

171st BOARD YEAR
LEGISLATIVE ITEMS RECEIVED FOR COMMITTEE REFERRAL

File No.	Rec/Ref	Referred to:	Title
171-O-060	10/31/16 11/03/16	Public Works	ORD: Laying Out, Relocation And Improvement Of County Trunk Highway V V - Intersection With Lilly Road, Waukesha County Project I.D. 2753-01-00
171-A-030	11/02/16 11/03/16	Executive	APPT: James M. Kebisek to the Veterans' Services Commission
171-A-031	11/02/16 11/03/16	Executive	APPT: Steve Holtorf to the Mukwonago Community Library Board of Trustees
171-O-061	10/31/16 11/03/16	Judiciary Finance	ORD: Approve Fifth Amendment To The Nashotah Substation Cellular Tower Lease
171-O-062	11/30/16 12/01/16	Executive Finance	ORD: Amend Section 7-67 Of The Waukesha County Code Of Ordinances To Modify Waukesha County Investment Policy
171-O-063	12/01/16 12/01/16	Executive Finance	ORD: Modify The 2016 Budget To Authorize Waukesha County University Of Wisconsin Extension Office To Appropriate The WWBIC And CDBG Revenue For Outreach Education Services
171-O-064	12/01/16 12/01/16	Executive Finance	ORD: Amend Section 7-94 Of The County Code Of Ordinances To Modify The Compensation For Election Tabulators
171-R-002	11/30/16 12/01/16	Executive Finance	RES: Discontinue Payment-In-Full Of Special Assessments And Charges, And Authorize Contracts With Municipalities With Respect To Handling Of Special Assessments And Charges
171-O-065	12/01/16 12/01/16	HHS Finance	ORD: Modify The 2016 Budget Of The Department Of Health And Human Services To Appropriate Expenditures For Clinical Services And Increase Other Revenue
171-O-066	12/01/16 12/01/16	HHS Finance	ORD: Modify The 2016 Health And Human Services General Fund Budget To Transfer Contingency Funds For Additional State Mental Health Institute Costs
171-O-067	12/01/16 12/01/16	HHS Finance	ORD: Modify The 2016 Department Of Health And Human Services General Fund Budget To Appropriate Additional Expenditures For State Mental Health Institute Costs And Increase Collection Revenue
171-O-068	12/01/16 12/01/16	HHS Finance	ORD: Modify The Department Of Health And Human Services 2016 Budget To Appropriate Additional Expenditures For Ebola Preparedness And Preparedness Activities And Increase Revenues
171-O-069	11/30/16 12/01/16	HR Finance	ORD: Approve 2017 Salaries For Seasonal And Temporary Classifications
171-O-070	11/30/16 12/01/16	HR Finance	ORD: Approve 2017 Salary And Benefit Modifications For Non-Represented Employees
171-O-071	01/04/17 01/05/17	Land Use	ORD: Approve Distribution Easement To Wisconsin Electric Power Company To Construct, Install, Operate, Maintain, Repair, Replace And Extend Underground Utility Facilities On Waukesha County Property Known As The Bugline Trail Corridor
171-O-072	01/04/17 01/05/17	Public Works Executive	ORD: Delegation Of Authority To Approve Functional Classification Changes For Highways In Rural Areas

171st BOARD YEAR
LEGISLATIVE ITEMS RECEIVED FOR COMMITTEE REFERRAL

File No.	Rec/Ref	Referred to:	Title
171-O-073	01/05/17 01/05/17	Judiciary Finance	ORD: Modify 2017 Budget Of The Circuit Court Services To Appropriate Expenditures For The Purchase Of New Jury Box Seating With Reserved Fund Balance From Juror Service Fee Donations From Prior Years

1 APPROVE DISTRIBUTION EASEMENT TO WISCONSIN ELECTRIC POWER COMPANY
2 TO CONSTRUCT, INSTALL, OPERATE, MAINTAIN, REPAIR, REPLACE AND EXTEND
3 UNDERGROUND UTILITY FACILITIES ON WAUKESHA COUNTY PROPERTY
4 KNOWN AS THE BUGLINE TRAIL CORRIDOR
5
6

7 WHEREAS, Wisconsin Electric Power Company d/b/a We Energies has requested permission to
8 construct, operate, maintain, repair, replace and extend underground utility facilities within
9 Waukesha County property, known as the Bugline Trail Corridor, located in the northwest
10 quarter of the southwest quarter, the northeast quarter of the southwest quarter, the southwest
11 quarter of the southwest quarter and the southeast quarter of the southwest quarter of Section 22,
12 Township 8 North, Range 19 East, Village of Sussex, Waukesha County, Wisconsin, and
13

14 WHEREAS, it is deemed desirable to allow We Energies to construct, install, operate, maintain,
15 repair, replace and extend underground utility facilities on Waukesha County's land for the
16 purpose of maintaining electrical and communications service to area properties, in the Village
17 of Sussex, and
18

19 WHEREAS, it is necessary to provide an easement from Waukesha County to We Energies for
20 the purpose of constructing, installing, operating, maintaining, repairing, replacing and extending
21 underground utility facilities on County-owned land.
22

23 THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA ORDAINS
24 that Waukesha County's grant of a Distribution Easement Underground to Wisconsin Electric
25 Power Company for the purpose of constructing, installing, operating, maintaining, repairing,
26 replacing and extending underground utility facilities on County-owned land known as the
27 Bugline Trail Corridor, which will be recorded in the Office of the Register of Deeds, is hereby
28 approved.
29

30 BE IT FURTHER ORDAINED that the Director of the Department of Parks and Land Use may
31 execute said Easement on behalf of Waukesha County.

**DISTRIBUTION EASEMENT
UNDERGROUND**

Document Number

WR NO. **3972654** IO NO. **51260**

For the sum of \$650.00 and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, **WAUKESHA COUNTY, a municipal corporation**, hereinafter referred to as "Grantor", owner of land, hereby grants and warrants to **WISCONSIN ELECTRIC POWER COMPANY, a Wisconsin corporation doing business as We Energies** , hereinafter referred to as "Grantee", a permanent easement upon, within, beneath, over and across a part of Grantor's land hereinafter referred to as "easement area".

The easement area is described as strips of land **Twelve (12) Feet** in width being a part of Grantor's lands known as the **Bugline Recreational Trail** located in the **Northwest ¼ of the Southwest 1/4, the Northeast ¼ of the Southwest 1/4, the Southwest 1/4 of the Southwest 1/4 and the Southeast 1/4 of the Southwest 1/4 of Section 22, Township 8 North, Range 19 East, Village of Sussex, Waukesha County, Wisconsin.**

The location of the easement area with respect to Grantor's land is as shown on the attached drawing, marked Exhibit "A", and made a part of this document.

RETURN TO:
We Energies
PROPERTY RIGHTS & INFORMATION GROUP
231 W. MICHIGAN STREET, ROOM A252
PO BOX 2046
MILWAUKEE, WI 53201-2046

(See attachment for Parcel Information)

1. **Purpose:** The purpose of this easement is to construct, install, operate, maintain, repair, replace and extend underground utility facilities, conduit and cables, electric pad-mounted transformers, manhole, electric pad-mounted switch-fuse units, electric pad-mounted vacuum fault interrupter, concrete slabs, power pedestals, riser equipment, terminals and markers, together with all necessary and appurtenant equipment under and above ground as deemed necessary by Grantee, all to transmit electric energy, signals, television and telecommunication services. The placement of all such underground equipment within the easement area shall be in conformance with plans and/or drawings approved by Grantor, such approval not to be unreasonably withheld, conditioned or delayed. Trees, bushes, branches and roots may be trimmed within the 12-foot wide easement area by Grantee so as not to interfere with Grantee's use of the easement area. Prior to any such trimming, Grantee shall consult with the Waukesha County Department of Parks and Land Use in order to minimize any potential negative impacts of the trimming upon trees and bushes. No trees or bushes shall be removed from within the 12-foot wide easement area without the prior approval of the Waukesha County Park System, which approval shall not be unreasonably withheld conditioned or delayed provided that said removal is reasonably necessary for Grantee's full enjoyment of the rights granted herein. Grantee may not trim, cut down or remove trees and bushes outside the 12-foot wide easement area without prior approval of the Waukesha County Park System.
2. **Consistent Uses Allowed:** The Grantor reserves the right to use the easement area for purposes which are not inconsistent with the purpose of this easement nor interfere with the Grantee's full enjoyment of the easement rights granted herein. Grantor reserves the right to grant easement rights to other persons or entities as the Grantor deems appropriate, provided the easement rights are not inconsistent with the purpose of this easement nor interfere with the Grantee's full enjoyment of the easement rights granted herein.
3. **Access:** Grantee or its agents shall have the right to enter and use Grantor's land with full right of ingress and egress over and across the easement area and adjacent lands of Grantor for the purpose of exercising its rights in the easement area. Except in the case of an emergency, Grantee or its agents shall provide Grantor 24 hours' advance notice of entry.
4. **Buildings or Other Structures:** Grantor agrees that no new structures will be erected in the easement area or in such close proximity to Grantee's facilities as to create a violation of all applicable State of Wisconsin electric codes or any amendments thereto. Grantee acknowledges that a County trail currently exists within the easement area.
5. **Elevation:** Grantor agrees that the elevation of the ground surface existing as of the date of the initial installation of Grantee's facilities within the easement area will not be altered by more than 4 inches without the written consent of Grantee.

6. **Restoration:** Grantee agrees to restore or cause to have restored any and all damages to Grantor's land, including the Bugline Recreational Trail, which resulted from Grantee's entrance and/or performance of its work while in the exercise of its rights hereunder, as nearly as is reasonably possible, to the condition existing prior to such entry by Grantee or its agents. This restoration, however, does not apply to any trees, bushes, branches or roots which may interfere with Grantee's use of the easement area and for which, where necessary under the terms hereof, Grantee has obtained prior approval to remove.
7. **Exercise of Rights:** It is agreed that the complete exercise of the rights herein conveyed may be gradual and not fully exercised until some time in the future, and that none of the rights herein granted shall be lost by non-use.
8. **Binding on Future Parties:** This grant of easement shall be binding upon and inure to the benefit of the heirs, successors and assigns of all parties hereto.
9. **Indemnify and Hold Harmless:** In consideration of the foregoing grant, it is understood that during the time said underground electrical facilities are located on the premises of the Grantor pursuant to this grant, Wisconsin Electric Power Company will indemnify and save the Grantor, its successors and assigns harmless from any and all claims for injury or death to any person or for damage to property of any person arising out of Grantee's exercise of any of its rights under this easement; excepting, however, any claims or actions arising out of negligence or willful acts on the part of the Grantor, its successors and assigns, Grantor's employees, agents and invitees.
10. **Governing Law:** This easement shall be construed and enforced in accordance with the laws of the State of Wisconsin.
11. **Invalidity:** If any term or condition of this easement, or the application of this easement to any person or circumstance, shall be deemed invalid or unenforceable, the remainder of this easement or the application of the term or condition to persons or circumstances other than those to which it is held invalid or unenforceable, shall not be affected thereby, and each term and condition shall be valid and enforceable to the fullest extent permitted by law.
12. **Easement Review:** Grantor acknowledges receipt of materials which describe Grantor's rights and options in the easement negotiation process and furthermore acknowledges that Grantor has had at least 5 days to review this easement document or voluntarily waives the five-day review period.
13. **Entire Agreement:** This easement sets forth the entire understanding of the parties and may not be changed except by a written document executed and acknowledged by all parties to this easement and duly recorded in the Office of the Register of Deeds of Waukesha County, Wisconsin.

[Signatures on Next Pages]

Grantor:

WAUKESHA COUNTY, a municipal corporation

By _____

Dale R. Shaver, Director, Parks and Land Use

Dated: _____

ACKNOWLEDGEMENT

STATE OF WISCONSIN
COUNTY OF WAUKESHA

This instrument was acknowledged before me on the _____ day of _____, 20____
by Dale R. Shaver, Director of the Waukesha County Department of Parks and Lane Use on behalf of Waukesha County.

Notary Public Signature, State of Wisconsin

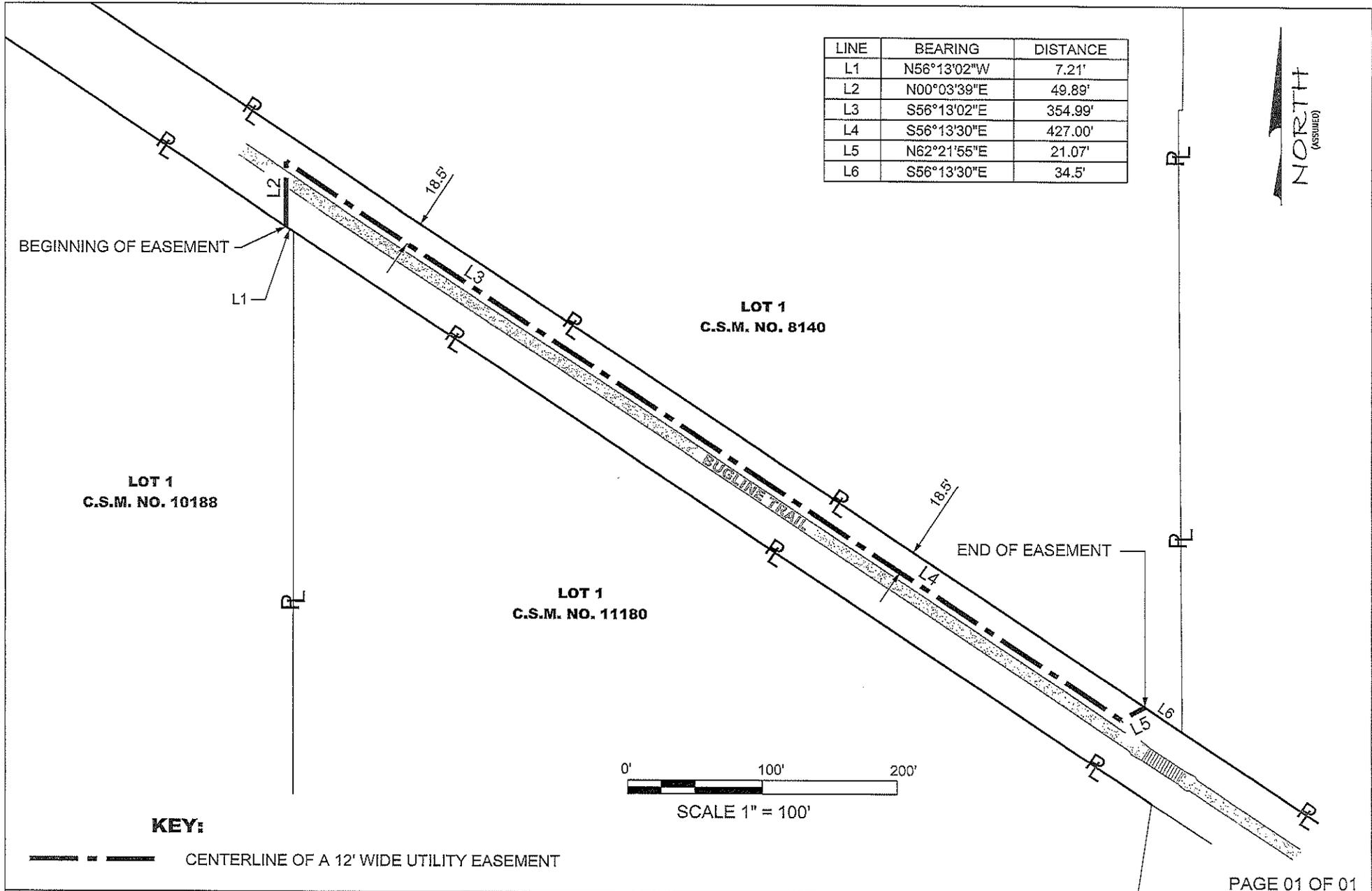
Notary Public Name (Typed or Printed)

(NOTARY STAMP/SEAL)

My commission expires: _____

This instrument was drafted by Nicole Smullen on behalf of Wisconsin Electric Power Company, PO Box 2046, Milwaukee, Wisconsin 53201-2046.

LINE	BEARING	DISTANCE
L1	N56°13'02"W	7.21'
L2	N00°03'39"E	49.89'
L3	S56°13'02"E	354.99'
L4	S56°13'30"E	427.00'
L5	N62°21'55"E	21.07'
L6	S56°13'30"E	34.5'



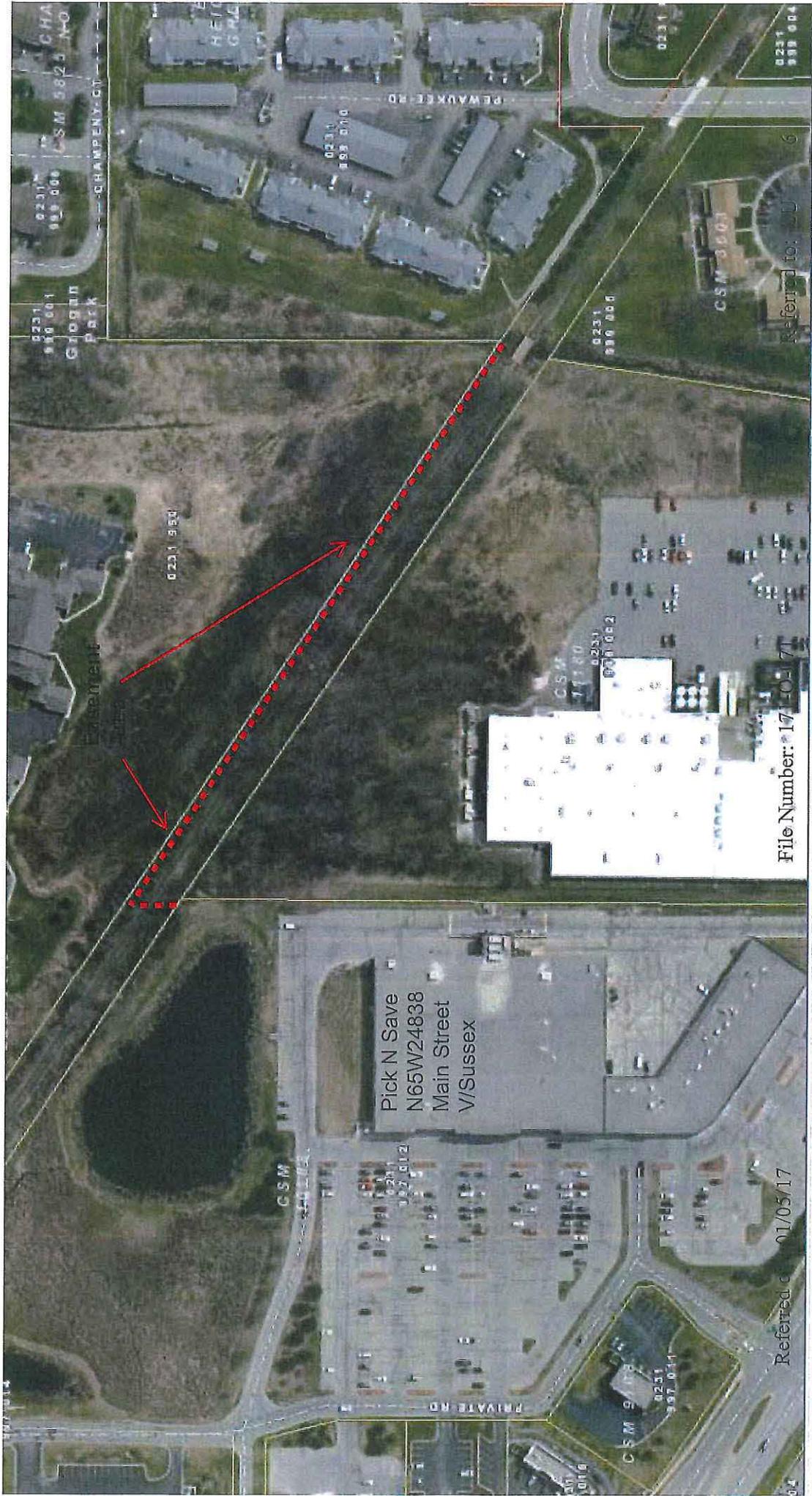
KEY:
 - - - - - CENTERLINE OF A 12' WIDE UTILITY EASEMENT



EXHIBIT "A"

Being A Part of the NW 1/4 of the SW 1/4, the NE 1/4 of the SW 1/4, the SW 1/4 of the SW 1/4, and the SE 1/4 of the SW 1/4 SECTION 22, TOWNSHIP 8 NORTH, RANGE 19 EAST VILLAGE OF SUSSEX WAUKESHA COUNTY, WISCONSIN

DRAWN BY: T.L. BROWN
 DATE: NOVEMBER 28, 2016
 WR NUMBER: 3972654
 REVISIONS: _____



Pick N Save
N65W24838
Main Street
V/Sussex

Referred to: 01/05/17

File Number: 17-0-17

Referred to: 6

1 DELEGATION OF AUTHORITY TO APPROVE FUNCTIONAL CLASSIFICATION
2 CHANGES FOR HIGHWAYS IN RURAL AREAS
3

4 WHEREAS, a comprehensive highway functional classification system review is conducted
5 across the state of Wisconsin after the decennial census update, and
6

7 WHEREAS, the Wisconsin Department of Transportation (WisDOT), Bureau of Planning
8 and Economic Development (BPED) and Division of Transportation Systems Development
9 (DTSD) conducts the functional classification review with the cooperation of county
10 stakeholders, and
11

12 WHEREAS, the county stakeholder provides a qualified individual(s) to review proposed
13 functional classification changes, and
14

15 WHEREAS, in accordance with federal regulations set forth by Federal Highway
16 Administration (FHWA) under 23 CFR §§470.103 and 470.105, proposed changes to the
17 functional classification system are required to be approved by a county board, and
18

19 WHEREAS, the Waukesha County Board of Supervisors is responsible for approving
20 proposed highway functional classification changes in rural areas, and
21

22 WHEREAS, the County Board may delegate approval authority for highway functional
23 classification changes to a qualified individual(s) by position title.
24

25 THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA
26 ORDAINS that the County Board shall delegate approval authority for highway functional
27 classification changes for highways in rural areas to Waukesha County Director of Public
28 Works.
29

30 BE IT FURTHER ORDAINED that after the approval of changes to the highway functional
31 classification system for rural areas by the Waukesha County Public Works Director, he or she
32 must notify the County Board of the approved changes during a regularly scheduled meeting of
33 the County Board and the County Board's acknowledgement of the changes must be reflected in
34 the County Board's meeting minutes.

1 MODIFY 2017 BUDGET OF THE CIRCUIT COURT SERVICES TO APPROPRIATE
2 EXPENDITURES FOR THE PURCHASE OF NEW JURY BOX SEATING
3 WITH RESERVED FUND BALANCE FROM JUROR SERVICE FEE
4 DONATIONS FROM PRIOR YEARS
5
6

7 WHEREAS, the Waukesha County Board authorized the establishment of a Voluntary Juror
8 Donation Program (Enrolled Ordinance 164-50), which allowed persons serving as jurors in
9 circuit court to donate some or all of their county paid per diem fees and travel expenses to fund
10 special Jury Program improvements, and
11

12 WHEREAS, funds totaling \$13,203 have been donated back to the County from the program's
13 inception in 2010 and thru December 31 of the 2016 fiscal year, and
14

15 WHEREAS, the Clerk of Circuit Court has reviewed jury improvement needs and has
16 determined that the Juror seating in Courtroom C-267 requires upgrade and replacement with an
17 estimated cost of \$7,400, and
18

19 WHEREAS, this upgrade is appropriate under the guidelines established in the Juror Donation
20 Program and sufficient donated Juror Service and travel expense fees have been collected to pay
21 for this upgrade.
22

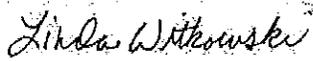
23 THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA ORDAINS
24 that the Circuit Court Services 2017 budget be modified by appropriating expenditures of \$7,400
25 for operating expenses for the purchase, installation and upgrade of new jury box chairs in
26 Waukesha County Courtroom C-267 and increasing other revenue for reserved fund balance
27 revenue by \$7,400 from assigned Juror Donation Program revenue.

FISCAL NOTE

MODIFY 2017 BUDGET OF CIRCUIT COURT SERVICES TO APPROPRIATE
EXPENDITURES FOR THE PURCHASE OF NEW JURY BOX SEATING
WITH RESERVED FUND BALANCE FROM JUROR SERVICE FEE
DONATIONS FROM PRIOR YEARS

This ordinance modifies the 2017 Circuit Court Services Budget by authorizing additional expenditures of \$7,400 in the Operating Expense appropriation unit for the purchase and installation of upgraded jury chairs. The ordinance also increases Other Revenue by \$7,400 from reserved fund balance resulting from prior year donations from jurors who have chosen not to accept some or all of their statutory service payment or travel reimbursement payments. The Voluntary Juror Donation Program was established by Ordinance 164-50 and allows the use of these funds for jury improvement needs.

This ordinance results in no additional direct tax levy impact.



Linda Witkowski
Budget Manager

1/4/2017

MY – BAJ #2017-00000077