

MEMORANDUM

DATE: September 9, 2010
TO: Rock County Board of Supervisors
FROM: Phil Boutwell, Assistant to the County Administrator
SUBJECT: WCA Resolutions

This year, the WCA Convention will be held in Milwaukee from September 26th to September 28th. The WCA Resolutions will be considered for adoption during the business meeting on September 27th.

Rule V-D.(8) of the Rock County Board Rules of Procedure directs an Assistant to the County Administrator to review the resolutions to be considered at the Convention, and to select the resolutions having the greatest impact on Rock County. I have selected six of the thirty-one resolutions that are up for consideration in 2010.

The County Board Staff Committee will discuss the resolutions at its September 14th meeting. The attached resolutions are forwarded for your review. The "Review of WCA Resolutions" will be placed as an item on the September 23rd County Board Agenda.

According to Rule V-D.(8), the Board shall recommend to the County's voting delegate how to vote on the attached resolutions. Thank you for your consideration.

Attachments

Wisconsin Counties Association

2010 Conference Resolution 5

Offered for consideration this 27th Day of September, 2010 by

Dodge County

Relating to

Opposing Changes that Were Made to the Prevailing Wage Laws

WHEREAS, the Wisconsin Legislature and the Governor made extensive changes to prevailing wage laws (Sections 66.0903 and 103.49, Wis. Stats.), effective January 1, 2010, by enactment of the state budget, 2009 Wisconsin Act 28; and

WHEREAS, under prior law the prevailing wage requirements applied only to multiple-trade public works projects over \$234,000 and single-trade public works projects over \$48,000; and

WHEREAS, under current law prevailing wage requirements apply to public works projects of \$25,000 or more; and

WHEREAS, under prior law the prevailing wage requirements did not apply to private projects that received public financing; and

WHEREAS, under current law the prevailing wage requirements apply to private projects that receive public funding; and

WHEREAS, the reduction in the prevailing wage requirements threshold to \$25,000 will increase the cost of many small public works projects previously exempted from the prevailing wage requirements; and

WHEREAS, the increased costs to pay prevailing wages on all public works projects which cost \$25,000 or more will force counties and other local governments to either reduce the number and/or size of public works projects or raise taxes to meet the increased costs, which will further burden property taxpayers; and

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2010 Resolution 5

WHEREAS, the changes that were made to prevailing wage laws effective January 1, 2010, will add to the cost of projects in Dodge County at a time when Dodge County is operating under numerous financial constraints including levy limits and tax rate limits.

NOW, THEREFORE, BE IT RESOLVED that the Wisconsin Counties Association, in conference assembled, does hereby urge the Wisconsin Legislature and the Governor to ~~rescind~~ modify the changes that were made to prevailing wage laws (Sections 66.0903 and 103.49, Wis. Stats.) effective January 1, 2010, by enactment of the state budget, 2009 Wisconsin Act 28, to enable local governments to operate in a more cost-effective manner.

STEERING COMMITTEE RECOMMENDATION TO THE RESOLUTIONS COMMITTEE:

County Organization and Personnel: Adopt.

Transportation and Public Works: Move to amend the resolved clause to strike the word "rescind" and replace with "modify" and add the following after "2009 Wisconsin Act 28:" to enable local governments to operate in a more cost-effective manner. Adopt as amended.

RESOLUTIONS COMMITTEE ACTION: Motion by HELWIG, second by PLIML, to adopt. Motion by RICE, second by BILLINGS, to amend the resolved clause to strike the word "rescind" and replace with "modify" and add the following after "2009 Wisconsin Act 28:" to enable local governments to operate in a more cost-effective manner. Motion carried. Resolution adopted as amended.

RESOLUTIONS COMMITTEE RECOMMENDATION: Adopt as amended by the Resolutions Committee.

2010 CONFERENCE ACTION:

Caption:

Support legislation modifying the changes that were made to prevailing wage laws (Sections 66.0903 and 103.49, Wis. Stats.) effective January 1, 2010, by enactment of the state budget, 2009 Wisconsin Act 28, to enable local governments to operate in a more cost-effective manner.

Wisconsin Counties Association

2010 Conference Resolution 6

Offered for consideration this 27th Day of September, 2010 by

Washington County

Relating to

Supporting Wisconsin Legislation Changing the Process for Setting Elected County Officials' Compensation

WHEREAS, the Wisconsin Constitution provides for the election of certain county officials by county residents, namely, the County Clerk, Treasurer, Sheriff, Register of Deeds, Clerk of Circuit Court, District Attorney and Coroner ("county elected officials"); and

WHEREAS, prior to 2005, the term of office for these county elected officials was two years; and

WHEREAS, in 2005, by the adoption of a constitutional amendment, the term of office was changed to four years, and was phased in beginning with the 2006 gubernatorial election electing Sheriffs, Clerks of Circuit Court and Coroners to four year terms and with the 2008 presidential election electing District Attorneys, Registers of Deeds, Treasurers and County Clerks to four year terms; and

WHEREAS, current law (s. 59.22, Wis. Stats.) requires the county board to establish the total annual compensation for services to be paid to the officer, for officers paid in whole or in part by the county treasury, which compensation cannot be modified during the officer's term and shall remain for ensuing terms unless changed by the board; and

WHEREAS, counties establish operating budgets annually, operate on a fiscal calendar year and are required to comply with state mandated tax levy limits; and

WHEREAS, historically, the county board has struggled with setting compensation for county elected officials, due to changing and uncertain economic conditions, operating budgets being considered and approved annually and the various state levy limit mandates imposed on counties; and

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2010 Resolution 6

WHEREAS, the transition to four year terms for county elected officials has made setting compensation even more difficult.

NOW, THEREFORE, BE IT RESOLVED that the Wisconsin Counties Association, in conference assembled, does hereby urge that legislation be introduced to allow county boards the option of setting county elected officials' compensation annually, in conjunction with its annual operating budget, and consistent with the process for establishing the compensation for the general county employees, but not allowing for the lowering of the annual compensation during the term and not based on performance of the county elected offices which performance is to be reserved to the judgment of the electorate.

STEERING COMMITTEE RECOMMENDATION TO THE RESOLUTIONS COMMITTEE:

Amend the resolved clause to delete the following language: ", but not allowing for the lowering of the annual compensation during the term and not based on performance of the county elected offices which performance is to be reserved to the judgment of the electorate." Adopt as amended.

RESOLUTIONS COMMITTEE ACTION: Motion by WIDENER, second by KRUEGER, to adopt. Motion by PODZILNI, second by CLARK, to amend the resolved clause to specify that during the four-year term, counties can set salaries for two years, after which counties can re-evaluate, but not lower, salaries. Motion withdrawn. Motion by RASMUSSEN, second by SWOBODA, to amend the resolved clause to delete the following language: ", but not allowing for the lowering of the annual compensation during the term and not based on performance of the county elected offices which performance is to be reserved to the judgment of the electorate." Motion carried. Motion by SCHROEDER, second by PODZILNI, to strike the word "compensation" from the resolved clause and replace with "salary." Motion failed. Resolution adopted as amended.

RESOLUTIONS COMMITTEE RECOMMENDATION: Adopt as amended by the Resolutions Committee.

2010 CONFERENCE ACTION:

Caption:

Support legislation allowing county boards the option of setting county elected officials' compensation annually, in conjunction with its annual operating budget, and consistent with the process for establishing the compensation for the general county employees.

Wisconsin Counties Association

2010 Conference Resolution 11

Offered for consideration this 27th Day of September, 2010 by

Rock County

Relating to

Requesting State Law Change Allowing Counties the Use of the Design-Build Construction Method

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WHEREAS, under Chapter 59.52(29), Wisconsin counties are required to engage in a competitive bidding process on public work construction projects greater than \$25,000; and

WHEREAS, the State of Wisconsin has recognized the advantages of the design-build method and authorizes that process to be followed for state-controlled building projects; and

WHEREAS, under the design-build construction method, counties would contract with a single entity to provide both the design and construction of a public work project; and

WHEREAS, in addition to a single source of responsibility, other advantages of design-build include enhanced creativity, guaranteed costs, faster project completion, improved risk management, fewer change orders and less administrative burden.

NOW, THEREFORE, BE IT RESOLVED that the Wisconsin Counties Association, in conference assembled, does hereby support legislation authorizing counties to utilize the design-build option.

STEERING COMMITTEE RECOMMENDATION TO THE RESOLUTIONS COMMITTEE:

Adopt.

RESOLUTIONS COMMITTEE ACTION: Motion by PODZILNI, second by STOFFEL, to adopt. Motion carried.

RESOLUTIONS COMMITTEE RECOMMENDATION: Adopt.

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2010 Resolution 11

2010 CONFERENCE ACTION:

Caption:

Support legislation authorizing counties to use a design and build method of construction.

COUNTY ORGANIZATION AND PERSONNEL

Wisconsin Counties Association

2010 Conference Resolution 16

Offered for consideration this 27th Day of September, 2010 by

Rock County

Relating to

Opposing Legislative Initiative to Establish State Oversight of Public Self-Insured Health Plans

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WHEREAS, Rock County is self insured for its health plan that provides good benefits for its employees at less cost than if it were to pay premiums to an insurance company for purchased coverage; and

WHEREAS, Senate Bill 466 creates statutory authority for the Office of the Commissioner of Insurance to oversee self-funded health plans that serve public employees; and

WHEREAS, the proposed legislation adds unneeded and burdensome regulation that increases cost and removes any advantages over purchased coverage that Rock County presently enjoys through its self-insured health plan; and

WHEREAS, Rock County's self-insured plan thrives because of our active role in administering benefits and managing charges levied by health care providers; and

WHEREAS, Rock County views Senate Bill 466 as a "solution in search of a problem that does not exist" and impinges the County's flexibility and freedom to manage its plan to provide affordable high quality health insurance.

NOW, THEREFORE, BE IT RESOLVED that the Wisconsin Counties Association, in conference assembled, does hereby oppose legislative initiatives such as Senate Bill 466 that establish state oversight of public self-insured health plans.

STEERING COMMITTEE RECOMMENDATION TO THE RESOLUTIONS COMMITTEE:
Adopt.

RESOLUTIONS COMMITTEE ACTION: Motion by PODZILNI, second by HELWIG, to adopt. Motion carried.

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RESOLUTIONS COMMITTEE RECOMMENDATION: Adopt.

2010 CONFERENCE ACTION:

Caption:

Oppose legislation providing state oversight of public self-insured health plans.

COUNTY ORGANIZATION AND PERSONNEL

Wisconsin Counties Association

2010 Conference Resolution 24

Offered for consideration this 27th Day of September, 2010 by

Outagamie County

Relating to

Opposing Legislation Creating a Countywide Assessment System

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WHEREAS, under current law, there is a two-step process for valuing property in the state for the purpose of levying property taxes; and

WHEREAS, first, local assessors determine the assessed values for individual properties, except for manufacturing property, in each municipality; and

WHEREAS, assessed values are used for apportioning property taxes on tax bills to individual properties within municipalities; and

WHEREAS, second the state Department of Revenue (DOR) estimates the full market or equalized value of all property in each district; and

WHEREAS, equalized values are used to apportion the levies of overlying districts (for example, schools and counties) to the municipalities within them and also to distribute certain state aid; and

WHEREAS, the state values are needed because municipalities assess property at varying percentages of market value; and

WHEREAS, DOR also assesses all manufacturing property within the state; and

WHEREAS, under current law, a county board may vote to create a county assessor system that is responsible for conducting property tax assessments for all non-manufacturing property located within the county; and

WHEREAS, no county currently has such a system; and

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WHEREAS, the Department of Revenue is proposing legislation that would:

- Require counties to assume all assessment functions within five years.
- Require annual full valuation, starting with a revaluation of all parcels within three years, and eliminate equalization. The DOR would audit county assessments to ensure that a county's values adhere to state requirements.
- Establish an electronic property assessment system.
- Allow counties to consolidate assessment responsibilities and/or contract with existing municipal assessors to provide assessment services.
- Allow towns, villages and cities to have a voice in all assessment functions including administration, assessment and board review. The board of review would operate at the county level.
- Maintain manufacturing assessment at the state level, but shift the Department's responsibility to certifying, regulating, and auditing the county assessment process.
- Create new standards and licensing for property assessors, including a requirement that those holding the newly-created position of county assessment administrator be certified by the DOR.
- Exempt the cost of county assessment services from the current levy limits. Under the DOR's proposed legislation, municipalities that had been responsible for assessments would not have to reduce their levies by a corresponding amount for the first five years of the new system.

NOW, THEREFORE, BE IT RESOLVED that the Wisconsin Counties Association, in conference assembled, does hereby oppose legislation creating a countywide assessment system which will take local control away from towns, villages and cities, which is the basic principal of local government; and

BE IT FURTHER RESOLVED that the Wisconsin Counties Association acknowledges that the cost of the county assessment system will be at least \$25 per parcel compared to many towns and villages that have less than \$10 per parcel costs and opposes any county property tax increase to implement this proposed change.

STEERING COMMITTEE RECOMMENDATION TO THE RESOLUTIONS COMMITTEE:
Adopt.

RESOLUTIONS COMMITTEE ACTION: Motion by SCHROEDER, second by PLIML, to adopt. Motion carried.

RESOLUTIONS COMMITTEE RECOMMENDATION: Adopt.

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2010 Resolution 24

2010 CONFERENCE ACTION:

Caption:

Oppose legislation mandating a countywide assessment system.

TAXATION AND FINANCE

Wisconsin Counties Association

2010 Conference Resolution 29

Offered for consideration this 27th Day of September, 2010 by

La Crosse County

Peer/Arnold

Relating to

Supporting Restoring Fairness by Correcting the Disparate Impact of the Tax Rate Limit at a Time of Declining Property Values

WHEREAS, counties are subject to two separate levy constraints, the 3% "levy freeze cap" Wis. Stats. 66.0602 and the "tax levy rate limit" Wis. Stats. 59.605(2); and

WHEREAS, the "levy freeze cap" permits all counties to increase the operating tax levy by up to 3%, and the "tax rate limit" establishes the 1992 operating levy rate for each county as the maximum ceiling, not permitting the county to exceed this 1992 rate unless approved by a referendum; and

WHEREAS, the Operating Levy Tax Rate is a function of the levy divided by the total equalized value, so that in a time of declining property values, some counties will quickly reach the 1992 operating rate limit and would not be able to increase their operating tax levy by the 3% permitted for all counties to meet the rising costs of underfunded mandated programs; and

WHEREAS, La Crosse County has the 15th lowest tax rate and 5th lowest tax levy per capita of all 72 Wisconsin counties and has over \$2.25 million of unused tax levy authority under the levy freeze cap, yet would be unable to increase the operating tax levy by 3% if the total equalized value declines by more than 2%, while other counties with higher tax rates and a higher levy per capita would be permitted to increase their operating levy by up to 3%; and

WHEREAS, using the 3% allowable increase of 66.0602 (1)(d) as the controlling factor to take precedence over the 1992 rate limit, could create a second option to a referendum for a county to exceed the 1992 rate limit, while still restricting the rise in a county tax levy so that all counties would be permitted the same 3% limit.

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NOW, THEREFORE, BE IT RESOLVED that the Wisconsin Counties Association, in conference assembled, does hereby support legislation to correct the disparate impact on some Wisconsin counties of the tax rate limit at a time of declining property values by adding the following exception for a county to exceed the 1992 rate limit in addition to the referendum option:

s. 59.605(3) TAX BASE: if a county's allowable levy under s. 66.0602 (1)(d) is greater than the allowable levy under s. 59.605(2) then the county is exempt from the limit under 59.0605(2) in that tax year, and the Department of Revenue shall modify the operating levy rate for subsequent years to this new rate.

STEERING COMMITTEE RECOMMENDATION TO THE RESOLUTIONS COMMITTEE:

Adopt.

RESOLUTIONS COMMITTEE ACTION: Motion by ZELLMER, second by BILLINGS, to adopt. Motion carried.

RESOLUTIONS COMMITTEE RECOMMENDATION: Adopt.

2010 CONFERENCE ACTION:

Captions:

Support legislation creating the following exception for a county to exceed the 1992 rate limit in addition to the referendum option:

s. 59.605(3) TAX BASE: if a county's allowable levy under s. 66.0602 (1)(d) is greater than the allowable levy under s. 59.605(2) then the county is exempt from the limit under 59.0605(2) in that tax year, and the Department of Revenue shall modify the operating levy rate for subsequent years to this new rate.