

VILLAGE OF GERMANTOWN
N112 W17001 MEQUON ROAD
GERMANTOWN, WI 53022

MEETING: REGULAR MEETING OF THE VILLAGE BOARD

DATE AND TIME: MONDAY, May 4, 2020 7:00 p.m.

LOCATION: VIRTUAL WEBEX MEETING:

Meeting Number: 624 173 468

Meeting Password: Hmp4RwJiG42

<https://villageofgermantown.my.webex.com/villageofgermantown.my/j.php?MTID=ma82d426a38c708438d1f288fdb9d621e> or Call 408-418-9388.

NOTICE: Pursuant to the current recommendation of the Centers for Disease Control and Prevention limiting the size of public gatherings and the various federal and state orders implementing that recommendation, this meeting will be held virtually through the WebEx platform with each member accessing the meeting remotely. Citizens wishing to view the meeting are encouraged to watch the live broadcast of the meeting through Channel 25 on Spectrum cable, or on the Village's website.

Citizens wishing to submit any public comments should do so by sending an email to comments@village.germantown.wi.us by 4 p.m. on the day of the meeting so that it can be provided to the members for their consideration. Citizens wishing to present their comments verbally can join the WebEx meeting using their phone, computer or other internet-capable device and using the meeting number access code specified above.

To reasonably accommodate citizens who are unable to view or participate in another manner, the Village Board room will be open and set up with technology to access the meeting. Social distancing will be employed within the Board room so seating will be limited.

AGENDA

- I. **CALL TO ORDER:** *This meeting has been given public notice in accordance with Section 19.83 and 19.84, Wis. Stats, in such form that will apprise the general public and news media of subject matter that is intended for consideration and action.*
- II. **ROLL CALL:**
- III. **PLEDGE OF ALLEGIANCE:**
- IV. **PRESIDENT'S REPORT:**

V. APPOINTMENTS

A. Commissions/Boards/Committees

1. Board of Review

Kristine Huber Alt. Member 05/01/2017 – 04/30/2022

2. Board of Zoning Appeals

Kristine Huber Member 05/01/2018 – 04/30/2021
Lilibeth Yao Alt Member 05/01/2020 – 04/30/2023

9. ANNOUNCEMENTS OF FORTHCOMING EVENTS OF PUBLIC INTEREST
COMMITTEE AND DEPARTMENT REPORTS:

The following individuals will be given the opportunity to make announcements of future municipal activities: Village President, Village Board Members, Village Administrator, Village Attorney, Village Clerk, And Department Heads, to include:

9. CITIZEN INPUT/PUBLIC APPEARANCE on items not subject to a public hearing:

Please be advised per §19.84(2), information will be received from the public. It is the policy of this municipality that there be a three (3) minute time period, per person, with time extension per the Chief Presiding Officer's discretion; be further advised that there may be limited discussion on the information received, however, no action will be taken under public comments. (15 minutes) Written Public Comments should be directed to comments@village.germantown.wi.us, by 4 p.m. on Monday, May 4.

VIII. CONSENT AGENDA:

A. Approval of Minutes April 20, 2020 Regular Village Board Meeting.

B. Accounts payable/payroll

1.	April 25, 2020	Accounts Payable	\$ 268,377.14
2.	April 28, 2020	Payroll (Hourly)	\$ 159,983.89
3.	April 30, 2020	Payroll (Salary)	\$ 108,404.52
4.	April 30, 2020	Accounts Payable	\$ 1,728.60

The following items were forwarded from **General Government and Finance** with a unanimous recommendation.

C. Resolution 36-2020, Public Health Emergency: Family and Medical Leave Policy and the Emergency Paid Sick Leave Policy required by the FFCRA.

IX. OLD BUSINESS:

A. Village Administrator Report - COVID 19.

X. PUBLIC HEARINGS:

A. None.

XI. NEW BUSINESS:

A. Resolution 37-2020, To Rescind A Portion of 2019 Real Property Taxes.

B. Resolution 38-2020, Extending the Declared Public Health Emergency in Response to the COVID-19 Coronavirus.

XII. ADJOURNMENT.

The next regular meeting of the Village Board will be on Monday, May 18, 2020 at 7:00 p.m.

UPON REASONABLE NOTICE, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For Additional information or to request this service please contact the Village Clerk at (262)250-4740 at least 2 days prior to the meeting.

**VILLAGE OF GERMANTOWN
VILLAGE BOARD MEETING MINUTES
April 20, 2020**

CALL TO ORDER: The meeting was called to order at 7:00 p.m. by President Wolter.

ROLL CALL: Present: President Wolter, Trustees Baum, Hudson, Kaminski, Miller, Myers, Pieper, Wing, and Zabel. Also present: Administrator Kreklow, Clerk Braunschweig, Attorney Sajdak, Director Rath, Director Ratayczak, Manager Tucker, Director Retzlaff, and Superintendent Zimmerman. Clerk's Note: This was a Virtual Webex Meeting. Members called in via phone or electronic device.

PLEDGE OF ALLEGIANCE:

PRESIDENT'S REPORT:

President Wolter welcomed the two new Trustees.

I. APPOINTMENTS

A. Standing Committees of the Village Board

1. General Government & Finance

Chair Trustee Arthur Zabel	04/20/2020 – 04/19/2021
Trustee Terri Kaminski	04/20/2020 – 04/19/2021
Trustee Daniel Wing	04/20/2020 – 04/19/2021
Trustee Dennis Myers	04/20/2020 – 04/19/2021

2. Public Safety

Chair Trustee Rick Miller	04/20/2020 – 04/19/2021
Trustee Daniel Wing	04/20/2020 – 04/19/2021
Trustee Jolene Pieper	04/20/2020 – 04/19/2021
Trustee Dennis Myers	04/20/2020 – 04/19/2021

3. Public Works & Highways

Chair Trustee Terri Kaminski	04/20/2020 – 04/19/2021
Trustee Phil Hudson	04/20/2020 – 04/19/2021
Trustee Rick Miller	04/20/2020 – 04/19/2021
Trustee Arthur Zabel	04/20/2020 – 04/19/2021

B. Commissions/Boards/Committees

1. Administrative Appeals Review Board

President Dean Wolter	04/20/2020 – 04/19/2021
Trustee Daniel Wing	04/20/2020 – 04/19/2021

2. Board of Review

Member Tim Edwards	05/01/2020 – 04/30/2025
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3. Board of Zoning Appeals

Member Tim Edwards	05/01/2018 – 04/30/2021
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4. Building Construction Oversight Committee

Chairperson / Trustee David Baum	04/20/2020 – 04/19/2021
Trustee Arthur Zabel	04/20/2020 – 04/19/2021

5. Economic Development Committee

Chairperson / Trustee Rick Miller	04/20/2020 – 04/19/2021
Trustee Jolene Pieper	04/20/2020 – 04/30/2021

	Trustee	Phil Hudson	04/20/2020 – 04/30/2021
	Member	Scott Coulthurst	05/01/2020 – 04/30/2023
	Member	Lynn Grgich	05/01/2020 – 04/30/2023
	Member	Deborah Reinbold	05/01/2020 – 04/30/2023
6.	Ethics Board		
	Member	Jeffrey Knop	05/01/2020 – 04/30/2023
7.	Historic Preservation Commission		
	Chair/ Trustee	Rick Miller	04/20/2020 – 04/19/2021
	Citizen Member	Mark Kauth	05/01/2020 – 04/30/2023
8.	Library Board		
	Trustee	Jolene Pieper	04/20/2020 – 04/19/2021
	Member	Joyce Nelson	06/30/2020 – 07/01/2023
9.	Park & Recreation Commission		
	Trustee	Phil Hudson	04/20/2020 – 04/19/2021
	Member	Wendy Knop	05/01/2020 – 04/30/2023
10.	Plan Commission		
	Chair	Dean Wolter	04/20/2020 – 04/19/2021
	Trustee	David Baum	04/20/2020 – 04/19/2021
	Member	Robert Williams	05/01/2020 – 04/30/2023
	Member	William Shadid	05/01/2020 – 04/30/2023
11.	Police & Fire Commission		
	Member	Scott Scheife	05/01/2020 – 04/30/2025
	Member	Sam Schneider	05/01/2020 – 04/30/2025
12.	Senior Center Advisory Committee		
	Chairperson / Trustee	Dennis Meyers	04/20/2020 – 04/19/2021
	Trustee	Arthur Zabel	04/20/2020 – 04/19/2021
	Member	Arline Flesch	05/01/2020 - 04/30/2022
	Member	Jackie Shebasta	05/01/2020 - 04/30/2022
13.	Utility Advisory Committee		
	Chairperson / Trustee	Arthur Zabel	04/20/2020 – 04/19/2021
	Lindsay Rehklau, Financial / Accounting Member		05/01/2020 – 04/30/2023
	Julie Reichert, Alternate Member		05/01/2020 – 04/30/2023
14.	Tourism Commission		
	Chair/ Trustee	Rick Miller	04/20/2020 – 04/19/2021
	Trustee	Jolene Pieper	04/20/2020 – 04/19/2021
C.	Weed Commissioner		
	Planning/Zoning Adm.	Jeff Retzlaff	04/20/2020 – 04/19/2021
D.	Mid-Moraine Legislative Committee		
	Trustee Representative	Arthur Zabel	04/20/2020 – 04/19/2021
E.	Official Posting Places		
	Village Hall - N112 W17001 Mequon Road		
	Public Library - N112 W16957 Mequon Road		
	Village Website		

Motion (Myers/Zabel) to approve Appointments B-E. Roll Call Voted Carried Unanimously.

ANNOUNCEMENTS OF FORTHCOMING EVENTS OF PUBLIC INTEREST/DEPARTMENT AND COMMITTEE REPORTS:

CITIZEN INPUT/PUBLIC APPEARANCE on items not subject to a public hearing:

Trustee Myers acknowledged that Administrator Kreklow and Director Ratayczak were at the Recycle Center on Saturday assisting residents and workers.

CONSENT AGENDA:

- A. Approval of Minutes March 16, 2020 Regular Village Board Meeting.
- B. Accounts payable/payroll
 - 1. April 10, 2020 Accounts Payable \$ 836,153.41
 - 2. April 15, 2020 Payroll (Hourly & Salary) \$ 346,874.67
- C. Operator's License: None.

The following items were forwarded from **Public Works** with a unanimous recommendation.

- D. Resolution 32-2020, Wisconsin Department of Transportation Salt Bid.
- E. Resolution 33-2020, Contract with Goschey Mechanical for the Replacement of Furnace / Air Conditioner at Fire Station #2 and Furnace / Air Conditioner at the Bell Museum in an amount not to exceed \$37,000.
- F. Purchase of Falcon Asphalt Patcher in an amount not to exceed \$47,924.
- G. Resolution 34-2020, Award the 2020 Road Program Contract to Payne and Dolan Inc. in an amount not to exceed 1,599,520.45.

The following items were forwarded from **Public Safety** with a unanimous recommendation.

- H. Ordinance 06-2020, An Ordinance Amending Section 12.02(4) of the Germantown Municipal Code Relating to the Issuance of Alcohol Beverage Licenses to Adopt Certain Changes in the State Statutes.

MOTION (Myers/Miller) to approve Consent Agenda Items A-H. Roll Call Vote Carried Unanimously.

OLD BUSINESS:

- A. None.

PUBLIC HEARING:

- A. None.

NEW BUSINESS:

- A. Resolution 35-2020, Appreciation to the Germantown School District for Providing a Special Poll Location for the April 7th, 2020, Presidential Preference Spring Election Polling Location.

MOTION (Baum/Miller) to approve Resolution 35-2020, Appreciation to the Germantown School District for Providing a Special Poll Location for the April 7th, 2020, Presidential Preference Spring Election Polling Location. Roll Call Vote Carried Unanimously.

- B. 2 Lot Certified Survey Map for David Gutbrod, Agent for the Gutbrod Family LLC, Property Owner - W202 N10246 Lannon Road.

MOTION (Baum/Zabel) to approve 2 Lot Certified Survey Map for David Gutbrod, Agent for the Gutbrod Family LLC, Property Owner - W202 N10246 Lannon Road. Roll Call Vote Carried Unanimously.

- C. Animal Fancier License: Clint and Lisa Murray, N103W15022 Windsong Circle East.

MOTION (Myers/Baum) to approve Animal Fancier License: Clint and Lisa Murray, N103W15022 Windsong Circle East. Roll Call Vote Carried Unanimously.

- D. Blanket Purchase Order to Enercon for the material processing at the Recycling Center in amount not to exceed \$30,000.

Motion (Kaminski/Baum) to approve Blanket Purchase Order to Enercon for the material processing at the Recycling Center in amount not to exceed \$30,000. Roll Call Vote Carried. Zabel Voted No.

- E. Blanket Purchase Order to Ferguson Waterworks for the Purchase of Manhole Repair Materials in amount not to exceed \$25,000.

Motion (Baum/Kaminski) to approve Blanket Purchase Order to Ferguson Waterworks for the Purchase of Manhole Repair Materials in amount not to exceed \$25,000. Roll Call Vote Carried. Zabel Voted No.

- F. Blanket Purchase Order to Core & Min for the Purchase of Ladtech HDPE Manhole Adjusting Rings and miscellaneous materials in amount not to exceed \$16,000.

MOTION (Baum/Kaminski) to approve Blanket Purchase Order to Core & Min for the Purchase of Ladtech HDPE Manhole Adjusting Rings and miscellaneous materials in amount not to exceed \$16,000. Roll Call Vote Carried. Zabel Voted No.

- G. Blanket Purchase Order to Adaptor Inc. for the Purchase of Internal / External Manhole Chimney Seals and Extensions to be utilized for the 2020 Road Projects in an amount not to exceed \$20,000.

Motion (Baum/Miller) to approve Blanket Purchase Order to Adaptor Inc. for the Purchase of Internal / External Manhole Chimney Seals and Extensions to be utilized for the 2020 Road Projects in an amount not to exceed \$20,000. Roll Call Vote Carried. Zabel Voted No.

ADJOURNMENT.

ADJOURNMENT: There being no further business, the meeting adjourned at 7:30 p.m.

The next regular meeting of the Village Board will be on Monday, May 4, 2020 at 7:00 p.m.

Respectfully Submitted,

Deanna Braunschweig

Deanna B. Braunschweig, WCMC/CMC
Village Clerk

VILLAGE OF GERMANTOWN
WASHINGTON COUNTY

RESOLUTION NO. 36-2020

**PUBLIC HEALTH EMERGENCY FAMILY AND MEDICAL LEAVE POLICY AND
EMERGENCY PAID SICK LEAVE POLICY REQUIRED BY THE
FAMILIES FIRST CORONAVIRUS RESPONSE ACT (FFCRA)**

WHEREAS, on March 31, 2020, the Village President issued COVID-19 Emergency Proclamation No. 1 wherein certain employees were declared to be “emergency responders” under the Families First Coronavirus Response Act (FFCRA) and various aspects of the FFCRA were adopted into the policies of the Village; and,

WHEREAS, on April 6, 2020, the Village Board ratified Proclamation No. 1 in its entirety with the adoption of Resolution 28-2020; and,

WHEREAS, the Families First Coronavirus Response Act (FFCRA) and Family and Medical Leave Act (FMLA) have been clarified; and,

WHEREAS, the attached policy has been reviewed by staff, labor attorney, and recommended by the General Government and Finance Committee; and,

NOW, THEREFORE BE IT RESOLVED, that the Village Board of the Village of Germantown, does hereby adopt the attached Families First Coronavirus Response Act, Public Health Emergency and Family and Medical Leave Policy Addendum to the Village FMLA Policy.

Introduced by: _____

Adopted: May 4, 2020

Vote: Ayes: ___ Nays: ___

Dean M. Wolter, Village President

ATTEST:

Deanna Braunschweig, WCMC/CMC
Village Clerk



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MEMORANDUM

TO: All Employees
FROM: Ms. Michelle Tucker, Support Services Manager
DATE: March 30, 2020
RE: Families First Coronavirus Response Act and Notice of New Village Policies

The pandemic spread of the COVID-19 virus (“coronavirus”) has affected our daily lives profoundly. We are now under declarations of National, State and Local States of Emergency. On Wednesday, March 18, 2020, the Families First Coronavirus Response Act (“FFCRA”) was signed into law. As a result of this new law, the Village brings to your attention two new workplace policies that are scheduled to take effect on April 1, 2020. The Village is adopting these policies in order to comply with the recently enacted FFCRA, and in furtherance of our Village-wide effort to limit the spread of coronavirus among our employees and the general public while maintaining staffing and availability of emergency responders to maintain public health, order, safety, and essential services. Please find attached the Village’s Public Health Emergency: Family and Medical Leave Policy and the Emergency Paid Sick Leave Policy required by the FFCRA.

Both policies provide eligible employees with entitlement to paid leaves of absence necessitated by the coronavirus. Please review the policies carefully, as they contain important information regarding eligibility, rights, and responsibilities for paid and unpaid leave. The rights and responsibilities identified in the policies reflect those which are established under the applicable provisions of the FFCRA. The benefits available under these policies take effect beginning April 1, 2020 and sunset on December 31, 2020. Please note that, unless you are notified of revisions to other Village policies, they will remain in full force and effect.

Further guidance on the FFCRA is forthcoming from the appropriate governmental agencies. When that guidance is issued, we may be required to make changes to these policies. We will provide you with those changes. In the meantime, we strongly encourage you to familiarize yourself with the Emergency Paid Sick Leave Policy and the Public Health Emergency: Family and Medical Leave Policy.

Please direct all related inquiries to me. I am happy to discuss these policies with you and how they may affect your unique circumstances.

**FAMILIES FIRST CORONAVIRUS RESPONSE ACT: PUBLIC HEALTH EMERGENCY
FAMILY AND MEDICAL LEAVE POLICY ADDENDUM TO THE VILLAGE'S FMLA POLICY**

The Emergency Family and Medical Leave Expansion Act (“EFMLEA”), an amendment to the federal Family and Medical Leave Act (“FMLA”), is part of the Families First Coronavirus Response Act (“FFCRA”). The goal of the EFMLEA is to allow for use of up to twelve weeks of federal FMLA leave during the COVID-19 crisis. The law permits an eligible employee to take leave when the employee is unable to work (or telework) due to a need for leave to care for the son or daughter (under 18 years of age) of the employee if the school or place of care has been closed, or the child care provider of such son or daughter is unavailable due to a public health emergency.

The Village endeavors to provide and maintain a safe and healthy workplace and is equally committed to complying with all applicable laws. Accordingly, the Village has established this EFMLEA Policy Addendum to our FMLA policy to ensure that employees are informed of their rights and responsibilities as they relate to family and medical leave provided under the EFMLEA. Leave under the EFMLEA provides one additional reason for leave protected under the FMLA. There is variance between some provisions of the EFMLEA and the FMLA however, so we recommend careful review of this Policy. Should you have any questions about this Policy, please contact the Support Services Manager.

ELIGIBILITY AND REQUESTS FOR LEAVE

Employees who have been employed by the Village for at least 30 calendar days and who are eligible under this Policy may be entitled to leave under this Policy. Eligible employees with a qualifying need related to a public health emergency, as described in Section B below, may be eligible for up to 12 weeks of EFMLEA leave. This 12-week entitlement, however, will be reduced by FMLA leave otherwise taken by an employee under the Village’s FMLA Policy.

Eligible employees must provide the Village with notice of their need for leave under this Policy as soon as reasonably practicable. Notice should be provided either orally, telephonically, or in writing, including e-mail to the Support Services Manager or the Village Administrator. Requests for leave should not be conveyed via voicemail unless circumstances prevent other forms of communication. The failure to provide notice of your need for leave may result in an unauthorized absence from work.

Employees who are classified as emergency responders are not eligible for leave or the benefits available under this policy, or the FFCRA pursuant to Section 3105 of the FFCRA. The Village has classified the following positions as emergency responders for purposes of this policy:

- Village Administrator
- Crime Prevention Officer
- Custodian
- Deputy Treasurer
- Designated Operator

- DPW Administrative Assistant
- Finance Director
- Fire Admin Assistant
- Fire Battalion Chief
- Fire Captain
- Fire Chief
- Fire Lieutenant
- Firefighter
- Firefighter/EMT
- Firefighter/Paramedic
- Foreman Highways, Parks, Buildings and Grounds
- Heavy Equipment Operator
- Highway Parks Buildings & Grounds Crew Leader
- Maintenance Operator
- Mechanic I
- Mechanic II
- MPO
- Operator
- Police Captain
- Police Chief
- Police Clerk Typist
- Police Communications Officer
- Police Communications Supervisor
- Police Detectives
- Police Lieutenant
- Police Officer
- Police Secretary
- Public Works Director
- School Resource Officer
- Superintendent of Highways, Parks, Buildings and Grounds
- Superintendent of the Wastewater Utility
- Superintendent of the Water Utility
- Support Services Manager
- Village Clerk

The nature of the work performed by these employees, the possible need for additional staffing, and the exigent and dire circumstances that may exist when these employees are needed most necessitates their availability as emergency responders. The Village may amend this list of emergency responders at any time.

QUALIFYING NEED RELATED TO A PUBLIC HEALTH EMERGENCY

The EFMLEA entitles an eligible employee to seek leave when the employee is **unable to work (or telework)** due to a need to care for the son or daughter (under 18 years of age) of the employee, if the child's school or place of care has been closed, or the child care provider of such son or daughter is unavailable due to a public health emergency.

Under this policy the term "telework" means work the Employer permits or allows an employee to perform while the employee is at home or at a location other than the employee's normal workplace. An employee will be considered to be able to telework if:

1. the Employer has work for the employee;
2. the Employer permits the employee to work from the employee's location; and,
3. there are no extenuating circumstances (such as serious COVID-19 symptoms) that prevent the employee from performing that work.

Telework may be performed during normal hours or at other times agreed by the Employer and Employee.

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COMPENSATION AND BENEFITS DURING LEAVE

Protected leave under this Policy may consist of a combination of both unpaid and paid leave periods. The first 10 workdays for which an employee takes leave under this Policy are unpaid. While not required, employees may elect to substitute any accrued paid leave benefits available to the employee to cover the first 10 workdays of unpaid leave, including but not limited to, any paid sick leave to which the employee is entitled under the Emergency Paid Sick Leave Policy. To substitute paid leave for the otherwise unpaid period, the employee must satisfy all requirements for taking the accrued leave.

Any leave under this Policy taken after 10 workdays is paid as required by law. For each day of leave the employee takes after 10 workdays, the employee will be compensated in an amount equal to two-thirds of the employee's regular rate of pay multiplied by the number of hours the employee would normally be scheduled to work. In no event shall pay while on EFMLEA leave exceed \$200 per day, and \$10,000 in the aggregate.

During an approved leave of absence under this Policy, the Village will continue to make available to the employee the same insurance benefits which are available to similar employees who are not on leave. The employee on leave will continue to have responsibility to contribute his or her portion of any employee-paid premium during leave. If the employee is paid during the leave period, then the premium will be deducted from the employee's pay. If the leave is unpaid, then the employee is responsible for arranging with the Support Services Manager the payment of his or her share of the premium during the period of leave.

Upon termination from employment, any remaining premium amounts due from the employee for unpaid coverage will be deducted from the employee's final check, if permitted by law. The failure to make timely premium payments may result in the loss of benefits.

No employee will lose any accrued seniority or benefits while on this protected leave; ~~however, additional seniority and benefits will not accrue during any unpaid period of leave.~~

VERIFICATION OF NEED

For EFMLEA leave under this Policy, a health care provider certification will not be required. The employee may need to provide information supporting the need for EFMLEA Leave. That information may include information that demonstrates the basis for the need to care for the son or daughter under age 18 that makes the employee unable to work (or telework) in circumstances when the child's school or place of care is closed or the child care provider of such son or daughter is unavailable due to a public health emergency. Among other considerations, the Village will assess whether spouses or other family members are available to provide needed care thus eliminating the employee's need for the EFMLEA Leave.

TO QUALIFY FOR LEAVE UNDER THE EFMLEA, AN EMPLOYEE MUST PROVIDE INFORMATION IN WRITING AND INCLUDE THE FOLLOWING:

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- (1) the name and age of your child for whom you are needed to care,
- (2) the name of the school, place of care, or child care provider that has closed or become unavailable; and
- (3) a representation that no other suitable person is available and caring for your son(s) or daughter(s) during the period.

Employees who wish to take a medical leave of absence for a serious health condition, for the employee or to provide needed care for an eligible family member, may seek leave under the Village's standard FMLA policy. Such leave would not be by the EFMLEA policy addendum. See the FMLA Policy for the procedures for requesting FMLA leave under Village policy including certification requirements for FMLA leave.

RETURNING FROM EFMLEA LEAVE

Where possible, employees on EFMLEA leave should provide the Village with at least 2 weeks' written notice of their intent to return to work, but under no circumstances may an employee provide fewer than 2 workdays' notice of their intent to return to work, if returning early. Any employee who returns from leave within 12 weeks, or the lesser amount of leave that was available to that employee due to other use of FMLA leave, will be reinstated to the same or an equivalent position with equivalent benefits, pay and other terms and conditions of employment. The Village cannot guarantee reinstatement to employees whose leave extends beyond 12 weeks in any 12-month period, except to the extent necessary to comply with applicable state or federal laws. An employee will not have any greater right to employment than he/she would have if FMLA leave had not been taken.

If due to economic conditions or other changes in the operating conditions of the Village a position no longer exists, the Village will make a reasonable offer to restore employee to equivalent

employment; or if no such position exists, the Village will continue to consider the employee for equivalent employment that may arise for one year following the conclusion of leave.

NONDISCRIMINATION AND NO RETALIATION

The Village strictly prohibits any form of discrimination or retaliation in the administration of this Policy. The requesting or taking of leave under this Policy will not be used against an employee in any employment decision, including in the determination of raises, employment opportunities, or discipline. Similarly, leave under this Policy will not serve as a negative factor or count against any employee for purposes of meeting the Village's attendance requirements.

It is unlawful for the Village to interfere with, restrain, or deny the exercise of, or the attempt to exercise, employees' rights established under the FFCRA, the EFMLEA, or this Policy. The Village will not retaliate against individuals because of their participation in or commencement of an action, proceeding, or investigation related to leave entitlement under the FFCRA or this Policy or for opposing any practice made unlawful by the FFCRA. An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer in such cases.

EXPIRATION OF BENEFIT

In accordance with the EFMLEA, benefits pursuant to the EFMLEA and this policy expire on December 31, 2020.

QUESTIONS

If you have any questions regarding the operation or interpretation of this Policy, please contact the Support Services Manager.

FAMILIES FIRST CORONAVIRUS RESPONSE ACT
EMERGENCY PAID SICK LEAVE POLICY

In response to the public health crisis created by the pandemic spread of the COVID-19 virus (“coronavirus”), the Families First Coronavirus Response Act (“FFCRA”) was signed into law effective March 18, 2020. As part of the FFCRA, the Emergency Paid Sick Leave Act (“EPSLA”), established paid sick leave entitlement for eligible employees during an absence for qualifying reasons, as set forth below.

The Village desires to provide and maintain a safe and healthy workplace and is equally committed to complying with all applicable laws. Accordingly, the Village provides paid sick leave benefits to eligible employees in accordance with the EPSLA. This Policy is intended to provide employees with information regarding your rights and responsibilities as they relate to the paid sick leave afforded under the EPSLA. Should you have any questions about this Policy, please contact the Support Services Manager.

EMPLOYEE ELIGIBILITY

Eligible employees may receive emergency paid sick leave benefits, regardless of their length of employment with the Village, provided that a qualifying reason for leave exists and is adequately communicated to the Village as soon as practical. Paid sick leave under this Policy is available for immediate use for any of the qualifying reasons identified in Section B.

Employees who are classified as emergency responders are not eligible for paid sick leave or the benefits available under this policy or the FFCRA pursuant to Section 5102 of the FFCRA. The Village has classified the following positions as emergency responders for purposes of this policy:

- Village Administrator
- Crime Prevention Officer
- Custodian
- Deputy Treasurer
- Designated Operator
- DPW Administrative Assistant
- Finance Director
- Fire Admin Assistant
- Fire Battalion Chief
- Fire Captain
- Fire Chief
- Fire Lieutenant
- Firefighter
- Firefighter/EMT
- Firefighter/Paramedic
- Foreman Highways, Parks, Buildings and Grounds
- Heavy Equipment Operator
- Highway Parks Buildings & Grounds Crew Leader
- Maintenance Operator

- Mechanic I
- Mechanic II
- MPO
- Operator
- Police Captain
- Police Chief
- Police Clerk Typist
- Police Communications Officer
- Police Communications Supervisor
- Police Detectives
- Police Lieutenant
- Police Officer
- Police Secretary
- Public Works Director
- School Resource Officer
- Superintendent of Highways, Parks, Buildings and Grounds
- Superintendent of the Wastewater Utility
- Superintendent of the Water Utility
- Support Services Manager
- Village Clerk

The nature of the work performed by these employees, the possible need for additional staffing, and the exigent and dire circumstances that may exist when these employees are needed most necessitates their availability as emergency responders. The Village may amend this list of emergency responders at any time.

QUALIFYING REASONS FOR PAID SICK LEAVE

Employees may use emergency paid sick leave under this Policy if the employee is unable to work (or telework) due to any of the following reasons:

- i. The employee is subject to a Federal, State, or local quarantine or isolation order related to COVID-19;
- ii. The employee has been advised by a health care provider to self-quarantine due to concerns related to COVID-19;
- iii. The employee is experiencing symptoms of COVID-19 and seeking a medical diagnosis;
- iv. The employee is caring for an individual who is subject to an order or has been advised by a health care provider to self-quarantine;
- v. The employee is caring for a son or daughter of the employee and the school or place of care of the son or daughter has been closed, or the

child care provider of such son or daughter is unavailable, due to COVID-19 precautions; and

- vi. The employee is experiencing any other substantially similar condition specified by the Secretary of Health and Human Services.

~~Leave available under this Policy may only be used for reasons permitted by this Policy unless otherwise required by law. EPSLA leave available under this Policy and the FFCRA may only be used for reasons permitted by this Policy and the law.~~

Under this policy, the term “telework” means work the Employer permits or allows an employee to perform while the employee is at home or at a location other than the employee’s normal workplace. An employee will be considered to be able to telework if:

1. the Employer has work for the employee;
2. the Employer permits the employee to work from the employee’s location; and,
3. there are no extenuating circumstances (such as serious COVID–19 symptoms) that prevent the employee from performing that work.

Telework may be performed during normal hours or at other times agreed by Employer and Employee.

Under this policy and section B(iv) above, “individual” means an employee’s immediate family member, a person who regularly resides in the employee’s home, or a similar person with whom the employee has a relationship that creates an expectation that the employee would care for the person if he or she were quarantined or self-quarantined. For this purpose, “individual” does not include persons with whom the employee has no personal relationship requesting EPSLA Leave.

REQUESTING PAID SICK LEAVE

Employees may request leave under this Policy either orally or in writing, including email. Requests for leave should not be conveyed via voicemail unless circumstances prevent other forms of communication. Requests for paid sick leave should be directed to the Support Services Manager. An employee seeking such leave should notify the Village or the need for leave as soon as practical after the employee becomes aware of the need for paid sick leave but no later than the first workday (or portion of such workday) that the employee receives Paid Sick Leave. Please note that leave will not be automatically granted because you make a request. Your request will be evaluated and you will be notified whether or not your leave is granted.

The notice to the Village and request for leave must identify the need for leave as identified in Section B(i) – (vi) above.

An employee may request leave as follows, or on a designated form prepared by the Village:

Dear Support Services Manager,

I am requesting leave pursuant to the Emergency Paid Sick Leave Policy. My need for leave is based on Section (B)(INSERT SPECIFIC PROVISION) as identified in the Policy. I will need leave from _____, 2020 until _____, 2020.

*Sincerely,
Eligible Employee*

The Village may follow up with an employee requesting such leave to obtain additional information and to advise you of other benefits available to you including FMLA and EFMLEA benefits.

DURATION OF PAID SICK LEAVE

Eligible full-time employees are entitled to 80 hours of emergency paid sick leave under this Policy. Eligible part-time employees are entitled to a number of hours equal to the number of hours that they work, on average, over a 2-week period. If your hours of work are variable, the average bi-weekly hours you worked over the prior 6 months will be used. Unused paid sick leave under this Policy will not carryover from one year to the next and such leave expires no later than December 31, 2020. On an employee's separation from employment, any unused paid sick leave under this policy is not paid to the employee.

[EPSLA for qualifying reasons related to COVID-19 must be taken in full-day increments unless an intermittent schedule related to leave to care for a son or daughter has been agreed upon by Employer and the employee.](#)

[Except for that limited agreement, once an employee begins taking EPSLA leave the employee must continue to take paid sick leave each day until the employee either \(1\) uses the full amount of EPSLA leave or \(2\) the employee no longer has a qualifying reason for taking the leave. This limit is imposed because if the employee is sick or possibly sick with COVID-19, or caring for an individual who is sick or possibly sick with COVID-19, the intent of FFCRA is to provide such EPSLA leave as necessary to keep the employee from spreading the virus to others.](#)

COMPENSATION DURING LEAVE

When taking paid sick leave under sections B(i)-B(iii) above, employees are entitled to receive their regular rate of pay as compensation during a period of absence. However, in no event shall such paid sick time pay exceed \$511 per day and \$5,110 in the aggregate.

When taking paid sick leave under Sections B(iv) - B(vi) above, employees are entitled to receive two-thirds of their regular rate of pay as compensation during such leave. However, in no event shall such paid sick time exceed \$200 per day and \$2,000 in the aggregate.

[The eligible employee receives an aggregate maximum of 80 hours total if full-time \(i.e. scheduled for 40 hours or more\), and the aggregate maximum is prorated downward for employees working less than 40 hours per week. The eligible employee receives an aggregate maximum of 80 hours total if full-time and prorated downward for non-full-time employees.](#)

EFFECT ON EXISTING POLICIES

This Policy is not intended to replace any existing leave or paid time off policies maintained by the Village. Paid sick leave provided under this Policy is made available to eligible employees in addition to any leave or paid time off benefits provided under any of the Village's existing policies.

Eligible employees may first use paid sick leave under this Policy for any of the qualifying reasons identified in Section B above before using other accrued paid leave which may be available to the employee under any of the Village's existing policies. The Village is prohibited by law from requiring employees to first use other unused and accrued paid time off benefits to which employees may be entitled under other existing policies prior to using emergency paid sick leave under this Policy.

NONDISCRIMINATION AND NO RETALIATION

The Village strictly prohibits any form of discrimination or retaliation in the administration of this Policy. The requesting or taking of leave under this Policy will not be used against any employee in any employment decision, including in the determination of raises, employment opportunities, or discipline. Similarly, paid sick leave under any section of this Policy will not serve as a negative factor or count against any employee for purposes of meeting the Village's attendance requirements.

It is unlawful for the Village to interfere with, restrain, or deny the exercise of, or the attempt to exercise, employees' rights established under the EPSLA, or this Policy. The Village will not retaliate against individuals because of their participation in or commencement of an action, proceeding, or investigation related to paid sick leave entitlement under the EPSLA, or this Policy or for opposing any practice made unlawful by the EPSLA.

EXPIRATION OF BENEFIT

In accordance with the EPSLA, the paid emergency sick leave benefits under the EPSLA and in this Policy expire on December 31, 2020.

QUESTIONS

If you have any questions regarding the operation or interpretation of this Policy, please contact the Support Services Manager.

**VILLAGE OF GERMANTOWN
WASHINGTON COUNTY
RESOLUTION NO. 37-2020**

TO RESCIND A PORTION OF 2019 REAL PROPERTY TAXES GTNV 232049

WHEREAS, Real & Personal Property tax bills have been finalized and mailed for the 2019 tax year, and,

WHEREAS, a palpable error was made on parcel 232049 which resulted in an improvement value of \$303,000 rather than \$167,000, and

WHEREAS, Pursuant to S.70.74 or 75.25(2), Wisconsin Statutes., the Village Board may refund or rescind in whole or in part any general property tax shown on the tax roll if a palpable error has occurred, and

WHEREAS, the property will be filed with the Wisconsin Department of Revenue, Bureau of Local Financial Assistance as authorized under S.70.73 Correction of Errors by Assessors, and,

NOW THEREFORE the Village Board of the Village of Germantown, Washington County, Wisconsin, resolves as follows:

That the 2019 Real Property roll be rescinded by \$2,211.75 on the above referenced parcel and that said amount be charged back to each taxing jurisdiction pursuant to S. 74.41 WI Stats, and refunded to the homeowner as soon as their taxes are paid in full.

Introduced by: _____

Adopted: May 4, 2020

Vote: Ayes: _____ Nays: _____

Dean M. Wolter, Village President

ATTEST:

Deanna Braunschweig, WCMC/CMC
Village Clerk

VILLAGE OF GERMANTOWN
 N112W17001 MEQUON RD
 PO BOX 337
 GERMANTOWN WI 53022

WASHINGTON COUNTY - STATE OF WISCONSIN
 PROPERTY TAX BILL FOR 2019
 REAL ESTATE
 GIERACH, WILLIAM



Parcel Number: GTNV 232049
 Bill Number: 273668

273668/GTNV 232049
 WILLIAM GIERACH
 N116W15483 ROBERTS DR
 GERMANTOWN WI 53022

Important: Be sure this description covers your property. Note that this description is for tax bill only and may not be a full legal description. See reverse side for important information.

Location of Property/Legal Description
 N116W15483 ROBERTS DR
 Sec. 23, T9N, R20E
 LOT 1 BLK 7 KUHN'S PLEASANT VIEW #1 V380 P73
 0.000 ACRES

Please inform treasurer of address changes.

ASSESSED VALUE LAND	ASSESSED VALUE IMPROVEMENTS	TOTAL ASSESSED VALUE	AVERAGE ASSMT. RATIO	NET ASSESSED VALUE RATE	NET PROPERTY TAX
93,100	303,000	396,100	0.998532946	0.01626285 <small>(Does NOT reflect credits)</small>	6184.30
ESTIMATED FAIR MARKET VALUE LAND	ESTIMATED FAIR MARKET VALUE IMPROVEMENTS	TOTAL ESTIMATED FAIR MARKET VALUE	<input type="checkbox"/> A star in this box means unpaid prior year taxes.	School taxes also reduced by school levy tax credit	
93,200	303,400	396,600		602.11	
TAXING JURISDICTION	2018 EST. STATE AIDS ALLOCATED TAX DIST.	2019 EST. STATE AIDS ALLOCATED TAX DIST.	2018 NET TAX	2019 NET TAX	% TAX CHANGE
STATE OF WISCONSIN	0	0	0.00	0.00	
WASHINGTON COUNTY	526,426	565,670	572.73	909.60	58.8%
VILLAGE OF GERMANTOWN	1,845,093	1,917,459	1,147.21	1,854.67	61.7%
GERMANTOWN SCHOOL	10,722,819	10,819,486	1,863.63	3,208.09	72.1%
MILW AREA TECH COL	2,591,029	2,715,199	293.32	469.36	60.0%
TOTAL	15,685,367	16,017,814	3,876.89	6,441.72	66.2%
FIRST DOLLAR CREDIT			-65.19	-68.20	4.6%
LOTTERY AND GAMING CREDIT			-158.32	-189.22	19.5%
NET PROPERTY TAX			3,653.38	6,184.30	69.3%

TOTAL DUE: \$6,184.30
 FOR FULL PAYMENT, PAY TO LOCAL TREASURER BY:
JANUARY 31, 2020
 Warning: If not paid by due dates, installment option is lost and total tax is delinquent subject to interest and, if applicable, penalty.
 Failure to pay on time. See reverse.

FOR INFORMATION PURPOSES ONLY • Voter Approved Temporary Tax Increases

Taxing Jurisdiction	Total Additional Taxes	Total Additional Taxes Applied to Property	Year Increase Ends	Taxing Jurisdiction	Total Additional Taxes	Total Additional Taxes Applied to Property	Year Increase Ends
GERMANTOWN SCHOOL	3,276,318	462.84	2037				

PAY 1ST INSTALLMENT OF: \$2,998.30

BY JANUARY 31, 2020

AMOUNT ENCLOSED 2,998.30

MAKE CHECK PAYABLE AND MAIL TO:

VILLAGE OF GERMANTOWN
 PAYMENTS C/O US BANK
 PO BOX 78322
 MILWAUKEE, WI 53278-8322

PIN# GTNV 232049
 GIERACH, WILLIAM
 BILL NUMBER: 273668

Ad 1/20/2020



INCLUDE THIS STUB WITH YOUR PAYMENT

PAY 2ND INSTALLMENT OF: \$3,186.00

BY JULY 31, 2020

AMOUNT ENCLOSED _____

MAKE CHECK PAYABLE AND MAIL TO:

WASHINGTON COUNTY TREASURER
 432 E WASHINGTON ST, PO BOX 1986
 WEST BEND, WI 53095-7986

PIN# GTNV 232049
 GIERACH, WILLIAM
 BILL NUMBER: 273668



INCLUDE THIS STUB WITH YOUR PAYMENT

PAY FULL AMOUNT OF: \$6,184.30

BY JANUARY 31, 2020

AMOUNT ENCLOSED _____

MAKE CHECK PAYABLE AND MAIL TO:

VILLAGE OF GERMANTOWN
 PAYMENTS C/O US BANK
 PO BOX 78322
 MILWAUKEE, WI 53278-8322

PIN# GTNV 232049
 GIERACH, WILLIAM
 BILL NUMBER: 273668



INCLUDE THIS STUB WITH YOUR PAYMENT

1/6/2020

Mark Brown (920) 749-1995
from Assoc. Appraisals Called. Rec'd.
my letter). In reviewing records,
he found there was a data entry
error and our Tax bill is
incorrect. Because it was a
numerical error, by statute they
are allowed to make the change/
correction. Our appraisal should
be closer to \$250,000 rather
than \$396,100.00.

The file will be reviewed by
V. GTN in April/May and a
refund will be issued. It will
be in cash, not credit.

Kim Rath

From: Mark Brown <markb.apraz@gmail.com>
Sent: Tuesday, April 14, 2020 2:09 PM
To: Kim Rath
Cc: Deanna Braunschweig
Subject: Re: Wm. Gierach GTNV 232049

Kim,

The fastest way would be to rescind under 74.33 the error amount from their taxes due without proceeding through the BOR. If they have already paid the tax bill in full, a refund could also be issued under 74.33 without having to proceed with the correction of error statutory procedure under 70.43 at BOR.

Respectfully,

Mark Brown
President
Associated Appraisal Consultants, Inc.
Phone: 920-749-1995
Direct: 920-224-8802
Fax: 920-731-4158
markb.apraz@gmail.com
For Property Search: www.apraz.com

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On Tue, Apr 14, 2020 at 11:24 AM Kim Rath <krath@village.germantown.wi.us> wrote:

Sorry I didn't get back to you on this earlier, they are concerned about getting a refund, which way would make that happen sooner.

Kim Rath

Village of Germantown

From: Mark Brown <markb.apraz@gmail.com>
Sent: Monday, March 16, 2020 3:49 PM
To: Kim Rath <krath@village.germantown.wi.us>
Cc: Deanna Braunschweig <dbraunschweig@village.germantown.wi.us>
Subject: Re: Wm. Gierach GTNV 232049

Kim,

I have been in contact with Mr. & Mrs. Gierach regarding an error that occurred on their 2019 assessment. This occurred due to a clerical error in the data entry of an attachment (pergola) to the back of their dwelling. This error is considered a "palpable" error and I was going to be placing it on the 2020 BOR agenda as a Correction of Error by Assessor form. The correction amount is as follows:

2019 Assessment:

\$396,100

Corrected 2019 Assessment:

\$260,100

If the Village plans to correct via 74.33 please let me know so I don't submit to the BOR for approval.

Respectfully,

Mark Brown
President

Associated Appraisal Consultants, Inc.
Phone: 920-749-1995 ext. 8802

Fax: 920-731-4158

markb.apraz@gmail.com

For Property Search: www.apraz.com

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On Fri, Mar 13, 2020 at 1:02 PM Kim Rath <krath@village.germantown.wi.us> wrote:

Hi Mark – Mr. & Mrs. Gierach stopped in today informing us that their property may have been incorrectly assessed. Address N116 W15483 Roberts Drive. They have apparently been in contact with Associated and indicated you were going to make a change in their assessment. Please let us know the details of the assessment change so we can route it through the process in order to refund the resident and proceed with the chargeback if applicable.

Kim Rath, Finance Director

Village of Germantown

PO Box 337

N112 W17001 Mequon Road

Germantown, WI 53022

PH (262)250-4700 Fax (262)253-8255

krath@village.germantown.wi.us



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**VILLAGE OF GERMANTOWN
WASHINGTON COUNTY**

RESOLUTION NO. 38-2020

**A RESOLUTION EXTENDING THE DECLARED PUBLIC HEALTH EMERGENCY
IN RESPONSE TO THE COVID-19 CORONAVIRUS**

WHEREAS, COVID-19, a novel strain of the coronavirus, was detected in December, 2019, and has subsequently spread throughout numerous countries and the United States including Wisconsin; and

WHEREAS, international organizations, the federal, state, and local governments are all working together to contain COVID-19; and

WHEREAS, citing the World Health Organization's declaration of a Public Health Emergency of International Concern, and the United States Department of Health and Human Services declaration of a Public Health Emergency, the State of Wisconsin has declared a Public Health Emergency by Executive Order #72; and

WHEREAS, the Village Board adopted Resolution No. 27-2020 on March 16, 2020 declaring a local public health emergency within the Village of Germantown; and

WHEREAS, the Emergency Declaration in Resolution No. 27-2020 is set to expire on May 15, 2020; and

WHEREAS, the conditions necessitating the Emergency Declaration continue to exist and are projected to exist for some time; and

WHEREAS, the Village of Germantown has been working to protect the community from the spread of this disease, and to prepare for the impacts it may have; and

WHEREAS, in order to protect the health and well-being of residents and visitors, the Village of Germantown must avail itself of all resources needed to respond to and contain the presence of COVID-19 and to address the continuing response to the pandemic.

NOW, THEREFORE, BE IT RESOLVED, by the Village Board of the Village of Germantown, Wisconsin, as follows:

1. That there continues to exist within the Village of Germantown a Public Health Emergency as defined in Wis. Stat. § 323.02(16). Specifically, there is threat of an illness or health condition that appears to be caused by a novel biological agent that poses a high probability of widespread exposure and that creates a significant risk of substantial future harm to a large number of people.

2. Pursuant to Wis. Stat. § 323.11, the Health Emergency Declaration established by Resolution No. 27-2020 shall be extended until July 7, 2020 unless otherwise revoked or extended by Resolution.

Introduced by: _____

Adopted: May 4, 2020

Vote: Ayes: _____ Nays: _____

Dean M. Wolter, Village President

ATTEST:

Deanna Braunschweig, WCMC/CMC
Village Clerk