CHAPTER SEVEN
ADMINISTRATION

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CHAPTER 7
ADMINISTRATION

ARTICLE I. FINANCIAL

DIVISION 1. IN GENERAL

Sec. 7-1. County-provided vehicles.

(a) *Marking.* All county-provided vehicles will be marked with the name of the department and "COUNTY OF WAUKESHA." Marking requirements do not apply to vehicles of the sheriff's department which have non-municipal license plates and are used for investigative purposes.

(b) *Vehicles subject to valuation for personal use; assignment* generally. The county executive is responsible for assigning vehicles to either employees or positions. Vehicles assigned by the county executive may be used for county business, commuting to and from the employee's county work-site and home, and incidental personal business during a commuting trip. Carrying passengers who are not county employees, and also persons who are not directly associated with county business, is not permitted.

1. *Method of assignment.* The method of assignment of vehicles will be as follows:

   A. The department head will submit a request to the county executive to assign a vehicle to a specific position as the need arises. The department head will inform the liaison committee that a request has been made.

   B. Requests will be approved or rejected by the county executive, and the county executive will reevaluate all assignments each January. Assignments will be based on a review and in consideration of one (1) or more of the following criteria:

      i. *Equipment.* Special equipment which is installed (e.g. two-way radio, siren, light bar).

      ii. *Work call-in*. The employee is regularly called to return to work or to respond to emergencies.

      iii. *Potential damage to vehicle.* Materials are transported which may damage a vehicle.

      iv. *High mileage.* The assignment of a vehicle results in a savings to the county when compared to mileage reimbursement.

2. *Valuation for personal use.* Income tax valuation and withholding methods will be based on Internal Revenue Service Regulations and Code and will be promulgated by administrative procedures.

(c) *Utility and pool vehicles.* Department heads may assign certain county vehicles to employees or positions as follows:

1. Department heads may assign utility vehicles equipped for special work which are not suitable for passenger transportation (e.g. dump trucks, cherry pickers, and forklifts). Utility vehicles will not be used for commuting or personal business.

2. Department heads may assign vehicles from a department pool. Pool vehicles are not permanently assigned to an employee or position, are frequently used by several employees, are garaged or parked on county property, and will not be used for commuting or personal business. However, a department head may occasionally assign a pool vehicle to an employee for work purposes which include commuting as required for specific work assignments of short duration (e.g. an evening meeting, or distant early morning appointment). When so assigned the vehicle may be garaged and or parked at the employee's home. Pool vehicles will not be used for personal business.

(d) *Vehicles in sheriff's department and medical examiner's office.* These vehicles are assigned by the department head following the criteria set forth in section 7-1(b). The vehicles are used at the discretion of the department head while the employee is on-call or on duty. When the employee is not on-call or on-duty, the vehicle will not be used for personal business.

(Res. No. 121, 12-3-59; Ord. No. 143-165, § 1, 3-30-89; Ord. No. 144-50, § 1, 8-15-89)

Sec. 7-2. Printing and publication of county notices, etc.; procedure for bids and contracts.

Pursuant to section 985.065(2)(f), Wisconsin Statutes, the county board of supervisors provides as follows for the printing and publication of its proceedings and notices, and the method of obtaining bids and contracts therefor:

1. The county board of supervisors, at a meeting once annually, shall direct the county clerk to invite proposals from the English newspapers published daily in the county, or having a daily paid circulation in Waukesha County of at least fifteen thousand (15,000) if not published within the county, and eligible under section 985.03, Wisconsin Statutes, for the publication and printing of the proceedings of the board, and all other notices or advertisements as shall be authorized or required to be published or printed by the board and all officers, boards and departments of the county, during the next ensuing year, which publications and advertising may be divided and classified if the board shall so order.

2. Such proposals shall name a price per standard line, or shall name a price per standard line per thousand of average daily circulation in such county for the period of six (6) months next preceding the date of such proposals, as shown by the affidavit of an authorized officer or agent of such proponent, or shall name a price for such advertising space as may be required or ordered by the board at any time during the year for which awards are made, or, at the option of the proponent, shall include any or all of such separate proposals as aforesaid.

3. The board may by resolution suspend the publication of proceedings in newspapers and provide for the printing thereof in pamphlet form until the further action of the board in relation thereto. Separate bids maybe called for if so ordered by the board, from printers in the county, for the printing of the proceedings of the county board in pamphlet form in such quantities as shall be determined by the board.

4. Each bid shall be accompanied by a certificate of the county treasurer that the bidder has

deposited with him a United States bond, corporate surety bond or certified check in the sum of five hundred dollars ($500.00), or the cash deposit of a like amount, conditioned that said bidder will, if successful, enter into a contract as provided in the resolution of the board or invitation for such bids. The county clerk shall, on the date named in said invitation for bids, and in the presence of the committee on printing and stationery of the board, open all such proposals and enter upon his minutes a record thereof, all of which shall be reported to the board at its next meeting, together with the recommendations of said committee. The board shall thereupon consider such proposals and by its resolution designate and award such advertising and printing to the lowest bidder or to the lower bidder based upon a rate per thousand of average daily circulation in the county. The board may also award such publication and printing to the lowest bidder and also to the lowest bidder per thousand of average daily circulation as aforesaid, or the board may award any division or classification of such publication and printing made under the provisions hereof to the lowest bidder and award the remaining division or divisions, or classification, to the lowest bidder per thousand of circulation aforesaid. If the board elects to print its proceedings in pamphlet form only, the invitation for bids and the award may be made to the lowest responsible bidder, at a rate per standard line, or per page, or such other basis as the board determines.

5. Upon the award of the contract or contracts, the deposits of unsuccessful bidders shall be returned. Upon execution of proper contracts by successful bidders, the deposits shall severally be returned. The contract or contracts shall be accompanied by a good and sufficient bond in such amount as shall be fixed by the Board conditional for the faithful performance of such contract.

6. In any case where it shall be deemed advisable, the county board may provide for further or additional publication of notices in appropriate trade mediums.

7. The rates provided by section 985.08, Wisconsin Statutes, for legal notices shall not apply to printing or publications hereunder.

(Ord. No. 148-163, § 1, 4-12-94)

Editor's note - Section 1 of Ord. No. 148-163, adopted April 12, 1994, added provisions to Ch. 2, Art. I, but did not specify manner of codification; hence, designation of such provisions was at the discretion of the editor.

Secs. 7-3 - 7-9. Reserved.

DIVISION 2. FINANCIAL AFFAIRS GENERALLY

Sec. 7-10. Reserved.

Editor's note - Section 2 of Ord. No. 143-152, adopted Feb. 21, 1989 repealed former § 2-401 in its entirety. Such former section pertained to county self-insurance for general liability claims and derived from Res. No. 160-12/77, adopted Dec. 20, 1977.

Sec. 7-11. Recovery of legal fees paid for indigent defendants.

When the county has paid legal fees for an indigent defendant, the county clerk shall prepare, sign, and file in the office of the register of deeds in a record book kept there for that purpose a certificate stating:

1. The name and residence of the indigent beneficiary;

2. The amount paid by the county for his or her legal representation;
3. The date when paid;
4. The court and county in which the defendant's case was heard; and
5. Such other information which has bearing in the matter pertaining to the ability of the defendant or the defendant's estate to repay the costs to the county.

(Res. No. 177, 1-18-66)

State law reference - Recovery by county of legal fees paid for indigent defendant, Wis. Stat. § 757.66.

Sec. 7-12. Vending machine funds.

Money taken in from the vending machine in county buildings shall be placed in the employee relations fund account in the Department of Administration.

(Mo. of 11-16-78)

Sec. 7-13. Funds from sale of unneeded highway lands.

The funds derived from the sale of unneeded land that was obtained for highway projects shall be added to the Public Works Department-Highway account which funded the initial land reimbursement.

(Res. No. 39, 8-18-70)

Sec. 7-14. Accounting for and cancellation of bonds and coupons.

Accounting for and cancellations of coupons and bonds issued by the county shall be accomplished by the paying agent. Municipal bonds at their respective maturities shall be canceled and destroyed by the fiscal agent or paying agent who shall deliver a certificate to such effect to the county.

(Res. No. 28-6/83, 6-14-83)

State law reference - Authority to so provide, Wis. Stat. §67.10(9)(b).

Sec. 7-15. Bidding on public works contracts.

(a) All public work, the estimated cost of which does not exceed the bidding threshold under Wisconsin Statutes section 59.52(29)(e)1.a., as that section shall be modified, amended or renumbered from time to time, shall be let to a person qualified as a bidder under Wisconsin Statutes section 66.0901, and, shall be procured in accordance with the County's informal procurement procedures.

(b) The procedure for selection of a pre-qualified bidder shall be as follows:

1. A county department, in so far as it is practical, shall solicit three competitive (3) bids from persons qualified as bidders under Wisconsin Statutes section 66.0901;

2. The award shall be made to the person offering the lowest responsible and responsive bid or proposal, taking into consideration price, qualifications, and other relevant factors.

The above procedure only applies to public work covered under Wisconsin Statutes section 59.52(29) and does not apply to highway contracts which the county highway commission is authorized by law to let or make, to construction by a private person of an improvement that is donated to the county after completion of construction, or to public work for the purpose of providing housing for persons placed on supervised release under Wisconsin Statutes section 980.08.

(c) The public works committee shall approve the forms to be used by persons wishing to pre-qualify for bidding under Wisconsin Statutes section 66.0901.

(Res. No. 272-2/86, 2-19-85; Ord. No. 163-35, §1, 09-23-08)

State law reference - Public works contracts, Wis. Stat. § 59.52(29), Highway Contracts, §66.0901.

Editor's Note: Section 66.29(2), Wis. Stats. was repealed and recreated as sec. 66.0901, and Enrolled Ordinance 163-35 changed the statutory reference in (a) to 66.0901, but the same change was inadvertently not made to (b) or (c), so was made by the Editor.

(Enrolled Ordinance No. 181-10, effective 06/06/2026)

Sec. 7-16. Capital Plan.

(a) Definitions. Terms in this section have meanings defined as follows:

1. *Capital plan* means the listing of annual anticipated expenditures on capital projects for a five-year period.

2. *Capital project* means an active or proposed nonrecurrent expenditure in one or more specified plan years of an amount usually in excess of one hundred thousand dollars ($100,000.00) for costs associated with a permanent fixed asset (e.g. building, land, highway and technology improvements, equipment) which has a useful life or extends the useful life of an existing fixed asset, usually in excess of seven (7) years.

3. *Capital budget* means the plan of proposed expenditure on capital projects in the next fiscal year and the means of financing them.

(b) Proposal contents. Capital projects proposed shall include the following:

1. The best estimate on the costs of each component of the capital project plus a contingency of four (4) percent of the cost of all new construction or roadway construction and eight (8) percent of the cost of renovation or roadway construction to be included in the appropriation.

2. An estimate of the impact of the capital project on the operating budget including, but not limited to, staff cost, utilities, services, and other operating costs.

3. An estimate of any applicable revenues.

4. A narrative description of the project and its scope, an analysis of project need, and a statement of project alternative considerations.

(c) Capital projects shall be requested in discrete, recognizable phases, except for projects

established with continuing funding levels.

1. Requests for funding for the preliminary design phase and the post-preliminary design and project implementation phases shall, at a minimum, be in separate calendar years.

2. If a request is for funding for the preliminary design phase and the post-preliminary design and project implementation phases in the same calendar year, a statement shall be included in the narrative description of the project that funding for the post-preliminary design and project implementation phases shall be released only upon approval of the county board standing committee of jurisdiction.

(Mo. of 4-17-84, as amended, Rule 15; Ord. No. 142-51, § 1, 2-16-88; Ord. No. 143-157, § 2, 3-21-89; Ord. No. 145-167, § 1, 2-16-91; Ord. No. 146-152, 3-31-92; Ord. No. 156-46, § 1, 9/28/01; Ord. No. 158-52, §1, 08/12/03)

Sec. 7-17. Requests for appropriations.

All requests for appropriations shall be presented by written ordinance and shall be referred to the finance committee.

((Mo. of 4-17-84, as amended, Rule 35), (Ord. No. 159-32, §1, 07/27/04)

Sec. 7-18. Miscellaneous financial matters.

(a) No account shall be allowed by the county board of supervisors unless the same shall be made out in separate items and the nature of each item specifically stated. Any account shall be proven by affidavit to be filed therewith if requested by the county board of supervisors.

(b) Reserved.

(c) The county board of supervisors shall cause to be made out annually by the county clerk, and published with their proceedings for the year, a detailed statement which shall show briefly the nature of all accounts and appropriations.

(d) The county clerk shall sign and issue all orders for the payment of money which the county board of supervisors by recorded vote or resolution authorizes or which are authorized by the finance committee under section 4-150, and shall keep in a book therefore a true and correct account thereof and of the name of the person to whom each order issued, but the clerk shall not sign or issue any order for the payment of money for any purpose in excess of the fund appropriate for such purpose unless first authorized by resolution passed by the county board of supervisors pursuant to section 65.90 (5) of the Wisconsin Statutes. In addition, the clerk shall sign all orders for payment of county funds where the duty of such payment is mandatory under the Wisconsin Statutes such as relief of the poor, aid for the disabled, aid for the blind, aid for the dependent children, old age assistance, items payable on court order and court certificate, claims allowed according to law by the trustees of the county hospital, home and infirmary. The clerk shall sign and issue orders for the payment of such aid to needy veterans and their dependents or for such sums to be paid for the purchase of goods or services for veterans' relief as the county veteran's service commission may determine, the total disbursements shall not exceed the amount collected from the tax levied for expenditure by said commission. The clerk shall also be responsible for county payroll in accordance with county policy, agreements and contracts.

(Mo. of 4-17-84, as amended, Rules 64, 65; Ord. No. 145-151, § 8, 12-18-90)

Sec. 7-19. Depositories-Generally.

All banks and savings and loans in the county doing business under state or United States laws, and the local government pooled investment fund, shall be considered suitable depositories for moneys collected by any department of the county, with the exception of the general account, which will be handled by county's working bank.

(Res. No. 222-12/85, 12-17-85; Ord. No. 144-181, § 1, 2-20-91)

Sec. 7-20. Same-Designation.

The county's working bank will be designated based on an analysis of proposals received from financial institutions considered suitable depositories as set forth in section 7-19 of the County Code. The requests for proposals will set forth the specifications for the county's financial management program and will be distributed by the county treasurer prior to expiration of an existing contract, which will not be for a period greater than five (5) years. The proposals will be analyzed jointly by the director of the department of administration and the county treasurer, who will recommend the working bank designee to the finance committee for approval by the county board.

(Res. No. 189-10/85, 11-1-85; Ord. No. 144-181, § 2, 2-20-90)

Sec. 7-21. Charges for issuance of worthless payments.

When a check or other form of payment received from any person, business or entity is returned as worthless, the agency or office of the county that received the payment shall add a fee of twenty-five dollars ($25.00) to the amount owed by the issuer of the payment. This fee is intended to serve as compensation to the county for costs incurred by the county as a result of the return of the worthless payment.

(Ord. No. 149-32, § 1, 7-26-94)

Editor's note - Section 1 of Ord. No. 149-32, adopted July 26, 1994, added provisions to Ch. 2, Art. V, Div. 1, but did not specify manner of codification; hence, inclusion of such provisions as § 2-415 was at the discretion of the editor.

Secs. 7-22 - 7-38. Reserved.

DIVISION 3. ACCOUNTING POLICY

Sec. 7-39. Manner of establishing policy; manner of resolving policy differences.

(a) The required channel for establishing a new accounting policy and for revising an existing accounting policy is as follows:

1. The policy initiative is referred to the director of the department of administration;

2. The director of the department of administration assesses the impact of the policy initiative;

3. The director of the department of administration responds in writing to the finance committee with recommendations on the policy;

4. The finance committee acts on referred policy initiatives and appeals of initiatives;

5. The county board of supervisors acts to adopt policy referred from the finance committee;

6. The director of the department of administration disseminates adopted policy statements to departments through the update and distribution of the accounting manual;

7. Operating procedures that delineate accounting policy require the approval of the county clerk.

(b) The required channel for resolving differences in interpretation of accounting policy is as follows:

1. A department initiates request for clarification or interpretation through the director of the department of administration;

2. The director of the department of administration consults with the finance committee as may be required;

3. The finance committee makes the final determination in all matters of interpretation which cannot be resolved otherwise;

4. The director of the department of administration responds to the department's request in writing for all interpretations deemed to be substantive or involving the establishment of precedence.

(Res. No. 184-12/80, § I, 1-20-81)

Sec. 7-40. General Policies.

(a) The official books and records of the county will be maintained in conformance with accounting principles developed by the National Committee on Governmental Accounting and accepted as the standard in the industry. Exception to conformance to the accounting principles result from state law or county board orders.

(b) It is the responsibility of appropriate personnel in each county department to be aware of how generally accepted accounting principles and supplemental county accounting policy directives impact their operations and to comply with them.

(c) An appropriate system of internal accounting control will be maintained including, but not limited to:

1. Proper separation of duties in respect to receipt and disbursement of money;

2. Usage of sequentially pre-numbered accounting documents including receipts and other documents where such pre-numbering is conducive to effective internal control;

3. The cost of maintaining the system of internal accounting control should not exceed the benefits derived;

4. Recording of accounting transactions will be accepted for processing only if properly authorized;

5. The preparation of entries to accounting records will be properly supervised;

6. Effective physical safeguards will be employed to promote the security of county funds and assets.

(d) The forms and procedures used for initiating, processing and submitting accounting transactions will be uniform to the greatest extent possible among the departments of the county.

(e) The various departments of the county will use the central accounting system for meeting their general and special accounting and reporting needs.

(f) A written county-wide accounting policy and procedures manual will be maintained. Revisions and updates thereto will be prepared as needed by the finance director and submitted to the finance committee for approval.

(g) Accounting policies and procedures will be implemented with the support of appropriate training and assistance of the central accounting department.

(h) The annual budget will be prepared with the same chart of accounts as used to maintain the official books and records of the county.

(i) To the greatest extent possible, all new accounts, organizational and statutory changes anticipated for the ensuing year will be reflected in the budget.

(j) The departments of the county will be aware of accounting changes resulting from the budget and subsequent budget revisions. Accounting transactions will be consistent with changes that result from budget revisions.

(Res. No. 184-12/80, § II, 1-20-81)

Sec. 7-41. Reserved.

Sec. 7-42. Financial reporting.

(a) The accounting system shall be organized to report county operations as separate entities (funds) through a central accounting department. Reporting of each entity shall include a self-balancing set of accounts to record financial resources, related liabilities and resulting balances.

(b) Reporting of revenues and expenditures shall be classified by fund, program and activity as necessary for operational control.

(c) Fixed assets and long-term liabilities not accounted for in special funds shall be accounted for through a general fixed asset and long-term debt account group.

(d) Reporting by entity or fund shall be established and maintained as required by law and generally accepted accounting principles. Only the minimum number of separate entities as consistent with operating and legal requirements need be established.

(e) A comprehensive annual financial report of county operations or funds with appropriate combined statements, schedules, notes and statistics should be prepared and published.

(f) Appropriate interim financial statements and reports of financial position and operating results shall be prepared, as needed, to facilitate management control of financial operation and for external reporting purposes.

(g) Budgetary comparisons shall be included in the appropriate financial statements and schedules of government funds for which an annual budget has been adopted.

(Res. No. 184-12/80, § III, 1-20-81)

Sec. 7-43. Cash and receivables.

(a) All monies coming into the custody of county employees in performing services funded in whole or in part by the county will be deposited with the county treasurer, except:

1. Checks issued by the county to reimburse or to initially establish petty cash;

2. Monies received in connection with a fiduciary, trust, or agency relationship pursuant to state statute, or as otherwise specifically authorized by the finance committee;

3. As authorized by the county clerk.

(b) All monies remitted to the various departments, agencies and divisions of the county by persons will be deposited with the county treasurer unless specifically exempted by the finance committee.

(c) All deposits made by the departments, divisions and operations of the county will be accompanied with appropriate accounting documentation to enable efficient and proper processing against the official books and records of the county.

(d) Cash deposits will be made at time intervals no longer than specified in state statute. In the absence of statutory requirements, the financial director will determine the time intervals for deposits.

(e) All expenditures made from petty cash, or other special accounts specifically authorized by the finance committee, will be budgeted and accounted for against an appropriation. The procedure for charging the appropriate expense account is as follows:

1. By accounting distribution upon a voucher submitted to the finance department for the purpose of reimbursing the petty cash account;

2. By journal entry prepared and submitted by the custodian of the account for those accounts specifically authorized by the finance committee for reimbursement by means other than a check issued by the county clerk.

(f) Detailed accounts receivable records will be maintained by the departments of the county and corresponding accounts receivable control accounts will be maintained by the county clerk, wherever such receivables are deemed to be material.

(g) The policy for liquidating accounts receivable for bad debts and uncollectible amounts is as follows:

1. A department desiring the liquidation certifies that all reasonable efforts have been made to collect the amount owed and that to liquidate the amount owed is not in conflict with any applicable statute of limitation or similar administrative order;

2. Accounts so certified which individually or in the aggregate are less than two thousand dollars ($2,000.00) may be liquidated by liaison committee approval;

3. Accounts so certified which individually or in the aggregate exceed two thousand dollars ($2,000.00) require both liaison and finance committee approval.

(Res. No. 184-12/80, § IV(A), 1-20-81)

Sec. 7-44. Inventories and prepayments.

(a) A perpetual inventory record will be maintained for the following:

1. Outlay items;
2. Central supplies department;
3. As determined by the director of administration.

(b) Departments will conduct annual physical inventories.

(c) Adjustments to inventory for annual physical counts will be properly recorded.

(d) Inventoried items expenses to projects or to other accounts will be charged-out at actual cost.

(e) All prepaid expenses for proprietary funds will be debited to asset accounts and amortized by journal entry over the period of benefit or incurrence of expense.

(Res. No. 184-12/80, § IV(B), 1-20-81)

Sec. 7-45. Capital (fixed) assets.

(a) The following provisions apply to capital (fixed) assets:

1. All outlay items with purchase/construction price and related delivery charges will be capitalized;

2. Fixed assets should be accounted for at acquisition cost. Donated fixed assets should be recorded at their estimated fair value at the time received;

3. Depreciation of general fund fixed assets may be recorded for cost finding analysis. Accumulated depreciation would be recorded in the general fixed asset account group;

4. All departments of the county considered as proprietary funds pursuant to generally accepted accounting principles will maintain a subsidiary fixed asset ledger and periodically record depreciation expense and accumulated depreciation;

5. The method of depreciation will be straight-line, and salvage values will be ignored.

(b) Useful lives in years for depreciation of fixed assets will be as follows:

Department	*Land Improvements*	*Buildings*	*Permanent Fixtures*	*Major Movable Equipment*	*Office Furniture and Equipment*
Highways	As specified by State Department of Transportation				
Northview	As specified by State Department of Health and Social Services				
All Others:	5-10 years	20-30 years	15-30 years	3-7 years	5-15 years

(c) All purchases of fixed assets will be charged against an outlay appropriation account. Purchases of outlay items from special accounts is prohibited, except as follows:

1. Highway department machinery fund;
2. Exposition center capital improvements to be reimbursed by customers;
3. As determined by the director of administration.

(Res. No. 184-12/80, § IV(C), 1-20-81)

Sec. 7-46. Encumbering of county funds.

(a) Reserved.

(b) Reserved.

(c) Vouchers for encumbered funds need no further approval for payment if the request for payment is not more than ten (10) percent greater than the amount encumbered. Vouchers outside of this ten (10) percent tolerance level are subject to the purchase order/voucher approval procedure.

(d) Reserved.

(e) Vouchers and purchase orders can be paid or encumbered if the expenditure is applicable to those projects or programs authorized by the county board of supervisors at the time the budget was adopted, and in the case of a governmental fund, the expenditure is within the budgetary control levels established by Resolution No. 17-84.

(f) The finance committee shall approve fund transfers for additional expenditures which arise due to increases in grants if the purpose of the grant has been approved by the county board of supervisors.

(g) This section does not eliminate necessary statutory approvals.

(Ord. No. 145-151, § 8, 12-18-90)

Sec. 7-47. Reserved.

Editor's Note: Former Sec. 7-47 regarding Procurement and Vouchers Payable was repealed by Ord. No. 159-32.

Sec. 7-48. Revenues and expenditures.

(a) All revenue and expenditure accounts will be maintained on a gross basis with exceptions to be determined by the director of the department of administration.

(b) The departments of the county will prepare and promptly submit journal entries on a monthly basis for accrued revenues and accrued expenditure transactions.

(c) Adjustments made by central accounting to revenue and expenditure journal entries submitted by departments will be communicated to the appropriate departments.

(d) Accrued expenditure transactions by means of journal entry are permitted only for nondiscretionary purchases or purchases with time periods extending over two (2) or more accounting periods.

(e) County services and activities subject to interdepartmental charges will be reviewed and approved by the finance committee. Departments providing interdepartmental services will maintain appropriate accounting records including work order/job cost subsidiary systems as required, to properly determine and document the amount of interdepartmental charges. Total county-wide expenditures for interdepartmental charges will be budgeted and controlled in the department providing the activity or service. Interdepartmental revenue will be budgeted and accounted for in the department providing the service. The providing departments will prepare periodic and timely journal entries to charge using departments. Interdepartmental charge transactions shall not result in the preparation of vouchers and exchange of checks issued by the county clerk, unless specifically authorized by the finance committee. Expenditure accounts for interdepartmental services will be established and budgeted in using departments.

(f) For interdepartmental charges subject to project or work order accounting, the components of the interdepartmental charge will be as follows:

1. Direct labor;
2. Incidental labor rate, or equivalent;
3. Direct materials;
4. Equipment charges (for highways, park and planning and reproduction);
5. Direct outside services.

(Res. No. 184-12/80, § IV(E), 1-20-81)

Sec. 7-49. Reserved.

Editor's Note: Former Sec. 7-49 regarding transfer of unused funds from salary and budget accounts was repealed by Ord. No. 159-32.

Sec. 7-50. Reserved.

(Sec. 7-50 Salary Deductions was repealed by Enrolled Ordinance 177-56, effective 10/06/2022.)

Sec. 7-51. Accounting for expenses of boards and committees.

All committees and boards of the county board of supervisors are considered as organizations of the county board (Agency) for accounting and budgetary purposes.

(Res. No. 289-3/85, 3-19-85)

Secs. 7-52 - 7-59. Reserved.

DIVISION 4. INVESTMENT POLICY

Sec. 7-60. Purpose.

The purpose of this division shall be to establish the county's cash investment objectives, delegation of authority, standards of prudence, reporting requirements, internal controls, eligible investments, selection process for investments, investment management and advisory firms, diversification and safekeeping requirements.

(Ord. No. 146-80, § 1, 9-25-90; Ord. No. 147-97, § 1, 12-8-92)

Sec. 7-61. Scope.

This investment policy applies to all investment transactions/activities of the county.

(Ord. No. 145-80, § 2, 9-25-90)

Sec. 7-62. Objectives.

The primary objectives of county investment activities shall be the following in order of importance:

1. To preserve capital in the overall portfolio and to protect investment principal;

2. To remain sufficiently liquid to meet disbursement requirements which might be reasonably anticipated; and

3. To manage the investment portfolio to maximize return consistent with objectives in (1) and (2), above, and other risk limitation described in this policy.

(Ord. No. 145-80, § 3, 9-25-90)

Sec. 7-63. Delegation of authority.

(a) The responsibility for conducting investment transactions rests with the Director of the Administration

(b) The director of the department of administration shall establish written procedures for operation of the county's investment programs, consistent with this written policy.

(c) The Director of Administration or designee shall have the authority to direct the County Treasurer to transfer funds between accounts established for investments as prescribed in the investment procedures.

(d) In accordance with a formal competitive request for proposal process, as prescribed in the investment procedures, the county may contract with one (1) or more investment managers or advisors with authority to make investment commitments consistent with this policy.

(Ord. No. 146-80, § 4, 9-26-90; Ord. No. 155-45, §§ 1 and 2, 8-22-00)

Sec. 7-64. Prudence.

The standard of prudence to be applied by the Director of Administration shall be the "prudent person rule" which states: "Investments shall be made with judgement and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived." The prudent person rule shall be applied in the context of managing the overall portfolio.

The Director of Administration, in accordance with chapter 34 of Wisconsin State Statutes and county procedures, will exercise due diligence. The Director of Administration will follow these policies and procedures and report immediately to the finance committee any individual security's credit risk or market price change and recommend appropriate action be taken to control adverse developments.

(Ord. No. 145-80, § 6, 9-26-90; Ord. No. 155-45, §3, 8-22-00)
(Section 7-64 was amended by Enrolled Ordinance 181-35, effective 09/03/2026.)

Sec. 7-65. Reporting requirements.

(a) The director of the department of administration shall provide the finance committee with copies of a portfolio performance report at least quarterly or when a specific request is made. The report will summarize the investment strategies employed, describe the portfolio in terms of investment securities, maturities, risk characteristics and other factors. The report will indicate any areas of policy concern and suggested or planned revision of investment strategies.

(b) The director of the department of administration shall provide the county board with copies of a portfolio performance report and the county's current investment plan at least annually.

(Ord. No. 145-80, § 6, 9-25-90; Ord. No. 155-45, §§ 4 and 5, 8-22-00)

Sec. 7-66. Internal controls.

The director of the department of administration shall establish a system of internal controls which shall be reviewed by the county's internal auditor or the independent auditor on an annual basis. The controls shall be designed to prevent loss of public funds due to fraud, error, misrepresentation by another party or imprudent actions by an employee or employees of the county.

(Ord. No. 145-80, § 7, 9-25-90; Ord. No. 155-45, § 4. 8-22-00)

Sec. 7-67. Eligible investments.

(a) *Authorized investments*. Subject to restrictions as may be imposed by law (section 66.0603 of Wisconsin Statutes), funds will only be invested in any of the following securities:

1. *U.S. Treasury obligations and government agency securities.* Obligations of the United States of America, its agencies and instrumentalities, provided that the payment of the principal and interest is fully guaranteed by the issuer.

2. *Certificates of deposit.* Certificates of deposit and other evidences of deposits from credit unions, banks, savings banks, trust companies or savings and loan associations which are authorized to transact business in the state, which time deposits mature in not more than one year. Any certificate of deposit invested over the Federal Deposit Insurance Corporation and State Deposit Guarantee Fund insured amounts or five hundred thousand dollars ($500,000.00), whichever is less, are to be fully collateralized under the specific requirements of section 7-70.

3. *General Obligation Bonds or General Obligation Securities.* General obligation bonds or general obligation securities of the State of Wisconsin, or of any county, city, drainage district, vocational, technical and adult education district, village, town or school district of the state.

4. *State of Wisconsin Investment Board's Local Government Investment Pool.*

5. *Repurchase agreements.* Investment agreements pursuant to which a federal or state credit union, federal or state savings and loan association, state bank, savings and trust company, mutual savings bank, or national bank in the State of Wisconsin agrees to repay funds advanced to it by the issuer, plus interest. Repurchase agreements are to be secured by investment securities fully guaranteed by the U.S. government.

6. *Operating bank account.* Deposits shall be limited to the lesser of five hundred thousand dollars ($500,000.00) or amounts guaranteed by Federal Deposit Insurance Corporation and the State Deposit Guarantee Fund unless overnight funds in excess are fully collateralized under the specific requirements of section 7-70. Deposits by the county with institutions outside of the state are prohibited.

7. *Money Market funds*. Open-ended Money Market funds restricted to investments permitted in Wisconsin Statute section 66.0603(1m), limited to a minimum average maturity of one hundred twenty (120) days or less. This limit will not apply to the State of Wisconsin Investment Board's Local-Government Investment Pool.

8. *Highly rated commercial paper.* Commercial paper which may be tendered for purchase at the option of the holder within not more than two hundred seventy (270) days of the date acquired as permitted by Wisconsin Statutes Section 66.0603(1m). These securities must be rated in the highest or second highest rating category assigned by Standard and Poor's Corporation, Moody's Investors Service or some other nationally recognized agency; or senior to or on parity with a security of the same issuer which has such a rating.

9. *Corporate / University Bonds or Securities.* Any bond or security issued by a corporation or university (corporate or public revenue) which has a legal final maturity of 7 years or less on the date on which it is acquired, and if that bond or security has a rating which is in the highest or 2nd highest rating category assigned by Standard & Poor's Corporation, Moody's Investors Service or other similar nationally recognized rating agency. Investment in Corporate / University Bonds, and Asset-Backed Securities will be limited to a combined 18% of the County's total investment portfolio, excluding checking, savings and money market accounts, and the State of Wisconsin Local Government Investment Pool. At the time of purchase, securities issued by a single Corporation/University shall not exceed 1.5% of the total investment portfolio at market value as defined above.

10. *Asset-backed securities (ABS)* whose underlying collateral consists of loans, leases or receivables, including but not limited to auto loans/leases, credit card receivables, student loans, equipment loans/leases, or home-equity loans that have a legal final maturity of 7 years or less on the date on which it is acquired. Such ABS shall be rated at the time of purchase at the highest general classification established by Standard & Poor's Corporation, Moody's Investors Service, Inc., or other similar nationally recognized rating agency.

11. *Wisconsin Investment Series Cooperative (WISC) Investment Class Pool Fund.*

(b) *Eligible amounts.* The treasurer shall ensure amounts on deposit do not exceed collateralized amounts guaranteed by the financial institution, consistent with this written policy.

(c) *Restricted investments.* The following restrictions will apply to any investments made by Waukesha County:

1. *Limited participation in investment pools.* Waukesha County will limit participation in investment pools or money market funds to no greater than ten (10) percent of total funds invested in the pool, based on monthly statement ending balances.

2. *Leveraged investments.* No investments shall be made in reverse repurchase agreements. Nor shall any investments be made with funds borrowed through the use of county investment assets as collateral.

3. *Foreign securities.* No investments shall be made in the securities of foreign issuers or in securities denominated in a currency other than the U.S. dollar.

(Ord. No. 145-80, § 8, 9-25-90; Ord. No. 150-60, §§ 1, 2, 10-10-95; Ord. No. 150-60, §§ 1, 2, 10-10-95; Ord. No. 165-38, 8/24/2010; Ord. No. 167-95, 03/26/13; Ord. No. 170-55, effective 9/30/15)

(Sections 7-67(a)(3) and 7-67(a)(10) were amended by Enrolled Ordinance 171-61, effective 01/02/17.)
(Section 7-67(a)(9) was amended by Enrolled Ordinance 172-057, effective 12/07/2017.)
(Section 7-67(a)(11) was created by Enrolled Ordinance 172-057, effective 12/07/2017.)
(Section 7-67 (a)(9) was amended by Enrolled Ordinance 173-103, effective 04/01/2019.)
(Section 7-67 (a) 9.was amended and Section 7-67(a) 10. was created by Enrolled Ordinance 181-35, effective 09/03/2026.)

Sec. 7-68. Competitive selection of investment advisors and instruments.

(a) *Investment Advisor Selection Process.* A competitive proposal process shall be conducted

before selecting an investment advisor(s). Each investment advisor will be assigned a mutually agreed upon performance benchmark, based upon their management philosophy and portfolio composition. The performance benchmark may be a nationally recognized index or combination of multiple indexes, or a target return that would be a certain level above or below that of another investment, such as in relation to the Local Government Investment Pool or the Federal Reserve Funds Rate. In order to manage interest rate risk, the investment advisor will be required to keep the duration of their portfolio, which is defined as the present value of the lifetime cash flows of their investments, in close proximity to the assigned benchmark or less if economic conditions merit.

(b) *Direct investment selection.* Except for funds placed in the local government investment pool, when the county directly invests surplus funds in investment instruments, a competitive "bid" process shall be conducted.

1. Bids will be secured from at least two (2) institutions meeting the requirements outlined in this policy. Bidders are required to bid a firm price or yield.

2. If a specific maturity date is required, bids will be requested for instruments which meet the maturity requirements. If no maturity date is required, the most advantageous market trend yield will be selected.

3. Awards will be given to the bidder offering the highest effective yield consistent with policy restrictions; however, transaction cost (i.e. wire transfer costs) and investment experience may be considered when awarding investments.

(Ord. No. 145-80, § 9, 9-25-90; Ord. No. 147-97, § 2, 12-8-92; Ord. No. 160-100, §1, 01/24/06)

Sec. 7-69. Cash liquidity.

County investments shall be managed to maintain liquidity for meeting the county's need for cash and to limit potential market risks. Investments will be made through financial institutions offering the highest yielding rates, consistent with this written policy.

(Ord. No. 145-90, § 10, 9-25-90)

Sec. 7-70. Safekeeping.

(a) All investment institutions acting as a depository for the County must enter into a “depository agreement” requiring the depository to pledge collateral to secure amounts over and above guaranteed amounts, or to provide an irrevocable standby letter of credit which meets the requirements set forth in subparagraph b. below. All securities serving as collateral shall be specifically pledged to the County (not as part of a pooled fund) and placed in a custodial account at a Federal Reserve Bank, a trust department of a commercial bank, or through another financial institution. The custodian may not be owned or controlled by the depository institution or its holding company unless it is a separately operated trust institution. The custodian shall send statements of pledged collateral to the Treasurer’s Office on a monthly basis.

(b) Amounts in excess of Federal Deposit Insurance Corporation and State Deposit Guarantee Fund guaranteed amounts must be (i) fully collateralized and held by a third party, (ii) fully insured by an insurance company with an A rating or better by A.M. Best or (iii) fully secured by an irrevocable standby letter of credit with a term of at least one year issued by a Federal Home Loan Bank which (A) has a rating

of AAA or better from Moody's Investors Service, Standard and Poor's Corporation or other similar nationally recognized rating agency, (B) is in the County's name, (C) is held by the County, and (D) has no restrictions or limitations on draws other than times for draw and a requirement that it be a conforming draw. Acceptable collateral includes the following:

1. Securities of the U.S. Treasury or U.S. Governmental Agency as defined by the Federal Reserve.

2. U.S. government guaranteed securities such as those issued through the Small Business Administration are acceptable as long as they are fully guaranteed.

3. Commercial paper which is the highest or second highest rating category assigned by Standard and Poors Corporation, Moody's Investors Service, Inc., or other similar nationally recognized rating agency may be used to the extent that a collateralization level of one hundred twenty-five (125) percent is maintained.

4. General obligations of municipalities are acceptable to the extent that they are rated second highest or higher by Moody's Investors Service, Inc., Standard and Poors Corporation or other nationally recognized rating agency.

(c) Collateral held in trust. Collateral held by a trust institution supporting certificates of deposit, repurchase agreements or other qualified investments consistent with this investment policy and not identified in subsection (a) or (b) must meet the requirements outlined below.

1. Collateral must be held in trust and be equal to at least one hundred (100) percent market value of the total amount invested plus interest to be earned at the time of investment. Collateral shall be marked-to-market on a monthly basis.

2. Acceptable collateral includes items identified in subsection (b).

3. A detailed statement listing a description of the securities pledged and held in safekeeping must be provided on a monthly basis.

4. Institutions serving as custodian of other collateral shall provide evidence of professional liability insurance and fidelity bond.

(d) *Third Party Custodian.* For portfolios with outside investment advisors, the County will use an independent third-party custodian, in order to segregate the functions of choosing investments from physical custody and record-keeping. The custodian shall keep possession of all funds and securities; collect income and the proceeds of sales, maturities and redemptions; transact purchases; and distribute funds as directed by the County. The custodian will also provide the Department of Administration with a monthly report of all account transactions.

(Ord. No. 145-80, § 11, 9-25-90; Ord. No. 147-97, §§ 3, 4, 12-8-92; Ord. No. 160-100, §2, 01-24-06; Ord. No. 168-17, 05/28/13)

Secs. 7-71 - 7-79. Reserved.

DIVISION 5. PROCUREMENT POLICY

Sec. 7-80. General policy.

(a) The county's policy is to promote, whenever possible and beneficial, procurement through a competitive process.

(b) The Department of Administration (DOA) may adopt, implement, and amend procurement operational procedures for all county departments to follow, which are consistent with the policy adopted in this Code concerning procurement activities.

1. DOA is authorized to establish forms to be used by the departments in requisitioning, ordering, and reporting of materials, supplies, equipment, and services.

2. Waukesha County employees shall furnish such reports as DOA may require concerning usage, needs, and inventory.

(c) Purchase of all materials, supplies, equipment, and services shall be made by means of a requisition order submitted to DOA by department officials who have the authority to expense departmental appropriations.

1. Contracts and purchase orders for any materials, supplies, equipment, or services contrary to the policy adopted in this Code concerning the procurement activity, and procedures based upon that policy, shall be void.

2. Except for emergency procurements as allowed under provisions of this Code, no order for materials, supplies, equipment, or services shall be awarded unless the department's unencumbered appropriation balance is sufficient to defray the cost of such order.

3. The purchase of any materials, supplies, equipment, or services by DOA shall not be construed to include:

   A. Bidding and contracting for public works as specified under section 7-15 of this code.

   B. Any materials, supplies, equipment, or services which are finished by the contractor as part of the requirements of the public works contract.

(Ord. No. 145-151, § 1, 12-18-90)
(Enrolled Ordinance No. 181-10, effective 06-06-2026)

Sec. 7-81. Competitive procurement.

(a) Procurements with a dollar threshold as defined in Wisconsin Statutes section 59.52(29)(e)1.a. shall be designated as formal procurements and shall require a competitive solicitation process, including public notice when practicable and advantageous to the County.

(b) Procurements with an estimated value of less than the dollar threshold as defined in Wisconsin Statutes section 59.52(29)(e)1.a. shall be designated as informal procurements and shall require the solicitation of three competitive quotes when practicable and advantageous to the County.

(c) DOA may determine that a competitive process is impractical or not advantageous under the following circumstances:

1. Specifications cannot reasonably be developed;
2. The goods or services are available only from a single source;
3. The procurement requires specialized, technical, or professional expertise;
4. An emergency condition exists;
5. Competitive solicitation has been unsuccessful.

(d) Awards shall be made to the lowest responsible and responsive bidder or proposer, consistent with County requirements and procurement procedures.

(e) DOA is authorized to negotiate pricing and scope with the lowest responsible and responsive bidder when:

1. All bids exceed available funding;
2. The lowest bid exceeds available funding by a reasonable margin; or
3. Time or economic conditions make re-solicitation impractical.

(f) Procurements shall not be artificially divided to avoid formal procurement requirements.

(g) All contracts resulting from formal procurement shall be executed in the name of the County and approved as to form by Corporation Counsel.

(Ord. No. 145-151, § 2, 12-18-90)
(Enrolled Ordinance No. 181-10, effective 06-06-2026)

Sec. 7-82. Cooperative procurement.

(a) Waukesha County may participate in, sponsor, conduct, or administer a cooperative procurement agreement for the procurement of any materials, supplies, equipment, or services with one (1) or more public procurement units in accordance with an agreement entered into between the participants. Cooperative procurement may include, but is not limited to:

1. Joint or multi-part contracts between public procurement units.
2. Open-ended state, municipal, federal and other public procurement unit contracts which are made available to other public procurement units.

(b) DOA shall encourage the active community participation in the county's procurement process.

(Ord. No. 145-151, § 3, 12-18-90)
(Enrolled Ordinance No. 181-10, effective 06-06-2026)

Sec. 7-83. Emergency procurement.

(a) An "emergency" is defined as a situation in which a breakdown in service occurs which has an immediate effect on life, health, or safety, or which will result in a work stoppage.

(b) An "emergency procurement" is defined as the obtaining for immediate use in an emergency the materials, supplies, equipment, or services vitally necessary to restore operation of the service.

1. If the emergency occurs when DOA is not open for business or is otherwise unavailable, departments may make or request emergency procurements from the most practicable source.
    A. A requisition for that which had been obtained shall be promptly forwarded to DOA, accompanied by a communication from the department head or designee which explains the emergency.

    B. DOA shall issue a confirming order to the vendor or vendors from whom commodities were obtained.

2. Under all other circumstances, the department shall notify DOA, who will determine whether or not an emergency procurement is warranted and, if so, how the materials, supplies, equipment, or services will be secured without delay.

(c) Any person who directly procures any materials, supplies, equipment, or services and issues a requisition to DOA after the purchase has been completed which is deemed by DOA not to be an emergency procurement and not executed in good faith, is, at the direction of the county executive, personally subject to disciplinary action and/or the charge of the goods thus ordered.

(Ord. No. 145-151, § 4, 12-18-90)
(Enrolled Ordinance No. 181-10, effective 06-06-2026)

Sec. 7-84. Purchasing authority - generally.

(a) The DOA Director or designee (e.g., Procurement Division Manager) is authorized to procure or to provide for the procurement of any material, supply, equipment, or service for the use of any department comprising the county government. All procurements shall be pursuant to the County Code, state, and federal law and all interpretations as to the applicability of the Code shall be determined at the direction of the county executive.

(b) Nothing in this division shall be construed to prevent the DOA Director or duly authorized designee from:

1. Making procurements or contracts in anticipation of the needs of departments.

2. Maintaining stores of commodities in anticipation of need.

(c) In addition to the general authority for procuring all county goods and services, DOA is specifically authorized to:

1. Sell, trade, or otherwise dispose of, for value, all surplus or obsolete county supplies, materials and equipment.

2. Exercise general supervision over the adequacy of and provision for all inventories of county supplies.

3. Develop procurement standards for internal and departmental use.

4. Establish and maintain programs for specification development and compliance, contract administration and inspection, and acceptance.

5. Let contracts in excess of funds available, provided that each such contract shall state in substance that its continuance beyond the limits of funds already available shall be contingent upon additional funds being provided by the appropriate county authority.

6. Determine the terms and conditions of solicitations, contract type, and contract provisions, provided that such terms, conditions, or provisions are in the best interests of the county and are not contrary to this division or any state or federal law.

7. Resolve controversies and protested solicitations and awards between the county and the contractor which arise under or by virtue of a contract between them. This includes, without limitation, authority to:

    A. Settle or resolve a protest of an aggrieved bidder, offeror, or contractor, actual or prospective, concerning the solicitation or award of a contract.

    B. Settle or resolve controversies based upon breach of contract, mistake, misrepresentation, or other cause for contract modification or recission, consistent with other Code provisions regarding claims settlement.

8. Debar or suspend for cause a person or firm from consideration for award of contracts, in which case the debarment or suspension:

    A. Shall be for a period of no more than three (3) years and shall commence after reasonable notice to the person involved and after the person has had reasonable opportunity to be heard.

    B. Shall be final and conclusive upon the decision of DOA.

9. Require of bidders and contractors such bid or performance bonds from sureties as is deemed advisable by DOA.

10. Decide as to the responsibility and competency of bidders and sureties.

11. Decide, upon receipt of any procurement requisition, when the procurement will be initiated and the time for response to solicitation, provided that:

    A. The requesting department is notified if any dates DOA establishes exceed those stated by the requesting department.
    B. The requesting department is notified if procurement timetables are likely to result in delivery later than the delivery date stated in the procurement requisition.

(Ord. No. 145-161, § 5, 12-18-90)
(Enrolled Ordinance 181-10, effective 06-06-2026)

Sec. 7-85. Delegations.

(a) DOA may delegate to any county department the authority to procure independently such materials, supplies, equipment, or services of a special character as are used only by that department or which may be more efficiently procured by that department. Such delegation shall remain in effect unless modified or revoked in writing. A department which has been delegated procurement authority shall:

1. Forward all written contracts resulting from the procurement activity to DOA for execution.

2. Comply with such standards and rules as promulgated by DOA concerning the exercise of independent procurement.

(b) DOA shall have the privilege to call upon any county department or employee for information, advisement, or assistance in the performance of procurement activity which is within the scope of such department or employee to provide.

(Ord. No. 145-151, § 6, 12-18-90)
(Enrolled Ordinance No. 181-10, effective 06-06-2026)

Sec. 7-86. Procurement information.

(a) It is the responsibility of personnel engaged in the procurement requisition and procurement process in all county departments to be aware of and to comply with the procurement policy of this Code and the procurement procedures which have been developed or will be developed which are consistent with such policy.

(b) Procurement information shall be a public record to the extent provided in Wisconsin Statutes, section 19.32(2), and shall be available to the public as provided in such statute.

(Ord. No. 145-151, § 7, 12-18-90)
(Enrolled Ordinance No. 181-10, effective 06-06-2026)

Sec. 7-87. County board review of professional service contract procurement process.

(a) General policy.

1. It is declared to be the policy of Waukesha County to encourage, insofar as it is practical and advantageous to the county, procuring by a competitive process.

2. The county board has a special interest, as part of performing its oversight responsibilities, in reviewing the contract procurement process for professional services prior to commitment with private sector providers since the selection process usually must be based on more subjective criteria in addition to price.

3. To ensure timely execution of services and review of the most significant professional service contracts, professional service contracts with county commitment of funds of one hundred fifty thousand dollars ($150,000.00) or greater shall be subject to special county board review of the procurement process.

(b) Definitions. As used in this section:

Professional services means creative and individual talents requiring special skills or training of a technical, artistic or experimental nature.

Request for proposal (RFP) means the process utilized to evaluate competing proposals on a basis other than price exclusively.

Professional service contract means a binding written agreement setting forth terms and conditions of the offer and acceptance between the county and a professional service provider.

Procurement process means the method used to evaluate which proposal is most advantageous to the county, taking into consideration price and evaluation factors as set forth in the request for proposal. The process will contain the following:

1. Developing adequate specifications and criteria for the RFP.

2. Advertising and soliciting potential proposers.

3. Evaluating proposals in accordance with established criteria by a committee whose members have no personal or financial relationship with the proposer. The evaluation committee shall be comprised of members selected in accordance with county procurement policies and procedures to ensure that integrity and the objectivity of the process is preserved.

4. Selecting the highest rated proposal.

(c) *Review process*.

1. All RFPs which are distributed or available to the public and potential proposers shall be forwarded to the County Board Office for a determination by the appropriate standing committee chair for agendizing it for an information only review.

2. All professional services contracts for county commitment of one hundred fifty thousand dollars ($150,000) or greater prior to commitment shall be referred to the finance committee to make a finding that county procurement policy and the procurement process described above were followed.

3. If the finance committee has not acted on a professional service contract within forty-five (45) days after it was referred to them, then the county executive or his designee may act on the contract without county board approval.

(Ord. No. 146-98, §§1-3,12-17-91; Ord. 152-129, §1, 2-24-98)
(Enrolled Ordinance No. 181-10, effective 06-06-2026)

DIVISION 6. ACCEPTANCE AND USE OF CASH AND NONCASH DONATIONS

Sec. 7-88. Purpose.

The purpose of this division is:

(a) To establish a uniform procedure for accepting donations to the County.

(b) To identify the procedure involved in appropriating donated funds and accepting noncash donations, whether within the year of the donation or in subsequent years.

(Ord. No. 148-33, § 2, 6-22-93)

Sec. 7-89. Statement of policy.

Wisconsin Statutes grant counties the authority to accept donations for any public governmental purpose within the powers of the county. All cash donations can be conditionally accepted to a county revenue account and reserved until such time that the county board agrees to accept the donation for the purpose specified by the donor, either through ordinance or in the approved county budget. At that time, the funds will be appropriated or returned to the donor. All cash donations are deposited with the treasurer. In-kind (e.g. goods, equipment, commodities) donations that are subject to special conditions or are of significant value require acceptance by the county board.

(Ord. No. 148-33, § 2, 6-22-93)

Sec. 7-90. Acceptance-Generally.

Donations of cash can be accepted, but no expenditure authority can be appropriated until complying with section 7-91(b) below. All other donations require that a donation acceptance worksheet, supplied by the department of administration, be completed and routed to corporation counsel before acceptance can take place.

(Ord. No. 148-33, § 2, 6-22-93)

Sec. 7-91. Same-Procedure for cash and noncash donations; exemptions.

(a) *Cash donations.*

1. The department (agency) that accepts the funds must deposit these funds with the county treasurer.

   A. Donations of funds. The department shall identify, on the general receipt form, the donation revenue source for the specific fund and agency in accordance with the county's chart of accounts. The department will keep a subsidiary record of these funds indicating the date that the funds were received, from whom they were received, and the purpose for which they were donated.

   B. Donations for special project. Funds received for a special project from a number of donors and over an extended period of time may justify a special account or fund. The department of administration will assist departments in establishing and determining the best accounting vehicle.

   C. Notwithstanding Sec. 7-90, no cash donation proposed for a use that could place any

fixture or structure in county facilities or on county lands may be accepted by a department unless the proposed use has been reviewed by the Directors of the Department of Parks and Land Use and Department of Public Works, or their respective designees, for safety and costs related to installation, ongoing maintenance and operation, and for consistency with county buildings and grounds current and future needs.

2. Expenditures of-cash donations must be appropriated by the county board. If the donation is contingent upon a specific use, it must be identified and accepted for that purpose by the county board or the donation must be returned.

   A. Annual budget appropriation. A donation received in a particular year can be included in the county executive budget for the subsequent year. The amount and purpose of the donation must be clearly identified in the budget book for county board review.

   B. Ordinance appropriation. A donation received in a particular year can be proposed for use in the same year through the normal ordinance process. The amount and purpose must be specified in the ordinance for acceptance and appropriation by the county board. This type of an appropriation is considered a budget amendment and requires affirmative votes by two-thirds of the membership of the county board.

   C. Budgeted anticipated cash donations. No further action by the county board is required to accept or appropriate a donation received in association with the county's Naming Rights and Sponsorship policy if receipt of the donation has been anticipated and budgeted for within an existing approved capital project or departmental budget.

(b) *Noncash donations.* All in-kind (e.g. goods, equipment, commodities) donations are subject to a special condition test before acceptance by the county.

1. An in-kind donations shall be determined to present a special condition if any of the following conditions are identified.

   A. A special liability exposure not previously recognized in the recipient program or operation would be added with acceptance of the donation.

   B. A special maintenance or other operating impact not previously provided for in the recipient program or operation would be incurred by the county.

   C. A special responsibility or obligation would be required with the acceptance of the donation.

   D. A special risk exposure to employee health or safety or specialized training requirements would be recognized in the recipient program or operation with acceptance of the donation.

2. The corporation counsel will rule on the applicability of a special condition for all in-kind donations.

A. A description of an offered in-kind donation identifying any condition(s) for acceptance must be submitted on a prescribed county form to the corporation counsel for special condition determination.

B. The corporation counsel, in reviewing a special condition determination request, may employ assistance from other administrative staff, and shall consult with the Department of Parks and Land Use and the Department of Public Works when evaluating any in-kind donations of fixtures or structures that would be placed in county facilities or on county grounds.

C. The corporation counsel will report back to the requesting department on a prescribed county form on the final determination of a finding or absence of a special condition on the subject in kind donation.

3. In-kind donations with a replacement value under five thousand dollars ($5,000.00) as determined by the recipient department and not subject to a special condition can be accepted by the county without further action.

4. In-kind donations with a replacement value of five thousand dollars ($5,000.00) or more as determined by the recipient department or those subject to a special condition must be accepted by the county board.

(c) *Exemptions.*

1. Donations of real property made by dedication on a subdivision plat or certified survey map, which consist of lands to be acquired in the county board adopted Park and Open Space Plan, shall be controlled by subsection (b)(3) above regardless of value.

2. Both cash and in-kind donations made to the Bridges Library Board for system wide functions and services shall be exempt from this policy pursuant to section 43.58(1), Wisconsin Statutes, but shall be disclosed to the county board.

3. Donations of funds made to the Parkland Management cost center in the Walter J. Tarmann Fund shall not be subject to sections 7-89, or 7-91(a)1, and can be accepted by the county without further action.

4. In-kind donations received for and within the scope of an existing building, facility or room capital project approved by the county board in association with the County's Naming Rights and Sponsorship Policy may be accepted by the county without further action regardless of value or special condition.

(Ord. No. 148-33, § 2, 6-22-93; Ord. No. 166-24, §1, 06-29-11; Ord. No. 161-82, 2/27/07; Ord. No. 166-24, 06/28/11; Ord. No. 169-28, 7/10/14.)

(Enrolled Ordinance 176-97, effective 02/08/2022, amended sections 7-91(a)1.C, (a)2.C, (b)2.B and (c)4.)
(Enrolled Ordinance 177-56, effective 10/06/2022, changed reference to the Federated Library Board to the Bridges Library Board.)

Sec. 7-92. Budgetary controls.

(a) Appropriations to county offices and departments (agencies) for all governmental funds and expendable trust funds shall be controlled in accordance with the following expenditure appropriation unit categories:

1. Personnel costs;
2. Operating expenses;
3. Interdepartmental charges; and,
4. Fixed assets.

(b) Appropriations for all proprietary (enterprise and internal service) funds and capital projects shall be controlled at the total budgeted expenditure level for each fund within an agency.

(c) Notwithstanding subsection (a) above, for the fund designated as the Tarmann Parkland Acquisition Fund, appropriations shall be controlled at the total budgeted expenditure level.

(Ord. No. 147-47, § 1, 8-11-92; Ord. No. 148-18, § 1, 5-11-93; Ord. No. 165-93, § 1, 02-25-2011)

Sec. 7-93. Reappropriation of year-end unexpended and encumbered purchase orders.

Automatic reappropriation of encumbered budgeted expenditures and related revenue funds from one (1) calendar (budget) year to the next shall be permitted to provide expenditure authority and related revenues for payment of unexpended purchase orders which are appropriated, authorized and committed in the prior year.

(Ord. No. 147-47, § 1, 8-11-92; Ord. No. 159-32, §2, 07/27/04)

DIVISION 8. REIMBURSEMENT OF EMPLOYEE/NON-EMPLOYEES

Sec. 7-94. Compensation, per diem, etc.

Non-supervisors who are appointed and confirmed to county board-established boards and commissions shall be compensated as follows:

1. Attendance by non-supervisors at meetings of county boards and commissions which are subject to the provision of this section shall be compensated on a per diem basis of fifty dollars ($50.00) for a half day and eighty dollars ($80.00) for a full day. The term "per diem" shall mean for a calendar day and shall be subject to the following:

   A. Half-day per diem shall be paid for attendance at any meeting or meetings, the total time of which does not exceed four (4) hours in any calendar day.

   B. Full-day per diem shall be paid for attendance at any meeting or meetings, the total time of which exceeds four (4) hours in any calendar day.

   C. No per diem payment shall be paid for more than a full day's per diem on any

calendar day regardless of the number of separate meetings.

D. As used in this section, "meeting" shall mean the convening of members of a governmental body for the purpose of exercising the responsibilities, authority, power or duties delegated to or vested in the body.

2. Reserved.

3. The compensation for assessors shall be twelve dollars ($12.00) for the spring meeting and twelve dollars ($12.00) for the December meeting.

4 - 8. Reserved.

9. Compensation of election tabulators shall be on a per diem basis and shall be as follows:

A. For meetings of three (3) hours or less, a per diem of thirty dollars ($30.00); and
B. For meetings of more than three (3) hours, a per diem of sixty dollars ($60.00).

10. In those circumstances where the County will be reimbursed for expenses associated with an election recount, the compensation for election tabulators shall be as follows:

A. For meetings of three (3) hours or less, a per diem of thirty dollars ($30.00); and
B. For meetings of more than three (3) hours, a rate of ten dollars ($10.00) per hour worked.

(Res. No. 154, 2-11-58; Res. No. 128, 1-15-63; Mo. of 2-10-81; Mo. of 4-17-84, as amended, Rule 33; Res. No. 184-2/82, 3-16-84; Res. No. 208-11/85, 11-19-85; Res. No. 243-1/86, 1-21-86; Ord. No. 143-36, §§ 1, 2, 7-19-88; Ord. No. 143-72, § 1, 10-18-88; Ord. No. 143-170, 3-30-89; Ord. No. 144-54, 8-15-89; Ord. No. 146-58, 10-1-91; Ord. No. 148-65, 9-28-93; Ord. No. 148-69, 9-28-93; Ord. No. 149-99, § 2, 12-13-94)

State law references - Authority to determine compensation, etc., Wis. Stat. § 59.22; election tabulators, Wis. Stat. §9.01(5)(b).

(Section 7-94 (9) was amended by Enrolled Ordinance 171-63, effective 12/01/16.)
(Section 7-94(10) was created by Enrolled Ordinance 171-3-63, effective 12/01/16.)

Sec. 7-95. Travel expenses.

(a) Reimbursement generally. Employees and members of boards, committees, commissions and authorities shall be reimbursed for reasonable and necessary travel expenses actually incurred in the performance of official duties. Travel shall be undertaken by the most practical and economic means available. Exception to the below rates will be allowed if it is the most economical means for the overall cost of the trip or in instances of ADA compliance.

1. *Mileage.* That the standard County employee mileage reimbursement rate shall be the same as the mileage rate established by the Internal Revenue Service to be used by taxpayers for business travel expense deductions unless established at a different rate by collective bargaining agreements.

2. *Registration fees*. Registration fees at conferences, conventions, seminars and workshops

are fully reimbursed.

3. *Meals*. Reimbursement of actual and reasonable expenses will be made up to a maximum per diem meal costs as published by the U.S. General Services Administration.

4. *Lodging*. Includes all lodging expenses, applicable taxes, and resort fees related to accommodations, as detailed below:

    a. The cost of overnight lodging (including room rate, tax and compulsory fees only) will be paid for by the County if the authorized travel is 40 miles or more from the Waukesha County Courthouse. Only single room rates are authorized for payment or reimbursement unless the additional parties represent the County in an authorized capacity. If the lodging receipt shows more than a single occupancy, the single room rate must be noted. If reimbursement for more than the single room rate is requested, the name of the additional parties must be included.

        i. In-State. Waukesha County will reimburse lodging expenses at reasonable, single occupancy or standard business room rates using rates as published by the U.S. General Services Administration as a guide. When the hotel or motel is at the conference or convention site, reimbursement will be limited to the conference negotiated rate.

        ii. Out-of-State. Maximum reimbursement for certain high-cost cities follows the annual index published by the State of Wisconsin Office of State Employment Relations, plus applicable taxes and fees. When the hotel or motel is at the conference or convention site, exception to the lodging rate is permitted, to limit unnecessary additional travel related costs, up to 120% of the published lodging rates. Further exceptions are permitted with department head approval.

5. *Parking fees.* Parking fees and toll charges incurred outside of the county are fully reimbursed.

6. *Air fare.* Commercial air fare is fully reimbursed at the lowest fare available.

7. *Car Pool Incentive.* Employees who use personal vehicles to transport other employees who would otherwise qualify for mileage reimbursement, for authorized and work related purposes, will be eligible for mileage reimbursement in addition to the amounts authorized under section 7-93(a)(1) as follows:

    A. 3 employees in a vehicle, fifteen cents ($0.15) per mile.
    B. 4-5 employees in a vehicle, twenty-five cents ($0.25) per mile.
    C. 6+ employees in a vehicle, thirty-five cents ($0.35) per mile.

(b) *Authorization*. Within budget control limitations, travel and attendance at conventions,

conferences, workshops, seminars and business meetings must have prior approval as follows:

1. For employees, by department heads or appropriate supervisor.

2. For members of boards, committees, commissions, and authorities, by vote of that respective body.

(c) *Limitations.*

1. Reserved.
2. Reserved.
3. Meals purchased within the county are reimbursable only under the following circumstances:

   A. When required by special circumstances outside of regular duties.

   B. As part of a registration fee at a conference, convention, seminar, workshop, or business meeting.

   C. When conducting county business at a meeting which occurs during regular business hours or which requires the attendance of a "guest of the county," and is limited to the following:

      i. Business meeting with vendors.
      ii. Hosting individuals who are not county employees for business related reasons. This does not apply to meetings between employees and their clients.
      iii. Catered meals provided to county employees when attendance is required at a training session, seminar, or staff business meeting which occurs during regular work hours.

4. (Repealed)

5. Lodging costs within a forty-mile radius of the county courthouse are not reimbursable.

6. Receipts are not required for meals. Receipts are required for all other reimbursable expenses over fifteen dollars ($15.00).

(d) *Cash advance*. Advance payment of expenses may be obtained for up to one hundred (100) percent of estimated reimbursable travel expenses. Return of advance payment amounts in excess of actual expenses incurred must be made within fifteen (15) days after the event or travel.

(Res. No. 73, 10-13-64; Ord. No. 144-54, 8-15-89; Ord. No. 144-55, 8-15-89; Ord. No. 144-56, 8-15- 89; Ord. No. 144-57, 8-15-89; Ord. No. 144-58, 8-15-89; Ord. No. 144-222, § 1, 4-10-90; Ord. No. 146-121, §§ 1-3, 2-18-92; Ord. No. 149-22, § 1, 6-28-94; Ord. No. 149-23, § 1, 6-28-94; Ord. No. 149-24, § 1, 6-28-94; Ord. No. 151-55, §§ 1 and 2, 9/24/96; Ord. No. 151-56, § 1, 9/24/96; Ord. No. 151-57, § 1, 9/24/96; Ord. No. 153-106, §§ 1-4, 12/15/98; Ord. No. 153-122, § 1, 1/26/99; Ord. No. 154-19, 5/25/99; Ord. No. 156-118, §§ 1-5, 2/26/02; Ord. No. 161-27, 7/28/06)

Enrolled Ordinance 171-31 amended the provisions to subsections 7-95(a)3, effective 01/01/2017.
Enrolled Ordinance 171-31 also amended subsections 7-95 (a)4, (c)3C and 7-95(c)6, effective 09/01/16.
Enrolled Ordinance 171-31 also repealed Subsection 7-95(c)4, effective 09/01/16.
Enrolled Ordinance 173-033 amended Sections 7.95(a), 7.95(a)4A, and 7.95(d), effective 09/01/18.

Enrolled Ordinance 180-54 repealed and recreated Section 7.95(a) and (c)6., effective 12/10/2025.

Sec. 7-96. Salary and benefits for elected officials.

(a) The clerk of courts, county clerk, county executive, register of deeds, sheriff and treasurer shall receive salaries as determined by the county board.

(b) The elected officials listed at subsection (a) shall be eligible for participation in the following plans on the same basis as non-represented exempt employees:

1. Health insurance plan (s).
2. Dental insurance plan (s).
3. Vision insurance plan (s).
4. Group life insurance, dependent life insurance, supplemental life insurance, and voluntary worksite benefits.
5. Section 125 pre-tax programs including premium option, health care reimbursement, and dependent care reimbursement.
6. Long term disability insurance.
7. Retirement health savings plan contribution, plus an additional contribution of 3% of annual salary.
8. Participation in the Wisconsin Retirement system in accordance with State law and with contributions toward the retirement system as required by law.

(c) County board supervisors and county board chairperson shall receive a salary as determined by the county board.

(d) County board supervisors and county board chairperson shall be eligible for participation in the following plans:

1. Health insurance at the participating supervisors' cost and at no cost to Waukesha County;
2. Dental insurance at the participating supervisor's cost and at no cost to Waukesha County;
3. Group life insurance plan with a dependent life insurance option on the official's spouse and eligible dependents at the participating supervisor's cost and at no cost to Waukesha County; and
4. Section 125 pre-tax premium option.

(e) The clerk of courts, county board supervisors, county board chairperson, county clerk, county executive, register of deeds, sheriff, and treasurer may continue in the county retiree life insurance programs after leaving office, provided that they pay one hundred (100) percent of the cost of the plans, and provided further that they are age fifty-five (55) or older and have served at least two (2) complete terms in office.

(Res. No. 96-8/84, 8-24-84; Res. No. 245-85, 1-22- 85; Res. No. 221-12/85, 12-17-85; Res. No. 225-12/85, 12-17-85; Ord. No. 141-10, §§ I, II, 5-20-86; Ord. No. 141-172, §§ I, II, 3-31-87; Ord. No. 143-11, §§ 1, 2, 5-17-88; Ord. No. 143-135, § 1, 1-6-89; Ord. No. 143-139, § 1, 1-17-89; Ord. No. 143-151, § 1, 2-21-89; Ord. No. 144-156, § 1, 11-21-89; Ord. No. 145-12, §§ 1, 2, 6-19-90; Ord. No. 145-115, § 1, 10-16-90; Ord. No. 145-168, §§ 1, 2, 2-19-91; Ord. No. 146-115, §§ 1, 2, 2-18-92; Ord. No. 147-116, § 1, 12-22-92; Ord. No. 148-126, 1-11-94; Ord. No. 149-99, § 3, 12-13-94; Ord. No. 149-149, § 2, 4-11-95; Ord. No. 166-121, §1, 04-10-12; Ord. No. 169-67, 12/16/14, effective 4/10/2016)

State law reference - Authority to set salaries, etc., of elected county officials, Wis. Stat. § 59.22.

(Section 7-96 was amended by Enrolled Ordinance 177-56, effective 10/06/2022.)

Sec. 7-97. Compensation of condemnation commissioners.

(a) The hourly rate to be paid to the condemnation commissioners by the condemnor shall be at forty dollars ($40.00) per hour and shall be approved by the chief judge or the circuit judge having jurisdiction over the hearing upon submission of such statement of services. The mileage rate for the commissioners shall be the same rate paid to other county boards and commissions while they are conducting county business.

(b) The chairman of the commission shall be compensated forty dollars ($40.00) per hour for the work of selecting the commissioners for each hearing: the statement shall have judicial approval prior to being submitted for payment.

(Res. No. 3-2/84, 4-17-84)

State law reference - Commissioners of condemnation and authority of county to compensate same, Wis. Stat. § 32.08.

DIVISION 9. DISPOSAL OF COUNTY PROPERTY

Sec. 7-98. Policy.

(a) It is declared to be the policy of the county that surplus or obsolete county property shall be disposed of by the method most advantageous and cost effective to include:

1. Reallocation from one county department to another.
2. Sale through means of direct best offer, highest bid, or public auction.
3. Donation to a nonprofit organization, preferably one which is located within Waukesha County.
4. Sale as scrap for salvage value.
5. Discard as refuse or trash.

(b) The disposition methods outlined in this section do not apply to county property which is disposed of:

1. On a case-by-case basis by separate ordinance.
2. Under a specific method authorized by a different ordinance (i.e.; county property disposed of for value as part of a purchase transaction)
3. Through enactment of disposition policy as contained in the annual operating budget (i.e., computer equipment, vehicle/equipment and copier replacement funds).

(Ord. No. 150-112, §1, 3-12-96)

Sec. 7-99. Definitions.

Terms below have the following definitions:

County property. All assets or fixed assets owned by Waukesha County. As used in this article, county

property does not include real property such as land or buildings.

Asset. A nonconsumable item with a useful life greater than one (1) year and a current value less than $5,000.

Fixed asset. A nonconsumable item with a useful life greater than one (1) year and a current value more than $5,000.

Obsolete. County property which the county no longer needs.

Refuse. An item for which the cost of disposal exceeds its current value.

Surplus. County property which a department no longer needs but which may be useful to another department.

(Ord. No. 150-112, §1, 3-12-96; Ord. No. 158-163, §1, 4-13-04))

Sec. 7-100. Responsibilities.

(a) All county departments are required to notify the department of administration of any county property which a department has determined to be surplus or obsolete.

(b) The department of administration is responsible for:

1. Determining procedures for the reallocation of county property.
2. Preparing a summary list of all county property which has not been reallocated or which has not been disposed of as refuse and which will be subject to disposal under this policy. The list shall include a recommendation on a method of disposal.
3. Submitting to the finance committee, prior to disposal, a process for disposition based on the hierarchal order as set forth in section 2-716(a)(1) through (5) of this article.

(c) The finance committee shall review the process to dispose of county property under this article. However, if the finance committee has not acted to reject the department's recommended process at its next meeting, then the department shall dispose of the items as it had recommended.

(Ord. No. 150-112, §1, 3-12-96)

ARTICLE II. HUMAN RESOURCES

DIVISION 1. IN GENERAL

Sec. 7-101. Policies and Procedures Manual.

(a) There shall be a Waukesha County Administrative Policy and Procedure Manual developed and maintained by the Department of Administration.

(b) Copies of the Waukesha County Administrative Policy and Procedure Manual shall be on file in the County Clerk’s Office and the office of the Director of the Department of Administration and shall be available to all employees and members of the general public.

(c) The applicable standing committee of the County Board will be advised of major revisions or amendments to the Waukesha County Administrative Policy and Procedure Manual which are procedural in nature. Procedural amendments are defined as those which are developed to implement or clarify policies already adopted by the County Board as follows:

1. Policy and procedure items previously approved through an ordinance to the County Board including terms of a labor contract, and changes in job titles due to creating, reclassifying, or abolishing positions;

2. Administrative procedures necessary to implement or clarify the provisions of policies already adopted by the County Board or its Standing Committees such as forms, work flow and procedures, request and authorization procedures;

3. Administrative procedures necessary to implement the requirements of State or Federal laws or regulations affecting the County such as insurance procedures and processes, family and medical leave procedures, statutorily mandated benefits.

(d) Revisions or amendments to the Waukesha County Administrative Policy and Procedure Manual which establish a new policy or modify an existing policy will be presented to and approved by the County Board or its Standing Committees. If the policy change is one which requires approval by ordinance, the Administrative Policy and Procedure Manual will be changed only after an ordinance is presented to and approved by the County Board as follows:

1. Changes to County programs or functions which were originally created by ordinance specifying the details of the program or function;

2. Changes to dollar limits set by the County Board or its Committees;

3. Establishment of a new program, service, or obligation which is discretionary and not done in order to be in compliance with a federal, state, or local law, rule, or regulation.

(Ord. No. 155-127, §2, 2/27/01)

Sec. 7-102. Equal Employment Opportunity and Diversity Policy.

The County's Equal Employment Opportunity and Diversity Policy and *Equal Employment Opportunity and Diversity Inclusion plan* are on file in the county clerk's office and the office of the human resources division.

(Res. No. 20-83, 5-18-83; Ord. No. 144-210, 4-10-90)
(Section 7-102 was renamed and amended by Enrolled Ordinance 177-56, effective 10/06/2022.)

Sec. 7-103. Operation of county facilities and adjustment of working schedules during emergencies.

(a) *Declaration of an emergency.* During emergency conditions, the county executive may declare an emergency and thereby close county facilities or portions of facilities for specified shifts, or for longer periods of time. The county executive also may allow employees to be dismissed early and may excuse tardiness during a declared emergency. Only the county executive may declare that an emergency condition exists.

(b) *Notification of declared emergency.*

1. *Notification of departments.* The county executive will notify the departments that an emergency has been declared, and which facilities, shifts, or operations are affected by the declaration.

2. *Notification of employees.* If an emergency is declared during working hours, employees will be notified by their department heads. In addition, information concerning emergency conditions will be announced over designated radio stations. Employees may also call a designated telephone number which will activate a recorded announcement providing the appropriate information.

(c) *Employees engaged in emergency, weather-related, or essential operations*. Each department shall maintain a list of positions which must continue to provide services during emergency conditions. These employees are required to work during declared emergencies, and will not be excused from work. Employees will be compensated in accordance with other county policies and collective bargaining agreements.

(d) *Compensation of employees.*

1. *Facilities closed.* The county executive may close county facilities or portions of facilities and completely excuse employees from work due to the declared emergency. However, persons engaged in emergency, weather-related, or essential operations, will not be excused. Employees excused from work will be compensated at their regular rates of pay. Employees may earn equivalent time off for the hours worked if they reported for work and remained at the request of their department head, provided they were not engaged in emergency, weather-related or essential operations, as defined in section 7-103(c).

2. *Facilities open. Excusing tardiness and failure to report to work.* Employees have the responsibility of reporting to work on time whenever county facilities are open. However, under certain circumstances which require the declaration of an emergency, but which are not severe enough to close county facilities, the county executive may allow non-essential employees additional time to report to work. For facilities or portions of facilities that remain open during a declared emergency, the county executive may allow non-essential employees an additional two (2) hours to report to work. Employees who report to work within the first two (2) hours of the assigned shift will be paid their normal rate of pay for the full two (2) hours. Employees who do not report to work within the first two (2) hours will not be paid for those two (2) hours unless the employee has vacation, compensatory time, or other legitimate reason for pay.

3. *Make up of lost time.* Employees who do not report to work within the first two (2) hours and who do not wish to utilize vacation, compensatory time, or other legitimate reason for payment, may be allowed to make up lost time within the next payroll period, subject to the approval of the department head. However, the county will not pay overtime to employees making up lost time. Employees who are eligible for overtime under the Fair Labor Standards Act or collective bargaining agreements will not be allowed to make up lost time if it must be paid at an overtime rate.

4. *Employees dismissed early.* The county executive may dismiss employees working in

facilities or portions of facilities before the end of their shift. In this case, the county executive will notify department heads of the extent of the declared emergency and department heads will utilize their discretion as to which employees may be dismissed, and which employees must remain so that required services are maintained. Employees dismissed early will be paid their normal rate of pay until the end of their work shift. Subsequent shifts may be completely excused from work as provided in sections 7-102(a) and 7-102(d)(1).

5. *Emergencies during periods of previously scheduled time off*. When an employee has previously scheduled a period of absence from work and an emergency is declared during that absence, the employee will be charged with the use of vacation, sick leave or other form of leave that had previously been scheduled.

(e) *Extended emergency conditions.* Under extended, declared emergency conditions, that is, beyond one (1) twenty-four-hour time period, departments may be required to lay-off employees without pay in accordance with various collective bargaining agreements and County policies.

(f) *Definitions.*

1. *Emergency*. "Emergency" shall mean severe weather conditions, fires, tornadoes, power failures, national crises, or other conditions which endanger safety, or render facilities or portions of facilities inaccessible or unusable.

2. *County executive.* "County executive" shall mean the elected county executive or the designee of the county executive.

3. *Employees engaged in emergency, weather-related or essential operations.* This is a listing of positions which, due to the nature of the jobs, are required to report to work during declared emergency conditions.

4. *County facilities*. These are any county buildings or sites where services are provided or work is performed; such as courthouse, administration center, county office building, courthouse annex, mental health center, children's center, Expo Center and highway shop, parks, and golf courses, among others.

(Res. No. 162, 11-9-74; Ord. No. 142-176, § 1, 3-29-88; Ord. No. 149-78, § 1, 11-9-94)

Cross reference - General authority of county executive to dismiss courthouse employees due to holidays or emergencies, § 5-1.

Sec. 7-104. Leave of absence to serve as elected official.

A person currently holding an elective office in the county and currently on leave from a department in the county shall be continued on leave of absence for one (1) additional term.

(Res. No. 30, 8-22-72)

Sec. 7-105. Payment of license fees for employees.

The county shall not pay the license fees for licenses issued to county employees.

(Res. No. 223-2/81, 2-17-81)

Sec. 7-106. Deferred compensation.

(a) The county has a Deferred Compensation Program and established the county employee's deferred compensation plan for the voluntary participation of all regular full-time employees, regular part-time employees, and elected officials.

(b) The Director of Administration or their designee shall be the coordinator for this program.

(c) It is understood that other than the incidental expenses of collecting and disbursing of the employees' deferrals and other minor administrative matters, there is to be no cost or contribution by the county to the program.

(Res. No. 39-6/82, 6-15-82)
(Section 7-106 was amended by Enrolled Ordinance 177-56, effective 10/06/2022.)

State law reference - Deferred compensation authorized, Wis. Stat, § 40.81.

Sec. 7-107. Alteration of job classifications.

The Human Resources Committee is authorized to update existing classification specifications with the understanding that new classification and reclassifications would be submitted to the county board of supervisors for approval.

(Res. No. 61-6-85, 7-16-86; Ord. No. 156-48, 09/28/2001)(Editor changed reference to the committee from Personnel to Human Resources for consistency with naming protocol adopted by the County Board. 10/3/18.)

Sec. 7-108 Reserved.

Cross reference- Participation of county board of supervisors in Wisconsin Retirement Fund, § 2-33.
State law references- Authority to participate in Wisconsin Retirement Fund, Wis. Stat. § 59.07(4); recognition of prior service credits, Wis. Stat. § 40.21(6).

(Section 7-108 was repealed by Enrolled Ordinance 177-56, effective 10/06/2022.)

Sec. 7-109 Reserved.

State law reference- Wisconsin retirement system, Wis. Stat. § 40.20 et seq.

(Section 7-109 was repealed by Enrolled Ordinance 177-56, effective 10/06/2022.)

Sec. 7-110 Employee Grievance Procedure

(a) *Introduction*. The County provides an employee appeals process in order to address employment concerns and to help maintain harmonious employee-employer relationships. Supervisors and employees are expected to make every effort to resolve problems first on an informal basis. However, it is recognized that there will be grievances that will be resolved only after formal appeal and review.

For issues of employee discipline, termination and workplace safety this procedure provides employees with an opportunity to address their individual concerns and to have those matters reviewed by an Impartial Hearing Officer, and if necessary to file a subsequent administrative appeal to the Waukesha County Board.

(b) Employees Covered. This grievance procedure is applicable to:

1. All regular part time and regular full time employees except law enforcement employees covered by a collective bargaining agreement.

2. Temporary employees

3. For grievances relating to discipline, termination, and workplace safety, this procedure applies to all employees except:

   A. Employees covered by a civil service system,
   B. Employees whose removal from employment is covered by a specific state statute, or
   C. Independent contractors.

(c) Definitions.

1. Grievance: Any cause of complaint arising between the County and its employees with reference to a condition of employment.

2. Discipline: formal documented and corrective action consisting of a verbal warning, written warning, suspension, or demotion. Discipline does not include:

   A. Performance Evaluations
   B. Employee Counseling and Instruction
   C. Performance Improvement or Corrective Action Plans
   D. Documented employee actions or behaviors placed in an employee file
   E. Non-disciplinary wage, benefit, or salary adjustments
   F. Changes in work assignments
   G. Paid or unpaid administrative leave pending a workplace investigation
   H. Layoffs, furloughs and other reductions in force

3. Termination: the involuntary separation of employment, which may be associated with the violation of a County or department general or specific work rule, policy, procedure, unsatisfactory work performance, acts of misconduct, or any other reason where it is determined that it is in the best interest of the County to end the employment relationship. Termination does not include:

   A. Layoff or workforce reduction
   B. Reduction in hours or employment status
   C. Transfer or demotion
   D. Voluntary resignation
   E. Retirement
   F. Job Abandonment or Failure to Report to Work

G. Loss of Required License
H. Inability to perform the required functions due to a physical or mental limitation
I. Contract non-renewal
J. End of employment due to the completion of a temporary, contractual, seasonal, on call or limited term employment

4. Workplace Safety: a condition of employment which affects an employee's physical health or safety, the safe operations of equipment or tools, the physical workplace environment, the lack of required personal protective equipment, workplace violence, or the lack of training related to the above.

5. Impartial Hearing Officer: a non-County employee who is designated by the County to serve as a neutral party and whose role is to conduct a hearing as outlined in this procedure, and render a decision pertaining to discipline, termination, or workplace safety.

6. Grievance Statement: a written statement containing a clear and concise statement of the facts, including the dates of the incidents, identities of individuals involved, any workplace rules, policies or procedures allegedly violated, the steps taken to informally resolve the dispute and the results of those efforts, and the remedy sought to resolve the grievance.

7. At-Will Employment: Employees may voluntarily resign County employment at any time. Likewise, employees who are not covered by a just cause standard due to a statutory requirement or a County policy are considered "employment at will" employees. The employment at will employees may be involuntarily terminated at any time.

8. Arbitrary and Capricious Standard: The standard to be used by any reviewing entity in rendering recommendations on appeal is whether or not the action taken by the employer was appropriate or arbitrary and capricious. To recommend change of the decision the reviewer must find the decision was arbitrary and capricious which means that the decision was one which lacked any rational basis or which was the result of unconsidered willful or irrational choice. It must have been a decision with no rational basis.

(d) Procedural Requirements and Time Limits. Employees and their supervisors are encouraged to reach an informal resolution whenever possible. It is recognized that there will be occasions when an employee and their supervisor are unable to resolve the dispute. In order to be processed under this procedure, employees must submit their written grievance statement to both their Department Head and Human Resources within thirty (30) calendar days after the time the employee affected knows, or should know, the facts causing the grievance.

(e) Steps of the Procedure. The following steps outline the grievance procedure.

1. On matters involving discipline, termination, or workplace safety, the employee will follow the first three steps of the grievance procedure and if the matter is not resolved, then the employee may appeal the decision and process their grievance

under Steps 4 and 5 of the grievance procedure. All other types of grievances are limited to Steps 1 through 3.

2. Step 1- Discussion of the Problem with the Supervisor - Employees shall first discuss the problem and resolution with their immediate supervisor.

3. Step 2- Discussion of the Problem with the Department Head - In the event the immediate supervisor's decision does not resolve the problem, the employee may present their grievance statement to their Department Head. Within 10 working days of receipt of the grievance statement, the Department Head, or designee, shall meet with the employee, other department representatives and a representative from Human Resources to discuss the grievance. The Department Head will issue a written response within ten (10) working days after the meeting.

4. Step 3- Discussion of the Problem with the Director of Administration –

   A. In the event that the Department Head's decision does not satisfy the employee's grievance, the employee may, within ten (10) working days of the Department Head's response, file an appeal with the Director of Administration. A copy of the appeal must also be sent to the department head and to Human Resources. The Director of Administration shall hear the grievance within ten (10) working days after its receipt. If the grievance is not presented to the Director of Administration within ten (10) working days of the Department Head's response at Step 2, it shall be considered settled.

   B. The Director of Administration shall, after a hearing, make a decision on the grievance; that decision shall be final and binding on both parties, unless Step 4 applies.

5. Step 4 - Hearing Before an Impartial Hearing Officer - In the event that a grievance pertaining to discipline, termination, or workplace safety is not resolved under Step 3, the employee may file an appeal to an Impartial Hearing Officer designated by the County. This appeal must be filed with Human Resources within 10 working days of the Director of Administration's response.

6. Step 5 - Appeal of Decision to County Board - The employee or the County may appeal the decision of the Impartial Hearing Officer to the County Board or the governmental body designated by the County Board. The appeal must be filed with the County Board Office with a copy to Human Resources within ten (10) working days of the Impartial Hearing Officer's decision.

(f) Procedures for Step 4 – Impartial Hearing. For a grievance to be processed under Step 4 of this policy, the following process will be utilized.

1. Prior to the hearing, the Impartial Hearing Officer may require the parties to exchange lists of witnesses and the documentary evidence they intend to introduce at the proceedings.

2. After receiving the evidence and closing the hearing, the Impartial Hearing Officer may request oral or written arguments and replies. The Impartial Hearing Officer will issue a written decision that will contain findings of fact, analysis, and a decision. In the decision, the Impartial Hearing Officer will address the following question: Based on a preponderance of the evidence presented, has the employee proven that the action taken by the County was arbitrary or capricious?

3. The Impartial Hearing Officer shall have the authority to issue a response and determine an appropriate remedy.

4. The written decision will be issued within a reasonable time period based on the nature of the grievance and the complexity of the record. It should be the goal of the Impartial Hearing Officer to issue a decision within ninety (90) calendar days from the conclusion of the hearing and receipt of all records, exhibits, transcripts, and briefs.

(g)Notice of Hearing Officer. Following receipt of an appeal to Step 4, Human Resources will provide the employee with the name of the Impartial Hearing Officer.

(h) Scheduling of Hearings. Human Resources will coordinate the hearing process for the Impartial Hearing Officer. Human Resources will contact the grievant, department head, and Impartial Hearing Officer to schedule an initial hearing. The initial hearing will be held no later than thirty (30) days from the date of the appeal. The hearing will be conducted in accordance with Wisconsin Statutes 19.85 (b) and 19.85 (f).

(i) Record of the Step 4 Appeal and Hearing. The Impartial Hearing Officer will create a record of the proceedings. In the event that the Impartial Hearing Officer determines that a formal transcript of the hearing is necessary, the cost associated with the creation of this record will be paid for by the County. If the employee wishes to obtain a copy of a record, the cost of obtaining that record is the responsibility of the employee.

(j) Record Custodian. Following the issuance of a decision, the Impartial Hearing Officer will provide all records created in the hearing, including and not limited to, a copy of the decision, exhibits, transcripts, audio recordings, witness statements, and briefs to Human Resources. The records will be retained in accordance with the County record retention schedule.

(k) Procedures for Step 5 - Appeal to County Board.

1. A written notice of appeal will contain a statement explaining the reasons for the appeal, a copy of the grievance, the responses from the earlier steps of the grievance procedure, and the decision issued by the Impartial Hearing Officer. The appeal may not include information not presented during the Step 4 process.

2. The appeal before the County Board will be an administrative review of the Impartial Hearing Officer's decision. The County Board shall review the record and determine whether a rational basis exists for the Impartial Hearing Officer's decision. The findings and decision of the Impartial Hearing Officer shall not be overturned unless clearly erroneous. In the event the County Board does not sustain the Impartial Hearing Officer, then the Board may render a new decision and remedy, request

additional evidence be taken by the Impartial Hearing Officer, or assign a new Impartial Hearing Officer to create a recommendation. The administrative review will be conducted in accordance with Wisconsin Statutes 19.85 (b) and 19.85 (f).

3. All decisions of the Board will be made by simple majority vote of those in attendance at the meeting. The County Board will issue a written decision and file a copy of the decision with the County Clerk. A copy of the decision will be given to the employee and the department head.

4. The County Board's decision is final and is not subject to appeal.

(l) Exception for Employees of the Bridges Library System. In accordance with Wisconsin Statutes 43.58 (4), decisions of the Impartial Hearing Officer regarding the discipline, termination or workplace safety of employees of the Bridges Library System will be appealed to and reviewed by the Bridges Library Board.

(m) Standard of Review for Grievances Involving Discipline, Termination and Workplace Safety.

1. All employees of Waukesha County are At Will employees and do not have a just cause standard for discipline and termination decisions unless they are covered by a specific statutory or collective bargaining provision which provides a just cause standard.

2. The grievant shall bear the burden of proof. The rules of evidence shall not be strictly followed, but no factual conclusions may be based solely on hearsay evidence.

(n) Exception - Employees Covered by a Merit System Cause Standard. Regular full-time and regular part-time non-represented employees employed in the Health and Human Services Department prior to March 1, 2002, and the position of Internal Audit Manager retain the merit system cause standard and arbitration process for matters involving suspension, demotion, or discharge. If the grievance concerns suspension, demotion or dismissal, these employees may choose to appeal the Director of Administration's decision to arbitration or alternatively, utilize the remaining steps outlined in this procedure. The appeal must be in writing, addressed to Human Resources, and received within ten (10) working days of the Director of Administration's decision. The Human Resources Manager shall select an arbitrator from names available from the Wisconsin Employment Relations Commission or Federal Mediation and Conciliatory Service. The cost of the Arbitrator shall be shared equally by the parties. The decision shall be final and binding on both parties.

(o) Procedural Timelines and Scheduling Requirements.

1. A grievance must be processed in accordance with the timelines outlined in the procedure. The timelines may be modified by mutual agreement. Failure to follow the timelines and other procedural requirements in the policy will result in the Impartial Hearing Officer not having jurisdiction over the grievance and shall terminate the processing of this grievance. The Impartial Hearing Officer will have the authority to determine if the matter has met the procedural requirements.

2. Grievance meetings will normally be held during an employee's non-work hours. If the supervisor, department head, or Impartial Hearing Officer schedules the meeting during an employee's normal work hour, the employee will receive their regular compensation. Employees will not be paid for the processing of grievances outside their scheduled work hours.

(p) Employee Representation. Employees may be represented at each of the steps in the grievance procedure by a representative of their choice and at their own cost.

(q) Exclusion of Certain Grievances

1. This grievance procedure shall not apply to elected officials, nor shall it be construed to grant job tenure to employees who are appointed by elected officials in accordance with Wisconsin statutes.

2. The time limits contained in the grievance procedure shall not be controlling concerning appeals of alleged claims of discrimination filed under the Civil Rights Act or other federal and state statutes covering equal employment opportunity.

3. In matters of suspension, demotion or dismissal, law enforcement officers of the Sheriff's Department shall utilize Wisconsin Statute 59.26 (8) b.

(Ord. No. 166-54, 09/27/11.)
(Enrolled Ordinance 177-56, effective 10/06/2022, changed references of the Federated Library Board to the Bridges Library Board. The Editor also changed reference to the Federated Library System to the Bridges Library System.)

Secs. 7-111 - 7-115. Reserved.

DIVISION 2. MERIT SYSTEMS

Secs. 7-116 - 7-135. Reserved.

DIVISION 3. SHERIFF'S DEPARTMENT

Sec. 7-136. Reserved.

(Ord. of 3-28-72, §§ 20, 21; Ord. 155-145, §1, 03-02-2001)

Cross references - Boards and commissions generally, § 4-95; merit system board, § 7-178.

State law reference - Civil service commission, Wis. Stat.§ 63.01.

The Sheriff's Civil Service Commission was abolished by Enrolled Ordinance 171-71, effective 10/04/16.

Sec. 7-137. Reserved.

The Sheriff's Civil Service Commission was abolished by Enrolled Ordinance 171-71, effective 10/04/16.

Sec. 7-138. Reserved.

The Sheriff's Civil Service Commission was abolished by Enrolled Ordinance 171-71, effective 10/04/16.

Sec. 7-139. Reserved.

The Sheriff's Civil Service Commission was abolished by Enrolled Ordinance 171-71, effective 10/04/16.

Sec. 7-140. Reserved.

The Sheriff's Civil Service Commission was abolished by Enrolled Ordinance 171-71, effective 10/04/16.

Sec. 7-141. Probationary Status.

(a) All persons appointed to an entry level deputy sheriff position shall serve a twelve month period of probation, and all persons appointed to a promotional deputy sheriff position shall serve a six month period of probation. The person's performance shall be closely scrutinized and monitored by superior officers during the period of probation. If the sheriff determines that the person's level of performance is not satisfactory, the sheriff shall either:

1. By order, extend the person's probationary period for up to an additional six months, or

2. In the case of an appointment to an entry level deputy sheriff position, terminate the employment of the person, and in the case of a promotional appointment, return the person to the rank held prior to the appointment.

(b) No request, determination or decision made pursuant to this section is subject to review or appeal.

(Ord. of 3-28-72, §§ 50, 51; Ord. 155-145, § 1, 03-02-2001)

Secs. 7-142 - 147. Reserved.

Sec. 7-148. Separations and demotions.

(a) The tenure of every employee shall be conditioned on good behavior and the satisfactory performance of duties. Any employee may be temporarily separated by layoff or suspension or permanently separated by resignation or dismissal.

(b) An employee who has attained status, under section 7-141, may be dismissed, suspended, or demoted whenever in the judgment of the appointing authority the employee's work or misconduct so warrants, in accord with procedures established by law and by rules adopted thereunder. Each employee shall be entitled to a hearing before the grievance committee as set forth in section 59.26(8)(b)(3) of the Wisconsin Statutes. The members of the committee shall be appointed by the county board chairman at the same time other standing committees of the county board are appointed. They shall be electors of the county who are not county supervisors, officers, or employees of the county government.

(c) Grievances not subject to subsection (b) shall be processed or resolved by procedures

prescribed by special rules or agreements approved by the county board of supervisors. It is the expressed policy of the county to resolve all matters fairly on the basis of the facts and merits of the individual cases.

(d) An employee may resign by filing his reasons with the appointing authority.

(Ord. of 3-28-72, §§ 120-123; Ord. of 11-16-82, §§ 1-4)

Sec. 7-149. Reserved.

The Sheriff's Civil Service Commission was abolished by Enrolled Ordinance 171-71, effective 10/04/16.

Sec. 7-150. Investigations; hearings.

During the course of any investigation or hearing and in accord with law, any employee or officer of the county may be requested or required to attend and give witness.

(Ord. of 3-28-72, § 140)

Sec. 7-151. Inspector and Deputy Inspector.

(a) Persons shall be appointed to Deputy Inspector and Inspector at the discretion of the Sheriff, provided that any person so appointed must hold the permanent rank of Lieutenant or above in the Waukesha County Sheriff's Department at the time of appointment and meets the minimum training and experience requirements of the new position.

(b) Persons appointed to the position of Deputy Inspector and Inspector shall serve at the pleasure of the Sheriff and may be removed from the position by the Sheriff without cause. If removed, the person shall either (i) be placed in the position rank of the person replacing him or her, or (ii) if the person replacing him or her holds a position rank higher than any position rank ever held by the removed person, return to the position rank he or she held at the time of his or her appointment as Deputy Inspector or Inspector.

(c) A Deputy Inspector and Inspector shall always be subject to discipline for just cause pursuant to section 59.26(8), Wis. Stats.

(d) If any provision of this section is inconsistent with any other provision of this Division 3, this section shall control.

(Ord. 153-123, 2-9-99)

The Sheriff's Civil Service Commission was abolished by Enrolled Ordinance 171-71, effective 10/04/16.

Secs. 7-152 - 7-175. Reserved.

DIVISION 4. RESERVED

DIVISION 5. GENERAL HUMAN RESOURCES PROVISIONS

Sec. 7-182. Absences; hours of work.

Rules shall be adopted by the county executive prescribing hours of work and the conditions and length of time for which leaves of absence with pay and leaves of absence without pay may be granted. These shall cover, among others, vacations, sick leaves, educational leaves, and leaves for military service.

(Ord. of 3-28-72, § 100)

Sec. 7-183. Training and performance.

(a) The County shall encourage the improvement of service by helping provide employees with opportunities for training, which need not be limited to training for specific jobs but may include training for personal and professional development.

(b) The County has a formal, written performance evaluation system which requires that employee's performance will be evaluated at least annually. The evaluation will be based upon the duties, responsibilities, and performance standards established for the employee's position, and on specific goals and objectives that have been established for the employee.

(Ord. of 3-28-72, §§ 110, 111)
(Section 7-183 was amended by Enrolled Ordinance 177-56, effective 10/06/2022.)