

County adopts tax levy

By Alexa Zoellner azoellner@dailyunion.com | Posted: Tuesday, November 15, 2016 9:26 am

JEFFERSON — The Jefferson County Board of Supervisors on Monday adopted the 2017 budget and tax levy, the latter translating into a 3-cent drop in the tax rate.

In a fairly uncommon occurrence, no amendments were proposed and the budget was approved as originally presented.

The countywide tax levy was set at \$27,068,827, of which \$1,134,343 is debt. The proposed levy represents an increase over \$26,743,522 this year.

Not included in the tax levy are funds of \$838,207 for the Jefferson County Health Department and \$1,070,311 for the county library system. Including the noncountywide funds, the total tax levy is \$28,977,345.

The total levy is calculated by adding together estimated expenditures (\$72,138,040) and subtracting estimated revenues (\$38,867,672) and other finance sources (\$4,293,023).

With Jefferson County's equalized valuation of \$6,299,618,300, the levy calls for a countywide property tax rate of \$4.2969 per \$1,000 equalized valuation, translating into roughly a 3-cents-per-\$1,000 decrease from last year.

The 2017 budget will be available for public viewing on the county website, www.jeffersoncountywi.gov, under the government tab.

"It's a privilege to be part of such a high-performing organization," county board Chairman Jim Schroeder said. "These processes have been extremely difficult in many counties across Wisconsin and here, due to the leadership of our county administrator and the work of our Finance Committee, our department heads — everybody involved — working together to make things happen.

"The end result is a really modest tax decrease in the mill rate," he continued. "We're able to maintain central services and able to make investments in products that will help us be even more efficient and manage taxpayer dollars better going forward."

In other business, the board voted to amend language in the Historic Sites Preservation Commission and Program ordinance in order to allow the county to continue to be eligible for grant funds.

"(In the Oct. 25 county board meeting), this was referred back to the commission for reconsideration and, hopefully, negotiation of different wording for the ordinance," Supervisor Ed

Morse, the county board representative on the Historical Sites Preservation Commission, said. “We tried to do that and found we couldn’t really negotiate different wording. What’s proposed in the ordinance has to be there in order for us to be eligible for the grants.”

The official vote, which was taken after more than 40 minutes of debate, was 14-11-1.

Supervisors Richard Jones, Augie Tietz, Michael Wineke, Donald Reese, Ed Morse, Kirk Lund, Steven Nass, Laura Payne, Russell Kutz, Jennifer Hannemann, Gregg Patrick, Glen Borland, Dick Schultz and County Board Chairperson Jim Schroeder voted “yes.”

Voting “no” were Supervisors Mike Kelly, Greg David, James Braughler, Ron Buchanan, Dwayne Morris, Amy Rinard, Jim Mode, John Kannard, George Jaeckel, Matthew Foelker and Gary Kutz.

Supervisor Peter Hartz abstained.

Had the ordinance not passed, the Historic Sites Preservation Commission still would have been able to function in Jefferson County under the previous wording, but would not have been eligible for the grant.

The grant monies in question are from the Certified Local Government Program, which is administered federally by the National Park Service and is administered in Wisconsin by the Wisconsin Historical Society. The program recognizes local historic preservation commissions that enforce their local historic preservation ordinance.

To date, Jefferson County has received \$93,000 in Certified Local Government Program grants to conduct historic preservation projects in the county. The grants were nonmatching grants and were 100-percent reimbursable.

In order for the county to participate in the Certified Local Government Program, its ordinance must be consistent with Wisconsin Act 176. The act provides an appeal process allowing an owner of property that is affected by a decision of the Historic Sites Preservation Commission to appeal the decision to the Jefferson County Board of Supervisors.

The wording change that caused the most conflict among supervisors was in Section 1.05(1)(a)3 of the Historic Preservation Commission and Program ordinance, which describes part of the procedure for designation of historic structures, sites and districts.

The original ordinance established in March of 2008 read, in part: “This notice shall advise the owner(s) that the commission’s decision will be forwarded to the county board for final approval and shall specify a date not less than 30 days from the date of mailing by which an owner may deliver a written statement to the commissioner that such owner declines to have the nominated

property so designated. In the event an owner timely submits such a statement, the commission shall withdraw the proposed resolution seeking final approval from the county board.”

The amendment changes phrasing, in part, to: “This notice shall advise the owner(s) that the commission’s decision will be forwarded to the Jefferson County Board of Supervisors for final approval and shall specify a date not less than 30 days from the date of mailing by which an owner may deliver a written statement to the Jefferson County clerk that such owner would like to appeal having the nominated property so designated. The county clerk shall notify the county board of supervisors of such objection. The county board may overturn a decision of the commission by majority vote.”

Many supervisors expressed concern that the designation process officially would not be required to end if the property owner said he or she did not wish to have the property designated.

“The commission has no interest in nominating a property for historic status that the owner does not completely approve of,” Morse said before debate began. “For that matter, the commission can only nominate the property. The board then has the final decision on whether the property is granted historic status. I, personally, can’t imagine this board of supervisors ever granting status to a property where the owner doesn’t wish it.”

Vocal on their objection of the amendment were Jaeckel and Morris, among others.

“I trust a lot of you on the board here, but the board can change in a few years,” Jaeckel said. “If the actual property owners who pays taxes on it (says ‘no’), I don’t think the board should (have the chance to) say, ‘You have to be involved in this, whether you like it or not.’”

Morris, who made the motion at the Oct. 25 county board meeting to send the ordinance back to committee for further consideration, said he had looked into the reason for the wording change.

“After looking into it, I think I understand that the county Historic Sites Commission is really bound by state law here in Act 176 and, unfortunately, it’s worded almost the exact way that we have in front of us,” Morris said. “The problem doesn’t actually exist in the county. The problem exists in the state. So if this is going to be changed, it’s going to have to change on a state level and not by Jefferson County.”

Schultz expressed concern regarding the thought process of his fellow supervisors.

“Based on what all has been said here, you’re saying, ‘We should not be in compliance because we don’t like what the state says and therefore we will not get funding because we didn’t go in compliance?’” he asked. “We can’t overrule the state, so it seems kind of silly to be deprived of funding from the state for failing to comply with state ordinance just because we don’t like it. Perhaps what we need is a resolution to pass on to the state saying that we have a problem with this wording.”

On hand to help answer questions and clarify points of concern following the supervisors' discussion was Joseph DeRose, survey and registration historian at the Wisconsin Historical Society.

“When I train commissions on how to proceed with local landmark designations, I say, ‘First of all, you talk to the property owner and see if they are interested in pursuing designation. If they say ‘no,’ you have to think long and hard about proceeding with that designation,’” DeRose said. “The way the process is laid out is, the property owner is notified, a hearing is set up, a nomination is prepared. All of that information comes before the county board ... and the final say rests with the board. The commission can’t designate anything without the board’s approval.”

He then explained the origin of Wisconsin Act 176.

“Act 176 came about because a lot of preservation ordinances in the State of Wisconsin did not have an appeal process for the property owner,” DeRose said. “The final decision — the only decision — rested with the local landmarks commissions. So Act 176 came about by the state saying, ‘OK, there has to be property owners involved in the process.’

“We get about \$1 million in federal funds to operate our office,” he added. “We’re required by federal law to pass 10 percent of that money, in the form of grants, to Certified Local Governments. These grants that we give out, while there’s 69 Certified Local Governments (in Wisconsin) that are eligible for this type of funding, we only award about 10 in a year because most communities don’t apply for the money and we only have \$100,000 to spread out.”

Jefferson County is one of two counties in Wisconsin that is a Certified Local Government. The rest are towns, cities and villages.

“The ordinance has to allow the commission to proceed, if they so choose, even though the property owner doesn’t want it,” DeRose explained in response to a question from Kannard. “That’s where the difference is. The way the ordinance currently reads, the property owner says no, it officially stops.”

The change would be that, while the commission would not be required to proceed with the designation process if an owner says “no,” the commission still would be able to proceed.

“In practice, that typically doesn’t happen,” DeRose said. “I advise them not to do that, but they have to have the ability to do so. ... The idea is, talk to the property owner and, if they’re not interested, you want to think long and hard about proceeding with it.”

Rinard asked if money from the grant goes directly to property owners.

“The money that comes from the National Park Service is not used for bricks-and-mortar programs,” DeRose said. “The money does not go directly to the property owners, but it accesses state and federal programs that can provide financial assistance.”

Rinard also asked if property owners would be able to access federal funds even if the ordinance was not amended.

“In theory, yes,” DeRose said. “Currently, the (Jefferson County) commission has applied for \$10,000 to nominate two properties to the national register — so about \$5,000 a piece. Property owners could apply and hire someone to get listed in the national register of historic places, but they would be spending \$5,000 out of their own pocket for the preparation of those nomination forms. Whereas, the commission has applied for a grant to do the forms and there’s no out-of-pocket expense for the property owner.”

Property rights are a “hot-button issue these days,” Schroeder said following the meeting.

“I think that we have some board members that represent constituents who are very jealous of property rights and that was reflected in this evenings vote,” Schroeder said. “Without the state funds, there’s certain things that the commission would not be able to accomplish. The commission could still function in promoting the preservation of historic sites in Jefferson County. Obviously, the funding makes it easier for them to do that.”

In other business, the board:

- Authorized a workers compensation administration services contract with Wisconsin Municipal Mutual Insurance Company (WMMIC) to reduce the administrative charge from \$13,000 per year to \$10,000 per year beginning in 2017 and continuing through 2021 with no increase in administrative fees. The 2017 budget includes the \$10,000 administrative charge.

WMMIC was selected by the county in 2013 to administer its workers compensation insurance plan through 2018.

- Approved amending the traffic ordinance to change the speed limit on County Highway J, west of State Highway 89, from 55 mph to 45 mph. The speed limit will be 45 mph from a point 920 feet west of Highway 89 to the centerline of Highway 89. The ordinance shall be effective upon passage, publication and erection of official signs.

- Authorized the purchase and installation of 22 videocameras from Enterprise Systems Group for \$49,790 for use at the Health and Human Services departments building, Lueder Haus, the Hillside Office Building and the Workforce Development Center in order to maintain the necessary level of safety and security.

Funding for the expenditure has been included in the 2016 budget.

- Accepted appointments of Kathy Steindorf and Debra J. Hall to the Fair Park Committee for a term ending April 17, 2018; Linda Ager to the Jefferson County Library Board for a three-year term ending Dec. 31, 2019; and Timothy Finn to the Veterans' Service Commission for a three-year term ending Dec. 9, 2019.