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**RESOLUTION # 46-2011**

**GENERAL CODE OF ONEIDA COUNTY, WISCONSIN  
ORDINANCE AMENDMENT #**

**Ordinance Amendment offered by Supervisors of the Resolutions &  
Ordinances/Legislative Committee**

**Whereas**, there recently have been major changes to the state laws of Wisconsin; and

**Whereas**, these changes in the law have had great effect on Oneida County and its operations; and

**Whereas**, the Wisconsin Counties Association and other organizations have been conducting numerous training sessions on these changes to the law, many on short notice; and

**Whereas**, because of the short notice of these meetings and their importance to County government operations, Oneida County needs to be able to respond to meeting notices and send appropriate staff and Supervisors to these meetings;

**Whereas**, when time is available for staff and Supervisors to receive permission from their respective Committees to attend meeting they should do so, but in situations of short notice, the County Board Chair or Vice chairs should be able to grant permission to attend meetings that are critical to County government operations.

**NOW, THEREFORE, THE ONEIDA COUNTY BOARD OF SUPERVISORS  
DOES ORDAIN AS FOLLOWS:**

Section 1. Any existing ordinances, codes, resolutions, or portions thereof in conflict with this ordinance shall be and hereby are repealed as far as any conflict exists.

Section 2. This ordinance shall take effect the day after passage and publication as required by law.

Section 3. If any claims, provisions or portions of this ordinance are adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby.

Section 4. Section 3.10 of the General Code of Oneida County, Wisconsin, is amended as follows [additions noted by underline, deletions noted by strikethrough]:

**3.10 REIMBURSEMENT FOR EXPENSES.**

(1) APPLICATION. This section shall apply to the following:

- (a) County Board Supervisors.
- (b) Citizen members of committees.
- (c) Elected County officials.
- (d) All County employees if authorized by County Board resolution or ordinance, or by authorization of the committee in charge of the department in which the person is employed.

(2) MILEAGE REIMBURSEMENT.

(a) Privately Owned Vehicles.

- 1. All persons shall be reimbursed at the federal reimbursement rate for each mile actually traveled in their privately owned vehicle, as calculated herein, subject to the exceptions set forth below.
- 2. Exceptions.
  - a. No person shall be entitled to mileage reimbursement in County owned vehicles when the expense of operation is borne by the County.

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- b. The County Clerk or his/her designee shall be compensated a total of \$50 per month for the use of their vehicle in collecting and depositing mail. In the event the County Clerk and his/her designee both use their respective vehicles in the same month for this purpose, the \$50 shall be distributed on a pro rata basis.
  - c. The County Treasurer or his/her designee shall be compensated a total of \$50 per month for the use of their vehicle in providing daily banking services. In the event the County Treasurer and his/her designee both use their respective vehicles in the same month for this purpose, the \$50 shall be distributed on a pro rata basis.
  - d. Witnesses in court matters shall receive the mileage rate authorized pursuant to § 814.67, Wis. Stats., as amended from time to time.
  - e. One Charge Per Vehicle. Only one mileage charge shall be permitted for each privately owned vehicle used for County business, even though there may be more than one qualifying.
- 3. Commuting expenses between an employee's residence and his/her assigned work site are not reimbursable, regardless of whether the working hours would be within or outside the regular work schedule.
  - 4. If an employee is required to work at a location other than his/her normal work site, only the mileage along the most reasonable route incurred above and beyond the normal commuting trip will be reimbursed.
  - 5. County Board Supervisors and citizen Committee members are considered not to have a work site, therefore, mileage commuting to and from their home on official County business is reimbursable.
- (b) County Owned Vehicles.
- 1. Daily Mileage Log. All qualifying persons using County owned vehicles on County business shall keep daily records showing the date, destination, mileage and purpose of trips as a public record, unless the use of such vehicles is so limited that all of the aforementioned details can be included directly on the monthly expense vouchers. Such records shall be entered on forms provided by the Finance Department. Completed forms shall be submitted to the Finance Department in a timely manner and the Finance Department will keep the completed forms for a period of 7 years. (Am. #105-98)
  - 2. Fuel. All County-owned vehicles, except Highway Department vehicles, shall use fuel from the County fuel pump unless the County Board has approved the purchase of fuel with credit cards.
- (3) CARPOOLING. If 2 or more employees from the same work site are required to work or attend a meeting at a location outside the county that requires the use of a personal vehicle, they shall make reasonable efforts to travel together. When several employees from the same general work site are required to work or attend a meeting outside the County, they shall make reasonable efforts to use as few vehicles as possible. Employees who, for personal reasons, drive their

103 own vehicles to such locations without carrying other employees, when the  
104 transportation is otherwise available, shall not be reimbursed for mileage.

105 (4) VEHICLE RENTAL. A rental vehicle may be used in situations where it is the  
106 most cost-effective means of transportation. The vehicle rental program is  
107 managed by the Finance Department. The Rent-a-Car forms are to be completed  
108 and submitted to the Finance Department for approval at least 2 days prior to the  
109 departure date except for good cause as determined by the department head.

110 (5) REPORTING. Claims for mileage reimbursement shall be made on one of the 2  
111 County approved forms. The claim must be authorized (signed) by the  
112 employee's department head or immediate supervisor. The committee of  
113 jurisdiction shall determine which of the 2 forms shall be used by a particular  
114 department. Mileage expenses, except for daily postal pick up and banking  
115 services, will be reimbursed under the Internal Revenue Code definition of an  
116 accountable plan. Therefore, the date and business purpose of the trip will be  
117 required on the mileage reimbursement forms. The time of departure and return  
118 is required when claiming meal reimbursements.

119 (6) MEALS, TIPS AND LODGING.

120 (a) County Board Meetings. No County Board Supervisor shall be permitted  
121 meal expenses while attending a County Board session.

122 (b) Committee Meetings.

123 1. *Committee members*. Committee members shall be permitted a  
124 noon meal expense not to exceed \$8, including tips, or an evening  
125 meal expense not to exceed \$16, including tips, provided that:

126 a. The committee convenes a minimum of 2 hours prior to the  
127 recess.

128 b. The minutes of the committee set forth a determination that  
129 the unfinished business was sufficient to require the  
130 committee to reconvene for further work.

131 c. The committee minutes reflect the times the committee  
132 was convened, recessed and reconvened.

133 2. *Department heads or employees*. Any department head or  
134 employee shall be entitled to the same meal allowance permitted  
135 committee members above if their attendance is requested and  
136 approved by the committee at the reconvening of the meeting.

137 3. *Attendance at more than one meeting*. If a committee member  
138 attends more than one meeting of separate committees of which  
139 he is a member on any one date, he shall have the option of  
140 receiving mileage for 2 meetings or mileage for one meeting and  
141 expenses for one meal.

142 4. *Other County business within the County*. Persons qualifying  
143 under this section shall be permitted a noon meal expense not to  
144 exceed \$8, including tips, or an evening meal expense not to  
145 exceed \$16, including tips, while working in the County on  
146 committee or Board authorized County business other than as  
147 limited by subparagraph (b)2. provided no more than 5 such  
148 meals shall be billed to the County in any month.

149 5. *County business outside the County*. Persons who qualify under  
150 this section shall be allowed the following outside the County:  
151 (Am. #112-2003; #14-2004; #102-2007)

152 a. *Lodging*. Actual lodging expenses shall be allowed subject  
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- 1) County Board Members. Actual lodging expenses not to exceed either the negotiated conference site rate or the prevailing state rate shall be allowed if authorized in advance by the committee of jurisdiction and the check is made payable directly to the lodging facility. No out-of-state lodging expense incurred by a Board member shall be paid unless approved by the Board prior to the expense being incurred.
  - 2) Other Qualified Persons. Actual lodging expenses not to exceed either the negotiated conference site rate or the prevailing state rate shall be allowed if authorized in advance by the committee of jurisdiction or the County Board and the check is made payable directly to the lodging facility. No out-of state travel, lodging or meal expenses for training, conferences and/or conventions incurred by Other Qualified Persons shall be paid unless approved by the Finance and Insurance Committee prior to the expense being incurred.
- b. *Meals.* Actual breakfast, lunch and dinner expenses shall be allowed up to \$7, \$8 and \$16, respectively. Such expenses shall be allowed only if the person was required to be at the out-of-County business site or in transit by 6 a.m. for breakfast, 10 a.m. for lunch or if the person does not expect to return to the County prior to 2:30 p.m. for lunch or 6:30 p.m. for dinner. Such person may have the option of combining one or more eligible meal allowances if the total expense does not exceed \$31 in any one day and the requirements of this section are otherwise met. Whenever the cost of a meal is included as part of registration, the option of combining the allowance for that meal with another shall not be available.
- c. *Maximum allowance.* No County supervisor, except the County Board Chairman, may incur out-of-County expenses, including lodging, meals, mileage or per diem in excess of 12 such events per calendar year, not including the WI Counties Association annual conference, without prior approval of the Finance Committee or the County Board.
- d. *Permission to attend Out of County Meetings.* All Supervisors and employees shall seek prior approval from the appropriate committee of jurisdiction prior to attending any out of County meeting. If time does not permit permission to be granted by the appropriate committee a County Board Supervisor or employee may seek permission from the County Board Chairman, if he should be unavailable permission may be sought from the 1st Vice-Chairman of the Board or 2nd Vice-Chairman of the Board (in that order). If permission is not granted prior to attendance of an out of county meeting, per diems and

- 205 expenses may not be approved.
- 206 (7) PROCEDURES FOR PER DIEM AND EXPENSE PAYMENT.
- 207 (a) Per Diem. (Am. #102-2007; Am. #53-2010) Qualified persons who incur
- 208 per diem expenses shall submit vouchers to the Finance Department.
- 209 The Finance Department shall pay the per diem vouchers submitted after
- 210 confirming the business has been authorized by a committee or the
- 211 Board. Any such qualified person who receives per diem expenses or
- 212 other compensation from another entity will not be entitled to receive a
- 213 per diem from the County. Attendance at County Board meetings and
- 214 the meetings of committees, commissions shall be allowed in person or
- 215 by telephonic or other electronic means. When attending a meeting
- 216 by telephonic or other electronic means, per diem shall not be
- 217 allowed.
- 218 (b) Mileage for Supervisors. Supervisors shall submit mileage vouchers to
- 219 the Finance Department for attendance at committee and Board meetings
- 220 or business in or out of the County on an occurrence basis. The Finance
- 221 Department shall pay such vouchers upon confirming that such meetings
- 222 were convened or such business authorized by committee or Board
- 223 action.
- 224 (c) Mileage for Citizen Members. Elected and Appointed Officials and
- 225 Employees. Such persons shall submit mileage vouchers to the Finance
- 226 Department for attendance at committee and Board meetings or other
- 227 authorized business in or out of the County on an occurrence basis. The
- 228 Finance Department shall pay such vouchers upon confirming that such
- 229 meetings were convened or such business authorized by committee or
- 230 Board action.
- 231 (d) Meals, Tips and Lodging.
- 232 1. In-County business. (Am. #68-2008) Qualified persons who incur
- 233 meal and tip expenses under the provisions of subsections
- 234 (6)(b)1, 2, 3 or 4 shall submit vouchers supported by receipts to
- 235 the Finance Department. The Finance Department shall pay the
- 236 vouchers in the amounts of the receipts up to the stated
- 237 maximums upon confirming that the expenses were incurred in
- 238 the course of performing business authorized by a committee or
- 239 the Board.
- 240 2. Out-of-County business. (Am. #68-2008) Qualified persons who
- 241 incur expenses for meals, tips and lodging under the provisions of
- 242 par. (6)(b)5, a or b shall submit vouchers supported by receipts to
- 243 the Finance Department on an occurrence basis. The Finance
- 244 Department shall pay the vouchers in the amount of the receipts
- 245 up to the stated maximums upon confirming that the expenses
- 246 were incurred in the course of performing business authorized by
- 247 a committee or the Board.
- 248 (8) PER DIEM. (Am. #96-2003)
- 249 (a) County Board Meetings. (Am. #102-2007; Res. #43-2009) County Board
- 250 supervisors shall be paid \$75 per day for actual attendance at meetings
- 251 of the County Board. Supervisors shall not be allowed any other per diem
- 252 on the day of a board meeting but may be entitled to additional
- 253 reimbursements as provided in this Code.
- 254 (b) Committee meetings. As used in this section, committee meeting means
- 255 the convening of a standing or special committee of the County Board for

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an authorized purpose and in public session pursuant to the provisions of Ch. 19, subch. IV, Wis. Stats., and pursuant to the rules of the County Board wherein an agenda is prepared and regular business is conducted. Committee meeting also includes attendance at any school, institute, conference or meeting which the County Board or the committee of which the individual is a member directs him to attend. This includes, without enumeration, all boards, councils, commissions and committees to which any supervisor or citizen member has been appointed by the County Board or the Board Chair to represent the County.

1. *County board supervisors.* (Am. #127-2001; #102-2007) For each committee meeting attended, a County Board supervisor shall receive a per diem of \$45.
2. *Citizen members.* (Am. #71-91; #127-2001; #79-2004) For each meeting attended of less than three hours, a citizen member of a committee, commission or board shall receive a per diem of \$35.00. For each meeting attended of three hours or more, a citizen member of a committee, commission or board shall receive a per diem of \$55.00.
3. *County board chair.* (Am. #71-91; #110-91; #31-90; #17-95; #39-93; #59-93; #37-97; #102-2007) In addition to the per diem payments received, the County Board Chair shall be compensated at the annual rate of \$3,600 payable in 26 equal installments on the same payroll schedule which applies to County employees. Such compensation shall be for all services to the County excluding attendance at Board meetings and meetings of committees to which he is appointed.
4. *Chairs and acting chairs of committees, commissions and boards.* County Board supervisors or citizen members who are chairs of any Oneida County committees, commissions or boards shall receive an additional per diem of \$10 for each meeting they preside over. This section shall not apply to the County Board Chair when conducting County Board meetings. This section shall not apply to County Board supervisors presiding over committee, commission or board meetings held on County Board meeting days.
5. *Condemnation Commissioners.* Commissioners appointed by the Oneida County Circuit Court Judges pursuant to §2.34 of this Code and §32.08, Wis. Stats., shall be compensated for actual service in that capacity at an hourly rate of \$35. Commissioners shall be entitled to reimbursement for mileage, meals, tips and lodging expenses at the same rates and pursuant to the same procedures as are provided for citizen members, elected and appointed officials and employees under this chapter.

Approved by the Resolutions & Ordinances/Legislative Committee this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

307 Vote Required: Majority = \_\_\_\_\_ 2/3 Majority = \_\_\_\_\_ 3/4 Majority =  
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310 The County Board has the legal authority to adopt: Yes \_\_\_\_\_ No \_\_\_\_\_ as  
311 reviewed by the Corporation Counsel, \_\_\_\_\_, Date:  
312 \_\_\_\_\_

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315 Offered and passage moved by: \_\_\_\_\_  
316 Supervisor  
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318 Supervisor  
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328 \_\_\_\_\_ Ayes

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330 \_\_\_\_\_ Nays

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332 \_\_\_\_\_ Absent

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334 \_\_\_\_\_ Abstain

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337 \_\_\_\_\_ Enacted

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339 by the County Board of Supervisors this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

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341 \_\_\_\_\_ Defeated

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345 Mary Bartelt, County Clerk Ted Cushing, County Board Chair  
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