Notice of Meeting of the Dodge County Board of Supervisors

There will be a meeting of the Dodge County Board of Supervisors on **Tuesday, May 20, 2014**, at **7:00 PM** in the County Board Room located on the fourth floor of the Administration Building, located at 127 East Oak Street, Juneau, Wisconsin.

The Agenda for the Meeting is as follows:

Call to Order by Russell Kottke, County Board Chairman

Pledge of Allegiance

Roll Call

Approve Minutes from April 15, 2014, County Board Session

Communications on File

Resolutions on File

14-5 Commendation Resolution – Robert Ballweg – County Board.
14-6 Commendation Resolution – Ernest Borchardt – County Board.
14-7 Commendation Resolution – Donald A. Gunderson – County Board.
14-8 Commendation Resolution – James Layman – County Board.
14-9 Commendation Resolution – Paul Marose – County Board.
14-10 Commendation Resolution – Jeffrey C. Schmitt – County Board.

Special Orders of Business

Present Certificates of Appreciation – Chairman Kottke and Supervisor Miller.

Confirm Appointment made by County Administrator

1. Re-appoint John Zanghi and Michael Bonnett to the Loan Advisory Committee for a one year term commencing on May 18, 2014 to May 18, 2015, both inclusive.

Confirm Appointment made by County Board Chairman

1. County Board Committee Appointments 2014-2016.

Chairman Kottke
Jim Mielke, County Administrator
2013 Budget Update and Closing Analysis

Chairman Kottke
Jeff Hoffman, Community Development Educator
Open Meetings Presentation

Resolutions on File (Continued)

14-11 Amend Town of Lowell Zoning Ordinance – Lowell Ducks LLC – Supervisor Caine.
14-12 Adopt the *All-Hazards Mitigation Plan* – Executive Committee.
See the following link to view the 288 page *All-Hazards Mitigation Plan*:
http://www.co.dodge.wi.us/modules/showdocument.aspx?documentid=7002

14-13 Oppose any future Wisconsin Legislative Proposals to Remove Section 710.02 of the *Wisconsin Statutes* – Executive Committee.
14-14 Adopt the Clearview Compliance Program Including the Compliance Plan and the Code of Conduct – Health Facilities Committee.
14-15 Create One New, Benefited, Full-Time Position of Admissions Coordinator at Clearview – Health Facilities Committee.
14-16 Authorize and Approve the Sale of the Dodge County Office Building – Executive Committee.
14-17 County Board Rules – Regarding Rule No. 30 – Supervisor Gohr.

Report on File

1. Ordinance No. 923 – Amend Land Use Code – Joan Buiter Property – Section 6, Town of Calamus – Planning, Development and Parks Committee.

Recess

Karen J. Gibson

Karen J. Gibson, Dodge County Clerk

Any person wishing to attend who, because of a disability, requires special accommodation, should contact the Dodge County Clerk's Office at (920) 386-3600, at least 24 hours before the scheduled meeting time so appropriate arrangements can be made. The building entrance which is accessible by a person with a disability is located on the east side of the building off of Miller Street.

Any invocation that may be offered before the official start of the Board meeting shall be the voluntary offering of a private citizen, to and for the benefit of the Board. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the Board, and the Board does not endorse the religious beliefs or views of this, or any other speaker.

COMMITTEE NAME COUNTY BOARD
MEETING DATE May 20, 2014

Approval RK Date 5-21-2014
Chair Russell Kottke

VENDOR	NAME	PRESENT	ABSENT	PERDIEM	MILES	AMOUNT	MEALS	AMOUNT
10023	Adelmeyer, Gerald	X		50.00	43	24.08		
11994	Behl, Allen	X		50.00	32	17.92		
19566	Berres, Jeff	X		50.00	42	~~23.52~~	11.76	
11970	Bischoff, Larry	X		50.00	20	11.20		
10583	Bobholz, Janice	X		0.00	0	0.00		
26899	Bobholz, Mary	X		50.00	28	15.68		
10008	Caine, Chester	X		50.00	17	9.52		
46788	Derr, Lisa	X		50.00	21	11.76		
10195	Duchac, Jeffry	X		50.00	30	16.80		
37968	Fabisch, John	X		50.00	20	11.20		
28760	Frohling, David	X		50.00	29	16.24		
43805	Gohr, Phillip	X		50.00	22	12.32		
16723	Grebel, Randy	X		50.00	13	7.28		
41853	Greshay, Richard		EXC	50.00	14	7.84		
10010	Hoelzel, Clem	X		50.00	32	17.92		
43806	Houchin, James	X		50.00	33	18.48		
25412	Johnson, Harold	X		50.00	54	30.24		
16348	Kottke, Russell	X		50.00	30	16.80		
10015	Kriewald, Howard	X		50.00	20	11.20		
29374	Maly, Donna	X		50.00	20	11.20		
22503	Marsik, Joseph M.	X		50.00	40	22.40		
10313	Mattson, Rodger	X		50.00	20	~~11.20~~	5.60	
34243	Miller, MaryAnn	X		50.00	22	12.32		
43804	Muche, William	X		50.00	22	12.32		
36482	Nelson, Ed	X		50.00	32	~~17.92~~	8.96	
10018	Pollesch, Darrell	X		50.00	38	21.28		
46789	Roesch, Mark E.	X		50.00	34	19.04		
30697	Schaefer, Thomas	X		50.00	30	16.80		
37252	Schraufnagel, Larry	X		50.00	50	28.00		
15819	Schmidt, Dennis	X		50.00	0	0.00		
26089	Stousland, Glenn	X		50.00	20	11.20		
45723	Uttke, Wayne	X		50.00	50	28.00		
	Vacant			50.00		0.00		

Berres, Mattson and Nelson split mileage with Taxation

Dodge County Board of Supervisors
May 20, 2014 – 7:00 p.m.
Administration Building - Juneau, Wisconsin

The May session of the Dodge County Board of Supervisors was called to order by Chairman Russell Kottke at 7:00 p.m.

The Board rose to say the Pledge of Allegiance.

Roll call was taken by the Clerk with all Supervisors being in attendance with the exception of Supervisor Greshay who had previously asked to be excused.

A motion was made by Supervisor Fabisch and seconded by Supervisor Pollesch to approve the minutes of the April 15, 2014, session of the County Board meeting as recorded, and dispense with the reading of the minutes. The motion passed by acclamation with no negative votes cast, and was so ordered by the Chairman.

The following Resolutions were read by the Clerk and acted upon by the Board:

Resolution No. 14-5 Commendation Resolution – Robert Ballweg – County Board, was passed by a rising vote of acceptance.

Resolution No. 14-6 Commendation Resolution – Ernest Borchardt – County Board, was passed by a rising vote of acceptance.

Resolution No. 14-7 Commendation Resolution – Donald A. Gunderson – County Board, was passed by a rising vote of acceptance.

Resolution No. 14-8 Commendation Resolution – James Layman – County Board, was passed by a rising vote of acceptance.

Resolution No. 14-9 Commendation Resolution – Paul Marose – County Board, was passed by a rising vote of acceptance.

Resolution No. 14-10 Commendation Resolution – Jeffrey C. Schmitt – County Board, was passed by a rising vote of acceptance.

Special Orders of Business
The Chairman called for the First Special Order of Business: Presentation of Certificates.

Chairman Kottke presented a Certificate of Appreciation to Donald A. Gunderson for his 30 years of service to Dodge County as a Board Supervisor.

Chairman Kottke presented a Certificate of Appreciation to Ernest Borchardt for his 21 years of service to Dodge County as a Board Supervisor.

Chairman Kottke presented a Certificate of Appreciation to James Layman for his 12 years of service to Dodge County as a Board Supervisor.

Chairman Kottke presented a Certificate of Appreciation to Paul Marose for his 15 years of service to Dodge County as a Board Supervisor.

Chairman Kottke then called upon Supervisor Miller, Chairman of the Law Enforcement Committee who introduced Pat Ninmann, Sheriff. Sheriff Ninmann presented a certificate of appreciation to Mr. Layman for his dedicated service to the Law Enforcement Committee.

Mr. Gunderson thanked the County Board for their support over the years.

The Chairman called for the Second Special Order of Business: Confirm appointments made by County Administrator, James Mielke. Re-appoint John Zanghi and Michael Bonnett to the Loan Advisory Committee for a one year term commencing on May 18, 2014 to May 18, 2015, both inclusive. A motion to accept the appointment was made by Supervisor Grebel and seconded by Supervisor Mattson. The motion passed by acclamation with no negative votes cast, thereby approving the appointment.

The Chairman called for the Third Special Order of Business: County Board Committee Appointments for 2014-2016: A motion to approve the County Board Committee Appointments for 2014-2016 was made by Supervisor Schraufnagel and seconded by Supervisor Nelson. The motion passed by acclamation with no negative votes cast, thereby approving the appointments.

Chairman Kottke called for the Fourth Special Order of Business: 2013 Budget Update and Closing Analysis, James Mielke, County Administrator. Mr. Mielke gave a Fiscal Year 2013 Preliminary Analysis to the Board. He presented information regarding the 2013 adopted levy compared to the 2013 preliminary closing, the status of the general fund, and reviewed the County Sales and Use Tax account and remittances. Mr. Mielke then introduced Tony Marchese, Clearview Finance Director, who presented the 2013 Clearview financial highlights and reviewed Clearview's census numbers. Mr. Marchese ended his presentation by reviewing first quarter 2014 financial information. Mr. Marchese introduced Brian Field, Highway Commissioner, who presented the 2013 closing analysis for the Highway Department and explained the shortage of snow removal funds. Lastly, Mr. Mielke presented the 2015 Budget Timeline and noted the Special Finance Meeting on October 28, 2014 at 6 p.m. in the Auditorium of the Administration Building. Mr. Mielke also provided an update on the elevator located on the north end of the Administration Building. Questions by Supervisors Hoelzel, Gohr and Berres answered by Mr. Mielke, Mr. Marchese, and Chairman Kottke.

Chairman Kottke called for the Fifth Special Order of Business: Open Meetings Presentation, Jeff Hoffman, Community Development Educator. Mr. Hoffman presented information on how to prepare a proper agenda and warned Supervisors about communications outside of committee meetings that are by phone, email or in a group setting. Comment by Chairman Kottke.

The remaining Resolutions and Report were read by the Clerk and acted upon by the Board:

Resolution No. 14-11 Amend Town of Lowell Zoning Ordinance – Lowell Ducks LLC – Supervisor Caine. A motion for adoption was made by Supervisor Caine and seconded by Supervisor Schaefer. The vote was cast with all voting in the affirmative, thereby adopting the Resolution.

Resolution No. 14-12 Adopt the *All-Hazards Mitigation Plan* - Executive Committee. A motion for adoption was made by Supervisor Frohling and seconded by Supervisor Duchac. The vote was cast with all voting in the affirmative, thereby adopting the Resolution.

Resolution No. 14-13 Oppose any future Wisconsin Legislative Proposals to Remove Section 710.02 of the *Wisconsin Statutes* – Executive Committee. A motion for adoption was made by Supervisor Marsik and seconded by Supervisor Johnson. Comment by Supervisor Berres responded to by Supervisor Frohling. Question by Supervisor Derr answered by Chairman Kottke and Supervisor Frohling. Comments by Supervisors Berres, J. Bobholz and Johnson responded to by Supervisor Frohling. The vote was cast with 25 ayes and 6 noes, thereby adopting the Resolution.

Ayes: Pollesch, Kottke, Nelson, Marsik, Grebel, Kriewald, Schaefer, Uttke, Adelmeyer, Muche, Johnson, Schraufnagel, Bischoff, Caine, Behl, Roesch, Frohling, Schmidt, Duchac, Hoelzel, Maly, Fabisch, Stousland, Derr, Mattson. Total 25.
Noes: M. Bobholz, J. Bobholz, Gohr, Berres, Houchin, Miller. Total 6.
Absent: Greshay. Total 1.

Resolution No. 14-14 Adopt the Clearview Compliance Program Including the Compliance Plan and the Code of Conduct – Health Facilities Committee. A motion for adoption was made by Supervisor Bischoff and seconded by Supervisor Schaefer. Comment by Supervisor Derr. Question by Supervisor Schmidt answered by Supervisor Bischoff and Jane Hooper, Clearview Administrator. The vote was cast with all voting in the affirmative, thereby adopting the Resolution.

Resolution No. 14-15 Create One New, Benefited, Full-Time Position of Admissions Coordinator at Clearview – Health Facilities Committee. A motion for adoption was made by Supervisor Schaefer and seconded by Supervisor Fabisch. Question by Supervisor Nelson answered by Jane Hooper, Clearview Administrator. The vote was cast with 27 ayes and 4 noes, thereby adopting the Resolution.

Ayes: Pollesch, Kottke, Nelson, J. Bobholz, Marsik, Grebel, Kriewald, Schaefer, Uttke, Adelmeyer, Muche, Johnson, Schraufnagel, Bischoff, Caine, Behl, Roesch, Frohling, Schmidt, Duchac, Hoelzel, Maly, Fabisch, Miller, Stousland, Derr, Mattson. Total 27.
Noes: M. Bobholz, Gohr, Berres, Houchin. Total 4.
Absent: Greshay. Total 1.

Resolution No. 14-16 Authorize and Approve the Sale of the Dodge County Office Building – Executive Committee. A motion for adoption was made by Supervisor Johnson and seconded by Supervisor Maly. At this time, a citizen member of the audience made a comment and Chairman Kottke advised him that he was out of order. Question by Supervisor Grebel answered by Chairman Kottke. The vote was cast with all voting in the affirmative, thereby adopting the Resolution.

Resolution No. 14-17 County Board Rules – Regarding Rule No. 30 – Supervisor Gohr. A motion for adoption was made by Supervisor Houchin and seconded by Supervisor Schraufnagel. Comments by Supervisors Gohr, Miller, and J. Bobholz. Question by Chairman Kottke answered by Supervisor Gohr. Question by Supervisor Marsik answered by Chairman Kottke. A motion to amend the resolution by changing the number 909 to 90 in paragraph B. 2. was made by Supervisor J. Bobholz and seconded by Supervisor Frohling. The motion passed by acclamation with no negative votes cast, thereby adopting the amendment. Comments by Supervisors Johnson, Mattson, Hoelzel, and Caine. The vote was cast with 24 ayes and 7 noes, thereby adopting the Resolution as amended.

Ayes: Pollesch, Kottke, M. Bobholz, Nelson, J. Bobholz, Marsik, Grebel, Kriewald, Uttke, Gohr, Schraufnagel, Bischoff, Caine, Behl, Berres, Houchin, Frohling, Schmidt, Duchac, Hoelzel, Maly, Miller, Stousland, Mattson. Total 24.

Noes: Schaefer, Adelmeyer, Muche, Johnson, Roesch, Fabisch, Derr. Total 7.
Absent: Greshay. Total 1.

Report No. 1 Ordinance 923 – Amend Land Use Code – Joan Buiter Property – Section 6, Town of Calamus – Planning, Development & Parks Committee. A motion for adoption was made by Supervisor Grebel and seconded by Supervisor Behl. The vote was cast with 30 ayes and 1 abstention, thereby adopting the Report and Ordinance.

Ayes: Pollesch, Kottke, M. Bobholz, Nelson, J. Bobholz, Marsik, Grebel, Greshay, Kriewald, Schaefer, Adelmeyer, Muche, Gohr, Johnson, Schraufnagel, Bischoff, Caine, Behl, Berres, Houchin, Roesch, Frohling, Schmidt, Duchac, Hoelzel, Maly, Miller, Fabisch, Stousland, Derr, Mattson. Total 30.
Abstention: Uttke. Total 1.
Absent: Greshay. Total 1.

The Clerk noted the following had been placed on the Supervisor's desks: Two Wisconsin Counties Association Packets, a Remembrance Garden Brochure from the Friends of Clearview, Wisconsin Counties Association memorandum, and a 4-H Leaders Association invitation. The Chairman ordered these be placed on file.

At 9:12 p.m. Supervisor Maly made a motion to recess until June 17, 2014 at 7:00 p.m. Supervisor Houchin seconded the motion. The motion passed by acclamation, with no negative votes cast, and was so ordered by the Chairman.

Disclaimer: The above minutes may be approved, amended or corrected at the next meeting.

RESOLUTION NO. 14-5

TO THE HONORABLE BOARD OF SUPERVISORS OF DODGE COUNTY, WISCONSIN
MEMBERS,

WHEREAS, the Dodge County Board of Supervisors wishes to express its appreciation to Robert Ballweg, who has worked on behalf of the citizens of Dodge County by serving on the County Board; and,

WHEREAS, service on the Dodge County Board of Supervisors requires dedication, perseverance, and personal sacrifices on the part of its members; and,

WHEREAS, Robert Ballweg has represented the citizens of Supervisory District No. 5 and Dodge County, as a member of the Dodge County Board of Supervisors, from September 17, 2002 to April 16, 2012; and,

WHEREAS, Robert Ballweg has represented the citizens of Supervisory District No. 32 and Dodge County, as a member of the Dodge County Board of Supervisors, from April 17, 2012 to April 15, 2014; and,

WHEREAS, during those 12 years, Robert Ballweg has served as a member of various committees of the Board of Supervisors, and more particularly:

2002-2014	Health Facilities
2004-2014	Human Resources and Labor Negotiations
2008-2012	Information Technology
2009-Current	Loan Advisory

WHEREAS, the absence of Robert Ballweg from the County Board will be a great loss to the citizens of Dodge County and to the members of the County Board who have looked to Robert Ballweg for counsel and leadership; and,

WHEREAS, it is the opinion of the undersigned Board of Supervisors that at this time the contributions of Robert Ballweg to the government of Dodge County should be testified to by this Body and recognized by this Body for all the citizens of Dodge County;

SO, NOW, THEREFORE, BE IT RESOLVED, that we, the Dodge County Board of Supervisors, in regular session assembled, do hereby extend our heartiest thanks, our heartfelt gratitude, and our very best wishes to our friend and colleague, Robert Ballweg, upon his departure from this Board; and,

BE IT FURTHER RESOLVED, that we take this opportunity to extend our hope that our much esteemed friend and colleague will continue to take an interest in County Government and as the opportunity may arise, to give this Body the benefit of his counsel and advice; and,

BE IT FINALLY RESOLVED, that a copy of this Resolution be entered into the official records of the Dodge County Board of Supervisors and that this Resolution be forwarded to Robert Ballweg as a testament to the great esteem and honor we hold for our friend, Robert Ballweg.

All of which is respectfully submitted this 20th day of May, 2014.

Russell Kottke
Alona Kelly
[illegible]
John Fabisch
Darrell Pollesch
[illegible]
Randy Giebel
Jeff Berner
William T Mueller
Chet Kaine
Howard Kruewald
Gerald Adelmeyer
[illegible]
[illegible]
[illegible]
David Fuhley

Marvin Miller
[illegible]
Thomas J Schaefer
Dennis R Schmidt
Richard L. Gresham
Ridgen Mattson
Mark Roesch
Glenn W [illegible]
James [illegible]
[illegible]
[illegible]
Mary Bobholz
Wayne N. Attlee
Ed Nelson
Allen Bahl
Janice Bobholz

By Rising Vote of acceptance
ADOPTED
BY DODGE COUNTY BOARD

MAY 20 2014

AYES - NOES -
ABSENT -
ABSTAIN -

Karen J. Gibson
County Clerk

2

RESOLUTION NO. 14-6

TO THE HONORABLE BOARD OF SUPERVISORS OF DODGE COUNTY, WISCONSIN
MEMBERS,

WHEREAS, the Dodge County Board of Supervisors wishes to express its appreciation to Ernest Borchardt, who has worked on behalf of the citizens of Dodge County by serving on the County Board; and,

WHEREAS, service on the Dodge County Board of Supervisors requires dedication, perseverance, and personal sacrifices on the part of its members; and,

WHEREAS, Ernest Borchardt has represented the citizens of Supervisory District No. 19 and Dodge County, as a member of the Dodge County Board of Supervisors, from June 15, 1993 to April 16, 2012; and,

WHEREAS, Ernest Borchardt has represented the citizens of Supervisory District No. 11 and Dodge County, as a member of the Dodge County Board of Supervisors, from April 17, 2012 to April 15, 2014; and,

WHEREAS, during those 21 years, Ernest Borchardt has served as a member of various committees of the Board of Supervisors, and more particularly:

1993-1998	Community Options Planning
1993-1996	Human Services Board
1994-1996	Park Commission
1996-2014	Finance
1996-1998	Planning and Surveyor
1998-2000	Land Information
1998-2002	Planning and Development
2000-2014	Executive
2000-2001	Inter-County Coordinating
2000-2010	Law Enforcement
2002-2014	Land Information
2002-2002	Special Centralized Payroll and Human Resources
2004-2010	Courtroom Security
2004-2010	Local Emergency Planning
2010-2014	Land Information Council
2012-2014	Law Enforcement

In addition, Ernest Borchardt served as Second Vice Chairman of the Dodge County Board of Supervisors from April 16, 2002 to April 15, 2014; and,

WHEREAS, the absence of Ernest Borchardt from the County Board will be a great loss to the citizens of Dodge County and to the members of the County Board who have looked to Ernest Borchardt for counsel and leadership; and,

WHEREAS, it is the opinion of the undersigned Board of Supervisors that at this time the contributions of Ernest Borchardt to the government of Dodge County should be testified to by this Body and recognized by this Body for all the citizens of Dodge County;

SO, NOW, THEREFORE, BE IT RESOLVED, that we, the Dodge County Board of Supervisors, in regular session assembled, do hereby extend our heartiest thanks, our heartfelt gratitude, and our very best wishes to our friend and colleague, Ernest Borchardt, upon his departure from this Board; and,

BE IT FURTHER RESOLVED, that we take this opportunity to extend our hope that our much esteemed friend and colleague will continue to take an interest in County Government and as the opportunity may arise, to give this Body the benefit of his counsel and advice; and,

BE IT FINALLY RESOLVED, that a copy of this Resolution be entered into the official records of the Dodge County Board of Supervisors and that this Resolution be forwarded to Ernest Borchardt as a testament to the great esteem and honor we hold for our friend, Ernest Borchardt.

All of which is respectfully submitted this 20th day of May, 2014.

Russell Kottke
Thomas J Schaefer
Dennis R Schmidt
Richard L. Gushay
Rodger Mattson
Mark Roesch
Jeff Berres
William T Mucher
Chet Caine
Howard Kruesel
Gerald Adelmeyer
Mary Bobrotz
Wayne M. Uthe
Ed Nelson
Allen Behl
Daniel Bobholz

ADOPTED
BY DODGE COUNTY BOARD
MAY 20 2014
By Rising Vote of Acceptance
AYES - NOES -
ABSENT -
ABSTAIN -

Karen J Gibson

RESOLUTION NO. 14-7

TO THE HONORABLE BOARD OF SUPERVISORS OF DODGE COUNTY, WISCONSIN
MEMBERS,

WHEREAS, the Dodge County Board of Supervisors wishes to express its appreciation to Donald A. Gunderson, who has worked on behalf of the citizens of Dodge County by serving on the County Board; and,

WHEREAS, service on the Dodge County Board of Supervisors requires dedication, perseverance, and personal sacrifices on the part of its members; and,

WHEREAS, Donald A. Gunderson has represented the citizens of Supervisory District No. 26 and Dodge County, as a member of the Dodge County Board of Supervisors, from April 17, 1984 to April 16, 2012; and,

WHEREAS, Donald A. Gunderson has represented the citizens of Supervisory District No. 16 and Dodge County, as a member of the Dodge County Board of Supervisors, from April 17, 2012 to April 15, 2014; and,

WHEREAS, during those 30 years, Donald A. Gunderson has served as a member of various committees of the Board of Supervisors, and more particularly:

1984-1985, 1988 and 1989	Commission on Aging
1984-1991	Unified Board
1986-2005	Finance
1990 and 1991	Commission on Aging and Public Health
1990-1993	Waste Management Local Siting
1991	Property Negotiations
1992-2014	Human Services Board
1994-1997	Building
1996-1999	Courtroom Security and Facilities
1998-2007	Jail Building
2000-2009	Courtroom Security
2003-2009	Taxation (alternate)
2008-2012	Dodge County Aging Advisory
2010 and 2011	Insurance, Inventory and Purchasing
2012-2014	ADRC Governing Board
2012-2014	Audit

WHEREAS, the absence of Donald A. Gunderson from the County Board will be a great loss to the citizens of Dodge County and to the members of the County Board who have looked to Donald A. Gunderson for counsel and leadership; and,

WHEREAS, it is the opinion of the undersigned Board of Supervisors that at this time the contributions of Donald A. Gunderson to the government of Dodge County should be testified to by this Body and recognized by this Body for all the citizens of Dodge County;

SO, NOW, THEREFORE, BE IT RESOLVED, that we, the Dodge County Board of Supervisors, in regular session assembled, do hereby extend our heartiest thanks, our heartfelt gratitude, and our very best wishes to our friend and colleague, Donald A. Gunderson, upon his departure from this Board; and,

BE IT FURTHER RESOLVED, that we take this opportunity to extend our hope that our much esteemed friend and colleague will continue to take an interest in County Government and as the opportunity may arise, to give this Body the benefit of his counsel and advice; and,

BE IT FINALLY RESOLVED, that a copy of this Resolution be entered into the official records of the Dodge County Board of Supervisors and that this Resolution be forwarded to Donald A. Gunderson as a testament to the great esteem and honor we hold for our friend, Donald A. Gunderson.

All of which is respectfully submitted this 20th day of May, 2014.

Russell Kottke
David Frohling
Thomas J Schaefer
Dennis R Schmidt
Richard L Gieshay
Rodger Mattson
Mark Roesch
James Houcks
Allen Bohl
Janice K Bohlke

ADOPTED
BY DODGE COUNTY BOARD

MAY 20 2014

By Rising Vote of acceptance

AYES - NOES -
ABSENT -
ABSTAIN -

Karen J. Gibson
County Clerk

RESOLUTION NO. 14-8

TO THE HONORABLE BOARD OF SUPERVISORS OF DODGE COUNTY, WISCONSIN
MEMBERS,

WHEREAS, the Dodge County Board of Supervisors wishes to express its appreciation to James Layman, who has worked on behalf of the citizens of Dodge County by serving on the County Board; and,

WHEREAS, service on the Dodge County Board of Supervisors requires dedication, perseverance, and personal sacrifices on the part of its members; and,

WHEREAS, James Layman has represented the citizens of Supervisory District No. 31 and Dodge County, as a member of the Dodge County Board of Supervisors, from May 21, 2002 to April 16, 2012; and,

WHEREAS, James Layman has represented the citizens of Supervisory District No. 26 and Dodge County, as a member of the Dodge County Board of Supervisors, from April 17, 2012 to April 15, 2014; and,

WHEREAS, during those 12 years, James Layman has served as a member of various committees of the Board of Supervisors, and more particularly:

2002-2014	Taxation
2002-2014	Central Wisconsin Community Action Council
2004-2014	Law Enforcement

WHEREAS, the absence of James Layman from the County Board will be a great loss to the citizens of Dodge County and to the members of the County Board who have looked to James Layman for counsel and leadership; and,

WHEREAS, it is the opinion of the undersigned Board of Supervisors that at this time the contributions of James Layman to the government of Dodge County should be testified to by this Body and recognized by this Body for all the citizens of Dodge County;

SO, NOW, THEREFORE, BE IT RESOLVED, that we, the Dodge County Board of Supervisors, in regular session assembled, do hereby extend our heartiest thanks, our heartfelt gratitude, and our very best wishes to our friend and colleague, James Layman, upon his departure from this Board; and,

BE IT FURTHER RESOLVED, that we take this opportunity to extend our hope that our much esteemed friend and colleague will continue to take an interest in County Government and as the opportunity may arise, to give this Body the benefit of his counsel and advice; and,

BE IT FINALLY RESOLVED, that a copy of this Resolution be entered into the official records of the Dodge County Board of Supervisors and that this Resolution be forwarded to James Layman as a testament to the great esteem and honor we hold for our friend, James Layman.

All of which is respectfully submitted this 20th day of May, 2014.

Russell Kottke

Thomas J Schaefer

Dennis R Schmidt

Richard L Gushay

Ralph Mattson

Mark Roesch

Jeff Berres

William T Mueller

Howard Kruesel

Gerald Adelmeyer

Mary Bobholz

Wayne N. Uttke

Ed Nelson

Allen Bohl

Janice K Bobholz

By Rising Vote of acceptance
ADOPTED
BY DODGE COUNTY BOARD

MAY 20 2014

AYES - NOES -
ABSENT -
ABSTAIN -

Karen J. Gibson
County Clerk

2

RESOLUTION NO. 14-9

TO THE HONORABLE BOARD OF SUPERVISORS OF DODGE COUNTY, WISCONSIN
MEMBERS,

WHEREAS, the Dodge County Board of Supervisors wishes to express its appreciation to Paul Marose, who has worked on behalf of the citizens of Dodge County by serving on the County Board; and,

WHEREAS, service on the Dodge County Board of Supervisors requires dedication, perseverance, and personal sacrifices on the part of its members; and,

WHEREAS, Paul Marose has represented the citizens of Supervisory District No. 24 and Dodge County, as a member of the Dodge County Board of Supervisors, from March 16, 1999 to April 15, 2014; and,

WHEREAS, during those 15 years, Paul Marose has served as a member of various committees of the Board of Supervisors, and more particularly:

1999-2014	Building
1999-2003	Insurance, Inventory and Purchasing
2000-2001	Planning and Development (alternate)
2002-2003	Planning and Development
2004-2007	Audit
2008-2009	Land Conservation
2008-2009	Library
2009	Library Planning
2010-2014	Audit
2010-2014	Taxation (alternate)
2012-2014	Mid-Wisconsin Federated Library System

WHEREAS, the absence of Paul Marose from the County Board will be a great loss to the citizens of Dodge County and to the members of the County Board who have looked to Paul Marose for counsel and leadership; and,

WHEREAS, it is the opinion of the undersigned Board of Supervisors that at this time the contributions of Paul Marose to the government of Dodge County should be testified to by this Body and recognized by this Body for all the citizens of Dodge County;

SO, NOW, THEREFORE, BE IT RESOLVED, that we, the Dodge County Board of Supervisors, in regular session assembled, do hereby extend our heartiest thanks, our heartfelt gratitude, and our very best wishes to our friend and colleague, Paul Marose, upon his departure from this Board; and,

BE IT FURTHER RESOLVED, that we take this opportunity to extend our hope that our much esteemed friend and colleague will continue to take an interest in County Government and as the opportunity may arise, to give this Body the benefit of his counsel and advice; and,

BE IT FINALLY RESOLVED, that a copy of this Resolution be entered into the official records of the Dodge County Board of Supervisors and that this Resolution be forwarded to Paul Marose as a testament to the great esteem and honor we hold for our friend, Paul Marose.

All of which is respectfully submitted this 20th day of May, 2014.

Russell Kottke
Alvin R. Kaley
[illegible]
John Fleisch
Darrell Pollesch
[illegible]
Randy Grebel
Jeff Berres
William T Mueller
Chet Caine
Marlin Miller
Howard Kunwald
Gerald Adelmeyer
[illegible]
[illegible]
[illegible]

David Frohling
[illegible]
Thomas J Schaefer
Dennis R Schmidt
Richard L. Gushaw
Rodger Mattson
Mark Roesch
[illegible]
James [illegible]
[illegible]
[illegible]
Mary Bobtoz
Wayne N. Uttke
Ed Nelson
Allen Bell
Janice K Bobtoz

By Rising Vote of acceptance
ADOPTED
BY DODGE COUNTY BOARD

MAY 20 2014

AYES - NOES -
ABSENT -
ABSTAIN -

Karen J. Gibson
County Clerk

2

RESOLUTION NO. 14-10

TO THE HONORABLE BOARD OF SUPERVISORS OF DODGE COUNTY, WISCONSIN
MEMBERS,

WHEREAS, the Dodge County Board of Supervisors wishes to express its appreciation to Jeffrey C. Schmitt, who has worked on behalf of the citizens of Dodge County by serving on the County Board; and,

WHEREAS, service on the Dodge County Board of Supervisors requires dedication, perseverance, and personal sacrifices on the part of its members; and,

WHEREAS, Jeffrey C. Schmitt has represented the citizens of Supervisory District No. 10 and Dodge County, as a member of the Dodge County Board of Supervisors, from April 20, 2004 to April 16, 2012; and,

WHEREAS, Jeffrey C. Schmitt has represented the citizens of Supervisory District No. 5 and Dodge County, as a member of the Dodge County Board of Supervisors, from April 17, 2012 to April 15, 2014; and,

WHEREAS, during those 10 years, Jeffrey C. Schmitt has served as a member of various committees of the Board of Supervisors, and more particularly:

2004-2011	Insurance, Inventory and Purchasing
2004-2007	Law Enforcement
2008-2014	Highway
2012-2014	Human Services and Health Board

WHEREAS, the absence of Jeffrey C. Schmitt from the County Board will be a great loss to the citizens of Dodge County and to the members of the County Board who have looked to Jeffrey C. Schmitt for counsel and leadership; and,

WHEREAS, it is the opinion of the undersigned Board of Supervisors that at this time the contributions of Jeffrey C. Schmitt to the government of Dodge County should be testified to by this Body and recognized by this Body for all the citizens of Dodge County;

SO, NOW, THEREFORE, BE IT RESOLVED, that we, the Dodge County Board of Supervisors, in regular session assembled, do hereby extend our heartiest thanks, our heartfelt gratitude, and our very best wishes to our friend and colleague, Jeffrey C. Schmitt, upon his departure from this Board; and,

BE IT FURTHER RESOLVED, that we take this opportunity to extend our hope that our much esteemed friend and colleague will continue to take an interest in County Government and as the opportunity may arise, to give this Body the benefit of his counsel and advice; and,

BE IT FINALLY RESOLVED, that a copy of this Resolution be entered into the official records of the Dodge County Board of Supervisors and that this Resolution be forwarded to Jeffrey C. Schmitt as a testament to the great esteem and honor we hold for our friend, Jeffrey C. Schmitt.

All of which is respectfully submitted this 20th day of May, 2014.

Russell Kottke
Alan G. Kelly
[illegible]
John Fabrisch
Darrell Pollesch
Steven Thursey
Randy Giebel
Jeff Berres
William T. Mucke
Chet Caine
Howard Kirwell
Gerald Adelmeyer
Tom M. Bartsch
Larry Schapiro
[illegible]
David Frehling

[illegible]
[illegible]
Thomas J. Schaefer
Dennis R. Schmidt
Richard L. Gushay
Rodger Mattson
Mark Roesch
Glenn W. Stoeckel
James Houck
Clem Hartzell
[illegible]
Mary Bobholz
Wayne M. Uttke
Ed Nelson
Allen Bell

By Rising Vote of acceptance
ADOPTED
BY DODGE COUNTY BOARD

MAY 20 2014

AYES - NOES -
ABSENT -
ABSTAIN -

Karen J. Gibson
County Clerk

2

RESOLUTION # 14-11

TO THE HONORABLE BOARD OF SUPERVISORS OF DODGE COUNTY, WISCONSIN

WHEREAS, Dodge County, a corporate body under the laws of the State of Wisconsin, has adopted a Comprehensive Zoning Code which is full force and effect; and

WHEREAS, the Town Board of the Town of Lowell has amended the Town of Lowell Zoning Code, the power to adopt and amend the Zoning Code having been granted pursuant to Section 60.62, Wisconsin Statutes, which grants Towns authorized to exercise village powers the ability to adopt and amend a Zoning Code under Section 61.35 and Section 62.23, Wisconsin Statutes; and

WHEREAS, pursuant to Section 60.62(3), Wisconsin Statutes, the amendment of a Town Zoning Code by a Town Board is subject to approval of the County Board in counties having a Comprehensive Zoning Code in full force and effect; and

WHEREAS, a public hearing of the proposed amendment to the Town of Lowell Zoning Code was held before the Lowell Plan Commission and Town Board on January 7, 2014; and

WHEREAS, the proposed amendment to the Town of Lowell Zoning Code was adopted by Ordinance by the Lowell Town Board on January 14, 2014, as set forth and attached hereto as "Exhibit A";

THEREFORE, BE IT RESOLVED, that the amendment to the Town of Lowell Zoning Code as represented by "Exhibit A" attached hereto and made a part of this Resolution be and hereby are APPROVED, by the Board of Supervisors of Dodge County, Wisconsin.

All of which is respectfully submitted this 20th day of May, 2014.

Chester Caine

Chester Caine, County Supervisor

ADOPTED
BY DODGE COUNTY BOARD

MAY 20 2014

AYES 31 NOES 0
ABSENT 1
ABSTAIN 0

Karen J. Gibson
County Clerk

4/28/2014 2:40 PM gcaine

REPORT to Res. 14-11

TO THE HONORABLE DODGE COUNTY BOARD OF SUPERVISORS

We the Dodge County Planning, Development and Parks Committee, hereby report favorably on the petition of Lowell Ducks LLC requesting amendment of the Zoning Ordinance, Town of Lowell, Dodge County, Wisconsin, to rezone approximately 29.557-acres of land from a C-1 Conservancy Overlay Zoning District to an AG-1 Agricultural Zoning District in the SE ¼, SE ¼, Section 35, T10N, R14E, Town of Lowell for the purpose of correcting the conservancy district boundary line and recommend approval of the resolution submitted by the Town of Lowell for this rezoning petition.

The committee has reviewed the rezoning petition in accord with s. 60.62(3) Wisconsin Statutes and finds the proposed rezoning petition is consistent with the County's Comprehensive Plan as the site is designated as general agriculture.

Respectfully submitted this 5th day of MAY, 2014

Tom Schaefer

Tom Schaefer

Allen Behl

Allen Behl

Randy Grebel

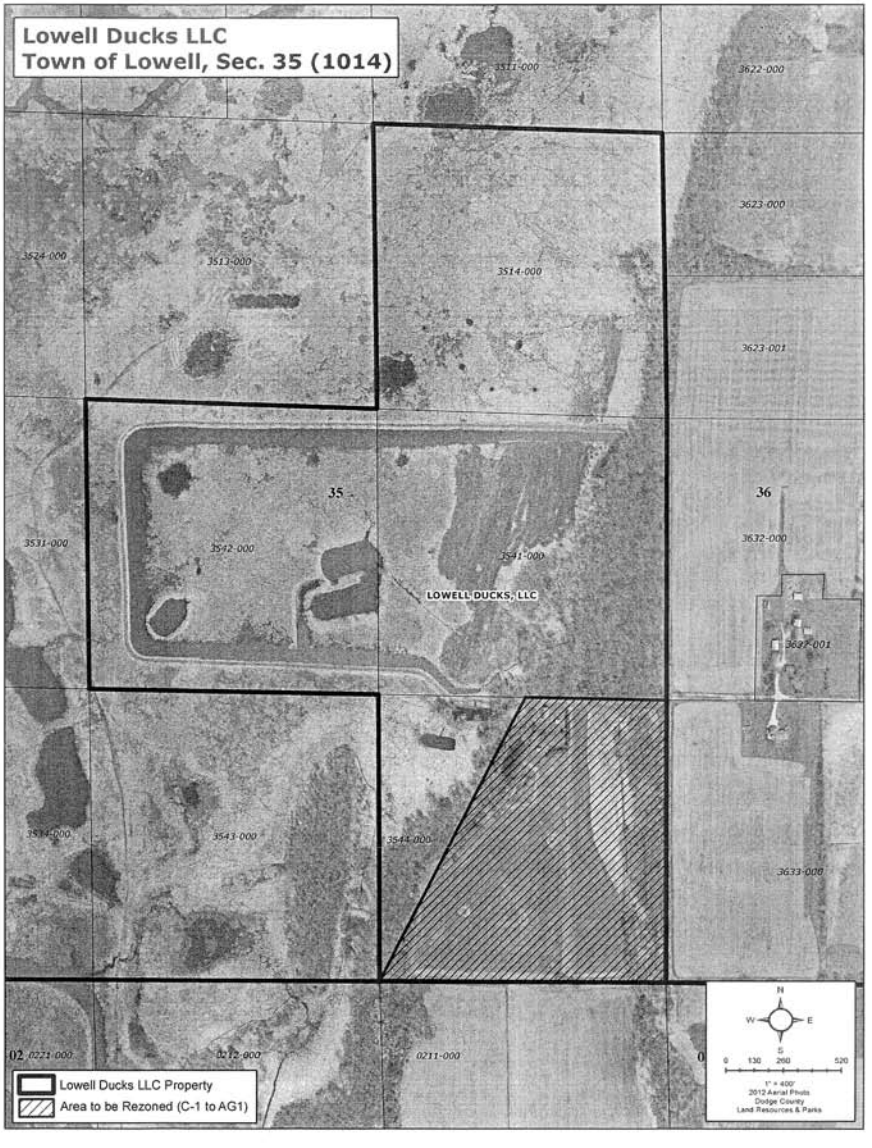
Randy Grebel

Joseph Marsik

Janice Bobholz

Janice Bobholz

Planning, Development and Parks Committee


Lowell Ducks LLC
Town of Lowell, Sec. 35 (1014)
3511-000
3622-000
3623-000
3524-000
3513-000
3514-000
3623-001
35
36
3531-000
3542-000
3541-000
3632-000
LOWELL DUCKS, LLC
3632-001
3534-000
3543-000
3544-000
3633-000
0221-000
0212-000
0211-000
Lowell Ducks LLC Property
Area to be Rezoned (C-1 to AG1)
N
W
E
S
0 130 260 520
1" = 400'
2012 Aerial Photo
Dodge County
Land Resources & Parks

RESOLUTION NO. 14-12

TO THE HONORABLE BOARD OF SUPERVISORS OF DODGE COUNTY, WISCONSIN
MEMBERS,

WHEREAS, Dodge County recognizes the threat that natural hazards pose to people and property; and,

WHEREAS, undertaking hazard mitigation actions before disasters occur will reduce the potential for harm to people and property and save taxpayer dollars; and,

WHEREAS, an updated, adopted *All-Hazards Mitigation Plan* is required by the Federal Disaster Mitigation Act of 2000 as a condition of future grant funding for mitigation projects; and,

WHEREAS, Dodge County participated jointly in the planning process with other local units of government within Dodge County to update the *All-Hazards Mitigation Plan*, which was made available for review and comment pursuant to Public Notice, and a copy of which will reside permanently in the Dodge County Emergency Management Office; and,

WHEREAS, the Dodge County Executive Committee recommends that the Dodge County Board of Supervisors adopt the updated *All-Hazards Mitigation Plan* as the official *All-Hazards Mitigation Plan* for Dodge County; and,

WHEREAS, after the updated *All-Hazards Mitigation Plan,* has been adopted by the Dodge County Board of Supervisors and local units of government, it will be submitted to the Division of Wisconsin Emergency Management and Federal Emergency Management Agency, and is subject to modification thereby as part of the review and approval process; and,

SO, NOW, THEREFORE, BE IT RESOLVED, that the Dodge County Board of Supervisors hereby adopts the updated *All-Hazards Mitigation Plan* as may be modified by the Division of Wisconsin Emergency Management and Federal Emergency Management Agency, as the official *All-Hazards Mitigation Plan* for Dodge County; and,

BE IT FURTHER RESOLVED, that the Dodge County Emergency Management Director is hereby authorized and directed to submit, on behalf of the participating municipalities, and upon its adoption by all such municipalities, the adopted, updated *All-Hazards Mitigation Plan* to the Division of Wisconsin Emergency Management and Federal Emergency Management Agency for final review and approval; and,

BE IT FINALLY RESOLVED, that minor changes to be made to the adopted, updated *All-Hazards Mitigation Plan* upon advice from the Division of Wisconsin Emergency Management and Federal Emergency Management Agency will not require re-adoption of this Resolution.

All of which is respectfully submitted this 20th day of May, 2014.

Dodge County Executive Committee:

Russell Kottke

Joseph M. Marsik

Jeff Berres

Donna Maly

David Frohling

Mary Ann Miller

Harold Johnson

ADOPTED
BY DODGE COUNTY BOARD
MAY 20 2014
AYES 31 NOES 0
ABSENT 1
ABSTAIN 0

Karen J. Gibson

RESOLUTION NO. 14-13

TO THE HONORABLE BOARD OF SUPERVISORS OF DODGE COUNTY, WISCONSIN
MEMBERS,

WHEREAS, provisions now set forth in Chapter 710, of the *Wisconsin Statutes*, have regulated the amount of land that non-resident aliens can own in the State of Wisconsin for 126 years. The 1887 law limits non-resident aliens from owning more than 640 acres in the state. Recently, legislation was proposed, but was not subsequently enacted, that would remove Section 710.02, of the *Wisconsin Statutes*, in its entirety. This proposed change would allow non-resident aliens and foreign corporations to purchase and hold unlimited amounts of land within the state. Foreign corporations would continue to be bound by the provisions of Section 182.001, of the *Wisconsin Statutes*, which limits their ability to own productive farmland. Forests, land, and water are Wisconsin's most valuable assets. Allowing unrestricted ownership of our land, forests, and water by non-resident aliens and foreign corporations will erode our independence and our rights granted under the Constitution of the United States and the Constitution of the State of Wisconsin, adding more foreign competition for land ownership in the state, and, in particular, tax-preferred agricultural land, even when the land is not used for farming, will drive up land prices and edge some resident landowners out of the market; and,

WHEREAS, the Dodge County Executive Committee recommends that the Dodge County Board of Supervisors declare and publish its opposition to any future Wisconsin legislative proposal to remove Section 710.02, of the *Wisconsin Statutes*, in its entirety, which will thereby allow non-resident aliens and foreign corporations to purchase and hold unlimited amounts of land within the State of Wisconsin; and,

WHEREAS, in 1995, the United States joined other World Trade Organization members and signed the General Agreement on Trade in Services Treaty to remove barriers to trade and investment between countries; and,

WHEREAS, the Dodge County Executive Committee recommends that the Dodge County Board of Supervisors declare and publish its support for continued regulation, by enactment of Wisconsin legislation, of the amount of land that non-resident aliens and foreign corporations can own in the State of Wisconsin, to the extent that such regulation is consistent with the General Agreement on Trade in Services Treaty;

SO, NOW, THEREFORE, BE IT RESOLVED, that the Dodge County Board of Supervisors hereby declares and publishes its opposition to any future Wisconsin legislative proposal to remove Section 710.02, of the *Wisconsin Statutes*, in its entirety, which will thereby allow non-resident aliens and foreign corporations to purchase and hold unlimited amounts of land within the State of Wisconsin; and,

BE IT FURTHER RESOLVED, that the Dodge County Board of Supervisors hereby declares and publishes its support for continued regulation, by enactment of Wisconsin legislation, of the amount of land that non-resident aliens and foreign corporations can own in the State of Wisconsin, to the extent that such regulation is consistent with the General Agreement on Trade in Services Treaty; and,

BE IT FINALLY RESOLVED, that the Dodge County Clerk is hereby authorized and directed to send a copy of this Resolution to the Wisconsin Counties Association for consideration at the Wisconsin Counties Association Annual Business Meeting.

All of which is respectfully submitted this 20th day of May, 2014.

Dodge County Executive Committee:

Russell Kottke

David Frohling

Joseph M. Marsik

MaryAnn Miller

Jeff Berres

Harold Johnson

Donna Maly

ADOPTED
BY DODGE COUNTY BOARD

MAY 20 2014

AYES 25 NOES 6
ABSENT 1
ABSTAIN 0

Karen J. Gibson
County Clerk

RESOLUTION NO. 14-14

TO THE HONORABLE BOARD OF SUPERVISORS OF DODGE COUNTY, WISCONSIN
MEMBERS,

WHEREAS, Dodge County owns and operates Clearview, a licensed skilled nursing facility; and,

WHEREAS, Clearview has been and continues to be committed to providing high quality care to its residents consistent with all requirements of state and federal laws and to embodying and applying the highest ethical standards of conduct and care relating to resident care and to all aspects of administration; and,

WHEREAS, these commitments to these standards apply to all aspects of Clearview's operations, including those aspects which are subject to contractual arrangements with the Marsh Country Health Alliance (MCHA); and,

WHEREAS, Clearview has operated consistently with this commitment to ensure compliance regarding standards of care, financial standards, and conduct, and has previously adopted policies and procedures to ensure such compliance including, but not limited to, policies relating to allegations of misconduct, background checks, code of conduct, false claims and whistleblower protection, incident investigation, privacy practices, quality assessment and quality assurance, and resident privacy rights; and,

WHEREAS, federal law, to wit, the Patient Protection and Affordable Care Act, signed into law on March 23, 2010, requires that facilities such as Clearview have and implement a written Compliance Plan and Code of Conduct; and,

WHEREAS, the Dodge County Health Facilities Committee serves as an advisory board to Clearview, and as such, provides recommendations regarding the operation of Clearview; and,

WHEREAS, the Health Facilities Committee has approved and recommended the establishment of a Compliance Program at Clearview, as described more fully in the Clearview Compliance Plan (the "Compliance Plan") and including the Clearview Code of Conduct (the "Code of Conduct"); and,

WHEREAS, the Dodge County Board of Supervisors has received a copy of the Compliance Plan and Code of Conduct attached hereto as Exhibit "A", which is proposed to be adopted for and implemented at Clearview; and,

WHEREAS, the Compliance Program will assist Clearview in providing health care services in a manner that complies with applicable federal and state laws and regulations, and meets the highest standards of professional ethics and integrity; and,

WHEREAS, the Compliance Program will foster an organizational culture at Clearview that promotes and enables the achievement of compliance with these ethical standards and legal requirements; and,

WHEREAS, the Compliance Program, as described in the Compliance Plan and including the Code of Conduct, establishes a continuous process for the improvement of Clearview's business policies and practices and to carry out its oversight responsibilities under state and federal laws and regulations; and,

WHEREAS, the Compliance Program includes the following elements: (a) Designation of a Compliance Officer and a Clearview operations-level compliance committee; (b) Establishment of a written Compliance Plan and Code of Conduct; (c) Development of policies and procedures addressing specific areas of compliance risk, including potential fraud and abuse; (d) General education and training on the Compliance Program and compliance issues; (e) Specialized education and training on compliance risk areas; (f) Internal reporting mechanism for employees to communicate questions and concerns about compliance; (g) Use of audits and other monitoring techniques for compliance; (h) A procedure for the investigation and remediation of identified problems; (i) Establishment and enforcement of disciplinary standards for ensuring commitment and participation in the Compliance Program; and (j) Annual evaluation of the effectiveness of the Compliance Program;

SO, NOW, THEREFORE, BE IT RESOLVED, that the Dodge County Board of Supervisors hereby adopts the Clearview Compliance Program, including the Clearview Compliance Plan (the "Compliance Plan") and the Clearview Code of Conduct (the "Code of Conduct") attached hereto as Exhibit "A," and the requirements and recommendations contained therein; and,

BE IT FINALLY RESOLVED, that the Dodge County Board of Supervisors hereby directs that the Dodge County Health Facilities Committee be responsible for monitoring the implementation and operation of the Clearview Compliance Program, including the Compliance Plan and Code of Conduct, and directs that the designated Compliance Officer provide at least quarterly reports to the Health Facilities Committee, and at least annual reports to the Dodge County Board of Supervisors and the Dodge County Administrator on the status and overall effectiveness of the Clearview Compliance Program.

All of which is respectfully submitted this 20th day of May, 2014.

Dodge County Health Facilities Committee:

Larry Bischoff

Lisa Derr

John Fabisch

Jeffry C. Duchac

Thomas J. Schaefer

ADOPTED
BY DODGE COUNTY BOARD

MAY 20 2014

AYES 31 NOES 0
ABSENT 1
ABSTAIN 0

Karen J. Gibson
County Clerk

2

Reinhart
Headlines in Long-Term Care Facilities, Assisted Living and Senior Housing Law
ealert

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4-10-14

COMPLIANCE AND ETHICS PROGRAM REQUIREMENT MANDATORY FOR LONG-TERM CARE

As of March 2013, the Affordable Care Act (ACA), as a condition for participation in federal health care payment programs, requires that nursing facilities (NF) and skilled nursing facilities (SNF) have "in operation" compliance and ethics programs that are effective in preventing and detecting criminal, civil and administrative violations. As part of the requirement, the Department of Health and Human Services (HHS) is required to promulgate regulations for the NF/SNF programs—however, HHS has not yet released enforcement rules under the section.

HHS's lack of guidance, however, does not mitigate the requirement, and NFs/SNFs should by now have adopted, implemented and even reassessed effective compliance programs. The ACA identified eight required elements for compliance and ethics programs. They include the NFs/SNFs:

- Establishing compliance standards and procedures to reduce criminal, civil and administrative violations;
- Assigning overall compliance oversight and authority to high-level personnel to assure such compliance;
- Using due care not to delegate substantial discretionary authority to individuals who have the propensity to engage in criminal, civil or administrative violations;
- Taking steps to communicate standards and procedures to all employees and agents through training programs or publications;
- Achieving compliance with the facilities' standards through monitoring and auditing systems designed to detect criminal, civil and administrative violations, and having a reporting system whereby employees can report violations;
- Consistently enforcing the standards through disciplinary mechanisms, including discipline of individuals responsible for failure to detect offenses;
- Taking reasonable steps to respond to offenses and to prevent further similar offenses; and
- Periodically undertaking the reassessment of its compliance program to identify changes necessary to reflect changes within the organization and its facilities.

In addition to the NF/SNF program requirement, the ACA also contains provisions relating to the compliance programs for other types of providers in the long-term care sector. Specifically, the ACA requires healthcare providers and suppliers, as a condition for participating in federal healthcare programs, to establish compliance and ethics programs that contain certain "core elements." HHS, however, has not yet defined these "core elements." Guidance is expected to be released on a rolling basis for each industry sector.

Although many of the long-term care providers affected by these changes may not have felt the need to develop effective compliance programs in the past, the ACA's requirements mean facilities need to quickly formalize compliance programs if they have not already done so. Providers or suppliers waiting for HHS to issue more detailed compliance standards for the NF/SNF programs, or the "core elements" for other sectors, should turn to earlier guidance from the HHS Office of Inspector General (OIG) for more insight. The OIG's Compliance Program Guidance, based on the federal Sentencing Guidelines, is substantively similar to the ACA standards and provides extensive details on what an effective compliance program should contain.

Now, more than a year after the initial deadline, all NFs and SNFs should have a compliance and ethics program in place and should be preparing to reassess the program's effectiveness in the very near future—as the final required element made clear, compliance programs must encompass periodic reassessment. Other providers or suppliers in the long-term care sector, although not yet required, should also be formalizing comparable compliance programs so as not to be caught off guard when the regulations finally arrive.

If you have questions regarding the establishment or implementation of your compliance plan and ethics program or would like assistance in conducting the required reassessment of your program's effectiveness, please contact Rob Heath at the address below, any other member of Reinhart's Health Care team or your Reinhart attorney.

Robert J. Heath
Reinhart Boerner Van Deuren s.c.
Suite 1700
1000 North Water Street
Milwaukee, Wi 53202
414-298-8205
rheath@reinhartlaw.com

The assistance of Brad Dennis in the preparation of this e-alert is gratefully acknowledged.

This *Headlines in Long-Term Care Facilities, Assisted Living and Senior Housing Law E-Alert* provides general information and should not be construed as legal advice or a legal opinion. Readers should seek legal counsel concerning specific factual situations confronting them.

Reinhart
Boerner Van Deuren s.c. Attorneys at Law

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This communication may be considered advertising in some jurisdictions.

CLEARVIEW

CORPORATE COMPLIANCE PLAN

I. DEFINITIONS

As used in this Compliance Plan, the following definitions apply:

"County" refers to Dodge County.

"County Board" refers to the Dodge County Board of Supervisors.

"Health Facilities" refers to the Health Facilities Committee of Clearview, which is an advisory body to the County Board.

"Administrator" shall mean the Administrator of Clearview.

"Code of Conduct" refers to Clearview's Code of Conduct.

"Compliance Officer" refers to the individual appointed by the County Board who is responsible for implementing and supervising operation of the Compliance Program.

"Compliance Plan" refers to this written plan of compliance that is part of the Compliance Program (defined below). The Compliance Plan includes the Code of Conduct (collectively, the Compliance Plan and the Code of Conduct are referred to herein as the **"Compliance Materials"**).

"Compliance Program" refers to the overall program of compliance instituted by the County Board with respect to Clearview, as described in the Compliance Plan and the Code of Conduct, and implemented through various other policies and procedures, and corporate practices.

"Employees" refers to individuals who are employed by the County to work at Clearview.

"Compliance Committee" refers to the operations-level committee of Clearview responsible for supporting the Compliance Officer in the day-to-day operations of the Compliance Program.

"Officer" refers to the Administrator, the Director of Financial Services, and the Director of Nursing.

"Outside Parties" refers to any non-Employee supplier or other third party with which Clearview contracts or otherwise agrees with to provide, furnish, or arrange for, services or items directly or indirectly payable by a federal health care program.

"Clearview" refers to Clearview, a county-owned and operated licensed skilled nursing facility.

"Volunteers" are individuals, other than Board Members, who provide uncompensated services for the benefit of Clearview.

II. INTRODUCTION

A. **Clearview Mission, Vision, and Core Values.**

Mission: Innovative leaders weaving together extraordinary care in a supportive environment.

Vision: Clearview will continue to have the leading edge approach in care for generations to come.

Core Values: Focus on the resident and all else will follow; believe it is possible; build honest and open relationships with family and residents; nurture the human spirit; be determined and passionate; pursue growth and learning; be humble; instill hope; enrich life; and integrity.

B. **Scope of Compliance.** The Compliance Program, as described in the Compliance Materials, governs the operations of Clearview.

C. **Program Objectives.** Clearview is committed to meeting high ethical standards and complying with all applicable laws in all activities related to the delivery of health care through its licensed and certified facilities. To accomplish this, Clearview shall develop and implement practices, policies, and procedures to create and foster an organizational culture that encourages open communications regarding compliance issues, without fear of retaliation; these objectives will be embraced by Clearview's Officers, Board Members, Employees, physicians and clinical staff, Volunteers, and Outside Parties, as applicable. In furtherance by these goals, Clearview shall:

1. Establish and maintain a system for routine/continuous identification and assessment of compliance risk areas within Clearview through the use of periodic reviews, audits, and other practices. As described in Section IV below, the Compliance Officer, directly or through his or her designee, shall periodically monitor and/or conduct specific reviews of the risk areas impacting Clearview's business, including, without limitation: coding and billing practices; issues relating to quality of care and services; compliance with mandatory reporting requirements; and other potential compliance risk areas that may arise from complaints, external reviews, or other risk assessments.

2. Develop, implement, and maintain written policies and procedures addressing Clearview's commitment to compliance, including specific policies and procedures addressing areas of potential fraud and abuse, such as claims development and submission processes, quality of care issues, and financial arrangements with physicians and other Outside Parties.

3. Appoint a Compliance Officer who is responsible for implementing and operating the Compliance Program, and maintaining the Compliance Materials and related policies and procedures.

4. Provide education and training to Officers, Board Members, Employees, physicians and clinical staff, Volunteers, and Outside Parties regarding the Compliance Program and the Code of Conduct.

5. Establish effective lines of communication between the Compliance Officer and Officers, Board Members, Employees, Physicians and Clinical staff, Volunteers, and Outside Parties.

6. Create and implement programs designed to encourage and monitor compliance with the Code of Conduct and good faith participation in the Compliance Program consistent with Clearview's expectation that Officers, Board Members, Employees, Physicians and Clinical staff, Volunteers, and Outside Parties will raise questions and report concerns relating to compliance generally and will adhere to Clearview's Code of Conduct and related compliance policies and procedures.

7. Institute effective procedures for receiving reports concerning possible violations of relevant laws and regulations, the Code of Conduct, or any related compliance policies and procedures, and strictly enforce Clearview's non-retaliation procedures.

8. Design and maintain procedures for investigating and responding to potential compliance issues raised by any individual, entity, or agency, which procedures shall include direction regarding the proper response to non-compliance, such as corrective action, repayment, or preventative measures.

9. Utilize audits and monitoring to evaluate compliance, identify new risk areas, and assist in reducing instances of non-compliance.

10. Develop procedures to prevent the employment or retention of excluded individuals or entities.

III. COMPLIANCE RESPONSIBILITIES AND OVERSIGHT

A. **County Board.** The County Board has ultimate responsibility for the Compliance Program. In that role, the County Board has delegated to the Health Facilities Committee, its duly-authorized board committee, the responsibility and authority for overseeing the implementation and operation of the Compliance Program. The County Board has charged the Compliance Officer with the responsibility of implementing, evaluating, and monitoring adherence to the Compliance Program. The County Board shall receive, at least annually, a report from the Compliance Officer on the status of the Compliance Program and, as determined to be necessary, periodic reports from the Health Facilities Committee on the status of the Compliance Program or specific compliance activities or issues. The County Board shall ensure that appropriate resources are allocated as part of the County's and Clearview's annual budget to enable the implementation and effective functioning of the Compliance Program.

B. **Health Facilities Committee.** The Health Facilities Committee is responsible for overseeing the implementation and operation of the Compliance Program. The Health Facilities Committee shall receive reports from the Compliance Officer at least annually, or more often as deemed necessary by the Compliance Officer or the Administrator.

C. **Compliance Officer.** In addition to the duties set forth in the Compliance Officer's job description, the Compliance Officer is responsible for implementing, and evaluating and monitoring the effectiveness of, the Compliance Program. The Compliance Officer is accountable to the County Board, its Health Facilities Committee, and the Administrator in the performance of his or her duties, which shall include, without limitation:

1. Reporting directly, at least annually, to the Health Facilities Committee and County Board regarding at least the following: (i) the status and effectiveness of the Compliance Program; (ii) the status of the annual compliance work plan, including descriptions of scheduled audits or billing and quality of care issues; (iii) specific compliance activities, including ongoing issues, investigations, and the status of any corrective actions, enforcement activities, training and education

efforts; (iv) annual auditing and monitoring activities; and (v) coordination of monthly screening checks of the OIG exclusion list. The Compliance Officer also shall be responsible for reporting regularly to the Administrator on the status of the Compliance Program.

2. Developing and implementing policies and procedures to adequately address areas of potential and actual compliance risk, and that existing policies and procedures are reviewed and revised as necessary. At a minimum, such policies shall address the high-risk areas identified in the risk assessment process.

3. Ensuring that there are appropriate mechanisms in place to encourage and support the reporting of compliance concerns and to ensure compliance with Clearview's non-retaliation policies and procedures.

D. **Compliance Committee.** The Compliance Committee shall be an operations-level committee that is responsible for supporting the Compliance Officer in the day-to-day operation of the Compliance Program and implementation of the Compliance Plan, including, without limitation, assisting with the annual risk assessment and compliance work plan, developing, implementing, and monitoring compliance policies and procedures, ensuring general and specific training and education is appropriate and adequate, addressing specific compliance issues as they arise, and developing audit and monitoring programs. The Compliance Committee shall meet at least quarterly.

The Compliance Committee shall be multi-disciplinary and comprised of at least the following members who shall service *ex officio*: the Compliance Officer, the Administrator, the Director of Financial Services, the Director of Nursing, the Director of Dietary Services, the Human Resource Specialist, the Rehabilitation Manager, the Health Information Management Coordinator, and the RAI Coordinator. The Compliance Officer shall chair the Compliance Committee, may appoint other members from time to time, and invite others to attend meetings and assist the Compliance Committee in its efforts.

E. **Officers and Board Members.** Each Officer and Board Member is responsible for:

1. Reviewing the Compliance Materials.

2. Completing all required compliance training.

3. Performing all duties and responsibilities in accordance with the Compliance materials, applicable Clearview policies and procedures, and applicable laws and regulations.

4. Reporting suspected violations of the Compliance Materials, Clearview policies or procedures, or applicable laws or regulations, as described herein.

5. Annually signing an attestation form certifying that he or she: (i) has read the Compliance Materials; (ii) has completed any requisite compliance training or education sessions; (iii) will comply with the Compliance Materials, including the duty to report non-compliance with same; (iv) is not aware of any unreported non-compliance, violations, or any other issues or concerns related to compliance; and (v) understands that he or she may be subject to sanctions for failure to abide by the Compliance Materials.

F. **Employees.** Each Employee is responsible for:

1. Reviewing the Code of Conduct.

2. Completing all required general and specific compliance training.

3. Performing all duties and job responsibilities in accordance with the Code of Conduct, all relevant Clearview policies and procedures, and all applicable laws and regulations.

4. Reporting suspected violations of the Code of Conduct, relevant Clearview policies or procedures, or applicable laws or regulations, as described herein.

5. Cooperating and participating in all audits, investigations, or reports undertaken as a part of the Compliance Program.

6. Signing a compliance attestation form certifying that he or she: (i) has read the Code of Conduct; (ii) has completed the requisite compliance training or education sessions regarding the Compliance Materials; (iii) will comply with the Code of Conduct, including the duty to report non-compliance with same; (iv) is not aware of any unreported non-compliance, violations, or any other issues or concerns related to compliance; and (v) understands that he or she may be subject to discipline for failure to abide by the Code of Conduct.

G. **Physicians and Clinical Staff, Volunteers, and Outside Parties.** A copy of the Code of Conduct shall be made available to all Physicians, Clinical staff, Volunteers, and Outside Parties and all are expected to comply with the Code of Conduct while providing services to, or performing services on-site at, Clearview's facilities. They also are expected to report suspected violations of the Code of Conduct or applicable laws or regulations and must cooperate and participate, as reasonably requested, in audits and investigations undertaken as a part of the Compliance Program.

H. **Outside Legal Counsel.** The Compliance Officer is authorized to engage legal counsel, where appropriate, to assist in the implementation, operation, and modification of the Compliance Program. As appropriate, the Compliance Officer, and any other representative of Clearview working with legal counsel, shall make every effort to preserve and maintain the attorney-client privilege.

IV. RISK ASSESSMENT

A. Annual Risk Assessment and Compliance Work Plan.

1. **Development of Risk Assessment and Compliance Work Plan.** The Compliance Officer is responsible for developing, with the assistance of the Compliance Committee, an annual risk assessment for Clearview. The objective of the annual risk assessment is to identify and prioritize areas presenting compliance concerns and to recommend measures to address such concerns. Taking the results of the annual risk assessment into consideration, the Compliance Officer shall work with the Compliance Committee to develop an annual compliance work plan, which shall include requirements for training on, and monitoring of, areas identified as high risk.

2. **Resources.** The Compliance Officer shall have the full resources of Clearview available to him or her in preparing the annual risk assessment and annual compliance work plan. If responsibility for any particular aspect of the annual risk assessment is delegated by the Compliance

Officer, the designated party or parties shall prepare and submit to the Compliance Officer reports documenting their work. The results of the annual risk assessment may be verified by internal or external audits, consultants, or such other means as the Compliance Officer determines to be necessary and appropriate. At a minimum, for areas identified as high risk, the annual compliance work plan shall include review or development of applicable policies and procedures and internal controls, requirements for training and education, and plans for auditing and monitoring.

3. **Reporting**. The Compliance Officer shall provide a report of the findings of the annual risk assessment and annual compliance work plan to the Health Facilities Committee. In making this report, the Compliance Officer shall identify actual or potential areas of concern, describe current measures taken, and recommend actions to address areas of concern.

B. **Risk Areas**. The annual risk assessment shall give special emphasis to risk areas associated with billing practices, and shall include a review of other actual or potential risk areas identified through internal or external audits, in the OIG's annual Work Plan, Fraud Alerts, or other published compliance guidance. The list of risk areas below is a compilation of potential risk areas that may be considered as part of the annual risk assessment, as determined to be appropriate by the Compliance Officer. This list is not meant to be exhaustive, and other areas of risk may be identified and assessed as deemed necessary by the Administrator, Compliance Officer, County Board, Health Facilities Committee, or Compliance Committee.

1. **Quality of Care**. This risk area includes, without limitation: (i) issues related to sufficiency of staffing; (ii) care plan comprehensiveness; (iii) medication management; (iv) use of psychotropic medications; and (v) safety.

2. **Resident Rights**. This risk area includes: (i) discriminatory admission or improper denial of access to care; (ii) verbal, mental, or physical abuse, corporal punishment, and involuntary seclusion; (iii) denial of a resident's right to participate in care and treatment decisions; and (iv) failure to safeguard a resident's financial affairs.

3. **Submission of Accurate Claims**. This risk area includes: (i) reporting of resident case-mix; (ii) submitting claims for therapy services; (iii) submitting claims for restorative and personal care services; (iv) billing for items or services not rendered or provided as claimed; (v) submitting claims for equipment, medical supplies, and services that are not medically necessary; (vi) submitting claims to Medicare Part A for residents who are not eligible for Part A coverage; (vii) duplicate billing; (viii) failing to identify and refund credit balances; (ix) submitting claims for items or services not ordered; (x) knowingly billing for inadequate or substandard care; (xi) providing misleading information about a resident's medical condition on the MDS or otherwise providing inaccurate information used to determine the RUG assigned to the resident; (xii) upcoding the level of service provided; (xiii) billing for individual items or services when they either are included in the per diem rate or are of the type of item or service that must be billed as a unit and may not be unbundled; (xiv) billing residents for items or services that are included in the per diem rate or otherwise covered by a third-party payor; (xv) altering documentation or forging a physician signature or documents used to verify that services were ordered and/or provided; (xvi) failing to maintain sufficient documentation to support the diagnosis, justify treatment, document the course of treatment and results, and promote continuity of care; and (xvii) submitting false cost reports.

4. **The Federal Anti-Kickback Statute.** This risk area includes: (i) soliciting, accepting, or offering any gift or gratuity of more than nominal value to or from residents or patients, potential referral sources, and other individuals and entities with which Clearview has a business

relationship; (ii) physician service contracts; (iii) non-physician service contracts; (iv) price reductions; (v) swapping; (vi) reserved bed payments; (vii) routine waivers of copayments or deductibles without a good faith determination that the resident is in financial need, or absent reasonable efforts to collect the cost-sharing amount; (viii) agreements between Clearview and another hospital, home health agency, or hospice that involve the referral or transfer of any resident to or by Clearview; (ix) conditioning admission or continued stay at Clearview on a third-party guarantee of payment, or soliciting payment for services covered by Medicaid, in addition to any amount required to be paid under the State Medicaid plan; (x) arrangements between Clearview and a hospital under which Clearview will only accept a Medicare beneficiary on the condition that the hospital pays Clearview an amount over and above what it would receive through the PPS; (xi) arrangements with vendors that result in Clearview receiving non-covered items (such as disposable adult diapers) at below market prices or no charge, provided that Clearview order Medicare-reimbursed products; (xii) soliciting or receiving items of value in exchange for providing the supplier access to patients' or residents' medical records and other information needed to bill Medicare; and (xiii) joint ventures with entities supplying goods or services.

5. **Exclusion Screening and Human Resources Issues**. This risk area includes: (i) the hiring or continued employment of individuals or entities excluded from participation in the Federal health care programs; (ii) contracting with an excluded individual or entity; and (iii) complying with the state background check requirements.

6. **Survey and Certification**. This risk area includes compliance with Medicare Conditions of Participation for skilled nursing facilities.

7. **Resident Privacy and Confidentiality of Records.** This risk area includes compliance with: (i) the Health Insurance Portability and Accountability Act of 1966 (HIPAA); (ii) the Health Information Technology for Economic and Clinical Health Act (HITECH); and (iii) other federal and state laws mandating the confidentiality and security of, as well as access to, resident health information.

8. **Additional Regulatory Risk Areas**. Additional risk areas include, without limitation: (i) physician self-referrals; (ii) anti-supplementation; and (iii) Medicare Part D.

V. EDUCATION, TRAINING, AND ATTESTATION

A. **Policy**. It is the policy of Clearview to provide training to Officers, Board Members, Employees and, as appropriate, physicians and clinical staff, and Volunteers, to permit them to have sufficient familiarity with the Code of Conduct specifically, and the Compliance plan generally, so that they are aware of their ethical and legal obligations and act responsibly. Individual attendance at all required training and educational sessions and, as required, completion of the applicable compliance attestation form, shall be tracked and recorded in order to permit the Compliance Officer to verify by individual that the training or the attestation form was completed. Failure to complete required training, or failure to sign a compliance attestation form, if applicable, may result in disciplinary action or termination of an individual's relationship with Clearview.

B. **General Training**. All Officers, Board Members, and Employees are required to undergo compliance training upon hire or appointment and at least annually thereafter. Officers, Board Members, and Employees must undergo such training as part of their orientation, at which time they shall receive a copy of the Code of Conduct. Thereafter, Officers, Board Members, and Employees shall have general compliance training at least annually. Compliance training may occur in various formats, including web-based and face-to-face training.

At least annually, the Compliance Officer shall review and, as needed, update general compliance training. In doing so, the Compliance Officer shall consider changes in external requirements (e.g., federal health care program requirements, the OIG annual Work Compliance Plan, or other agency guidance) as well as internal activities (e.g., results from audits or investigations, previous training and education program feedback).

C. **Compliance Attestation Form**. Upon orientation, or completion of annual compliance training, each Officer, Board Member, and Employee shall sign a compliance attestation form in accordance with Section III.E and F of this Compliance Plan.

D. **Specialized Training**. In addition to general corporate compliance training, the Compliance Officer and the Compliance Committee shall work to identify and evaluate the need for specialized training and facilitate and document such training. The Compliance Officer shall annually evaluate the appropriateness of the training and make revisions to the training as necessary. In doing so, the Compliance Officer shall consider changes in external requirements (e.g. federal health care program requirements, the OIG annual Work Compliance Plan, or other agency guidance) as well as internal activities (e.g., results from audits or investigations, previous training and education program feedback). The Compliance Officer shall also ensure that attendance at specialized training is tracked and recorded.

E. **Communication of Changes to Compliance Materials**. The Compliance Officer shall distribute in writing and/or post in conspicuous places, and material modifications to Code of Conduct. The Compliance Officer shall also communicate to affected parties any substantial changes to the Compliance Plan.

F. **Other Compliance Communication Efforts**. The Compliance Officer shall provide periodic information about the Compliance Program as well as changes in applicable laws or ethical standards that may affect the responsibilities of Officers, Board Members, Employees, physicians and clinical staff, or Volunteers, through written memoranda, newsletters, periodic training sessions or other appropriate forms of communication, including the posting of such information on Clearview's website or intranet.

VI. EDUCATION, TRAINING, AND ATTESTATION

A. **Annual Audit Plan**. Audits and monitoring shall generally reflect the areas of concern identified in the annual risk assessment. Based on the annual risk assessment, the Compliance Officer and the Compliance Committee shall develop an annual audit plan.

B. **General**. The Compliance Officer shall be responsible for developing and implementing ongoing monitoring and auditing efforts, with the assistance of the Compliance Committee. The Compliance Officer may utilize a variety of techniques to conduct monitoring, including periodic "spot-checks." Monitoring and auditing activities may consist of on-site visits, interviews (of current Employees or at an Employee's exit), review of written materials and documentation, trend analysis, questionnaires, and periodic compliance audits by external auditors with expertise in federal and state long-term care specific statutes, regulations, and risk areas. Audits may also incorporate a review of whether the Compliance Materials have been adequately disseminated, whether appropriate training and educational programs have been conducted, whether appropriate records are being maintained, and whether disciplinary processes are working properly.

C. **Response.** The Compliance Officer shall ensure that in response to all audits, appropriate discipline plans or other corrective actions (e.g., adding new training and educational programs, or making changes to policies and procedures), or steps for continuous quality improvement are developed and implemented fully. As appropriate, the Compliance Officer may arrange for a follow-up audit or review of specific issues or practices to determine whether any recommended corrective actions have been implemented and have been successful. Any actions taken in response to an audit shall be documented by the Compliance Officer or his or her designee.

D. **Reporting.** The Compliance Officer shall report regularly to the Administrator, annually to the County Board, and at least annually to the Health Facilities Committee regarding the implementation of the annual audit plan and the results of any other auditing and monitoring activities conducted during the prior year.

VII. EDUCATION, TRAINING, AND ATTESTATION

A. **Obligation to Report Suspected or Actual Non-Compliance.** In accordance with the Code of Conduct, all Officers, Board Members, Employees, physicians and clinical staff, Volunteers, and Outside Parties are expected and required to report any suspected or actual non-compliance.

B. **Anonymity.** To the extent possible, all compliance-related reports shall be handled in a manner that protects the confidentiality of the reporting individual if he or she so requests. However, there may be circumstances in which confidentiality cannot be maintained. Some examples of this include situations where the problem is known only to very few people or situations in which the government or another payor or funding source is involved. In most cases, such entities shall require the name of the individual who first brought the problem to the attention of Clearview.

C. **Non-Retaliation Policy.** It is the policy of Clearview to ensure that individuals who make a report in good faith do not suffer any retaliation from doing so. The Compliance Officer shall explain Clearview's non-retaliation policy to each caller or reporter and give the reporter a means for contacting them confidentially to report any actions the reporter believes are retaliatory. The Compliance Officer shall ensure that any report of retaliation is appropriately invested.

D. **Reporting Procedures.** Acceptable methods of reporting compliance concerns include the following:

1. **Face-to-Face.** Directly to a supervisor or manager, or the Compliance Officer, in a face-to-face meeting.

2. **Telephone.** Directly to any supervisor or manager, or the Compliance Officer, via telephone or through the use of voicemail.

3. **E-Mail.** Directly to the Compliance Officer via e-mail.

It is an expected good practice to first raise concerns with your supervisor. If that is not appropriate, or a person is uncomfortable doing so, he or she can discuss the situation with a manager or the Compliance Officer.

E. **Investigation.** Upon receiving a report of actual or suspected non-compliance, the Compliance Officer shall initiate prompt steps to ensure the conduct in question is investigated (including, as appropriate, involving outside legal counsel) to determine whether non-compliance has

occurred. Investigations may involve: (i) working in conjunction with the program/area management staff, Medicaid/Medicare compliance staff, billing staff, and/or other appropriate staff who may have information about what might have occurred; (ii) interviewing individuals with potential knowledge of the matter; and/or (iii) conducting a review of relevant documents. The Compliance Officer will thoroughly document each step of the investigation.

F. **Response.** In the event the investigation identifies actual or suspected non-compliance, Clearview may undertake one or more of the following actions, as appropriate:

1. Immediately ceasing any actual non-compliance.

2. Consulting with legal counsel to determine whether voluntary reporting of the actual or suspected non-compliance to the appropriate governmental authority is warranted.

3. Making any legally required repayment.

4. Initiating disciplinary action, as appropriate.

5. Promptly undertaking appropriate training and education to prevent a recurrence of the actual or suspected non-compliance.

6. Conducting a review of the Compliance Materials and applicable Clearview policies and procedures to determine whether revisions of the current Compliance Materials and applicable policies or procedures, or the development of new policies and procedures, are needed to minimize future risk of actual or suspected non-compliance.

7. Conducting, as appropriate, follow-up monitoring or auditing to ensure effective resolution of the actual or suspected non-compliance.

The Compliance Officer shall make annual reports to the County Board and the Health Facilities Committee regarding reported non-compliance and the action taken in response thereto.

VIII. ENFORCEMENT AND DISCIPLINE

A. **Enforcement of Compliance Plan and Code of Conduct.** Adherence to the Compliance Program, Compliance Materials, and Clearview policies and procedures is central to the duties of every Employee, Volunteer, Officer, Board Members, and Outside Party. Clearview shall take prompt action to address non-compliance. Such action may include counseling or additional training and education, but also may include disciplinary action, up to and including termination of employment, the applicable business relationship or contract, or affiliation.

B. **Reporting Violation of Laws.** Clearview shall report compliance violations to the appropriate governmental authority when required to do so. The Compliance Officer shall develop a process to ensure that such reports are made timely.

C. **Reporting and Refunding Overpayments.** Pursuant to the Patient Protection and Affordable Care Act ("PPACA"), a provider must report and refund any identified overpayments within sixty (60) days of identification. The Compliance Officer shall develop a process to ensure that Clearview reports and repays overpayments within sixty (60) days of identification in accordance with PPACA.

D. **Compliance as an Element of Job Performance.** Adherence to, and support of, the Code of Conduct shall be considered in decisions regarding hiring, promotion, performance review, and compensation for all Employees.

IX. REVIEW AND APPROVAL OF COMPLIANCE MATERIALS

A. **Code of Conduct.** The Compliance Officer shall periodically review the Code of Conduct and revise it as necessary due to changing laws and regulations or Clearview's operations. The County Board must approve any revisions to the Code of Conduct.

B. **Compliance Plan.** The Compliance Officer shall periodically review the contents of the Compliance Plan and revise it as necessary due to changing laws and regulations or Clearview's operations. The County Board must approve any revisions to the Compliance Plan. While Clearview shall generally attempt to communicate revisions prior to implementation, Clearview may change the Compliance Plan without providing prior notice to affected parties.

X. CONCLUSION

The Compliance Plan has been prepared to outline the broad principles of legal and ethical business conduct embraced by Clearview. It is not a complete list of legal or ethical questions you might face in the course of business. Therefore, this plan must be used together with your common sense and good judgment. If you are in doubt or have a specific question, you should contact your supervisor or the Compliance Officer.

APPENDIX A

CLEARVIEW

CODE OF CONDUCT

[ATTACHED]

OTHER PERTINENT POLICIES

Allegations of Misconduct
Background Check
Change of Condition
CNA Code of Ethics
Code of Conduct
Disclosure of PHI/Breach of PHI
False Claims and Whistleblower Protection/Education
HIPPA
Incident/Accident Investigative Report
In-Service and On-line Education
Medicare Denial Determination
Mentoring Program
Notice of Privacy Practices
Nursing Quality Assessment and Assurance Program
Orientation of Nursing Personnel
Quality Assessment and Assurance Committee
Resident Privacy Rights
Dietary Orientation and Training
Purchasing

Agreements

Business Associate Agreement

CLEARVIEW

POLICY REGARDING:
Code of Conduct

Policy:	#1046
Proponent:	Administration
Approved By:	Jane E. Hooper, Administrator
Effective Date:	4/29/14
Policy Superseded:	Code of Ethics 2/1/09

Purpose

Clearview has adopted this Code of Conduct to provide standards by which employees of Clearview will conduct themselves to protect and promote facility-wide integrity and to enhance Clearview's mission statement and core values.

Clearview is dedicated in conducting business honestly, ethically, and accurately to avoid conflict between personal interests and the interests of the facility. Clearview will continually improve the quality of its services, products, and operations and will maintain a reputation for honesty, fairness, respect, responsibility, integrity, trust, and sound business judgment. Clearview or Clearview employees will not compromise its principles for short-term gain or personal interest.

A. No illegal or unethical conduct on the part of officers, managers, or employees is in Clearview's best interest. All employees are expected to adhere to high standards of personal integrity. Clearview will comply with laws, regulations, and guidelines.

   1. Refrain from engaging in illegal business practices, including bribery, kickbacks, or payoffs intended to generate resident referrals, admissions, favorable terms or treatment, or for the purchase of goods or services.

   2. Conduct financial matters in a manner that is consistent with accepted accounting principles and in accordance with guidelines established by current Medicare and Medicaid Cost Reporting and Consolidated Billing requirements.

B. Clearview will safeguard assets, property, and information gained through employment and be accountable for their intended use.

   1. Maintain and be accountable for Clearviews assets, property, equipment, and supplies including resident and facility property.

   2. Report work time accurately and use work time responsibly.

   3. Use Clearview property, including all electronic communications provided in a professional manner. Clearview employees will be responsible for respecting and adhering to local, state, and federal laws in conducting their work on Dodge County computers or devices.

4. Safeguard passwords and security codes to protect employees and the facility. Clearview employees are responsible for maintaining confidentiality of their passwords.

C. Employees may not allow their personal interests to conflict or appear to conflict with the interests of Clearview. Employees must be particularly careful to avoid representing Clearview in any transaction with others with whom there is any outside business affiliation or relationship. Clearview contacts shall not be utilized to advance a private business or personal interest at the expense of Clearview. Clearview will protect and respect the use of and/or release of confidential information regarding employees or residents.

1. Maintain confidential information concerning residents' treatment, medical conditions, financial status, etc. by using and only sharing this information according to laws, regulations, and guidelines.

2. Limit information to only those who need information based on reporting requirements according to laws, regulations, and guidelines.

3. Maintain confidential business information and release that information only to authorized individuals or agencies in accordance with current laws and regulations as required by Federal/State agencies.

4. Respect the rights of the residents by only discussing confidential information at appropriate times and places with the appropriate individuals.

5. Prohibit the release of business/resident information without approval and within our established guidelines.

D. Employees will uphold an ethical and professional relationship with all residents (past and present) and families (past and present) that includes Clearviews mission and core values. Clearview will build healthy resident-employee relationships while maintaining residents' rights. Personal relationships with residents that exceed the workplace are to be avoided, unless a relationship was developed prior to becoming a resident at Clearview.

1. Be professional to their fellow employees, residents, families, and visitors at all times.

2. Refrain from entering relationships with residents that are improper, immoral, or indecent to Clearview or the residents on any level.

3. Report anything that is not considered a normal professional working relationship to their supervisor immediately. This could include, but is not limited to, employees sharing personal information with a resident (phone number, e-mail, address, etc.) or contact outside of work time. Computer based contact such as Facebook is also to be avoided.

E. Bribes, kickbacks, or other similar remuneration or consideration shall not be given to or accepted by any person or organization in order to attract or influence business activity. There should be no individual exchange of personal items between employees and Clearview residents (past or present) and/or family members of residents (past or present) without prior knowledge and approval of the Team. Employee will:

1. Not accept gifts of money or anything of monetary value from vendors, residents, families, visitors, etc. This includes current, potential, or past relationships established through Clearview.

2. Not accept, either directly or indirectly, compensation, gifts, services, or any items of value from residents, families, visitors, consultants, or vendors, etc. in exchange for favorable treatment, referral of residents, items, or services.

3. Not accept or provide benefits that could be construed as conflicting with Clearview business or personal interests, including but not limited to meals, gifts, refreshments, or transportation, etc. in connection with your employment at Clearview.

4. Not ask for or provide, directly or indirectly, compensation of gifts of cash, services of any items of value to physicians, vendors, consultants, residents, families, visitors, or others in exchange for referrals, services, or treatment provided by Clearview.

F. Appropriate steps must be taken to ensure the confidentiality of information that may be obtained, including, but not limited to, strategic business plans, operating results, customer lists, personnel records, resident information, costs, processes, and methods. Clearview is committed to providing extraordinary care in a supportive environment.

1. Focus on the resident.

2. Treat all residents with dignity, respect, and courtesy and in an approach that respects each individual's background, culture, religion, and heritage.

3. Provide medical care, treatments, and services within our capability to our residents without regard to race, color, creed, national origin, age, gender, or financial status.

4. Build honest and open relationships with families and residents.

5. Adhere to the Residents' Bill of Rights as well as other applicable laws or regulations governing residents' rights.

6. Ensure that clinical duties are performed in accordance with acceptable professional standard of practice.

7. Ensure that staff attend and participate in training programs that address resident care issues in a supportive environment that supports teamwork.

8. Conduct appropriate background checks and verify credentials, licenses, certificates, as well as qualifications of health care professional providing care or service to Clearview's residents.

G. Employees must report all information accurately and honestly, and as otherwise required by applicable reporting standards:

1. Follow Clearview's P.D.Q. (P-Protect the resident, D-Discuss with your supervisor, Q-quiet, keep confidential) regarding information related to an uncomfortable situation at all times.

H. Clearview is committed to integrity in our coding, billing, and collection practice.

1. Maintain honest and accurate records of services provided to each resident.

2. Maintain up-to-date coding principles and billing laws, regulations, and guidelines to facilitate and maintain proper documentation, coding, and billing of claims.

3. Ensure the submission of claims for payment and reimbursement are not fraudulent, abusive, inaccurate, or medically unnecessary, including, but not limited to:

   a. Knowingly billing for items or services that do not meet guidelines for things that are medically necessary.

   b. Knowingly submitting claims to third parties for items or services not ordered or certified by the appropriate healthcare professional.

   c. Knowingly submit false claims to Medicare Part A for residents who are not eligible for such coverage.

   d. Knowingly provide misleading information about a resident's medical condition or upcoming the resident assessment (MDS) to obtain higher level of reimbursement.

   e. Knowingly billing for items covered under the facility's basic per diem rate or reimbursed by a third party.

   f. Submitting duplicate bills.

   g. Falsifying information or knowingly filing a fraudulent cost report.

4. Provide an effective process to resolve resident billing issues.

5. Pursue collection of accounts in a professional manner and in accordance with Clearview policy.

I. Employees are prohibited from gathering competitor intelligence by improper means and refrain from acting on knowledge that that has been gathered in such a manner. Employees will seek to avoid exaggerating or disparaging comparisons of the services and competence of competitors.

   1. Market Clearview accurately, honestly, and fairly.

   2. Comply with current laws, rules, regulations, and guidelines that apply to our facility and types of services provided.

J. Employees must comply with all applicable Equal Employment Opportunity laws and act with respect and responsibility towards others in all of their interactions. Employees must promptly disclose any unethical, dishonest, fraudulent or illegal behavior or any violation of Clearview policies and procedures to their supervisor as soon as they are aware of the situation.

   1. Demonstrate appropriate respect and consideration for one another.

   2. Apply Dodge County policies and procedures and Clearview policies fairly and equitably, consistent with applicable legal requirements.

3. Hire, train, promote, and compensate employees without regards to race, color, national origin, age, gender, marital status, religion, disability, or other classification protected by law.

4. Maintain a work environment free from harassment.

5. Protects an employee's status, working conditions or employment relationship if, in good faith, the employee reports abuse, misconduct, neglect, or violations of our compliance program or established policies and procedures.

K. Violations of the Code of Conduct may result in discipline up to and including discharge. It is the responsibility of all employees, contractors, residents, family members, vendors, and any other individual or entity on behalf of Clearview to follow all laws, regulations, and guidelines set forth by Clearview and State/Federal agencies. If you feel a violation has occurred or suspect a violation, you should report your concern to your supervisor or directly to the Corporate Compliance Officer. This can be done anonymously. The Corporate Compliance Officer will investigate all reported incidents.

RESOLUTION NO. 14-15

TO THE HONORABLE BOARD OF SUPERVISORS OF DODGE COUNTY, WISCONSIN
MEMBERS,

WHEREAS, the Dodge County Health Facilities Committee has studied and analyzed staffing needs at Clearview; and,

WHEREAS, as a result of this study and analysis the Health Facilities Committee has formed the considered conclusion that one new, benefited, full-time position of *Admissions Coordinator* at Clearview should be created, effective on or about July 1, 2014, the exact effective date to be determined by the Clearview Administrator in the exercise of the sole discretion of the Clearview Administrator; and,

WHEREAS, a job description for the position of *Admissions Coordinator* has been marked for identification as Exhibit "A" and has been attached hereto; and,

WHEREAS, no funds have been budgeted in the 2014 Clearview Budget to pay for wages and fringe benefits for the proposed position of *Admissions Coordinator* during the period of time commencing on or about July 1, 2014, and ending on December 31, 2014, both inclusive; and,

WHEREAS, there are funds in the amount of $35,625 in Business Unit 645, Clearview, Account No. .3394, Assigned Fund Balance, available for transfer and sufficient to pay wages and fringe benefits for the proposed position of *Admissions Coordinator* during the period of time commencing on or about July 1, 2014, and ending on December 31, 2014, both inclusive;

SO, NOW, THEREFORE, BE IT RESOLVED, that the Dodge County Board of Supervisors hereby creates one new, benefited, full-time position of *Admissions Coordinator* at Clearview, effective on or about July 1, 2014, the exact effective date to be determined by the Clearview Administrator in the exercise of the sole discretion of the Clearview Administrator; and,

BE IT FINALLY RESOLVED, that the Dodge County Board of Supervisors hereby authorizes and directs the Dodge County Finance Director to transfer the sum of $35,625 from Business Unit 645, Clearview, Account No. .3394, Assigned Fund Balance, to Business Unit 4535, Social Services, Account No. .5121, Wages, and to various fringe benefit accounts to be determined by the Dodge County Finance Director, to be used to pay wages and fringe benefits for the position of *Admissions Coordinator* during the period of time commencing on July 1, 2014, and ending on December 31, 2014, both inclusive.

All of which is respectfully submitted this 20th day of May, 2014.

Dodge County Health Facilities Committee:

Larry Bischoff

Lisa Derr

John Fabisch

Jeffry C. Duchac

Thomas J. Schaefer

FISCAL NOTE:
Is the referenced expenditure included in the adopted 2014 Budget? _____ Yes or __X__ No

Fiscal Impact on the adopted 2014 Budget:
$35,625 increase

Fiscal Impact reviewed by the Dodge County Finance Committee on May 13, 2014.

, Chairman
Dodge County Finance Committee

ADOPTED
BY DODGE COUNTY BOARD

MAY 20 2014

AYES 27 NOES 4
ABSENT 1
ABSTAIN 0

Karen J. Gibson
County Clerk

JOB TITLE:	Admissions Coordinator	**FLSA STATUS:**	Non-Exempt
DEPARTMENT:	Support Services	**REPORTS TO:**	Director of Support Services
LOCATION:	Clearview	**DATE:**	3/25/14
LABOR GRADE:	Dodge County Seven (7)	**REVISED:**	

OVERALL PURPOSE/SUMMARY

Under the direction of Director of Support Services, implements admission/referral process in accordance with state and federal regulations, as well as facility requirements.

PRINCIPAL DUTIES AND RESPONSIBILITIES

1. Directs and coordinates admissions, transfers and discharge processes.
2. Performs pre-admission screenings with MDS nurse and Unit Managers in a timely manner.
3. Does a pre-admission onsite assessment prior to admission of each potential resident obtaining medical, psychosocial and financial needs.
4. Ensures that admission processes are in full compliance with county, state and federal regulations.
5. Facilitates financial screens and prior authorizations for pending referrals.
6. Assuring legal documentation is current and relevant for each admission, including orders for protective placement, guardianship, Chapter 51 commitment orders, and wherever there is a judicial determination of the county of resident.
7. Assists with the admission agreement, DNR or general directives, and gives tours of the facility to potential admissions.
8. Reviews advanced directives prior to admission and has the ability to facilitate such directives.
9. Provides comprehensive information in all aspects of the residents to the interdisciplinary team prior to admission with written communication and verbally.
10. Promotes and markets Clearview services to other facilities and interested consumers.
11. Contacts referral resources related to census
12. Prioritizes, organizes, and directs care of residents/participants through assigned individuals and duties.
13. Supervises/evaluates resident care and manages case load as assigned
14. Monitors resident care for compliance standards
15. Collaborates with members of the multidisciplinary team (residents, staff, families and consultants)
16. Functions as a member of the team and participates in routine Household meetings and duties.
17. Participates in resident and facility emergencies.
18. Represents Clearview in a positive and professional manner at all times at work.
19. Regular attendance and punctuality required.
18. Performs related duties as may be required or assigned

JOB SPECIFICATION

KNOWLEDGE, SKILLS, AND ABILITIES

Knowledge of and ability to comply with policies and procedures
Knowledge of state and applicable federal codes
Knowledge of nursing home regulations
Knowledge base allowing to access current medical, behavioral, social and cognitive needs.
Ability to communicate effectively, both verbally and in written form.
Ability to work independently on responsible and confidential administrative assignments.
Ability to maintain effective working relationships and communicate effectively with residents, families, guardians, community contacts, and interdisciplinary team members.
Must have ability to work independently and flexibility to adjust personal work schedule to meet resident, staffing and facility needs.
Ability to maintain accurate/complete records and prepare complex reports.
Ability to multi-task and organize time and work with minimal supervision
Must have flexibility to adjust work schedule to meet resident, staffing or facility needs
Must meet requirements of Dodge County Driver Qualification Policy.

EDUCATION AND EXPERIENCE

Bacheior's degree in health care or human services field (ie, nursing; social services) or a two-year associate degree from accredited college/educational institution in Nursing. Equivalent combination of education and experience which provides necessary knowledge, skills, and abilities maybe considered.

WORKING CONDITIONS

Long-term care facility environment with exposure to infectious agents, chemical agents and behavioral residents. Must be able to work in an environment where specialized resident programs are implemented. Occasional working under distractions and difficult circumstances.

PHYSICAL DEMANDS

The County of Dodge is an Equal Opportunity Employer. In compliance with the Americans with Disabilities Act, the County will provide reasonable accommodations to qualified individuals with disabilities and encourages both prospective and current employees to discuss potential accommodations with the employer.

ACKNOWLEDGEMENTS	**FOR HUMAN RESOURCE USE**
EMPLOYEE SIGNATURE: **DATE:** **SUPERVISOR SIGNATURE:** **DATE:**	**ANALYST(S):** **DATE:**

The principal duties and responsibilities shown are all essential job functions except for those indicated with an asterisk (*).

THIS POSITION DESCRIPTION SUPERSEDES ALL PRIOR DESCRIPTIONS.

RESOLUTION NO. 14-16

TO THE HONORABLE BOARD OF SUPERVISORS OF DODGE COUNTY, WISCONSIN
MEMBERS,

WHEREAS, Dodge County, Wisconsin (Dodge County), is the owner in fee of the Dodge County Office Building located at 143 E. Center Street, in the City of Juneau, Dodge County, Wisconsin (Office Building); and,

WHEREAS, a legal description of the Office Building is Lot #1 of Dodge County Certified Survey Map No. 6883, and a copy of Dodge County Certified Survey Map No. 6883 has been marked for identification as Exhibit "A" and has been attached hereto; and,

WHEREAS, the Dodge County Executive Committee has offered the Office Building for sale to the public by a public online auction on the Wisconsin Surplus Online Auction website, in which all persons were allowed to participate and in which $70,000 was established as the minimum bid; and,

WHEREAS, online bidding for the purchase of the Office Building occurred on April 21, 2014, bids were made by four individuals or entities, the highest bid was in the amount of $105,344.56, and the second highest bid was in the amount of $102,623.22; and,

WHEREAS, on May 5, 2014, Wisconsin Surplus Online Auction rejected the highest bid that was made on April 21, 2014, for failure of the bidder to meet the extended payment deadline of not later than 8:30 a.m. on May 5, 2014; and,

WHEREAS, on May 5, 2014, the Executive Committee reviewed with an agent of Wisconsin Surplus Online Auction available options regarding the auction sale of the Office Building by Wisconsin Surplus Online Auction, and the Executive Committee and the agent of Wisconsin Surplus Online Auction agreed to offer the Office Building for sale to the three back-up bidders who had submitted online bids on April 21, 2014; and,

WHEREAS, on May 5, 2014, Wisconsin Surplus Online Auction notified the three back-up bidders, among other things, that: (1) If they are willing to purchase the Office Building for a high bid of $102,623.22 plus the 6% Auction Buyers Fee of $6,157.79, which equals a total of $108,780.61, they must respond to the notification indicating their acceptance; (2) In case more than one bidder responds, the bidders will be considered in order of response and bidders may increase their bid amount by no less than 2% to elevate their status; (3) Written bidder acceptance must be received by Wisconsin Surplus Online Auction by not later than 12:00 Noon on May 12, 2014; and, (4) The successful bidder shall make full payment to Wisconsin Surplus Online Auction by not later than 5:00 p.m. on May 27, 2014; and,

WHEREAS, on May 5, 2014, Wisconsin Surplus Online Auction notified Dodge County that Lee M. Bleecker of Dousman, Wisconsin, acknowledged in writing, acceptance to purchase the Office Building for $102,623.22, which is the amount of the last bid that Lee M. Bleecker made on April 21, 2014, during the online auction of the Office Building, and which is the second highest bid that was made during the online auction on April 21, 2014; and,

WHEREAS, on May 12, 2014, Wisconsin Surplus Online Auction notified Dodge County that the other two back-up bidders did not acknowledge in writing, or otherwise, acceptance to purchase the Office Building by the deadline of 12:00 Noon on May 12, 2014; and,

WHEREAS, the Executive Committee recommends that the Dodge County Board of Supervisors authorize and approve the sale of the Office Building by the Executive Committee on behalf of Dodge County, to Lee M. Bleecker or his Assignee at a purchase price of $102,623.22 and in conformity with the terms and conditions of auction sale as set forth on the Wisconsin Surplus Online Auction website, as modified on May 5, 2014, by written communication addressed to the three back-up bidders by an agent of Wisconsin Surplus Online Auction, and upon the condition that Lee M. Bleecker shall pay $108,780.61 to Wisconsin Surplus Online Auction by not later than 5:00 p.m. on May 27, 2014;

SO, NOW, THEREFORE, BE IT RESOLVED, that the Dodge County Board of Supervisors hereby:

1. Authorizes and approves the sale by the Dodge County Executive Committee, on behalf of Dodge County, Wisconsin (Dodge County), of the Dodge County Office Building located at 143 E. Center Street, in the City of Juneau, Dodge County, Wisconsin (Office Building), which is described as Lot #1 of Dodge County Certified Survey Map No. 6883, a copy of which Dodge County Certified Survey Map No. 6883 has been marked for identification as Exhibit "A" and has been attached hereto, to Lee M. Bleecker of Dousman, Wisconsin, or his Assignee, at a purchase price of $102,623.22 and in conformity with the written terms and conditions of auction sale as set forth on the Wisconsin Surplus Online Auction website, as modified on May 5, 2014, by written communication addressed to the three back-up bidders by an agent of Wisconsin Surplus Online Auction, and upon the condition that Lee M. Bleecker shall pay $108,780.61 to Wisconsin Surplus Online Auction by not later than 5:00 p.m. on May 27, 2014;

2. Authorizes and directs the Dodge County Clerk to convey the Office Building to Lee M. Bleecker of Dousman, Wisconsin, or his Assignee, by Warranty Deed with exceptions to warranties and with reservations of easements; and,

3. Authorizes and directs the Chairman of the Dodge County Board of Supervisors, the County Clerk, and the Dodge County Corporation Counsel to execute those documents that are necessary to sell the Office Building to Lee M. Bleecker or his Assignee; and,

BE IT FINALLY RESOLVED, that the Dodge County Treasurer shall deposit the proceeds of the auction sale of the Office Building, in the amount of $102,623.22, in Business Unit 1901, County Buildings, Account No. .4832, Building Sales, and these funds in the amount of $102,623.22, shall not lapse to the General Fund at the end of the calendar year of 2014.

All of which is respectfully submitted this 20th day of May, 2014.

Dodge County Executive Committee:

Russell Kottke

Russell Kottke

Donna Maly

Mary Ann Miller

David Frohling

Harold Johnson

Joseph M. Marsik

Jeff Berres

ADOPTED
BY DODGE COUNTY BOARD

MAY 20 2014

AYES 31 NOES 0
ABSENT 1
ABSTAIN 0

Karen J. Dilson
County Clerk

2

~~EXHIBIT "A"~~

DOCUMENT # 1208381

Office of Register of Deeds
Dodge County, Wisconsin
RECEIVED FOR RECORD

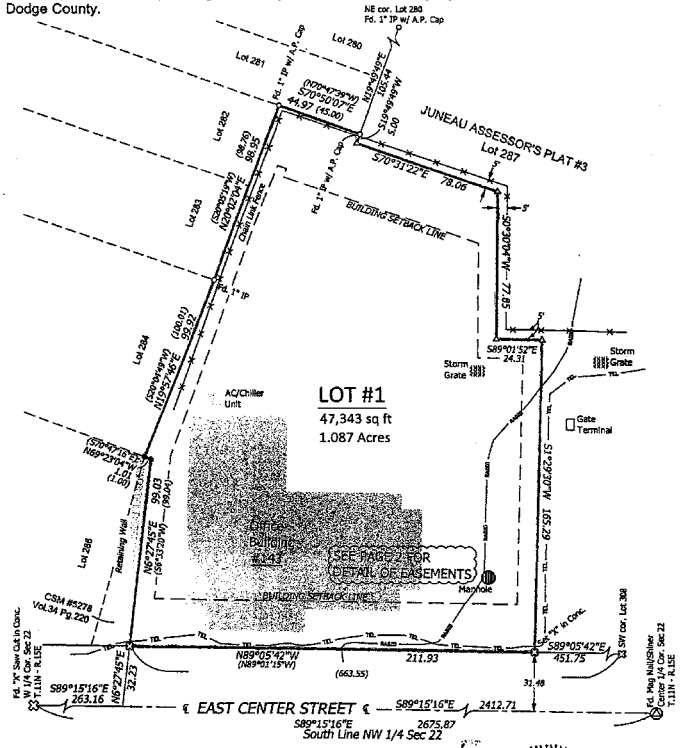
March 19, 2014 10:34 AM

CHRIS PLANASCH - Registrar
Fee Amount: $30.00
# of Pages 5

DODGE COUNTY CERTIFIED SURVEY MAP NO. 6883

A RESURVEY OF CERTIFIED SURVEY MAP NO. 6829 AS RECORDED ON SEPTEMBER 20, 2013, IN THE OFFICE OF THE REGISTER OF DEEDS IN AND FOR DODGE COUNTY, WISCONSIN, IN VOLUME 46 OF CERTIFIED SURVEY MAPS ON PAGES 239 AND 240, AS DOCUMENT NO. 1202572, BEING A PART OF LOT 287 OF CITY OF JUNEAU'S ASSESSOR'S PLAT NO. 3 LOCATED IN THE SW 1/4 OF THE NW 1/4 OF SECTION 22, TOWN 11 NORTH, RANGE 15 EAST, CITY OF JUNEAU, DODGE COUNTY, WISCONSIN.

NOTE: This Is a ReRecording of CSM #6829 to correct scrivener's error in description and to map underground utility easements reserved by Dodge County.



Building Setback Requirements are as follows:

- Front: 25'
- Side: 10'
- Rear: 30'

Bearings are referenced to the Dodge County Coordinate System (NAD83/91) with a bearing of S89°15'16"E along the South Line of the NW 1/4 of Section 22, T.11N - R.15E.

LEGEND

- FD 3/4" REBAR W/ CAP
- MAG NAIL FOUND
- IRON PIPE FD AS NOTED
- FD "X" MARKED IN CONCRETE
- ( ) INDICATES RECORDED MEASUREMENT

SCALE: 1"= 50'
0 50

Owner:
Dodge County Wis.
127 E. Oak Street
Juneau, WI 53039

Surveyor:
Ted Dumke
RLS #2996
127 E. Oak Street
Juneau, WI 53039

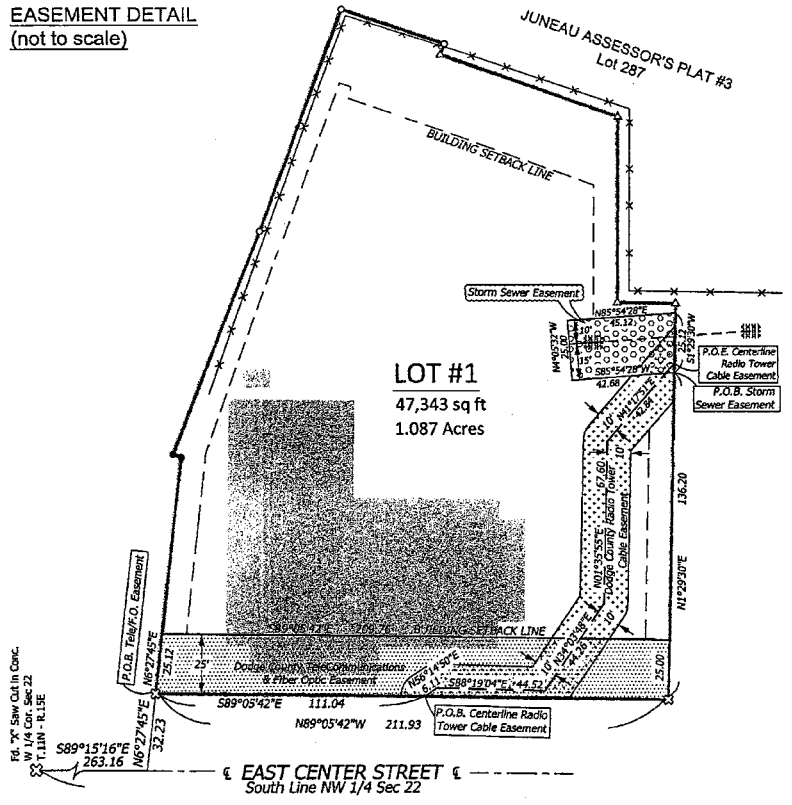
V47P044
Exhibit "A"

PAGE 1 OF 5

DODGE COUNTY CERTIFIED SURVEY MAP NO. 6883

A RESURVEY OF CERTIFIED SURVEY MAP NO. 6829 AS RECORDED ON SEPTEMBER 20, 2013, IN THE OFFICE OF THE REGISTER OF DEEDS IN AND FOR DODGE COUNTY, WISCONSIN, IN VOLUME 46 OF CERTIFIED SURVEY MAPS ON PAGES 239 AND 240, AS DOCUMENT NO. 1202572, BEING A PART OF LOT 287 OF CITY OF JUNEAU'S ASSESSOR'S PLAT NO. 3 LOCATED IN THE SW 1/4 OF THE NW 1/4 OF SECTION 22, TOWN 11 NORTH, RANGE 15 EAST, CITY OF JUNEAU, DODGE COUNTY, WISCONSIN.

EASEMENT DETAIL
(not to scale)



All Easements shown on this page are dedicated to, and are for the benefit of, Dodge County. Any conveyance of Lot 1 of this Certified Survey Map shall be subject to such dedication.

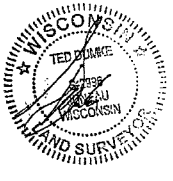
Building Setback Requirements are as follows:

- Front: 25'
- Side: 10'
- Rear: 30'

Bearings are referenced to the Dodge County Coordinate System (NAD83/91) with a bearing of S89°15'16"E along the South Line of the NW 1/4 of Section 22, T.11N - R.15E.

LEGEND

●	FD 3/4" REBAR W/ CAP
△	MAG NAIL FOUND
○	IRON PIPE FD AS NOTED
⊠	FD "X" MARKED IN CONCRETE
( )	INDICATES RECORDED MEASUREMENT



Owner:
Dodge County Wis.
127 E. Oak Street
Juneau, WI 53039

Surveyor:
Ted Dumke
RLS #2996
127 E. Oak Street
Juneau, WI 53039

PAGE 2 OF 5

V47P045

DODGE COUNTY CERTIFIED SURVEY MAP NO. 6883

A RESURVEY OF CERTIFIED SURVEY MAP NO. 6829 AS RECORDED ON SEPTEMBER 20, 2013, IN THE OFFICE OF THE REGISTER OF DEEDS IN AND FOR DODGE COUNTY, WISCONSIN, IN VOLUME 46 OF CERTIFIED SURVEY MAPS ON PAGES 239 AND 240, AS DOCUMENT NO. 1202572, BEING A PART OF LOT 287 OF CITY OF JUNEAU'S ASSESSOR'S PLAT NO. 3 LOCATED IN THE SW 1/4 OF THE NW 1/4 OF SECTION 22, TOWN 11 NORTH, RANGE 15 EAST, CITY OF JUNEAU, DODGE COUNTY, WISCONSIN.

Commencing at the West 1/4 Corner of Section 22, thence S89°15'16"E along the South Line of the NW 1/4 of Section 22 and the centerline of East Center Street, 263.16 feet;

Thence N6°27'45"E, 32.23 feet to the North R/W Line of East Center Street and the SE Corner of a parcel described in CSM #5278 and the Point of Beginning of this Parcel:

Thence continuing N6°27'45"E along the East Line of said CSM, 99.03 feet to the NE Corner of said CSM;

Thence N69°23'04"W along the North Line of said CSM, 1.01 feet to the NW Corner of said CSM, and the NE Corner of Lot 286 of Juneau's Assessor's Plat No. 3;

Thence N19°57'46"E along the West Line of Lot 287 of said Plat, 99.92 feet to the NE Corner of Lot 284 of said Plat;

Thence N20°02'04"E continuing along the West Line of Lot 287 of said Plat, 98.95 feet to the NE Corner of Lot 282 of said Plat;

Thence S70°50'07"E along the South Line of Lot 281 of said Plat, 44.97 feet to the SE Corner of Lot 281;

Thence S19°49'49"W, 5.00 feet;

Thence S70°31'22"E, 78.06 feet;

Thence S0°30'04"W, 77.85 feet;

Thence S89°01'52"E, 24.31 feet;

Thence S1°29'30"W, 165.29 feet to a point on the North R/W Line of East Center Street;

Thence N89°05'42"W along the North R/W Line of East Center Street, 211.93 feet to the Point of Beginning.

Said parcel contains 47,343 square feet or 1.087 acres more or less.

I, Ted Dumke, Wisconsin Registered Land Surveyor, do hereby certify that by the order of James E. Mielke, Dodge County Administrator, I have resurveyed the following: Lot #1 of Certified Survey Map Number 6829 as recorded on September 20, 2013, in the Office of the Register of Deeds in and for Dodge County, Wisconsin, in Volume 46 of Certified Survey Maps on Pages 239 and 240, as Document No. 1202572, being a part of Lot 287 of the CITY OF JUNEAU'S ASSESSOR'S PLAT NO. 3, Located in the SW 1/4 of the NW 1/4 of Section 22, Town 11 North, Range 15 East, City of Juneau, Dodge County, Wisconsin.

The above described parcel is also subject to three underground utility easements reserved in favor of Dodge County, Wisconsin.

I further certify that I have surveyed the above described property and that the above map is a true representation thereof and shows the size and location of the property, its exterior boundaries, the location of all visible structures, and roadways and that I have complied with the provisions of Chapter 236.34 of the Wisconsin State Statutes and the City of Juneau Subdivision Ordinance in surveying, dividing and mapping the same to the best of my knowledge and belief.

Dated this 6th day of February, 2014.

Ted Dumke
Dodge County Senior Land Surveyor
127 E Oak Street
Juneau, Wisconsin 53039

WISCONSIN
TED DUMKE
S-2906
JUNEAU
WISCONSIN
LAND SURVEYOR

V47P046

DODGE COUNTY CERTIFIED SURVEY MAP NO. 6883

A RESURVEY OF CERTIFIED SURVEY MAP NO. 6829 AS RECORDED ON SEPTEMBER 20, 2013, IN THE OFFICE OF THE REGISTER OF DEEDS IN AND FOR DODGE COUNTY, WISCONSIN, IN VOLUME 46 OF CERTIFIED SURVEY MAPS ON PAGES 239 AND 240, AS DOCUMENT NO. 1202572, BEING A PART OF LOT 287 OF CITY OF JUNEAU'S ASSESSOR'S PLAT NO.3 LOCATED IN THE SW 1/4 OF THE NW 1/4 OF SECTION 22, TOWN 11 NORTH, RANGE 15 EAST, CITY OF JUNEAU, DODGE COUNTY, WISCONSIN.

TeleCommunications & Fiber Optic Easement Reserved by Dodge County

An exclusive right-of-way and easement to place, replace, operate, maintain, and remove the Telecommunications and Fiber Optic cables, including their associated appliances, on and across Lot #1 of this Certified Survey Map. Said easement area is described as follows:

That portion of Lot #1 bounded by the following described lines:
Commencing at the West 1/4 Corner of Section 22, thence S89°15'16"E along the South Line of the NW 1/4 of Section 22 and the Centerline of East Center Street, 263.16 feet;
Thence N6°27'45"E, 32.23 feet to the North R/W Line of East Center Street and to the SW Corner of Lot #1 of CSM #6829, and the Point of Beginning for this Easement;
Thence N6°27'45"E along the West Line of said Lot #1, 25.12 feet;
Thence S89°05'42"E along the front setback line of said Lot #1, 209.76 feet to the East Line of said Lot #1;
Thence S1°29'30"W along said East Line, 25.00 feet to the SE Corner of said Lot #1 and to the North R/W Line of East Center Street;
Thence N89°05'42"W along said R/W Line, 211.93 feet to the SW Corner of said Lot #1 and the Point of Beginning for this easement.

Radio Tower Cable Easement Reserved by Dodge County

An exclusive right-of-way and easement to place, replace, operate, maintain, and remove the Radio Tower cable, including the associated appliances, on and across Lot #1 of this Certified Survey Map. Said easement area is described as follows:

That portion of Lot #1 included within a strip of land 20 feet wide, lying 10 feet on each side of and parallel with the following described line:

Commencing at the West 1/4 Corner of Section 22, thence S89°15'16"E along the South Line of the NW 1/4 of Section 22 and the Centerline of East Center Street, 263.16 feet;
Thence N6°27'45"E, 32.23 feet to the North R/W Line of East Center Street and to the SW Corner of Lot #1 of CSM #6829;
Thence S89°05'42"E along said R/W, 111.04 feet to the Point of Beginning for this line;

Thence the following courses:
N56°14'50"E, 6.11 feet;
S88°19'04"E, 44.52 feet;
N34°03'48"E, 44.26 feet;
N1°35'55"E, 67.60 feet;
N41°17'51"E, 42.84 feet, to a point of termination on the East Line of said Lot #1.

WISCONSIN TED DUMKE S-2866 JUNEAU WISCONSIN LAND SURVEYOR

The sidelines of said strip shall be lengthened or shortened so as to begin at the said North R/W Line and to terminate at the said East Line of Lot #1.

Storm Sewer Easement Reserved by Dodge County

An exclusive right-of-way and easement to place, replace, operate, maintain, and remove the Storm Sewer Pipe, including the associated appliances, on and across Lot #1 of this Certified Survey Map. Said easement area is described as follows:

That portion of Lot #1 bounded by the following described lines:
Commencing at the West 1/4 Corner of Section 22, thence S89°15'16"E along the South Line of the NW 1/4 of Section 22 and the Centerline of East Center Street, 263.16 feet;
Thence N6°27'45"E, 32.23 feet to the North R/W Line of East Center Street and to the SW Corner of Lot #1 of CSM #6829;
Thence S89°15'16"E along the North R/W Line of East Center Street, 211.93 feet to the SE Corner of said Lot #1;
Thence N1°29'30"E along the East Line of said Lot #1, 136.20 feet to the Point of Beginning for this Easement;
Thence S85°54'28"W, 42.68 feet;
Thence N4°05'32"W, 25.00 feet;
Thence N85°54'28"E, 45.12 feet to the East Line of said Lot #1;
Thence S1°29'30"W along said East Line, 25.12 feet to the Point of Beginning for this easement.

Above easements are all subject to the following provisions:

Designated Facilities: Easement is for the sole purpose of providing underground utilities in support of Dodge County owned facilities and operations, including but not limited to: conduit, cables, pipes, pedestals, access manholes, storm drains and any other equipment associated with the underground utilities.

Right of Ingress/Egress: Dodge County and its agents shall have the right of reasonable ingress and egress and the right to operate necessary equipment, over and across the easement area. If necessary and with approval from the owner of Lot #1, Dodge County may have access to the immediate areas surrounding the easement area for: installation, operation, maintenance, and removal of the underground utilities.

Buildings and Structures: Owner of Lot #1 agrees within the easement area not to erect or attempt to erect any structure or improvement that would interfere with Dodge County's rights reserved in this Certified Survey Map, unless given prior consent from Dodge County.

Restoration of Property: Dodge County shall restore, cause to have restored, or pay the reasonable value of any physical damage done to the property arising at any time out of the exercise of the rights herein reserved.

Binding Effect: The conditions of the easements herein described shall run with the lands herein described. Non-use of the easement rights shall not prevent Dodge County from later exercising the rights herein reserved.

V47P047

DODGE COUNTY CERTIFIED SURVEY MAP NO. 6883

A RESURVEY OF CERTIFIED SURVEY MAP NO. 6829 AS RECORDED ON SEPTEMBER 20, 2013, IN THE OFFICE OF THE REGISTER OF DEEDS IN AND FOR DODGE COUNTY, WISCONSIN, IN VOLUME 46 OF CERTIFIED SURVEY MAPS ON PAGES 239 AND 240, AS DOCUMENT NO. 1202572, BEING A PART OF LOT 287 OF CITY OF JUNEAU'S ASSESSOR'S PLAT NO.3 LOCATED IN THE SW 1/4 OF THE NW 1/4 OF SECTION 22, TOWN 11 NORTH, RANGE 15 EAST, CITY OF JUNEAU, DODGE COUNTY, WISCONSIN.

OWNER'S CERTIFICATE (LOT 1)
As Owner, the undersigned hereby certifies that it has caused the land described in this Certified Survey Map to be surveyed, divided, mapped and dedicated as represented on this Certified Survey Map. The undersigned also certifies that this Certified Survey Map has been approved, and the dedications shown on this Certified Survey Map have been accepted, by Dodge County pursuant to Dodge County Board Resolution No. 13-54, adopted by the Dodge County Board of Supervisors on the 18th day of March, 2014, and that pursuant to Section 236.10, Wis. Stats., this Certified Survey Map is required to be submitted to the following for approval or objection: the City of Juneau, Wisconsin.

Witness the Hand and Seal of said owner, this 19th day of March 2014.

James E. Mielke
James E. Mielke
Dodge County Administrator
Agent for Dodge County

STATE OF WISCONSIN)
) ss.
COUNTY OF DODGE)

Personally came before me this 19th day of March, 2014, the above named James E. Mielke, Dodge County Administrator, Agent for Dodge County, to me known to be the person who executed the foregoing instrument and acknowledged the same.

Kelly L. Lepple
Kelly L. Lepple
Notary Public, State of Wisconsin
My commission expires: 03/05/2017
(SEAL)

NOTARY PUBLIC
KELLY L. LEPPLE
STATE OF WISCONSIN

APPROVED BY THE CITY OF JUNEAU

This 12 day of February, 2014.

Common Council Resolution Number 86-2013

Approved By:

Gladys McKay 2-12-14
City Clerk - Treasurer Date

Ron Bosak 2-12-14
Mayor, Ron Bosak Date

WISCONSIN
TED DUMKE
S-2998
JUNEAU
WISCONSIN
LAND SURVEYOR

V47P048

RESOLUTION NO 14-17

TO THE HONORABLE BOARD OF SUPERVISORS OF DODGE COUNTY, WISCONSIN MEMBERS,

WHEREAS, the Rules Of Order Governing The County Board Of Supervisors Of Dodge County, WI for the period of time commencing on April 15, 2014, and ending on April19, 2016, both inclusive, should be the same as those set forth in the Official Directory For Dodge County; and,

WHEREAS, at the April 15, 2014, regular meeting of The County Board Of Supervisors Of Dodge County, WI, it was stated, proposed and voted to pass Resolution 14-1 containing changes to Rule 30 that impede and detract from the ability of the taxpayer to control the level of taxation levied upon them; and,

WHEREAS, it is the fiduciary responsibility of each Board member, in the interest and on behalf of the taxpayer, to be ever vigilant of excess and unnecessary spending; and,

WHEREAS, by striking the word "**unbudgeted**" from Rule 30 it would return the rule to its original intent and return control of spending oversight back to the elected representative and by extension the taxpaying public;

SO, NOW, THEREFORE, BE IT RESOLVED, that effective immediately the Rules Of Order Governing The Dodge County Board Of Supervisors Of Dodge County, WI for the period of time commencing on May 19, 2014 and ending on April 19, 2016 both inclusive, shall be the same as those set forth by the passage of RESOLUTION 14-1 except that;

Rule No. 30 shall be amended to read as follows:

RULE NO. 30

30. Except for the Highway Department, the Highway Committee, the Information Technology Department, the Information Technology Committee, Clearview ~~Long Term Care & Rehabilitation~~, the Health Facilities Committee, the Physical Facilities Maintenance Department, and the Building Committee, all department purchases of equipment and supplies and all department leases of equipment shall be made according to the following:

A. All requests to purchase or lease must first be presented to the Committee advising the department and upon approval, may then be submitted to either the Finance Committee or the County Board for approval as required in paragraphs B, and C below.

B. Approval of the Committee advising the department and approval of the Finance Committee is required for:

1. Any ~~unbudgeted~~ single purchase in excess of $3000.00 and not more than $15,000.00; or,

*Amendment 2. Any lease of equipment with a term over 909 days that has a fair market value at the beginning of the lease term between $2,000.00 and $15,000.00.

C. Approval of the Committee advising the Department and approval of the Board is required for:

1. Any ~~unbudgeted~~ single purchase in excess of $15,000.00; or,

2. Any lease of equipment with a term over 90 days that has a fair market value at the beginning of the lease term in excess of $15,000.00.

The Highway Department, the Highway Committee, the Information Technology Department, the Information Technology Committee, Clearview ~~Long Term Care & Rehabilitation~~, and the Health Facilities Committee, require County Board approval for the following purchases and leases:

1. Any ~~unbudgeted~~ single purchase of equipment in excess of $50,000.00, except for emergency situations involving patient care at Clearview; and,

2. Any lease of equipment with a term over 90 days that has a fair market value at the beginning of the lease term in excess of $50,000, except for emergency situations involving patient care at Clearview.

The Physical Facilities Maintenance Department and the Building Committee require County Board approval for the following purchases and leases:

1. Any ~~unbudgeted~~ single purchase of equipment in excess of $20,000.00, and,

2. Any lease of equipment with a term over 90 days that has a fair market value at the beginning of the lease term in excess of $20,000.

All of which is respectfully submitted this the 19th day of May, 2014

Phillip F. Gohr

Phillip Gohr Dodge County Supervisor

* Change paragraph B. 2. from 909 days to 90 days

ADOPTED
BY DODGE COUNTY BOARD

MAY 20 2014

AYES 24 NOES 7
ABSENT 1
ABSTAIN 0

Karen J. Gibson
County Clerk

REPORT 1

TO THE HONORABLE DODGE COUNTY BOARD OF SUPERVISORS

We, the Dodge County Planning, Development and Parks Committee, hereby report favorably on the petition of Joan Buiter requesting amendment of the Land Use Code, Dodge County, Wisconsin, to rezone approximately 2.5-acres of land from an A-1 Prime Agricultural Zoning District to an A-2 General Agricultural Zoning District in the NW ¼, NW ¼, Section 6, Town of Calamus, for the purpose of creating a non-farm residential lot and recommend adoption of the attached ordinance.

The committee has reviewed and considered the facts presented in the application and received at the public hearing and finds that the criteria listed in Section 2.3.4.I of the Dodge County Land Use Code can be met for this proposal. The committee finds that the proposal is substantially consistent with the Dodge County Comprehensive and Farmland Preservation Plans and is consistent with the stated purposes of the Dodge County Land Use Code. The committee finds that the proposal will not result in significant adverse impacts upon the surrounding properties or the natural environment and further finds that the land proposed for rezoning is suitable for development and will not cause unreasonable soil erosion or have an unreasonable adverse effect on rare or irreplaceable natural areas. The committee finds that the proposal will not significantly impair or limit current or future agricultural use of the adjacent properties. The committee finds that the proposal will not be used to legitimize or spot zone a nonconforming use or structure and finds that the rezoning is the minimum action necessary to accomplish the intent of the petition.

Respectfully submitted this 5th day of May, 2014.

Tom Schaefer
Tom Schaefer

Allen Bohl
Allen Bohl

Randy Grebel
Randy Grebel

Joseph Marsik
Joseph Marsik

Janice Bobholz
Janice Bobholz

Planning, Development and Parks Committee

ADOPTED
BY DODGE COUNTY BOARD

MAY 20 2014

AYES 30 NOES 0
ABSENT 1
ABSTAIN 1

Karen J. Gibson
County Clerk

Ordinance No. 923

An ordinance amending the Land Use Code, Dodge County, Wisconsin by placing certain lands in Section 6, T11N, R13E, Town of Calamus, in the A-2 General Agricultural zoning district.

Whereas the subject matter of this ordinance has been duly referred to and considered by the Dodge County Planning, Development and Parks Committee and a public hearing having been held, after the giving of requisite notice of said hearing and a recommendation thereon having been reported to the Board of Supervisors, Dodge County, Wisconsin as required by Section 59.69 of the Wisconsin Statutes.

Whereas the Dodge County Planning, Development and Parks Committee has reviewed and considered the facts presented in the application and received at the public hearing relating to the subject matter of this ordinance for compliance with the criteria listed in Section 2.3.4.l of the Dodge County Land Use Code.

Whereas the Dodge County Planning, Development and Parks Committee has found that the criteria listed in Section 2.3.4.l of the Dodge County Land Use Code can be met for this proposal and has further found that the proposal is substantially consistent with the Dodge County Comprehensive and Farmland Preservation Plan and the stated purposes of the Dodge County Land Use Code. Furthermore, this Committee has found that the proposal will not result in significant adverse impacts upon the surrounding properties or the natural environment, that the land proposed for rezoning is suitable for development and will not have an unreasonable effect on rare or irreplaceable natural resources, that the proposal will not significantly impair or limit current or future agricultural use of the adjacent properties, be used to legitimize or spot zone a nonconforming use or structure and that the rezoning petition is the minimum action necessary to accomplish the intent of the petition.

The County Board of Supervisors of the County of Dodge do ordain as follows:

Section 1. The "official zoning map" adopted with the Land Use Code, Dodge County, Wisconsin on March 21, 2000 is hereby amended as shown on the map attached hereto and made part of this ordinance.

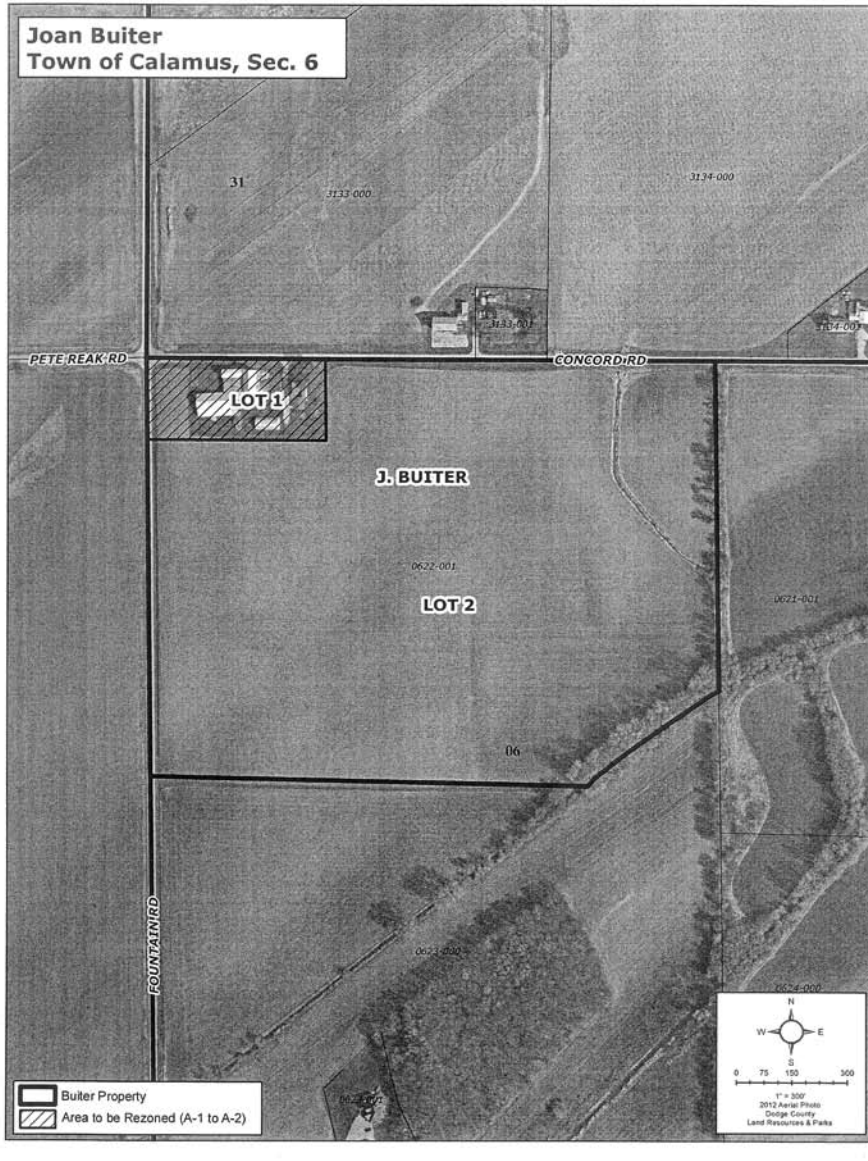
Section 2. This ordinance shall be effective upon passage.

Section 3. All ordinances or parts of ordinances inconsistent with or in contradiction of the provisions of this ordinance are hereby repealed.

Adopted and Approved this 20th day of May, 2014.

Russell Kottke
Russell Kottke
Chairman

Karen J. Gibson
Karen J. Gibson
County Clerk


Joan Buiter
Town of Calamus, Sec. 6
31
3133-000
3134-000
3133-001
3134-001
PETE REAK RD
CONCORD RD
LOT 1
J. BUITER
0622-001
LOT 2
0621-001
06
FOUNTAIN RD
0623-000
0624-000
N
W
E
S
0 75 150 300
1" = 300'
2012 Aerial Photo
Dodge County
Land Resources & Parks
Buiter Property
Area to be Rezoned (A-1 to A-2)