

Chapter 2.08

CODE OF CONDUCT AND CONDUCT INQUIRY BOARD

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2.08.001 Purpose. This Code of Conduct and the Conduct Inquiry Board assures all elected members of the Eau Claire County Board of Supervisors, members of all Eau Claire County Committees, Boards, and Commissions, and Eau Claire County appointed and elected officials (hereafter referred to as Members) shall conduct themselves, while exercising their oath of office, in accordance with the following ethical and conduct standards.

- A. Elected and appointed officials shall:
1. Comply with both the letter and spirit of the laws and policies affecting the operations of Eau Claire County government;
  2. Be independent, impartial and fair in their judgment and actions;
  3. Use their public office for the public good, not for personal gain;
  4. Conduct public deliberations and processes openly, unless required by law to be confidential, in an atmosphere of respect and civility, and comply with all Wisconsin Open Meetings laws;
  5. Apply these standards at county board, committee, board, and commission meetings, the workplace or while conducting county business, and at any location or on any platform that can be reasonably regarded as an extension of the workplace or conducting county business, including but not limited to the use of a telephone, voicemail, text messages, and/or any social media or online platforms;
  6. Not engage in discrimination, harassment, bullying, intimidation, retaliation, hazing, quid pro quo or other types of emotional or sexual harassment, micro-aggressions, and creating a hostile work environment; and
  7. Make every effort to be cooperative and show mutual respect for the contributions made by each other for the good of the community. (Ord. 166-024, Sec. 1, 2023)

8. Act in the Public Interest. Members will work for the common good of the people of Eau Claire County and not for any private or personal interest and will assure fair and equal consideration and treatment of all persons, claims and transactions coming before them.

9. Comply with the Law and County Code. Members shall comply with all applicable statutes, codes, and regulations of the legal governing authority of the jurisdiction.

10. Conduct of Members. The professional and personal conduct of members while exercising their office must be above reproach and avoid the appearance of impropriety. Members shall refrain from abusive or inappropriate conduct, derogatory statements, personal charges or verbal attacks upon the character or motives of other members of the county board, boards, committees and commissions, the staff and the public. County board supervisors shall treat all members and county staff as professionals. Clear, honest communication that respects the abilities, experience, and dignity of each individual is expected. Poor behavior toward county staff, other county board supervisors, members, or the public is not acceptable.

11. Respect for Process. Members shall perform their duties in accordance with the processes, ordinances, and rules of order established by the Eau Claire County Board of Supervisors.

12. Decisions Based on Merit and Substance. Members shall base their decisions on the merits and substance of the matter at hand, rather than on unrelated considerations. When making adjudicative decisions (those decisions where the member is called upon to determine and apply facts particular to an individual case), members shall maintain an open mind until the conclusion of the hearing on the matter and shall base their decisions on the facts presented and the law.

2.08.005 Conflict of Interest. The proper operation of a democratic and representative government requires that public officials and employees be independent, impartial and responsible to the people; that government decisions and policy be made in proper channels of the governmental structure; that public office not be used for improper personal gain; and that conflicts between private interests and public responsibilities be avoided. In recognition of these goals, there is established a code of conduct to establish guidelines for ethical standards of conduct for such officials and employees by setting forth those acts or actions that are incompatible with the best interests of the county and by directing disclosure by such officials and employees of private interests in matters affecting the county. The provisions and purpose of this code and such rules and regulations as may be established are declared to be in the best interests of the county.

2.08.010 Definitions.

A. "Anything of value" means any money or property, favor, service, payment, advance forbearance, loan or promise of future employment, but DOES NOT INCLUDE such things as compensation and expenses paid by the state or county, fees, honorariums and expenses, unsolicited advertising or promotional material such as pens, pencils, notepads, calendars, informational or educational materials of unexceptional value, plaques, other advertising giveaways or any other thing which is not likely to influence the judgment of individuals covered by this code.

B. "Employee" means all persons filling an allocated position of county employment and all members of boards, committees, and commissions except those individuals included in E. (166-024, Sec. 1, 2023)

C. "Financial interest" means any interest which yields, directly or indirectly, a monetary or other material benefit to the county officer or employee or to any person employing or retaining services of the county officer or employee.

D. "Immediate family" means an individual's spouse or domestic partner; and an individual's relative by marriage, lineal descent, or adoption who receives, directly or indirectly, more than ½ of his or her support from the individual or from whom the individual receives, directly or indirectly, more than one-half of his or her support.

E. "Members" means elected members of the Eau Claire County Board of Supervisors, members of all Eau Claire County Committees, Boards, and Commissions, and Eau Claire County appointed and elected officials.

F. "Official" means all county department heads or directors, county supervisors, and all other county elected officers, except judges and district attorneys.

G. "Privileged information" means any written or oral material related to county government which has not become part of the body of public information and which is designated by statute, court decision, lawful order, ordinance, resolution or custom as privileged.

H. "Person" means any individual, corporation, partnership, joint venture, association or organization.

2.08.020 Specific conflicts enumerated. The following conflicts of interest shall be expressly prohibited:

A. Incompatible employment. No public official or employee shall engage in or accept private employment or render services to any other governmental body or to anyone in the private sector which would tend to be incompatible with the proper discharge of his or her duties, unless otherwise permitted by law or unless disclosure is made as hereinafter provided.

B. Representing private interests before agencies or courts. No elected public official or employee who is admitted to practice law shall represent, as an advocate any private interests, other than his or her own or that of his or her family, in any proceeding adverse to the county before any federal or state court or agency. Members of the county board shall not appear on behalf of the private interests of third parties before the county board or any board, committee, commission or proceeding of the county, nor shall members of boards, committees and commissions appear before their own bodies or before the county board on behalf of the private interests of third parties on matters related to the areas of service of their bodies.

C. Disclosure of confidential information. No public official or employee shall, without proper authorization, disclose confidential information, nor use such information to advance the actual or anticipated financial or personal interests of him or herself or others. Members must maintain the confidentiality of all written materials and verbal information provided to members which is confidential or privileged. Members shall neither disclose confidential information without proper legal authorization, nor use such information to advance their personal, financial or other private interests.

D. Gratuities, Kickbacks, Gifts or Favors.

1. An official or employee shall not accept anything of value whether in the form of a gift, service, loan or promise from any person, which may impair his or her independence of judgment or action in the performance of his or her official duties.

2. No payment of a gratuity or kickback shall be made by or on behalf of any person and be accepted by any public official or employee as an inducement or reward for the latter's action in procuring the award of any contract or order. (166-024, Sec. 1, 2023)

3. It is not a conflict of interest for an official or employee to receive a gift or gratuity that is an unsolicited item of insignificant value or anything which is given to them independent of their position as an official or employee.

4. Members shall not take any special advantage of services or opportunities for personal gain, by virtue of their public office that is not available to the public in general. They shall refrain from accepting any gifts, favors or promises of future benefits which might compromise their independence of judgment or action or give the appearance of being compromised.

E. Failure to disclose interest in legislation.

1. The following persons on behalf of themselves or their families shall disclose the nature and extent of any personal or financial interest in proposed legislation before the county board:

a. County board members; and

b. Public officials or employees who have been asked to render official opinions or recommendations to the county board on the legislation.

2. The disclosure shall be made before any debate commences upon the particular legislation and shall consist of an announcement to be recorded in the journal of proceedings and a request to abstain from voting. Notwithstanding abstention from voting as may be allowed by the board, it shall be the responsibility of each employee or public official to personally ascertain that such actions do not conflict with Wis. Stat. § 946.13.

F. Nepotism forbidden. Public officials and employees are forbidden from engaging in nepotism and are further forbidden from using their positions to influence the county to employ in any capacity whatsoever, or otherwise retain the services of, as an independent contractor or agent, a member of his or her immediate family.

G. Use of position to compel charitable contributions, donations or induce business. Public officials are forbidden from using their positions to influence employees to make political campaign contributions, secure other donations to causes, public or private, or to engage in business transactions in which they have a personal or financial interest.

H. Conducting private business on county premises and time. Public officials and employees are forbidden from conducting their personal or private business while they are on county premises and engaged in their public duties.

I. Prohibited contracts with the county.

1. An official or employee or a business in which an official or employee holds a 10% or greater interest, may not enter into a contract with the county involving a payment or payments of more than \$3,000 within a 12-month period unless the official or employee has made a written disclosure of the nature and extent of such relationship or interest to the county board. Further, pursuant to Wis. Stat. § 946.13, an official or employee is prohibited from participating in the formation of a contract(s) with Eau Claire County involving receipts or disbursements of more than \$15,000 in any year.

2. Contracts are not prohibited if they are with, or tax credits or payments are received by, public officers or employees as set forth in Wis. Stat. § 946.13(2)(g). (166-024, Sec. 1, 2023)

J. Public purpose doctrine.

1. Use of public property. No public official or employee shall request or permit the use of county services or of county-owned vehicles, equipment, materials or property for non-official purposes or for personal profit or convenience, except when such services are generally available to the public-at-large. This prohibition shall not apply to the use of county vehicles or property for personal convenience, sufficiently related to job requirements of an officer or employee, as approved and regulated by the county board or as provided pursuant to a contract with a collective bargaining unit. Members shall not use public resources, which are not available to the public in general, (e.g., county staff time, equipment, supplies or facilities) for private gain or for personal purposes not otherwise authorized by law.

2. Obligations to citizens. No public official or employee shall grant any special consideration, treatment or advantage to any citizen beyond that which is available to every other citizen.

2.08.030 Political activity. All employees and elected officials shall have the right to freely express their views as a citizen and cast their vote, subject to the following:

A. No employee or elected official shall directly or indirectly use or seek to use his or her authority or the influence of his or her position to control or modify the political action of another person.

B. No employee or elected official during his or her hours of duty shall, except as provided by law, engage in political activities including, but not limited to, the following:

1. Campaign for any candidate or political party;
2. Make campaign speeches or engage in other activity to elect a candidate;
3. Collect contributions or sell tickets to political fund-raising functions;
4. Distribute campaign material in any election;
5. Organize or manage political meetings;
6. Circulate nominating petitions;
7. Display political badges, buttons or stickers in any county building or

wear such items during working hours.

C. No employee or elected official shall at any time use any county-owned or leased equipment for any personal political activity.

D. No employee shall be removed, discharged, reduced in pay or position, or otherwise discriminated against because of the employee's political opinions or affiliations except as provided for in this section.

E. Employees whose principal employment is in a federally grant-aided program are subject to prohibitions in the Federal Hatch Political Activities Act as amended, 5 U.S.C. §§ 1501--1508.

2.08.040 Nepotism.

A. Within this section "relative" shall include: spouse, domestic partner, son, daughter, mother, father, brother, brother-in-law, sister, sister-in-law, son-in-law, daughter-in-law, mother-in-law, father-in-law, aunt, uncle, niece, nephew, stepchild, stepparent, grandchild and grandparent.

B. Relatives shall not be employed in an immediate superior-subordinate relationship. (166-024, Sec. 1, 2023)

C. No appointing authority shall hire a relative nor participate in selection and appointment procedures if a relative is an applicant under consideration.

D. The county chair shall not appoint a county board supervisor to a standing committee where a relative is an employee in the governed department.

E. No appointing authority, county board supervisor, county elected official or employee shall seek to influence the employment decisions of an appointing authority on behalf of a relative.

F. Any person who violates this section shall be subject to disciplinary action.

2.08.050 Solicitations and sales. No employee or group of employees shall on behalf of the county solicit funds or other things of value from any person, nor solicit funds or sell things of value to persons on county property without first obtaining permission from the county administrator. This shall not apply to internal departmental solicitations such as farewell gifts, shower gifts, length of service gifts or donations for employee social gatherings.

2.08.060 Code of Conduct Guidelines. Purpose. The Code of Conduct Guidelines are designed to describe the manner in which elected and appointed officials should treat one another, county staff, constituents, and others they come into contact with while representing the Eau Claire County.

A. Advocacy. Members shall represent the official policies or positions of the Eau Claire County Board, Committee or Commission to the best of their ability when designated as delegates for this purpose. When presenting their individual opinions and positions, members shall explicitly state they do not represent their body or the Eau Claire County Board of Supervisors, nor will they allow the inference that they do.

B. Policy Role of Members. Members shall respect and adhere to the management structure of Eau Claire County government as outlined in the Eau Claire County Code of Ordinances. Except as provided by the Eau Claire County Code of Ordinances, Members shall not interfere with the administrative functions of the county or the professional duties of county staff; nor shall they impair the ability of staff to implement county board policy decisions.

C. Independence of Boards, Committees and Commissions. Because of the value of the independent advice of boards, committees and commissions to the public decision-making process, members of county board shall refrain from using their position to unduly influence the deliberations or outcomes of board, committee and commission proceedings.

D. Positive Workplace Environment. Members shall support the maintenance of a positive and constructive workplace environment for county employees and for citizens, businesses, and other organizations dealing with the county. Members shall recognize their special role in dealings with county employees to avoid creating the perception of inappropriate direction to staff.

E. Elected and Appointed Officials' Conduct with Each Other in Public Meetings.

1. Respect the role of the chair in maintaining order. It is the responsibility of the chair to keep the comments of members on track during public meetings. Members should respect efforts by the chair to focus discussion on current agenda items. If there is disagreement about the agenda or the chair's actions, those objections should be voiced politely and with reason, following procedures outlined in parliamentary procedure. (166-024, Sec. 1, 2023)

2. Practice civility and decorum in discussions and debate. Difficult questions, tough challenges to a particular point of view, and criticism of ideas and information are legitimate elements of debate by a free democracy in action. Free debate does not require nor justify, however, public officials to make belligerent, personal, impertinent, slanderous, threatening, abusive, or disparaging comments.

3. Avoid personal comments that could offend other members. If a member is personally offended by the remarks of another member, the offended member should make notes of the actual words used and call for a "point of personal privilege" that challenges the other member to justify or apologize for the language used. The chair will maintain control of this discussion.

4. Demonstrate effective problem-solving approaches. Members have a public stage and have the responsibility to show how individuals with disparate points of view can find common ground and seek a compromise that benefits the community as a whole.

F. Elected and Appointed Officials' Conduct with the Public in Public Meetings. No signs of partiality, prejudice or disrespect should be evident on the part of individual members toward an individual participating in a public forum. Every effort should be made to be fair and impartial in listening to public comment.

1. Members shall prepare themselves for public issues; listen courteously, attentively, and without interruption to all public discussions before the body; and focus on the business at hand.

2. Treat speakers with respect. While questions of clarification may be asked, the official's primary role during public comment is to listen.

3. Be fair and equitable in allocating public hearing time to individual speakers. The chair will determine and announce limits on speakers at the start of the public comment process pursuant to the Eau Claire County Code of Ordinances.

4. Maintain an open mind. Members of the public deserve an opportunity to provide public comment to elected and appointed officials.

5. Avoid debate and argument with the public. Only the chair - not individual members - can interrupt a person making public comment. However, a member can ask the chair for a point of order if the speaker is off the topic or exhibiting behavior or language the member finds disturbing.

G. Elected and Appointed Officials' Conduct with County Staff.

1. Treat all staff as professionals. Clear, honest communication that respects the abilities, experience, and dignity of each individual is expected. Poor behavior towards staff is not acceptable.

2. Do not disrupt county staff from their jobs. Elected and appointed officials should not disrupt county staff while they are in meetings, on the phone, or actively engaged in performing their job functions in order to have their individual needs met. Nothing in this section shall be construed as prohibiting the members from fully and freely communicating with county staff anything pertaining to county affairs or the interests of the county.

3. Never publicly criticize an individual employee. Elected and appointed officials should never express concerns about the performance of a county employee in public, to the employee directly, or to the employee's manager. Comments about staff performance should only be made to the county administrator through private correspondence or conversation. Appointed officials should make their comments regarding staff to the county administrator. (166-024, Sec. 1, 2023)

4. Do not get involved in administrative functions. Elected and appointed officials acting in their individual capacity must not attempt to influence county staff on the making of appointments, awarding of contracts, selecting of consultants, processing of development applications, or granting of county licenses and permits.

5. Do not solicit political support from staff. Elected and appointed officials should not solicit any type of political support (financial contributions, display of posters or lawn signs, name on support list, etc.) from county staff. County staff may, as private citizens with constitutional rights, support political candidates but all such activities must be done away from the workplace.

6. No Attorney-Client Relationship. The Corporation Counsel represents the County and not individual Members.

7. Possible violation. Any county employee who feels a violation of this Code of Conduct has occurred during or outside of a public county board meeting, or in the event a county employee believes they have been a victim of harassment, intimidation or bullying, the employee may consult with their department manager. Together, the manager and employee may raise the issue privately with the county board member. Any member of the public who feels a violation of this Code of Conduct has occurred during or outside of a public county board meeting may raise the issue privately with the county board member.

8. Attempts should be made to resolve any issue in a professional, private manner. If unsuccessful, the county board member, county employee or member of the public may ask for the assistance of the county board chair in mediating the issue or conflict. The county board chair may include the county board vice chair, county board second vice chair, county administrator, or appropriate county staff in attempting to resolve the matter. If the complaint involves the county board chair, the county board member, county employee or member of the public may ask for the assistance of the county board vice chair and/or county board second vice chair in mediating the issue or conflict.

9. If a county board member becomes aware of possible county staff misconduct issue, that issue shall be forwarded to the county administrator, the human resources director or the county staff's department manager through private correspondence or conversation, with the exception of possible alleged criminal matters, which should be reported to corporation counsel. Under the "Whistleblower Law" (Wis. Stat. § 230.80), County members and employees have protection when they report violations of law, rules, regulations, mismanagement or abuse of authority.

H. County Board Conduct with Boards, Committees, and Commissions of which they are not members.

1. If a county board member is attending a board, committee or commission meeting, they must be careful to only express personal opinions. County board members may attend any board, committee or commission meeting, which are always open to any member of the public. The purpose of public comment is to allow members of the public, not other county board members, the opportunity to be heard regarding their concerns. County board members attending a board, committee or commission meeting they are not a member of may be recognized by the chair and allowed to provide their input. Those comments should be clearly made as individual opinion and not a representation of the any board, committee or commission on which they serve. (166-024, Sec. 1, 2023)



2. Limit contact with Board, Committee and Commission Members to questions of clarification. It is inappropriate for a county board member to contact a board, committee or commission member to lobby on behalf of an individual, business, or developer, and vice versa. It is acceptable for county board members to contact board, committee or commission members in order to clarify a position taken by the board, committee or commission. Any of these types of discussions must be in compliance with Wisconsin Open Meetings laws.

3. Respect that Boards, Committees and Commissions serve the community, not individual County Board Members. The county board appoints individuals to serve on boards, committees and commissions, and it is the responsibility of boards, committees and commissions to follow policy established by the county board. Board, committee and commission members do not report to individual county board members, nor should county board members feel they have the power or right to threaten board, committee and commission members with removal if they disagree about an issue. Appointment and re-appointment to a board, committee or commission should be based on such criteria as expertise, ability to work with staff and the public, and commitment to fulfilling official duties.

4. Be respectful of diverse opinions. county board supervisors must be fair and respectful of all citizens serving on boards, committees and commissions.

5. Keep political support away from public forums. Board, committee and commission members may offer political support to a county board member, but not in a public forum while conducting official duties. Conversely, county board members may support board, committee and commission members who are running for office, but not in an official forum in their capacity as a county board member.

#### 2.08.070 Sanctions.

A. Acknowledgement of Code of Conduct and completion and submission of the Eau Claire County Standards of Conduct and Financial Interest Form. Prior to the organizational meeting at the beginning of every legislative session, County board supervisors, appointed and elected officials must sign an acknowledgement they have read and understand the Code of Conduct and must complete and submit the Eau Claire County Standards of Conduct and Financial Interest Form. County board supervisors appointed and elected officials who do not sign an acknowledgement that they have read and understand the Code of Conduct or complete and submit the Eau Claire County Standards of Conduct and Financial Interest Form shall be ineligible for intergovernmental assignments or county board subcommittees.

B. Behavior and Conduct. The Eau Claire County Code of Conduct expresses standards of ethical conduct expected for members of the Eau Claire County Board, Boards, Committees and Commissions. Members themselves have the primary responsibility to assure that ethical standards are understood and met, and that the public can continue to have full confidence in the integrity of government. The chairs of boards, committees and commissions, the members of the county board, and the county administrator have the additional responsibility to intervene when actions of members that appear to be in violation of the Code of Conduct are brought to their attention.

C. Individual County Board Members should objectively point out to the offending County Board member perceived infractions of the Code of Conduct. If the offenses continue, then the matter may be brought to the attention of the county board chair or referred to the Conduct Inquiry Board process for consideration and any possible further action.

D. The County board may impose sanctions on board, committee and commission members whose conduct does not comply with the county's policies and code of ordinances.

E. Sanction for violations.

1. Any person violating this chapter may be subject to a forfeiture of not less than \$100 nor more than \$1,000 for each offense, subject to 2.08.070 E 2.

2. Forfeiture schedule. The following specified violations of this chapter shall be subject to the accompanying forfeiture schedule:

- a. 2.08.020 A., Incompatible employment, \$100 to \$500;
- b. 2.08.020 B., Representing private interests before county agencies or courts, \$100 to \$1,000;
- c. 2.08.030 C., Disclosure of confidential information, \$100 to \$1,000;
- d. 2.08.040 D., Gratuities, kickbacks, gifts or favors \$100 to \$1,000;
- e. 2.08.050 E., Failure to disclose interest in legislation, \$100 to \$250;
- f. 2.08.060 F., Nepotism forbidden, \$100 to \$250;
- g. 2.08.070 G., Use of position to compel charitable contributions, donations or induce business, \$100 to \$250;
- h. 2.08.080 H., Conducting private business on county premises and county time forbidden, \$100 to \$200;
- i. 2.08.080 I., Prohibited contracts with the county, \$100 to \$1,000;
- j. 2.08.080 J., Public purpose doctrine, \$100 to \$1,000.

2.08.080 Conduct Inquiry Board.

A. There is hereby created a Conduct Inquiry Board.

1. Consisting of five members and one alternate, one of whom shall be an attorney licensed to practice law in the State of Wisconsin, appointed by the Eau Claire County Committee on Administration with the approval of the Eau Claire County Board of Supervisors.

2. The members of the Conduct Inquiry Board shall be residents of Eau Claire County and shall not be an Eau Claire County Public Elected Official or an employee during the time of appointment and shall serve staggered three-year terms expiring on the third Tuesday in April of the third year following their appointment except as otherwise provided in the implementation of this ordinance.

3. The Eau Claire County Corporation Counsel shall provide legal advice, secretarial service and assistance to the Conduct Inquiry Board.

4. The Conduct Inquiry Board shall be entitled to mileage and per diem payments for meetings and hearings of the Conduct Inquiry Board on the same basis as provided other Eau Claire County Boards, Committees or Commissions.

5. A member of the Conduct Inquiry Board may not serve more than two consecutive three-year terms.

B. Powers and Duties. The Conduct Inquiry Board shall be responsible for investigating a complaint and conducting a fact finding hearing pursuant to Section D. below, in any case in which the Conduct Inquiry Board has found that probable cause exists for believing the allegations of a complaint referred to the Conduct Inquiry Board after preliminary review pursuant to 2.08.080 F. 3. (166-024, Sec. 1, 2023)

C. Burden of Proof. Violations shall be proved by clear, satisfactory and convincing evidence.

D. Hearing. An individual against whom a complaint has been made and where the complaint has been referred to the Conduct Inquiry Board may request a hearing before the Conduct Inquiry Board. The Conduct Inquiry Board may hold a hearing and the Conduct Inquiry Board shall keep a record of the hearing. The Conduct Inquiry Board shall have the power to compel the attendance of witnesses and to issue subpoenas as granted to other boards and commissions under Wis. Stat. § 885.01.

1. Within ten working days of the conclusion of the hearing, the Conduct Inquiry Board shall file its written findings and recommendations signed by all participating Conduct Inquiry Board members, together with findings of fact and conclusions of law, concerning the propriety of the conduct of the public official. If the Conduct Inquiry Board determines that no violation of the Code of Conduct has occurred, it shall dismiss the complaint, and if requested to do so by the accused, issue a public statement.

2. No recommendation of the Conduct Inquiry Board becomes effective until twenty working days after it is issued, or while an application for rehearing or rehearing before the Conduct Inquiry Board is pending, or the Conduct Inquiry Board has announced its final determination on rehearing.

E. Enforcement and Penalties. If the Conduct Inquiry Board finds that clear satisfactory and convincing evidence exists for believing the allegations of the complaint, the Conduct Inquiry Board shall refer its findings and recommendation to the Eau Claire County Board of Supervisors, or in the case of an employee, to the Eau Claire County Administrator. The Conduct Inquiry Board may make the following recommendations:

1. Recommend that the Eau Claire County Board of Supervisors order the officer or employee to conform his or her conduct to the ethics code or recommend that the official or employee be censured, suspended, removed from office, be issued a private reprimand, public reprimand, and in the case of an employee may also recommend denial of merit increase, suspension without pay, discharge, or other appropriate disciplinary action.

2. The Conduct Inquiry Board may also refer the matter to the District Attorney to commence enforcement pursuant to the procedures and remedies of Wis. Stat. §19.59.

F. Investigations and Enforcement.

1. Advisory Opinions. Any person governed by this Code of Conduct may apply in writing to the Eau Claire County Corporation Counsel for an advisory opinion and shall be guided by any opinion rendered. The applicant shall present his or her interpretation of the facts at issue and of the applicability of provisions of this Code of Conduct before the advisory opinion is rendered. All requests for opinions and opinions rendered shall be in writing. Records of the Eau Claire County Corporation Counsel's opinions, opinion requests and investigations of violations shall be closed to public inspection, as required by Wis. Stat. Ch. 19. However, such records may be made public with the consent of the applicant. (166-024, Sec. 1, 2023)

2. Complaints. The Eau Claire County Corporation Counsel shall accept from any citizen of Eau Claire County a verified written complaint which states the name of the member of the Eau Claire County Board of Supervisors, members of all Eau Claire County Committees, Boards, and Commissions, and Eau Claire County appointed and elected officials (hereafter referred to as members) or employee alleged to have committed a violation of this Code of Conduct and sets forth the material facts involved in the allegation. The Eau Claire County Corporation Counsel shall forward a copy of the complaint to the accused officer or employee and the Conduct Inquiry Board within ten days. If no action on the verified complaint is taken by the Conduct Inquiry Board within sixty days, the complaint shall be referred to the county board for determination of probable cause. If there is a finding of probable cause by the county board, the matter shall be referred back to the Conduct Inquiry Board for an evidentiary hearing under 2.08.080 C.

3. Preliminary Investigations. Following the receipt of a verified complaint, the Conduct Inquiry Board may make preliminary investigations with respect to alleged violation of this Code of Conduct. A preliminary investigation shall not be initiated unless the accused member or employee is notified in writing and by electronic means. The notice shall state the exact nature and purpose of the investigation, the individual's specific action or activities to be investigated and a statement of such person's due process rights. If the Conduct Inquiry Board finds probable cause to believe the allegations contained in the complaint, the complaint shall be referred to hearing pursuant to 2.08.080 D. above before the Conduct Inquiry Board.

4. Time Limitations. The Conduct Inquiry Board may investigate any complaint properly filed with it. However, no action may be taken on any complaint which is filed more than one year after a violation of the Code of Conduct is alleged to have occurred. (166-024, Sec. 1, 2023)

Chapter 2.09

HOURS OF OPERATION; USE AND REGULATION  
OF COUNTY FACILITIES

Sections:

<u>2.09.001</u>	Purpose.
<u>2.09.005</u>	Definitions.
<u>2.09.010</u>	Business hours.
<u>2.09.020</u>	Evening and weekend use of the county courthouse.
<u>2.09.030</u>	Use of county facilities by independent organizations for noncounty business purposes.
<u>2.09.040</u>	Minimal wearing apparel.

2.09.001 Purpose. This chapter is intended to establish a uniform policy governing the hours of operation and use of the county offices and facilities so as to insure optimum public access. (Ord. 127-47 Sec.1(part), 1983).

2.09.005 Definitions.

A. "Legal holidays" mean the days designated by the board or commonly celebrated in the state of Wisconsin as New Year's Day, Martin Luther King Day, Friday before Easter, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, the day after Thanksgiving, Christmas Eve Day, Christmas Day and New Year's Eve Day.

B. "Facilities" means all structures, real property, offices and buildings owned, operated or leased by the county of Eau Claire. (Ord 164-20, Sec. 1, 2020; Ord. 162-028, Sec. 1, 2018; Ord. 161-8, Sec. 5, 2017; Ord. 127-47 Sec.1(part), 1983).

2.09.010 Business hours.

A. All county offices, inclusive of elective and appointive offices, agencies and departments, except the highway department, shall be open to the general public during usual business hours, which shall be defined as being the hours of 8:00 a.m. to 4:30 p.m., Monday through Friday of each week with the express exception of legal holidays. However, the Register of Deeds office cut-off time for recording documents shall be 4:00 p.m. Said hours shall be computed in accord with Wis. Stat. §§ 175.09 and 175.095.

B. The following offices shall have the business hours hereunder specified:

1. The highway department office hours shall be from 7:30 a.m. to 4:00 p.m.
2. For Eau Claire County Jail visitation hours consult the county website.

(Ord. 164-020, Sec. 2, 2020; Ord. 162-017, Sec. 1, 2018; Ord. 161-8, Sec. 6, 2017; Ord. 159-27, Sec. 1, 2016; Ord. 159-23, 2015; Ord. 155-17, Sec. 1, 2011; Ord. 148-42; 2004; Ord.140-117, Secs.2-3, 1997; Ord. 129-72 Sec.1, 1986; Ord. 129-49 Sec.1, 1985; Ord. 127-47 Sec.1(part), 1983).

2.09.020 Evening and weekend use of the county courthouse.

A. Such meetings of the board, its committees, other commissions, boards or agencies as may be held in the county courthouse shall be completed before 11:00 p.m., if possible, or within a reasonable period of time thereafter. Meetings of bodies or organizations which are not county sanctioned or created shall be concluded no later than 11:00 p.m.

B. Utilization of courthouse facilities on Saturdays and Sundays shall be permitted only with the approval of the county administrator. (Ord.141-92 Sec.29, 1998; Ord. 127-47 Sec.1(part), 1983).

2.09.030 Use of county facilities by independent organizations for noncounty business purposes.

A. Use of county facilities by organizations or persons not associated with the county government or for purposes unrelated to county proprietary or governmental functions shall be subject to the control of the office of the county administrator which shall, upon request, issue room or facility reservations. Availability of county facilities or rooms for such purposes shall be conditioned upon need therefore with respect to county government functions. The county reserves the right to establish a fee system for the use of county facilities.

B. Facilities subject to the control of the Eau Claire county committee on parks and forest and the county committee on UW-Extension education shall not be subject to the provisions of A. (Ord. 154-2, Sec. 15, 2010; Ord.143-65 Sec. 6, 1999; Ord.141-92 Sec.30, 1998; Ord.138-39, Sec.2, 994); Ord. 127-47 Sec.1(part), 1983).

2.09.040 Minimal wearing apparel. No person shall be allowed to conduct business in any county facility without shoes and appropriate attire. (Ord. 127-47 Sec.1(part), 1983).

## Chapter 2.10

### UNIFORM PROCEDURE FOR THE INTRODUCTION OF LEGISLATION

#### Sections:

<u>2.10.001</u>	Purpose.
<u>2.10.005</u>	Definitions.
<u>2.10.010</u>	Drafting of legislation.
<u>2.10.020</u>	Assistance of corporation counsel.
<u>2.10.030</u>	Form of legislation.

2.10.001 Purpose. The purpose of this chapter shall be to establish a uniform procedure for the introduction of legislation for consideration by the county board, consistent with Chapter 2.04. (Ord. 161-8, Sec. 7, 2017; Ord. 83-79, Sec. 1 (part), 1979).

2.10.005 Definitions. For the purposes of this chapter, the following definitions shall apply:

A. "Legislation" means both ordinances and resolutions. (Ord. 81-82/443 Sec.38, 1982; Ord. 83-79 Sec.1(part), 1979).

2.10.010 Drafting of legislation. Resolutions and ordinances shall be introduced to the board in the standard format determined by the corporation counsel, by standing or select committees; or individual supervisors as provided in 2.04.280 C. (Ord. 161-8, Sec. 8, 2017; Ord.141-111, Sec.1, 1998; Ord. 83-79 Sec.1(part), 1979).

2.10.020 Assistance of corporation counsel.

A. The chair of a standing or special committee or designee may request the corporation counsel to draft legislation, if so authorized by the said committee. Supervisors may avail themselves of the services of the corporation counsel in the drafting of proposed legislation.

B. Each proposed ordinance shall be referred to the corporation counsel prior to adoption for consideration and drafting assistance in accord with the following principles:

1. To ascertain compliance, thereof, with relevant state and federal constitutional, statutory and administrative edicts, regulations, provisions and enactments;
2. To ascertain compliance thereof, with the common law of Wisconsin and the United States;

3. For technical assistance in drafting of ordinance language and to approve of the ordinance as to form, which approval shall be endorsed thereupon;

4. For the rendering of opinions as to the legality of the proposed ordinance and as to its effects upon existing county legislation;

5. For the preparation and maintenance of a legislative history.

C. Legislation proposed on behalf of any commission, board, council or special committee shall be introduced either by an individual supervisor or a standing or select committee with competence in the area of the proposal, as established in 2.05.001 D. and E. (Ord. 161-8, Sec. 9, 2017; Ord.141-111, Sec.2, 1998; Ord. 83-79 Sec.1(part), 1979).

2.10.030 Form of legislation. All legislation introduced to the county board for consideration shall be in standard format prepared by the corporation counsel and accompanied by a fact sheet.

A. Resolutions. The body of each resolution shall include the rationale and factual basis expressed clearly and concisely.

B. Ordinances. The body of each ordinance shall be prepared for insertion in the code of general ordinances without further revisions. (Ord. 161-8, Sec. 10, 2017; Ord.141-111, Sec.3, 1998; Ord. 81-82/443 Secs.39 and 40, 1982; Ord. 83-79 Sec.1(part), 1979).



## Chapter 2.12

### COUNTY OFFICERS

#### Sections:

- 2.12.030 Treasurer and clerk check-signing authority.
- 2.12.140 Medical examiner system.
- 2.12.210 County clerk uniform policy for county board mail distribution.

2.12.030 Treasurer and clerk check-signing authority. The county clerk and treasurer shall co-sign all authorized orders for payment to be drawn against the county. All signed checks shall be turned over to the county treasurer for bursting and mailing. (161-8, Sec. 12, 2017, Ord. 132-19 Sec.1, Ord. 131-86 Sec.7 1988)

#### 2.12.140 Medical examiner system.

A. Appointment. The medical examiner shall be appointed by the county board, pursuant to Wis. Stat. § 59.34(1)(a), upon the recommendation of the committee on administration.

B. Fees. The medical examiner and any deputies shall collect all such fees which they are entitled by law to receive, as provided in Wis. Stat. § 59.38(1). Except in situations involving indigents, or in cases where the funeral home or cremation society has waived their fee to perform a cremation, \$184.84 shall be collected for the issuance of a cremation permit in accordance with Wis. Stat. § 59.36, \$123.22 as the fee for signing death certificates and \$59.40 for issuing a disinterment and reinterment permit pursuant to Wis. Stat. § 69.18. In compliance with 2015 Wisconsin Act 336, effective April 18, 2019 medical examiner fees will be adjusted by the annual percentage change in the US CPI for all Urban Consumers, U. S. City average for 12 months ending December 31<sup>st</sup>.

C. Statutory Duties. The medical examiner shall perform all statutory duties including but not limited to those set forth in Wis. Stat. § 59.34(1)(a), Wis. Stat. ch. 59 and Wis. Stat. ch. 979. (Ord. 166-27, Sec. 1, 2023; Ord. 166-13, Sec. 1, 2022; Ord. 165-2, Sec 1, 2021; Ord. 163-040, Sec. 1, 2020; Ord. 162-9, Sec. 1, 2018; Ord. 161-040, Sec. 1, 2018; Ord. 160-28, Sec. 1, 207; Ord. 160-12, Sec. 3, 2016; Ord. 159-008, Sec. 1, 2015; Ord. 152-30, Sec. 1, 2008; Ord. 151-032, Sec. 1, 2007; Ord. 150-28, Sec. 1, 2006; Ord. 148-102, Sec. 1, 2004; Ord. 146-58, 2002; Ord. 146-22, 2002; Ord. 146-02, Sec. 1, 2002; Ord. 145-62, 2001; Ord.142-52, 1998; Ord.141-03, Sec.1, 1997; Ord.140-124, Sec.4, 1997; Ord.140-65, 1996; Ord.139-71, 1995; Ord. 137-98, 1994; Ord.137-31, Sec.2, 1993; Ord. 128-16, Secs.1-6, 1984; Ord. 81-82/411 Sec.2, 1982; Ord. 80-81/04 Sec.1, 1979; Ord. 357-76 Sec.1, 1976: Ord. 323-76 Sec.2, 1976).

2.12.210 County clerk uniform policy for county board mail distribution.

A. The county clerk shall distribute to county board supervisors at the most reasonable and least possible expense to the county all county government related material only.

B. All other material received by the county clerk for distribution to county board supervisors shall be left in the supervisor's mail box for placement on desks the night of county board meetings. (Ord. 154-19, Sec. 1, 2010; Ord. 139-18, 1995)

## Chapter 2.15

### OFFICE OF COUNTY SHERIFF

#### Sections:

- 2.15.010 Office policy code
- 2.15.020 Sheriff's deputies serving as municipal police
- 2.15.030 Use of county authority and equipment prohibited

2.15.010 Office Policy Code. The office shall develop and maintain a code of departmental policy to include, to the extent practicable, all policies, rules of conduct, internal regulations and enforcement procedures of the department and its divisions, subject to review by the corporation counsel, human resources director and sheriff. (Ord. 161-9, Sec. 1, 2017)

2.15.020 Sheriff's deputies serving as municipal police. No person appointed as a deputy sheriff of this county and employed by any municipality in the county, may use his or her powers as a deputy sheriff, uniform, badge or any other county equipment, inclusive of, but not limited to county vehicles, weapons or ammunition while serving on behalf of the municipality unless the municipality has contracted for the services of the department as municipal police agency under Wis. Stat. § 59.03(2), with the approval of the county board or in response to a mutual aid request under Wis. Stat. §§ 59.28, 66.0313, or 66.0513. (Ord. 161-9, Sec. 1, 2017)

2.15.030 Use of county authority and equipment prohibited. No person appointed as a deputy sheriff of this county and employed by any municipality in the county, may use his or her powers as a deputy sheriff, uniform, badge or any other county equipment, inclusive of, but not limited to county vehicles, weapons or ammunition while serving on behalf of the municipality unless the municipality has contracted for the services of the department as municipal police agency under Wis. Stat. § 59.03(2), with the approval of the county board or in response to a mutual aid request under Wis. Stat. §§ 59.28, 66.0313, or 66.0513. (Ord. 161-9, Sec. 1, 2017)

Chapter 2.20

BEAVER CREEK RESERVE

Sections:

Article I. General Provisions

- 2.20.010 Purpose.
- 2.20.020 Administration.
- 2.20.030 Land management.
- 2.20.040 Contributions to educational and recreational activities.
- 2.20.050 Property ownership.

Article II. Prohibition of Public Hunting and Trapping within the Eau Claire County Beaver Creek Reserve or Carrying of Loaded Guns or Rifles

- 2.20.101 Definitions.
- 2.20.102 Policy.
- 2.20.103 Penalties.

Article I. General Provisions

2.20.010 Purpose. Eau Claire County hereby declares that it is in the best interests of its residents to support and authorize an entity, known as the Eau Claire County Beaver Creek Reserve, whose purpose shall be to develop and promote, primarily for youth under 18 years of age, a better understanding of conservation practices and the practice of good citizenship and to provide a facility for outdoor education. (Ord. 161-8, Sec. 13, 2017)

2.20.020 Administration. Administration is the responsibility of the Friends of Beaver Creek Reserve Inc. (FBCR) as set forth in the Beaver Creek Facilities Operation Lease between the Friends of Beaver Creek Reserve Inc. and Eau Claire County.

2.20.030 Land management. The FBCR shall have charge of such land as was set aside on November 18, 1947, and subsequent thereto, by the board as and for beaver creek reserve purposes. The land and the structures situated thereupon shall be utilized for the educational and recreational benefit of those defined in 2.20.010. Rules and regulations may be adopted by the FBCR, for the usage of said facilities, consistent with the purpose of the beaver creek reserve.

2.20.040 Contributions to educational and recreational activities. The FBCR is empowered, on behalf of and in the name of Eau Claire County, to accept monetary contributions or donations of property to be utilized in the creation, promotion and conducting of education and recreational programs of the beaver creek reserve which are consistent with the statement of purpose in 2.20.010. Gifts to the beaver creek reserve, also known as the Eau Claire County Youth Camp, or any of its entities including, but not limited to, the Hobbs Observatory, Wise Nature Center and Citizen Science Center, shall be directed to and become part of the Friends of Beaver Creek Reserve Trust for their management, investment and distribution. Restricted gifts will be distributed according to the donor's instructions or returned.

2.20.050 Property ownership. All property now in the possession of or hereafter acquired by and for the Eau Claire County Beaver Creek Reserve shall be held in the name of Eau Claire County.

Article II. Prohibition of Public Hunting and Trapping within the Eau Claire County Beaver Creek Reserve or Carrying of Loaded Guns or Rifles.

2.20.101 Definitions. Unless the context dictates otherwise, the following definitions shall apply to this chapter:

A. "Hunt" or "hunting" includes the shooting, shooting at, pursuing, taking, catching or killing of any wild animal or animals.

B. "Trapping" includes the taking of, or the attempt to take, any wild animal by means of setting or operating any device, mechanism or a contraption that is designed, built or made to close upon, hold fast or otherwise can capture a wild animal or animals. When the word trap is used, it shall have the same meaning as the word trapping as defined herein. (Ord. 161-8, Sec. 14, 2017)

2.20.102 Policy. No unauthorized person shall, at any time or in any manner, hunt or trap within the boundaries of the Eau Claire County Beaver Creek Reserve, nor have in his or her possession or under his or her control therein, any gun or rifle unless the same is unloaded and enclosed within a carrying case unless authorized by the director for educational or management purposes.

2.20.103 Penalties. Any person violating any of the provisions of 2.20.102 shall be subject to a forfeiture of not less than \$200 nor more than \$1,000 together with the costs of the action. Said violation shall be subject to prosecution pursuant to Chapter 1.50.(Ord. 152-39, Sec. 2, 2008)

## Chapter 2.22

### HUMAN SERVICES PROGRAM

#### Sections:

<u>2.22.010</u>	Authority.
<u>2.22.020</u>	Intent.
<u>2.22.030</u>	Definitions.
<u>2.22.040</u>	County human services board.
<u>2.22.050</u>	Powers, duties and functions of the board.
<u>2.22.055</u>	Structure of board.
<u>2.22.060</u>	Composition of board.
<u>2.22.070</u>	Term of directorship/appointments.
<u>2.22.080</u>	Department of human services.
<u>2.22.090</u>	Human services director.
<u>2.22.100</u>	Appointment of director.
<u>2.22.125</u>	Long-term support committee.
<u>2.22.130</u>	Elder-Adult-At-Risk and Adult-At-Risk Agency Designation.

2.22.010 Authority. This chapter is created and adopted pursuant to the authority granted to Eau Claire County by Wis. Stat. §§ 46.23 and 59.03(1). Said authority shall be interpreted as granting to the county the largest measure of organizational autonomy compatible with the constitution and such enactments of the legislature of statewide concern as shall with uniformity affect every county. (Ord.141-03, Sec.1, 1997; Ord. 81-78 Sec.1(part), 1978).

2.22.020 Intent. This chapter is intended to facilitate the consolidation of the existing social services programs being provided for in Eau Claire County, which functions are currently being administered by the Eau Claire County department of social services and the Eau Claire County unified services board, respectively, into an integrated community human services program, under the management of a single county department, controlled and directed by a single governing and policy making board. It is further intended that the development and availability of a comprehensive human services program, under which governmental, voluntary and private county resources shall be mobilized and coordinated, is the primary objective of this legislation. (Ord. 81-78 Sec.1(part), 1978).

2.22.030 Definitions. The following definitions shall apply to this chapter:

- A. "Board" means the county human services board.
- B. "County board" means the Eau Claire County board of supervisors.
- C. "Department" means the department of human services.
- D. "Director" means the director of the department of human services.
- E. "Human services" means the total range of services to people including and not limited to public assistance, social services to children, adults and families, counseling, mental illness treatment, developmental disability services and alcohol and drug abuse services.
- F. "Program" means the services and facilities available to meet the county's human services needs. (Ord. 81-78 Sec.1(part), 1978).

2.22.040 County human services board. A policy making board, known as the county human services board, is hereby established and shall have charge of the integrated human services program for Eau Claire County. Said board shall be subordinate and answerable to the county board. (Ord.141-92 Sec.31, 1998; Ord. 81-78 Sec.1(part), 1978).

2.22.050 Powers, duties and functions of the board.

- A. The board shall be subject to the following statement of purpose and shall carry out its functions in accord therewith:
  - 1. The improvement of the social condition and mental health of residents of the county;
  - 2. The improvement of the accessibility, acceptability, continuity and quality of the total human services program available in the county;
  - 3. The restraint of increases in the cost of the total human services program made available in the county; and
  - 4. The prevention of unnecessary duplication of services and facilities.
- B. The board shall have all of the powers and duties designated and assigned to committees, commissions and/or boards organized under Wis. Stat. §§ 46.23(5m), and 51.437.
- C. The board shall have such other powers, duties and responsibilities, as are necessary to carry out the human services program.
- D. The board shall advise the county board on policy matters affecting the department of human services, shall administer policies established by the county board and shall annually submit a report of its activities to the county board.
- E. It shall be the intent of the county board that the board continue to avail itself of private resource-providers' services wherever economically and administratively feasible and appropriate, in light of the stated objects in this chapter, and where in the best interests of the consuming public.
- F. The board shall have the power to adopt administrative regulations to enforce its duties under this chapter, subject to the approval of the corporation counsel as to the conformity thereof with applicable state and federal statutes and rules, and county ordinances and resolutions. (Ord. 154-13, Sec. 4, 2010; Ord.141-92 Sec.32, 1998)

2.22.055 Structure of board. A chair and vice-chair shall be elected in even-numbered years for 2-year terms. The chair shall be a county board member. The chair shall appoint a staff person as committee clerk. (Ord. 161-8, Sec. 15, 2017; Ord.140-38, Sec.1, 1996; Ord. 133-31, 1989; Ord. 131-21 Sec.1, 1987; Ord. 131-78 Sec.1, 1978; Ord. 81-78 Sec.1(part), 1978).

2.22.060 Composition of board. The board shall be composed of 10 persons of recognized ability and demonstrated interest in human services, 6 of whom shall be county board supervisors. The board shall be considered a standing committee of the county board for purposes of appointment of the 6 supervisors.

A. Board members other than county board supervisors shall be selected from nominees whose names are solicited pursuant to 2.05.002 from various client interest groups in the county, consumers of services and citizens-at-large. The county board shall assure the broadest and most balanced possible representation of the client interests served in making all selections.

B. No public or private provider of human services, an employee or a member of a governing or policy making board thereof, may be appointed to the board. (Ord. 146-14, Sec. 4, 2002; Ord. 126-12 Sec. 19 (part), 1982; Ord. 81-78 Sec.1(part), 1978).

2.22.070 Term of directorship/appointments.

A. Appointments shall be made by the county board subject to the provisions of the appointment procedures duly established by the county board.

B. Board members shall serve for terms of three years, subject to the following conditions:

1. Each of the 10 positions, as cited in 2.22.060, shall be numbered from 1 through 10. Board members 1, 2, 4, 6, 8 and 9 shall be selected from among the members of the county board; board members 3, 5, 7, and 10 shall be selected as provided in 2.22.060 A.;

2. All board members shall be appointed, subject to the provisions of C., at the organizational meeting of the county board, to be held in accord with 2.04.010 A. on the 3<sup>rd</sup> Tuesday of April of even-numbered years;

C. Board members may be removed from office for cause only by 2/3 vote of the county board, upon due notice in writing and hearing of the charges against the member. (Ord. 147-81, Sec. 1, 2003; Ord. 126-12 Sec.17, 1982; Ord. 81-78 Sec.1(part), 1978).

2.22.080 Department of human services. The department of human services is hereby established, which department shall carry out the policies established by the county board and the board so as to accomplish the intent of this chapter, as stated at 2.22.020. The department and its staff shall carry out the functions of the former department of social services, and the unified services board. It shall have all of the authority, express and implied, granted in Wis. Stat. ch. 46, 48, 49, 51, 54, 55 and 938. (161-8, Sec. 16, 2017; Ord.141-50, Sec.3, 1997; Ord. 81-78 Sec.1(part), 1978).



2.22.090 Human services director. The position of human services director shall have all of the powers, duties and responsibilities designated in Wis. Stat. § 46.23(6m) and such other powers, duties and responsibilities, as are necessary to carry out the human services program. The director is empowered, on behalf of and in the name of Eau Claire County, to accept gifts and donations supporting the human services program of a value not to exceed \$10,000. (Ord. 152-17, Sec. 1, 2008; Ord.141-92 Sec.34, 1998).

2.22.100 Appointment of director. The director shall be appointed by the county administrator subject to confirmation by the county board. (Ord. 161-8, Sec. 17, 2017; Ord.141-92 Sec.35, 1998; Ord. 81-78 Sec.1(part), 1978).

2.22.130 Elder-Adult-At-Risk and Adult-At-Risk Agency Designation. The department of human services is hereby designated as the Elder-Adult-At-Risk Agency and the Adult-At-Risk Agency responsible for filling the duties and carrying out the purposes of Wis. Stat. §§ 46.90 and 55.043. (Ord. 150-29, 2006; Ord. 144-24, Sec. 5; 2000; Ord. 128-65 Sec.1, 1984).

(Ord. 161-8, Sec. 18, 2017 Repealed 2.22.125; Ord. 152-31, Sec. 7, 2008; Ord. 147-81, Secs. 2-5, 2003; Ord. 147-81, Sec. 3, 2003; Ord.140-117, Secs. 4-6, 1997; Ord. 137-117, Sec. 1; Ord. 137-94, Sec. 1-2, 1994; Ord. 135-67, 1991; Ord. 134-12, 1990; Ord. 129-65 Secs.1,2. 1986; Ord. 129-24 Sec.1, 1985).

(Ord. 157-3, Sec. 2, 2013)

(Ord. 161-13, Sec. 1, 2017 Repealed 2.28)

Chapter 2.36

CONTINUITY OF GOVERNMENT

Sections:

<u>2.36.010</u>	Authority.
<u>2.36.020</u>	Definitions.
<u>2.36.030</u>	Emergency interim successors.
<u>2.36.070</u>	Declared emergency.
<u>2.36.080</u>	County board meetings in a declared emergency.

2.36.010 Authority. This chapter is enacted under the authority of Wis. Stat. ch. 323, subch.V. (Ord. 161-34, Sec. 2, 2017)

2.36.020 Definitions. As used in this chapter, unless the context otherwise clearly indicates:

A. "Duly authorized deputy" means a person who is presently authorized to perform all of the functions, exercise all of the powers and discharge all of the duties of an office in the event the office is vacant or at such times as it lacks administration due to the death, absence or disability of the incumbent officer.

B. "Emergency interim successor" means a person designated pursuant to this chapter for possible temporary succession to the powers and duties, but not the office, of a county officer in the event that such officer or any duly authorized deputy is unavailable to exercise the powers and discharge the duties of the office. (Ord. 138-83, Sec. 1-3, 1994; Res. (part) and Sec. 2 of Ord. dated November 13, 1962).

2.36.030 Emergency interim successors. Elective officers and the county administrator for appointive officers shall appoint not fewer than three qualified, duly authorized deputies or emergency interim successors or combination thereof to serve in the event of a declared emergency. Information required by the Continuity of Operations/Continuity of Government Plan ("Plan") will be provided to the emergency management coordinator who shall be responsible for maintaining and updating the Plan. (Ord. 161-34, Sec. 3, 2017; Ord.142-103 Sec.4, 1999; Ord. 138-83, Sec. 4-6, 1994; Res. (part) and Sec.3 of Ord. dated November 13, 1962).

(Ord. 161-34, Sec. 4, 2017 Repealed 2.36.040, 2.36.050 2.36.060, Res. (part) and Sec.6 of Ord. dated 11-13-62).

2.36.070 Declared emergency.

A. Upon the recommendation of the emergency management coordinator, the chair of the county board is authorized to issue and file with the county clerk a written declaration of emergency in the county under the following circumstances:

1. Whenever conditions arise by reason of war, conflagration, flood, heavy snowstorm, blizzard, tornado, catastrophe, natural or man-made disaster, riot or civil commotion, acts of God, and including conditions, without limitation because of enumeration, which impair transportation, food or fuel supplies, medical care, health, human services, police protection or other vital functions or facilities of the county;

2. Whenever the Governor proclaims a state of emergency in the county or the President of the United States declares the county to be a disaster area and the chair of the county board determines that the emergency or disaster meets the conditions in this subsection.

B. The period of such declared emergency shall be limited to the time during which such emergency conditions exist or are likely to exist. The declaration of emergency shall be subject to ratification, alteration, modification or repeal by the county board or the emergency management committee as soon as either body can meet, but such subsequent action taken by the county board or committee shall not affect the prior validity of the declaration. (Ord.142-103 Sec.7, 1999; Ord. 138-83, Sec. 9, 1004; Ord. 130-16 Sec.7, 1986; Ord. 81-82/355 Sec.6, 1981: Res. (part) and Sec.7 of Ord. dated 11-13-62).

2.36.080 County board meetings in a declared emergency.

A. When the chair of the county board determines that the declared emergency warrants immediate county board action, he or she may convene the county board as provided by the rules of the county board.

B. If the chair determines that it is important, inexpedient or impossible to conduct the affairs of the county board at the courthouse, he or she shall convene the board at the emergency operations center or at any other site designated in the current emergency management plan, in which case the board shall proceed under Wis. Stat. § 323.52 (1), to designate an emergency temporary location of government.

C. When so convened, no business shall be transacted except as shall be necessary to accomplish the emergency purpose for which the board was convened. Any emergency meeting may be adjourned by a majority vote of those present.

D. The powers of the county board may be exercised in light of the existences of the emergency situation without regard to or in compliance with the formalities prescribed by law or rules of the county board which would prohibit immediate action, but all such acts shall be as valid as if performed in conformity thereto.

E. The powers of the chair, county clerk and sheriff as provided by rule shall be exercised by their emergency interim successors in their absence or disability.

F. The requirements of 2.04.040, regarding the affirmative vote of a specified proportion of the members elect for approval of an ordinance, resolution or other action, shall be suspended and substituted by a requirement that the proportion be of the members present. (Ord. 161-34, Sec. 5, 2017; Ord. 154-2, Sec. 16, 2010; Ord.142-103 Sec.8, 1999; Ord. 81-82/355 Sec.7, 1981).

## Chapter 2.40

### EMERGENCY MANAGEMENT

#### Sections:

<u>2.40.010</u>	Wisconsin Emergency Management Plan adopted.
<u>2.40.020</u>	County-municipal emergency management organization -Created- Purpose.
<u>2.40.030</u>	Definitions.
<u>2.40.040</u>	Emergency management committee.
<u>2.40.050</u>	Emergency management coordinator.
<u>2.40.060</u>	Emergency management program cost.
<u>2.40.070</u>	Duties of the emergency management coordinator.
<u>2.40.080</u>	Authority to declare emergencies.
<u>2.40.090</u>	Applicant's agent.
<u>2.40.100</u>	Violation--Penalties.
<u>2.40.110</u>	Mutual agreement to provide program.

2.40.010 Wisconsin Emergency Operations Plan adopted. The state of Wisconsin "Emergency Operations Plan" is adopted by the Eau Claire County board of supervisors as the official program of the county for emergency management. (Ord.142-103 Sec.10, 1999; Ord. 138-83, Sec. 10, 1994; Ord. 134-45, Sec. 1, 1990).

2.40.020 County-municipal emergency management organization--Created--Purpose. To ensure that the county and participating municipalities thereof will be prepared to cope with emergencies resulting from enemy action and with emergencies resulting from technological and natural disasters, a county-municipal emergency management organization is created to carry out the purposes set out in Wis. Stat. ch. 323. (Ord. 154-2, Sec. 17, 2010; Ord.142-103 Sec.11, 1999; Ord. 134-45, Sec. 1, 1990).

2.40.030 Definitions. Refer to Wis. Stat. ch. 323.02 Definitions. (Ord. 165-34, Sec. 1, 2022; Ord. 161-34, Sec. 6, 2017; Ord. 142-43, Sec. 12, 1999; Ord. 134-45, Sec. 1, 1990).

2.40.040 Emergency management committee. The committee on planning and development shall function as the emergency management committee. The committee shall have oversight of and advise the emergency management coordinator on policies and procedures in the Disaster Declaration and Emergency Operations Plan. (Ord. 161-34, Sec. 7, 2017; Ord.152-26, Sec. 6. 2008; Ord. 149-57, Sec. 4, 2006; Ord.142-103 Sec.13, 1999; Ord. 134-45, Sec. 1, 1990).

2.40.050 Emergency management coordinator.

A. Coordinator. There is hereby created the office of emergency management coordinator. The emergency management coordinator shall have the duties and responsibilities for each participating municipality set forth in Wis. Stat. ch. 323.

B. Emergency Management Program Assistant. In the absence of the Emergency Management Coordinator, function as Emergency Management Coordinator and exercise all duties of the Emergency Management Coordinator contained in this chapter.

C. Director of Planning and Development. In the absence of the emergency management coordinator and the emergency management program assistant, function as emergency management coordinator and exercise all duties of the emergency management coordinator contained in this chapter.(Ord. 165-34, Sec. 2, 2022; Ord. 154-2, Sec. 18, 2010; Ord.142-103 Sec.14, 1999; Ord. 134-45, Sec. 1, 1990).

2.40.060 Emergency management program cost.

A. Office and staff. The county board shall provide the funding necessary to carry out the functions of the emergency management coordinator.

B. Major equipment and services. Costs of equipment and services shall be born 100% by the municipal government requiring such procurement with federal matching funds procured by the emergency management coordinator when applicable. Federal matching fund reimbursement shall be returned to the treasurer of the municipality procuring the equipment or services.

C. Reimbursement to highway department for transporting Mobile Command Post (MCP): \$250.00/per event.(Ord. 165-34, Sec. 3, 2022; Ord.159-18, Sec. 1, 2015; Ord.142-103 Sec.15, 1999; Ord. 134-45, Sec. 1, 1990).

2.40.070 Duties of the emergency management coordinator.

A. The coordinator, subject to the policy, oversight and direction of the emergency management committee shall perform all duties listed in the coordinator's position description and is authorized to make any and all decisions required to help insure stabilization of an incident and recovery of the community.

B. Municipalities in Eau Claire County shall develop and adopt an emergency management plan and program and designate a head of Emergency Management Services pursuant to Wis. Stats. Ch. 323.14 (1) (b.) (Ord. 165-34, Sec. 4, 2022; Ord. 161-34, Sec. 8, 2017; Ord. 160-15, Sec. 10, 2016; Ord.142-103 Sec.16, 1999; Ord.142-75, 1999; Ord. 135-27, 1991; Ord. 134-45, Sec. 1, 1990).

2.40.080 Authority to Declare Emergencies. In the event the Governor, the chair of the board, or the emergency management coordinator determines that an emergency exists growing out of natural or man-made disasters, any expenditures for services rendered in participating municipalities shall be paid by such municipalities. (Ord. 161-34, Sec. 9, 2017; Ord. 144-24, Sec. 8; 2000; Ord.142-103 Sec.17, 1999; Ord.135-27, 1991; Ord. 134-45, Sec. 1, 1990).

2.40.090 Applicant's agent. The emergency management coordinator shall have the authority to execute, for and on behalf of the county, applications, assurances and agreements for state and federal financial assistance as "the applicant's agent" subject to prior approval from the emergency management committee or county administrator except where the nature of the natural disaster or enemy action is such as to create an exigency which requires the immediate execution of these duties. (Ord. 161-34, Sec. 10, 2017; Ord. 144-24, Sec. 9; 2000; Ord.142-103 Sec.18, 1999; Ord. 134-45, Sec. 1, 1990).

2.40.100 Violation--Penalties. It is unlawful for any person willfully to obstruct, hinder or delay any member of the emergency management organization in the enforcement of any order, rule, regulation or plan issued pursuant to this chapter, or to do any act forbidden by any order, rule, regulation or plan issued pursuant to the authority contained in this chapter. For a violation of any of the provisions of 2.40.020 through 2.40.080 the sanctions in 1.16.010 shall apply. (Ord. 161-34, 11, 2017; Ord.142-103 Sec.19, 1999; Ord. 134-45, Sec. 1, 1990).

2.40.110 Mutual agreement to provide program. Municipalities in Eau Claire County may execute an intergovernmental cooperative agreement with the county under Wis. Stat. § 66.0303. Execution of such agreement shall bind a municipality to participate in emergency management as set forth in this chapter. (Ord. 160-15, Sec. 9, 2016; Ord.142-102 Sec.20, 1999; Ord.0134-45, Sec. 1, 1990; Ord. 134-45, Sec. 1, 1990).

Chapter 2.42

ENHANCED EMERGENCY 9-1-1 TELEPHONE SYSTEM

Sections:

<u>2.42.010</u>	Authority.
<u>2.42.020</u>	Purpose.
<u>2.42.030</u>	Administration
<u>2.42.040</u>	Plan of Operation.
<u>2.42.050</u>	Emergency Network and Universal Number Service; Installation of Equipment.
<u>2.42.060</u>	Application of Tariff.
<u>2.42.070</u>	Exchange Areas Covered by E 9-1-1 Operational Plan.
<u>2.42.080</u>	System Costs; Assessed Against Users.
<u>2.42.090</u>	User Rates; Subject to Change.
<u>2.42.100</u>	User Charges; Selective Routing.

2.42.010 Authority. This ordinance is enacted under the authority of Wis. Stat. § 256.35. (Ord. 154-2, Sec. 19, 2010; Ord. 136-107, 1993).

2.42.020 Purpose. This ordinance is enacted for the purpose of creating an enhanced emergency telephone system which can be accessed from telephones located in Eau Claire County by dialing the numbers 9-1-1. (Ord. 136-107, 1993).

2.42.030 Administration. This ordinance shall be administered by the Eau Claire City-County Emergency Communications Center. (Ord. 154-2, Sec. 20, 2010; Ord. 136-107, 1993).

2.42.040 Plan of Operation. There is hereby created in Eau Claire County an Enhanced 9-1-1 emergency telephone system with a single public safety answering point (PSAP). The system shall be partially funded through a surcharge on the telephone bills of the users of said system as permitted by Wis. Stat. § 256.85(3). The service supplier shall provide the essential components of such system, including arrangements with other telecommunications utilities to allow the system to be functional throughout Eau Claire County. (Ord. 154-2, Sec. 21, 2010; Ord. 136-107, 1993).

2.42.050 Emergency Network and Universal Number Service; Installation of Equipment. The service supplier shall install and maintain an E 9-1-1 emergency telephone system and provide a universal central office number 9-1-1 for use by the county's PSAP in protecting the safety and property of the general public. The system shall operate so that when the number 9-1-1 is dialed it will provide the following E 9-1-1 system features to all access lines described in 2.42.070:

- A. Automatic Number Identification (ANI)
- B. Automatic Location Identification (ALI) (Ord. 136-107, 1993).

2.42.060 Application of Tariff. The service supplier's provision of the services contemplated herein shall be governed by its tariff. (Ord. 136-107, 1993).

2.42.070 Exchange Areas Covered by E 9-1-1 Operational Plan. The E 9-1-1 system established herein shall be provided to all telephone users in Eau Claire County served by any telephone exchange. (Ord. 136-107, 1993).

2.42.080 System Costs; Assessed Against Users. The service supplier shall bill its customers within the county in amounts sufficient to recover its nonrecurring and recurring charges, as provided for in Wis. Stat. § 256.85(3), and in the manner allowed by Public Service Commission rules, regulations and tariffs. For purposes of determining the charges to be so billed, the service supplier is hereby authorized to assess the following charges against telephone lines located in Eau Claire County.

- A. Nonrecurring Charges. Total nonrecurring charges of \$115,376 shall be recovered by the service supplier over a period of 36 months at the rate of \$0.055 per month per telephone line.
- B. Recurring Charges. In addition to nonrecurring charges, recurring charges of \$8,158.18 per month shall be recovered by the service supplier at the rate of \$0.19 per month per telephone line or at such other rate as may be authorized from time to time by the Public Service Commission. (Ord. 154-2, Sec. 22, 2010; Ord. 136-107, 1993).

2.42.090 User Rates; Subject to Change. The service supplier shall review access line counts 60 days before cutover and annually thereafter. This count shall be provided to the county. The access line count shall be used as the basis for adjusting the monthly user rate. The service supplier shall timely notify the county, in writing, whenever any change is pending to its tariff, whether initiated by the service supplier, the Public Service Commission or any other person. (Ord. 136-107, 1993).

2.42.100 User Charges; Selective Routing. Telephone utility costs for selective routing, whether for equipment or recurring expenses, shall not be included in any user charge authorized under this ordinance unless agreed to between the telephone utility, the municipality and the county. (Ord. 136-107, 1993).



Chapter 2.44

DEPARTMENT OF PLANNING AND DEVELOPMENT

Sections:

- 2.44.010        Creation.
- 2.44.015        Departmental program responsibilities.
- 2.44.020        Department programs and attached boards and commissions.
- 2.44.030        Program responsibilities.

2.44.010 Creation.

A.        There is created a department of planning and development under the direction and supervision of a director who shall be appointed under 3.01.010 A. on the basis of recognized interest, administrative ability, training, experience and knowledge of the fields of comprehensive planning, land use management and building code administration, land and water conservation, emergency management, geographic information system (GIS), land information, sustainability, solid waste management, emergency management, and economic and community development.

B.        The director shall be responsible to the county board through the committee on planning and development for the administration of departmental policies and programs. The director shall appoint, and be responsible for the management of all county board authorized personnel in the department. (Ord. 165-35, Sec. 3, 2022; Ord. 161-19, Sec. 1, 2017; Ord. 147-80, Sec. 9, 2003; Ord. 126-28 Sec.9, 1982; Ord. 80-81/247 Sec.1(part), 1980).

2.44.015 Departmental program responsibilities. The department shall have the following general program responsibilities:

A.        Preparation of comprehensive plans and other community development plans and assistance to the municipalities in the county in such areas;

B.        Providing staff resources and liaison service between the committee on planning and development and county municipalities in the areas of planning, zoning, and community development;

C.        Issue an analysis of any proposed municipal annexation or detachment of county-owned lands, or easements on or over them, and shall file copies of all executed easement maps in the department;

D.        Preparation of short and long range planning documents and studies assigned by the committee or county board; assisting other departments in their planning and implementation of adopted plans under the department's jurisdiction;

E.        Preparation and submittal of authorized grant applications for state or federal funding, and administration of grant aid programs assigned thereto;

F. Administer Chapter 16.18 on sale or transfer of minerals and mineral rights on county land.

G. Support the economic development initiatives as identified in the County's Strategic Plan.

H. Providing staff assistance to the County Library Services Council and administration of the County Library Services Contract.

I. Administration and supervision of emergency services and disaster planning.

J. To perform the functions and duties of the land information office as defined in Wis. Stat. § 59.72.

K. Coordination and administration of the county solid waste management program to meet the responsible unit's (RU) eligibility requirements as required by Wis. Stat. §§287.09 and 287.11 and set forth by the Wisconsin Department of Natural Resources.

L. Develop and maintain county base mapping, including: tax parcel, street centerline and address 9-1-1, supervisory districts, zoning districts, and other essential digital data. (Ord. 165-35, Sec. 4, 2022; Ord. 161-19, Sec. 2-3, 2017; Ord. 154-20, Sec. 5, 2010; Ord. 141-03, Sec. 1, 1997; Ord. 133-72, 1989; Ord. 130-16 Sec. 9, 1986; Ord. 127-89 Sec. 5, 1984; Sec. 2, 1982; Ord. 81-82/421 Secs. 2M, 2P and 3, 1982; Ord. 80-81/247 Sec. 1 (part), 1980).

#### 2.44.020 Department programs and attached boards and commissions.

A. There are created in the department the programs enumerated in 2.44.030, each to be headed by an administrator appointed by the director of the department with the approval of the committee. Each program shall have the responsibilities assigned in this chapter as well as other departmental duties authorized in 2.44.015 that may be delegated thereto by the director. The program manager shall be responsible for the programs oversight therein and shall be accountable to the director.

B. The Board of Land Use Appeals and the Land Conservation Commission are attached to the department for administrative purposes. (Ord. 165-35, Sec. 5, 2022; Ord. 161-37, Sec. 3, 2018; Ord. 161-003, Sec. 2, 2017; Ord. 135-94, Sec. 1, 1991; Ord. 127-89 Sec. 6, 1984).

#### 2.44.030 Program responsibilities.

A. Land Use Controls. The program shall administer and enforce Title 18 dealing with zoning and subdivision controls; Title 20 Shoreland Protection Overlay District, Chapter 15.01, the Uniform Dwelling Code; Wis. Stat. § 59.69, as provided in Title 18;

B. Land Records. The program shall oversee the county remonumentation program which is responsible for the accurate perpetuation and preservation of county public land survey system monuments. Additionally, the land records program shall:

1. Perform reviews of land division documents, such as certified survey maps, subdivision plats and condominium plats to ensure compliance with state statute, administrative code and county code.

2. Make and maintain a file of all surveys performed within the county and create an index of those surveys for purpose of research, furnishing copies of those maps upon request.

3. Oversee real property listing and the maintenance and development of the master file of real property in the county as provided in Wis. Stat. § 70.09(2), and shall further:
  - a. Prepare and maintain accurate lists and descriptions of all parcels of real property in the county which are subject to tax and also those which are exempt from such tax;
  - b. Provide lists, maps and descriptions of real property tax parcels in the county for the use of municipal assessors and clerks and county offices requiring such lists and descriptions;
  - c. Import and link assessment data to parcels of real property as supplied by municipal and state officials;
  - d. Coordinate with the information systems department, the needs and requests of the assessors, clerks and treasurers;
  - e. Assist the public on questions relating to real property descriptions and ownership;
  - f. Assist the municipal assessors, clerks and treasurers with questions dealing with real estate descriptions and ownership;
- C. Planning. The program shall be responsible for the following:
  1. Preparing community development grant applications including need assessments, feasibility studies, environmental review of records and impact statements, application drafting, and monitoring of state and federal funding sources, as well as similar activities for other departments of the county;
  2. Managing comprehensive planning and community development programs including development of program budgets, monitoring programs in light of their schedules and goals, and insuring compliance with state and federal regulations;
  3. Assisting county communities in the establishment and management of comprehensive planning & community development programs;
  4. Managing the County's sustainability program.
  5. Preparing long and short range plans and studies in such areas as land use, farmland preservation, outdoor recreation, decennial census, solid waste management and special planning projects;
  6. Preparing reports and analyses and assisting in the administration of county land use regulations.
  7. Managing the solid waste management program, as authorized by Wis. Stat. §§ 287.09 and 287.11.
- D. Land Conservation. The program shall have the program responsibilities authorized in Title 17.
- E. Geographic Information System. The program shall maintain the production of the county base map, provide access to public mapping records, and fulfill mapping and data-distribution requests.

F. Emergency Management. The program is responsible for meeting the requirements of Wis. Stat. ch. 323 Wisconsin Emergency Management as well as applicable federal grants.

1. Operate the program using the emergency management principles of preparedness, mitigation, response, and recovery.
2. Update and maintain emergency plans using the “all-hazards” approach.
3. During emergencies and disaster situations, act as liaison between emergency services, county administration, and state and federal emergency management agencies to identify any resource requests and assist with life-safety and property preservation outcomes.
4. Create and lead exercises to help improve emergency response, safety, and resilience from emergency service agencies, community organizations, and other interested organizations. (Ord. 165-35, Secs. 6 & 7, 2022; Ord. 161-19, Sec. 4, 2017; Ord. 161-003, Sec. 3, 2017; Ord.142-39 Sec.1, 1998; Ord.141-03, Sec.1, 1997; Ord.137-33, Sec.3, 1993; Ord. 135-94, 1991; Ord. 130-16 Sec.10, 1986; Ord. 126-28 Secs.11, 12, 1982; Ord. 126-3 Sec.3, 1982; Ord. 81-82/112 Sec.2, 1981; Ord. 80-81/247 Sec.1(part), 1980).

## Chapter 2.48

### PARKS

#### Sections:

- |                 |   |
|-----------------|---|
| <u>2.48.070</u> | Boating--County-owned park regulations.   |
| <u>2.48.110</u> | Aquatic recreation provisions--Applicability and enforcement.                           |
| <u>2.48.120</u> | Aquatic recreation provisions--Wis. Stat. §§ 30.65, 30.66(1) and (2) and 30.68 adopted. |
| <u>2.48.130</u> | Aquatic recreation provisions—Boating regulations.                                      |
| <u>2.48.140</u> | Aquatic recreation provisions--Markers and navigational aids.                           |
| <u>2.48.150</u> | Aquatic recreation provisions--Violation--Penalties.                                    |

2.48.070 Boating--County-owned park regulations. No person while within the limits of a county-owned or operated park in the county shall:

- A. Put a boat in or out of the water in other than a designated launching area;
  - B. Moor a boat other than in a designated mooring area;
  - C. Use a motor on a boat in Coon Fork Lake except for electric trolling motors.
- (Ord.142-84 Sec.2, 1999; Res. (part) and Sec.4 of Ord. dated November 15, 1966).

2.48.110 Aquatic recreation provisions--Applicability and enforcement. This section shall apply to the waters of Lake Altoona, within the territorial jurisdiction of the city of Altoona, town of Washington, and town of Seymour; and the waters of Eau Claire Lake, within the territorial jurisdiction of the town of Ludington and the town of Bridge Creek. This section shall be enforced by the sheriff and the DNR. (Ord. 161-8, Sec. 20, 2017; Ord. 160-030, Sec. 1, 2017; Res. 214-73, 1973; Res. 147-73 Sec.2, 1973).

2.48.120 Aquatic recreation provisions--Wis. Stat. §§ 30.65, 30.66(1) and (2) and 30.68 adopted. The provisions of Wis. Stat. §§30.65 and 30.66(1) and (2) and 30.68 are adopted by reference insofar as applicable. (Res. 147-73 Sec.3, 1973).

2.48.130 Aquatic recreation provisions--Boating regulations. In addition to the traffic rules in Wis. Stat. § 30.65, adopted in 2.48.120 of this chapter, the following rules shall apply to boats using the waters covered by 2.48.110 through 2.48.140:

- A. No person shall operate any boat contrary to any legally placed regulatory buoys.
- B. No person shall operate a boat within the water area which has been clearly marked by buoys or some other distinguishing device as a bathing or swimming area. (Ord. 161-8, Sec. 21, 2017; Ord. 160-30, Sec. 2, 2017; Res. 147-73 Sec.4, 1973).

2.48.140 Aquatic recreation provisions--Markers and navigational aids.

- A. Buoys will be placed to provide the public with knowledge of the beach and swimming areas
- B. Standard Marker. All markers so placed will be in compliance with regulations of the DNR.
- C. Interference with Markers Prohibited. No person shall without authority remove, damage or destroy or moor or attach any watercraft to any buoy, beacon or marker placed in the waters of any lake by the authority of the United States, state, county or town, or by any private person pursuant to the provisions of 2.48.110 through 2.48.140. (Ord. 161-8, Sec. 22, 2017; Ord. 160-30, Sec. 3, 2017; Res. 147-73 Sec.5, 1973).

2.48.150 Aquatic recreation provisions--Violation--Penalties. Any person who violates any provision of 2.48.110 through 2.48.140 shall upon conviction thereof be punished as provided in 1.16.010. (Ord. 161-8, Sec. 23, 2017; Ord. 160-30, Sec. 4, 2017; Res. 147-73 Sec.6 1973).

(Ord. 161-8, Sec. 19, 2017)

## Chapter 2.50

### VETERAN SERVICES

#### Sections:

- 2.50.300 County veterans service commission.
- 2.50.500 Veterans transportation.
- 2.50.550 Services limited to county residents.

#### 2.50.300 County veterans service commission.

- A. The veterans service commission is established pursuant to Wis. Stat. § 45.81.
- B. The chair of the board shall appoint to the commission, subject to confirmation by the board, three residents of the county who are veterans as defined in Wis. Stat. §45.01(12), and who represent a broad cross-section of veterans interested in the county. The county administrator shall, in addition to the requirements of 2.05.002, solicit nominations from county veterans' organizations. Following the expiration of initial terms (1979), all subsequent appointments shall be for staggered 3 year terms expiring on the 31st day of December.
- C. Commission Officers.
  - 1. A chair shall be elected from among the members of the commission whose duty it shall be to preside over the meetings of the commission, carry out all duties prescribed by law, see that all claims before the commission are audited and allowed or disallowed, and assure compliance with Wis. Stat. § 19.84, on the public notice of meetings.
  - 2. A vice-chair shall also be elected from among the members of the commission who shall perform the duties of the chair in the absence thereof.
  - 3. The county veteran services director shall serve ex-officio as executive secretary of the commission and shall perform the duties provided in Wis. Stat. §§ 45.80 and 45.81. The secretary shall keep and record all minutes as directed by the commission, furnish copies to the commissioners, file the original copies with the county clerk, and act as liaison with the committee designated by the county board.
  - 4. Elective officers shall be chosen for 1-year terms at the organizational meeting of the commission to be held within 2 weeks following the annual appointment of commissioners.
  - 5. The commission may appoint a member thereof to serve as recording secretary when deemed necessary.
- D. The commission shall be responsible for:
  - 1. Furnishing veterans relief pursuant to Wis. Stat. § 45.81, to any person eligible under Wis. Stat. § 45.86, if the right of the person to aid shall be established to its satisfaction. Its actions in this respect shall conform with the standards for disbursal of aid established by county ordinance. (Ord. 159-35, Sec. 3 & 4, 2016; Ord. 154-2, Sec. 23, 2010; Ord. 142-30; Ord. 141-92 Sec. 37, 1998; Ord. 141-03, Sec. 1, 1997; Ord. 130-56 Sec. 2, 1986; Ord. 130-07 Sec. 1, 1986; Ord. 126-53 Sec. 1m, 1982; Ord. 126-17 Secs. 1--7, 1982; Ord. 126-12 Sec. 11, 1982; Ord. 80-81/177 Sec. 2, 1980; Ord. 365-78 Sec. 2, 1978).

2.50.500 Veterans transportation. Contingent on the Veterans Administration funding a vehicle, including maintenance costs, transportation will be provided to veterans facilities as determined by the veteran services director. (Ord. 160-30, Sec. 5, 2017; Ord. 159-35, Sec. 5, 2016; Ord. 151-10, Sec. 7, 2007; Ord. 147-80, Sec. 10, 2003; Ord. 144-10, 2000; Ord. 126-53 Sec.1a, 1982).

2.50.550 Services limited to county residents.

A. The county board declares it to be the policy of the county that county taxes be levied to provide services to veterans and their dependents residing in this county, and further declares that services to veterans residing in other counties should be the responsibility of those counties.

B. Unless otherwise provided, all veterans services authorized under this chapter shall be provided only to veterans who are residents of this county, inclusive of students enrolled at any post-secondary educational institution in the county. Veterans residing outside this county shall be referred to the veteran services director of the county of residence. (Ord. 159-35, Sec. 6, 2016; Ord. 127-20 Sec.1, 1983).

Chapter 2.52

BOARD OF HEALTH

Sections:

<u>2.52.010</u>	Definitions
<u>2.52.020</u>	Health department established
<u>2.52.030</u>	Board of health
<u>2.52.040</u>	Powers and duties
<u>2.52.050</u>	Regulations
<u>2.52.060</u>	Director
<u>2.52.070</u>	Budget; Appropriation; Fund

2.52.010 Definitions. In this chapter, the following words and terms shall have the following meanings, unless the context clearly requires otherwise:

- A. "Board of health" means the board of health established under 2.52.030.
- B. "City" means the city of Eau Claire.
- C. "City council" means the city council of the city of Eau Claire.
- D. "County" means Eau Claire County.
- E. "County board" means the Eau Claire County Board.
- F. "DHS" means the State of Wisconsin Department of Health Services.
- G. "Health department" means the Eau Claire city-county health department established under 2.52.020. (Ord. 161-48, Sec. 1, 2018; Ord. 137-104, 1994).

2.52.020 Health department established. A city-county health department is hereby established as required under Wis. Stat. § 251.02 (1m), to have jurisdiction within the city and county. (Ord. 161-48, Sec. 2, 2018; Ord. 147-103, Sec. 14, 2004; Ord. 137-104, 1994).

2.52.030 Board of health.

A. The health department shall be managed by a board of health. The board of health shall have complete and exclusive control over the management and operations of the health department. The board of health shall consist of 8 members. The members shall reflect the diversity of the community. At least 3 of the members who are not elected officials or employees of the city or county shall have a demonstrated interest or competence in the field of public health or community health. The members shall be qualified and appointed as follows:

- 1. One member of the city council, appointed by the city council.
- 2. One member of the county board, appointed by the chair of the county board with the approval of the county board.



3. Two physicians practicing in the county. Such physicians shall be selected from a list provided by the Eau Claire County Medical Society, where practical and desirable. One physician shall be appointed by the chair of the county board with the approval of the board. The other physician shall be appointed by the city council.

4. One dentist practicing in the county. Such dentist shall be selected from a list provided by the Eau Claire County Dental Society, where practical and desirable. Such dentist shall be appointed by the chair of the county board with the approval of the board.

5. One registered nurse with experience in community health practice. Such nurse shall be jointly appointed by the city and the county.

6. Two members of ability and known to have a board social viewpoint and a serious interest in the protection of health of the community. One member shall be appointed by the chair of the county board with the approval of the board. The other member shall be appointed by the city council.

B. The term of office of the members shall be 5 years.

C. Public notice shall be given of the annual vacancies occurring on the board of health.

D. Members of the board of health shall be residents of the city or county.

E. If any member of the board of health no longer meets the qualifications for appointment as set forth in 2.52.030, the position held by such member shall be vacated.

F. Any vacancy occurring on the board of health shall be filled in the same manner as the original appointment.

G. The board of health shall elect one member as president and one member as vice-president. An accurate record shall be kept of all board of health meetings. (Ord. 137-104, 1994).

2.52.040 Powers and duties. The board of health shall:

A. Govern the health department and assure the enforcement of state public health statutes and public health rules of the state.

B. Assure that the health department is a Level I, Level II or Level III local health department as specified in Wis. Stat. § 251.05(1).

C. Report to the DHS as required by rule.

D. Meet at least quarterly.

E. Assess public health needs and advocate for the provision of reasonable and necessary public health services.

F. Develop policy and provide leadership that fosters local involvement and commitment, that emphasizes public health needs, and that advocates for equitable distribution of public health resources and complementary private activities commensurate with public health needs.

G. Assure that measures are taken to provide an environment in which individuals can be healthy.

H. Employ qualified public health professionals, such other staff as are necessary to carry out the mission of the health department, and a public health nurse to conduct general public health nursing programs under the direction of the board of health and in cooperation with the DHS. The board of health may employ environmental health specialists, known as sanitarians, to conduct environmental programs and other public health programs not specifically designated by statute as functions of the public health nurse.

- I. Appoint the director of the health department.
- J. Determine the compensation for the director and employees of the health department. (Ord. 161-48, Sec. 3, 2018; Ord. 137-104, 1994).

2.52.050 Regulations. The board of health may adopt regulations that it considers necessary to protect and improve public health. The regulations shall be no less stringent than, and shall not conflict with, state statutes and rules and regulations of DHS. Such regulations shall be published as a class 1 notice under Wis. Stat. ch. 985, and, unless otherwise specifically provided, shall take effect immediately following publication. Such regulations shall be incorporated by reference as if fully set forth herein. (Ord. 161-48, Sec. 4, 2018; Ord. 137-104, 1994).

2.52.060 Director. The director of the health department shall serve as the local health officer. The director shall be a full-time employee of the health department, as required by Wis. Stat. § 251.06(2)(a). The director shall maintain the qualifications required under Wis. Stat. § 251.06. (Ord. 137-104, 1994).

2.52.070 Budget; Appropriation; Fund.

A. The board of health shall annually prepare a budget of its proposed expenditures for the ensuing fiscal year and determine the proportionate cost to the county and the city on the basis of equalized valuation. A certified copy of the proposed budget, which shall include a statement of the amount required from the city and the county, shall be delivered to the county administrator and to the city manager. The proposed budget shall be reviewed by a joint budget review team of county staff members selected by the county administrator and city staff members selected by the city manager.

B. The appropriation to be made by the county and the city shall be determined by the county board and the city council, respectively. No part of the cost apportioned to the county shall be levied against any property in the city.

C. A city-county health department fund shall be established and maintained in the office of the treasurer of the city, as determined by the board of health. The county and the city shall each make an annual payment into said fund, the share of the county and the city as determined and appropriated by the city and the county. (Ord.141-92 Sec.38, 1998; Ord.137-104, 1994).

## Chapter 2.70

### COUNTY PURCHASING CODE

#### Sections:

<u>2.70.010</u>	Purpose.
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<u>2.70.070</u>	Purchasing procedures and methods.
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<u>2.70.080</u>	Emergency purchases.
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<u>2.70.095</u>	Transactions involving real property.
<u>2.70.100</u>	Disposal of surplus property.
<u>2.70.110</u>	Invalid purchases.
<u>2.70.120</u>	Central stores.
<u>2.70.130</u>	Photocopy machines.
<u>2.70.140</u>	Payment procedures and contracts.
<u>2.70.150</u>	Purchase limitations.
<u>2.70.160</u>	Statutory and ordinance conflicts.
<u>2.70.170</u>	Constitutionality.

2.70.010 Purpose. This chapter shall establish The powers and duties of the purchasing and central services department and the direction of purchasing and central services with the intent of creating a system for uniform procedures for Eau Claire County to secure, for county taxpayers, the advantages and economies which could result from centralized control over the expenditure of county funds for supplies, materials, equipment and contractual services; to provide for administration of county purchases; promote efficiency and standardization of purchasing methods for all county departments and agencies through centralization of purchases by the director; to promote competitive bidding and to provide for the administration, regulation, control, and enforcement of the purchasing procedures and methods hereby established. (Ord. 144-37, Sec. 1, 2000; Ord. 79-80/165 Sec.2(part), 1979).

2.70.020 Authority. This chapter is created and adopted pursuant to authority granted by Wis. Stat. §§ 59.51 and 59.52 (9). (Ord. 144-37, Sec. 2, 2000; Ord.141-03, Sec.1, 1997; Ord. 79-80/165 Sec.2(part), 1979).

2.70.030 Director of Purchasing and Central Services. The provisions of this chapter and such regulations as are duly enacted hereunder shall be supervised by the county administrator and the committee on administration. The director of purchasing and central services under the general supervision of the county administrator and the committee on administration shall manage the purchasing department and with the assistance of such employees as are assigned to the department, shall be responsible for carrying out its mandates. (Ord. 144-37, Sec. 3, 2000; Ord.141-92 Sec.40, 1998; Ord.136-40 Sec. 1, 1992; Ord. 79-80/165 Sec.2(part), 1979).

2.70.040 Definitions. In this chapter the following definitions shall be applied unless the content clearly indicates to the contrary:

A. "Bid" means an offer submitted to the county for the provision of goods or services in accord with the specifications supplied by the county. All bids shall be in writing and on such forms as may, from time to time, be specified by the director.

B. "Committee" means the committee on administration.

C. "Committees" means the committee and departmental committees.

D. "Department" or "agency" includes all of the departments, offices or other organizational units of the county whose affairs and funding are under the control and supervision of the county board.

E. "Director" means the director of purchasing and central services or those duly authorized to act in that capacity, unless otherwise specified.

F. "Departmental committees" means the highway committee and the human services board.

G. "Employee" means all elected and appointed officials, employees of the county, and appointees to any county committee, board or commission.

H. "Governing committee" means the governing and policy making board, commission, committee, or authority operating on behalf of the county.

I. "Irresponsible bidder" means a bidder or prospective bidder who fails to furnish, upon written request, proof of his or her responsibility; who has, as a vendor or contractor with the county, repeatedly made slow or unsatisfactory deliveries; or, who has, violated or attempted to violate, the provisions of this chapter.

J. "Purchase of goods" means any transaction between the county and any party or parties by which the county receives a tangible commodity or property, except real property, in exchange for money or other valuable consideration.

K. "Purchase of services" means any transaction between the county and any other party or parties, not another unit of government, by which the county receives useful labor or activity, in return for money or other valuable consideration, but does not include labor performed as an employee of Eau Claire County.

L. "Miscellaneous transaction" means any transaction between the county and any other party other than: purchases of goods; transactions involving real property; and purchases of services.

M. "Quotation" means an indication of a price for goods or services which is available for sale to the county and which lacks the formality of a bid.

N. "Regulations" means those administrative rules adopted by the committee to implement the provisions of this chapter.

O. "Responsible bidder" means a bidder who submits a responsible bid or quotation; who has furnished, when requested, information and data to establish that his or her financial resources, production or service facilities, service reputation and experience are adequate to insure the satisfactory delivery of the supplies, materials, equipment or contractual service on which he bids; and, who has not violated or attempted to violate, any provisions of this chapter.

P. "Responsible bid or quotation" means an offer, submitted by a responsible bidder to furnish supplies, materials, equipment or contractual services in conformity with the specifications, delivery terms and conditions, and other requirements included in the invitation for bids or quotations.

Q. "Supplies, materials, and equipment" includes, without limitation by enumeration hereunder, all office supplies, printing, office equipment, furniture, maintenance and housekeeping supplies, pharmacy needs, food supplies, computer hardware and software, building acquisition, remodeling and construction, vehicles, aggregate and materials.

R. "Transaction" means any act or agreement for the purchase of supplies, materials and equipment between the county and any other party or parties which establishes a legal relationship between them.

S. "Transactions affecting general county policy" means those aggregate purchases or dealings under express or implied contracts which:

1. Have an express, agreed upon valuation, or in the absence thereof, a fair market value in excess of \$20,000.

T. "Transactions involving real property" means all conveyances of real property entered into by the county, as grantor or grantee, or as lessor or lessee, whereby fee title to such property is transferred or any leasehold interest is created.

U. "Vendors list" means a current file of sources of supply of articles for each category of commodities and services regularly and/or repetitively purchased for county use. (Ord. 144-37, Sec. 4, 2000; Ord.141-54, Sec.1; Ord.141-51 Sec.1, 1997; Ord.141-26 Sec.3; Ord.140-117 Sec.7, 1997; Ord.136-40, 1992; Ord. 131-75 Sec. 2, 129-33 Secs. 1, 2, 1985; Ord.128-16 Secs.8-9, 1984; Ord.79-80/165 Sec.2(part), 1979).

2.70.050 Duties and responsibilities of the committee. The committee shall have those duties, and exercise those responsibilities imposed by the rules of the board, and in addition, shall:

A. Advise and consult with the director on all matters related to purchasing;

B. Through the director, enforce compliance with the provisions of this chapter;

C. Implement and supplement the provisions of this chapter by regulation when deemed necessary;

D. Advise and consult with all concerned agencies or departments regarding transactions where requested or where otherwise deemed necessary;

E. Promote standardization of items of equipment and supplies within departments where practicable;

F. Exercise general supervision of the director and of all matters related to purchasing, not otherwise provided for by the board, and establish through the director all accounting and voucher systems for purchasing;

G. Decide all policy questions arising under this chapter relating to methods of purchasing;

H. Investigate, on its own motion, all matters related to purchasing methods used by the director, recommend to the director and departments improvements or changes in purchasing methods and, in case of noncompliance therewith, refer the matter to the board for decision, including any other matters related to purchasing not covered by the provisions of this chapter;

I. Defer to the committee on finance and budget the functions of auditing and authorizing approval of bills for payment; provided, however, that the committee on finance and budget shall refer all questionable purchases to the director for appropriate investigation. (Ord. 144-37, Sec. 5; 2000; Ord. 79-80/165 Sec.2(part), 1979).

#### 2.70.060 Duties and responsibilities of the director.

A. The director shall, subject to the provisions of this chapter and applicable provisions of federal or state law or administrative regulations promulgated thereunder:

1. Establish a central purchasing office responsible for management and direction of the full spectrum of procurement activities.

2. Except as specified in this chapter, purchase all authorized and budgeted supplies, materials, equipment and contractual services required by county departments in amounts or estimated amounts of \$10,000 or less and submit to the committee for approval all purchases of supplies, materials, equipment and contractual services in amounts or estimated amounts in excess of \$10,000. However, it will not be necessary to obtain additional county board approval for capital outlay items specifically described in the capital budget as adopted by the board, other than transactions affecting general county policy;

3. Transfer between agencies of supplies, materials and equipment which are no longer needed by a holding agency but which can be used by the receiving agency;

4. Exchange, trade in or sell those supplies, materials and equipment which are surplus, obsolete or unused and which are found by the committee not to be required for public use. Funds derived therefrom shall revert to the general fund unless otherwise provided by law or approved by the county board;

5. Develop standard forms and conditions of invitations to bid or quote, purchase orders and contracts; as approved by the corporation counsel; develop and prescribe the use by agencies of additional forms required in carrying out the provisions of this chapter and amend or eliminate any such forms;

6. Perform all duties under the general supervision of the committee.  
Pursuant to the provisions of this chapter, all department heads shall cooperate with the director in purchases for the departments which they administer.

7. Have direct supervision, management and control of the purchasing system and be responsible for submitting an annual budget for the centralized purchasing system, when necessary;

8. Have the authority to delegate purchasing activities to user agencies and purchasing staff subject to the code.

9. Insure that user agencies shall adhere to central purchasing policies and procedures when delegation is extended. All delegated purchasing activities shall be monitored by the director.

10. Prepare specifications based on information furnished by the department or its governing committee, for which the purchase is to be made and from such other sources as may be necessary in order to meet the needs of the department, consistent with the purpose of this chapter;

11. Have the authority and be responsible for the content and correctness of solicitations and contracts, including specifications and contractual terms;

12. Recommend to the committee the adoption of administrative regulations to be contained in a purchasing manual which he shall circulate to all departments, and shall insure compliance therewith;

13. Require information from departments where deemed necessary for efficient purchasing for the county;

14. Maintain necessary records to account for expenditures of funds for purchases made. All bids received shall be tabulated and open to inspection;

B. The director may delegate any of the director's duties and responsibilities which shall be stated in the purchasing policy and procedure manual.

C. Prohibited Conduct by Director.

1. The director shall not directly, indirectly, personally or financially be interested in or in any manner profit from any contract or bid for the furnishing of supplies, materials, equipment or services of any kind.

2. The director shall not accept any gratuity in the form of cash, merchandise or any other thing of value from any vendor or contractor or prospective vendor, contractor or supplier. Acceptance of a gratuity contrary to this provision may be deemed cause for removal or other disciplinary action.

D. Prohibited Conduct by Vendors.

The offer of any such gratuity to any county employee by any supplier, vendor, contractor, prospective vendor, prospective contractor, or prospective supplier, may constitute cause for invalidating the bid related thereto and may be taken into consideration in any future bid. (Ord. 144-37, Sec. 6, 2000; Ord.141-54, Sec.2; Ord.141-51 Sec.2, 1997; Ord. 136-40, Secs. 3-7, 1992; Ord. 129-33 Secs. 3-6, 1985; Ord. 128-16 Secs. 10, 11, 1984; Ord. 127-71 Sec.1, 1983; Ord. 79-80/165 Sec.2(part), 1979).

2.70.061 Requisition for purchases. Each department shall be responsible for ascertaining its own purchase needs and for the requisitioning for such purchases. Requisitions shall be made to the purchasing department unless otherwise delegated and shall be on such forms and prepared in accord with such regulations as are duly established by the director. Departments shall adhere to the provisions of 2.70.110 and 2.70.150 in making requisitions for purchases and in accord with policies established by their governing committees. ( Ord. 144-37, Sec. 7, 2000; Ord. 129-33 Sec. 7, 1985; Ord. 79-80/165 Sec.2(part), 1979).

2.70.070 Purchasing procedures and methods.

A. Except as specified in this chapter, all invitations for bids for the purchase of goods or services whose estimated cost exceeds \$10,000 shall be made only after the proper public notice is given. At least one advertisement shall be in the official newspaper. The director shall determine if it is necessary to advertise in any additional or trade magazine. The advertisement shall call for sealed bids or proposals to furnish the desired items, supplies or services in accord with specifications prepared or approved by the director. Specifications shall fully describe the items, supplies or services to be furnished the department for which the same are required and the quantities desired. Such specifications shall be drawn so as to make competitive bidding reasonably possible in the interest of obtaining the best product at the most advantageous price to Eau Claire County.

B. All purchases whose estimated cost is under \$10,000 may be made on the open market by the director directly from a company or supplier by obtaining multiple quotations.

C. In case of the bulk purchase of gasoline, gravel or motor oil, the director may purchase from an approved supplier, if in the director's opinion, sealed bids or quotations, multiple quotations or proposals are unobtainable. The director, with the approval of the committee, may also authorize such purchases without sealed bids or multiple quotations under circumstances deemed justifiable and advantageous to the county.

D. The justification and reasons for awards of purchases made pursuant to the procedures authorized in A, B, and C, shall be recorded and filed in the director's offices, open to public inspection.

E. It shall be the duty of the director to receive and publicly open in the presence of at least one other county official all sealed bids or quotations on the date and at the time and place specified in the advertisement or bid inquiry. The director shall prepare a written, comparative synopsis of each bid or quotation received to facilitate approval by the committee(s) or the county board, when required by this chapter.

F. The director or, in the case of a purchase exceeding \$10,000 in value, the committees, reserve the right to accept or reject any or all bids, options, quotations, or proposals; to waive any technicality or error in any bid, option, quotation, or combination thereof, in whole or in part, which is deemed to be in the best interest of the county and the needs of the department for which the purchase is to be made; and to separately consider the qualifications of each bidder and to take such qualifications into consideration in awarding a contract. Input from appropriate departments shall be solicited with respect to specified purchases, as deemed necessary or advisable by the director or the committees.

G. The director shall notify all bidders after the approval of the award by the proper authority.

H. Contracts for purchases shall be awarded to the lowest responsive and responsible bidder or to the bidder determined to be the best value by achieving the highest number of evaluation points. Awards of contracts to other than the lowest bidder or best value may be made only with the approval of the committees under circumstances deemed advantageous to the county.



I. A bid-bond, cash, irrevocable letter of credit or certified check shall accompany all construction bids in excess of \$10,000 or as determined by the director. Whenever any bid or quotation shall have been accepted, the director may require of the successful bidder a contract bond payable to the county treasurer with good and sufficient surety for the full amount of the bid submitted, subject to the approval of the director and corporation counsel. The bond shall be conditioned on the full and faithful execution and performance of the terms of the contract into which the bidder has entered. Whenever a contract bond is required, the same shall be filed with the director within the time set by them after acceptance of the bid. Failure to file the required bond within the time specified, may be cause for rejecting the bid and award thereunder. (Ord. 144-37, Sec. 8, 2000; Ord.141-54, Sec.3, 1997; Ord. 136-40, Sec. 8, 1992; Ord. 129-33 Secs. 8-11, 1985; Ord. 80-81/404 Sec.1, 1981; Ord. 79-80/165 Sec.2(part), 1979).

2.70.075 Purchase from government vendors and group purchasing programs.

A. Purchase from government vendors. In order to utilize the mass purchasing power of government vendors such as the state, United States or other municipalities, goods may be purchased by the director directly from vendors awarded bids by government, without solicitation of bids. This procedure shall constitute an alternative to the purchasing method under 2.70.070.

B. Purchase through group purchasing programs. In order to utilize the mass purchasing power of purchasing groups, the director, shall have the authority to enter into agreements on behalf of the county to join group purchasing programs. Goods may be purchased by the director pursuant to 2.70.070 or directly from vendors awarded bids by the purchasing group, without solicitation of bids. If the latter procedure is followed, it shall constitute an alternative to the purchasing method under 2.70.070. (Ord. 144-37, Sec. 9, 2000; Ord. 129-33 Sec. 12, 1985; Ord. 126-26 Sec.1, 1982).

2.70.080 Emergency purchases.

A. An emergency shall be deemed to exist when an essential service is immediately required or when unforeseen circumstances arise including delays by contractors, delays in transportation, natural disasters or other similar exigencies.

B. If an emergency occurs the department or agency head or his or her designee may purchase the required commodity, except, that if the amount to be purchased exceeds \$300 in value he or she shall first obtain approval of the director, if possible. In the event the director or designee is absent, the county administrator or finance director shall sign such requisition. For every emergency purchase made, the purchaser shall not later than the next working day thereafter, submit to the director, a requisition and a written explanation of the circumstances of the emergency. The director shall determine if said purchase constitutes an emergency purchase as defined in A, and if determined not to be an emergency purchase, it shall be declared invalid. (Ord. 144-37, Sec. 10, 2000; Ord.141-54, Sec.4, 1997; Ord. 79-80/165 Sec.2(part), 1979).

2.70.090 Miscellaneous purchases.

A. Foods. Foods shall be requisitioned by the departmental user and shall be purchased by the director subject to the user's established quality standards.

B. End of Year Purchases. With the exception of repair parts, road salt, sand, foods, expendable maintenance supplies, fuel, gas and oil for vehicles, and drugs, there shall be no purchases made during the month of December for the current year except as approved by the director.

C. Purchases from Governmental Units. Materials, supplies, machinery and equipment offered for sale by the state or federal government or by any municipality may be purchased without bids, at prices to be agreed upon between the director and the respective department for which the item is to be acquired.

D. Purchase of Used Equipment. Purchase of used machinery equipment may be made with the approval of the departmental committee. Such purchases that exceed \$20,000 shall require the approval of the departmental committee and ratification of the county board.

E. Federal Surplus Property.

1. The county elects to participate in the Federal Property Program as accepted by the state of Wisconsin for its political subdivisions pursuant to Wis. Stat. § 16.54 (6), and agrees to abide by the provisions of Wis. Stat. § 16.54, and the administration thereof.

2. All authorization cards for purchase under the program shall be issued by the committee. Expert assistance for the appraisal of such items may be employed at the discretion of the director or the committee. (Ord. 144-37, Sec. 11, 2000; Ord. 141-54, Sec.5, 1997; Ord. 129-33 Sec. 13, 1985; Ord. 79-80/165 Sec.2(part), 1979).

2.70.091 Insurance procurement and administration. The director shall:

A. Be the custodian of the originals of all insurance policies and shall file duplicates thereof with the appropriate department or agency, if any;

B. Under the supervision of the committee on administration, administer the county insurance program and insure all such property, liability, auto, excess, workers compensation, health and life, and other insurance risks, as the board may from time to time direct. This duty shall include, but not be limited to, the provision of complete and adequate coverage or the administration of self-insurance programs for said risks;

C. Analyze all insurance coverage and insurance bidding for the express purpose of proposing alternatives for coverage and for specifications for bidding to the committee on administration;

D. Make recommendations to the committee on administration on the issues of prospective insurance coverage for new or uncovered risks and on the need for increased coverage for other risks;

E. Monitor the processing and retain records of all insurance claims made against the county and make appropriate referrals, thereof, to county committees, the county board and the corporation counsel. (Ord. 144-37, Sec. 12, 2000; Ord. 136-94, Sec.2, 1993).

2.70.093 Transactions affecting general county policy. All transactions affecting general county policy shall require approval by resolution of the county board, which shall act only upon the recommendation of the committee or departmental committees, as appropriate. (Ord. 79-80/165 Sec.2(part), 1979).

2.70.095 Transactions involving real property. All transactions involving real property to which the county is a party shall be consummated in the following manner, except those transactions referred to at B., which shall be subject to this chapter.

A. Negotiations shall be initiated either by the county board, an individual department or the governing committee thereof. The governing committee or, with respect to general county transactions, the committee, shall make a recommendation with respect to the transaction to the director. The director may commit the county to the transaction only after county board approval, subject to execution by the county clerk in accord with Wis. Stat. § 59.52(6).

B. Transactions of the highway committee or commissioner authorized under Wis. Stat. §§ 83.07 and 83.08. (Ord. 144-37, Sec. 13, 2000; Ord.141-26, Sec.4; Ord.141-03, Sec.1, 1997; Ord. 79-80/165 Sec.2(part), 1979).

2.70.100 Disposal of surplus property.

A. Departments which have surplus equipment or supplies shall report a description of such equipment/supplies to the director who shall canvass other county departments to determine whether such equipment or supplies may be used by them. Transfers between departments shall be authorized by the director with or without consideration as deemed appropriate. If such equipment or supplies are not needed by any county department, they may be sold by the director or designee on the open market through competitive bids, or at a minimum price, whichever method is the most advantageous to the county.

B. The director shall report the disposition of any surplus equipment or supplies to the committee.

C. The proceeds from the sale of any equipment or supplies shall be returned to the general fund, unless otherwise specified by law, ordinance or administrative rule.

D. Surplus property may be withheld from trade-in and retained in a used property pool controlled and administered by the director; such property to be utilized as needed by the departments in accord with established regulations. (Ord. 144-37, Sec. 14, 2000; Ord.141-26, Sec.5, 1997; Ord. 129-33 Sec. 14, 1985; Ord. 79-80/165 Sec.2(part), 1979).

2.70.110 Invalid purchases. The county shall consider as void any purchase, contract or contract for purchase made for the county which is contrary to the provisions of this chapter. The employee making such purchase transactions shall personally indemnify the county for the amount of such purchase or contract in the event that the county is subjected to any liability thereunder. (Ord. 79-80/165 Sec.2(part), 1979).

2.70.120 Central stores.

A. A central store system is hereby created under supervision of the director.

B. The director shall be responsible for the system and purchase of supplies required by county departments and the committee shall prescribe rules for the issuance of supplies to such departments. (Ord. 144-37, Sec. 15, 2000; Ord. 79-80/165 Sec.2(part), 1979).

2.70.130 Photocopy machines. The director shall be responsible for the ordering of supplies for all photocopy machines. The director shall take all necessary actions to insure inventory control and optimum use of the machines in order to take advantage of the flexible pricing structure. The director shall conduct cost studies to determine if existing machines are the most economical for the services provided. (Ord. 144-37, Sec. 16, 2000; Ord. 79-80/165 Sec.2(part), 1979).

2.70.140 Payment procedures and contracts. The finance director shall direct the processing of payment and auditing of all purchase orders, vouchers and invoices for payment, attaching a copy of the purchase order to the invoice except for purchases made that are exempt from the purchase order requirement. Payment shall be made in accord with the terms of controlling contracts and existing laws, ordinances and resolutions. (Ord. 144-37, Sec. 17, 2000; Ord. 136-40, Sec. 9, 1992; Ord. 131-86 Sec.11 1988, Ord. 79-80/165 Sec.2(part), 1979).

2.70.150 Purchase limitations. All purchases shall be made in accord with the budgetary line item appropriations as established by the board for the operation of the respective departments. The responsibility for adhering to existing line items appropriations rests with the departments. The director shall refuse to issue any purchase order when the item requisitioned exceeds the line item appropriation or in the absence of a required authorization, except as provided in 2.70.080 for emergency purchase. (Ord. 144-37, Sec. 18, 2000; Ord. 79-80/165 Sec.2(part), 1979).

2.70.160 Statutory and ordinance conflicts.

A. In the event of conflict between this chapter and any other ordinances, this chapter to the extent of such conflict shall prevail.

B. The provisions of this chapter shall not be interpreted as superseding or negating such powers to enter into contracts as are granted by the statutes to the human services board and highway committee. (Ord.141-26, Sec.6, 1997; Ord. 79-80/165 Sec.2(part), 1979).

2.70.170 Constitutionality. Should any section or provision of this chapter be declared unconstitutional, otherwise invalid, or be repealed, the constitutionality or validity of the remainder shall not be affected thereby. (Ord. 79-80/165 Sec.2(part), 1979).

Chapter 2.71

DISPOSAL OF ABANDONED PERSONAL PROPERTY

Sections:

<u>2.71.001</u>	Purpose.
<u>2.71.005</u>	Definitions.
<u>2.71.010</u>	Disposal of abandoned property.
<u>2.71.020</u>	Notices.
<u>2.71.030</u>	Proof of ownership.
<u>2.71.032</u>	Records.
<u>2.71.034</u>	Disposal of abandoned or unclaimed flammable, explosive or incendiary substances, materials or devices.
<u>2.71.036</u>	Abandoned, unclaimed or seized dangerous weapons or ammunition.
<u>2.71.040</u>	Scope.

2.71.001 Purpose. To dispose of personal property which has been abandoned, or remained unclaimed, for a period of 30 days after taking of the property pursuant to Wis. Stat. § 66.0139. (Ord. 150-17 Sec. 1, 2006; Ord. 130-22 Sec.1(part), 1986).

2.71.005 Definitions.

A. "Personal property" means money, goods, chattels, things in action, evidences of debt and energy.

B. "Public sale" means sale by auction, written bid, best offer or surplus sale. (Ord. 130-22 Sec.1(part), 1986).

2.71.010 Disposal of abandoned property. Unless otherwise specified herein, personal property which has been abandoned, or remained unclaimed for a period of 30 days after the county takes possession, shall be sold at public sale with the proceeds going to the county general fund, unless otherwise provided for by law.

A. Personal property other than money which can be utilized by any county department shall be retained by the county as determined by the director of purchasing and central services.

B. Money shall be deposited in the general fund.

C. Negotiable securities shall be converted into money and deposited in the general fund. (Ord. 144-37, Sec. 19, 2000; Ord. 130-22 Sec.1(part), 1986).

2.71.020 Notices. The department taking possession of property under this chapter shall be responsible for contacting the owner and any lienholders of record of the property which has been abandoned. Notice shall be sent to the owner and any lienholders of record by certified mail on a form developed by the director of purchasing and central services and approved by the corporation counsel. The notice, whenever possible, shall describe the property abandoned, including brand, serial number, etc., as well as the date and location found and where the property is being held. The notice shall state that the failure of the owner or lienholders to exercise their rights to reclaim the property shall be deemed a waiver of all right, title and interest in the property and a consent to the sale of the property. The property shall be deemed abandoned and subject to sale or deposited in the general fund 30 days after the date of the certified mail return receipt. A copy of the notice shall be provided to the director of purchasing and central services. If certified mail is not received, or if the owner cannot be identified, a class 1 legal notice shall be published. The property shall be available for public sale or deposit in the general fund if not claimed within 30 days of publication. (Ord. 144-37, Sec. 20; 2000; Ord. 130-22 Sec.1(part), 1986).

2.71.030 Proof of ownership. Proof of ownership shall be required before releasing abandoned personal property. Questions concerning proof of ownership shall be referred to the corporation counsel. (Ord. 130-22 Sec.1(part), 1986).

2.71.032 Records. If abandoned or unclaimed personal property is not disposed of in a sale open to the public the department taking possession of the property shall maintain an inventory of the property including a record of the date and method of disposal, including the consideration received for the property, if any, and the name and address of the person taking possession of the property. The inventory shall be kept as a public record for a period of not less than two years from the date of disposal of the property. (Ord. 151-9, Sec. 1, 2007)

2.71.034 Disposal of abandoned or unclaimed flammable, explosive or incendiary substances, materials or devices. The county may safely dispose of abandoned or unclaimed flammable, explosive or incendiary substances, materials or devices posing a danger to life or property in their storage, transportation or use immediately after taking possession of the substances, material or devices without a public auction. If the substance, material or device appears to be or is reported stolen, an attempt shall be made to return the substance, material or device to the rightful owner. The department having possession shall attempt to return to the rightful owner such substances, materials or devices that have a commercial value in the normal business usage and do not pose an immediate threat to life or property. (Ord. 151-9, Sec. 1, 2007)

2.71.036 Abandoned, unclaimed or seized dangerous weapons or ammunition. Abandoned, unclaimed or seized dangerous weapons or ammunition may be disposed of only under Wis. Stat. §968.20. (Ord. 151-9, Sec. 1, 2007)

2.71.040 Scope. This chapter shall not apply to disposition of abandoned vehicles as outlined in Chapter 10.20, items normally sold at the annual surplus sale or as otherwise provided by law. (Ord. 130-22 Sec.1(part), 1986).

(Ord. 132-27, Sec.1, 1988; Ord. 161-37, Sec. 4, 2018 Repealed Ch. 2.72).  
(Ord. 160-30, Sec. 6, 2017 Chapter 2.73 Repealed)

Chapter 2.75

COUNTY RISK MANAGEMENT PROGRAM

Sections:

- 2.75.001 Purpose.
- 2.75.010 Definitions.
- 2.75.020 Responsibilities of Risk Manager.
- 2.75.030 Responsibility of departments.
- 2.75.040 Employee responsibility.

2.75.001 Purpose. The purpose of this chapter shall be to establish a risk management program including the promotion of employee safety for the county. The risk management objectives include:

- A. Protection of the county against financial consequences of accidental losses which are catastrophic in nature and preservation of county assets and public service capabilities.
- B. Minimization of long term costs to the county due to activities related to the identification, prevention and control of accidental losses and their consequences.
- C. Provision of a safe and healthy work and service environment, in which employees, and the general public can enjoy safety and security in the course of their daily pursuits. It is the county's goal to prevent employee illness and injury and to reduce county losses of property and productivity, which may result because of employee accidents.
- D. Specific risk management provisions.
  - 1. Loss control committee (with members representing upper management who will establish county goals, support risk management activities and monitor for effectiveness).
  - 2. Hazard identification activities (including facilities, equipment, environmental assessments, job hazard analysis and work practice monitoring).
  - 3. Insurance/self-insurance program (distribution of risk where appropriate).
  - 4. Self-insurance of worker's compensation program (reducing claims and losses).
  - 5. Compliance with OSHA and Wisconsin Department of Safety and Professional Services (federal and state laws).
  - 6. Employee and management training programs (such as alcohol and drug awareness; defensive driving; safe work practices, sexual harassment prevention and others).
  - 7. Safety committees (to facilitate employee partnerships for promoting communication of safety needs, expectations, and resources).
  - 8. Contract managing program (enforcing minimum insurance levels and safety requirements for contractors).
  - 9. Risk Manager (to promote a proactive safety environment; to coordinate and facilitate hazard control activities within the workplace). (Ord. 164-28, 2020; Ord. 140-116, 1997).

2.75.010 Definitions. The following definitions apply to this chapter:

- A. "Committee" means the committee on administration.
- B. "Employee" means all persons employed and paid by Eau Claire County regardless of employee status.
- C. "Loss control" means any action designed to reduce financial losses to the least possible amount.
- D. "Loss reduction" means any measure taken to reduce the severity of a loss after it occurs.
- E. "Loss prevention" means any measure taken to reduce the frequency of loss.
- F. "Workers compensation coordinator" the risk manager shall be the employee assigned the responsibility for coordinating the workers compensation paperwork. (Ord. 164-28, 2020; Ord. 140-116, 1997).

2.75.020 Responsibilities of Risk Manager.

- A. The risk manager shall have the responsibility of implementing the county's risk management program and shall enforce county policies and procedures by directive. The loss control committee shall promulgate policies and procedures which shall be formulated and recommended by the risk manager.
- B. With respect to employee safety matters, subject to the supervision of the county administrator, the risk manager shall have line authority over all county department heads and officers solely for the purpose of implementing the county risk management program with respect to this chapter.
- C. The risk manager is authorized to appoint, with the concurrence of the respective department heads, safety committees and loss control committees to be composed of supervisory and nonsupervisory personnel therein. Such committees shall assist the risk manager in the formulation of risk management policies and procedures and in their implementation.
- D. Other responsibilities include:
  - 1. Identifying and measuring all risk of accidental loss.
  - 2. Selection and recommendation of appropriate risk management techniques for specific exposure problems.
  - 3. Utilize and maintain an information system for timely and accurate recording of losses, claims, insurance premiums and other costs.
  - 4. Analyzing and allocating insurance premiums, uninsured losses and other risk costs to the budgetary units. (Ord. 164-28, 2020; Ord. 140-116, 1997).

2.75.030 Responsibility of Departments.

- A. The respective department heads and their subordinate supervisors shall cooperate with and implement the directives of the risk manager.
- B. Department heads shall be primarily responsible for the implementation of county risk management policies, procedures and activities.



C. Subject to the general supervision of their department heads, supervisors shall be responsible for the following aspects of the safety program:

1. Inspection of work areas or job sites for physical hazards;
2. Supervision of employees for the purpose of ascertaining and enforcing compliance of their work habits with county risk management policies and procedures; and
3. Within one working day of the knowledge of the occurrence or the report thereof, whichever is first, the reporting to the worker's compensation coordinator of all employee accidents, injuries and near misses and the causes thereof.

D. Failure of department heads or subordinate administrators to comply with the county risk management policies and procedures may result in discipline invoked by the county administrator or the appropriate department head, in accordance with 2.75.040 D. (Ord. 164-28, 2020; Ord.141-92 Sec.42, 1998).

2.75.040 Employee responsibility.

A. All employees shall comply with such provisions of the county risk management policies and procedures as may affect or concern their job description, work habits and work sites.

B. Each employee who suffers an injury or is involved in an accident on the job shall report the same verbally to the supervisor as soon as is physically possible after the occurrence. Within one working day he or she shall submit, the employee incident form as supplied by the supervisor, a detailed written report of the nature of the occurrence. The injured employee shall keep the supervisor or the worker's compensation coordinator informed of the injury status, including informing the supervisor or worker's compensation coordinator within one working day after learning of a recommended surgery for cure or treatment of the injury. The injured employee shall make "contact" with the supervisor or worker's compensation coordinator at least once every 7 lost work days. "Contact" meaning: Providing detailed information regarding the condition of the employee's injury in the form of written physician reports; and status updates (via a personal telephone call or visit) of other relevant findings and plans.

C. Employees shall submit only worker's compensation claims pertaining to employment at Eau Claire County. Inappropriate and fraudulent claims will be denied. Information related to fraudulent claims will be forwarded to the district attorney for appropriate action and to the human resources department for the appropriate discipline which may lead to termination.

D. Failure to comply with the county risk management policies and procedures may result in discipline of an employee based upon just cause. Discipline shall be invoked by the appropriate department head based upon information provided by the director and the human resources director. (Ord. 164-28, 2020; Ord. 151-10, Sec. 8, 2007; Ord. 140-116, 1997).

## Chapter 2.90

### RECORDS RETENTION

#### Sections:

<u>2.90.001</u>	Purpose.
<u>2.90.003</u>	Historical Records.
<u>2.90.005</u>	Definitions.
<u>2.90.010</u>	Countywide.
<u>2.90.020</u>	County Administrator.
<u>2.90.030</u>	Aging & Disability Resource Center.
<u>2.90.040</u>	Beaver Creek Reserve.
<u>2.90.060</u>	Child Support.
<u>2.90.070</u>	Corporation Counsel.
<u>2.90.080</u>	County Clerk.
<u>2.90.090</u>	Courts.
<u>2.90.100</u>	Information Systems.
<u>2.90.110</u>	District Attorney.
<u>2.90.120</u>	Extension.
<u>2.90.130</u>	Finance Department.
<u>2.90.135</u>	Highway Department
<u>2.90.140</u>	Human Services.
<u>2.90.150</u>	Maintenance.
<u>2.90.160</u>	Medical Examiner.
<u>2.90.170</u>	Parks & Forest.
<u>2.90.180</u>	Human Resources.
<u>2.90.190</u>	Planning & Development
<u>2.90.200</u>	Purchasing.
<u>2.90.210</u>	Register of Deeds.
<u>2.90.220</u>	Sheriff.
<u>2.90.240</u>	Treasurer.
<u>2.90.250</u>	Veteran Services.
<u>2.90.270</u>	Destruction after request for inspection.
<u>2.90.280</u>	Destruction pending litigation.
<u>2.90.285</u>	Microfilming or electronic format storage of departmental records.
<u>2.90.290</u>	Review and approval by Public Records and Forms Board.

2.90.001 Purpose. The purpose of this chapter is to establish a county-wide records retention schedule and authorize destruction of county records pursuant to that schedule on an annual basis. Record custodians do not have the authority to destroy records prior to the established retention period unless such records have been reproduced as original records pursuant to Wis. Stat. § 16.61(7). If there is not a specific law requiring a specific retention period, all records must be retained 7 years, unless the public records and forms board fixes a shorter period. (Ord. 146-51, 2002; Ord. 132-62 Sec.1, 1988).

2.90.003 Historical Records. The State Historical Society of Wisconsin (SHSW) has waived the required statutory 60 day notice under Wis. Stat. § 19.21(5)(d) for the records marked "W" which designates waived notice. SHSW must be notified prior to destruction of records marked "N" designating non-waiver. Notice is also required for any record not listed in this ordinance. "N/A" indicates not applicable and applies to all county records designated for permanent retention. (Ord. 135-02 Sec.1, 1991).

2.90.005 Definitions.

- A. "Legal custodian" means the individual responsible for maintaining records pursuant to Wis. Stat. § 19.33.
- B. "Record" means record as defined in Wis. Stat. § 19.32(2).
- C. "§" means section of the Wisconsin Statutes. (Ord. 132-62 Sec.1, 1988)

2.90.010 Countywide. The following records are found throughout various departments in the county and are subject to uniform regulation unless otherwise specified.

	<u>RECORD</u>	<u>RETENTION</u>	<u>AUTHORITY</u>	<u>WAIVER</u>
A.	Contracts, leases, agreements	7 years	§ 59.52(4)(a.)10.	W
B.	Insurance policies			
	1. Claims made	7 years after expiration	§ 59.52(4)(a.)10.	W
	2. Occupance	Permanent		
C.	Canceled checks	7 years *	§ 59.52(4)(a.)16.	W
D.	Receipts	7 years *		W
E.	Accounts payable-purchasing invoices/vouchers/detail listing/vendor listing	7 years *		W
F.	Accounts receivable/receipts	7 years *		W
G.	Receipt journals	7 years *		W

	<u>RECORD</u>	<u>RETENTION</u>	<u>AUTHORITY</u>	<u>WAIVER</u>
H.	Vouchers/order register	7 years *		W
I.	General journal	7 years		W
J.	Construction plans for county buildings & bridges	Life of structure		N
K.	Blueprints	Until superseded by as-built tracings		N
L.	As-built tracings	Life of project		W
M.	Human resources records	See 2.90.180		W
N.	Warranty records	Life of product or end of warrant, whichever occurs first		W
O.	Equipment & furnishings inventories	Until superseded		W
P.	Any record subject to litigation, claim, audit or other action	Until permission to destroy obtained from Corporation Counsel		W
Q.	Citations (copies)	2 years		W
R.	Correspondence	3 years		W
S.	Annual Reports	3 years		N
T.	Inventory of unclaimed or abandoned personal property	2 years	§66.0139	W
U.	Closed underground storage tanks			W
	1. Site assessment, investigation, reimbursement and closure records.	As long as property owned by county.		W
	2. Existing underground storage tank records.	All records will be retained according to Comm. 10.500(9)		W
V.	W-9's for Vendors	7 years		W

\* Time reduced to 2 years if the original records are maintained in the Finance Department. (Ord. 161-17, Sec. 1, 2017; Ord. 157-46, Sec. 1, 2014; Ord. 154-7, Sec. 1, 2010; Ord. 153-21, Sec. 1, 2009; Ord. 151-10, Sec. 9, 2007; Ord 151-9, Sec. 2, 2007; Ord. 149-2, 2005; Ord. 148-30, 2004; Ord.141-03, Sec.1, 1997; Ord. 135-107, 1992; Ord. 135-02, Sec. 1, 1991; Ord. 132-62 Sec.1, 1989; Ord. 132-62 Sec.1, 1988)

2.90.020 County Administrator.

	<u>RECORD</u>	<u>RETENTION</u>	<u>AUTHORITY</u>	<u>WAIVER</u>
A.	Investment records (Ord.141-92 Sec.45, 1998; Ord. 135-02 Sec.1, 1991; Ord. 132-62 Sec.1, 1988)	6 years		W

2.90.030 Aging & Disability Resource Center. All financial and programmatic records, supporting documents, statistical records, and other records which are required to be maintained by the terms of the grant/contract or otherwise reasonably considered as pertinent to the grant/contract are governed by federal DHSS Regulations Title 45 part 74 Subpart D.

	<u>RECORD</u>	<u>RETENTION</u>	<u>AUTHORITY</u>	<u>WAIVER</u>
A.	Records as defined above	3 years from date the Office on Aging Submits to HSS the last federal expenditure report for each grant award		W
B.	Litigation, claims, audit or other action involving records	Completion of action & resolution resolution of all issues or the regular 3 year period, whichever is later		W
C.	Equipment records	3 years from date of disposition or Replacement or transfer. (Direction of awarding agency)		
D.	Indirect cost rate proposals & cost allocation plans	3 years from the end of the contract covered by the plan or proposal		W
E.	Non-expendable property acquired with Title III or other federal or state funds	At least 3 years after final sale or disposition		W
F.	Elder Benefit Specialist case files	7 years from the closing date of the file.		W
G.	Managed Care Organization member related records	7 years		W
H.	IRIS Medicaid waiver Participant records	7 years	DHS 106.02 Admin. Code	W

In case of litigation, claim, audit or other action involving records or records concerning non-expendable property, such records may not be disposed until authorization has been obtained by the awarding agency to dispose of records. (Ord. 157-41, Sec. 1, 2014; Ord. 157-3, Sec. 3, 2013; Ord. 156-38, Sec. 5, 2013; Ord. 147-102 Sec. 2, 2004; Ord. 135-02 Sec.1, 1991; Ord. 132-62 Sec.1, 1988)

2.90.040 Beaver Creek Reserve.

	<u>RECORD</u>	<u>RETENTION</u>	<u>AUTHORITY</u>	<u>WAIVER</u>
A.	Health histories and treatment records	2 years	ATCP 78.19(7) Admin. Code	W
B.	Daily inventory sheets	3 years and after audit		W
C.	Receipt book (Ord. 161-17, Sec. 2, 2017; Ord. 135-02 Sec.1, 1991; Ord. 132-100 Sec.2, 1989; Ord. 132-62 Sec.1, 1988)	3 years		W

2.90.060 Child support.

	<u>RECORD</u>	<u>RETENTION</u>	<u>AUTHORITY</u>	<u>WAIVER</u>
A.	Expenditure reports & supporting documentation	4 years; or until all litigation, claims or audit findings resolved and final action taken, whichever is later.	45 CFR §74.53	W
C.	Closed IV-D cases	3 federal fiscal years after year of closure	45 CFR §74.53	W
D.	Closed IV-D cases where a legal action taken by IV-D agency (Ord. 154-22, Sec. 2, 2011; Ord. 143-82; 1999; Ord. 137-115, Sec.1, 1994; Ord. 135-02 Sec.1, 1991; Ord. 132-62 Sec.1, 1988).	6 years	Wis. Stat. ch. 893	W

2.90.070 Corporation Counsel.

	<u>RECORD</u>	<u>RETENTION</u>	<u>AUTHORITY</u>	<u>WAIVER</u>
A.	Case files/non-litigation	3 years		W
B.	Case files/litigation	3 years after closure or when appeal time has run, whichever is longer or per SCR		W
C.	Legal memos	7 years		W
D.	Legal opinions (Ord. 135-02 Sec.1, 1991; Ord. 132-62 Sec.1, 1988)	Permanent		N/A

2.90.080 County Clerk.

	<u>RECORD</u>	<u>RETENTION</u>	<u>AUTHORITY</u>	<u>WAIVER</u>
A.	Notices of tax apportionment from secretary of state	3 years	§59.52(4)(a.)1.	W
B.	Copies of notices of tax apportionment sent to local taxing districts	3 years	§59.52(4)(a.)2.	W
C.	Records of county claims forwarded to DNR	1 year	§59.52(4)(a.)3.	W
D.	List of town, city & village officers certified to county clerk	After date of expiration of term listed	§59.52(4)(a.)4.	N
E.	Illegal tax certificates charged back to local tax districts	3 years after charging back	§59.52(4)(a.)6.	W
F.	Notices of application taking of tax deeds & certification of non-occupancy, proofs of service & tax certificates filed	15 years	§ 59.52(4)(a.)7.	W
G.	Claims paid by county & supporting papers	7 years	§59.52(4)(a.)9.	W
H.	Reports of town treasurers- on dog licenses sold & records of dog licenses issued.	3 years	§59.52(4)(a.)11.	W
I.	Copies of receipts issued by treasurer	4 years or until audited, whichever is earlier	§59.52(4)(a.)12.	W
J.	Oaths of office	7 years	§59.52(4)(a.)17.	W
K.	Marriage license applications & supporting papers	10 years	§59.52(4)(a.)19.	W

	<u>RECORD</u>	<u>RETENTION</u>	<u>AUTHORITY</u>	<u>WAIVER</u>
L.	* Original papers, resolutions & reports concerning county board proceedings	6 years after date of publication	§59.52(4)(c.)1.	W
M.	* Committee minutes	6 years after date of publication	§59.52(4)(c)1.	W
N.	Deeds	Permanent or listing of when & where recorded		N/A
O.	Abstracts & certificates of title, title insurance policies	Permanent or as long as land owned		N/A
P.	Apportionment maps	Until next census		W
Q.	Relocation orders/maps	Retain latest revision for each project		W
R.	Journal of Proceedings	6 years after date of publication		N
S.	Canceled voter registration cards	4 years after cancellation	§7.23(1)(c)	W
T.	Election registration, financial statements & termination reports	6 years	§7.23(1)(d)	W
U.	Registration & poll lists: non-partisan elections partisan elections	2 years after election 4 years after election	§7.23(1)(e)	W
V.	Federal elections records other than registration cards	22 months	§7.23(1)(f)	W
W.	Detachable recording units	14 days for primary and 21 days after any other election-clear or erase after transfer to a disk or other recording medium	§7.23(1)(g)	W



<u>RECORD</u>	<u>RETENTION</u>	<u>AUTHORITY</u>	<u>WAIVER</u>
X. Detachable election recording units back up	22 months after date of election	§7.23(1)(g)	W
Y. Ballots	30 days after election or 22 months after a federal election	§7.23(1)(h) & f	W
Z. Official canvasses	10 years after election	§7.23(1)(i)	W
AA. Election notices & proofs of publication & correspondence	1 year after date of election unless contested, then by court order, or 22 months after a federal election	§7.23(1)(j) & (f)	W
BB. All other election materials & supplies	90 days after election	§7.23(1)(k)	W

\* These records have historical value.

(Ord. 161-17, Secs. 3-7, Ord. 160-4, Sec. 1, 2016; Ord. 157-46, Sec 2, 2014; Ord. 145-76, Sec. 1, 2001; Ord.141-03, Sec.1, 1997; Ord. 135-02 Sec.1, 1991; Ord. 132-100 Secs.6-13, 1989; 132-62 Sec.1, 1988)

2.90.090 Courts. All records maintained by the clerk of courts, register in probate, juvenile court or juvenile intake office relating to juvenile court, and the family court commissioner shall be retained in compliance with Supreme Court Rules Chapter 72. Records not specified therein of a general county-wide nature shall be retained pursuant to 2.90.010.

<u>RECORD</u>	<u>RETENTION</u>	<u>AUTHORITY</u>	<u>WAIVER</u>
A. Group care records	21 years of age or 7 years after the resident is discharged from the group home	DCF 57.38	W

(Ord. 161-17, Sec. 8, 2017; Ord. 154-16, Sec. 1, 2010; Ord. 146-03, Sec. 1, 2002; Ord.142-102, 1999; Ord. 135-02 Sec.1, 1991).

2.90.100 Information Systems. Provides information technology services for departments and stores records information electronically for departments. Record information stored electronically must be maintained pursuant to the guidelines established for the specific departmental records and county-wide records enumerated in this chapter. (Ord.142-39 Sec.2, 1998; Ord. 135-02 Sec.1, 1991; Ord. 132-62 Sec.1, 1988).

2.90.110 District Attorney. The records retention/disposition authorization schedules for the district attorney approved by the Public Records Board will be followed. (Ord. 159-47, Sec. 1, 2016; Ord. 147-103, Sec. 15, 2004; Ord.141-03, Sec.2, 1997; Ord. 135-02 Sec.1, 1991; Ord. 133-74, Ord. 132-100 Secs.14&15, 1989; Ord. 132-62 Sec.1, 1988).

2.90.120 Extension.(Ord. 132-62 Sec.1, 1988).

2.90.130 Finance Department.

	<u>RECORD</u>	<u>RETENTION</u>	<u>AUTHORITY</u>	<u>WAIVER</u>
A.	Certified special assessment roll	After assessment collected or 7 years, whichever is longer		W
B.	Statement of new special assessments	5 years		W
C.	Special assessment payment register	Until all assessments collected or 7 years, whichever is longer		W
D.	All accounts of county and books of account	7 years		W
E.	General ledger	15 years		W
F.	Bank statements	4 years		W
G.	Balancing reports	4 years		W
H.	Payroll registers, other payroll report, & social security & retirement earnings reports	10 years		W
I.	Withholding allowance certificates, employee wage and tax statements, and other tax records	7 years		W
J.	Time cards, attendance records, salary schedules	7 years		W
K.	Insurance records	7 years		W
L.	Garnishment records	7 years		W
M.	Rough work papers used in payroll calculations	3 years		W
N.	Unemployment compensation records	3 years		W

	<u>RECORD</u>	<u>RETENTION</u>	<u>AUTHORITY</u>	<u>WAIVER</u>
O.	Retirement records	8 years after end of service		W
P.	Deferred compensation payment records	8 years after end of service		W
Q.	Budget, vendor listing, Combined payables	3 years		W
R.	Investment Records	3 years		W
S.	Check register/treasurer	7 years		W
T.	Canceled bonds, coupons & promissory notes	Until audited		W
U.	Journal entries & any audits or journal entries	7 years		W

(Ord. 160-4, Sec. 2, 2016; Ord. 157.11, Sec. 1, 2013; Ord. 145-76, Sec. 2, 2001; Ord. 136-12, Sec.1, 1992; Ord. 135-02 Sec.1, 1991; Ord. 132-100 Sec.16, 1989; 132-62 Sec.1, 1988).

2.90.135 Highway Department.

	<u>RECORD</u>	<u>RETENTION</u>	<u>AUTHORITY</u>	<u>WAIVER</u>
A.	Machinery, time sheets	1 year after machinery replaced		W
B.	Permits			
	1. Oversized load	1 year		W
	2. Driveway & utility	permanent		W
	3. Tourist oriented Directional signing	1 year after expiration		W
C.	State gas reports	3 years		W
D.	Accident reports (copies)	3 years		W
E.	Insurance reports (copies)	3 years		W
F.	Stock control records	2 years		W
G.	Fuel usage reports	2 years		W
H.	Heavy equipment and vehicle inventory ledger	Heavy equipment and/or vehicle until superseded		W
I.	Vehicle maintenance histories	Life of vehicle		W

	<u>RECORD</u>	<u>RETENTION</u>	<u>AUTHORITY</u>	<u>WAIVER</u>
K.	Vehicle usage reports	2 years		W
L.	Local road improvement program records	8 years		W
M.	Drug and alcohol testing	2 years		W
N.	County bridge aid documents	7 years after completion of project		W
O.	Report of functional jurisdiction of roads	10 years or until next report received		W
P.	Certified mileage lists	Until next list received		W
Q.	Award of damage for scenic rights	Until recorded		W

(Ord. 160-4, Sec. 3, 2016; Ord. 146-72, 2003; Ord. 145-76 Sec. 3, 2001; Ord.143-95, 2000; Ord.142-97, 1999; Ord.141-26 Sec.7, 1998; Ord.135-02 Sec.1, 1991; Ord.132-62 Sec.1, 1988).

2.90.140 Human Services.

	<u>RECORD</u>	<u>RETENTION</u>	<u>AUTHORITY</u>	<u>WAIVER</u>
A.	Case records & other materials of all public assistance kept as required under Chapter 49	If no payments have been made for at least 3 years & a fact sheet & financial record retained per DHSS	§ 59.52(4)(a.)18.	W
C.	Juvenile examination records 48.59	7 years		W
D.	Public assistance case records	3 years after case is closed unless litigation, claim or audit unresolved	Income maintenance manual 1.5.1; child care subsidy manual 4.6.3	W
E.	Child care certification provider case records	6 years after closure of certified program unless pending audit or unresolved issue/ legal action	Child care certification manual 1.0	W
F.	Social service case records	7 years after case is closed	DHSS Memo (82-1A)	W

	<u>RECORD</u>	<u>RETENTION</u>	<u>AUTHORITY</u>	<u>WAIVER</u>
G.	51.42/437 Treatment records	7 years unless minor, until 19 years of age or 7 years after treatment completed, whichever is longer	DHS 92.12(1)&(2)	W
	1. Undergoing federal or state audit	Until completion of audit	DHS 92.12(3)	
	2. Relating to legal actions	Until completion of legal action	DHS 92.12(4)	
H.	Client collection files	5 years after records are closed	DHS 1.06 (3)(d)	W
	1. Closed client records			
I.	Payee records	30 years		N/A
	1. Year-to-Date General Ledger			
	2. Check Register Report			
J.	Case management files	7 years		W

	<u>RECORD</u>	<u>RETENTION</u>	<u>AUTHORITY</u>	<u>WAIVER</u>
K.	Payee fiscal records	7 years		W
	1. Audit Trails (weekly/monthly)			
	2. Canceled checks/bank statements/account signatures			
	3. Voucher support files (by date paid)			
	4. Voucher payment (including savings account vouchers/expired vouchers)			
	5. Check reconciliation reports/deleted check reports			
	6. Savings balance reports			
	7. Receipt books			
	8. Bank reconciliation Folders (work papers)			
L.	Child-placing agency records			W
	1. Individual case records for each child served & family	7 years after case closed	DCF 54.06(2)(a)2.	
	2. Individual foster home records for each foster home used by the agency, which includes signed applications and agreements	7 years	DCF 54.06(2)(a)3.	
	3. Individual records of studied adoptive applicants	7 years	DCF 54.06(2)(a)4.	
	4. Human resource records	7 years	DCF 54.06(2)(a)5.	
	5. Financial reports and audits	7 years	DCF 54.06(2)(a)6.	

	<u>RECORD</u>	<u>RETENTION</u>	<u>AUTHORITY</u>	<u>WAIVER</u>
	6. Licensing and certification records for in-home and family day care; adult family homes; foster homes; and group foster homes for children; application or other request forms; inspection and observation check lists, correspondence, other documentation relating to licensing or certification, Approved license or certificate	2 years after the license or certificate is no longer active		
	7. Licensing and certification records for above types of facilities where license or certificate was not approved.	1 year after final action/determination		
	8. Adoption records County agencies providing child welfare services under s. 48.56 or child-placing agencies licensed under §48.60, should follow the detailed procedures for adoption information search and disclosure detailed in DCF 53.	Permanent	HFS 53.07(1)	
		Permanent	DCF 53.07(1)	
M.	Third-party recovery records	one year after case closure Recommend microfilming essential information		W
N.	Fraud case records	3 years after case is closed unless litigation, claim or audit unresolved	Income maintenance manual Chapter 1.5.1	W
O.	Energy assistance records	6 years after case closed		W
P.	General relief records	6 years after case closed		W
Q.	Staff calendars	3 years		W

(Ord. 161-31, Sec. 2, 2017; Ord. 161-17, Secs. 9-13, 2017; Ord. 157-46, Sec. 3, 2014; Ord. 154-10, Sec. 1, 2010; Ord. 151-10, Sec. 10, 2007; Ord. 150-16, Sec. 1, 2006; Ord. 147-97, 2004; Ord. 147-76, 2003; Ord. 146-03, Sec. 2, 2002; Ord. 145-76, Sec. 4, 2001; Ord. 143-36 Secs.1-2, 1999; Ord. 141-50 Sec.4; Ord. 141-03 Sec.1, 1997; Ord. 140-47, 1996; Ord. 135-02 Sec.1, 1991; Ord. 132-100 Secs.17-23, 1989; Ord. 132-62 Sec.1, 1988).

2.90.150 Maintenance.

	<u>RECORD</u>	<u>RETENTION</u>	<u>AUTHORITY</u>	<u>WAIVER</u>
A.	Blueprints	Permanent or until building disposed of		W
B.	Shop drawings	Permanent		N/A
C.	Equipment & machine maintenance	Life of equipment		W
D.	Utility usage	5 years		W
E.	Inventory	Until superseded		W
F.	Receipts from county treasurer	4 years or until audited, whichever is sooner		W
G.	Keying list	Until superseded		W
H.	Material data sheets (Ord. 135-02 Sec.1, 1991; Ord. 132-62 Sec.1, 1988)	7 years after product used up		W

2.90.160 Medical examiner.

	<u>RECORD</u>	<u>RETENTION</u>	<u>AUTHORITY</u>	<u>WAIVER</u>
A.	Homicide or suspicious deaths	75 years		W
B.	All other records (Ord. 135-02 Sec.1, 1991; Ord. 132-62 Sec.1, 1988)	7 years unless subject - to litigation and then until litigation resolved		W

2.90.170 Parks & Forest.

	<u>RECORD</u>	<u>RETENTION</u>	<u>AUTHORITY</u>	<u>WAIVER</u>
A.	Master park plan	Until superseded		N/A
B.	Plats	Permanent		N/A
C.	Aerial photographs	Permanent		N/A
D.	Committee agendas & summaries	6 years		W



	<u>RECORD</u>	<u>RETENTION</u>	<u>AUTHORITY</u>	<u>WAIVER</u>
E.	Citation, violation notices & park usage records	2 years		W
F.	Guidebooks, trail	Until updated or no longer useable		W
G.	Wisconsin Conservation Corps projects/crew info.	3 years		W
H.	Annual work plans/annual reports	3 years		W
I.	Dam information	Permanent		N/A
J.	Equipment & vehicle registration reports	Until equipment & vehicles disposed of		W
K.	General information	Until updated		W
L.	Land acquisitions-deeds, abstracts	Permanent or until land disposed of		W
M.	Land Use Permits	Permanent		N/A
N.	Timber sale contracts (bid openings, etc.)	7 years		W
O.	Construction contracts	7 years		W
P.	County forest plan (15 year plan)	Until superseded	Wis. Stat. § 28.11(5)(a)	N
Q.	DNR agreements	7 years		W

(Ord. 157-46, Sec. 4, 2014; Ord. 156-38, Sec. 6, 2013; Ord. 146-03, Sec. 3, 2002; Ord. 145-76, Sec. 6, 2001; Ord. 135-02 Sec. 1, 1991; Ord. 132-62 Sec. 1, 1988).

2.90.180 Human Resources.

	<u>RECORD</u>	<u>RETENTION</u>	<u>AUTHORITY</u>	<u>WAIVER</u>
A.	Department training records	8 years after end of service		W
B.	Performance evaluations and medical records	8 years after end of service		W
C.	EEO-4 reports, obsolete job descriptions and any personnel or employment records made or kept, including but not limited to application forms or test papers by applicants and other records or decisions pertaining to hiring, promotion, demotion, transfer, terms layoff or termination, terms of compensation, and selection of training	3 years except where a charge of discrimination has been filed; all personnel records relevant to a charge or action shall be retained until final disposition of the charge or the action		W
D.	Union contracts and grievance, mediation and arbitration records	50 years		N/A
E.	Individual employee personnel files	8 years after end of service		W
F.	Accident reports, non-workers compensation	8 years after end of service		W
G.	Directives and policies	7 years after being updated or terminated		W
H.	Employee exposure and medical records	Duration of employment plus 30 years	29 CFR §1910.1020	N/A
I.	Workers compensation record	12 years from the date of injury or death or last payment of compensation.	§102.17(4)	W
J.	Employment eligibility form I-9	1 year after termination, or 3 years after date of filing, whichever is later.		W

	<u>RECORD</u>	<u>RETENTION</u>	<u>AUTHORITY</u>	<u>WAIVER</u>
K.	Hearing related records (Ord. 161-17, Sec. 14, Ord. 159-13, Sec. 3, 2015; Ord. 151-43, Sec. 1, 2008; Ord. 151-23, Sec. 1, 2007; Ord. 151-10, Sec. 11, 2007; Ord. 145-76, Sec. 7, 2001; Ord.140-48, 1996; Ord.139-42; Ord.139-16, Sec.2, 1995; Ord. 137-99; 1994; Ord. 136-12, Secs.2-6, 1992; Ord. 135-02 Sec.1, 1991; Ord. 132-62 Sec.1, 1988).	12 years after end of service		W

2.90.190 Planning & Development

	<u>RECORD</u>	<u>RETENTION</u>	<u>AUTHORITY</u>	<u>WAIVER</u>
A.	Plats	Permanent		N/A
B.	Certified surveys	Permanent		N/A
C.	Assessors plats	Permanent		N/A
D.	Aerial photographs	Until superseded		N
E.	Final real property assessment rolls	15 years "No assessment roll containing forest crop acreage may be destroyed without prior approval of the secretary of revenue."	§59.52(4)(c)3.	W
F.	Permit application	Permanent		N/A
G.	Code compliance inspection reports	Permanent		N/A
H.	State approved commercial building plans	4 years		W
I.	Permit ledger	3 years		W
J.	Quarter section maps, copies	Until superseded		W
K.	Decisions & supporting documents of Bd. of Land Use Appeals	Permanent		N/A
L.	Hazardous waste manifests	Permanent		N/A
M.	Hazardous waste recycling Surveys	7 years	§NR 544.07	W
N.	Copies of notices to assessors Re lands sold & owned by county	3 years	§59.52(4)(a)13.	W

	<u>RECORD</u>	<u>RETENTION</u>	<u>AUTHORITY</u>	<u>WAIVER</u>
O.	U.S. Geological survey Maps received		Until next set of maps received	W
P.	Town plats (Ord. 160-4, Sec. 4, 2016; Ord. 159-13, Sec. 2, 2015; Ord. 157-46, Sec. 5; Ord. 146-03, Sec. 4, 2002; Ord.141-03, Sec.1, 1997; Ord. 137-99, 1994; Ord. 135-02 Sec.1, 1991; Ord. 132-100 Sec.24, 1989; 132-62 Sec.1, 1988)	3 years		W

2.90.200 Purchasing.

	<u>RECORD</u>	<u>RETENTION</u>	<u>AUTHORITY</u>	<u>WAIVER</u>
A.	Fleet car usage, purchase requisitions	1 year after audit		W
B.	Purchase orders	7 years		W
C.	Bids & proposals, successful and contract Administration	7 years after contract expiration		W
D.	Bids & proposals, unsuccessful	1 year after audit		W
E.	Property inventory	Until superseded		W
F.	Public works contracts			W
1.	Notice to contractors			
a.	Successful bidders	7 years		
b.	Unsuccessful bidders	2 years		
2.	Bidder's proof of responsibility			
a.	Successful bidders	7 years		
b.	Unsuccessful bidders	2 years		
3.	Bids			
a.	Successful bidders	7 years after project completion		
b.	Unsuccessful bidders	2 years		
4.	Affidavit of organization & authority			
a.	Successful bidders	7 years after project completion		
b.	Unsuccessful bidders	2 years		
5.	Bid tabulations	7 years		
6.	Performance bond	7 years after project completion		
7.	Contract	7 years after project completion		
8.	Master project files	20 years		

	<u>RECORD</u>	<u>RETENTION</u>	<u>AUTHORITY</u>	<u>WAIVER</u>
G.	Procurement records for contracts funded in whole or part by assistance from a federal agency.	3 years from closeout date of assistance agreement or final disposition of controversy arising out of assistance agreement.		W
H.	Insurance			
	1. Insurance Policies	Permanent		W
	2. Claims data/loss run			
	a. monthly	7 years		
	b. annually	Permanent		
	c. reports	7 years		
	3. Claims received and submitted	7 years after settlement		
I.	Official Bonds (Ord. 160-4, Sec. 5, 2016; Ord. 145-76, Secs. 8&9, 2001; Ord. 139-11, Sec. 1, 1995; Ord. 136-40, Sec. 10, 1992; Ord. 135-02 Sec.1, 1991; Ord. 132-62 Sec.1, 1988).	6 years	§59.52(4)(a)8.	W

2.90.210 Register of Deeds.

	<u>RECORD</u>	<u>RETENTION</u>	<u>AUTHORITY</u>	<u>WAIVER</u>
A.	Obsolete documents pertaining to chattels, including final books of entry	6 years	§ 59.43(12)(a)	W
B.	Deeds	Permanent or listing of when & where recorded		N/A
C.	Applications for copies of vital records. (Ord. 161-17, Sec. 15, 2017; Ord. 149-61, Sec. 1 2006; Ord. 145-76, Sec. 10, 2001; Ord.141-03, Sec.1, 1997; Ord. 135-02 Sec.1, 1991; Ord. 132-62 Sec.1, 1988).	2 years		W

2.90.220 Sheriff.

Process Division

	<u>RECORD</u>	<u>RETENTION</u>	<u>AUTHORITY</u>	<u>WAIVER</u>
A.	Attorney letters	7 years		W
B.	Form 50's	7 years		W
C.	Transport records	7 years		W
D.	Proof of service	7 years		W

	<u>RECORD</u>	<u>RETENTION</u>	<u>AUTHORITY</u>	<u>WAIVER</u>
E.	Correspondence instructing civil process service	7 years		W
F.	Process receipt print-outs	7 years		W
G.	Process deposit receipts	7 years		W

Jail Division

	<u>RECORD</u>	<u>RETENTION</u>	<u>AUTHORITY</u>	<u>WAIVER</u>
H.	Dockets & daily jail records & cash books	8 years	§59.27(8)	N-except cash books
I.	Check book	7 years		W
J.	Ledger sheets	7 years		W
K.	Accounts work sheets	7 years		W
L.	Meal books	7 years		W
M.	Canteen sheets	7 years		W
N.	Visit log	7 years		W
O.	Menus	7 years		W
P.	Jail billing	8 years	§59.27(8)	W
Q.	Bond receipts	8 years	§59.27(8)	W
R.	Daily bond	8 years	§59.27(8)	W
S.	Inmate files: Disciplinary forms Huber revocation forms Employer information forms Employer job search Verification sheets Court orders	8 years after release of inmate	§59.27(8) DOC 348.09(1) DOC 348.09(3)	W
T.	Daily work location forms	8 years	§59.27(8)	W

	<u>RECORD</u>	<u>RETENTION</u>	<u>AUTHORITY</u>	<u>WAIVER</u>
U.	Inmate daily activity log forms	8 years	§59.27(8)	W
V.	Exercise logs	8 years	§59.27(8)	W
W.	Phone logs	8 years	§59.27(8)	W
X.	Huber rules forms	8 years	§59.27(8)	W
Y.	Jailer logs	8 years	§59.27(8)	W
Z.	Daily cell block check sheets	8 years	§59.27(8)	W
AA.	Medical records	8 years	§59.27(8) DOC 348.09(2)	W
BB.	Booking sheets	15 years		W

Detective Division

	<u>RECORD</u>	<u>RETENTION</u>	<u>AUTHORITY</u>	<u>WAIVER</u>
CC.	Ordinance violation citations	2 years	2.90.010 Q.	W
DD.	Arrest records	8 years	§59.27(8)	W
EE.	Incident records	10 years	§59.27(8)	W
FF.	Evidence cards	10 years	§59.27(8)	W

Patrol Division

	<u>RECORD</u>	<u>RETENTION</u>	<u>AUTHORITY</u>	<u>WAIVER</u>
GG.	Uniform traffic citations	1 year after closed, disposed or cancelled		W
HH.	Work schedules	7 years		W
II.	Wisconsin accident reports	5 years after investigation closed.		W
JJ.	Traffic fatalities	Permanent		W

	<u>RECORD</u>	<u>RETENTION</u>	<u>AUTHORITY</u>	<u>WAIVER</u>
KK.	Death investigations	Permanent		W
LL.	Monitoring and Surveillance Recordings	Monitoring and surveillance recordings that document incidents that may lead to claims against the government unit. Retain for 120 days and then destroy	FAC00082 Wis. Stat. 893.80	W

(Ord. 157-46, Sec. 6, 2014; Ord. 154-22, Sec. 1, 2011; Ord. 149-060, Sec. 1, 2006; Ord. 149-035, Sec. 1, 2005; Ord. 146-03, Sec. 5-6, 2002; Ord. 145-76, Sec. 11, 2001; Ord.141-03, Sec.1, 1997; Ord.140-05, 1996; Ord.139-120, 1996; Ord. 135-63, Sec. 1, 1991).

2.90.240 Treasurer

	<u>RECORD</u>	<u>RETENTION</u>	<u>AUTHORITY</u>	<u>WAIVER</u>
A.	General receipts and settlement receipts	7 years	§59.52(4)(a)15	W
B.	Municipal tax rolls (See also "Planning & Development")	15 years	§59.52(4)(c)2.	N
C.	Balancing reports	3 years		W
D.	Audit letters	3 years		W
E.	Accounts payable/detail listing/check register (copies)	3 years		W
F.	Journal entries, resolutions, general receipts, treasurer's cash	3 years		W
G.	Bank reconciliations	7 years		W
H.	Outstanding checks	7 years		W
I.	Check register	7 years		W
J.	Deposit tickets	1 year after audit		W
K.	Bank credit/debit notices	1 year after audit		W
L.	Cash drawer reconciliations	1 year after audit		W
M.	Tax receipts	15 years	§59.52(4)(a)14.	W



- N. All other receipts of county treasurer 7 years §59.52(4)(a)15. W
- O. Mill rates from towns 2 years W  
(Ord. 160-4, Sec. 6, 2016; Ord. 145-76, Sec. 12, 2001; Ord.142-31, Sec.2, 1998; Ord.141-03, Sec.1, 1997; Ord. 136-12, Sec.7-8, 1992; Ord. 135-02 Sec.1, 1991; Ord. 132-100 Sec.25, 1989; 132-62 Sec.1, 1988).

2.90.250 Veteran Services.

	<u>RECORD</u>	<u>RETENTION</u>	<u>AUTHORITY</u>	<u>WAIVER</u>
A.	Regulations	Until superseded		W
B.	Military separation records of veterans	Permanent		N/A
C.	News releases	2 years		W
D.	Grave registration files	Permanent		N
E.	Veterans' benefit case files	2 years after inactive		N
F.	Wisconsin Department of Veterans' Affairs bulletins (Ord. 159-35, Sec. 7, 2016; Ord. 145-76, Sec. 13, 2001; Ord. 135-89, 1992; Ord. 135-02 Sec.1, 1991; Ord. 132-62 Sec.1, 1988).	Until superseded		W

2.90.270 Destruction after request for inspection. No requested record may be destroyed until after the request is granted or 60 days after the request is denied or 90 days if the requester is committed or incarcerated. If an action is commenced under Wis. Stat. §19.37, the requested record may not be destroyed until a court order is issued and all appeals have been completed. See Wis. Stat. § 19.35(5). (Ord. 162-32, Sec. 1, 2019; Ord. 132-62 Sec.1, 1988).

2.90.280 Destruction pending litigation. No record subject to pending litigation shall be destroyed until the litigation has been resolved or a court ordered request for inspection or copying is granted. (Ord. 162-32, Sec. 2, 2019; Ord. 132-62 Sec.1, 1988).

2.90.285 Microfilming or Electronic Format Storage of Department Records.

Departments may keep and preserve public records through the use of microfilm or another reproductive device, optical imaging or electronic format storage providing that the applicable standards established in Wis. Stat. §§ 16.61(7) and 16.612. respectively are met. Departments should consider factors such as retention periods and estimated costs and benefits of converting records between different media in deciding which records to microfilm or store on electronic format. After verification paper records converted to either microfilm or electronic format storage should be destroyed after notification to the SHSW if applicable. The retention periods identified in this ordinance apply to records in any media. (Ord. 162-32, Sec. 3, 2019; Ord. 146-03, Sec. 7, 2002; Ord. 135-63, Sec. 2, 1991).

2.90.290 Review and approval by Public Records and Forms Board. This chapter has been reviewed and approved by the Public Records and Forms Board. (Ord.132-62 Sec.1, 1988).

(Ord. 155-11, Sec. 6, 2011-Repealing Ch. 2.99)

Chapter 2.95

LIVING WAGE

Sections:

<u>2.95.001</u>	Policy.
<u>2.95.005</u>	Definitions.
<u>2.95.010</u>	Standards Requirement
<u>2.95.020</u>	Contracting Requirements.
<u>2.95.030</u>	Maintenance and Monitoring of Records.
<u>2.95.040</u>	Severability and Savings.
<u>2.95.050</u>	Waiver by County Board/Rights of Enforcement

2.95.001 Policy. It shall be the policy of the County that certain contractors, subcontractors, lessees and recipients of economic development financial assistance doing business with the County shall be subject to the requirements of this chapter. This living wage ordinance shall apply to all contractors, subcontractors, and recipients of economic development financial assistance as defined herein party to an agreement covered under this chapter with any County unit, division, office, department, or sub-unit thereof, and County quasi-public entity including:

- A. A service contract as defined in 2.95.005 A. or an agreement to provide personal care and supportive home care to persons with disabilities or the frail elderly provided by agencies that exclusively contract with the County, involving an amount greater than or equal to \$30,000; and,
- B. A lease agreement involving the County funding or a public asset involving an amount greater than or equal to \$30,000; and
- C. A concession agreement involving an amount greater than or equal to \$30,000; and,
- D. Economic development financial assistance involving an amount of financial assistance from the County greater than or equal to \$1,000,000. (Ord. 160-8, Sec. 1, 2017)

2.95.005 Definitions. For all agreements covered under this chapter, the following definitions shall apply:

- A. Service contract means an agreement between the County or related entity and another party that provides a set of services, primarily related to staff services including, but not limited to, housekeeping, security, landscaping, maintenance, clerical services, food services, and other non-professional services, as well as personal care, or supportive home care provided to persons with disabilities or the frail elderly by a preferred provider.

1. Service contracts do not include:
  - a. Purchase of goods or commodities or its delivery.
  - b. Equipment lease and maintenance.
  - c. Professional services contracts.
  - d. Contracts with any school district, municipality, or any other governmental unit.
  - e. Contracts in which State or Federal funder has a prevailing wage requirement.
  - f. Child alternate care contracts.
  - g. Child contracts that are administered through the State TPA (Third Party Administrator).

B. Concession agreement means an agreement between the County or related entity and another party to allow the organization the exclusive or semi-exclusive right to operate a particular enterprise usually making use of some resource of the County or related entity requiring payment to the County or related entity fees, rent, or percentage of revenues derived from the particular enterprise.

C. Lease means an agreement between the County or related entity as lessor and another party as lessee to provide exclusive use of real property, a particular asset or resource in exchange for rental payments or a fee, and which involves financial assistance consistent with Wis. Stat. Ch. 104.001(3). The following leases are exempted:

1. Cultural institutions: Leases with institutions including the Friends of Beaver Creek Reserve and any other cultural organization that receives contributions from the County.
2. Nonprofit: Leases with nonprofit corporations, unless the nonprofit corporation passes through to a for-profit entity an amount greater than or equal to \$1,000,000, in which case the for-profit entity shall be subject to this chapter as a subcontractor as in 2.95.010 A.2.
3. Other local units of government: Leases with any school district, municipality or any other governmental or quasigovernmental unit.

D. Economic development financial assistance means any form of assistance, consistent with Wis. Stat. Ch. 104.001(3), of an amount greater than or equal to \$1,000,000, provided to a recipient directly by the County in the form of loan rates below those commercially available, loan forgiveness or guarantees, bond financing or forgiveness, sales or leases of land or real property or other assets for an amount below fair market value, or grants of land or real property, or other valuable consideration, or any other assets provided to develop real property, to foster economic development or to create or retain jobs or for other similar purposes which inure to the benefit of the recipient. The following are exempted:

1. Nonprofit corporations: Economic development financial assistance provided to nonprofit corporations, unless the nonprofit corporation passes through to a for-profit entity an amount greater than or equal to \$1,000,000, in which case the for-profit entity shall be subject to this chapter as a subcontractor as in 2.95.010 A.2.
2. Cultural institutions: Economic development financial assistance to the Friends of Beaver Creek Reserve, any other cultural organization that receives contributions from County.

3. Other units of government: Economic development financial assistance provided to any school district, municipality or any other governmental or quasi-governmental unit.

E. Living wage means a minimum hourly wage rate equal to the following percentage levels of the poverty income level set forth annually by the U.S. Department of Health and Human Services for a family of four (4), divided by 2,080 hours:

1. 100%, as of January 1, 2017
2. 103.75%, as of January 1, 2018
3. 107.5%, as of January 1, 2019
4. 111.25%, as of January 1, 2020
5. 115%, as of January 1, 2021

F. Contractor means a person or an entity that has a service contract, lease, or concession agreement with the County covered under this chapter.

G. Subcontractor means a person or an entity:

1. Having an agreement or arrangement with a contractor to furnish a service for the benefit of the County that would be covered under this chapter; or,
2. Having an agreement or arrangement with a contractor to operate on a property that is subject to a lease or concession agreement with the County that would be covered under this chapter; or,
3. Purchasing or leasing from a recipient of economic development financial assistance; or, managing or operating an enterprise employing people on the premises of property developed or improved as a result of financial assistance.

H. Recipient means a person or entity receiving economic development financial assistance as defined in 2.95.005 D. but does not include a person or entity indirectly benefiting from incidental effects of County policies, regulations or ordinances.

I. Professional services shall typically include services customarily rendered by architects, engineers, surveyors, real estate appraisers, certified public accountants, attorneys, financial personnel, medical services, system planning, management, and other consultants. (Ord. 160-8, Sec. 1, 2017)

#### 2.95.010 Standards Requirement.

A. All employees performing part- or full-time work for a contractor, subcontractor, lessee or recipient of economic development financial assistance covered under this chapter and all direct employees of the County, shall be paid the Living Wage rate defined in 2.95.005 E., except as provided in paragraph 3. of this section.

1. Tipped employees, employees paid on commission, or employees whose compensation consists of more than hourly wages shall be paid an hourly wage, when coupled with the other compensation, that will at least equal the minimum wage rate.

2. Contractors and subcontractors as defined in 2.95.005 G. 1. and 2. shall be subject to the requirements of this chapter for the duration of the agreement with the County. Employees of contractors and subcontractors shall be covered under the requirements of this chapter for the hours worked in performance of covered agreements.

3. Recipients of economic development financial assistance and subcontractors as defined herein shall be subject to the requirements of this chapter for a period equal to one year for every \$100,000 provided in economic development financial assistance, rounded to the nearest whole year; and employees of such recipients and subcontractors shall be covered under the requirements of this chapter for work performed on the premises of a project benefiting from financial assistance.

4. The living wage rate requirement will be updated annually on the last business day of September.

B. Excluded employees:

1. The provisions in this chapter shall exclude:
  - a. Student learners as defined by Wis. Stat. Ch. 104.01(7); and,
  - b. Employees of sheltered workshops as defined by Wis. Stat. Ch. 104.01 (6); and,
  - c. Employees under the age of 18; and,
  - d. Employees not performing work under a County service contract, concession, or lease; and,
  - e. Employees not working in a financially assisted economic development project; and,
  - f. Interns; and,
  - g. Volunteers receiving stipends; and
  - h. Any other category of employee excluded under Wis. Stat. Ch. 104.
    - i. Employees of a contractor, subcontractor, concessionaire or recipient of economic development financial assistance otherwise covered under this chapter where the employer otherwise subject to the provisions of this chapter employs no more than 20 employees and where the employer otherwise subject to the provisions of this chapter is not an affiliate or subsidiary of another business entity dominant in its field of operation.
    - j. Employees of a member who receives personal care and supportive home care through a self-directed service program model in the County.
2. The requirements of this section may be modified or waived as regards employees who are covered by a collective bargaining agreement between the employer and a bona fide union, where the parties to such collective bargaining agreement expressly specify their intent in the agreement. (Ord. 160-8, Sec. 1, 2017)

2.95.020 Contracting Requirements.

A. Department heads or their designee shall include requirements for compliance with this chapter in:

1. Every bid, request for proposal, or request for qualifications for services, leases, concessions or economic development financial assistance covered under this chapter,
2. All new service, lease, and concession agreements, and all new agreements involving financial assistance; and,
3. All renewals or amendments of agreements for services, leases, concessions, or economic development financial assistance covered under this chapter after the effective date of this ordinance.

B. Contractors, subcontractors, and recipients of economic development financial assistance must submit to the department a notarized affidavit certifying that they will comply with the requirements of this chapter prior to contract or subcontract award or receipt of any financial assistance.

C. Contractors, subcontractors and recipients of economic development financial assistance shall not use the requirements of this chapter to reduce the wages of employees.

D. County reserves the right to inspect and audit any payroll records of any contractor or subcontractor or recipient of economic development financial assistance for which this chapter applies, for any reason and at any time. (Ord. 160-8, Sec. 1, 2017)

2.95.030 Maintenance and Monitoring of Records. The Purchasing Department will maintain all records required by this chapter. The Purchasing Department will:

A. Retain a log of all contracts, noting which contracts are covered by this chapter.

B. Retain notarized affidavits from all contractors subject to the provisions of this chapter that they understand and will comply with its provisions.

C. Retain a one-page document, filled out annually by all contractors subject to the provisions of this chapter, asserting that they remain in compliance with the provisions of this chapter and providing the required wage range information. (Ord. 160-8, Sec. 1, 2017)

2.95.040 Severability and Savings. If any provision of this chapter or application thereof is judged invalid, the invalidity shall not affect other provisions or application of the chapter which can be given effect without the invalid provisions or application, and to this end the provisions of this chapter are declared severable. (Ord. 160-8, Sec. 1, 2017)

2.95.050 Waiver by County Board/Rights of Enforcement. The County recognizes that from time to time it may be in the County's best interest to enter into contracts, leases or other agreements, including agreements involving financial assistance, which have been negotiated, bid for, or otherwise entered into in a manner which is not in strict conformity with the terms of this ordinance. Upon adoption or ratification of any such contract, lease or other agreement by the county board, any such nonconformity shall be deemed to have been waived by the County. This ordinance shall not be construed to create any right or rights of enforcement in any person seeking to do business with the County and compliance with the terms of the ordinance shall rest solely with County. (Ord. 160-8, Sec. 1, 2017)