

1 **WASHINGTON COUNTY, WISCONSIN**

2 Date of enactment: \_\_\_\_\_

3 Date of publication: \_\_\_\_\_

4  
5 **2020 ORDINANCE 3**

6  
7 AN ORDINANCE to amend Sections 15-15, 15-32, 49-4, 103-1, 2, 3, 4, 5, 6, 8, 9, 23 and 27  
8 relating to: Civil Service Commission, Public Safety Committee, Per Diem  
9 Compensation, Civil Service System, Civil Service Commission; organization and  
10 membership, duties and Powers of Commission, Qualifications, Classified Service  
11 Appointments, Appointments to Classified Service, suspension, Demotion or Dismissal,  
12 Political Activity, Deputy Sheriff Positions, Agreement of Indemnification and Authority  
13 to Enter Installation and Maintenance Contract.  
14

15  
16 *The people of the County of Washington, represented in the Board of Supervisors, do ordain*  
17 *as follows:*

18  
19 **SECTION 1.** Sections 15-15 and 15-32 of the code are amended to read:

20 § 15-15 ~~Civil Service Commission~~Reserved.  
21 See § 59.26(8), Wis. Stats., and Chapter 103, Sheriff's Office, of this Code.

22 \* \* \*

23 § 15-32 **Public Safety Committee.** The Committee shall consist of five members. The  
24 duties of this committee shall be:

25 A. To serve as the standing committee for the following:

26 \* \* \*

- 27 ~~(8) — Civil Service Commission.~~
- 28 ~~(98)~~ Radio Committee.
- 29 ~~(109)~~ Sheriff's Grievance Committee.

30  
31 **SECTION 2.** Section 49-4B of the code is amended to read:

32 § 49-4 **Per diem compensation.**

33  
34 B. Boards and Commissions.

35  
36 (1) Members of Aging and Disability Resource Center Board, ~~Civil Service~~  
37 ~~Commission,~~ County Library Board, Ethics Board, and Human Services Board who are not County  
38 Board Supervisors shall be paid the sum of \$35 for each day's service and mileage as provided in  
39 § 78-3E of the Code of Washington County for each mile traveled in the discharge of their duties.  
40

41  
42 **SECTION 3.** Sections 103-1, 2, 3, 4, 5, 6, 8, 9, 23 and 24 of the code are amended to read:

43 **Article I Civil Service Personnel**  
44 § 103-1 ~~Civil service system~~Reserved.  
45

1 A. Authority. This article is adopted pursuant to the authority of § 59.26(8), Wis. Stats.

2  
3 **§ 103-2 Civil Service Commission; organization and membership**~~Reserved.~~

4 A. Establishment. There is hereby established, pursuant to §§ 59.26(8)(a) and 63.01,  
5 ~~Wis. Stats., a County Civil Service Commission which shall administer these civil service~~  
6 ~~regulations and be charged with the duty of conducting competitive examinations as hereinafter~~  
7 ~~provided. The Commission shall consist of five members, who shall be legal residents of~~  
8 ~~Washington County. Commission members shall be appointed on the basis of recognized and~~  
9 ~~demonstrated interest in and knowledge of the problems of civil service. No person holding any~~  
10 ~~elective or appointive public position or office of any kind in Washington County government~~  
11 ~~shall be appointed thereto. [Amended at time of adoption of Code (see Ch. 1, General~~  
12 ~~Provisions, Art. IV)]~~

13  
14 A. Rules. The Commission shall prepare and adopt rules of procedure and other  
15 administrative regulations which will implement §§ 63.05 to 63.17, Wis. Stats., except §§ 63.065  
16 and 63.15, Wis. Stats., so far as the same shall be consistent with § 59.26(8), Wis. Stats., together  
17 with such other rules and regulations as shall, in the judgment of the Commission, be necessary to  
18 secure the best service for the Sheriff's Office and shall tend to promote expedition and speed the  
19 elimination of all unnecessary formality in making appointments. Such rules and regulations shall  
20 be printed and distributed in such manner as will reasonably inform the public of the County as to  
21 their purpose, and shall take effect 10 days after they have been published.

22  
23 **§ 103-4 Qualifications, classified service appointments**~~Reserved.~~

24 A. No person shall be eligible to apply for an initial appointment to the classified  
25 service of the Sheriff's Office unless he or she meets the following qualifications: ~~[Amended by~~  
26 ~~Ord. No. 2011-21]~~

27  
28 A. Sheriff's authority. The Sheriff shall make all appointments to and promotions in  
29 the classified service of the Sheriff's Office. Except as otherwise provided, the Sheriff shall fill a  
30 vacancy by appointing from among the three candidates certified as eligible for appointment by  
31 the Secretary of the Commission. The Sheriff shall make appointments to fill vacancies with  
32 reference solely to merit and fitness from the candidates certified, unless he or she shall make an  
33 objection to one or more of the candidates named and such objection is sustained by the  
34 Commission, in which case the Secretary of the Commission shall remove that name from the list.  
35 Any candidate who has been considered by the Sheriff for appointment for three separate vacancies  
36 without being appointed shall be dropped from the list. ~~[Amended by Ord. No. 2009-6]~~

37  
38 **§ 103-6 Suspension, demotion or dismissal**~~Reserved.~~

39 A. Persons appointed in conformity with the provisions of these civil service  
40 regulations shall hold office on good behavior and shall not be suspended, demoted or dismissed  
41 except as provided by § 59.26(8) (b), Wis. Stats.; provided, however, that the same shall not apply  
42 to the discharge or demotion of an appointee pursuant to § 103-5G of this chapter. ~~[Amended at~~  
43 ~~time of adoption of Code (see Ch. 1, General Provisions, Art. IV)]~~

44 \* \* \*

1 § 103-8 **Political activity.**

2 A. This article shall in no way be construed as prohibiting any employee in the  
3 ~~classified service of the~~ Sheriff's Office from seeking or becoming a candidate for a political office  
4 or otherwise engaging in political activity. Such employee shall not, however, engage in such  
5 activity during the hours when he or she is on duty, nor shall he or she engage in any political  
6 activities when not on duty to such an extent that his or her efficiency during working hours will  
7 be impaired or that he or she will be tardy or absent from work.

8  
9 B. A temporary leave of absence, without pay, for the purpose of becoming a candidate  
10 for the office of Sheriff or other full-time public office shall be granted ~~by the Commission~~ to any  
11 employee with permanent status who requests it. Such request shall be filed, in writing, with the  
12 ~~Commission-Human Resources Department~~ not later than July 15 of the election year. Such  
13 temporary leaves of absence shall be for a period of at least 14 consecutive days and not more than  
14 six months, commencing not more than six months prior to the date of the general election.  
15 ~~Determination of the Commission shall be final with respect to the dates of such leaves of absence.~~  
16 If a candidate for public office who was granted a leave of absence is defeated in a primary election,  
17 he or she may apply to the ~~Commission-Human Resources Department~~ for termination of his or  
18 her leave of absence forthwith. The ~~Commission shall reinstate him or her~~ ~~employee shall be~~  
19 ~~reinstated~~ to the position which he or she held prior to securing the leave of absence. If a candidate  
20 for public office who was granted a leave of absence is defeated in the general election, his or her  
21 leave of absence shall immediately terminate and he or she shall be reinstated to the position which  
22 he or she held prior to the leave of absence. Any employee taking a leave of absence to become a  
23 candidate for Sheriff or other full-time public office shall not thereby lose any seniority rights.

24  
25 C. In the event an employee, while a candidate for public office, has not applied for a  
26 leave of absence, and his or her political activity becomes detrimental to the general welfare of the  
27 Office, the Sheriff ~~or any member of the Office may petition the Commission for a determination~~  
28 ~~of such fact. The Commission shall hold a hearing upon notice to such candidate, the petitioners~~  
29 ~~and other interested parties. Determinations of the Commission shall be final and the Commission~~  
30 ~~shall be empowered to~~ may impose upon such candidate a mandatory leave of absence, without  
31 pay, consistent with this section, ~~if it finds that his or her political activity is detrimental to the~~  
32 ~~general welfare of the Office and that such a mandatory leave of absence will be for the good of~~  
33 ~~the Office.~~

34  
35 D. Any employee of the Office who is appointed to the office of Sheriff, commencing  
36 with the election of 1970, shall ~~be separated from the classified service of the Office upon taking~~  
37 ~~the oath of that office. Such person shall, for a period of six years, be eligible for reinstatement as~~  
38 ~~set forth in § 103-5D of this article. They~~ have the time spent serving as Washington County Sheriff  
39 ~~shall~~ count as tenure as though such Deputy Sheriff had not been on such leave, provided that  
40 his/her tenure in the Office of Sheriff is not terminated for reasons of conduct unbecoming an  
41 officer or for improperly performing his/her duties as an officer of the law. **[Amended by Ord.**  
42 **No. 2005-16]**

43  
44 § 103-9 **Deputy Sheriff positions.**

45 ~~A.~~ The Board of Supervisors shall fix the number of Deputy Sheriffs to be appointed  
46 and the salaries to be paid, but the number shall not be less than required by law.

1  
2 ~~B. Should it be determined by the Board of Supervisors at any time that the number of~~  
3 ~~authorized positions in the classified service of the Sheriff's Office must be reduced for any reason,~~  
4 ~~employees shall be dismissed by classification in order of seniority. If the number of positions is~~  
5 ~~thereafter increased by the County Board, any person so dismissed shall be eligible for~~  
6 ~~reinstatement without further civil service examination at any time within two years from date of~~  
7 ~~dismissal. Such person must, however, meet the physical requirements established by the~~  
8 ~~Commission to be eligible for reinstatement.~~

9  
10 Article V

11 **Enhanced 911 System**

12 **§ 103-23 Agreement of indemnification.**

13 The County ~~Board Chairperson and County Clerk~~Executive ~~are is~~ authorized to execute an  
14 agreement whereby the County will release, indemnify, defend and hold harmless the Public  
15 Service Commission and the State of Wisconsin for any injuries or damages arising out of the  
16 E911 System.

17 \* \* \*

18  
19  
20 **§ 103-27 Authority to enter installation and maintenance contract.**

21 The County ~~Board Chairperson and the County Clerk~~Executive ~~are is~~ authorized to enter  
22 into a contract with Wisconsin Bell and GTE North for the installation and maintenance of an  
23 E911 system for a basic period of five years, with automatic one-year extensions.

24 **SECTION 4. EFFECTIVE DATE.** This ordinance shall become effective upon passage  
25 by the Board of Supervisors, County Executive and publication as provided by law.

26  
27 **SECTION 5. SUMMARY.** Ordinance amendment removing the Civil Service  
28 Commission from the Washington County Code.

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31  
32  
33 VOTE REQUIREMENT FOR PASSAGE: 3/4 of members elect

34  
35 Approved as to form:

Introduced by members of the PUBLIC SAFETY  
36 COMMITTEE as filed with the County Clerk.

37 \_\_\_\_\_  
Bradley S. Stern, County Attorney

38 Dated \_\_\_\_\_

\_\_\_\_\_  
Christopher Bossert, Chairperson

39  
40 Approved:

Considered \_\_\_\_\_

41 \_\_\_\_\_

Adopted \_\_\_\_\_

42 Josh Schoemann, County Executive

Ayes \_\_\_\_\_ Noes \_\_\_\_\_ Absent \_\_\_\_\_

1 Dated \_\_\_\_\_

Voice Vote \_\_\_\_\_

2  Veto

3  Partial Veto

Countersigned:

4

\_\_\_\_\_

5

Donald A. Kriefall, County Board Chairperson

6 (No fiscal impact.)

