Items of Challenges for the County Administrator.

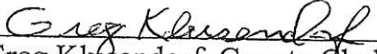
25. Authorize the County Clerk to publish in January and March a Class 1 Notice notifying the public

that dog licenses and rabies vaccinations are required under the Wisconsin Statutes.

26. Chair's report.

27. Mileage and Per Diem Report for this December 17, 2019 meeting.

28. Motion to adjourn to January 21, 2020.


Greg Klusendorf, County Clerk

Posted 12/12/2019

After the meeting, there will be a holiday reception with the County Board and other interested persons. No meeting will be called-to-order and no business will be transacted.

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

The Board of Supervisors met in the Health and Human Services Center Community Room in the City of Dodgeville on Tuesday, November 12, 2019 at 6:00 p.m. and was called to order by the Honorable John M. Meyers, Chairman of the Board.

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

Roll call was taken. All members were present except James Griffiths who was excused and Kevin Butteris who was absent.

Members present: Doug Richter, Stephen Deal, Mark Storti, Daniel Nankee, Ronald Benish, David Gollon, Curt Peterson, Joan Davis, Alex Ray, Bruce Haag, Tom Forbes, Richard Rolfsmeyer, John Meyers, Bruce Paull, Jeremy Meek, Judy Lindholm, Justin O'Brien, Donald Leix and Mel Masters.

Sup. Peterson moved to approve the agenda for this November 12, 2019 meeting. Sup. Davis seconded the motion. Carried.

Aye-19 Nay-0

Sup. Storti moved to approve the minutes of the October 15, 2019 meeting. Sup. Nankee seconded the motion. Carried.

Aye-19 Nay-0

Special matters and announcements.

- a) Committee Chair reports.
- b) Letter from County Conservationist Katie Abbott concerning the Birch Lake project.
- c) 2020 Discover Wisconsin Calendar.
- d) Report from Forward Analytics.
- e) Supervisor Election Memo and Forms.

Comments from the public:

- Cassie Greenwood spoke on a proposed resolution in Lafayette County that under certain circumstances a reporter could be prosecuted for inaccurate reporting. She appreciates the support the Board has shown to the Dodgeville Chronicle.
- Sup. Gollon would like to move any closed sessions that a county employee would have to attend to the top of the meeting so the employee would not have to spend the whole evening waiting for the closed session item. At the very least, he would like to see a shortened agenda before such a closed session.

Sup. Leix moved to adopt Amendatory Ordinances 1-1119, 2-1119, 3-1119, 4-1119, 5-1119, 6-1119, 7-1119 and 8-1119 as a group. Sup. Ray seconded the motion. Carried.

Aye-19 Nay-0

Amendatory Ordinance No. 1-1119 for a land use change to create two lots of 2.5 acres & 7.08 acres by rezoning from A-1 Agricultural to AR-1 Agricultural Residential and two lots of 27.66 acres &

14.74 acres by rezoning from A-1 Agricultural to C-1 Conservancy in the Town of Brigham was adopted.

Amendatory Ordinance No. 2-1119 for a land use change to rezone 2.02 acres from A-1 Agricultural to B-2 Highway Business in the Town of Brigham was adopted.

Amendatory Ordinance No. 3-1119 for a land use change to rezone 2 acres from A-1 Agricultural to AR-1 Agricultural Residential in the Town of Dodgeville was adopted.

Amendatory Ordinance No. 4-1119 for a land use change to rezone 4 acres from A-1 Agricultural to AR-1 Agricultural Residential and 40 acres with the AC-1 Agricultural Conservancy overlay district in the Town of Eden was adopted.

Amendatory Ordinance No. 5-1119 for a land use change to rezone 6.4 acres from A-1 Agricultural to AR-1 Agricultural Residential in the Town of Highland was adopted.

Amendatory Ordinance No. 6-1119 for a land use change to rezone 1.765 acres from A-1 Agricultural & AR-1 Agricultural Residential to all AR-1 Agricultural Residential and 35.637 acres from A-1 Agricultural to AR-1 Agricultural Residential in the Town of Highland was adopted.

Amendatory Ordinance No. 7-1119 for a land use change to rezone 7.339 acres from A-1 Agricultural to AR-1 Agricultural Residential in the Town of Linden was adopted.

Amendatory Ordinance No. 8-1119 for a land use change to rezone 4.91 acres from A-1 Agricultural & AR-1 Agricultural Residential to all AR-1 Agricultural Residential in the Town of Linden was adopted.

Director Allison Leitzinger showed the Board an Iowa County Employee Relations Video.

Dan Litchfield, Director of Renewable Development at Invenergy and Project Manager Marlin Conry, gave the Board an update on the Badger Hollow Solar Farm and wind energy.

Administrator Larry Bierke did not have a report for the Board.

Iowa County Budget:

Sup. Gollon moved to adopt Resolution No. 9-1119 County Aid Town Road Bridge Construction Under Section 82.08 of the Statutes. Sup. Storti seconded the motion. Carried.
Aye-19 Nay-0

Sup. Deal moved to adopt Resolution No. 10-1119 Awarding the Financing for Capital Projects. Sup. Nankee seconded the motion. Carried.
Aye-19 Nay-0

Sup. Peterson moved to adopt Resolution No. 11-1119 Notice on Intent to Issue Financing Regarding the Purchase of Highway Equipment. Sup. Gollon seconded the motion. Carried.
Aye-19 Nay-0

Sup. Benish moved to adopt Resolution No. 12-1119 Carry Over Certain Accounts from 2019 to 2020. Sup. Haag seconded the motion. Carried.

Aye-19 Nay-0

A Public Hearing was held on the proposed Iowa County 2020 budget starting at 6:47 p.m.

The Public Hearing ended at 7:05 p.m.

Sup. Benish moved to adopt Resolution No. 13-1119 To Approve the Budgets and Approve Funds for the County of Iowa for the Fiscal Year Beginning January 1, 2020 and Ending December 31, 2020 and to request evaluations be made before next year's budget on the OWI and Court Ordered Programs. Sup. Masters seconded the motion.

Sup. Peterson moved to amend the resolution by pulling up to \$50,000 from the General Fund to pay the attorney's fees for representing the county in the appeal of the Public Service Commission's ATC decision. When the county receives money from the Badger Hollow Solar Farm, 20% of that amount will be used to go back into the General Fund to cover the amount of the attorney's fees up to \$50,000. Sup. Gollon seconded the motion.

Sup. Benish moved to call the question on the amendment debate. Carried unanimously. Vote on the amendment was taken. Carried.

Aye-13 Nay-6

Voting in favor: Sups. Richter, Deal, Peterson, Davis, Ray, Haag, Forbes, Rolfsmeyer, Paull, Meek, Lindholm, O'Brien and Leix.

Voting against: Sups. Storti, Nankee, Benish, Gollon, Meyers and Masters.

Vote on the amended main motion was taken. Carried.

Aye-15 Nay-4

Voting in favor: Sups. Richter, Storti, Benish, Peterson, Davis, Ray, Haag, Forbes, Rolfsmeyer, Paull, Meek, Lindholm, O'Brien, Leix and Masters.

Voting against: Sups. Deal, Nankee, Gollon and Meyers.

Sup. Deal moved to adopt Resolution No. 14-1119 Authorizing the 2019 Tax Levy for the 2020 Budget. Sup. Leix seconded the motion. Carried.

Aye-17 Nay-2

Sups. Deal and Meyers voted against the motion.

Land Conservation Committee:

Sup. Nankee moved to amend Resolution No. 4-1019 Establishing Fees for Ordinance No. 400.18 Manure Storage and Management by having 100% of the fees go to the Land Conservation Department. Sup. Ray seconded the motion. Carried.

Aye-19 Nay-0

Public Works Committee:

Sup. Gollon moved to adopt Resolution No. 15-1119 Authorizing Participation in the Department of Natural Resources Municipal Dam Grant Program. Sup. Benish seconded the motion. Carried.

Aye-19 Nay-0

General Government Committee:

Sup. Deal moved to adopt Resolution No. 16-1119 Iowa County Employee Flexible Spending Plan. Sup. Masters seconded the motion. Carried.

Aye-19 Nay-0

Executive Committee:

Sup. Lindholm moved to approve the Agreement to Establish Public Private Partnership for the purpose of Applying for a Broadband Expansion Grant under Wis. Statute § 196.504. Sup. O'Brien seconded the motion. Carried.

Aye-18 Nay-1

Sup. Deal voted against the motion.

Sup. Meek moved to adopt Resolution No 17-1119 Supporting Public Service Commission of Wisconsin Broadband Grant Application and Matching Funds Commitment for Broadband Project. Sup. Paull seconded the motion.

Sup. Gollon moved to amend the resolution in number 5 by changing the word "will" to "may" in the first line of the sentence. Sup. Masters seconded the motion. Amendment carried.

Aye-19 Nay-0

Vote on the amended main motion was taken. Carried.

Aye-19 Nay-0

Other:

Sup. Meek moved to approve the appointments of Sups. Meyers, Peterson, Gollon, Nankee and Ray to the temporary Committee on Future Funding for Highways to explore funding of highway projects by short-term borrowing or referendum. Sup. Rolfsmeyer seconded the motion. Carried.

Aye-19 Nay-0

Chair Meyers did not have a report for the Board.

Sup. Meek left the meeting at 8:20 p.m.

Mileage and Per Diem Report for this November 12, 2019 Session of the Board was presented.

19 Members 470 Miles \$1,026.15 Mileage and Per Diem

Sup. Leix moved to approve the report.

Sup. Ray seconded the motion. Carried.

Aye-18 Nay-0

Sup. Nankee moved to convene in closed session pursuant to section 19.85(1)(c), Wisconsin Statutes, to consider employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility. (County Administrator annual performance evaluation, contract and compensation.) Employee Relations Director Allison Leitzinger and Larry Bierke were asked to attend the closed session. Sup. Storti seconded the motion. Carried.

Aye-18 Nay-0

Entered closed session at 8:22 p.m.

Sup. Storti moved to return to open session. Sup. Benish seconded the motion. Carried.

Aye-18 Nay-0

Entered open session at 8:57 p.m.

Action was taken on the closed session item.

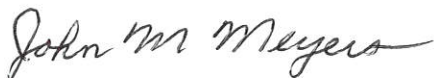
Sup. Storti moved to raise the Administrator's salary from \$115,000 to \$120,000. Sup. O'Brien seconded the motion. Carried.

Aye-18 Nay-0

Sup. Lindholm moved to adjourn to December 17, 2019. Sup. Haag seconded the motion. Carried.

Aye-18 Nay-0

Meeting adjourned at 8:59 p.m.



John M. Meyers, Chairman


Greg Klusendorf, County Clerk

Resolution No. 1-1219

IOWA COUNTY, WISCONSIN

COMMENDATION OF DANA HANSON

WHEREAS, Dana Hanson has achieved the highest award in 4-H Youth Development, that being the Wisconsin Key Award; and

WHEREAS, the 4-H Youth Development Program promotes the ideals of character, conduct, patriotism and service, encouraging members to become productive and contributing citizens; and

WHEREAS, Dana Hanson, a 4-H Member, represents our country's greatest resource, that being our youth; and

WHEREAS, Dana Hanson continues the legacy of 4-H Youth Development in the United States, and serves as a role model for young 4-H members; and

WHEREAS, Dana Hanson serves as an inspiration to all of us, demonstrating that hard work and perseverance can make dreams come true.

NOW THEREFORE BE IT HEREBY RESOLVED that Wisconsin 4-H Key Award Recipient, Dana Hanson, be commended for her achievement of 4-H Youth Development's highest award.

Amendatory Ordinance No. 2-1219

To the Honorable Iowa County Board of Supervisors:

Whereas a petition for a land use change has been made by Henry A. Fasking;

For land being part of the NW ¼ of the SW ¼ of Section 23-T8N-R4E in the Town of Arena; affecting tax parcels 002-1126.B, 002-1126.B1 and 002-1126.B2.

And, this petition is made to rezone 20.3 acres from A-1 Agricultural to AR-1 Agricultural Residential;

Whereas notice of such petition has been properly advertised and notice has been given to the **Clerk of the Town of Arena** and the Town is recommending approval as it has been deemed to be consistent with the goals and intent of its adopted comprehensive plan,

Whereas a public hearing, designated as zoning hearing number **3075** was last held on **December 5, 2019** in accord with said notice, and as a result of said hearing action has been taken by the Iowa County Planning & Zoning Committee to **approve** said petition.

Now therefore be it resolved that official county zoning map be amended as recommended by the Iowa County Planning and Zoning Committee.

Respectfully submitted by the Iowa County Planning & Zoning Committee.

I, the undersigned Iowa County Clerk, hereby certify that the above Amendatory Ordinance was _____ approved as recommended _____ approved with amendment _____ denied as recommended _____ denied or _____ rereferred to the Iowa County Planning & Zoning Committee by the Iowa County Board of Supervisors on **December 17, 2019**. The effective date of this ordinance shall be **December 17, 2019**.

Greg Klusendorf
Iowa County Clerk

Date: _____



IOWA COUNTY OFFICE OF PLANNING & DEVELOPMENT

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Planning & Zoning Committee Recommendation Summary

Public Hearing Held on Dec. 5, 2019

Zoning Hearing 3075

Recommendation: **Approval**

Applicant(s): Henry A. Fasking

Town of Arena

Site Description: NW/SW of S23-T8N-R4E also affecting tax parcels 002-1126.B; 1126.B1; 1126.B2

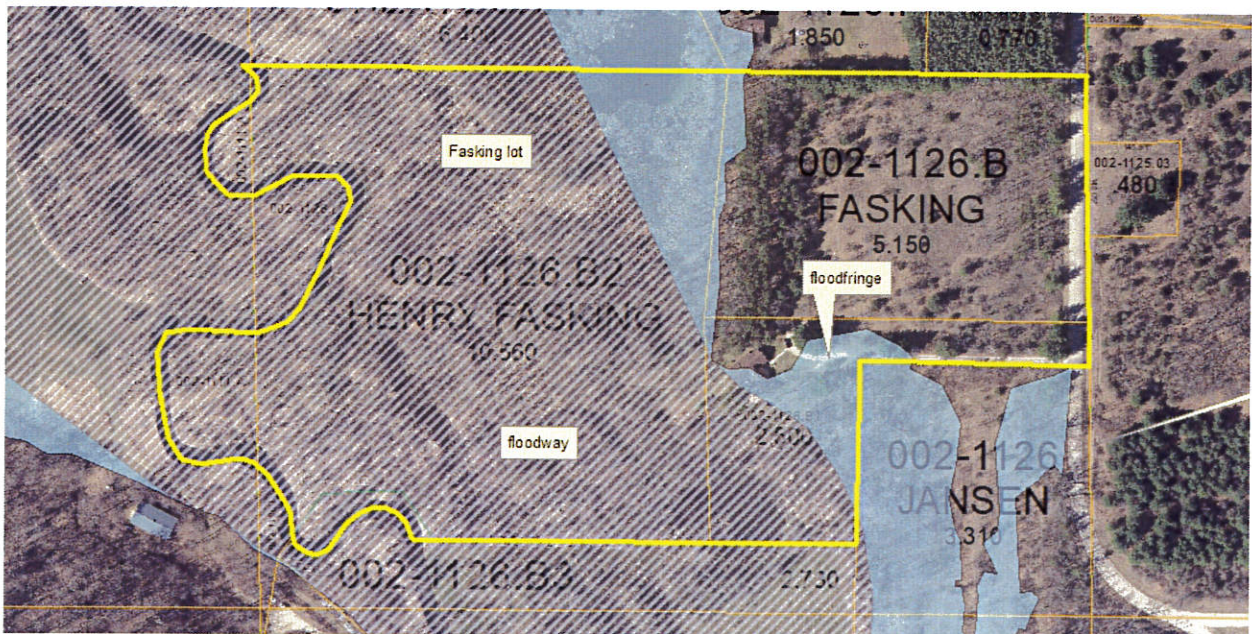
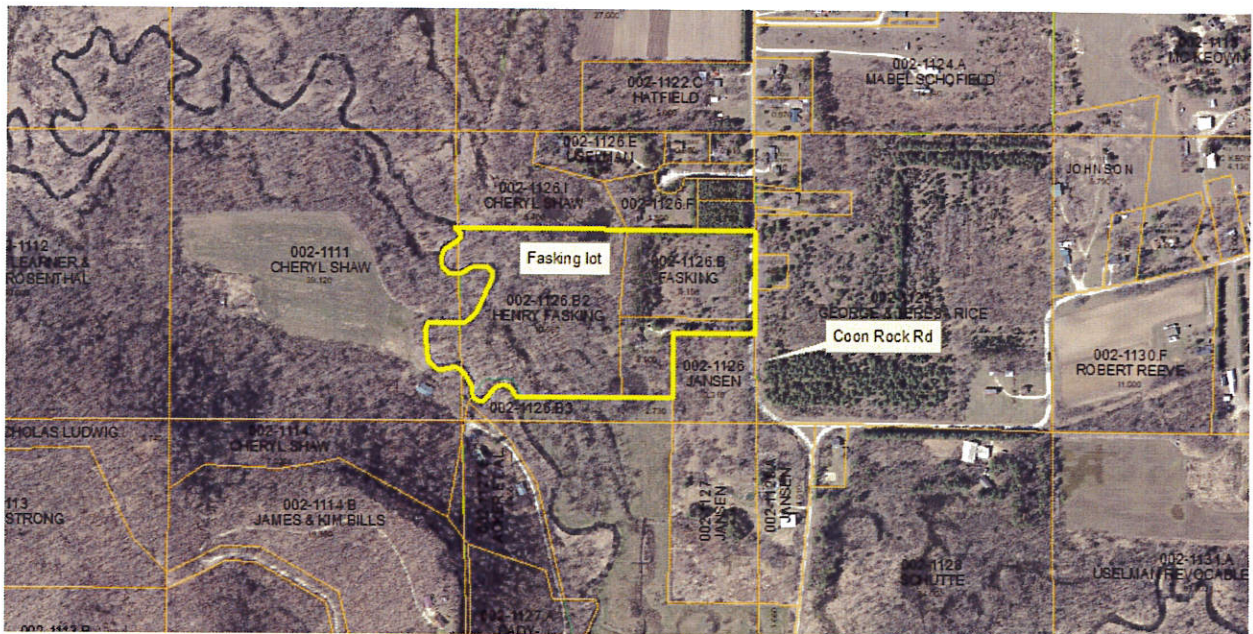
Petition Summary: This is a request to make a nonconforming A-1 Ag lot conform through rezoning to AR-1 Ag Res.

Comments/Recommendations

1. This lot was created when a deed was recorded by a prior owner in 1988. The lot is under the minimum 40-acre lot size for the A-1 district which is why it is nonconforming. The Applicant is proposing to build an accessory structure which led to this rezoning petition.
2. If approved, the lot will be eligible for one single family residence (existing), accessory structures and limited ag uses, and up to 8 livestock type animal units.
3. There is no associated certified survey map as the lot was created prior to that requirement.
4. The applicant is proposing to build an accessory building. There is a significant amount of the lot mapped with floodplain which may impact the building location.

Town Recommendation: The Town of Arena feels the proposal is consistent with its comprehensive plan and recommends approval.

Staff Recommendation: Staff recommends approval.



Amendatory Ordinance No. 3-1219

To the Honorable Iowa County Board of Supervisors:

Whereas a petition for a land use change has been made by R&B Beckman LLC and Daniel and Sandra Beckman;

For land in the NE ¼ of the SE ¼ of Section 23-T6N-R3E in the Town of Dodgeville affecting tax parcel 008-1295.

And, this petition is made to rezone 2.01 acres from A-1 Agricultural to AR-1 Agricultural Residential;

Whereas notice of such petition has been properly advertised and notice has been given to the **Clerk of the Town of Dodgeville** and the Town is recommending approval as it has been deemed to be consistent with the goals and intent of its adopted comprehensive plan,

Whereas a public hearing, designated as zoning hearing number **3079** was last held on **December 5, 2019** in accord with said notice, and as a result of said hearing action has been taken by the Iowa County Planning & Zoning Committee to **approve** said petition with the condition that the associated certified survey map be duly recorded within 6 months.

Now therefore be it resolved that official county zoning map be amended as recommended by the Iowa County Planning and Zoning Committee.

Respectfully submitted by the Iowa County Planning & Zoning Committee.

I, the undersigned Iowa County Clerk, hereby certify that the above Amendatory Ordinance was _____ approved as recommended _____ approved with amendment _____ denied as recommended _____ denied or _____ rereferred to the Iowa County Planning & Zoning Committee by the Iowa County Board of Supervisors on **December 17, 2019**. The effective date of this ordinance shall be **December 17, 2019**.

Greg Klusendorf
Iowa County Clerk

Date: _____



IOWA COUNTY OFFICE OF PLANNING & DEVELOPMENT

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e-mail: scott.godfrey@iowacounty.org

Planning & Zoning Committee Recommendation Summary

Public Hearing Held on Dec. 5, 2019

Zoning Hearing 3079

Recommendation: **Approval**

Applicant(s): R&B Beckman LLC; Daniel & Sandra Beckman **Town of Dodgeville**

Site Description: part of the NE/SE of S23-T6N-R3E also affecting tax parcel 008-1295

Petition Summary: This is a request to create a 2.01 acre lot by rezoning from A-1 Ag to AR-1 Ag Res.

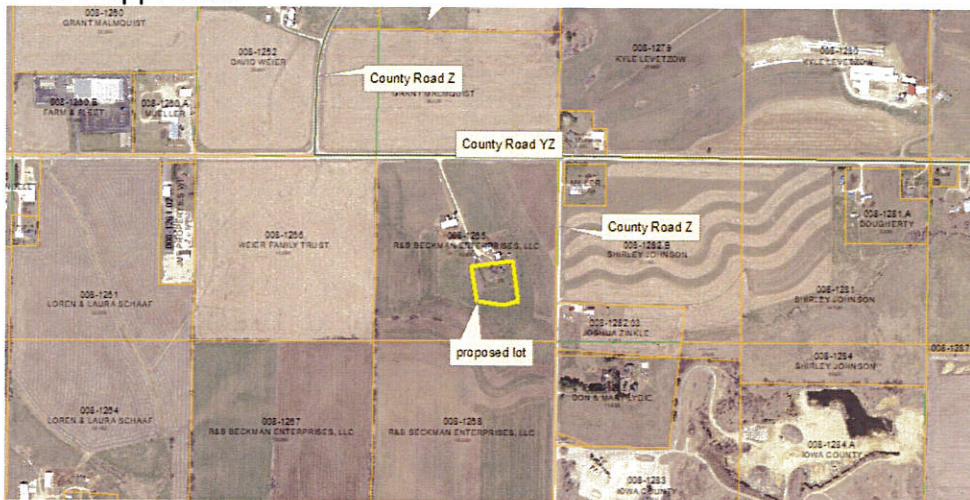
Comments/Recommendations

1. The proposed lot does not meet the minimum 40-acre lot size for the A-1 district, thus the petition to rezone AR-1.
2. If approved, the lot will be eligible for one single family residence (existing residence is to be replaced), accessory structures and limited ag uses, but no livestock-type animal units due to being under 5 acres. The petition includes a CUP request for 15 head of cattle (15 animal units).
3. The associated certified survey map has been submitted for formal review.
4. The following considerations are in Section 4.4 for CUPs which the Applicant must provide substantial evidence that they are currently or can be complied with:
 1. *The proposed use complies with all applicable provisions of this Ordinance.*
 2. *The proposed use is compatible with adjacent uses in terms of scale, site design, operating characteristics (hours of operation, traffic generation, lighting, noise, odor, dust and other external impacts).*
 3. *There are no significant adverse impacts to the surrounding legal uses and environment resulting from the proposed conditional use.*
 4. *Any adverse impacts resulting from the use will be mitigated or offset to the maximum practical extent.*
 5. *Public safety, transportation and utility facilities and services will be available to serve the subject property while maintaining sufficient levels of service for existing development.*
 6. *Adequate assurances of continuing maintenance are provided.*
 7. *The proposed use is consistent with the Iowa County Comprehensive Plan.*

Town Recommendation: The Town of Dodgeville recommends approval of the rezoning and has the following recommended conditions on the CUP:

- Grazing only from May through October
- No keeping of animals (livestock-cattle) permanently on the property
- The Conditional Use Permit will be void if there is a change in ownership of the property

Staff Recommendation: Staff recommends approval with the conditions recommended by the Town and that the associated certified survey map is duly recorded with the Register of Deeds within 6 months of the County Board approval.



Amendatory Ordinance No. 4-1219

To the Honorable Iowa County Board of Supervisors:

Whereas a petition for a land use change has been made by Ryan L. Walter and Roger L. Walter;

For land in the SW ¼ of the SE ¼ of Section 31-T5N-R1E in the Town of Mifflin affecting tax parcel 016-0508.

And, this petition is made to rezone 3.279 acres from A-1 Agricultural to AR-1 Agricultural Residential and 36.72 acres with the AC-1 Agricultural Conservancy overlay;

Whereas notice of such petition has been properly advertised and notice has been given to the **Clerk of the Town of Mifflin** and the Town is recommending approval as it has been deemed to be consistent with the goals and intent of its adopted comprehensive plan,

Whereas a public hearing, designated as zoning hearing number **3077** was last held on **December 5, 2019** in accord with said notice, and as a result of said hearing action has been taken by the Iowa County Planning & Zoning Committee to **approve** said petition with the conditions that the associated certified survey map be duly recorded within 6 months.

Now therefore be it resolved that official county zoning map be amended as recommended by the Iowa County Planning and Zoning Committee.

Respectfully submitted by the Iowa County Planning & Zoning Committee.

I, the undersigned Iowa County Clerk, hereby certify that the above Amendatory Ordinance was _____ approved as recommended _____ approved with amendment _____ denied as recommended _____ denied or _____ rereferred to the Iowa County Planning & Zoning Committee by the Iowa County Board of Supervisors on **December 17, 2019**. The effective date of this ordinance shall be **December 17, 2019**.

Greg Klusendorf
Iowa County Clerk

Date: _____



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e-mail: scott.godfrey@iowacounty.org

Planning & Zoning Committee Recommendation Summary

Public Hearing Held on Dec. 5, 2019

Zoning Hearing 3077

Recommendation: **Approval**

Applicant(s): Ryan L. Walter and Roger L. Walter

Town of Mifflin

Site Description: part of the SW/SE of S31-T5N-R1E also affecting tax parcel 016-0508

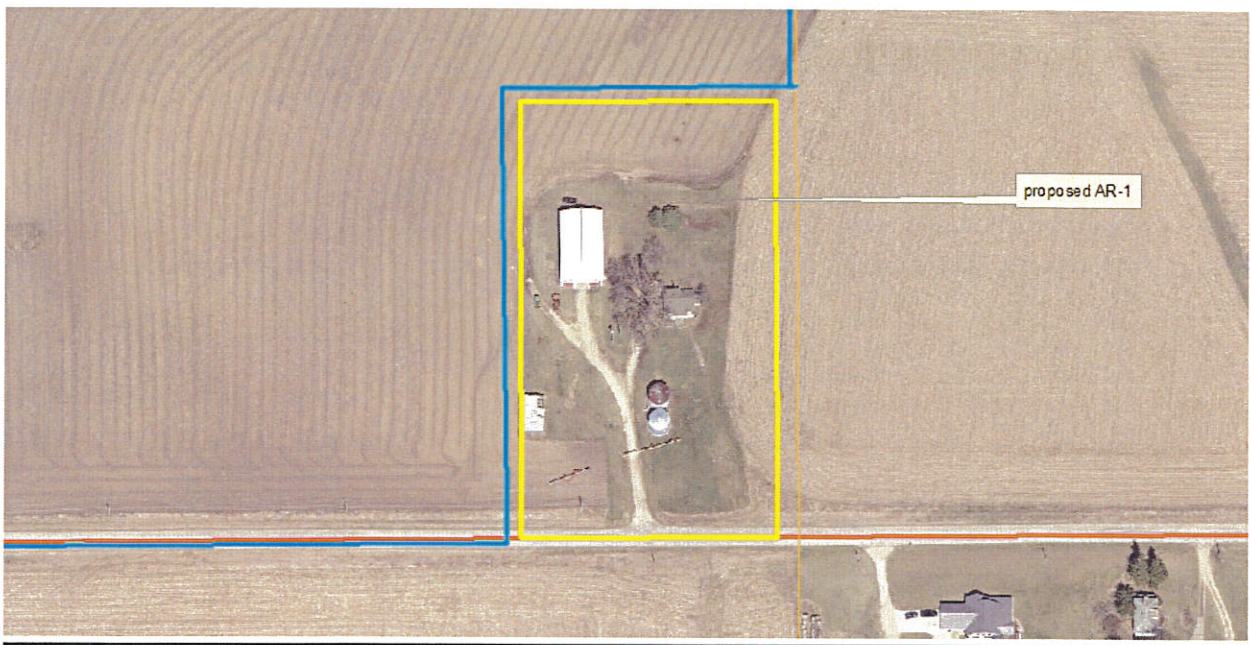
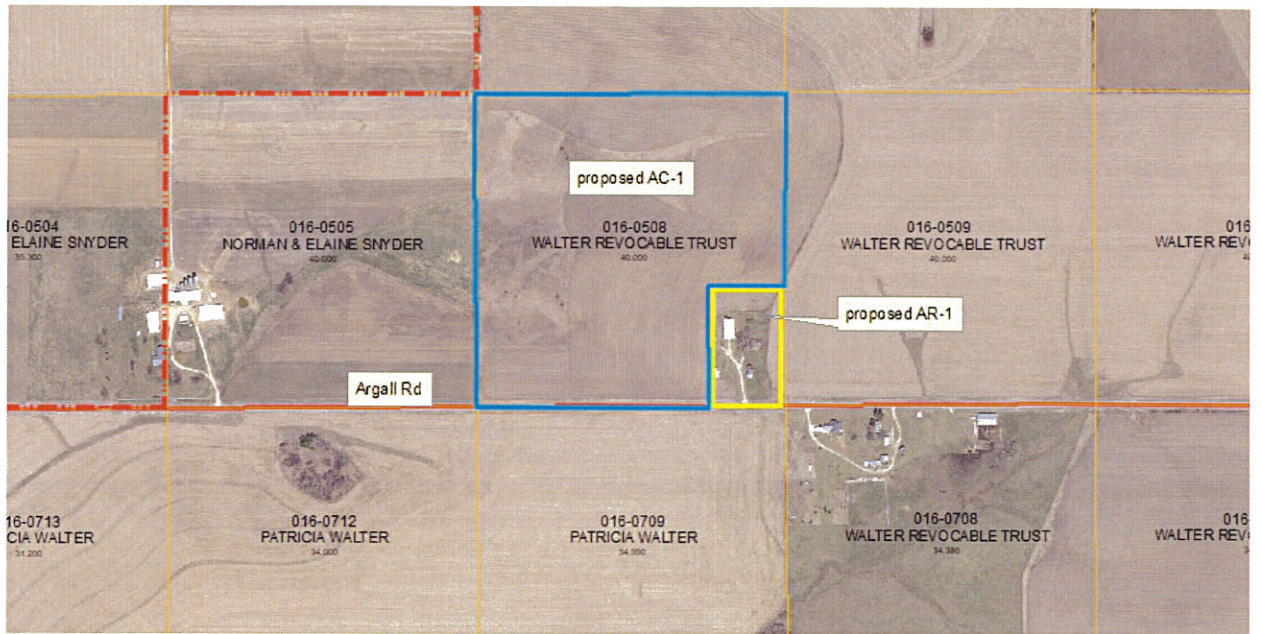
Petition Summary: This is a request to create a 3.279 acre lot by rezoning from A-1 Ag to AR-1 Ag Res and zoning 36.72 acres with the AC-1 Ag Conservancy overlay to meet density standards.

Comments/Recommendations

1. The proposed lot does not meet the current A-1 zoning minimum 40-acre lot size, thus the petition to AR-1. The Town of Mifflin has a 1:40 residential density, thus the AC-1 overlay.
2. If approved, the AR-1 lot will be eligible for one single family residence, accessory structures and limited ag uses, but no livestock-type animal units due to being under 5 acres. The existing residence is proposed to be replaced. The AC-1 allows open space uses but no development that requires a zoning permit.
3. The associated certified survey map has not yet been submitted for formal review.

Town Recommendation: The Town of Mifflin feels the proposal is consistent with its comprehensive plan and is recommending approval with the AC-1 overlay.

Staff Recommendation: Staff recommends approval with the condition that the associated certified survey map is duly recorded within 6 months of the County Board approval.



Amendatory Ordinance No. 5-1219

To the Honorable Iowa County Board of Supervisors:

Whereas a petition for a land use change has been made by the Peterson Living Trust;

For land in the SW ¼ of the SE ¼ of Section 21-T5N-R5E in the Town of Moscow affecting tax parcel 020-0154.

And, this petition is made to rezone 5.29 acres from A-1 Agricultural to AR-1 Agricultural Residential;

Whereas notice of such petition has been properly advertised and notice has been given to the **Clerk of the Town of Moscow** and the Town is recommending approval as it has been deemed to be consistent with the goals and intent of its adopted comprehensive plan,

Whereas a public hearing, designated as zoning hearing number **3078** was last held on **December 5, 2019** in accord with said notice, and as a result of said hearing action has been taken by the Iowa County Planning & Zoning Committee to **approve** said petition with the conditions that the associated certified survey map be duly recorded within 6 months.

Now therefore be it resolved that official county zoning map be amended as recommended by the Iowa County Planning and Zoning Committee.

Respectfully submitted by the Iowa County Planning & Zoning Committee.

I, the undersigned Iowa County Clerk, hereby certify that the above Amendatory Ordinance was _____ approved as recommended _____ approved with amendment _____ denied as recommended _____ denied or _____ rereferred to the Iowa County Planning & Zoning Committee by the Iowa County Board of Supervisors on **December 17, 2019**. The effective date of this ordinance shall be **December 17, 2019**.

Greg Klusendorf
Iowa County Clerk

Date: _____



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e-mail: scott.godfrey@iowacounty.org

Planning & Zoning Committee Recommendation Summary

Public Hearing Held on Dec. 5, 2019

Zoning Hearing 3078

Recommendation: **Approval**

Applicant(s): Peterson Living Trust

Town of Moscow

Site Description: part of the SW/SE of S21-T5N-R5E also affecting tax parcel 020-0154

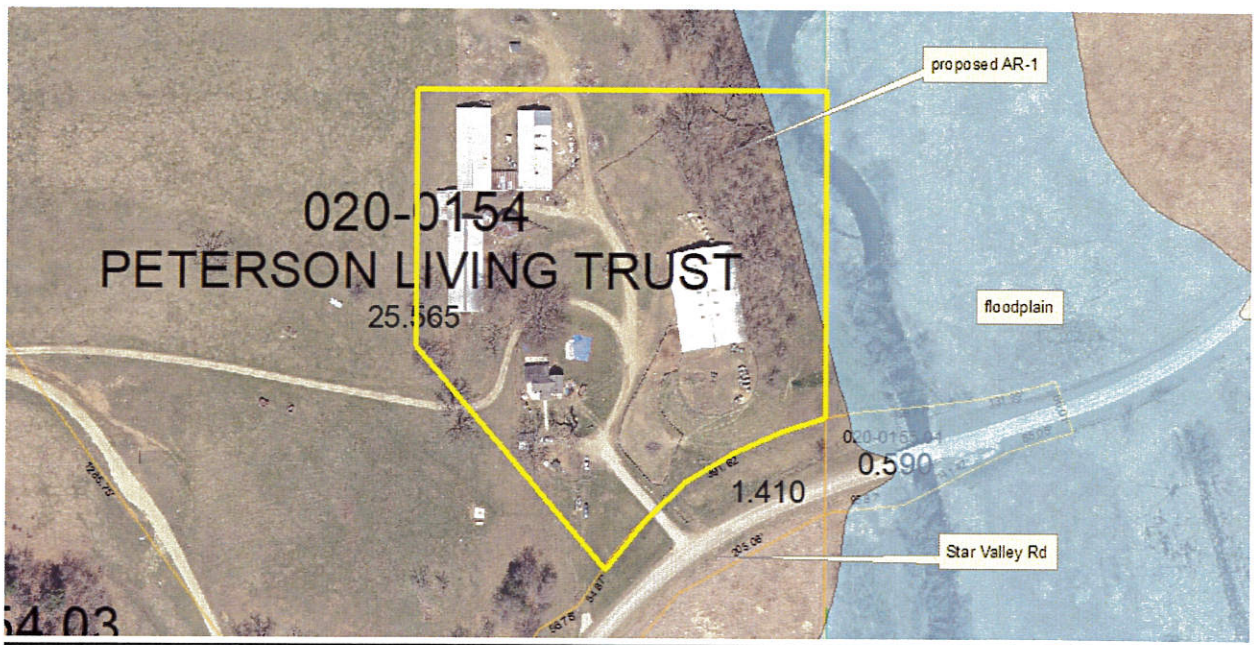
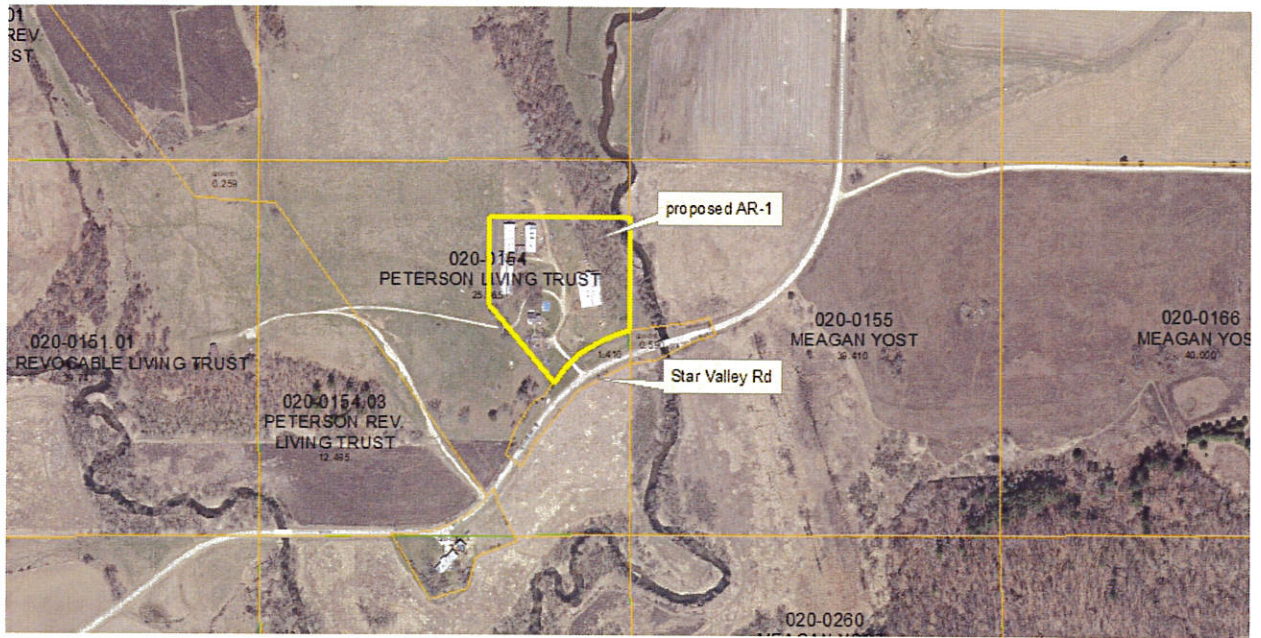
Petition Summary: This is a request to create a 5.29 acre lot by rezoning from A-1 Ag to AR-1 Ag Res.

Comments/Recommendations

1. The proposed lot does not meet the minimum 40-acre lot size for the A-1 district, thus the petition to the AR-1 district.
2. If approved, the lot will be eligible for one single family residence (existing), accessory structures and limited ag uses, including up to 3 livestock-type animal units.
3. The associated certified survey map has been submitted for review.
4. There is minimal mapped floodplain affecting the northeast corner of the lot.

Town Recommendation: The Town of Moscow feels the proposal is consistent with its Comprehensive plan and is recommending approval.

Staff Recommendation: Staff recommends approval with the condition that the associated certified survey map is duly recorded within 6 months of the County Board approval.



Amendatory Ordinance No. 6-1219

To the Honorable Iowa County Board of Supervisors:

Whereas a petition for a land use change has been made by Ed Reichling;

For land in the NE ½ of the NE ¼ of Section 17-T4N-R4E in the Town of Waldwick affecting tax parcels 026-0584 and 026-0732.

And, this petition is made to rezone 1.67 acres from A-1 Agricultural to AR-1 Agricultural Residential and 51.59 acres zoned with the AC-1 Agricultural Conservancy overlay;

Whereas notice of such petition has been properly advertised and notice has been given to the **Clerk of the Town of Waldwick** and the Town is recommending approval as it has been deemed to be consistent with the goals and intent of its adopted comprehensive plan,

Whereas a public hearing, designated as zoning hearing number **3076** was last held on **December 5, 2019** in accord with said notice, and as a result of said hearing action has been taken by the Iowa County Planning & Zoning Committee to **approve** said petition with the condition that the associated certified survey map be duly recorded within 6 months.

Now therefore be it resolved that official county zoning map be amended as recommended by the Iowa County Planning and Zoning Committee.

Respectfully submitted by the Iowa County Planning & Zoning Committee.

I, the undersigned Iowa County Clerk, hereby certify that the above Amendatory Ordinance was _____ approved as recommended _____ approved with amendment _____ denied as recommended _____ denied or _____ rereferred to the Iowa County Planning & Zoning Committee by the Iowa County Board of Supervisors on **December 17, 2019**. The effective date of this ordinance shall be **December 17, 2019**.

Greg Klusendorf
Iowa County Clerk

Date: _____



IOWA COUNTY OFFICE OF PLANNING & DEVELOPMENT

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Planning & Zoning Committee Recommendation Summary

Public Hearing Held on Dec. 5, 2019

Zoning Hearing 3076

Recommendation: **Approval**

Applicant(s): Ed Reichling

Town of Waldwick

Site Description: part of the E1/2-NE of S17-T4N-R4E also affecting tax parcels 026-0732; 0584

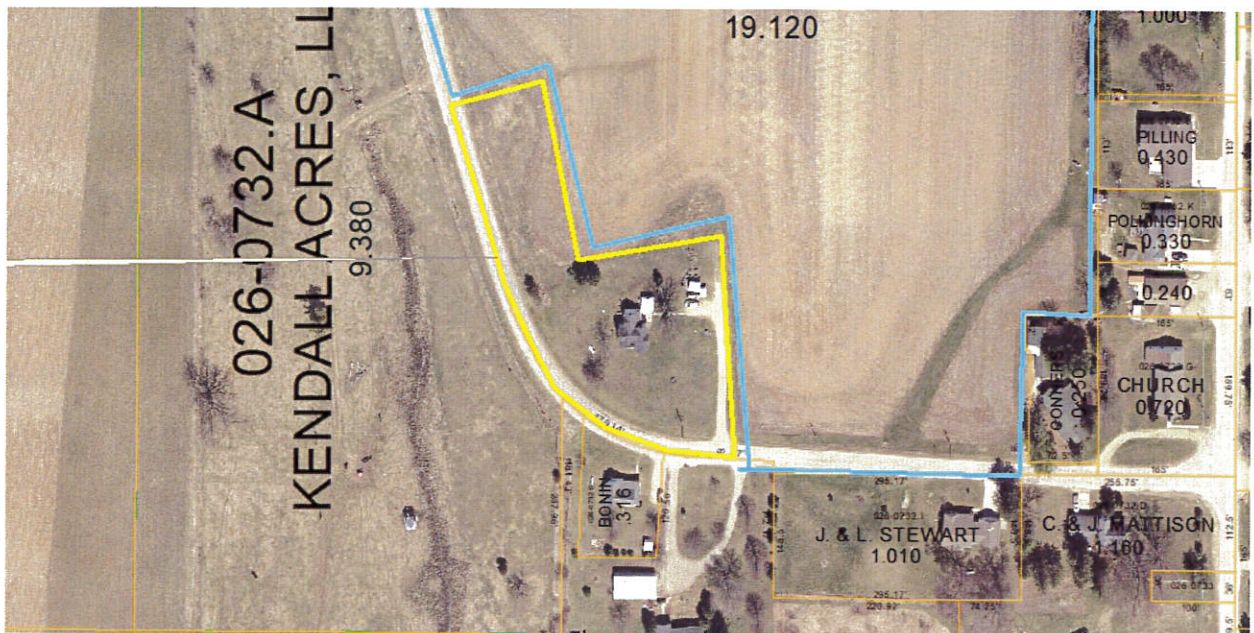
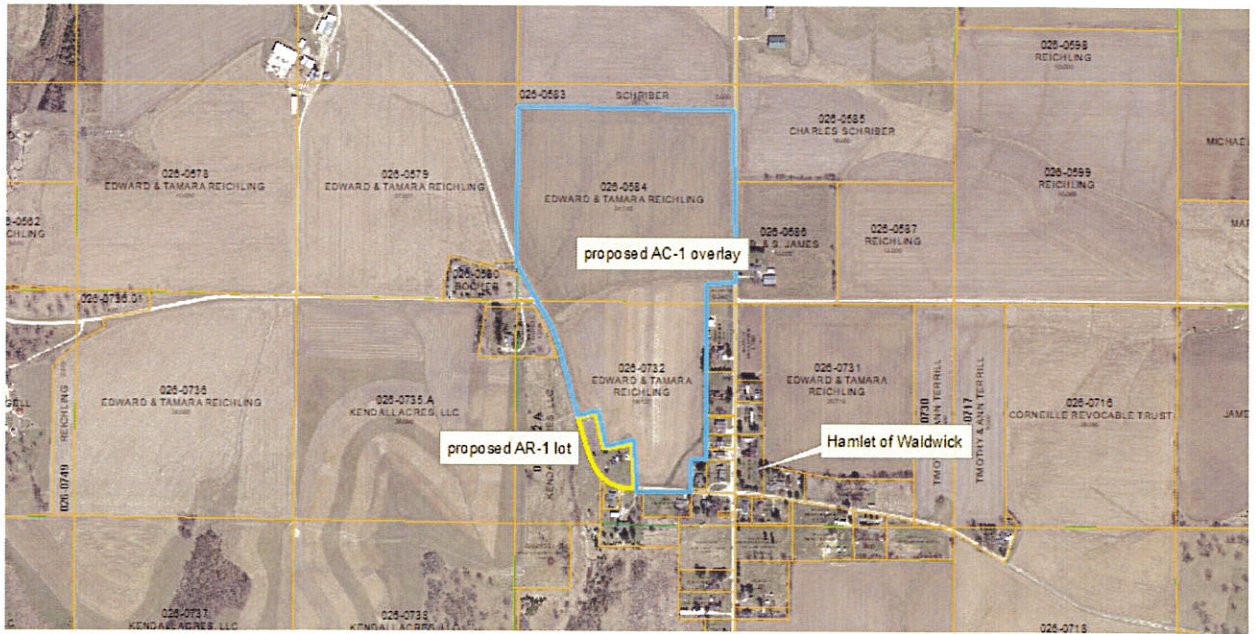
Petition Summary: This is a request to create a 1.67-acre lot by rezoning from A-1 Ag to AR-1 Ag Res. It also includes zoning 51.59 acres with the AC-1 overlay to meet density standards.

Comments/Recommendations

1. The existing A-1 zoning has a minimum 40-acre lot size, thus the request to rezone to the AR-1 district. The Town of Waldwick has a 1:40 residential density, thus the AC-1 overlay.
2. If approved, the lot would be eligible for one existing single family residence (existing), accessory structures and limited ag uses, but no livestock-type animal units due to being under 5 acres. The AC-1 district would allow open space uses but no development that would require a zoning permit.
3. The associated certified survey map has not been submitted for formal review but a draft was provided for the hearing description.

Town Recommendation: The Town of Waldwick feels the proposal is consistent with its comprehensive plan and recommends approval with the AC-1 overlay.

Staff Recommendation: Staff recommends approval with the condition that the associated certified survey map is duly recorded within 6 months of the County Board approval.



7-1219

AGENDA ITEM COVER SHEET

Title: Resolution for Removal of Personal Conviction Waiver for Immunizations

☒ Original

☐ Update

TO BE COMPLETED BY COUNTY DEPARTMENT HEAD

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

Resolution requesting the Wisconsin Legislature end the use of Personal Conviction Waivers for School and Day Care Center Immunizations

RECOMMENDATIONS (IF ANY):

Recommend to adopt resolution

ANY ATTACHMENTS? (Only 1 copy is needed)

☒ Yes

☐ No

If yes, please list below:

Resolution for Removal of Personal Conviction Waiver for Immunizations

FISCAL IMPACT:

None

LEGAL REVIEW PERFORMED:

☐ Yes

☒ No

PUBLICATION REQUIRED:

☐ Yes

☐ No

STAFF PRESENTATION?:

☒ Yes

☐ No

How much time is needed? 10 mins

COMPLETED BY: Sue Matye

DEPT: Health

2/3 VOTE REQUIRED:

☐ Yes

☒ No

TO BE COMPLETED BY COMMITTEE CHAIR

MEETING DATE: 12/4/19 HHS Committee

AGENDA ITEM # 6

COMMITTEE ACTION:

Amended, Approved and sent to Iowa County Board of Supervisors

RESOLUTION NO. 7-1219

**RESOLUTION REQUESTING THE WISCONSIN LEGISLATURE
END THE USE OF PERSONAL CONVICTION WAIVERS
FOR SCHOOL AND DAY CARE CENTER IMMUNIZATIONS**

WHEREAS, there are multiple important and potentially dangerous communicable diseases that are preventable by vaccinations currently required by Wisconsin law for school and day care attendance, and

WHEREAS, vaccine-preventable diseases can be very contagious, and can result in serious health complications, including pneumonia and encephalitis, and lead to death, and

WHEREAS, the effectiveness and safety of vaccines have been well established, and

WHEREAS, the Affordable Care Act has improved insurance coverage for vaccinations, which are readily available in medical offices and pharmacies, and public health departments continue to serve those eligible for the Vaccines for Children Program, and

WHEREAS, all states require certain vaccines for school entry in order to

- a) assure that individual children do not contract disease in the social setting of school,
- b) protect other students from being at risk of disease and death from exposure to an individual student, and
- c) protect the broader community from these serious illnesses, including individuals who are immunocompromised and those who cannot receive vaccines for *bona fide* medical reasons, and

WHEREAS, Wisconsin's immunization law Wis. Stat. § 252.04(3), Wis. Admin. Code § DHS 144.06, makes Wisconsin one of only 16 states that permits parents to opt out or waive some or all of the vaccinations required to attend school or group day care based on their personal beliefs, and

WHEREAS, Wisconsin's percentage of students with religious and medical waivers have remained relatively constant over the past decade at less than 1%, but the percentage of students with a personal conviction waiver in Wisconsin increased from 1.2% during the 1997-98 school year to an alarming 4.6% during 2018-19, and

WHEREAS, outbreaks of measles have impacted multiple states in 2019, and a number of other serious vaccine-preventable disease outbreaks have occurred in Wisconsin over the past 2 decades, and

WHEREAS, several other states have recently removed personal belief exemptions from their legal codes, such that 34 states now prohibit the use of personal belief exemptions for school and daycare immunizations, and

WHEREAS, the Wisconsin Public Health Association (WPHA) and the Wisconsin Association of Local Health Departments and Boards (WALHDAB) both support a change in school and day care center immunization law that eliminates personal conviction waivers for students in Wisconsin public and private schools and for children who attend group day cares.

WHEREAS, as elected officials we are entrusted with protecting the health of the majority of the populace of Iowa County.

NOW, THEREFORE, BE IT RESOLVED that the Iowa County Board of Supervisors respectfully requests that the Wisconsin Legislature end the use of personal conviction waivers for school and day care center immunization requirements.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to the Governor of Wisconsin, Iowa County state legislators, WPHA, WALHDAB and the Wisconsin Counties Association.

Recommended for passage this 23rd day of October, 2019 by the Iowa County Board of Health.

Recommended for passage this 4th day of December, 2019 by the Iowa County Health and Human Services Committee.

AGENDA ITEM COVER SHEET

Title:Amendment to Ordinance 600.18B ATV-UTV Route Ordinance

☐ Original

☒ Update

TO BE COMPLETED BY COUNTY DEPARTMENT HEAD

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

Proposed amendments in section 2.1 designation to provide more clear authority to the Highway Commissioner and in section 2.4 for addition of routes for riding on.

RECOMMENDATIONS (IF ANY):

Recommendation to approve as amended by the Public Works Committee on 12-02-2019.

ANY ATTACHMENTS? (Only 1 copy is needed)

☒ Yes

☐ No

If yes, please list below:

Copy of proposed amendments red lined and copy of the Traffic Safety Commission meeting minuets where the routes were first proposed and reviewed.

FISCAL IMPACT:

Costs for signage acquisition and installation borne by the atv-utv clubs sponsoring the routes; installed by the Highway Department.

LEGAL REVIEW PERFORMED:

☐ Yes

☐ No

PUBLICATION REQUIRED:

☐ Yes

☒ No

PRESENTATION?:

☐ Yes

☒ No

How much time is needed? _____

COMPLETED BY: CRH _____

DEPT: HIGHWAY _____

2/3 VOTE REQUIRED:

☐ Yes

☒ No

TO BE COMPLETED BY COMMITTEE CHAIR

MEETING DATE: 12-02-2019

AGENDA ITEM # 6

COMMITTEE ACTION:

Motion approved as amended by PW Committee on 12-02-2019.

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. §§ 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. § 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. § 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 or not 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 DESIGNATION

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 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. 2.4 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 or terminate any ATV/UTV route enacted by this Ordinance for a period up to ninety (90) days ~~due to emergency situation or condition~~. Closures for duration of greater than ninety (90) days shall be reviewed by the Public Works Committee.

2.2 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. Except as otherwise authorized by State law, all operators
 - a. of ATV's who are at least 12 years of age and who are born on or after January 1, 1988 shall possess a valid state-issued ATV Safety Certification.

- b. of ATV's between the age of 12 and 15 must be accompanied by a parent or legal guardian or a person at least 18 years of age who is designated by the parent or guardian at all times when operating on a roadway designated as an ATV route or when operating on roadways of highways that are ATV trails.
- c. of UTV's must be 16 years of age or older.
- d. 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.
- e. of ATV/UTV's and their 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. § 23.33, which is adopted as a part of this ordinance by reference.

2.3 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. 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.

C. 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.

- D. 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
- E. No person shall operate an ATV/UTV contrary to any authorized and official posted sign.

2.4 DESIGNATION OF ROUTES

The following routes shall be considered as legal routes to be signed for usage through the adoption of this Ordinance:

- i. *CTH A, from the intersection of Ogden Road to the intersection of Cook-McFall Road, in the Town of Mifflin, Secs. 3 and 10; T4N; R1E; a total distance of 0.25 miles.*
- ii. *CTH B , from the intersection with Sunny Slope Road and the intersection with Sunny Slope Road, in the town of Linden ,Sec 3 and 4; T5N; R2E; a total distance of 0.25 miles.*
- iii. *CTH B, from the intersection with Sunny Slope Road east to the intersection with Bloomfield Road in the township of Mineral Point, Secs. 2 and 3; T5N; R2E, a distance of 1.5 miles.*
- ~~iii.~~iv. *CTH B, from the intersection with CTH J to the intersection with CTH G in the town of Eden, Sec. 36; T6N; R1E; a total distance of 1.0 miles.*
- v. *CTH BB, from the intersection with CTH HHH at the roundabout south to the intersection with STH 191 in the Town of Ridgeway, Secs. 21, 22, 28, 33, and 4; T5-6N; R4E; a distance of 3.2 miles.*
- ~~iv.~~vi. *CTH C, from the driveway to Fire #6279 at the Spring Valley Inn west of the intersection with STH 14 to the intersection with High Point Road all in the Town of Arena, Sec. 21; T8N; R4E; a total distance of 1.04 miles.*
- ~~v.~~vii. *CTH CC, from the intersection with STH 14 to the intersection with CTH C all in the Town of Arena, Sec. 21; T8N; R4E; a total of 0.43 miles.*
- viii. *CTH D, from the intersection of CTH YD to the intersection of Sunny Ridge Road in the township of Mineral Point, Secs. 15, 16, 21, and 22; R5N; R3E, a distance of 1.6 miles.*
- ix. *CTH D from the intersection with STH 39 south to the intersection with CTH S in the townships of Mineral Point and Waldwick, Secs. 6, 7, 18, and 31; T4-5N; R3-4E, a distance of 4.0 miles.*
- ~~vi.~~x. *CTH DD , from the -intersection with Walnut Hill Road and the intersection with CTH K, in the towns of Waldwick and Moscow, Secs 12, 13, 7, 17 and 18; T4N; R 4&5 E; a total distance of 2.30 miles.*
- xi. *CTH DD, from the intersection with CTH DDD east to the intersection with CTH D in the township of Waldwick; Sec. 6; T4N; R4E, a distance of 1.0 miles.*
- xii. *CTH DDD, from the intersection with CTH W to the intersection with CTH DD in the township of Waldwick, Secs. 5, 6, 8, and 17; T4N; R4E, a distance of 1.35 miles.*
- ~~vii.~~xiii. *CTH E , from intersection with Shepherd Road to intersection with Keough Springs Road, in the town of Linden ,Sec 29 and 32; T5N; R2E; a total distance of 0.40 miles.*
- ~~viii.~~xiv. *CTH E, from the intersection of Lower Mifflin Road westerly to the Iowa County Highway Shop, in the Town of Mifflin, Sec.34; T5N; R1E; a total distance of 0.4 miles.*

- ~~ix~~.xv. CTH E, from the intersection with STH 80 in the village of Livingston easterly to Enloe Road, in the Town of Mifflin, Secs. 18 and 19; T5N; R1E; a total distance of 1.25 miles.
- ~~x~~.xvi. CTH F, from the Lafayette County line to the intersection of Horseshoe Bend Road and the Lafayette County line in the town of Moscow, Secs. 16 and 17; T4N; R5E; a total distance of 1.0 miles.
- ~~xi~~.xvii. CTH F, from the intersection with Mounds View Road south to the intersection with Clay Hill Road in the Town of Brigham, Secs. 3 and 10; T5N; R5E; a distance of 1.25 miles.
- ~~xii~~.xviii. CTH G, from the intersection with Elm Street in the Village of Cobb southerly to the intersection with Roaster Road in the Town of Eden Sections 25, 26, 35, and 36; T6N; R1E; a distance of +/- 1.5 miles and in the Towns of Linden and Mifflin; Sec 1 and 2; T5N; R1E; a distance of +/- 1.0 miles.
- ~~xiii~~.xix. CTH G, from the intersection of Lower Mifflin Road to the intersection of CTH A in the village of Rewey, within the Town of Mifflin, Sec. 5; T4N; R1E; a total distance of 1.0 miles.
- ~~xiv~~.xx. CTH G, from the intersection with Enloe Road south to the intersection of CTH E, within the Town of Mifflin, Secs. 22 and 27; T5N; R1E; a distance of 1.80 miles.
- ~~xv~~.xxi. CTH H, from the intersection of Roberts Road south to the intersection with CTH Y and Dugway Road to Fire #5304 near the Hyde Store in the unincorporated area of Hyde in the Townships of Arena and Ridgeway Sections 12, 13, ~~and 14, 23, 26, and 27;~~ T6-7N; R4E; ~~and the Township of Ridgeway Section 23; T7N; R4E;~~ a total distance of ~~1.92~~ 4.67 miles.
- ~~xvi~~.xxii. CTH H, from Fire #7195 at Pappas's Trading Post located just south of the intersection of STH 14 to the northerly intersection with Mellum Road all in the Township of Arena; Sections 19, 30, and 31; T8N; R5E; a total distance of 2.44 miles.
- ~~xvii~~.xxiii. CTH H, from the intersection of Prairie Road in the Town of Ridgeway to the intersection with Kirby Street in the Village of Ridgeway, Secs. 14, 24, and 25; T6N; R4E; and Sec. 30; T6N; R5E; a total distance of 3.5 miles.
- ~~xviii~~.xxiv. CTH H, from the intersection of Prairie Road south to McSherry-Nihles Road in the Town of Ridgeway, Secs. 30 and 31, T6N; R5E, a distance of 1.0 miles.
- ~~xix~~.xxv. CTH H, from the intersection with CTH K south to the intersection with CTH F in the Town of Ridgeway, Secs. 3 and 4; T5N; R5E; a distance of 1.75 miles.
- ~~xx~~.xxvi. CTH HH, from the intersection of Blue Ridge Road in the Town of Arena south to the intersection with Ridgevue Road in the Town of Brigham, Secs. 21, 27, and 28; T7N; R5E; a distance of 2.5 miles.
- ~~xxi~~.xxvii. CTH HH from the intersection at Blue Ridge Road to the intersection at Knight Hollow Road all in the Town of Arena, Sec. 5, 8, 9, and 16; T7N; R5E; a total of 3.21 miles.
- ~~xxii~~.xxviii. CTH HH, from the intersection with Ridgevue Road in the Town of Brigham~~AACC Road east south~~ to the intersection with CTH K in the Town of Brigham, Secs. 27 and 34; T7N; R5E; a distance of ~~0~~1.25 miles.
- ~~xxiii~~.xxix. CTH HHH (Main Street), from the intersection of Ternes Court in the Village of Ridgeway to the intersection with Strutt Road (Old STH 18) in the Town of Ridgeway, Secs. 11, 14, and 15; T6N; R4E; a total distance of 1.70 miles.
- xxx. CTH HHH, from the intersection of Ternes Court in the village of Ridgeway to the intersection with CTH BB in the Town of Ridgeway, Secs. 15 and 22; T6N; R4E, a distance of 0.9 miles.
- xxxi. CTH HHH, from the intersection of CTH BB to the intersection with Ridgevue Road in the Town of Ridgeway, Sec. 22; T6N; R4E, a distance of 0.3 miles.

- ~~xxiv~~.xxxvii. CTH I, from the intersection with STH 80 in the Village of Highland south ~~ST 18 in the Village of Montfort to Steil Road~~ within the Townships of Eden and ~~of Highland~~, Secs. 4, 5, 7, 18, 19, 30, and 33; T6-7N; R1E; a distance of 6.8 2.1 miles.
- ~~xxv~~.xxxviii. CTH I, from the intersection with ~~Tower Road Smoky Hollow Road~~ easterly to the intersection with CTH PP in the Town of Highland, Secs. 13, 22, 23, -and-24, and 27; T7N; R1E; Secs. 17 and 18; T7N; R2E; a distance of 5.62.5 miles.
- ~~xxvi~~.xxxiv. CTH ID, from the Village of Barneveld east to the Dane County line in the Town of Brigham, Secs. 10, 11, and 12; T6N; R5E; a distance of 2.5 miles.
- xxxv. ~~CTH J, from the intersection with STH 18 and Cave Road southerly to the intersection with CTH B in the Township of Eden, Secs. 25 and 36; T6N; R1-2E, a distance of 1.0 miles.~~
- ~~xxvii~~.xxxvi. CTH J, from the intersection with Avenell Road southerly to the intersection with Norms Road within the Towns of Linden and Mifflin, Sec. 19 and 24; T5N; R1E and R2E; a distance of 1.5 miles.
- ~~xxviii~~.xxxvii. CTH J, from the intersection with Norms Road south to the intersection with CTH A within the Town of Mifflin, Sec. 25 and 36 of T5N; R1E; and Secs. 1 and 12; T4N; R1E; a distance of 3.25 miles.
- xxxviii. ~~CTH K, from the intersection of Roelke Road to the intersection with Frame Road in the Town of Arena; Sec. 2; T7N; R5E, a distance of 0.25 miles.~~
- xxxix. ~~CTH K, from the intersection of Zwettler Road to the intersection with Sweeney Road in the Town of Arena; Sec. 11 of T7N; R5E; a distance of 0.25 miles.~~
- ~~xxix~~.xl. CTH K, from the intersection with CTH ID in the Village of Barneveld north to the intersection with CTH HH in the Town of Brigham; Secs. 3 and 34; T6N; R5E; a distance of 1.0 miles.
- ~~xxx~~.xli. CTH K, from the intersection of Ridgeview Road south to the intersection with Mounds Park Road in the Town of Brigham, T7N; R5E; a distance of 0.25 miles.
- ~~xxxi~~.xlii. CTH K, from the intersection with Jones Street in the Village of Barneveld south to the intersection with Prairie Grove Road in the Town of Brigham, Secs. 10, 15, and 24; T6N; R5E; a distance of 1.6 miles.
- ~~xxxii~~.xliii. CTH K, from the intersection of CTH H (Middlebury) south to the intersection with Mill Dam Road in the Town of Brigham; Secs. 4 and 5; T5N; R5E; a distance of 0.3 miles.
- ~~xxxiii~~.xliv. CTH K, from the intersection with CTH F to the intersection with STH 39 in the village of Hollandale, within the town of Moscow, Secs. 16, 17, 5, 31, and 32; T 4&5 N; R5E; a total distance of 5.4 miles.
- ~~xxxiv~~.xl. CTH K from the intersection with STH 191 to the intersection with Urness Road in the Town of Brigham Secs. 7 and 8; T5N; R5E; a total distance of 0.75 miles more or less, and in the Town of Moscow Secs. 17, 20, 29, and 30; T6N; R5E; a total distance of 2.5 miles.
- ~~xxxv~~.xlvi. CTH N, from the intersection with Wisconsin Avenue south to the intersection with Meadow Brook Road within the Town of Pulaski, Secs. 7, 18, 19, 20, and 30; T8N; R2E; a distance of 3.10 miles.
- ~~xxxvi~~.xlvii. CTH P, from the intersection with ~~Old 80 Road Dry Dog Road~~ south to the intersection with Hickory Flat Road within the Town of Pulaski, Secs. 7, 18, 19, 29, 30, and 32; T8N; R1E; a distance of 0.5 4.1 miles.
- ~~xxxvii~~.xlviii. CTH PP, from the intersection with CTH I northerly to the intersection with Sand Hill Road within the Town of Highland, Sec. 1; T7N; R1E and Secs. 6, 7, 17, and 18; T7N; R2E; a total distance of 2.25 miles.
- ~~xxxviii~~.xlix. CTH Q, from the intersection with STH 80 in the Village of Highland west to the Grant county line in the Town of Highland; Secs. 19, 28, 29, and 30; T7N; R1E; a distance of 3.2 miles.

- ~~xxix.~~i. CTH Q, from the intersection with Hazy Lane east to the intersection with Plank Road in the Town of Highland, Secs.35 and 36; T7N; R1E and Secs. 31 and 32; T7N; R2E; a distance of 5.25 miles.
- li. CTH Q, from the intersection with Mill creek road south to the intersection with CTH QQ in the township of Mineral Point, Secs. 13, 14, and 23; T5N; R2E, a distance of 1.38 miles.
- lii. CTH QQ, from the intersection with CTH Q south to the intersection with STH 39 in the township of Mineral Point, secs. 13, 24, 25, and 36; T5N; R2E, a distance of 2.6 miles.
- liii. CTH S, from the intersection with County Line Road to the intersection of CTH W in the Townships of Mineral Point and Waldwick along the Lafayette County Line, Secs. 13 and 14; T4N; R3E; and Secs. 17 and 18; T4N; R4E, a distance of 2.75 miles.
- ~~xli.~~liv. CTH T, from the intersection with Erdman Road to the intersection with Coon Rock Road in the Town of Arena, Sec. 9 and 16; T7N; R4E; a total of 0.51 miles.
- lv. CTH T, from the intersection with Mill Road ot the intersection with Pikes Peak Road in the Towns of Ridgeway and Brigham; Secs. 24; T7N; R4E; 0.25 miles.
- ~~xlii.~~lvi. CTH T, from the intersection with Lakeview and Knutson Roads south to the Village of Barneveld city limits at Birch Lake Park in the Town of Brigham; Secs. 4, 5, 19, 30, 31, and 32; T7N; R5E; a distance of 4.3 miles.
- ~~xliii.~~lvii. CTH T, from the intersection of Schurch Road south to the intersection with CTH K in the Town of Brigham; Secs. 17, 20, 28, 29, 32, and 33; T6N; R5E; a distance of 4.25 miles.
- ~~xliiii.~~lviii. CTH X, from the intersection with Keough Springs Road to the intersection with STH 39 in the village and township of Linden, Sec. 8 and 17; T5N; R2E; a total distance of 0.91 miles.
- lix. CTH Y, from the intersection with Ridgevue Road to the intersection with CTH H in the Town of Ridgeway, Secs. 4, 5, 8, and 9; T6N; R4E; a distance of 1.7 miles.
- lx. CTH YD, form the intersection with STH 23 and Business Drive in the City of Mineral Point to the intersection with CTH D in the Township of Mineral Point, Secs. 21 and 29; T5N; R3E, a distance of 2.3 miles.
- ~~xliiv.~~lxi. 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 total distance of 0.25 miles.
- lxii. STH 39 in the Township of Mineral Point and the City of Mineral Point, form the intersection fo CTH Q to the intersection with fair Street, including the bridge over the Mineral Point Branch, in Sec. 36; T5N; R2E, a distance of 0.5 miles more or less.
- lxiii. STH 191, in the Township of Ridgeway from the intersection with CTH BB southerly to the intersection with Spring Road, Sec.4; T5N; R4E, a distance of 0.25 miles.
- ~~xlii.~~lxiv. 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**.

AGENDA ITEM COVER SHEET

Title: Policy 401 Employee Handbook Revisions

☒ Original

☐ Update

TO BE COMPLETED BY COUNTY DEPARTMENT HEAD

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

Overall the handbook has been a great tool for all Iowa County Employees. The following are a couple of changes proposed to be made:

Section 5.6 Performance Evaluation Reviews and Pay for Performance: Updated the points for Meets, Exceeds and Does not Meets Expectations. Add language to pay bonus in a lump sum vs over 26 pay periods.

Section 6.3 Managed Time Off - Revised language in Section B, 2, d. Use to MTO to be used in a half hour increment versus one hour.

Remove:

Section 7.6 Domestic Partner

All changes have been made in red ink.

RECOMMENDATIONS (IF ANY):

Adopt revised changes/updates to the handbook

ANY ATTACHMENTS? (Only 1 copy is needed)

☒ Yes

☐ No

If yes, please list below:

Table of Contents - Shows all the changes made.

Section 5.6 Performance Evaluation Reviews and Pay for Performance

Section 6.3 Managed Time Off

FISCAL IMPACT:

NA

LEGAL REVIEW PERFORMED: ☐ Yes ☒ No

PUBLICATION REQUIRED: ☐ Yes ☒ No

STAFF PRESENTATION?: ☒ Yes ☐ No

How much time is needed? 5-10 minutes

COMPLETED BY: Allison Leitzinger

DEPT: Employee Relations

2/3 VOTE REQUIRED: ☐ Yes ☒ No

TO BE COMPLETED BY COMMITTEE CHAIR

MEETING DATE:

AGENDA ITEM #

COMMITTEE ACTION:

AGENDA ITEM COVER SHEET

Title: Policy 401 Employee Handbook Revisions

☒ Original

☐ Update

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Remove:

Section 7.6 Domestic Partner

All changes have been made in red ink.

RECOMMENDATIONS (IF ANY):

Adopt revised changes/updates to the handbook

ANY ATTACHMENTS? (Only 1 copy is needed)

☒ Yes

☐ No

If yes, please list below:

Table of Contents - Shows all the changes made.

Section 5.6 Performance Evaluation Reviews and Pay for Performance

Section 6.3 Managed Time Off

FISCAL IMPACT:

NA

LEGAL REVIEW PERFORMED:

☐ Yes

☒ No

PUBLICATION REQUIRED:

☐ Yes

☒ No

STAFF PRESENTATION?:

☒ Yes

☐ No

How much time is needed? 5-10 minutes

COMPLETED BY: Allison Leitzinger

DEPT: Employee Relations

2/3 VOTE REQUIRED:

☐ Yes

☒ No

TO BE COMPLETED BY COMMITTEE CHAIR

MEETING DATE:

AGENDA ITEM #

COMMITTEE ACTION:



EMPLOYMENT HANDBOOK MANUAL

Date Originated: 04/19/2016

Date of Modifications: 12/20/2016, 12/19/2017, 12/17/2019

Policy Number: 401

1. PURPOSE:

To provide and establish guidelines, policies and procedures that guide employees.

2. ORGANIZATIONS AFFECTED

All Iowa County Employees, except for those covered by a Collective Bargaining Agreement.

3. POLICY

Iowa County
Wisconsin



EMPLOYMENT HANDBOOK MANUAL Non-Represented Employees

Iowa County
Employee Relations

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5.6 Performance Evaluation Reviews and Pay for Performance

Iowa County provides annual performance evaluations with all employees. Performance evaluations are designed to acknowledge employees achievements and assist employees in improving their job performance.

Managers and Department Heads are responsible for conducting annual performance evaluations with employees whom they supervise.

Employee performance is evaluated annually on employee's date of hire. Management employees who were promoted into a management position prior to October 5, 2014 will use their status date instead of hire date. All employees are evaluated on the following core competencies:

- Attendance
- Job Knowledge
- Job Performance
- Communication and Customer Service
- Attitude, Professionalism and Teamwork
- Safety and Following Policies and Procedures
- Goal Setting

In addition to the above core competencies, management employees are evaluated on the following leadership core competencies:

- Coaching and Delegation
- Team Leadership and Facilitating Change
- Budget Management

Employee's shall complete a self-evaluation and submit to their manager no more than a month prior, but at least two weeks before evaluation date. Failure to complete self-evaluation is reflected in performance review. Managers complete and review a separate performance evaluation with the employee. The manager submits the completed evaluation and status change form to Employee Relations before the end of the payroll week in which the evaluation date occurred. Employee Relations provides the status change form to Finance/Payroll.

Status change forms are not processed until Employee Relations receives the completed performance evaluation review.

Performance Factor Rating

Step Process (Minimum- Step 1 up to Control Point-Step 6):

Non-Management Employees:

Employees within the step portion of the Iowa County Wage Structure receiving a rating of 20 points to 28 points get a "Meets Expectations" rating, which includes a pay increase to the next

step. Employees receiving a rating of 19 points or below get a "Does not Meet Expectation" rating, which provides no step increase. Employees receiving a rating of 29 points or more get an "Exceeds Expectation" rating, which results in a pay increase of two steps.

Managers that do not have Budget responsibilities:

Employees within the step portion of the Iowa County Wage Structure receiving a rating of 26 points to 37 points get a "Meets Expectations" rating, which includes a pay increase to the next step. Employees receiving a rating of 25 points or below get a "Does not Meet Expectation" rating, which provides no step increase. Employees receiving a rating of 38 points or more get an "Exceeds Expectation" rating, which result in a pay increase of two steps.

Management Employees:

Employees within the step portion of the Iowa County Wage Structure receiving a rating of 28 points to 41 points get a "Meets Expectations" rating, which includes a pay increase to the next step. Employees receiving a rating of 27 points or below get a "Does not Meet Expectation" rating, which provides no step increase. Employees receiving a rating of 42 points or more get an "Exceeds Expectation" rating, which result in a pay increase of two steps.

All performance evaluations including management and non-management reviews that get an "Exceeds Expectations" rating need to be discussed and approved by the County Administrator.

Pay for Performance (Control Point – Step 6 to Maximum):

Employees who receive a rating of "Exceeds Expectations" are eligible for Pay for Performance. An "Exceeds Expectations" rating is 29 points or more for non-management employees, 38 for management employees with no budget responsibilities and 42 points or more for management employees.

Employees will receive a two (2%) performance bonus of current base rate in a **lump sum payment** plus a two (2%) base wage increase.*

When an employee is on Step 5 and receives an "Exceeds Expectations", employee will receive a one and a half (1.5%) performance bonus of current base rate **in a lump sum payment** plus a one (1%) base wage increase of Step 6.*

All pay including base wage and bonus pay cannot exceed the maximum step unless approved by County Board. If an employee is near maximum, they will earn the base wage increase before the performance bonus pay.

All performance evaluations including management and non-management reviews that get an "Exceeds Expectations" rating needs to be discussed and approved by the County Administrator.

*Lump Sum payment is not added to the base wage and is a one time payment

6.3 Managed Time Off

Plan Provisions

A. General Policy

It is the policy of Iowa County to provide employees with necessary paid time away from work. This Policy is implemented by means of a Managed Time Off (MTO) Plan, which covers paid leave previously available under the vacation, floating holiday, sick leave, bereavement leave, and other leave policies.

MTO may fall into two categories: Scheduled Time Off and Unscheduled Time Off. MTO is always subject to audit and monitoring, as well as absenteeism policies.

Department Heads shall determine what category they will follow for their department – Scheduled Time Off or Unscheduled Time Off.

1. Scheduled Time Off

- a. An employee may request to take scheduled time off using his/her accrued MTO. Such requests must be submitted to the employee's Department Head or designee as far in advance as possible, but no later than three (3) working days prior to the date for which the time off is requested. Requests to take scheduled time off using accrued MTO must be approved in advance by the employee's Department Head or designee.
- b. Except in emergencies, employees are required to request to use accrued MTO for scheduled dental and medical appointments in the same manner as referenced above. In addition, an employee must also notify his/her supervisor as far in advance as possible of a scheduled dental or medical appointment.

2. Unscheduled Time Off

- a. Unscheduled time off is defined as an absence that has not been approved in advance by the employee's Department Head or designee. An absence shall be considered unscheduled when an employee's request to use MTO is made less than three (3) working days prior to the date for which time off is requested or where no request for time off is made.
- b. When unscheduled time off is necessary, an employee shall notify his/her Department Head or designee prior to the beginning of his/her scheduled reporting time and within the notification time period designated by the

Department Head. The employee shall also inform his/her Department Head or designee of his/her anticipated date of return to work.

- c. A Department Head or designee may grant approval of a request to use MTO made by an employee with less than three (3) days' notice if the employee's absence does not negatively affect departmental workload, project completion, and maintenance of sufficient departmental staffing levels, or if the absence is deemed to be covered by the state and/or federal Family and Medical Leave Act ("FMLA"). Notice of unplanned FMLA leave shall be given as required in the County FMLA policy.

B. Procedures

1. Accrual Policy

- a. MTO accrual commences on an employee's initial date of employment on a prorated basis. The maximum amount of annual MTO that an employee can accumulate is calculated from the employee's anniversary date of initial employment. The maximum annual MTO accrual is set forth in the Accrual Schedule below.
- b. MTO hours are earned based upon regular hours paid, while on an approved FMLA qualified absence and while receiving a disability income (not on overtime hours worked or compensatory time earned).
- c. On an employee's anniversary date, if the employee's accrued MTO hours exceed the maximum set forth in the Accrual Schedule below, the excess hours shall be transferred to the employee's Medical Leave Bank in the subsequent pay period. If the employee's Medical Leave Bank accrual balance is at the maximum level at the time the excess MTO hours are to be transferred, the excess MTO hours will be deemed forfeited. MTO hours transferred to an employee's Medical Leave Bank pursuant to this section shall not be returned to the employee's MTO account. The employee Medical Leave Bank has been established to provide additional medical leave to employees that have reached the maximum MTO accrual permitted instead of simply restricting MTO accrual, and is solely to be used during an employee's employment for the purposes specified. Therefore, at the time of an employee's termination or retirement, the employee shall not be entitled to remuneration for unused time from the Medical Leave Bank. See the section of this Policy regarding Medical Leave Bank for further information.

Accrual Schedule

Maximum Annual Accrual for Employees Working 40 Hours per Week	
Accrual Periods	
0-1.99 year	136 hours
2 – 5 years	176 hours
6 – 10 years	208 hours
11-15 years	248 hours
16-20 years	288 hours
21 or more years	312 hours

(MTO granted in a particular year may be used as MTO in that year, even if the aggregate amount of MTO exceeds the maximum accrual level)

2. Use of MTO

- a. MTO is accrued based upon hours worked and may be used subsequent to the pay period in which it is earned. Employees accrue MTO from the first day of employment and may use accrued MTO when it is available, with advance approval.
- b. Except in certain, limited circumstances where use of MTO is approved by the Employee Relations Director or a right of use is provided by law (e.g., FMLA), an employee request to take unpaid leave will not be granted if the employee has accrued MTO available.
- c. The County Administrator shall be notified when an employee's use of MTO exceeds two consecutive weeks.
- d. ~~MTO may be used in increments of no less than one hour.~~ A minimum of a half hour must be used each time using MTO. Increments of tenths may be used after the initial half hour.

- e. Use of MTO in combination with hours worked shall not exceed the number of hours an employee is scheduled to work for that day.

3. End of Employment Options

Upon separation from employment with Iowa County, and consistent with the terms of the Iowa County Resignation Policy, the hours of accrued MTO in an employee's account will be paid out at the employee's current wage rate (subject to withholding).

Medical Leave Bank

The County will provide a Medical Leave Bank for each eligible employee as part of its MTO Plan. The purpose of this Bank is to provide paid time off for long term medical needs associated with an employee's personal illness, or the personal illness of an eligible employee's family member's that are covered by this policy.

A. Procedures

1. An employee is eligible to use hours in his/her Medical Leave Bank for the same events which would qualify him/her to use State or Federal Family and Medical Leave (described in the Iowa County FMLA Policy), e.g., for a qualified illness, injury, and/or medical emergency of the employee or his/her covered family member, or military exigencies of the employee or his/her covered family member, subject to approval by the Employee Relations Department.
2. The Medical Leave Bank account may be accessed for an employee's non-intermittent FMLA leave after the appropriate certifications have been received and approved by the Employee Relations Department.
3. An employee may use his/her Medical Leave Bank for intermittent leave if he/she is entitled to do so by law (e.g., FMLA) or in the discretion of the Employee Relations Director or designee under certain limited circumstances, such as prolonged therapies necessitating multiple appointments, travel due to medical treatment or symptomatic absences due to treatment.
4. Medical Leave Bank may be used for the three (3)-day waiting period to cover time lost due to a Worker's Compensation time loss event.
5. The County reserves the right to require satisfactory medical documentation, which may include a physician's statement or other evidence. Unauthorized use of time accrued in an employee's Medical Leave Bank may result in loss of pay for the duration

of the employee's absence, and may also be grounds for disciplinary action or termination of employment.

6. The County may require the employee to provide a certificate of recovery from a State of Wisconsin licensed physician approved by the County.

B. Maximum Accumulation

An employee may accumulate a maximum 480 hours in his/her Medical Leave Bank. Once an employee's balance reaches 480 hours, no additional time will be credited to the employee's Bank until the balance falls below the 480-hour maximum.

C. Time Off Without Pay

1. If an employee's Medical Leave Bank is exhausted, s/he must use available MTO prior to requesting time off without pay. Time off without pay is not permitted, unless authorized by State or Federal FMLA, required by other laws (e.g., ADA), or when the employee has the prior written authorization of the Department Head and Employee Relations Director.
2. MTO does not accrue when an employee is absent from work without pay. MTO does accrue when using time in his/her Medical Leave Bank.
3. Except as provided by State and Federal FMLA, employees are obligated to pay all insurance premiums when on an approved unpaid leave.
4. Separation From Employment

The employee Medical Leave Bank has been established to provide additional medical leave to employees that have reached the maximum MTO accrual permitted instead of simply restricting MTO accrual, and is solely to be used during an employee's employment for the purposes specified. Therefore, at the time of an employee's termination or retirement, the employee shall not be entitled to remuneration for unused time from the Medical Leave Bank, and no residual or post-employment wage or benefit shall be paid to the employee for unused Medical Leave.

Administrative Guidelines

A. Participation

All regular, qualifying, current and newly-hired employees working an average of twenty (20) hours or more per week shall participate in the MTO Plan on a prorated basis, i.e. employees will be paid at their normal rate of pay for MTO leave taken, based on the number of hours normally worked in a workweek.

B. Vacation Balance Conversion

Vacation balances that exist at the time this Policy takes effect shall be converted to MTO hours in the following manner: Vacation balances shall be converted into MTO hours at 100% of their current hourly value. New MTO hours shall be added to the balance pursuant to the limits and rates established in this Policy based upon an employee's years of service.

C. Sick Leave Balances At Time of Adoption

1. At the time of the MTO Policy's adoption, an employee's existing sick leave shall be locked in a personal Sick Leave Bank, to be used for qualifying events due to illness and medical appointments or qualified State or Federal FMLA leave. This pre-existing Sick Leave Bank is not the same as the Medical Leave Bank. Pre-existing Sick Leave Bank refers to the sick leave benefit earned and accrued by qualified employees prior to, but not after, the implementation of the MTO Plan. Sick leave shall not be earned after the MTO Plan is implemented.
2. Employees who are eligible for retirement under Wisconsin Retirement System regulations and who elect to retire are authorized to receive a payout of their Sick Leave Bank at retirement, to the extent that and consistent with County contracts and/or policies in effect at the time Sick Leave was earned and banked. Said banked sick leave will be paid out at the employee's hourly wage at the time of retirement.

D. MTO Record-Keeping

Department management will be responsible for maintaining records that document the approvals and denials of employees' requests for MTO. A standard form, "Request for Time Off," shall be used to account for any scheduled or unscheduled time off.

E. Floating Holiday Balances At Time of Adoption

Any floating holiday balances remaining when this Policy is adopted shall not be converted to MTO.

F. Employee Responsibility

Employees have sole responsibility for verifying the accuracy of the accrual-balance reporting. Employees are encouraged to verify balances bi-weekly and immediately report any discrepancies in writing to the Payroll Department.

G. Implementation

The Medical Leave Bank will be implemented at the same time as the initial implementation of the Managed (Paid) Time Off Plan.

H. Interpretation

This policy does not create a contract. The County reserves the right to modify, interpret, and apply this policy, in its discretion and judgment.

8-1219

AGENDA ITEM COVER SHEET

Title: Resolution- 2019 Transfer of Funds To Corporation Counsel

☒ Original

☐ Update

TO BE COMPLETED BY COUNTY DEPARTMENT HEAD

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

Resolution of Recommending Transfer of Funds in 2019 from the Iowa County General Fund Balance to Corporation Counsel budget to cover expenditures in excess of Budget.

RECOMMENDATIONS (IF ANY):

Review and Approve the Transfer

ANY ATTACHMENTS? (Only 1 copy is needed)

☒ Yes

☐ No

If yes, please list below:

Resolution of Recommending Transfer of Funds from the Iowa County General Fund to Corporation Counsel Budget

FISCAL IMPACT:

Transfer of \$65,000.00 from the General Fund Balance to Corporation Counsel

LEGAL REVIEW PERFORMED:

☐ Yes

☒ No

PUBLICATION REQUIRED:

☒ Yes

☐ No

PRESENTATION?:

☒ Yes

☐ No

How much time is needed? 5 minutes

COMPLETED BY: Roxie Hamilton

DEPT: Finance Department

2/3 VOTE REQUIRED:

☒ Yes

☐ No

TO BE COMPLETED BY COMMITTEE CHAIR

MEETING DATE:

AGENDA ITEM #

COMMITTEE ACTION:

Resolution No. 8-1219

Recommendation of 2019 Budget Amendment to Transfer Funds from the General Fund to the Corporation Counsel Budget

WHEREAS, the Iowa County Board of Supervisors approved the 2019 Budget at the November 13, 2018 County Board meeting and approved Resolution 7-1118 approving the Iowa County budgets and funds for the fiscal year beginning January 1, 2019 and ending December 31, 2019; and

WHEREAS, the part-time 25% Corporation Counsel county position was not filled when the Assistant District Attorney position increased from 75% to 100%; and

WHEREAS, when the part-time corporation counsel position was not filled, the County decided to outsource the corporation counsel services with outside legal counsel/attorneys; and

WHEREAS, it is anticipated the actual 2019 expense for the Corporation Counsel will exceed the adopted budget by \$65,000; and

NOW, THEREFORE, BE IT RESOLVED the Iowa County Board of Supervisors adopts the recommendation of the Executive Committee to transfer from the Iowa County General Fund to the Corporation Counsel budget to cover the anticipated overage by \$65,000 per the following list of accounts:

<u>Fund Balance</u>	<u>Amount</u>	<u>EXPENSE</u>	<u>Amount of (Increase)</u>
Iowa County Fund Balance:			
100.00.34203.00000.000	\$ 65,000.00	100.24.51320.00000.212	\$65,000.00
Iowa County Fund Balance		Corporation Counsel	
		Outside Legal Counsel	

BE IT FURTHER RESOLVED the Iowa County Board of Supervisors directs the County Clerk to publish this budget transfer pursuant to Wisconsin State Statute number 65.90 (5) (a) per the statutory requirement.

9-1219

AGENDA ITEM COVER SHEET

Title: 2019 Budget Amendment - Health Dept Grants

☒ Original

☐ Update

TO BE COMPLETED BY COUNTY DEPARTMENT HEAD

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

Iowa County Health Department applied for and were awarded for 2 grants after the 2019 budget was approved. The Healthy Aging in Rural Towns (HeArt) grant is a 3 year grant through UW-Madison and the 2019 amount is \$44,888.25. The Awareness of the Dangers of Opioid Addiction (Opioid) grant through the WI Dept. of Health Services for \$25,000.

RECOMMENDATIONS (IF ANY):

Since this was not in the budget, this will require a budget amendment. Please consider moving to approve and adopting the attached budget amendment resolution.

ANY ATTACHMENTS? (Only 1 copy is needed)

☒ Yes

☐ No

If yes, please list below:

Attached is a budget amendment resolution

FISCAL IMPACT:

This will increase the revenue and the expense with no additional county funding needed.

LEGAL REVIEW PERFORMED:

☐ Yes

☒ No

PUBLICATION REQUIRED:

☒ Yes

☐ No

STAFF PRESENTATION?:

☒ Yes

☐ No

How much time is needed? 10 Minutes

COMPLETED BY: Roxie Hamilton

DEPT: Finance Director

2/3 VOTE REQUIRED:

☒ Yes

☐ No

TO BE COMPLETED BY COMMITTEE CHAIR

MEETING DATE:

AGENDA ITEM #

COMMITTEE ACTION:

Resolution No. 9-1219

Resolution Recommending 2019 Budget Amendment for Health Department

TO THE HONORABLE IOWA COUNTY BOARD OF SUPERVISORS:

WHEREAS, the County Board approved the 2019 Iowa County Budget on November 13, 2018 and the budget adoption is considered authorization and Department Heads shall have the authority to expend or receive funds within their respective budgets without regard to specific line items.

WHEREAS, the County Board realizes that budget amendments are necessary and these increase the revenue budget and increase the expenditure budget; and

WHEREAS, the Iowa County Health Department applied for and received a two grants after the 2019 budget was adopted. The grants are Healthy Aging in Rural Towns (HeArt grant) through UW Madison and Prevention and Awareness of the Dangers of Opioid Addiction (Opioid Grant) through WI Department of Health Services; and

WHEREAS, the HeArt grant is a 3 year grant and the 2019 grant amount is 44,888.25 and the Opioid Grant award is \$25,000; and

WHEREAS, the grant award will increase the 2019 revenue and expenditure budget; and

NOW, THEREFORE, BE IT RESOLVED THAT:

The Iowa County Board of Supervisors adopts the recommendations and approves the budget amendment for the following accounts. 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.

<u>REVENUE</u>	<u>Amount of Increase</u>	<u>EXPENSE</u>	<u>Amount of Increase (Decrease)</u>
Iowa County Health Department:			
400.50.46515.00000.000 HeArt Grant Revenue	\$ 44,888.25	100.50.54111.00000.*** HeArt Grant Expense	\$ 44,888.25
100.50.43241.00000.000 Opioid Grant Revenue	\$ 25,000.00	100.50.54100.00000.407 Opioid Grant Expense	\$ 25,000.00

Dated this 17th day of December, 2019

10-12-19

AGENDA ITEM COVER SHEET

Title: CMS Rule

☒ Original

☐ Update

TO BE COMPLETED BY COUNTY DEPARTMENT HEAD

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

At the last Senior Living 2020 Committee meeting it was brought to the Committee's attention that a new Center for Medicare and Medicaid (CMS) rule was being proposed that would impact the proposed merger between Upland Hills and Iowa County. Attached to this Cover Sheet is a copy of a draft position statement explaining the rule and the impact thereof. Also attached is a resolution drafted by the Iowa County Corporation Counsel that lays out a position for the County to take regarding the proposed rule.

RECOMMENDATIONS (IF ANY):

The Senior Living 2020 Committee was greatly concerned about the rule and noted that there was a 60 day comment window. Though it may not have a large impact on the Federal Government, it is important for Iowa County to establish our position regarding the proposed rule.

ANY ATTACHMENTS? (Only 1 copy is needed)

☒ Yes

☐ No

If yes, please list below:

Attached is a draft position statement and a resolution for your consideration.

FISCAL IMPACT:

The adoption of this rule by CMS will put a substantial wrinkle into the plans for Iowa County to merge nursing homes with upland hills health. The impact has not been fiscally measured, but would at minimum result in the potential loss of the County's IGT Aid (\$400,000+) under the current proposed merger.

LEGAL REVIEW PERFORMED:

☒ Yes

☐ No

PUBLICATION REQUIRED:

☐ Yes

☒ No

STAFF PRESENTATION?:

☐ Yes

☒ No

How much time is needed? _____

COMPLETED BY: Larry Bierke

DEPT: County Administrator

2/3 VOTE REQUIRED:

☐ Yes

☐ No

TO BE COMPLETED BY COMMITTEE CHAIR

MEETING DATE:

AGENDA ITEM #

COMMITTEE ACTION:

IOWA COUNTY BOARD OF SUPERVISORS

RESOLUTION NO. 10-1219

**A RESOLUTION OPPOSING PROPOSED RULE CHANGES REGARDING MEDICAID
FISCAL ACCOUNTABILITY**

WHEREAS, the Centers for Medicare and Medicaid Services ("CMS") issued a proposed rule on November 18, 2019, that impacts the way funding for Medicaid services is obtained by states and paid to Medicaid providers (the "Proposed Rule"); and

WHEREAS, there exists a chronic shortage of nursing home facilities in Iowa County available to low income senior citizens; and

WHEREAS, the Proposed Rule would likely impact public-private partnerships to provide needed nursing home services within the County; and

WHEREAS, due to various economic and demographic factors, there are insufficient private enterprises willing and able to provide low income nursing home services in Iowa County, and public-private partnerships are necessary to fill that void; and

WHEREAS, the Proposed Rule would likely reduce the amount of funding available to such public-private partnerships to the point of rendering them unfeasible; and

WHEREAS, the manner in which the Proposed Rule would limit such funding will have a direct and negative impact on access to such services by low-income patients of the County; and

WHEREAS, the Federal government should encourage, not discourage, cooperative efforts by public-private partnerships to provide needed services to our citizens most in need of such services.

NOW THEREFORE, BE IT RESOLVED, by the County Board that it opposes the rule changes proposed by the Centers for Medicare and Medicaid Services as set forth in 84 FR 63779. The County Administrator and staff are authorized and directed to disseminate this opposition to the appropriate federal officials; and to work with other counties and stakeholders in opposing these rule changes.

The above and foregoing Resolution was duly adopted by the Iowa County Board of Supervisors this _____ day of _____, 2019.

John M. Meyers, Iowa County Board Chair

ATTEST:

Greg Klusendorf, County Clerk

POSITION STATEMENT
The Adverse Effects of CMS Proposed Rule:
Medicaid Program; Medicaid Fiscal Accountability Regulation

Iowa County has significant concerns about how proposed regulations recently published by the Centers for Medicare and Medicaid Services ("CMS") could reduce access to services for Medicaid beneficiaries and undermine the local autonomy of health care facilities operated by Wisconsin counties if they become final. Iowa County operates a 50-bed skilled nursing facility, the Bloomfield Health and Rehabilitation Center ("Bloomfield Health and Rehab"), in Dodgeville, Wisconsin. Bloomfield Health and Rehab serves a number of low-income individuals, who are, as a result, able to receive skilled nursing care in their own communities and in close proximity to their families. Iowa County is able to accept more low-income Medicaid beneficiaries than privately-owned facilities in part because of a Medicaid supplemental funding mechanism that is put in jeopardy by the proposed regulations.

The proposed regulations, which are entitled "Medicaid Program; Medicaid Fiscal Accountability Regulation," were published on November 18, 2019. While the proposed regulations are complex, we have attempted to describe here how they would affect not only Bloomfield Health and Rehab but all other county-owned nursing facilities in the State of Wisconsin.

Just under half of the 72 Wisconsin counties own nursing facilities.¹ These county-owned nursing facilities fill a critical community need, especially in rural areas, by providing local nursing home care to Medicaid beneficiaries and cannot afford to pay for their care. (Privately-owned nursing facilities often limit or completely reject admissions of Medicaid beneficiaries to their facilities due to the low level of payment received under the Medicaid program.) Because of this higher patient mix of Medicaid beneficiaries, the under-funding of the Medicaid program disproportionately affects the county-owned nursing facilities. Wisconsin Medicaid reimbursement falls over \$60 below the average cost of nursing home care per patient, per day.² As a result, it is essential that Wisconsin's county-owned nursing facilities have support through Wisconsin's supplemental payments program and the corresponding federal match funding available through the federal government. The proposed regulations put this crucial financial support in jeopardy for certain facilities.

This position statement is intended to provide an overview of the proposed regulations' potentially negative impact on Medicaid funding for county-operated facilities like Bloomfield Health and Rehab, as well the erosion of the autonomy local governments currently have to determine the most cost-effective way to provide care to Medicaid patients. We have also described the additional, unfunded administrative burden the proposed regulations will place on state and local governments, at a time when state and local governments are already struggling to

¹ David Wahlberg, Counties seek voter support to pay for nursing homes, Wisconsin State Journal, Oct. 23, 2018 (available at https://madison.com/wsj/news/local/health-med-fit/counties-seek-voter-support-to-pay-for-nursing-homes/article_b16ef327-7235-5c5c-88e7-154dc779ae7b.html).

² Hansen Hunter & Company, PC, A Report on Shortfalls in Medicaid Funding for Nursing Center Care, Commissioned by the American Health Care Association, Nov. 2018 (available at https://www.ahcancal.org/facility_operations/medicaid/Documents/2017%20Shortfall%20Methodology%20Summary.pdf).

shoulder their existing regulatory burden. We ask for your support in challenging these proposed regulations which will negatively affect Medicaid patients in Iowa County and across the State of Wisconsin. Comments to the proposed regulations are due to CMS by 5 p.m. on January 17, 2020.

Eliminating Local and State Control

The proposed regulations would unfairly deny certain county-owned nursing facilities supplemental payments and corresponding federal match funding. Before describing the proposed changes, it is important to understand how these Medicaid services are funded generally today. While the *Medicare* program is funded entirely by the federal government, *Medicaid* is jointly financed by the respective state governments (through their non-federal share funding) and the federal government (through the federal financial participation funding). States must allocate the non-federal share funding to their Medicaid programs in order to draw in the federal financial participation funding from the federal government. The non-federal share and the federal financial participation funding comprise the total pool of money from which Medicaid participating providers are reimbursed for their services.

From this pool of Medicaid funding, all nursing facilities in Wisconsin receive a standard base payment. As noted above, this standard base payment falls short of covering the actual costs of care. Therefore, in addition to the base payment, Wisconsin's Medicaid State Plan provides for a supplemental payment for facilities operated by local government entities.³ These supplemental payments are designed to increase the amount of Medicaid reimbursement these facilities receive. Because these facilities serve a higher percentage of Medicaid beneficiaries, without this supplemental reimbursement, the Medicaid funding shortfall would further affect the overall reimbursement to these facilities.

As an example, if a privately-owned nursing facility limits Medicaid beneficiaries to 5% of its patient population, the shortfall caused by the failure of typical Medicaid funding to cover the actual costs of care can be "made up" through higher-reimbursing private pay and commercial insurance patients. By comparison, for a county-owned nursing facility that does not cap the number of Medicaid beneficiaries it accepts, those beneficiaries typically constitute a much higher percentage of the facility's patient mix, generally from a quarter to almost a half of the facility's patients. This patient mix results in total reimbursement that is significantly lower for the county-owned facilities, which cannot be "made up" through other reimbursement sources. The supplemental payments are designed to help fill this gap and ensure the survival of these county-owned facilities. Even with the supplemental payments, some county-owned facilities with high Medicaid beneficiary patient mixes have been unable to remain financially viable.

In Wisconsin, dollars that are spent by a local governmental entity on the provision of Medicaid-covered services (the "Certified Public Expenditures") are an eligible source of its non-federal share funding. Federal law permits states to "count" these Certified Public Expenditures (except for donations or certain tax dollars that do not qualify) as part of the state's non-federal

³ "Facilities Operated by Local Units of Government," Wisconsin Medicaid State Plan Attachment 4-19D, pg 23 (2018).

share funding.⁴ This means that for a county-owned nursing facility, the facility expenses that are certified as Certified Public Expenditures are matched by dollars from the federal government. Under the current system, the State of Wisconsin has the autonomy to certify as Certified Public Expenditures the expenses the counties incur to operate these nursing facilities, and the counties have autonomy in determining how best to operate the facilities and what expenses are necessary for them to incur. Under the proposed regulations, this decision-making is removed from the State and counties.

In the proposed regulations, CMS proposes that only payments made to "non-State governmental providers" would be eligible to be certified as Certified Public Expenditures that count toward the federal match dollars.⁵ The proposed regulations introduce this newly defined term, "non-State governmental provider," which is defined as a health care provider that is a local unit of government, including but not limited to a county, that has the ability to access and exercises control over state funds that are appropriated to it by the legislature or local tax revenue that supports it."⁶

For many counties, this definition can be easily met. However, in the proposed regulations, CMS describes in greater detail how it will review all of the facts and circumstances surrounding the ownership and operation of a facility in order to determine whether it is truly a non-State government provider whose expenses can be certified as Certified Public Expenditures. For counties that partner with other entities through management arrangements or joint ventures to operate nursing facilities, the factors CMS is stating it will consider are concerning.

In the proposed regulations, CMS states it will consider:

- how the facility is described (for example, whether it is identified as a unit of local government when referred to in communications with other parties);
- whether the facility is identified as a local governmental unit solely to qualify for enhanced Medicaid financing and payments, and not for other purposes (for example, taxation authority); and
- whether the facility can access and control funding appropriated to it by the legislature and/or local tax revenue.

CMS states it would also examine whether a governmental entity shares any of the responsibilities of the ownership or operation of the nursing facility with others, including whether the entity:

- Has immediate decision-making authority regarding operational decisions;
- Is legally responsible for losses from operations;

⁴ Social Security Act 1903(w)(6)(A).

⁵ Medicaid Program; Medicaid Fiscal Accountability Regulation Proposed Rule found at 84 FR 63779. Note that payments made to "State government providers" are also eligible to count as Certified Public Expenditures, but the proposed regulations' definition of State governmental providers is as restrictive as the one for non-State governmental providers, so any health care providers operated by the State would be subject to this same analysis.

⁶ 84 FR 63780.

- May immediately spend or otherwise dispose of revenue from operations;
- Has immediate decision-making authority regarding personnel issues, including the hiring and termination of, and the setting of compensation for, nursing facility staff;
- Is legally responsible for taxes, if any, assessed on revenues and real property; or
- Is responsible for paying medical malpractice premiums or other premiums to insure the property, operations, or assets of the facility.

We understand CMS is trying to target with the proposed regulations what it perceives to be "sham" arrangements between private companies and local governments designed to take advantage of the current rules and qualify for federal financial participation matching funds, even if the county has little to no responsibility in operating the facilities. In these proposed regulations, however, CMS goes beyond targeting these "sham" arrangements, and puts at risk legitimate arrangements counties have in place to assist them with operating nursing facilities that are essential to their communities. With these restrictions, CMS would be handicapping a county's ability to use management services and public-private partnerships to assist in preserving a nursing facility as a necessary resource to meet community needs.

The proposed factors would significantly limit a county's ability to develop arrangements and contracts to assist it in furnishing nursing facility services to its Medicaid population while still qualifying for federal match funding. The use of the phrase "immediate authority" in several of the factors above would appear to restrict a county from contracting for management services, which is a common and long-standing practice with county-owned nursing facilities. In such management agreements, the county retains ultimate authority over operations matters, including employee matters, but the management company assumes day-to-day (i.e. "immediate") operating authority and responsibility. We believe that CMS would likely determine in such cases that the county does not have "immediate authority" to act. If the proposed regulations are finalized, a county nursing facility could no longer be eligible to receive the supplemental payments it receives today simply because it has a contract in place for management services, even though the supplemental payments are crucial to its survival.

The proposed changes would also drastically restrict a county's ability to develop new and innovative ways to provide Medicaid-covered services to a given patient population. Establishing public-private partnerships for underfunded services like nursing facility services can allow those services to be provided in a cost-effective manner that allows multiple entities to share in the burden of operating and funding the losses of the facility. Additionally, CMS's concerns about "sham" arrangements seem unfounded when the private entity in a public-private partnership is a nonprofit, tax-exempt entity. These entities are required to be fiscally transparent, must be operated for charitable purposes, and are prohibited from operating in a way that unduly benefits private individuals. If the proposed regulations are finalized, CMS would essentially be closing the door on public-private partnerships as a viable option for operating these facilities. Any such partnerships that still wanted to move forward would have to restrict the number of Medicaid beneficiaries they accepted in the facility, because they would not be eligible for supplemental payments through federal participation share matching dollars. As a result, they would not be able to absorb the mounting operating losses that would occur if there was a high patient mix of Medicaid beneficiaries. Both results would ultimately reduce the

number of nursing home beds in Wisconsin communities that are available to Medicaid beneficiaries.

Even if Wisconsin Medicaid attempted to amend its State Plan to try and mitigate the negative effects of the proposed regulations by making private facilities eligible for supplemental payments, this would not solve the problems created by the proposed regulations. Expenditures incurred by county-owned facilities that did not qualify under the above CMS analysis would no longer be counted toward the State's non-federal share. If the expenditures for these county-owned facilities do not count as part of the State's non-federal share of Medicaid funding, then the federal government has no obligation to provide matching federal participation share funding that can be used to supplement payment to these providers.

Proposed Administrative Burden

In addition to the concerns noted above, the proposed regulations would also increase significantly the administrative burden on the states and on county-operated nursing facilities. Currently, CMS reviews and approves a supplemental payment program whenever a state updates its Medicaid State Plan through a State Plan Amendment ("SPA").⁷ In the proposed regulations, CMS stated that if the supplemental payment funding process set forth in the SPA is not reviewed on a regular basis, this could result in compliance concerns due to lack of oversight. Therefore, CMS proposed that its approval of a supplemental payment approach in a SPA would only last for three years.⁸ After that, the state would have to seek new approval from CMS, and do so again every three years going forward. With these three-year cycles, CMS could require dramatic changes in a state's supplemental payment approach after approving the same approach three years earlier. This results in the potential for added volatility and uncertainty for facilities that rely on supplemental payments. If the changes result in reduced funding, these facilities may be unable to adapt by lowering costs or changing their patient mix in order to continue to operate under the changed supplemental payment approach.

In addition to the SPA renewal requirements, the proposed regulations would create additional requirements for the state regarding Certified Public Expenditures. First, the Certified Public Expenditures eligible for federal participation share match funding would be limited to reimbursement not in excess of the provider's actual costs, which presumably would have to be verified through reported cost data like the Medicare cost report. Such data would be used to estimate actual Medicaid expenditures for the next year, and reconciliations would be made at the end of the year based on the actual filed cost report.⁹ The state would have significant responsibilities during the reconciliation process, and would be responsible for verifying all cost report numbers and the subsequent reconciliation. The state would also be required to implement documentation and audit protocols. There would also be additional requirements related to SPA reporting related to the Certified Public Expenditures.

⁷ 84 FR 63748. A Medicaid state plan is an agreement between a state and the federal government describing how the state administers its Medicaid program. It helps to assure the federal government that a state will abide by federal rules and therefore may claim federal matching funds for its program activities.

⁸ 84 FR 63779.

⁹ 84 FR 63745.

Finally, the proposed regulations would require the state Medicaid programs to furnish substantial information to confirm that supplemental payments are made in accordance with the SPA.¹⁰ For example, if the SPA allows supplemental payments to be made to governmental entities and the state makes those payments to an entity it has determined qualifies as a governmental entity, CMS will review documentation to confirm that the facility receiving the supplemental payment qualifies as a governmental entity according to the factors considered by CMS. This allows CMS to disqualify entities from receiving payments that the state has determined should qualify based on the organizational structure of the entity.

CMS attempts to downplay the administrative burden that these reporting provisions will have on the states and applicable facilities. However, both would have increased reporting and review obligations under the proposed regulations. It is difficult to argue against the fact that increased administrative burdens result in increased administrative costs. This has the potential to create additional access problems for Medicaid beneficiaries who are already capped by many facilities due to low reimbursement rates, and will simply increase the gap between Medicaid funding levels and the actual costs incurred by county-operated facilities to care for these patients while meeting the increased administrative burdens.

We believe the proposed regulations threaten the ability of local governments to provide necessary care to Medicaid patients. As stated in the introduction, comments to CMS are due no later than January 17th. We urge you to support our efforts to challenge the proposed regulations and ask that you advocate on behalf of county-owned nursing facilities that serve a crucial role in furnishing high-quality skilled nursing services to Wisconsin Medicaid beneficiaries in their local communities. Please consider submitting comments to CMS or contacting your elected representatives at both the State and federal level about this issue.

DOCS/2387260.4

¹⁰ 84 FR 63753.

SUMMARY OF KEY PROVISIONS OF CMS PROPOSED RULE: MEDICAID FISCAL ACCOUNTABILITY REGULATION

CMS issued a proposed rule on November 18, 2019, that impacts the way funding for Medicaid services is obtained by states and paid to Medicaid providers. The Proposed Rule would have a negative impact on funding and access for low-income patients. The key provisions of the Proposed Rule that impact the public-private partnership between Iowa County and Upland Hills Health are summarized below:

State Expenditures that Earn a Federal Match will be Scrutinized

The Medicaid program is funded through a combination of state and federal dollars. Current federal regulations allow states to obtain additional federal funding through certain expenditures by the state in providing Medicaid services that qualify for additional federal matching dollars. Under the current regulations, expenditures by a county-owned nursing home can be designated as "Certified Public Expenditures" and therefore count toward the state's share of Medicaid funding. This enables a county-owned nursing home to accept a higher number of Medicaid beneficiaries as residents and obtain supporting federal dollars. Under the Proposed Rule, if the county-owned nursing home is not viewed by CMS as being a legitimate governmental provider, its Medicaid expenditures will not qualify as Certified Public Expenditures and the state will not be able to continue to include those expenditures in obtaining additional matching federal dollars. This will be a significant hit to the state in obtaining the federal matching dollars to be used to reimburse governmental providers who serve Medicaid beneficiaries.

Only expenditures of those providers that CMS believes are legitimate governmental providers (as evidenced by the new definition in the Proposed Rule of "non-State governmental entity") can be counted. This new term is defined as "a health care provider that is a local unit of government, including but not limited to a county, that has the ability to access and exercises control over State funds that are appropriated to it by the legislature or local tax revenue that supports it." While the definition is fairly generic, the concern is in how CMS states it will evaluate all arrangements looking at a totality of the circumstances, including:

- How the facility is described (for example, whether it is identified as a unit of local government when referred to in communications with other parties);
- Whether the facility is identified as a local governmental unit solely to qualify for enhanced Medicaid financing and payments, and not for other purposes (for example, taxation authority);
- Whether the facility can access and control funding appropriated to it by the legislature and/or local tax revenue; and
- Whether a governmental entity shares any of the responsibilities of the ownership or operation of the nursing facility with others, including whether the entity:
 - Has immediate decision-making authority regarding operational decisions;

- Is legally responsible for losses from operations;
- May immediately spend or otherwise dispose of revenue from operations;
- Has immediate decision-making authority regarding personnel issues, including the hiring and termination of, and the setting of compensation for, nursing facility staff;
- Is legally responsible for taxes, if any, assessed on revenues and real property;
- Is responsible for paying medical malpractice premiums or other premiums to insure the property, operations, or assets of the facility.

Many county-owned nursing homes using management arrangements and those involved in public-private partnerships will not be able to meet the above criteria.

Additional Requirements of States to Provide Data and Renew State Plan Amendments

1. State Plan Amendments are the vehicle through which states determine which entities can receive supplemental payments. Under the Proposed Rule, those State Plan Amendments will need to be reviewed and reapproved by CMS every 3 years. CMS can decide not to approve an arrangement that it previously approved. This leads to lack of certainty regarding the availability of Medicaid funding.
2. States will be required to furnish information regarding the providers to whom supplemental payments were made to ensure that all payments are determined to be consistent with the SPA (and CMS' positions regarding the proper characterization of providers under the SPA). For example, if the Wisconsin SPA continues to provide (as it does currently) that supplemental payments will be made to governmental providers and Wisconsin determines which entities it believes qualify as governmental providers, CMS can invalidate those payments if its determination of which entities qualify as governmental providers is inconsistent with Wisconsin's determination.
3. Certified Public Expenditures will be limited to the governmental provider's actual cost. States will be required to furnish substantial information regarding actual costs of the governmental provider to substantiate the costs that can be counted toward Certified Public Expenditures. This will be a significant administrative burden on governmental providers whose costs are included as Certified Public Expenditures.

AGENDA ITEM COVER SHEET

Title: Awarding of the 2019 - 2023 Audit Services Contract

☒ Original

☐ Update

TO BE COMPLETED BY COUNTY DEPARTMENT HEAD

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

Awarding of the Contract for Audit Services for the years of 2019-2023.

RECOMMENDATIONS (IF ANY):

Recommend approving the audit contract with Johnson Block and Company Inc for 2019-2023.

ANY ATTACHMENTS? (Only 1 copy is needed)

☒ Yes

☐ No

If yes, please list below:

Summary of the cost for audit services for 2019-2023 that was included in the audit proposal

FISCAL IMPACT:

Audit cost is included in the Finance Department budget each year.

LEGAL REVIEW PERFORMED:

☐ Yes

☒ No

PUBLICATION REQUIRED:

☐ Yes

☒ No

STAFF PRESENTATION?:

☒ Yes

☐ No

How much time is needed? 10 Minutes

COMPLETED BY: Roxie Hamilton

DEPT: Finance Director

2/3 VOTE REQUIRED:

☐ Yes

☒ No

TO BE COMPLETED BY COMMITTEE CHAIR

MEETING DATE:

AGENDA ITEM #

COMMITTEE ACTION:

Information for the December 17, 2019 County Board Meeting
Iowa County, Wisconsin

One RFP for audit services was received for 2019-2023

Fee Structure:

Johnson Block and Company Inc

Financial Audit
 Single Audit
 Bloomfield Healthcare and Rehabilitation Center
 Cobb-Highland Recreation Commission
 Agreed upon procedures for additional department testing

	2018 - Per Contract	2018 Actual	Per RFP				
			2019	2020	2021	2022	2023
\$	21,900.00	\$ 21,900.00	\$ 23,000.00	\$ 23,700.00	\$ 24,350.00	\$ 25,125.00	\$ 25,950.00
	5,100	5,100	9,500	9,750	10,000	10,250	10,500
	6,300	6,300	7,000	7,250	7,500	7,750	8,000
	5,800	5,800	6,000	6,200	6,400	6,600	6,800
		1,000	1,000	1,000	1,000	1,000	1,000
Total Required Services	\$ 39,100.00	\$ 40,100.00	\$ 46,500.00	\$ 47,900.00	\$ 49,250.00	\$ 50,725.00	\$ 52,250.00
Special Assistance							
Additional work to implement GASB 68 & 75		4,210.00					
BlackHawk		\$ 565.00					
Total Special Assistance		4,775.00					
Total cost for 2018 audit performed in 2019		\$ 44,875.00					

AGENDA ITEM COVER SHEET

Title: ComElec Broadband Grant Proposal

☐ Original

☒ Update

TO BE COMPLETED BY COUNTY DEPARTMENT HEAD

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

The County Administrator met with the owner of ComElec and his staff on Monday, December 2nd to discuss their request to partner on a 2019 PSC Broadband Grant Application. They would like Iowa County to partner on providing wireless broadband service upgrades to the Villages of Linden, Cobb and Rewey.

In 2018 Iowa County and ComElec partnered on a similar application. That application included installing fiber to each home in each of the three Villages. This time, it is being proposed to reduce the costs of the project and the local government contribution by changing the Village's connectivity to wireless instead of fiber installations. By reducing the cost of our grant request and increasing the match provided (from 50% to 55%), it is hoped that this application scores higher than it has in the past.

RECOMMENDATIONS (IF ANY):

The Public Service Commission's pool of grant dollars available for this round of grants is also much higher than it has been in the past. As a result, our odds of getting funded are suspected to be higher. Given that the County's contribution would be appropriated in 2021, we have enough time to plan for our contribution.

ANY ATTACHMENTS? (Only 1 copy is needed)

☐ Yes

☒ No

If yes, please list below:

Rough Draft of the Project Budget.

FISCAL IMPACT:

Iowa County Executive Committee is recommending that Iowa County budget for a 12.5% contribution to the project in 2021 if the grant is received. This is a commitment of \$22,926 in Fiscal Year 2021 to this project if the Public Service Commission awards the grant.

LEGAL REVIEW PERFORMED:

☐ Yes

☒ No

PUBLICATION REQUIRED:

☐ Yes

☒ No

STAFF PRESENTATION?:

☐ Yes

☒ No

How much time is needed? _____

COMPLETED BY: Larry Bierke

DEPT: County Administrator

2/3 VOTE REQUIRED:

☐ Yes

☒ No

TO BE COMPLETED BY COMMITTEE CHAIR

MEETING DATE:

AGENDA ITEM #

COMMITTEE ACTION:

RESOLUTION NO. 11-1219

**ESTABLISHING 2020 FUTURE ITEMS OF CHALLENGES FOR THE COUNTY
ADMINISTRATOR**

TO THE HONRABLE IOWA COUNTY BOARD OF SUPERVISORS:

WHEREAS, the Iowa County Board of Supervisors believes that using goal setting as a management tool helps the County move forward with a clear unified direction; and

WHEREAS, the Iowa County Board of Supervisors supervises the County Administrator who is tasked with managing the County and fulfilling the directives of the County Boards; and

WHEREAS, the Iowa County Board of Supervisor would like to establish a series of future items of challenges for the County Administrator in 2020.

NOW, THEREFORE, the Iowa County Board of Supervisors hereby establishes the following as future items of challenges for the County Administrator in 2020.

1. Continue to move forward with Nursing Home Collaboration with Upland Hills Health and have regular discussions with them.
2. Resolve Blackhawk Lake operations agreement and set up reserve fund.
3. Continue to work on moving the jail project towards completion.
4. Engage and explore Economic Development opportunities.
5. Continue to have more inter departmental cross training.
6. Enhance communication within Iowa County.
7. Strive towards Broadband expansion in rural areas of the County.
8. Provide ideas to the Public Works Committee on Highway funding.
9. Develop a policy on Public/Private Partnerships.
10. Establish a plan for an in-house Corporation Counsel position.

BE IT FURTHER RESOLVED, the 2020 County Administrators future items of challenges shall be addressed before the end of this fourth year.

Dated this 17th day of December, 2019