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RESOLUTION #72-2012

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

Ordinance Amendment offered by Supervisors of the Administration Committee

WHEREAS, Oneida County has sought to run County government in a more efficient manner; and

WHEREAS, the Administration Committee feels that having a committee meeting to review Resolutions and Ordinance Amendments prior to County Board meetings is inefficient and cost taxpayers money in the form of additional per diem and mileage payments; and

WHEREAS, the Administration Committee feels that the County Clerk, Corporation Counsel and Finance Director are competent to perform the review function that the Administration Committee currently undertakes.

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existing ordinances, codes, resolutions, or portions thereof in conflict with this ordinance shall be and hereby are repealed as far as any conflict exists.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 of the General Code of Oneida County, Wisconsin, is amended as follows [additions noted by underline, deletions noted by strikethrough]:

1.12 COUNTY CLERK.

- (1) APPLICABLE STATUTES. See §59.17, Wis. Stats.
- (2) DUTIES PRESCRIBED BY LAW AND COUNTY BOARD. The County Clerk shall perform those duties prescribed by State law and by resolution of the County Board. He shall be the official agent for the County in all matters pertaining to the Wisconsin Retirement Fund and may fill any vacancy which may occur in his office. The County Clerk shall also review all resolutions and ordinance amendments to ensure that they are in proper form.
- (3) DEPUTY. In the absence of the County Clerk, the Deputy Clerk shall perform the duties of the Clerk.
- (4) DESTRUCTION OF OBSOLETE PUBLIC RECORDS. The County Clerk shall offer the following public records to the State Historical Society under §44.09, Wis. Stats., and if such offer is not accepted by the Historical Society within 60 days after written notice, the Clerk may destroy them provided that no assessment roll containing forest crop acreage may be destroyed without the prior approval of the Secretary of Revenue.
 - (a) Original papers, resolutions and reports appearing in County Board proceedings, 6 years following the date of first publication of the same in the official proceedings of the County Board.
 - (b) Tax rolls, after 15 years.

52 (5) NONPAYMENT OF UNAUTHORIZED EXPENDITURES. (Cr. Res. #101-
53 81) The County Clerk, in conjunction with the County Treasurer, shall not
54 honor for payment any voucher which would cause a line item of a
55 departmental budget to be overexpended. The County Clerk, in
56 conjunction with the County Treasurer, shall notify the department head
57 and the Finance Committee in writing when payments cannot be honored
58 in order to permit the department head to follow procedure described in
59 this chapter.
60

61 **1.22 CORPORATION COUNSEL.** (Am. #35-81; Rep. & recr. #37-94)

- 62 (1) APPLICABLE STATUTES. See §59.07(44), Wis. Stats.
63 (2) DUTIES PRESCRIBED BY COUNTY BOARD. The Corporation Counsel
64 shall perform such other duties as prescribed by resolution of the County
65 Board. He shall specifically:
66 (a) Handle all civil matters which may arise, including suits, civil trials,
67 drafting of deeds and contracts.
68 (b) Handle all ordinance violations except traffic ordinance violations,
69 which shall be handled by the District Attorney, unless a conflict
70 arises.
71 (c) Provide opinions for the County Board and its committees,
72 including legal notes as required pursuant to §2.03(5). (Am. #24-
73 2000), and review all resolutions and ordinance amendments to
74 ensure that they are legal to be adopted.
75 (d) Assist in drafting resolutions for the County Board and
76 committees, individual supervisors or department heads at their
77 request upon reasonable notice.
78 (e) Meet with the various committees of the County Board at their
79 request and upon reasonable notice.
80 (f) Assist in labor and wage negotiations, as well as grievances and
81 other union matters when requested.
82 (g) Provide legal counsel and representation to the various
83 departments and agencies of the County.
84 (h) Reserved. (Am. #33-2008)
85 (i) Provide legal representation in behalf of the County in legal
86 proceedings initiated under the Mental Health Act of the
87 Wisconsin Statutes.
88 (j) The Corporation Counsel shall provide legal services to the
89 Department of Social Services in administration of the IV-D
90 Program for the County.
91

92 **1.27 AUDITOR/FINANCE DIRECTOR.** (Cr. #37-94; Am. Res. #117-2008)

- 93 (1) The County Auditor/Finance Director is responsible for overall financial
94 management, accounting, reporting, budgeting and internal auditing of
95 the County. This position provides financial reports, analysis and advice
96 to the County Board and employees. The department is responsible for
97 processing accounting records, accounts payable, central purchasing,
98 payroll and fringe benefits payments. The County Auditor/Finance
99 Director is one of the team of Risk Managers. In addition, the
100 Auditor/Finance Director is charged with reviewing all
101 resolutions/ordinance amendments that are submitted to the County Clerk
102 to ensure that a proper fiscal impact report is attached when necessary.

- 103 (2) INVESTMENT AUTHORITY. Under §59.62, Wis. Stats., the County
104 Board hereby delegates to the County Auditor/Finance Director the
105 authority to invest County funds, §66.04(2), Wis. Stats., and §3.18 of this
106 General Code, with the following restrictions:
107 (a) The County Board shall review the County Auditor/Finance
108 Director's exercise of this authority annually at the November
109 meeting of the Board.
110 (b) The report shall be presented to the Committee periodically at a
111 meeting frequency as determined by the committee chair.
112 (3) DEPOSIT OF PUBLIC MONIES. To comply with §59.61, the County
113 Auditor/Finance Director shall prepare an ordinance, to be acted upon by
114 the County Board at their annual November meeting, designating public
115 depositories. The County Auditor/Finance Director shall proceed in the
116 manner prescribed in §34.05, Wis. Stats., and shall be limited as to
117 liability as defined in §34.06, Wis. Stats.
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119 **2.32 ADMINISTRATION COMMITTEE.** (Rep. & recr. #55-2011)

120 The Administration Committee shall:

- 121 (1) Administer matters pertaining to the finances of the County such as the
122 budget. The Committee is authorized to transfer funds between budgeted
123 items of individual County office or department accounts if such budgeted
124 items have been separately appropriated and to supplement
125 appropriations for a particular office, department or activity by transfers
126 from the Contingency Fund, subject to and under the provisions of
127 §65.90(5), Wis. Stats.
128 (2) Be advised on illegal tax matters to be brought before the County Board
129 by the County Treasurer.
130 (3) Supervise the County depository and the investment of available funds
131 pursuant to an investment policy approved by the County Board. By
132 resolution to the County Board, the Finance Committee shall recommend
133 an investment policy to be followed by the Committee and the County
134 Auditor/Finance Director as its investment officer. Any changes to the
135 investment policy shall be approved by the County Board. (Am. #2-98;
136 Am. Res. #01-2009)
137 (4) Make or have made audits when deemed necessary.
138 (5) Review County programs and services and develop and implement
139 policies and procedures to ensure that proper types and levels of
140 insurance coverage are maintained and make appropriate
141 recommendations to the County Board. At its first meeting in January of
142 each year, or as soon thereafter as is reasonably possible, the Committee
143 shall establish minimum insurance coverages as required by §3.04(6) of
144 this Code after consulting with the County's insurance and risk
145 counselors. The Committee shall cause written notice of any change in its
146 insurance coverage requirements to be immediately sent to its
147 committees, boards and commissions and all department heads. (Am.
148 #15-2000)
149 (6) Establish and regularly monitor a loss-prevention program to encourage
150 improvements in public using County facilities, services or equipment.
151 (7) Retain insurance and risk counselors whenever the Committee
152 determines such professional expertise is necessary as in the best
153 interest of the County.

- 154 (8) Execute necessary contracts upon approval of the County Board.
- 155 (9) Review and make recommendations to the County Board as to all general
- 156 claims, except any insured liability claims against the County shall be
- 157 referred by the County Clerk through the Corporation Counsel to the
- 158 insurance counselor retained by the County and/or the appropriate
- 159 insurance carrier.
- 160 (10) Review and approve claims for damages by dogs to domestic animals.
- 161 (11) Recommend any County ordinances to the County Board and consult
- 162 with the Corporation Counsel as to creation, repeal, recreation,
- 163 amendment or administration of County ordinances.
- 164 (12) ~~Review all resolutions brought before the County Board as to legality or~~
- 165 ~~wording and make recommendations on all resolutions brought before the~~
- 166 ~~County Board where there is a question of legality or wording of such~~
- 167 ~~resolutions. [Reserved]~~
- 168 (13) Recommend any changes in this General Code and consult with the
- 169 Corporation Counsel and County Clerk as to changes in the Code.
- 170 (14) Serve as a liaison with the Wisconsin Counties Association on legislative
- 171 matters.
- 172 (15) Serve as a liaison with area legislators.
- 173 (16) Report to the County Board on legislative matters pertaining to County
- 174 government.
- 175 (17) COPIES OF CODE. The Committee may authorize the County Clerk to
- 176 order additional copies and any supplements thereto of the General Code
- 177 for sale to the general public at a sum set by the Committee.

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Approved by the Administration Committee this _____ day of _____, 2012.

Vote Required: Majority = _____ 2/3 Majority = _____ 3/4 Majority = _____

The County Board has the legal authority to adopt: Yes _____ No _____ as reviewed by the Corporation Counsel, _____, Date: _____

Offered and passage moved by: _____
Supervisor

Supervisor

Supervisor

Supervisor

Supervisor

_____ Ayes

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_____ Nays

_____ Absent

_____ Abstain

_____ Enacted

by the County Board of Supervisors this ____ day of _____, 2012.

_____ Defeated

Mary Bartelt, County Clerk

Ted Cushing, County Board Chair