

**AGENDA FOR THE  
JUNEAU COUNTY BOARD OF SUPERVISORS  
June 21, 2011  
COUNTY BOARD ROOM-ROOM 200**

- ..54-

\*10:45 a.m. Resolution 11-22\*Approval of Settlement of Sheriff's Department Union Grievance and  
Authorization for Corporation Counsel to Sign the Memorandum of  
Understanding Regarding Settlement

\*10:55 a.m. Motion to Deny Cilley Claim

Reports:

\*11:00 a.m. Coroner-Kathy Kohutko

\*11:10 a.m. Register of Deeds-Christie Bender

\*11:20 a.m. Human Services-Steve Ruff

Committee Reports

:

Handouts: Directory  
UW Extension Letter

Any Questions:

\*These times are estimates only

Access to the handicapped will be provided. If special accommodations are needed, please notify the sponsoring committee by calling 847-9300 phone number. Attention: This notice must be posted on the bulletin board in the Courthouse prior to the meeting in order to conform with 19.83 and 19.84 Wis. Stats.

**MEETING OF THE  
JUNEAU COUNTY BOARD OF SUPERVISORS  
June 21, 2011**

Chairman Peterson called the meeting to order at 9:30 a.m.

**Roll Call:** 21 present- Arnold, Brounacker, Brown, Carlson, Feldman, Granger, Hamm, Kelley, Kolba, Koscal, Larson, Marchetti, Niles, Pagel, Peterson, Robinson, Seamans, Tadda, Wafle, Wenum, Willard.

Carlson led the opening prayer followed by the Pledge of Allegiance.

Motion Wafle, second Koscal to approve the minutes of the May 17th Juneau County Board of Supervisors meeting. Motion carried.

Chairman Peterson introduced newly appointed Clerk of Courts Loretta Roberts.

Reappoint Tom Brounacker to Juneau County Housing Authority.

Reappoint Chris Zindorf and Jack Wollmer to Zoning and Wetlands Adjustment Board.

Hold on Reappointment of Susan Noble to North Central Regional Planning.

Reappoint Beverly Larson to Southwest Family Care Alliance to 2013

Motion by Carlson and Seconded by Marchetti for reappointments as stated above.

All in favor, carried.

Resolution 11-15\* Approval of the Payment by Employees of Mandatory Contributions to the Wisconsin Retirement System Out of Pre-Tax Dollars By Implementing County Pick-up of Employees Contributions Pursuant to the Internal Revenue Code.

Motion by Kelley and seconded by Brounacker to adopt.

Roll call 21 ayes. Motion carried.

Resolution 11-18\* Commend Steve Ruff for 30 years of Service to Juneau County.

Motion by Larson and seconded by Marchetti to adopt.

All in favor, motion carried.

Resolution 11-19\* Approval of a County Landfill Improvement Contract and Authorization for the County Board Chairperson and County Clerk to Sign it as the Official Act of Juneau County.

Motion by Brown and seconded by Kolba to adopt.

Discussion: Brounacker, Brown.

Roll call: 21 ayes. Motion carried

Resolution 11-20\* Resolution to Spend Dollars Received from the Ho-Chunk Nation under the Intergovernmental Agreement.

Motion by Larson and seconded by Arnold to adopt.

Roll call: 21 ayes. Motion carried.

Resolution 11-23\* Renumbering of Section 11.04 of the Juneau County Code of Ordinances as Section 9.24A.

Motion by Hamm and seconded by Arnold to adopt.

All in favor, motion carried.

Resolution 11-24\* Land Sale to Miller – Town of Necedah  
Motion by Arnold and seconded by Marchetti to adopt.  
Roll call 21 ayes. Motion carried.

Resolution 11-25\* Land Sale to Lang Jr. – Town of Necedah  
Motion by Larson and seconded by Marchetti to adopt.  
Roll call 21 ayes. Motion carried.

Resolution 11-26\* Land Sale to Wilson – Town of Orange  
Motion by Arnold and seconded by Larson to adopt.  
Roll call 21 ayes. Motion carried.

Motion by Arnold and seconded by Kelley to go into closed session.  
21 ayes Motion carried.

Motion by Brown and seconded by Willard to go into open session.  
Motion by Arnold and seconded by Marchetti to go back into closed session.  
All in favor. Motion carried.

Motion by Brounacker and seconded by Arnold to go back into open session.  
All in favor. Motion carried.

Resolution 11-21\* Approval of Arbitration Consent Degree Regarding the Former Employment of Lynn Raiten.  
Motion by Kelley and seconded by Wafle to adopt.  
Roll call: 20 ayes. 1 no: Tadda

Resolution 11-22\* Approval of Settlement of Sheriff's Department Union Grievance and Authorization for Corporation Counsel to Sign the Memorandum of Understanding Regarding Settlement.  
Motion by Larson and seconded by Niles to adopt.  
Roll call: 19 ayes 1 abstain: Pagel 1 no: Tadda

Motion by Willard and seconded by Arnold to deny Cilley Claim.  
Roll call: 21 ayes

#### Reports:

Coroner Report: Kathleen Kohutko  
Motion by Hamm and seconded by Marchetti to adopt.  
All in favor. Motion carried.

Register of Deeds Report – Christie Bender  
Motion by Niles and seconded by Larson to adopt.  
All in favor. Motion carried.

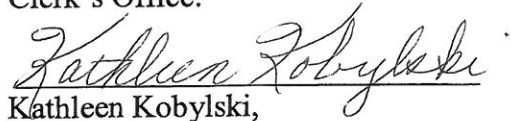
Department of Human Services Report – Steve Ruff  
Motion by Arnold and seconded by Marchetti to adopt.  
All in favor. Motion carried.

Departmental handouts, and audio-taped report is available for review in the Juneau County Clerk's Office during business hours.

Handouts:  
Directory  
UW-Extension letter

Chairman Peterson adjourned the County Board meeting to July 19, 2011 at 9:30 a.m. in the County Board Room. The Executive Committee will meet on July 11, 2011 at 8:30 a.m. in the County Board Room to set agenda for July Board meeting.

I certify the preceding to be accurate and true account of the proceedings of the Juneau County Board of Supervisors meeting on June 21, 2011. Audio tape and details of these proceedings are available in the County Clerk's Office.

  
Kathleen Kobylski,  
County Clerk

# Juneau County Board of Supervisors

Courthouse, 220 East State Street  
Mauston, Wisconsin 53948



RESOLUTION #11 – 15

DATE: June 21, 2011

INTRODUCED BY: Executive Committee

**SYNOPSIS: Approval Of The Payment By Employees Of Mandatory Contributions To The Wisconsin Retirement System Out Of Pre-tax Dollars By Implementing County Pick-up of Employee Contributions Pursuant to the Internal Revenue Code**

**FISCAL NOTE:** Application of the IRC section 414(h)(2) pick-up provision will neither increase nor decrease the County's cost for employee retirement benefits.

WHEREAS, Internal Revenue Code ("IRC") section 414(h)(2) permits public employers to pick up contributions to a governmental pension plan that are designated as employee contributions so that they may be paid for on a pre-tax basis and thereby be excluded from an employee's taxable income, provided the contributions are paid by the employer in lieu of contributions by the employee, and the employee may not elect, directly or indirectly, to receive the amounts instead of having them paid by the employer; and

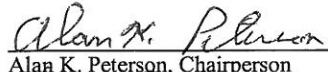

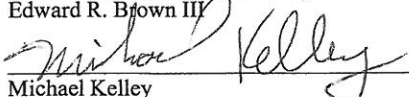
WHEREAS, the Juneau County Board of Supervisors has determined that taking this action does not increase the County's cost of funding the retirement benefits owed to the Wisconsin Retirement System ("WRS") and chooses to take this action in order to allow covered employees to exclude such amounts from their taxable income due to the application of IRC § 414(h)(2).

**NOW, THEREFORE, BE IT RESOLVED THAT:**

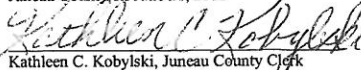
1. Pursuant to IRC § 414(h)(2), the Juneau County Board of Supervisors, on behalf of Juneau County, shall and hereby does elect to pick up all contributions designated as employee contributions that its covered employees owe to the WRS; and
2. Pursuant to this Resolution, all contributions that are designated as employee contributions to WRS will be paid by the County in accordance with the rules of IRC § 414(h)(2). These pick-up contributions will be withheld from employee wages as a condition of employment with no individual discretion by employees to have some other amount withheld or to have no amount withheld; and
3. The effective date of this Resolution is June 21, 2011, and contributions to WRS made prior to that date will not be subject to these provisions.

**INTRODUCED AND RECOMMENDED FOR ADOPTION ON JUNE 21, 2011.**

**EXECUTIVE COMMITTEE:**

  
Alan K. Peterson, Chairperson  
  
Edward R. Brown III  
  
Michael Kelley

Adopted by the County Board of Supervisors of  
Juneau County, on June 21, 2011

  
Kathleen C. Kobylski, Juneau County Clerk

# Juneau County Board of Supervisors

Courthouse, 220 East State Street  
Mauston, Wisconsin 53948



RESOLUTION # 11-18

June 21, 2011

Intent: Affirmation by the Board of Supervisors regarding the retirement of Steven K. Ruff as the Director of Human Services:

WHEREAS, Steven K. Ruff has devoted and is dedicated to serving the people of Juneau County for and;

WHEREAS, it be known that Steven K. Ruff's career in Juneau County consisted of Social Worker Supervisor from 1981 to 1987, Deputy Director from 1987 to 2008 and was selected by the Juneau County Board of Supervisors to serve as Director in 2008 until June 30, 2011 when he will retire and;

WHEREAS, Steven K. Ruff during his years at Juneau County, played a vital role in reorganizing the Juneau County Social Services into Human Services in 1987 and at that time, became the first Deputy Director in the Department of Human Services and;

WHEREAS, Steven K. Ruff while serving as Deputy Director and Director accomplished many goals such as establishing Helping Hands Resale Store, administering the establishment of Family Care in Juneau County, was instrumental in restructuring of the Workshop for the developmentally disabled clients, and cutting the Human Services budget and;

WHEREAS, Steven K. Ruff was active in the Wisconsin Social Services Association from 1976 to 2001, served on the County/State Relations Committee for several years and was District President for that committee in 1987 and;

WHEREAS, the Juneau County Department of Human Services will miss his guidance, sense of humor, long winded explanations; friendship, professionalism and positive attitude;

NOW, THEREFORE, BE IT RESOLVED by the Juneau County Board of Supervisors approve the retirement of Steven K. Ruff, Director for the Juneau County Department Human Services effective this 21st day of June, 2011.

Juneau County Board of Supervisors

<u>Alan Peterson</u>	<u>Mike Kelley</u>	<u>Ray Felchman</u>
<u>John Erickson</u>	<u>Opille Robinson</u>	<u>Jean Kasal</u>
<u>Jerry Miles</u>	<u>Edw Page</u>	<u>Tom Braunercker</u>
<u>Herb Carlson</u>	<u>Jim DTH</u>	<u>Dennis Kellie</u>
<u>Amery Larson</u>	<u>Rodney McManis</u>	<u>Edmund Waf</u>
<u>David B. Brown</u>	<u>Lynn Willard</u>	<u>Margaret Marchetti</u>
<u>Ray Grayson</u>	<u>Daniel Dunsen</u>	<u>Jeff Bell</u>

Adopted by the County Board of Supervisors of  
Juneau County this 21st day of June, 2011.

Kathleen Kobylski

Kathleen Kobylski, County Clerk

# Juneau County Board of Supervisors

Courthouse, 220 East State Street  
Mauston, Wisconsin 53948



RESOLUTION #11 – 19

DATE: June 21, 2011

INTRODUCED BY: Highway and Public Works Committee

**SYNOPSIS: Approval of a County Landfill Improvement Contract and Authorization for the County Board Chairperson and County Clerk to Sign It as the Official Act of Juneau County**

**WHEREAS**, the Juneau County Board of Supervisors previously approved the 2011 budget of the Juneau County Highway and Public Works Department, including monies in a separate account for the betterment and maintenance of the Juneau County Landfill; and

**WHEREAS**, said account currently contains the funds necessary to pay for needed improvements known as Juneau County Landfill #2 Leachate System Modifications, at a cost of approximately \$150,000; and

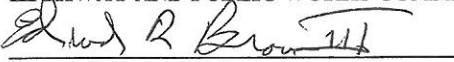
**WHEREAS**, a proper public bidding process under Wis. Stats. § 59.52(29) was recently conducted by the Highway and Public Works Department with a bid deadline of April 28, 2011, and the lowest responsible bidder was Terra Engineering & Construction Corporation of Madison, Wisconsin; and

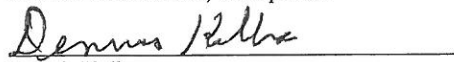
**WHEREAS**, a true copy of the proposed contract between Juneau County and Terra Engineering & Construction Corporation for Juneau County Landfill #2 Leachate System Modifications, at a cost of \$149,610.00 is attached to the original of this Resolution, said contract appears to be in order and to be in the best interests of Juneau County, and it is recommended for approval by the Highway and Public Works Committee;

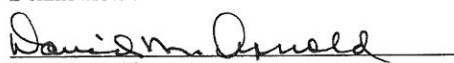
**NOW, THEREFORE, BE IT RESOLVED**, that the Juneau County Board of Supervisors shall and hereby does approve said proposed contract between Juneau County and Terra Engineering & Construction Corporation for Juneau County Landfill #2 Leachate System Modifications, at a cost of \$149,610.00, and hereby authorizes the Juneau County Chairperson and the Juneau County Clerk to duly execute said contract forthwith as the official act of Juneau County.

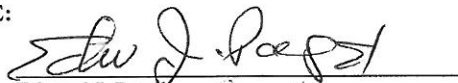
**INTRODUCED AND RECOMMENDED FOR ADOPTION ON JUNE 21, 2011.**

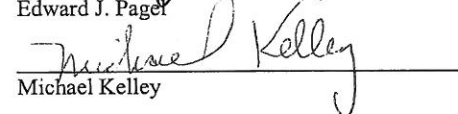
**HIGHWAY AND PUBLIC WORKS COMMITTEE:**

  
Edward R. Brown III, Chairperson

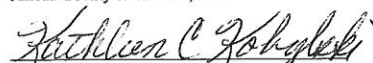
  
Dennis Kolba

  
David Arnold

  
Edward J. Pagel

  
Michael Kelley

Adopted by the County Board of Supervisors of  
Juneau County on June 21, 2011

  
Kathleen C. Kobylski, Juneau County Clerk



# Juneau County Board of Supervisors

Courthouse, 220 East State Street  
Mauston, Wisconsin 53948



RESOLUTION: 11-20 DATE: June 21, 2011

INTRODUCED BY: Finance and Computer Committee

INTENT: Resolution to Spend Dollars Received from the Ho-Chunk Nation under the Intergovernmental Agreement

FISCAL NOTE: \$83,000

WHEREAS, the County and the Ho-Chunk Nation signed an Intergovernmental Agreement in April, 2010; and

WHEREAS, the Finance and Computer Committee asked the Department Heads to submit requests to spend the money received on capital items that were needed; and

WHEREAS, the Finance and Computer Committee met with the various Department Heads and discussed those needs; and

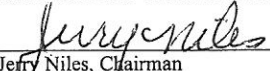
WHEREAS, the Finance and Computer Committee has reviewed the requests and submits to the County Board the following list of capital items totaling \$83,000:


Department of Human Services	Chairs for Meeting Room .....	\$1,622
Department of Human Services	Dictation/Transcription Units .....	\$600
Aging Unit	Replacement Refrigerator .....	\$600
Public Works-Highway	Barricades, Signs & Cones for Road Closures .....	\$2,900
Public Works-Highway	Enclosed Trailer .....	\$7,100
Parks & Forestry	New Mower for Castle Rock Park .....	\$8,400
Maintenance	12 Gallon Water Extractor for Carpet Cleaning .....	\$1,953
Maintenance	Walk Behind Power Brush for Snow Removal .....	\$1,900
Sheriff	One Detective Vehicle .....	\$15,000
Sheriff	Data Conversion to Dispatch .....	\$1,100
Sheriff	GPS Tracking Unit .....	\$6,825
Information Systems	Backup System for All County Servers .....	\$35,000

THEREFORE BE IT RESOLVED BY THE JUNEAU COUNTY BOARD OF SUPERVISORS met in regular session, that the above listing of capital items totaling \$83,000 be approved to be spent from the Ho-Chunk money.

INTRODUCED AND RECOMMENDED FOR ADOPTION THIS 21st DAY OF JUNE, 2011.

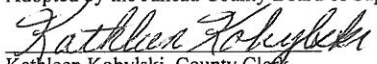
## FINANCE AND COMPUTER COMMITTEE

  
Jerry Niles, Chairman

  
Beverly Larson

  
Edward R. Brown III

Adopted by the Juneau County Board of Supervisors this 21st Day of June, 2011.

  
Kathleen Kobylski, County Clerk

# Juneau County Board of Supervisors

Courthouse, 220 East State Street  
Mauston, Wisconsin 53948



**ORDINANCE #11 – 23**

**DATE: June 21, 2011**

**INTRODUCED BY: Public Peace and Good Order Committee**

**SYNOPSIS: Renumbering of Section 11.04 of the Juneau County Code of Ordinances as Section 9.24A**

**WHEREAS**, Ordinance No. 10 – 03 was enacted by the Juneau County Board of Supervisors on September 21, 2010, pursuant to Wis. Stats. § 101.123, prohibiting smoking in indoor locations and public places, creating § 11.04 of the Juneau County Code of Ordinances, known as the Smoking Prohibition Ordinance; and

**WHEREAS**, Ordinance No. 11 – 01 was enacted by the County Board on April 19, 2011, amending Subsections 11.04(3) and 11.04(9) of the Juneau County Code of Ordinances with regard to the definition of “enclosed place” and penalties imposed, respectively; and

**WHEREAS**, the new § 11.04 of the Juneau County Code of Ordinances, as amended, effectively adopts the state law and makes it enforceable as a county ordinance, and the Juneau County Sheriff's Department is explicitly authorized under Chapter 5 of the Code of Ordinances to enforce Chapter 9 of the Code of Ordinances regarding public peace and good order and is not explicitly authorized to enforce the provisions of Chapter 11 regarding public health;

**NOW, THEREFORE BE IT ORDAINED** that the Juneau County Board of Supervisors shall and hereby does renumber the existing § 11.04 of the Juneau County Code of Ordinances as § 9.24A of the Juneau County Code of Ordinances, to read as follows:

## **9.24A Smoking Prohibited in Public Places.**

(1) This ordinance is adopted pursuant to the authority provided in Wis. Stats. § 101.123(4m).

(2) Section 101.123 of the Wisconsin Statutes, to the extent that it requires any act to be performed or prohibited, is hereby adopted, and incorporated by reference as if fully set forth herein, as a part of this section of the Juneau County Code of Ordinances.

(3) **DEFINITIONS.** The definitions set forth in Wis. Stats. § 101.123(1) are hereby adopted and incorporated by reference as if fully set forth herein.

(4) **PROHIBITION AGAINST SMOKING.** Except as otherwise provided, it shall be unlawful for any person to engage in smoking in a sports arena, bus shelter, public conveyance or any of the following enclosed places:

(a) Residence halls or dormitories owned or operated by a college or university.  
(b) Child care centers, including outdoor areas on the premises when children are present.

(c) Educational facilities.

(d) Inpatient health care facilities.

(e) Theaters.

(f) Restaurants.

(g) Taverns.

(h) Private clubs.

(i) Retail establishments.

(j) Common areas of multiple-unit residential properties.

(k) Lodging establishments.

(l) State, county, city, village, or town buildings.

(m) All enclosed places, in addition to those listed above, that are places of employment, or that are public places.

(5) **EXCEPTIONS.** The prohibition against smoking does not apply in the following places:

(a) All outdoor places not identified in Wis. Stats. § 101.123(2)(d).

(b) A private residence.

(c) A room used by only one person in an assisted living facility as his or her residence.

(d) A room in an assisted living facility in which 2 or more persons reside if every person who lives in the room smokes and has made a written request to the person in charge of the facility to be placed in a room in which smoking is allowed.

(e) Designated outside areas located on the premises of a restaurant, tavern, private club, or retail establishment.

(6) RESPONSIBILITY OF PERSONS IN CHARGE.

(a) No person in charge may allow any person to smoke in violation of §11.04 at a location that is under the control or direction of the person in charge.

(b) No person in charge may provide matches, ashtrays, or other equipment for smoking at any location where smoking is prohibited.

(c) A person in charge shall make reasonable efforts to prohibit persons from smoking at a location where smoking is prohibited by doing all of the following:

1. Posting signs setting forth the prohibition and providing other appropriate notification and information concerning the prohibition.

2. Refusing to serve a person, if the person is smoking in a restaurant or tavern.

3. Asking a person who is smoking to refrain from smoking and, if the person refuses to do so, asking the person to leave the location.

4. If a person refuses to leave a location after being requested to do so, the person in charge shall immediately notify an appropriate law enforcement agency of the violation.

(d) A person in charge of a restaurant, tavern, private club, or retail establishment may designate an outside area located a reasonable distance from any entrance where smoking is permitted.

(7) UNIFORM SIGNS. All properties and establishments regulated by this ordinance are required to post no smoking signs in accordance with the rules and regulations of the Wisconsin Department of Commerce to notify all persons of this ordinance. The signs shall include reference to Juneau County Code of Ordinances §11.04(9) and the penalty for a first offense.

(8) INSPECTION AND ENFORCEMENT. The Juneau County Health Department, the Juneau County Sheriff's Department, and/or any city, town or village law enforcement agency shall have the power to enter any premises within its jurisdiction that are subject to the smoking ban to ascertain whether the premises are in compliance with this section and to take appropriate enforcement action pursuant to this ordinance or Wis. Stats. § 101.123, including, in the case of the sheriff or any law enforcement agency, issuing citations for any violation.

(9) PENALTIES. (a) Any person who violates sub. (4) shall be subject to a forfeiture of not less than \$100 nor more than \$250 for each violation.

"(b) Except as provided in paragraphs (c) or (d) below, any person in charge who violates subsection (6) (b) to (d) shall be subject to a forfeiture of \$100 for each violation.

"(c) For violations subject to the forfeiture under par. (d), if the person in charge has not previously received a warning notice for a violation of sub. (6) (b) to (d), the law enforcement officer shall issue the person in charge a warning notice and may not issue a citation.

"(d) No person in charge may be required under par. (d) to forfeit more than \$100 in total for all violations of sub. (6) (b) to (d) occurring on a single day.


(10) NUISANCE, INJUNCTION. The repeated violation of this ordinance is hereby declared to be a public nuisance. In addition to any other relief provided under this ordinance, the County may apply to a court of competent jurisdiction for an injunction to prohibit the continuation of any violation of this ordinance. Such application for relief may include seeking a temporary restraining order, temporary injunction, or permanent injunction.

(11) EFFECTIVE DATE. This ordinance shall take effect as of midnight on the day of its enactment by the Juneau County Board of Supervisors.

INTRODUCED AND RECOMMENDED FOR ADOPTION ON JUNE 21, 2011.

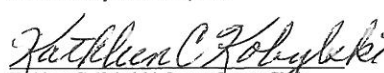
PUBLIC PEACE AND GOOD ORDER COMMITTEE:

  
John Hamm, Chairperson

  
Roy Granger

  
Orville D. Robinson

Adopted by the County Board of Supervisors of  
Juneau County on June 21, 2011

  
Kathleen C. Kobylski, Juneau County Clerk