

**WAUPACA COUNTY BOARD OF SUPERVISORS
ADJOURNED ORGANIZATIONAL SESSION
June 16, 2009**

County Board members attended the annual County Board Tour. The Board toured the Sturgeon Trail, Wolf River Lumber site relocation, bus tour of City of New London highlighting Master Gardeners Children's Garden and Riverfront Development – Hometown Program, and attended the Washington Center Senior and Community Resource Fair.

Chair Koeppen called the meeting to order at 1:00 p.m. with 24 members present.

Present: Suprs. Barrington, Boyer, Brown, Craig, Fleese, Flink, Hagen, Handrich, Hillskotter, Johnson, Jonely, Koeppen, Kussmann, Loughrin, Lloyd Mares, Martin Mares, Gerald Murphy, Terry Murphy, Penney, Peterson, Sasse, Sorensen, Sperl, Trambauer. Suprs. Aasen, Ellis and Allen were excused.

Chair Koeppen made the open meeting statement that this meeting and all other meetings of this board are open to the public. Proper notice has been posted and given to the press, in accordance with Wisconsin Statutes so the citizenry may be aware of the time, place and agenda of this meeting.

A moment of silent meditation was observed followed by the Pledge of Allegiance.

Supr. Handrich moved and Supr. Sperl seconded the motion to approve the agenda. Motion carried 24-0. Passed the 16th day of June, 2009.

Supr. Kussmann moved and Supr. L. Mares seconded the motion to approve the minutes of the May 19, 2009 meeting. Motion carried 24-0. Passed the 16th day of June, 2009.

Supr. Ellis arrived at 1:10 p.m.

**AMENDMENTS TO WAUPACA COUNTY CODE OF ORDINANCES
CHAPTER 3, PERSONNEL POLICIES & PROCEDURES**

**AMEND CHAPTER 3, SECTION 8 –
HOURS OF WORK & CONDITIONS OF EMPLOYMENT**

8.01 HOURS OF WORK. The normal work week for regular full-time Waupaca County employees shall consist of 40 hours of work unless specified by bargaining agreement. Actual hours to be worked will vary by department in compliance with departmental policy.

- a) Changes to approved work week. Any changes to an employee's designated work day or work week requires prior approval of the employee's supervisor and/or department head.

- b) Flex Time. The periodic adjustment of the work schedule to accommodate the operations of Waupaca County, or for the **infrequent** adjustment to allow employees to accommodate personal obligations is considered flex time. Allowing flex time is at the sole discretion of the Department Head and/or supervisor. Flex time must be used within the workweek and requires prior approval of the supervisor.
- c) Overtime. Non-exempt regular full-time employees shall be compensated at time and one half (1 ½) for hours worked in excess of 40 hours per week or as designated by the bargaining agreement. Failure to work scheduled overtime, or overtime worked without prior authorization, may result in disciplinary action, up to an including discharge.
- d) Compensatory Time. Non-exempt employees who earn overtime may receive either pay or compensatory time off. Compensatory time must be approved prior to earning or use. Compensatory time balances shall not exceed two weeks. Any compensatory time not utilized by the end of the calendar year will be paid out.
- e) Daylight savings time. Employees who are required to work during the change of Daylight Savings Time shall be paid for the hours actually worked.
- f) Exempt employees. Department Heads, managers, and certain other designated employees meet the exempt requirements of the FLSA and are compensated on a salary basis specifically intended to compensate them for their service to Waupaca County. Exempt employees are expected to work a normal full-time workweek and to be available for meetings and events outside of normal hours, as well as, for circumstances that require additional working hours. In return for their service exempt employees may take time off when the workload of their department permits. It is not the intent of this provision for time off to be on an hour for hour basis or to be accumulated for periods of time off.

8.02 PAY PERIOD. Waupaca County is on a bi-weekly payroll system. Each pay period is two weeks long and begins on a Sunday and ends on a Saturday. Employees are paid on the Friday following the last Saturday of the pay period.

- a) Direct deposit. Waupaca County payroll will require mandatory direct deposit. Employees are required to complete a direct deposit enrollment form upon hire and keep the same up-to-date with changes. Direct deposit statements may be distributed after 3:00 p.m. on the day before payday.
- b) Garnishment deductions. The law requires Waupaca County to make deductions from employee paychecks for various garnishments, including child support. The County charges \$3.00 per garnishment as a processing fee. Waupaca County is not required to inform employees before deducting such garnishment processing fees from the employee's payroll.

- c) Other payroll deductions. Waupaca County makes payroll deductions for employee benefits, voluntary benefits, deferred compensation, and approved credit union deductions upon receipt of written authorization.

8.03 TIME RECORDS. Accurately recording time worked is the responsibility of every employee. Employees are to record on their time record, or time clock, the time they begin work and record when they have completed work. Accurate time reporting is also required by the Fair Labor Standards Act. It is also the employees' responsibility to sign their time records to certify the accuracy of all time recorded. It is the Supervisor and/or Department Head's responsibility to review and then sign the time record before submitting it for payroll processing. Employees should accurately record their time in the proper time record format designated by their department. Failure to record the work, as well as, altering, falsifying, tampering with time records, or recording of time on another employee's time record may result in disciplinary action, up to and including termination of employment, and may be subject to criminal penalty. Waupaca County reserves the right to monitor employees working hours for the purposes of verifying the accuracy of time reporting. Various methods of monitoring may include, but are not limited to visual observation, review of ID badge access activity, county computer records, county telephone logs and billings, GPS tracking.

8.04 LUNCH PERIODS AND BREAKS. Lunch periods and break times are to be arranged between employee and the supervisor and/or department head. Since most County offices remain open continually on normal work days, it is the department head's responsibility to assure that lunch periods and breaks are scheduled so that adequate staff coverage is provided at all times.

- a) Lunch Periods. Lunch periods are normally scheduled midway in the employee's regular scheduled workday if it exceeds 6 hours. Unless otherwise specified by bargaining agreement, lunch periods shall be determined by the department head or supervisor and shall not be longer than 45 minutes.
- b) Breaks. Each employee shall be entitled to a paid break of fifteen (15) minutes in each half of the normal workday as scheduled by the Department Head or supervisor. Employees working less than six hours in a normal workday shall receive prorated break period(s). Breaks not taken are lost. Breaks cannot be accumulated or used to extend lunch periods or to shorten the workday.

8.05 INCLEMENT WEATHER. Inclement weather may make it impossible for employees to come to work, or it may require employees to leave work before the end of normal office hours. Employees may request that this time off be charged to unused vacation, leave without pay, or choose to "flex" the lost time within the week of the incident with the Department Head's approval. Employees of the Highway Department, Sheriff's Department, Lakeview Manor, and Office of Emergency Government will be required to report to work when scheduled or called-in to provide public safety services and resident care regardless of weather conditions.

8.06 TRAVEL. The County shall reimburse employees for actual necessary and reasonable itemized travel costs incurred while on official authorized County business. Commuting expenses between an employee's residence and his/her normal place of employment are not reimbursable. All travel must be authorized by the Department Head and/or committee of jurisdiction in order to be eligible for reimbursement. All requests for reimbursement are to be submitted routinely and shall not to be accumulated for reimbursement.

a) Mileage reimbursement. Employees authorized to drive for Waupaca County business shall hold a valid driver's license. Loss of driver's license and/or automobile insurance must be immediately reported to the Department Head and Personnel Department. Employees shall receive mileage reimbursement at the current **IRS Rate** per mile for all authorized travel in their personal automobile. Employees shall be required to complete a mileage reimbursement expense report before reimbursement will be made. Mileage reimbursement will only be made to those employees who have filed proof of insurance in the form of a certificate of insurance, or a copy of the declarations page indicating the amounts of coverage for liability and an expiration date with the Personnel Department for vehicles used while on County business. Per the Wisconsin County Mutual Insurance Corporation personal automobile insurance shall be in the amount of:

- \$100,000 per person
- \$300,000 per accident Bodily Injury
- \$50,000 per accident Property Damage
- \$100,000 Combined Single Limit

Due to the financial responsibility of the County over and above these amounts, employees who utilize their personal vehicle for county purposes are required to have this coverage as a minimum amount whether or not mileage reimbursement is requested.

b) Traffic laws and regulations. Drivers and passengers are required to obey all traffic laws and regulations while traveling on county business, including the use of seatbelts.

c) Meals. Meals are allowed when employees are on County business out of Waupaca County. Itemized receipts must accompany properly completed and signed forms in order to receive reimbursement up to amounts set by the Waupaca County Board. Expense limits are set by County Board resolution; however it is not the intent that employees should always spend the maximum allowed. No reimbursement shall be made for the cost of alcoholic beverages. No reimbursement will be made for the cost of meals/beverages for anyone other than county employees. Meals may be allowed in Waupaca County in special circumstances (training session, outing with clients, etc.), provided the supervisor approves of the meal. **Procurement cards may not be used to purchase meals without prior approval of the Finance Director.** *FORM – Mileage & Meal Reimbursement Expense Report*

- d) Parking. Reasonable and necessary parking fees will be reimbursed when an employee is required to travel. Receipts are required for reimbursement.
- e) Air travel and auto rental. The most economical means of transportation shall be used in all situations necessitating travel on county business. When specialized training or conferences require the use of air travel, airline tickets shall be purchased at the coach rate and purchased far enough in advance to achieve the lowest possible rates. Where travel necessitates the use of auto rental the most cost effective rental shall be selected.

8.07 EMPLOYMENT IN ADDITION TO THE COUNTY POSITION.

- a) Waupaca County Code of Ethics. All employees and elected officials of the county are expected to abide by Chapter 2.05 of the Waupaca County General Code of Ordinances regarding Waupaca County Code of Ethics.
- b) Outside employment. Employment with Waupaca County, unless the position is specifically advertised as part-time, is considered full time. Responsibility and compensation is awarded accordingly; therefore, a Waupaca County employee is allowed to hold employment outside of County employment, only if it does not distract, discredit or interfere with his/her responsibilities and functions at the County. Employees who have other employment must report such employment to their department head, as well as, the Personnel Department.
- c) Outside Interests. Employees may serve on non-work related boards, committees and commissions, provided they take vacation or a leave without pay to participate during work hours.

8.08 DRESS, GROOMING AND PERSONAL HYGIENE. While representing Waupaca County all employees are to dress and be groomed appropriately for the job in accordance with the department requirements and health and safety standards. Employee clothes or uniforms shall be neat and clean at all times. In the event of any question regarding the appropriateness of any particular style of clothing, grooming, or personal hygiene the Department Head shall make the final decision.

8.09 PUBLIC RELATIONS. It is the responsibility of all employees to courteously and professionally deal with all members of the public. As a governmental agency Waupaca County entrusts its employees to foster trust, support and goodwill in its citizens through responsible actions and favorable public relations. Any actions or demeanor which demonstrates unprofessional or discourteous behavior towards the public will be grounds for disciplinary action.

8.10 CONFIDENTIALITY. Confidentiality refers to the protection of information that is intended to be private. Since most County departments exist solely for the purpose of serving the public, Waupaca County expects its employees to maintain the highest standards of confidentiality to ensure the best possible service to the public. Specific

questions regarding the confidential nature of information should be directed to the Department Head and/or Corporation Counsel when necessary.

- 8.11 RESIDENCY.** The County does require county residency as a condition of employment for employees of the Sheriff's Department (excluding corrections, telecommunicators and office staff); the Office of Emergency Government and the Highway Department (excluding office and engineering staff). Employees not listed above are exempted from the residency requirement.

**AMEND CHAPTER 3, SECTION 14 –
DRUG AND ALCOHOL FREE WORKPLACE POLICY**

- 14.01 POLICY.** It is the policy of Waupaca County to provide an alcohol and drug-free workplace for all of its employees. "Workplace" includes any place where a person is functioning as a County employee. The County requires that employees neither use, possess, manufacture, sell, exchange, nor be under the influence of drugs, intoxicants, alcohol, narcotics or any other controlled substance(s) and that a zero tolerance standard shall prevail in the workplace. This policy, however, does not prohibit an employee from ingesting a legally obtained prescription drug that was legally issued to said employee. Because prescription medication can also affect an individual's demeanor and job performance, it is the employee's responsibility to notify their immediate supervisor if he/she is taking legal prescription drugs that may affect their ability to perform the duties of their position. Such prescription drugs must be given under medical supervision and may not interfere with the performance of job duties. Any employee violating this policy is subject to discipline, up to and including discharge.
- 14.02 REPORTING OF DRUG CONVICTION.** Any employee convicted of violating a Wisconsin or Federal Criminal Drug Statute in the workplace must inform the County of such conviction within five (5) days of the conviction occurring. Failure to inform the County subjects the employee to disciplinary action. When the federal government requires a County to notify the federal contracting office of an employee's drug conviction in a workplace, the County will provide such notification to the federal contracting office within ten (10) days of receiving such notice of conviction from an employee or otherwise receiving notice of such conviction.
- 14.03 EMPLOYEES SUBJECT TO D.O.T. REGULATIONS.** It is the intent of Waupaca County to comply fully with the U.S. Department of Transportation (DOT) regulations governing the use of drugs and alcohol by certified motor vehicle drivers; therefore, certified drivers shall in addition be subject to the Waupaca County DOT Substance Abuse Policy.
- 14.03 PREVENTION AND REHABILITATION.** The goals of this policy are prevention and rehabilitation whenever possible. The County provides access to drug and alcohol counseling, rehabilitation and the Employee Assistance Program for all of its regular employees. The County's group health insurance provides benefits for rehabilitation services, and the County treats drug and alcohol addiction the same as other illnesses and

provides for a leave of absence if required by the Family and Medical Leave Act for treatment of drug-related or alcohol-related illnesses. The County also recognizes drug and alcohol abuse as a potential health and safety problem. Employees needing help in dealing with such problems are encouraged to use the Employee Assistance Program (EAP) and health insurance plans as appropriate. Conscientious efforts to seek such help will not jeopardize any employee's job; and contacts with the EAP, initiated only by the employee, will not be known nor noted in any personnel record.

14.04 RESPONSIBILITY OF THE COUNTY. Because drug and alcohol use can seriously jeopardize the health and safety of employees and the public, it is the responsibility of the County to attempt to maintain a drug-free and alcohol-free workplace at all times. The County will administer pre-employment drug and alcohol testing where appropriate; will conduct post-accident and reasonable suspicion testing as needed; conduct random and return-to-work drug and alcohol tests as required by federal law; and will provide training and education to inform employees of the dangers of drug and alcohol abuse in the workplace. To ensure a safe workplace it is the responsibility of all managers, supervisors, and employees to report incidents of reasonable suspicion to immediately to their supervisor, department head, or the Personnel Department. Failure to report such incidents is will be grounds for discipline. It is the responsibility of all County employees to abide by the terms of this policy as a condition of employment. Failure to comply with a request for post-accident, reasonable suspicion, random or return-to-work drug and alcohol testing will be grounds for discipline, up to and including termination.

AMEND CHAPTER 3, SECTION 20 – VOLUNTARY UNPAID LEAVE PROGRAM

1. Participation in the unpaid leave program is voluntary and without compensation. Voluntary unpaid leave is encouraged to be taken in full or half day increments. (Hourly paid employees may be granted voluntary unpaid leave in 15 minute increments.) Voluntary unpaid leave shall be limited to an annual maximum of thirty (30) days.
2. Requests to participate in the program will be reviewed on a case-by-case basis. A request for voluntary layoff may not be considered unless it has been submitted and approved by the department head at least two weeks in advance of the projected unpaid leave. Requests submitted with less than two weeks advance notice shall be considered at the sole discretion of the department head. Once a leave request has been approved it cannot be rescinded by the employee unless the department head approves.
3. Employee's available vacation, floating holiday, compensatory time does not have to be exhausted before participating in the program.
4. Approval of any voluntary unpaid leave shall be at the sole discretion of the department head subject to the provisions of this policy. Department heads shall insure that an approved voluntary unpaid leave will not result in overtime work for the employee upon return from layoff or overtime work for remaining staff during unpaid leave.

5. Accrual of vacation, holiday, floating holiday and sick leave benefits, as well as, the employee's seniority and full/or part-time status with the County shall not be reduced by any absence resulting from a voluntary unpaid leave approved pursuant to this policy. County contributions toward the cost of health and life insurance, and dental coverage where applicable, will also continue during any period of voluntary leave.
6. Employees who are approved to participate in the unpaid leave program will complete their time sheets/cards by indicating Voluntary Unpaid Leave for those hours they are taking off unpaid. Approved requests for voluntary unpaid leave are to be submitted with the employee's time sheet/card and forwarded to the Personnel Department on the prescribed form. Submittal of form is prerequisite for approval.
7. Probationary employees will have their probationary period extended by any period of time they are off in an unpaid status.
8. Questions regarding this policy or its interpretation should be directed to the County Personnel Office.
9. This policy will be reviewed on an as needed basis by the Finance and Personnel Committee to insure it best meets the needs of Waupaca County. ***FORM – Voluntary Unpaid Leave Request Form***

ATTEST:
/s/ Mary A. Robbins, Waupaca County Clerk

APPROVED AS TO FORM:
/s/ Jeffrey Siewert, Corporation Counsel

Supr. Craig moved and Supr. Brown seconded the motion to approve the amendments to Chapter 3, Personnel Policies and Procedures, of the Waupaca County Code of Ordinances. Motion carried 25-0. Passed the 16th day of June, 2009.

**AMEND CHAPTER 4 - FINANCE
OF THE WAUPACA COUNTY GENERAL CODE OF ORDINANCES
TO CREATE SEC. 4.11 PENALTY ON REAL ESTATE TAXES PAST DUE**

The County Board of Supervisors of the County of Waupaca does hereby enact the following:

Create the following Section 4.11 to read:

Section 4.11 Interest Rate and Penalty on Overdue or Delinquent Real Estate Taxes and Special Assessments.

There is hereby imposed a penalty of 0.5% interest per month or fraction of a month, in addition to the interest charged provided for by Wisconsin Statutes 2007-08, Section 74.42(2)(a)(b) on all overdue or delinquent real estate taxes and special assessments.

74.42(2)(a) PENALTY ALLOWED. (a) Any county board may by ordinance impose a penalty of up to 0.5% per month or fraction of a month, in addition to the interest under sub. (1) on any

delinquent general property taxes, special assessments, special charges and special taxes included in the tax roll.

74.42(2)(b) Any ordinance enacted under par. (a) may specify that the penalty under this subsection shall apply to any general property taxes, special assessments, special charges and special taxes that are delinquent on the effective date of the ordinance.

This amendment shall become effective July 1, 2009 after passage of the full County Board of Supervisors.

RECOMMENDED FOR INTRODUCTION BY WAUPACA COUNTY FINANCE & PERSONNEL COMMITTEE: /s/ James Loughrin, Gary Barrington, John F. Penney, Kay Hillskotter, Duane R. Brown, Patricia Craig, Dick Koeppen

ATTEST:
/s/ Mary A. Robbins, Waupaca County Clerk

APPROVED AS TO FORM:
/s/ Jeffrey Siewert, Corporation Counsel

Supr. Flink moved and Supr. Loughrin seconded the motion to adopt the amendment to Chapter 4 – Finance, of the Waupaca County Code of Ordinances. Motion carried 25-0. Passed the 16th day of June, 2009.

RESOLUTION NO. 12 (2009-2010)

SUBJECT: The Health and Human Services Board recommends the Department increase a .70 FTE Public Health Nurse to 1.0 FTE (36.25 Hours/Week) effective immediately.

WHEREAS, in 2000, with the expansion of the reproductive health clinic, a contract nurse was hired to work about 3 days per week, and hours were increased with the addition of preparedness funding; and,

WHEREAS, the Department has been contracting with an individual for Public Health Services since 2000, and that contracted individual was hired as Public Health Nurse Manager April 10, 2009, creating a void in public health services; and,

WHEREAS, the 2009 contract nurse position was budgeted for \$45,864, of which \$26,475 is funded with reproductive health dollars and \$19,389 is funded with public health preparedness dollars; and,

WHEREAS, increasing this PHN to full-time, all positions within public health nursing will be full time; and,

WHEREAS, the cost to increase the Public Health Nurse Position to full-time is less money than the cost of a contracted nurse.

NOW, THEREFORE, LET IT BE RESOLVED that the Waupaca County Board of Supervisors authorizes the Health and Human Services Department to increase a .70 FTE Public Health Nurse to 1.0 FTE (36.25 hours/week) and decrease Public Health Nurse contracting.

BE IT FURTHER RESOLVED that no new county dollars would be required to fund this position.

RECOMMENDED FOR INTRODUCTION BY WAUPACA COUNTY FINANCE & PERSONNEL COMMITTEE AND WAUPACA COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES BOARD: /s/ James Loughrin, Kay Hillskotter, John F. Penney, Gary Barrington, Dick Koeppen, Patricia Craig, Duane R. Brown, Elizabeth Tautges, Gerald M. Murphy, Donn L. Allen, Monica Sperl, Don Aasen, John Trambauer, Steve Goedderz

ATTEST:
/s/ Mary A. Robbins, Waupaca County Clerk

APPROVED AS TO FORM:
/s/ Jeffrey Siewert, Corporation Counsel

Supr. Barrington moved and Supr. Handrich seconded the motion to adopt Resolution No. 12 (2009-2010). Motion carried 25-0. Passed the 16th day of June, 2009.

APPOINTMENTS

Supr. G. Murphy moved and Supr. Brown seconded the motion to appoint Monica Sperl, DuWayne Federwitz, Mark Doornink, Marv Schneider, Bill Jonely, Wayne Eisentraut, Dale Zaug, Jack Bazile and Jim Hlaban to the Land & Water Conservation Easement Commission. Motion carried 25-0. Passed the 16th day of June, 2009.

ANNOUNCEMENTS AND CORRESPONDENCE

Chair Koeppen placed the following correspondence for June on file in the County Clerk's Office: Waupaca County Economic Development Corp. Monthly Report and Revolving Loan Fund Report.

Supr. G. Murphy commended everyone for the tour and asked for ideas for next year's tour.

Supr. Trambauer moved and Supr. Peterson seconded the motion to adjourn. Motion carried 25-0. Chair Koeppen declared the meeting adjourned at 1:15 p.m.

Mary A. Robbins
Waupaca County Clerk