

CHAPTER 1
GENERAL GOVERNMENT

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SUBCHAPTER I
ELECTED OFFICIALS AND OTHER EMPLOYEES

1.01 Officials. (1) ELECTED. The elected officials of the County shall be the County Clerk, County Treasurer, Register of Deeds, Clerk of Court, Sheriff, Surveyor, Coroner and twenty-one (21) County Board Supervisors.

(2) DUTIES. Except as otherwise provided in this Code, all elected officials shall perform duties as authorized and in compliance with Chapter 59, Wis. Stats., and other applicable laws and regulations.

(3)MEDICAL EXAMINER. (a) The office of elected Coroner is hereby abolished at the end of the current incumbent's term, which is January 1, 2019, or sooner should the office become vacant. (b) At the end of the current term of the elected Coroner, the office of Medical Examiner is created. (c) The Finance Committee shall continue to address policy for the Medical Examiner position as it had the position of the Coroner until further addressed by the Board. (d) This section shall be effective after passage and publication as provided by law. [rev.10/28/2014 amendment 2014-09A]

1.02 Other Officials and Employees. Except as provided for by the laws of the State of Wisconsin or applicable collective bargaining agreement, all County officials and employees shall be hired pursuant to County Board rules and shall serve at the pleasure of the County Board.

1.03 Vacancies. Vacancies in all County offices shall be filled as provided in §§17.21, 17.22 and 59.10(3)(e), Wis. Stats., or as otherwise provided by the County Board.

1.04 Salaries. (1) GENERAL. The County Board shall determine from time to time, by ordinance

or resolution, the annual compensation to be paid to officials and employees.

(2) **ELECTED OFFICIALS.** Generally, the annual compensation of the Clerk, Treasurer, Clerk of Courts, Register of Deeds, Surveyor, Coroner and Sheriff shall be set and determined prior to the earliest time for filing nomination papers for those positions; however, the County Board may, during those officials' terms of office, increase those officials' annual compensation as deemed appropriate or necessary.

1.05 Highway Commissioner Appointments Procedure.

(1) HIGHWAY COMMISSIONER ELECTION PROCEDURE.

(a) **Purpose.** It is the purpose of this Ordinance to provide Vilas County with a procedure by which the County Board may elect a Highway Commissioner who meets the minimum qualifications as established by the County Board, and who is the best qualified to help maintain the highest possible standards of safety and convenience for the benefit of users of all highways and roads under the jurisdiction of Vilas County. The following procedure shall be invoked whenever there is a vacancy in the office of Highway Commissioner or at any time as the incumbent Highway Commissioner announces or otherwise makes it known that the position will become vacant at or before the expiration of the current term. This procedure may also be invoked by majority vote of the County Board of Supervisors if the Board wishes to open up the election process at least two months prior to the expiration of the incumbent Commissioner's term.

(b) Pursuant to Sections 59.54(17) (b) and 83.01(2) of the Wisconsin Statutes, the term of service for the Vilas County Highway Commissioner shall be four (4) years, subject to successful annual performance reviews.

(c) **Procedure for Selection of Highway Commissioner:**

1. Prior to recruitment, the Highway Committee and the Human Resources Director will review the position description for the Highway

Commissioner to determine whether there should be any revisions thereof.

2. Except as otherwise provided for below, or by provisions of the Wisconsin Statutes, the purpose, policy and administrative standards for the recruitment and selection of the Highway Commissioner shall be consistent with the purposes, policies and standards as determined by the Vilas County Board.
3. The Human Resources Director and the Highway Committee Chairperson shall review all applications and establish a list of all qualified applicants who shall be invited to an initial interview. The Human Resources Director and the Highway Committee shall thereafter establish a list of applicants who shall be invited for a second interview as provided for below.
4. The Human Resources Director and the Highway Committee will then interview the most qualified candidates in closed session.
5. Upon completion of the interviews, a list of the candidates' names and accompanying resumes will be made available to the Highway Committee for the final interview. The Highway Committee Chairperson or his/her designee, shall at the next Highway Committee meeting designate the top finalist, who shall be nominated by resolution for the position of Highway Commissioner. The nominating resolution shall be submitted for possible action at the next meeting of the full Vilas County Board.
6. Voting consistent with the provisions of Section 19.88 of the Wisconsin Statutes, will take place.
7. If the office of Highway Commissioner is vacant at the time of the election, the new Highway Commissioner shall take office as soon as possible. If the office of the Highway Commissioner is not vacant at the time of the election, the new

Highway Commissioner shall take office the first Monday in January of the year succeeding the year of the election.

(2) Any existing ordinances, codes or portions thereof in conflict with this Ordinance shall be, and hereby are, repealed as far as any conflict exists.

(3) EFFECTIVE DATE. This Ordinance shall take effect the day after passage and publication as provided by law. [rev. 7/24/17 amendment 2017-06]

SUBCHAPTER II
COUNTY BOARD SUPERVISORS

1.20 County Board. (1) ELECTION TO BECOME SELF-ORGANIZED. For the purpose of improving the ability of the county government to organize its administrative structure and to govern at a local level, Vilas County elects to become a self-organized county and to act under the provisions of §59.10(1).

(2) The terms of office of all County Board Supervisors shall be for two years and shall be concurrent. Supervisors shall be elected on the election to be held on the first Tuesday in April next preceding the expiration of their respective terms and shall take office on the third Tuesday in April following their election.

(3) The compensation of County Board Supervisors shall be as fixed from time to time by resolution of the County Board.

(4) County Board Supervisors shall be eligible for County Health insurance coverage and each Supervisor using County health insurance shall be billed quarterly, in advance, for his or her share of this coverage. [History: cr. 8/97-3A; rev. 1/04-1A]

1.21 Standing Rules and Committees. (1) The Standing Rules and Committee Duties of the County Board shall be updated every two years and approved at the organizational meeting of the newly elected County Board, or more often if deemed appropriate or necessary by the County Board.

(2) The Standing Rules and Committee Duties shall be published as part of the Official Directory of Vilas County which shall be updated and reprinted annually.

1.22 Supervisory Districts. (1) Vilas County shall be divided into 21 Supervisory Districts for purposes of electing the County Board.

(2) County Board Supervisory District lines shall be automatically amended to reflect assignment of annexed land to an existing city or village ward and that ward’s supervisory district for all annexations since the 2000 census.

(3) The Land Information Department is directed to adjust the supervisory district maps accordingly. The Land Information Department shall, when an annexation is recorded, give notice to the County Clerk and provide the County Clerk with adjusted supervisory district maps resulting from the annexation.

(4) Boundaries of said Districts shall be determined by the County Board once each decade after receipt of official census figures from the federal government.

1.23 Conflict Resolution Procedure. The following steps shall be taken prior to any litigation between Vilas County committees:

(1) The Committees shall hold a joint meeting to attempt to find a mutually agreeable resolution of the disputed matter.

(2) If the matter remains unresolved, the committees shall hold a joint meeting with the Corporation Counsel. The Corporation Counsel shall chair this meeting.

(3) If the matter still remains unresolved, it shall be placed on the agenda of the next scheduled meeting of the entire County Board of Supervisors. After discussion, if the matter remains in dispute, the County Board may, by a 2/3 majority, direct the matter to the courts.

SUBCHAPTER III
WISCONSIN RETIREMENT SYSTEM

1.30 Retirement System (1) COUNTY CLERK. The County Clerk is hereby designated as the agent of Vilas County in matters pertaining to the Wisconsin Retirement System pursuant to the provisions of Chapter 40, Wis. Stats.

(2) If the Clerk is not able to perform the duties of such agent, either because of absence, disability or death, the Payroll and Accounts Clerk is hereby designated as the agent and official representative only during such inability

of the Clerk and prior to the time of the qualification of his or her successor who shall then assume the duties of such agent.

SUBCHAPTER IV
SHERIFF'S DEPARTMENT RULES AND
REGULATIONS

1.40 Rules and Regulations. (1) LAW ENFORCEMENT COMMITTEE. The Law Enforcement Committee, or its successor committee, shall be authorized, after consultation with the Sheriff, to prescribe the administrative rules and regulations of the Sheriff's Department. [History: cr. 4/2000-4A].

SUBCHAPTER V
PUBLIC RECORDS

1.50 Designation of Public Records. The County Board hereby recognizes and designates all of the records of the Bounty Board, its committees, commissions, boards and authorities created by ordinance or resolution as defined by §19.32(2), Wis. Stats., as public records and documents subject to release, inspection and reproduction as required by law.

1.51 Definitions. As used in this chapter, the following terms mean:

(1) *Authority.* Any of the following having custody of a record; a state or local office, elected official, agency, board, commission, committee, council, department or public body corporate and politic created by constitution, law, ordinance, rule or order; any court of law; a nonprofit corporation which receives more than 50% of its funds from a county or a municipality, as defined in §59.001(3), and which provides services related to public health or safety to the county or municipality; or a formally constituted subunit of any of the foregoing.

(2) *Record.* Any material on which written, drawn, printed, spoken, visual or electromagnetic information is recorded or preserved, regardless of physical form or characteristics, which has been created or is being kept by an authority. *Record* includes, but is not limited to, handwritten, typed or printed pages, maps, charts, photographs, films, recordings, tapes (including computer tapes), computer printouts and optical

disks. *Record* does not include drafts, notes, preliminary computations and like materials prepared for the originator's personal use or prepared by the originator in the name of a person for whom the originator is working; materials which are purely the personal property of the custodian and have no relation to his or her office; materials to which access is limited by copyright, patent or bequest; and published materials in the possession of an authority other than a public library which are available for sale, or which are available for inspection at a public library.

1.52 Legal Custodians. (1) The County Clerk and the Deputy County Clerk shall be the official legal custodians of the public records of the County and shall execute all duties and responsibilities of the County under Wisconsin's public records laws, §§19.21, 19.31-19.39, Wis. Stats.

(2) As the official legal custodian of the records of the County, the individuals in these positions shall be responsible to the County Board for the timely response to any request for access to the public records of the County. The custodian shall be solely responsible for the release of the public records of the County, the conditions under which records may be inspected and the collection of costs for the location or reproduction of such records.

(3) The legal custodian shall only be responsible for the records of the County Board, its committees and commissions, and its departments and shall not be responsible for the records and documents of the office of any elected official in the County unless so designated by the elected official in writing.

(4) All County employees shall be informed in writing that the County Clerk and Deputy County Clerk have been designated the official legal custodians of the public records of the County. Employees shall further be informed of the duties of the official legal custodian and shall also be made aware of the other requirements and provisions of this section.

(5) The legal custodian shall seek the advice and assistance of the Corporation Counsel and any other County employee when necessary to carry out his or her duties and responsibilities under this chapter and the Wisconsin public records laws.

1.53 Powers of the Official Legal Custodian of the Records of the County. (1) All requests for release, inspection and reproduction of County public records shall be directed or referred to the official legal custodian.

(2) The official legal custodian shall have full legal power to make all necessary decisions relative to the release, inspection and reproduction of public records and is further granted all authority necessary to carry out all duties and responsibilities required by either the Wisconsin public records laws or this chapter.

1.54 Procedure for the Release, Inspection and Reproduction of Records and Property of the County. (1) The County Board adopts the notice set forth in Appendix 1-1 as the official procedure of the County in responding to requests for release, inspection or reproduction of the public records of the County.

(2) The notice set forth in Appendix 1-1 is intended to provide all necessary information which might be required by a member of the public in order to obtain access to the public records of the County. Any questions in regard to this notice shall be directed to the official legal custodian.

(3) The notice set forth in Appendix 1-1 may be modified from time to time by County Board or Finance Committee action, but absent such modification, the decisions of the official legal custodian shall be in conformity with its provisions.

(4) Copies of the notice set forth in Appendix 1-1 as hereby adopted shall be prominently displayed in appropriate locations throughout the County and a copy of the Notice shall be made available to any member of the public upon request.

1.55 Fee Schedule. The fee schedule set out in the notice attached as Appendix 1-1 has been adopted by the County to cover the actual costs relating to the location and reproduction of any of the public records of the County. This schedule shall be reviewed occasionally by the County Board or the Finance Committee and adjusted as the need arises.

1.56 Record Preservation. (1) The records of the County shall be retained and preserved by the official legal custodian as required by all applicable laws, and no records shall be destroyed unless authorized pursuant to Chapter 20 of this General Code.

(2) No record of the County shall be destroyed after the receipt of a request for such record until after the request is granted, or until any dispute concerning the request has been completely and finally resolved.

1.57 Indemnification of the Official Legal Custodian of the Records of the County. Any costs or fees incurred by the official legal custodian of the records of the County shall be directly reimbursed by the County to the custodian and shall not be treated as the personal liability of the custodian.

SUBCHAPTER VI COURTHOUSE OFFICE HOURS

1.60 General Office Hours. The Vilas County Courthouse office hours are Monday through Friday, 8:00 a.m. to 4:00 p.m.

1.64 Cut-off Reception Time for the Filing and Recording of Documents with the Register of Deeds Office. Pursuant to §59.20(3)(c) of the Wisconsin Statutes, provision is hereby made that the cut-off reception time for the filing and recording of documents with the Vilas County Register of Deeds shall be one hour prior to the close of the official business day during which time the Register of Deeds Office is open to the public, in order to complete the processing, recording and indexing to conform to the day of reception. [History: Cr. 9/05-6A]

APPENDIX 1-1

NOTICE REGARDING ACCESS TO PUBLIC RECORDS

Vilas County is subject to Wisconsin's public records law. The following information is provided to members of the public to assist them in obtaining access to the records of the county.

(1) DESIGNATION: The County Board has designated the County Clerk and Deputy County Clerk as the official legal custodians of the public records of the County. The names of the

individuals presently holding these positions can be obtained by contacting the Office of the County Clerk which is located at the following address:

Vilas County Courthouse
330 Court Street
Eagle River, WI 54521
(715) 479-3600

(2) INSPECTION OF PUBLIC RECORDS.

(a) Any public record of the County, other than records maintained in the office of any County elected official as part of the elected official's records, will be made available for inspection at the offices of the official legal custodian of the County during normal, regular business hours upon proper request. The normal, regular business hours of the offices of the legal custodian are from 8 a.m. to 4 p.m., Monday through Friday.

(b) No original public records of the County shall be removed from the possession of the official legal custodian. The official legal custodian or his or her designee shall be responsible for determining where, when and how the public records of the County may be inspected and copied. However, the decisions of the official custodian of the records shall generally be governed by this Notice.

(3) POLICY FOR RELEASE, INSPECTION OR REPRODUCTION. The policy of the County regarding the release, inspection and/or reproduction of public records is as follows:

(a) After the receipt of any written request for access to the public records of the County, the official legal custodian or his or her designee will attempt to make such records available as soon thereafter as practical.

(b) If a request is denied, it will be denied in writing. If a public record cannot be made available within a reasonable period of time, the official legal custodian or his or her designee will inform the requester when it is likely that the record can be made available.

(c) If any records of the County are requested which are necessary for the day-to-day operations of the County, then the official legal custodian or his or her designee may arrange for the records to be inspected after normal working hours.

(d) If the official legal custodian or his or her designee determines that portions of any records

requested contain information which should not be released, the records will be edited to remove the material not to be released and thereafter release the balance of the document.

(e) Any requests for computer records of the County will be referred by the official legal custodian to the individual in charge of the equipment involved to determine that cost of any computer search, printing charges and possible time available on the machine.

(f) Since computer time can be expensive, computer information will not be provided until the person requesting the information is informed of the estimated costs.

(4) ORAL REQUESTS. It is the general policy of the County that the County will not respond to oral requests for records of the County and, therefore, all requests for any records of the County should be submitted in writing to the official legal custodian.

(5) WRITTEN REQUESTS. Any written request for a record must reasonably describe the record or information sought. If the official legal custodian cannot reasonably determine what records or information are being requested, the request shall be denied in writing and the reason for the denial shall be stated in the written denial.

(6) REPRODUCTION OF RECORDS. Any person shall have not only the right to inspect the records of the County, but also the right to receive a reproduction of such records. In the event that a person files a written request for reproduction of any of the records of the County, that person shall be informed of the costs of locating and reproducing such records. Fees charged by the County relative to the costs of producing any of the records of the County are as follows:

(7) FEE SCHEDULE; COSTS OF LOCATING DOCUMENTS.

(a) Most of the County's records are readily available, or can be located in a relatively short period of time. There will be no fee imposed upon any person who requests to inspect a record if the costs of locating that record do not exceed \$50.

(b) Some of the records of the County are in off-site storage, archived, not on-line on the County's computers or otherwise not immediately available. In those cases where a record is not readily available for whatever reason and where it appears that the costs of locating a record will exceed \$50, the official

legal custodian will seek the prior written approval of the requester before proceeding, In addition, the custodian will endeavor, but will not be required, to provide an estimate of the total anticipated costs for locating the record.

(c) The County will determine the cost of locating a record by using an hourly rate for employees involved in the search as determined by the Finance Committee.

(8) REPRODUCTION EXPENSES. Costs of copying and reproduction of records where equipment is available are as follows:

(a) \$0.25/page, unless otherwise indicated or required by law.

(b) There will be no cost charged for clerical employees' time for photocopying tasks requiring less than 15 minutes of their time.

(c) For any task requiring in excess of 15 minutes of an employee's time, an hourly fee as determined by the Finance Committee shall be paid in advance by the person making the request to be charged in 15 minute increments.

(d) The actual cost to the County of the tapes or other medium used for reproduction shall also be paid by the person making the request.

(9) CONTRACTED REPRODUCTION EXPENSES.

(a) If the equipment necessary for any reproduction of records is not available within the County government, then the County will contract out for the reproduction and will bill the requester for such work. The cost charged will be the actual costs paid by the County to any third party.

(b) Items in such a situation would include but would not be limited to audio or video tape reproduction equipment, microfilm or microfiche or ultra fiche reproduction equipment, and assorted computer hardware and software.

(10) DISPUTES. The official legal custodian shall report any disputes which arise under this fee schedule to the County Board and shall recommend such modifications and revisions as deemed necessary or proper.

(11) PAYMENT OF FEES. (a) The official legal custodian or his or her designee may require advance payment of fees provided herein.

(b) The official legal custodian may, in his or her sole discretion, elect to waive the imposition of the costs provided for herein.