

## ORDINANCE INDEX

| ORDINANCE NO. | DESCRIPTION  | ADOPTION DATE     |
|---------------|--|-------------------|
| 10-01         | Amend Chapter 212, § 212-11 of the Pierce County Code  | July 27, 2010     |
| 10-02         | Amend Chapter 212, § 212-11 of the Pierce County Code  | July 27, 2010     |
| 10-03         | Amend Chapter 180, §180-18 of the Pierce County Code   | August 24, 2010   |
| 10-04         | Rezone 8.391 Acres from General Rural Flexible 8 to Rural Residential 12 in the Town of Oak Grove: Steve Bense and Leslie McGinnis-Bense | October 26, 2010  |
| 10-05         | Amend Chapter 237 of the Pierce County Code: Subdivision of Land   | November 09, 2010 |

## RESOLUTION INDEX

| RESOLUTION NO. | DESCRIPTION   | ADOPTION DATE      |
|----------------|---|--------------------|
| 10-01          | Commendation to Former County Board Supervisors   | April 20, 2010     |
| 10-02          | Amend Fees for Issuing Permits and Making Inspections and Investigations of Certain Types of Establishments   | April 20, 2010     |
| 10-03          | Authorize Payment of \$11,806.68 from 2009 Human Services Surplus Levy Funds to Family Resource Center of St. Croix Valley for Services Provided to Pierce County Families  | April 20, 2010     |
| 10-04          | Appeal for Exemption from State Audit Mandate §46.036(5m)(F), Wis. Stats.   | April 20, 2010     |
| 10-05          | Authorize Land Management Department to Apply for Department of Natural Resources Shoreland-Wetland Grant   | April 20, 2010     |
| 10-06          | Authorization to Approve Contracting With Municipalities to Collect First Installment Tax Payments  | April 20, 2010     |
| 10-07          | Authorize Purchase of Dodge Property (388 W. Grove Street and 420 W. Grove Street) in the Village of Ellsworth  | April 20, 2010     |
| 10-08          | Transfer of Funds from the General Fund for 2009 Sheriff's Department Jail Budget Deficit   | June 22, 2010      |
| 10-09          | Authorize the Issuance and Awarding the Sale of \$1,695,000 Taxable General Obligation Promissory Notes, Series 2010a (Recovery Zone Economic Development Bonds - Direct Pay); Providing the Form of the Notes; and Levying a Tax in Connection Therewith | May 25, 2010       |
| 10-10          | Create the Position of Patrol Lieutenant - Sheriff's Department   | June 22, 2010      |
| 10-11          | Authorize Execution of Agreement for Disposal of Dredge Material by Hoffman Construction on County Land - Stogdill Pit  | July 27, 2010      |
| 10-12          | Place Advisory Referendum Question on November Ballot   | July 27, 2010      |
| 10-13          | Create Land Information Council   | September 28, 2013 |
| 10-14          | Amend Fees and Authorize Pierce County Register of Deeds to Collect an  | October 26, 2010   |

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|-------|---|----------------------|
|       | Additional \$5.00 Per Document Fee for the Purpose of Redaction of Social Security Numbers Found Within Pierce County Real Estate Records   |                      |
| 10-15 | Amend Personnel Policy Article IX. Employee Benefits, Section L. Employee Training: Attending Conferences and Conventions and Article XII. Pierce County Travel Policy  | October 26, 2010     |
| 10-16 | Adopt Pierce County Outdoor Recreation Plan 2010-2014   | October 26, 2010     |
| 10-17 | Authorize Increase In Hours For Drug Court Coordinator  | September 28, 2010   |
| 10-18 | SUMMARY OF Pierce County 2011 INITIAL BUDGET WITH COMPARISON TO PRIOR YEAR BUDGETS  | November 09, 2010    |
| 10-19 | Order Issuance of Deed to Pierce County for Property Subject to Tax Certificate   | November 09, 2010    |
| 10-20 | Care of Soldiers' Graves  | November 09, 2010    |
| 10-21 | Claims for Listing Dogs   | November 09, 2010    |
| 10-22 | Ratify Community Health Association, L.A.W. Bargaining Agreement  | January 25, 2011     |
| 10-23 | Establish 2011 Salaries and Benefits for Non-Represented Employees  | February 22, 2011    |
| 10-24 | Dog Damage Claims   | February 22, 2011    |
| 10-25 | Develop a Closed Point of Dispensing (POD) Plan and Establish an Ad Hoc POD Development Committee   | March 22, 2011       |
| 10-26 | Amend the Personnel Policy to include Lockdown Guidelines   | March 22, 2011       |
| 10-27 | Amend Personnel Policy Article XI: Conditions of Employment, Section L. Employee Identification / Access Cards Policy   | March 22, 2011       |
| 10-28 | Eliminate Positions of Assistant Public Health Director/Health Officer II and the .6 FTE WIC Manager and Authorize Creation of Public Health Manager/Wic Director Position .8 FTE (1,664 Hours)                               | March 22, 2011       |
| 10-29 | Authorization to Purchase Sheriff's Department Computer Software/Hardware for Records Management, Computer Aided Dispatch, Civil Process, Jail Management, Mobile Computer and Automated Vehicle Location System (RMS System) | February 22, 2011    |
| 10-30 | <i>(This resolution was presented but did not pass. The County Board will retain 17 supervisory districts.</i> Change the Number of County Board Supervisory Districts as Part of Decennial Redistricting Process             | No Motion to approve |
| 10-31 | Opposing Elimination of Municipal Recycling Requirements and Opposing Elimination of Recycling Grant Programs   | March 22, 2011       |
| 10-32 | Maintain Certain Benefits for Represented Employees on a Temporary Basis in Response to Budget Repair Bill (2011 Wisconsin Act 10)  | March 22, 2011       |
| 10-33 | Ratify Collective Bargaining Agreements for Teamsters Human Services Professionals, AFSCME Courthouse, AFSCME Highway , and AFSCME Human Services Support Staff   | March 22, 2011       |

## ORDINANCE 10-01

Amend Chapter 212, § 212-11 of the Pierce County Code -Tattooing and Body Piercing to  
Eliminate Reference to Department of Health and Family Services

Pierce County Board of Supervisors Does Hereby Ordain as Follows:

SECTION 1: That Chapter 212, § 212-11 of the Pierce County Code is hereby revised as follows:

§ 212-11. Regulations, rules and laws adopted by reference.

The applicable regulations, rules and laws set forth in §§ 252.23, 252.24 and 252.245, Wis. Stats., and Chapter HFS DHS 173 of the Wisconsin Administrative Code are incorporated in this chapter by reference and they shall be construed, read and interpreted as though fully set forth herein. The express provisions of this chapter shall control where more restrictive.

SECTION 2: That this Ordinance shall become effective upon its adoption and publication as required by law.

Dated this 22nd day of June, 2010.

## **ORDINANCE 10-02**

### **Amend Chapter 184 of the Pierce County Code - Retail Food Establishments and Public Accommodations to Eliminate Reference to Department of Health and Family Services and Create Appeals Procedure**

PIERCE COUNTY BOARD OF SUPERVISORS DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: That Chapter 184 of the Pierce County Code is hereby revised as follows:

#### **§ 184-1 Authority and purpose.**

This chapter is adopted pursuant to that authority provided by § 251.04(3), Wis. Stats., to protect and improve the health of the public. Section 254.69(2), Wis. Stats., authorizes the Pierce County Public Health Department to become the designated agent of the State Department of Health Services for the purpose of establishing permit fees, issuing permits and making investigations or inspections of hotels, motels, tourist rooming houses, restaurants, bed-and breakfast establishments, campgrounds and camping resorts, recreational and educational camps and public swimming pools and in making investigations and inspections of food vending machines, their operators and vending machine commissaries for the purpose of establishing permit fees, issuing permits and making investigations or inspections of retail food establishments, taverns, hotels, restaurants, tourist rooming houses and other establishments and for the purpose of enacting local regulations governing these establishments which may be more strict than state law.

#### **§ 184-2 Applicability.**

The provisions of this chapter shall apply to the owner and operator of any retail food establishment, hotel, motel, tourist rooming house, restaurant, bed-and-breakfast establishment, campground and camping resort, recreational and educational camp, public swimming pool, vending machine commissary or vending machine in all areas of Pierce County.

#### **§ 184-3 Definitions.**

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| <p>A. In addition to those definitions set forth expressly hereinafter, all definitions set forth in Chapters 97, 125, 251 and 254, Wis. Stats., and Wisconsin Administrative Code Chapters DHS 172, 175, 178, 192, 195, 196, 197 and 198 and COMM 90 are incorporated herein by reference and they shall be construed, read and interpreted as if set forth herein until amended and then shall apply as amended.</p> <p>B. As used in this chapter, the following terms shall have the meanings indicated:</p> <p>A/W VALUE<br/>Water Activity.</p> <p>DUPLICATE PERMIT FEE<br/>A fee for the replacement of an original permit.</p> <p>FULL FOOD SERVICE<br/>The preparing of food on premises and serving of this food on premises or to a transient population</p> <p>HEALTH DEPARTMENT<br/>The Pierce County Public Health Department.</p> <p>INSPECTION FEE<br/>A fee for on-site visits, limited to two, to determine that establishments identified in this chapter are compliant with the statutes and administrative codes that govern their operation.</p> <p>LATE FEE<br/>A fee for failure to pay established fees in a timely manner.</p> <p>LIMITED FOOD SERVICE</p> |
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The serving of food which is prepared and packaged off the premises with preparation on the premises limited to heating and serving.

#### LOCAL HEALTH OFFICER

The health officer who is in charge of a local health department.

#### MOBILE RESTAURANT

A restaurant operating from a movable vehicle, pushcart, trailer or boat which periodically or continuously changes location and wherein meals or lunches are prepared or served or sold to the general public, excepting those vehicles used in delivery or preordered meals or lunches prepared in a licensed restaurant.

#### OPERATOR

The owner or person responsible to the owner for the operations of the hotel, motel, bed-and-breakfast establishment, food service establishment or beverage establishment, vending machine commissary and/or vending machine, campground, camping resort, recreational/educational camp or public swimming pool.

#### POTENTIALLY HAZARDOUS FOOD

- (1) A food that is natural or synthetic and that requires temperature control because it is in a form capable of supporting:
  - (a) The rapid and progressive growth of infectious or toxigenic microorganisms;
  - (b) The growth and toxin production of *Clostridium botulinum* (*C. botulinum*); or
  - (c) In raw egg shells, the growth of *Salmonella enteritidis* (*S. enteritidis*).
- (2) "Potentially hazardous food" includes an animal food (a food of animal origin) that is raw or heat treated; a food of plant origin that is heat treated or consists of raw seed sprouts; cut melons; and garlic and oil mixtures that are not acidified or otherwise modified at a food processing plant in a way that results in mixtures that do not support growth as specified under Subsection (1) of this definition.
- (3) "Potentially hazardous food" does not include:
  - (a) An air-cooled hard-boiled egg with shell intact;
  - (b) A food with an a/w value of 0.85 or less;
  - (c) A food with a pH level of 4.6 or below when measured at 24°C (75°F);
  - (d) A food in an unopened hermetically sealed container that is commercially processed to achieve and maintain commercial sterility under conditions of nonrefrigerated storage and distribution;
  - (e) A food for which laboratory evidence demonstrates that the rapid and progressive growth of infectious or toxigenic microorganisms or growth of *S. enteritidis* in eggs or *C. botulinum* cannot occur such as a food that has an a/w and a pH that are above the levels specified under Subsections 3(b) and (c) of this definition and that may contain a preservative, other barrier to growth of microorganisms or a combination of barriers that inhibit the growth of microorganisms;
  - (f) A food that may contain an infectious or toxigenic microorganism or chemical or physical contaminant at a level sufficient to cause illness but that does not support the growth of microorganisms as specified under Subsection (1) of this definition.

#### PRE-INSPECTION FEE / CONSULTATION FEE

A fee for the consultative services offered within a six-month period from the date of permit application to persons intending to operate a new hotel, tourist rooming house, bed-and-breakfast establishment, restaurant, vending machine commissary or retail food establishment or to a person intending to be the new operator of an existing hotel, tourist rooming house, bed-and-

breakfast establishment, restaurant, vending machine commissary or retail food establishment.

#### RE-INSPECTION FEE

A fee for the third and subsequent inspections needed to address compliance issues with the statutes and administrative codes that govern their operation.

#### RESTAURANT

Any building, room or place where meals are prepared, served or sold to transients or the general public and all places used in connection with the building, room or place and includes any public or private school lunchroom for which food service is provided by contract. "Restaurant" does not include:

- (1) Taverns that serve free lunches consisting of popcorn, cheese, crackers, pretzels, cold sausage, cured fish or bread and butter;
- (2) Churches, religious, fraternal, youth or patriotic organizations, service clubs and civic organizations which occasionally prepare, serve or sell meals to the general public;
- (3) Any public or private school lunchroom for which food service is directly provided by the school, except as required by state and federal laws;
- (4) Any food service provided solely for needy persons;
- (5) Bed-and-breakfast establishments;
- (6) A private individual selling food from a movable or temporary stand at a public farm sale;
- (7) Any college campus, as defined in § 36.05(6m), Wis. Stats., institution as defined in § 36.51(1)(b), Wis. Stats., or technical college that serves meals only to the students enrolled in the college, institution or school or to authorized elderly persons under § 36.51 or 38.36, Wis. Stats.; or
- (8) A concession stand at a locally sponsored sporting event, such as a little league game.

#### RETAIL FOOD ESTABLISHMENT

A permanent or mobile food processing facility where food processing is conducted primarily for direct retail sale to consumers at the facility, a mobile facility from which potentially hazardous food is sold to consumers at retail or a permanent facility from which food is sold to consumers at retail, whether or not that facility sells potentially hazardous food or is engaged in food processing.

#### TEMPORARY RESTAURANT

A restaurant that operates at a fixed location in conjunction with a single event, such as a fair, carnival, circus, public exhibition, anniversary sale or occasional sales promotion.

#### TEMPORARY SUSPENSION

The revocation of a permit for a time period set for no less than 24 hours and no greater than one week as determined by the Health Officer and/or his or her designee.

#### VENDING MACHINE

Any self-service device offered for public use when, upon insertion of a coin or token or by other means, dispenses unit servings of food or beverage in either bulk or in package, without the necessity of replenishing the device between each vending operation. "Vending machine" does not include a device which dispenses only bottled, prepackaged or canned soft drinks, a vending machine dispensing only candy, gum, nuts, nut meats, cookies or crackers or a vending machine dispensing only prepackaged Grade A pasteurized milk or milk products.

#### VENDING MACHINE COMMISSARY

Any building, room or place in the state at which foods, containers, transport equipment or suppliers for vending machines are kept, handled, prepared or stored by a vending machine operator, except a place at which the operator is licensed to manufacture, distribute or sell food

products under Chapter 97, Wis. Stats.

§ 184-4 Administration; right of entry.

The provisions of this chapter shall be administered by or under the direction of the Health Officer of the Health Department who, in person or by duly authorized representatives, shall have the right to enter, at reasonable hours, upon premises affected by this regulation to inspect the premises, secure samples or specimens, examine and copy relevant documents and records or obtain photographic or other evidence needed to enforce this chapter.

§ 184-5 Permit required; conditions.

- A. No person shall operate a retail food establishment, bed-and-breakfast establishment, hotel, motel, tourist rooming house, restaurant, campground and camping resort, recreational and educational camp or public swimming pool without first obtaining a permit from the Health Department. Permits shall be issued on an annual basis, commencing with July 1 and ending on the following June 30. Each such permit shall expire on June 30 of each year following its issuance, except that permits initially issued during the period beginning on April 1 and ending June 30 shall expire June 30 of the following year. The issuance of a permit may be conditioned upon the permittee correcting a violation of this chapter within a specified period of time. If the condition is not met within the specified period of time, the permit shall be voided. The permit shall not be transferable to a location other than the one for which it was issued, nor shall a permit be transferred from one operator to another, subject to the express exception of the following:
- (1) As to location, temporary permits may be transferred.
  - (2) As to the operator, a permit of nonretail food establishment operator may be transferred to an individual who is an immediate family member of the operator if the operator is transferring operation of the establishment or vending machine to that immediate family member. A parent, child, stepchild, grandchild, sibling or stepsibling shall be considered an immediate family member for purposes of this chapter.
- B. Operators or permittees of temporary restaurants whom the Health Department has found to be uncooperative or habitual violators of this chapter may be denied a permit to operate. A temporary permit may be transferred to a premises other than that for which it was issued, provided that the approval of the new premises is secured from the Health Department prior to operating at the new premises.
- C. No permit shall be granted to any person under this chapter without a pre-inspection by the Health Department of the premises for which the permit shall be granted.
- D. No permit shall be issued until all application fees have been paid.
- E. If a change of operator occurs at a licensed facility during a portion of the fiscal year(s) and the Health Department is not notified until a permit renewal period. A fee shall be collected from the new operator for the old fiscal year(s) that he or she operated. This applies only to facilities previously licensed that have changed operators. It does not apply to facilities that have never been licensed.

§ 184-6 Application for permit.

Applications and fees for permits shall be made in writing to the Health Department on forms developed and provided by the Health Department stating the name and address of the proposed applicant and operator and the address and location of the proposed establishment, together with any such other information as may be required. The application and fees shall be submitted at least fourteen (14) days prior to date of opening or operation. The Health Department shall either approve the application or deny the permit with 30 days after receipt of a complete application.

§ 184-7 Fees.

Fees for the issuance of permits, the making of investigations, inspections, training and technical assistance to establishments covered pursuant to this chapter, plus the costs required to be paid to the state for each permit issued, are established pursuant to this chapter and subject to amendment, from time to time, upon recommendation of the Pierce County Administrative Coordinator and approval of the County Board of Supervisors. In addition, separate preinspection fees are established with respect to new establishments or existing establishments that have been transferred to a new owner.

§ 184-8 Public display of permit.

Every licensed establishment shall be required to obtain a permit pursuant to this chapter and shall display such permit, at all times, in a conspicuous public place.

§ 184-9 Suspension and revocation of permit.

Permits issued by the Health Department pursuant to this chapter may be temporarily suspended for a violation of any provisions hereof or the state statutes or Administrative Code provisions adopted by reference herein, if the Health Department determines that an immediately danger to health exists. After repeated violations of this chapter or violations which have already created a serious public health hazard, permits may be permanently revoked. Decisions of the Health Department shall be subject to review in the manner provided in Chapter 227, Wis. Stats.

§ 184-10 Laws, rules and regulations adopted by reference.

The applicable laws, rules and regulations as set forth in Chapters 97, 125, 251 and 254, Wis. Stats., and Chapters DHS 172, 175, 178, 192, 195, 196, 197 and 198 and COMM 90 of the Wisconsin Administrative Code are incorporated in this regulation by reference and they shall be construed, read and interpreted as fully set forth herein until amended and then shall apply as amended. The express provisions of this chapter shall control where more restrictive.

§ 184-11 Violations and penalties.

Any person who violates or refuses to comply with any provisions of this chapter shall be subject to a forfeiture of not less than \$100 and not more than \$1,000 for each offense and/or revocation or amendment of his or her applicable permit. Each day a violation exists or continues shall be considered a separate offense. Where appropriate, injunctive relief may be sought by the Health Department against continuing violations. In the alternative, the Health Department may pursue enforcement of such sections of these regulations as are prosecutable.

§ 184-12 Appeals.

Appeals from Health Department orders shall be pursuant to Health Department policy adopted in conformance with the procedures for conducting appeals enumerated in Chapter 68, Wis. Stats. Copies of the appeal procedures shall be available at the Health Department. An appeal does not eliminate the Department's right to seek court intervention in the form of injunctive or other relief against continuing violations.

SECTION 2: That this Ordinance shall become effective upon its adoption and publication as required by law.

Dated this 27<sup>th</sup> day of July, 2010.



## ORDINANCE 10-03

Amend Chapter 180, §180-18 of the Pierce County Code

PIERCE COUNTY BOARD OF SUPERVISORS DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: That Chapter 180, § 180-18 of the Pierce County Code is hereby revised as follows:

§ 180-18. Initiation of Legal Action.

Legal action shall be initiated against a violator as requested by the Local Health

F. Officer or other county official in accord with the following: The County Corporation Counsel shall be responsible for all cases where an injunction to correct and/or abate a violation is being sought and for all cases where a court-imposed forfeiture is being sought.

(1) The County Corporation Counsel shall be responsible for all cases where an injunction to correct and/or abate a violation is being sought.

(2) The County District Attorney shall be responsible for all cases where a court-imposed forfeiture is being sought.

SECTION 2: That this Ordinance shall become effective upon its adoption and publication as required by law.

Dated this 27th day of July, 2010.

# ORDINANCE 10-04

## **Rezone 8.391 Acres from General Rural Flexible 8 to Rural Residential 12 in the Town of Oak Grove: Steve Bensend & Leslie McGinnis-Bensend**

The Board of Supervisors of Pierce County, Wisconsin does ordain as follows:

Section 1: The Official Pierce County Zoning Map for the Town of Oak Grove is amended to change the zoning from General Rural Flexible 8 to Rural Residential 12 on 8.391 acres of land located in Lot 1 of that Certified Survey Map (CSM) recorded in Volume 2 of Pierce County CSMs, Page 161, Outlot B, part of Outlot A, and part of Lot 1 of that CSM recorded in Volume 6 of Pierce County CSMs, Page 52, all located in the NE ¼ of the NE ¼ of Section 34, and the NW ¼ of the NW ¼ of Section 35, all in T26N, R19W, Town of Oak Grove, Pierce County, Wisconsin; described as follows:

*Beginning at the NW corner of said Section 35; thence, S87°31'42" E (assumed bearing on the North line of the NW ¼ of said Section 35 and on the North line of said Lot 1 of the CSM recorded in Volume 2 of Pierce County CSMs, page 161, recorded as S89°09'05"E), 345.00 feet to the NE corner of said Lot 1; thence, along the East line of said Lot 1, S01°37'15"W (recorded as S00°00'08"E), 925.06 feet to the SE corner of said Lot 1; thence, along the South line of said Lot 1, N88°37'48"W (recorded as S89°44'49"W), 345.00 feet to the SW corner of said Lot 1, a point on the East line of said Outlot B, and a point on the West line of the NW ¼ of said Section 35; thence, along said West line of said East line, S01°37'23"W (recorded as S00°00'00"W), 37.15 feet to a point on the centerline of 1050th Street and the South corner of said Outlot B; thence NW along said centerline and the SW line of said Outlot B, a curved line, concave to the SW, having a radius of 700.00 feet, whose chord bears N14°52'50"W, 397.71 feet to the West corner of said Outlot B; thence, along the NW line of said Outlot B, N44°58'13" E, 33.91 feet to a point on the NE right-of-way line of said 1050th Street; thence, NW along said NE right-of-way line, a curved line, concave to the SW, having a radius of 733.00 feet, whose chord bears N35°31'15.5"W, 89.79 feet; thence, continuing along said NE, N39°01'57"W, 29.48 feet to its intersection with the SE right-of-way line of 438th Avenue; thence, NE along said SE right-of-way line, a curved line, concave to the NW, having a radius of 633.00 feet, whose chord bears N34°05'31"E, 303.86 feet to a point on the West line of the NW ¼ of said Section 35; thence, along said West line, N01°37'23"E (recorded as N00°00'00"E), 212.58 feet to the Point of Beginning, containing 365,492 square feet or 8.391 acres.*

Section 2: That this ordinance shall not be codified.

Section 3: That this ordinance shall take effect upon passage.

Dated this 28th day of September 2010.

## ORDINANCE 10-05

### Amend Chapter 237 of the Pierce County Code: Subdivision of Land

Pierce County Board of Supervisors Does Hereby Ordain as Follows:

SECTION 1: That Chapter 237, Article I, § 237-4 of the Pierce County Code is hereby revised as follows

§ 237-4 Abrogation and interpretation.

- A. It is not the intent of this chapter to repeal, abrogate, annul, impair or interfere with any existing easements, covenants, agreements or permits previously adopted or issued pursuant to laws. After enactment, where it imposes greater restrictions, the provisions of this chapter shall govern.
- B. In their interpretation and application, the provisions of this chapter shall be held to be minimum requirements and shall be liberally construed in favor of the county and shall not be deemed a limitation or repeal of any other power granted by the Wisconsin Statutes. After enactment of the ordinance codified in this chapter, where it imposes greater restrictions than state statutes, the provisions of this chapter shall govern.
- C. In areas subject to requirements of the Pierce County Zoning Ordinance, if the zoning lot requirements change, only those lots which are legally recorded with the Pierce County Register of Deeds may qualify for grandfathered status. To avoid future zoning changes that might affect the lots, it is advisable for applicants to record all approved land divisions as soon as possible.
- D. Certified Survey Maps, Preliminary Plats and Final Plats shall comply with the ordinance which was in effect at the time that the plat was submitted.
- E. Nothing in this chapter shall be construed to prohibit a town, village or city from adopting an ordinance more restrictive than the limitations contained herein.

SECTION 2: That Chapter 237, Article III, § 237-17 of the Pierce County Code is hereby revised as follows:

§ 237-17 Procedure for approval of preliminary plat.

- A. Submittal. After concept plan approval the applicant shall submit to the Pierce County Department of Land Management, at least 20 calendar days prior to the Land Management Committee meeting at which it is to be considered, the following:
  - (1) A signed application form requesting review and approval of a preliminary plat. The Department of Land Management shall be authorized to reject any application deemed incomplete.
  - (2) Eight copies of the preliminary plat plus any additional copies as may be required for other reviewing agencies. The plat shall be based upon a survey prepared by a registered land surveyor on reproducible material and shall show the following information unless waived in whole or in part in writing by the Zoning Administrator:
    - (a) All requirements of § 236.20, Wis. Stats.
    - (b) The names and addresses of the owner and registered surveyor preparing the plat and date of preparation.
    - (c) An eight-and-one-half-inch-by-eleven-inch reproducible copy of the proposed plat.
    - (d) The location and names of adjacent platted lands and the owners of adjoining parcels of unplatted land, including the use and zoning of adjacent land.
    - (e) Contours at vertical intervals of not more than two feet, with slopes of 12% or greater and 20% or greater delineated.
  - (3) Accompanying information shall include:
    - (a) Erosion control plans.
    - (b) Areas of filling, grading, lagooning or dredging.
    - (c) Sufficient soil tests to establish the suitability of soil absorption wastewater systems for each lot.
    - (d) Any restrictive covenants related to the proposed land division.

- (e) A statement and location of any improvements proposed to be provided by the applicant.
- (f) A statement from the appropriate town, county or state agency approving access connections onto existing road system.
- (4) Any additional information required by the Land Management Committee. Any cost involved in producing and reviewing such additional information shall be the responsibility of the applicant.
- (5) A review fee established by the County Board of Supervisors. Review fees required by other reviewing agencies shall be submitted to those agencies.
- (6) The applicant also shall submit the original drawing of the preliminary plat to the appropriate state plat review agency, in accordance with § 236.12(6), Wis. Stats.
- (7) Erosion control bond. Applicant shall submit a bond, ~~or~~ irrevocable letter of credit, or other financial surety for erosion control work. The amount of the bond shall be 200% of the estimated cost of installing and maintaining erosion control for all project improvements. The additional amount is to compensate the county if necessary for any administrative expenses and repair work which may be necessary should the applicant fail to install and maintain measures correctly. The surety shall be limited to work associated with the phase for which the approval is sought. The Department may not require that the subdivider provide the surety sooner than is reasonably necessary before the commencement of the installation of improvements.

B. Requirements.

- (1) The preliminary plat shall comply with the Pierce County Zoning, Floodplain and St. Croix Riverway Zoning Ordinances, if applicable, and the Pierce County Land Management Plan, the approved concept plan, and other adopted county plans and ordinances.
- (2) The preliminary plat shall comply with the requirements of Article IV, Design Standards, and Article V, Improvements.
- (3) Land subject to hazards of life, health or property shall not be subdivided for residential purposes until all such hazards have been eliminated or unless adequate safeguards against such hazards are provided by the subdivision plan.
- (4) Each applicant shall prepare and submit an erosion control plan with respect to each proposed plat, and for any acreage from which allowable densities are transferred under § 240-25(6) of the Pierce County Code, which plan shall conform with standards.

C. Review and decision.

- (1) After reviewing the preliminary plat and data for compliance with this chapter, the Land Management Committee shall either approve, approve conditionally or reject the preliminary plat and shall state in writing any conditions of approval or reasons for rejection.
- (2) Failure of the Committee to act within 90 calendar days of submittal of the preliminary plat shall constitute an approval of the preliminary plant, unless such time is extended by agreement with the applicant.
- (3) Approval of the preliminary plat shall entitle the applicant to final approval of the layout shown by such plat if the final plat is submitted within ~~six~~ 36 months of the date of approval of the preliminary plat and substantially conforms to such layout and conditions attached to the approved preliminary plat. The Land Management Committee may extend the time for ~~acceptance~~ submission of the final plat ~~to 24 months~~.
- (4) Before a preliminary plat may be approved by the Land Management Committee, it shall be referred to the Land Conservation Department and Committee for review of its erosion control plan, upon whose written comments the Committee shall condition and accept, or where insufficient, reject a preliminary plat as submitted.

SECTION 3: That Chapter 237, Article III, § 237-18 of the Pierce County Code is hereby revised as follows:

§ 237-18 Procedure for approval of final plat.

A. Submittal. The applicant shall submit the following:

- (1) Eight copies of the final plat shall be submitted to the Pierce County Department of Land Management by the applicant. The final plat may constitute only that portion of the approved preliminary plat ~~which that~~ the applicant proposes to record at that time. Final plats shall substantially conform to the approved preliminary plat, and to the requirements of Chapter 236, Wis. Stats., including § 236.20, Wis. Stats., but contours do not have to be shown.
- (2) The applicant shall also submit the original drawing of the final plat to the appropriate state plat review agency, in accordance with § 236.12(6), Wis. Stats. Such plats shall comply fully with the requirements of Chapter 236, Wis. Stats.
- (3) The applicant shall submit a copy of the plat to the township(s) in which the proposed land division is located.
- (4) Submission for Subsections A(2) and (3) of this section shall be made at the same time as copies are submitted to the county, and the applicant shall provide the county with a written statement of the date that required materials were sent to all appropriate agencies.
- (5) Road construction. Applicant shall provide a statement from the appropriate town, county or state agency that all roads have been constructed to standards, except that final paving may occur after final approval.

B. Requirements.

- (1) The final plat shall be prepared by a registered land surveyor and shall comply with the requirements of § 236.20, Wis. Stats., and any other information as required by the Land Management Committee during preliminary plat approval.
- (2) The final plat shall show on its face all lands reserved for future public dedication or reserved for the common use of the property owners within the plat. If common property is located within the plat, then provisions for its use, maintenance and ownership must also be provided with the plat.
- (3) Certificates. All final plats shall provide all the certificates required by § 236.21, Wis. Stats.

C. Final plat review and approval.

- (1) The Department shall provide the Land Management Committee with its conclusions as to whether the final plat substantially conforms to the preliminary plat and with its recommendation on approval of the final plat. The conclusions and recommendation shall be made a part of the public record at the proceeding which the final plat is being considered and are not required to be submitted in writing. The Land Management Committee shall examine the final plat as to its substantial conformance with the approved preliminary plat, any conditions of approval of the preliminary plat and the requirements of this chapter.
- (2) The Land Management Committee shall not grant final approval until the state plat review agency has submitted a letter of no objection to the plat and the appropriate township(s) has indicated agreement to accept any dedications.
- (3) The Land Management Committee shall approve or reject the final plat and shall state in writing any reasons for rejection.
- (4) Failure of the Land Management Committee to act within 60 calendar days of submittal of the final plat shall constitute an approval of the final plat, unless such time is extended by agreement with the applicant.

SECTION 4: That Chapter 237, Article III, § 237-19 of the Pierce County Code is hereby revised as follows:

§ 237-19 Recording.

~~Within 30 calendar days of the date of~~ 12 months after the last approval and 36 months from the first approval of the final plat, the plat shall be filed by the applicant for recording with the Register of Deeds of

Pierce County in accordance with § 236.25, Wis. Stats. Failure to record the plat within ~~30 days~~ 12 months after the last approval and 36 months from the first approval shall nullify the approval of the final plat.

SECTION 5: That this Ordinance shall become effective upon its adoption and publication as required by law.

Dated this 9<sup>th</sup> day of November, 2010.

**RESOLUTION 10-01**

**Commendation to Former County Board Supervisors**

WHEREAS, Jim Camery, Rich Purdy, Nikki Shonoiki, Ron Lockwood and John Kucinski have served on numerous committees as well as participated in many sessions of the Pierce County Board of Supervisors; and

WHEREAS, these five members of the Pierce County Board of Supervisors have given a great deal of their time and efforts for the citizens of Pierce County.

NOW, THEREFORE BE IT RESOLVED that the Pierce County Board of Supervisors go on record commending these individuals for their years of public service for the advancement of Pierce County.

DATED this 20<sup>th</sup> day of April, 2010.

## RESOLUTION 10-02

### Amend Fees for Issuing Permits and Making Inspections and Investigations of Certain Types of Establishments

WHEREAS, Pierce County has adopted Chapter 184 of the Pierce County Code to allow for regulation of retail food establishments, taverns, hotels, restaurants, tourist rooming houses and other establishments; and

WHEREAS, in regulating said establishments, the Pierce County Public Health Department is acting as an agent of the Wisconsin Department of Health Services; and

WHEREAS, Pierce County has established fees for issuing permits and making investigations under the ordinance as provided for in Wis. Stats. § 254.69; and

WHEREAS, said fees need to be revised from time to time based upon increased rates set by the State Department of Health Services; and

WHEREAS, the Pierce County Board of Health, at its meeting on March 22, 2010, and Finance and Personnel Committee at its meeting April 5, 2010 recommended that the fees previously established in Resolution No. 07-32 be amended as follows:

| Category                               | Annual Fee  | Pre-Inspection Fee<br>Existing Facility | Pre-Inspection Fee<br>New Construction |              |
|--|-------------|---|--|--------------|
| <b>Restaurants</b>                     |             |   |  |              |
| Pre-Packaged                           | \$146       | \$190                                   | <del>\$225</del>                       | <u>\$235</u> |
| Additional Area                        | \$120       | \$200                                   | <del>\$260</del>                       | <u>\$245</u> |
| Simple                                 | \$228       | \$253                                   | <del>\$253</del>                       | <u>\$298</u> |
| Moderate                               | \$318       | \$375                                   | <del>\$375</del>                       | <u>\$420</u> |
| Complex                                | \$456       | \$506                                   | <del>\$506</del>                       | <u>\$551</u> |
| <del>Temporary; \$100</del>            |             |   |  |              |
| <del>Temporary inspect fee; \$25</del> |             |   |  |              |
| <u>Temporary Per Event</u>             | <u>\$35</u> |   |  |              |
| <b>Body Art</b>                        |             |   |  |              |
| Tattoo                                 | \$144       | \$168                                   | <del>\$200</del>                       | <u>\$213</u> |
| Piercing                               | \$144       | \$168                                   | <del>\$200</del>                       | <u>\$213</u> |
| Combined                               | \$234       | \$234                                   | <del>\$250</del>                       | <u>\$279</u> |
| Temporary per event                    | \$150       |   |  |              |
| <b>Recreation</b>                      |             |   |  |              |
| Campgrounds:                           |             |   |  |              |
| 1-25 Sites                             | \$168       | \$276                                   | <del>\$276</del>                       | <u>\$321</u> |
| 26-50 Sites                            | \$234       | \$334                                   | <del>\$334</del>                       | <u>\$379</u> |
| 51-100 Sites                           | \$282       | \$380                                   | <del>\$380</del>                       | <u>\$425</u> |
| 101-199 Sites                          | \$330       | \$425                                   | <del>\$425</del>                       | <u>\$470</u> |
| 200+ Sites                             | \$378       | \$480                                   | <del>\$480</del>                       | <u>\$525</u> |
| Special Event Campgrounds:             |             |   |  |              |
| 1-25 Sites                             | \$168       |   |  |              |
| 26-50 Sites                            | \$234       |   |  |              |
| 51-100 Sites                           | \$282       |   |  |              |
| 101-199 Sites                          | \$330       |   |  |              |
| 200+ Sites                             | \$378       |   |  |              |



|   |       |       |                  |                  |
|---|-------|-------|------------------|------------------|
| Rec/Ed Camp   | \$462 | \$483 | <del>\$483</del> | <del>\$528</del> |
| Swimming Pool   | \$231 | \$231 | <del>\$250</del> | <del>\$276</del> |
| Water Attraction  | \$216 |       |                  |                  |
| Water Attraction with up to 2 slides  | \$312 |       |                  |                  |
| Waterslide  | \$186 |       |                  |                  |
| Pool Slide  | \$66  |       |                  |                  |
| <b>Lodging</b>  |       |       |                  |                  |
| B&B   | \$156 | \$252 | <del>\$252</del> | <del>\$297</del> |
| Tourist Rooming House; 1-4 rooms  | \$156 | \$230 | <del>\$250</del> | <del>\$275</del> |
| Hotel/Motel:  |       |       |                  |                  |
| 5-30 Rooms  | \$240 | \$290 | <del>\$290</del> | <del>\$335</del> |
| 31-99 Rooms   | \$264 | \$336 | <del>\$336</del> | <del>\$381</del> |
| 100-199 Rooms   | \$372 | \$483 | <del>\$483</del> | <del>\$528</del> |
| 200+ Rooms  | \$558 | \$633 | <del>\$633</del> | <del>\$678</del> |
| <b>School-Full Service</b>  |       |       |                  |                  |
| Inspection Fee only   | \$260 |       |                  |                  |
| <b>Additional Fees:</b>   |       |       |                  |                  |
| Facility Name or Legal Licensee<br>Name change Only   | \$25  |       |                  |                  |
| <b>Re-inspection Fee</b>  | \$100 |       |                  |                  |
| <i>Explanation – Fee assessed on the 3<sup>rd</sup> and 4<sup>th</sup> <del>re-inspection</del> <u>visits</u> for the same violation. <u>A citation will be issued at the 5<sup>th</sup> and subsequent visits.</u></i>   |       |       |                  |                  |
| <b>Late Fee</b>   | \$100 |       |                  |                  |
| <i>Explanation - If the annual permit fee is not paid by June 30, the day the permit expires, the department shall require the operator of the establishment to pay a penalty fee, in addition to the annual permit fee, for renewal of the permit. If the late fee plus the annual permit fee is not paid within forty-five (45) days from the date of expiration, the department shall require the operator of the establishment to pay an additional penalty fee. If the two late fees plus the annual permit fee is not paid within ninety (90) days of expiration, the department will issue the operator a citation for operating without a permit.</i> |       |       |                  |                  |
| <b>Duplicate Fee</b>  | \$15  |       |                  |                  |
| <i><b>Pre-inspection Fee</b> will be waived for a facility meeting the definition of, and being permitted as, a <u>Special Organization serving food.</u></i>   |       |       |                  |                  |
| <b>Consultation Fee</b>   | \$100 |       |                  |                  |
| <i>Explanation - Fee assessed for a consultative visit on-site required by prospective operator/owner to determine feasibility and/or functionality of space. If the facility becomes operational within six (6) months of consultation, this fee will be applied towards pre-inspection fee.</i>   |       |       |                  |                  |

NOW THEREFORE, BE IT RESOLVED, that the Pierce County Board of Supervisors adopts the fee schedule as outlined above and that these fees shall take effect upon adoption.

Dated this 20<sup>th</sup> day of April, 2010.

## **RESOLUTION 10-03**

### **Authorize Payment of \$11,806.68 from 2009 Human Services Surplus Levy Funds to Family Resource Center of St. Croix Valley for Services Provided to Pierce County Families**

WHEREAS, the Family Resource Center of St. Croix Valley is a non-profit organization that provides parent education and support services to families in Pierce County; and

WHEREAS, the Family Resource Center offers services to families in several counties in Western Wisconsin, and most of these counties provide limited support for Family Resource Center services as they prevent the need for families utilizing more costly County services; and

WHEREAS, they provided services to Pierce County families in the amount of \$37,966 in 2009 for a total of 123 families being served, and the amount that was unfunded for Pierce County for 2009 was \$11,806.68; and

WHEREAS, because it is not a mandated service, this expense was not budgeted in 2009, however the Family Resource Center did agree to continue to provide services and attempt to seek other funding, and subsequently the Family Resource Center of St. Croix Valley did receive funding from the United Way and Otto Bremer Foundation; and

WHEREAS, the payment for these unfunded services shall not be considered precedent setting for any future circumstances or considerations; and

WHEREAS, since this request involves unbudgeted funds and the 2009 Human Services left over funds are to return to the General Fund, and the General Fund is controlled by the County Board of Supervisors, authorization by resolution is required; and

WHEREAS, the Human Services Board, at its meeting on March 11, 2010, and the Finance and Personnel Committee, at its meeting on April 5, 2010 considered the matter and recommended that the County Board of Supervisors authorize payment of the sum set forth above from 2009 Human Services surplus levy funds to Family Resource Center of St. Croix Valley for services provided to Pierce County families in 2009.

NOW, THEREFORE BE IT RESOLVED, by the Pierce County Board of Supervisors that it authorizes payment of \$11,806.68 from 2009 Human Services surplus levy funds to Family Resource Center of St. Croix Valley for services provided to Pierce County families in 2009.

Dated this 20th day of April, 2010.

## **RESOLUTION 10-04**

### **Appeal for Exemption from State Audit Mandate §46.036(5m)(F), Wis. Stats.**

WHEREAS, Pierce County, through its Department of Human Services, purchases certain care and services in the usual course of its business; and

WHEREAS, Pierce County may obtain federal reimbursement for the cost of some or all of the care and services purchased; and

WHEREAS, Pierce County is required under State Mandate, §46.036, Wis. Stats., in order to be eligible for the above mentioned federal reimbursement, and for other service monitoring and record-keeping purposes, to submit to a compliance audit annually, if the care or services purchased exceed \$25,000 or more per year; and

WHEREAS, Pierce County Department of Human Services presently contracts annually with 5 to 10 vendors that are paid between \$25,000 and \$75,000 per year; and

WHEREAS, Pierce County Department of Human Services allocates staff time and resources to request individual audit waivers each year for said vendors, and a waiver is effective for four years;

NOW THEREFORE BE IT RESOLVED that the Pierce County Board of Supervisors does request a waiver exemption under §66.0143 Wis. Stats., to comply with the audit requirements under §46.036, Wis. Stats., on all Purchase of Services Contracts through the Department of Human Services, that exceed \$75,000, instead of \$25,000 or more as stated in the statute; and

BE IT FURTHER RESOLVED, that the Pierce County Clerk be directed to forward a copy of this Resolution to the Delegation of State Legislation, the Wisconsin Counties Association and a certified copy of this Resolution to the Pierce County Administrative Coordinator for the application for appeal for exemption from state mandates.

## **RESOLUTION 10-05**

### **Authorize Land Management Department to Apply for Department of Natural Resources Shoreland-Wetland Grant**

WHEREAS, the Department of Natural Resources recently adopted amendments to the state shoreland wetland code that outlines the minimum standards for shoreland protection along navigable waters. The state is offering a grant for assistance to update county shoreland codes to meet current state requirements; and

WHEREAS, the shoreland/wetland code has been in effect since 1968 and requires updating to keep pace with development trends and available technologies designed to protect surface water resources. The revised code offers flexibility to riparian landowners while protecting property values, water quality, habitat and scenic beauty; and

WHEREAS, the County will provide at least \$1,667 in matching funds based on staff time for the ordinance revision; and

WHEREAS, the Land Management Committee at its April 7, 2010 meeting, and the Finance and Personnel Committee, at its April 13, 2010 meeting, took action to recommend applying for grant assistance to update the county's shoreland code.

NOW, THEREFORE, BE IT RESOLVED by the Pierce County Board of Supervisors that this Board goes on record in support of the grant application for assistance to update the Pierce County shoreland wetland code.

Dated this 20<sup>th</sup> day of April, 2010.

[Ordinance and Resolutions 2010](#)

## **RESOLUTION 10-06**

### **Authorization to Approve Contracting With Municipalities to Collect First Installment Tax Payments**

WHEREAS, Wis. Stat. § 74.10 allows a county and a taxation district to contract pursuant to Wis. Stat. § 66.0301 for the county to collect all payments of property taxes for which the taxation district has sent bills under Wis. Stat. § 74.10; and

WHEREAS, under the contract, the county may receive reimbursement for its expenses for the collection of taxes from the taxation district; and

WHEREAS, the county would charge the taxation district at the rate of \$1.00 per parcel payment to collect the first installment of real estate and personal property taxes and deposit the amounts collected into the account of the taxation districts; and

WHEREAS, the advantages of the county collecting first installment taxes include: 1) it generates revenue for the county; 2) improves the speed at which title companies, abstractors, banks and mortgage companies will have access to current tax information; and 3) alleviates taxpayer apprehension with mailing tax payments and streamlines the collection process; and

WHEREAS, the taxation districts would continue to mail the tax statements to the taxpayers and continue to be responsible for paying the schools and various taxing jurisdictions for the January and February settlement. Local treasurers would still be required to be bonded as they are responsible for distributing the funds being deposited into the account of the taxation district.

NOW, THEREFORE BE IT RESOLVED, by the Pierce County Board of Supervisors that, pursuant to the authority set forth above, it approves proceeding with contracting with those municipalities desiring the county to collect the first installment tax payments.

NOW BE IT FURTHER RESOLVED that the county shall charge the taxation district at the rate of \$1.00 per parcel payment to collect the first installment of real estate and personal property taxes and deposit the amounts collected into the account of the taxation districts.

Dated this 20th day of April, 2010.

**RESOLUTION 10-07**

**Authorize Purchase of Dodge Property (388 W. Grove Street and 420 W. Grove Street) in the Village of Ellsworth**

WHEREAS, under Section 59.52(6), the County Board may purchase or acquire property for public uses or purposes of any nature, including without limitation acquisitions for county buildings; and

WHEREAS, under Pierce County Code §4-21(J), the Finance and Personnel Committee has been delegated the jurisdiction over the acquisition of real estate, in the interests of Pierce County; and

WHEREAS, the Finance and Personnel Committee, at its meeting on April 5, 2010, has considered future property needs of the County; and considered terms of an offer on property located within the Village of Ellsworth, 388 W. Grove Street and 420 W. Grove Street, legally described as follows:

*Lot Five (5), Block A, Norris Kinne's Addition to the Village of Ellsworth, Pierce County, Wisconsin. And: The North twenty (20) feet of Lot Five (5), Block A, Norris Kinne's Addition to the Village of Ellsworth.*

WHEREAS, an offer was made to purchase the property for Three Hundred Sixty Thousand dollars (\$360,000.00), contingent upon and subject to County Board approval, and said offer has been accepted; and

WHEREAS, Pierce County has sufficient funds for this purchase in the bond funds, and as particularly set aside for grounds expansion; and

WHEREAS, the Finance and Personnel Committee recommends that the County Board of Supervisors approve the purchase of the property on the agreed upon terms and further recommends the Board authorize the Finance and Personnel Committee, the County Board Chairperson, and the County Clerk to participate in the closing of the transaction.

NOW, THEREFORE BE IT RESOLVED, by the Pierce County Board of Supervisors that it authorizes purchase of the Dodge property located at 388 W. Grove Street, and 420 W. Grove Street, Ellsworth, Wisconsin from the bond funds for the total sum of Three Hundred Sixty Thousand dollars (\$360,000.00) and that the Finance and Personnel Committee, County Board Chairperson and County Clerk be authorized to execute any necessary paperwork to complete the transaction.

Dated this 20th day of April, 2010.

## RESOLUTION 10-08

### **Transfer of Funds from the General Fund for 2009 Sheriff's Department Jail Budget Deficit**

WHEREAS, in 2009 the Sheriff's Department exceeded its final jail budgeted amount by \$168,357 and the deficit is attributed to two major line items, namely inmate boarding (Boarding Prisoners), which went over by \$150,667.33, and inmate medical (Medical and Dental) which went over by \$26,558.24; and

WHEREAS, the Sheriff's Department tries to keep these costs down as much as possible by utilizing alternative programs such as Home Detention, and by carefully scrutinizing all medical needs of the inmates, but in the end, the Department has no actual control over these costs; and

WHEREAS, the additional costs set forth above were unanticipated, unforeseen, and not budgeted for in the 'Boarding Prisoners' or 'Medical and Dental' fund accounts and as a result a deficit of \$168,357.00 exists in the 2009 Sheriff's Department Jail budget; and

WHEREAS, pursuant to §65.90(5) Wis. Stats., the County Board is required to authorized transfers in excess of 10% of the Sheriff's Department's Jail budget; and

WHEREAS, on May 3, 2010 the Finance and Personnel Committee reviewed the transfer request and took action to forward to the County Board their recommendation that they approve the transfer from the General Fund into the Sheriff's Department 2009 Jail budget the amount of \$168,357.00 to cover the 'Boarding Prisoners' or 'Medical and Dental' fund accounts overage and balance that deficit.

NOW THEREFORE, BE IT RESOLVED, that the Pierce County Board of Supervisors hereby approves and authorizes the transfer from the General Fund into the Sheriff's Department 2009 Jail budget the amount of \$168,357.00 for the purposes set forth herein.

Dated this 25th day of May, 2010.

**RESOLUTION NO. 10-09**

**RESOLUTION AUTHORIZING THE ISSUANCE AND AWARDING THE SALE OF  
\$1,695,000 TAXABLE GENERAL OBLIGATION PROMISSORY NOTES, SERIES  
2010A (RECOVERY ZONE ECONOMIC DEVELOPMENT BONDS – DIRECT PAY);  
PROVIDING THE FORM OF THE NOTES;  
AND LEVYING A TAX IN CONNECTION THEREWITH**

**WHEREAS**, on April 13, 2010, the County Board of Pierce County, Wisconsin (the "County") adopted a resolution (the "Authorizing Resolution") authorizing the issuance and sale of taxable general obligation promissory notes in an amount not to exceed \$1,695,000 (the "Notes") for the purpose of paying the cost of county capital projects including county road bridge projects, fairgrounds improvements, and various building and parking lot improvements to the Courthouse, the Courthouse Annex and the Pierce County Office Building (the "Project");

**WHEREAS**, pursuant to the Authorizing Resolution, the County Clerk (in consultation with the County's financial advisor, Springsted Incorporated) caused a Notice of Sale to be distributed offering the Notes for public sale on May 25, 2010;

**WHEREAS**, sealed bid proposals were received as summarized on Exhibit C attached hereto;

**WHEREAS**, it has been determined that the bid proposal submitted by Bankers' Bank, Madison, Wisconsin, fully complies with the bid requirements set forth in the Official Notice of Sale and is deemed to be the most advantageous to the County. A copy of said bid is attached hereto as Exhibit A and incorporated herein by this reference;

**WHEREAS**, it is the finding of the County Board that it is desirable and in the best interest of the County to take steps necessary to irrevocably designate the Notes to be qualified "Recovery Zone Economic Development Bonds" within the meaning of Subsection 1400U-2(b) of the Internal Revenue Code of 1986, as amended, (the "Code") and the applicable regulations promulgated under the Code (the "Regulations") so that the County may claim refundable credits with respect to each interest payment on the Notes, payable to the County by the Secretary of the United States Department of the Treasury; and

**WHEREAS**, by virtue of designating the Notes to be qualified Recovery Zone Economic Development Bonds, a category of Build America Bonds, the interest on the Notes will be includible in gross income for federal income tax purposes under Subsection 54AA(f)(1) of the Code.

**NOW, THEREFORE, BE IT RESOLVED** by the County Board of the County that:

Section 1. Authorization and Award of the Notes. For the purpose of paying the cost of the Project, there shall be borrowed pursuant to Section 67.12(12) of the Wisconsin Statutes, the principal sum of ONE MILLION SIX HUNDRED NINETY-FIVE THOUSAND DOLLARS (\$1,695,000). The bid proposal of Bankers' Bank, Madison, Wisconsin, (the "Purchaser") is hereby accepted, said proposal offering to purchase the \$1,695,000 Pierce County Taxable General Obligation Promissory Notes, Series 2010A (Recovery Zone Economic Development Bonds – Direct Pay) (the "Notes") for the sum of ONE MILLION SIX HUNDRED NINETY-ONE THOUSAND SIX HUNDRED TEN DOLLARS (\$1,691,610.00), plus accrued interest to



the date of delivery, resulting in a net interest cost of TWO HUNDRED NINETY-SEVEN THOUSAND TWO HUNDRED EIGHTY-THREE DOLLARS AND NINE CENTS (\$297,283.09) and a true interest rate of 3.1900%. The Notes bear interest as follows:

| <u>Year of Maturity</u> | <u>Principal Amount</u> | <u>Interest Rate</u> |
|-------------------------|-------------------------|----------------------|
| 2011                    | \$150,000               | 1.000%               |
| 2012                    | 160,000                 | 1.300                |
| 2013                    | 160,000                 | 1.700                |
| 2014                    | 165,000                 | 2.000                |
| 2015                    | 165,000                 | 2.500                |
| 2016                    | 170,000                 | 3.000                |
| 2017                    | 175,000                 | 3.200                |
| 2018                    | 180,000                 | 3.500                |
| 2019                    | 185,000                 | 3.750                |
| 2020                    | 185,000                 | 4.000                |

**Section 2. Designation of Purchaser as Agent.** The County hereby designates the Purchaser as its agent for purposes of distributing the Final Official Statement relating to the Notes to any participating underwriter in compliance with Rule 15c2-12 of the Securities and Exchange Commission.

**Section 3. Terms of the Notes.** The Notes shall be designated "Taxable General Obligation Promissory Notes, Series 2010A (Recovery Zone Economic Development Bonds – Direct Pay)"; shall be dated June 24, 2010; shall be in the denomination of \$5,000 or any integral multiple thereof; and shall mature serially on April 1 of each year, in the years and principal amounts as set forth above. Interest is payable commencing on April 1, 2011 and semi-annually thereafter on October 1 and April 1 of each year.

**Section 4. Redemption Provisions.**

A. **Optional Redemption.** At the option of the County, the Notes maturing on April 1, 2019 and thereafter shall be subject to redemption prior to maturity on April 1, 2018 or on any date thereafter. Said Notes shall be redeemable as a whole or in part, from maturities selected by the County and within each maturity by lot, at the principal amount thereof, plus accrued interest to the date of redemption.

B. **Extraordinary Redemption.** Upon the occurrence of an Extraordinary Event, the County may elect to prepay the Notes, in whole or in part, on any date for which timely notice of redemption can be given at a redemption price of par plus accrued interest to the date of redemption. An "Extraordinary Event" is defined as the occurrence of a material adverse change to Sections 54AA, 1400U-2 or 6431 of the Code (as such Sections were added by Sections 1401 and 1531 of the American Recovery and Reinvestment Act of 2009 pertaining to "Recovery Zone Economic Development Bonds") pursuant to which the County's 45% direct payment credit from the United States Treasury is reduced or eliminated.

**Section 5. Form of the Notes.** The Notes shall be issued in registered form and shall be executed and delivered in substantially the form attached hereto as Exhibit B and incorporated herein by this reference.

**Section 6. Direct Annual Irrepealable Tax Levy.** For the purpose of paying the principal of and interest on the Notes as the same becomes due, the full faith, credit and resources of the County are hereby irrevocably pledged and a direct annual irrepealable tax sufficient for that purpose is hereby levied upon all of the taxable property of the County in the years and amounts as follows:

| <u>Levy Year</u> | <u>Amount</u> | <u>Levy Year</u> | <u>Amount</u> |
|------------------|---------------|------------------|---------------|
| 2010             | \$206,454.34  | 2015             | \$198,787.50  |
| 2011             | 202,522.50    | 2016             | 198,437.50    |
| 2012             | 200,122.50    | 2017             | 197,487.50    |
| 2013             | 202,112.50    | 2018             | 195,868.75    |
| 2014             | 198,400.00    | 2019             | 188,700.00    |

The aforesaid direct annual irrepealable tax hereby levied shall be collected in addition to all other taxes and in the same manner and at the same time as other taxes of the County levied in said years are collected. So long as any part of the principal of or interest on the Notes remains unpaid, the tax herein above levied shall be and continues irrepealable except that the amount of tax carried onto the tax roll may be reduced in any year by the amount of any surplus in the Debt Service Fund Account created herein.

**Section 7. Debt Service Fund Account.** There is hereby established in the County treasury a fund account separate and distinct from every other County fund or account designated "Debt Service Fund Account for Pierce County Taxable General Obligation Promissory Notes, Series 2010A (Recovery Zone Economic Development Bonds – Direct Pay), dated June 24, 2010". There shall be deposited in said fund account any premium plus accrued interest paid on the Notes at the time of delivery to the Purchaser, all money raised by taxation pursuant to Section 6 hereof; all direct payment interest credits received by the County as described in Section 10 hereof not otherwise deposited into the general fund of the County as provided in Section 10 hereof and all other sums as may be necessary to pay interest on the Notes when the same shall become due and to retire the Notes at their respective maturity dates. Said fund account shall be used for the sole purpose of paying the principal of and interest on the Notes and shall be maintained for such purpose until such indebtedness is fully paid or otherwise extinguished.

**Section 8. Borrowed Money Fund.** The proceeds of the Notes (the "Note Proceeds") (other than any premium and accrued interest paid at the time of delivery which must be paid into the Debt Service Fund Account created above) shall be deposited into an account separate and distinct from all other funds and disbursed solely for the purposes for which borrowed or for the payment of the principal of and interest on the Notes.

**Section 9. Arbitrage Covenant; Exemption from Rebate.** The County shall not take any action with respect to the Note Proceeds which, if such action had been reasonably expected to

have been taken, or had been deliberately and intentionally taken on the date of the delivery of and payment for the Notes (the "Closing"), would cause the Notes to be "arbitrage bonds" within the meaning of Section 148 of the Code and the Regulations.

The Note Proceeds may be temporarily invested in legal investments until needed, provided however, that the County hereby covenants and agrees that so long as the Notes remain outstanding, moneys on deposit in any fund or account created or maintained in connection with the Notes, whether such moneys were derived from the Note Proceeds or from any other source, will not be used or invested in a manner which would cause the Notes to be "arbitrage bonds" within the meaning of the Code or Regulations.

The County Clerk, or other officer of the County charged with responsibility for issuing the Notes, shall provide an appropriate certificate of the County, for inclusion in the transcript of proceedings, setting forth the reasonable expectations of the County regarding the amount and use of the Note Proceeds and the facts and estimates on which such expectations are based, all as of the Closing.

The County anticipates that the Notes will qualify as a "construction issue" within the meaning of Section 148(f)(4)(C) of the Code and thereby qualify for the construction expenditure exemption from rebate set forth in said section of the Code. The County Clerk or other officer of the County charged with the responsibility of issuing the Notes, shall provide an appropriate certificate of the County as of the Closing, for inclusion in the transcript of proceedings, with respect to said exemption from the rebate requirements, and said County Clerk or other officer is hereby authorized to make any election on behalf of the County in order to comply with the rebate requirements of the Code. If, for any reason, the County does not meet the requirements for any exemption from the rebate requirements of the Code, the County covenants that it would take all necessary steps to comply with such rebate requirements.

The County hereby covenants that it is a governmental unit with general taxing powers and that the Notes are not "private activity bonds" as defined in Section 141 of the Code.

Section 10. Qualified Recovery Zone Economic Development Bond Designation and Covenants Related Thereto; Allocation of Recovery Zone Bond Volume Cap to the Notes; and Compliance with Federal Tax Laws and Prevailing Wage Requirements. The County hereby irrevocably elects to have Section 54AA of the Code apply to the Notes so that the Notes are treated as Build America Bonds as that term is defined in Section 54AA(d) of the Code. The Notes are hereby designated qualified Recovery Zone Economic Development Bonds within the meaning of Subsection 1400U-2(b) of the Code and eligible for receipt of the direct pay interest credit under Section 6431 of the Code. The County hereby allocates to the Notes \$1,695,000 of the volume cap for Recovery Zone Economic Development Bonds received by it pursuant to Section 1400U-1(a)(3) of the Code and Internal Revenue Service Notice 2009-50. The County hereby covenants to comply with the requirements of Section 1400U-2 of the Code and Section 54AA of the Code (to the extent applicable) in order to assure eligibility of the County for receipt of the direct pay interest credit as provided in Section 6431 of the Code. The County hereby further covenants that all such direct pay interest credits received by the County shall be (i) deposited to the general fund of the County, but only in replenishment of and to the extent that general fund monies have been appropriated and irrevocably deposited in the Debt Service Fund Account created by Section 7 hereof, or (ii) deposited into the Debt Service Fund Account

created by Section 7 hereof in order to offset the tax levy required for the Notes. The County hereby further covenants that, to the extent possible under state law and consistent with the proceedings authorizing the Notes, it will comply with whatever Federal law is adopted in the future, which applies to the Notes and affects the status of the Notes as "qualified" Recovery Zone Economic Development Bonds. The County hereby further covenants and agrees that it will comply with the federal Davis Bacon prevailing wage requirements (as determined by the Secretary of the United States Department of Labor in accordance with Subchapter IV of Chapter 31 of Title 40 of the United State Code) in connection with the Project to the extent those requirements are applicable to the County by virtue of the issuance of the Notes.

Section 11. Persons Treated as Owners; Transfer of Notes. The fiscal agent appointed in Section 14 hereof shall keep books for the registration and for the transfer of the Notes. The person in whose name any Note shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes and payment of either principal or interest on any Note shall be made only to the registered owner thereof. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Note to the extent of the sum or sums so paid.

Any Note may be transferred by the registered owner thereof by surrender of the Note at the office of said fiscal agent, duly endorsed for the transfer or accompanied by an assignment duly executed by the registered owner or his attorney duly authorized in writing. Upon such transfer, said fiscal agent shall deliver in the name of the transferee or transferees a new Note or Notes of a like aggregate principal amount, series and maturity and said fiscal agent shall record the name of each transferee in the registration book. No registration shall be made to bearer. Said fiscal agent shall cancel any Note surrendered for transfer.

The County shall cooperate in any such transfer, and the County Board Chairperson and County Clerk are authorized to execute any new Note or Notes necessary to effect any such transfer.

The 15th day of each calendar month next preceding each interest payment date shall be the record date for the Notes. Payment of interest on the Notes on any interest payment date shall be made to the registered owners of the Notes as they appear on the registration book of the County maintained by said fiscal agent at the close of business on the corresponding record date.

Section 12. Utilization of The Depository Trust Company Book-Entry-Only-System. In order to make the Notes eligible for the services provided by The Depository Trust Company, New York, New York ("DTC"), the County has heretofore agreed to the applicable provisions set forth in the DTC Blanket Issuer Letter of Representation and the County Clerk has executed such Letter of Representation and delivered it to the DTC on behalf of the County.

Section 13. Execution of the Notes. The Notes shall be issued in typewritten form, one Note for each maturity, executed on behalf of the County by the manual or facsimile signatures of the County Board Chairperson and County Clerk (except that one of the foregoing signatures shall be manual), sealed with its official or corporate seal, and delivered to the Purchaser upon payment to the County of the purchase price thereof, plus accrued interest to the date of delivery. In the event that either of the officers whose signatures appear on the Notes shall cease to be such officers before the delivery of the Notes, such signatures shall, nevertheless, be valid and sufficient for all purposes to the same extent as if they had remained in office until such delivery.

The aforesaid officers are hereby authorized to do all acts and execute and deliver all documents as may be necessary and convenient to effectuate the Closing.

Section 14. Payment of the Notes; Fiscal Agent. The principal of and interest on the Notes shall be paid in lawful money of the United States by Wells Fargo Bank, N.A., Minneapolis, Minnesota, which is hereby appointed as the County's registrar and fiscal agent pursuant to the provisions of Section 67.10(2), Wisconsin Statutes (the "Fiscal Agent"). The Fiscal Agency Agreement between the County and the Fiscal Agent shall be substantially in the form attached hereto as Exhibit D and incorporated herein by this reference.

Section 15. Continuing Disclosure. The County hereby covenants and agrees that it will comply with and carry out all of the provisions of its Continuing Disclosure Certificate which the County will execute and deliver on the Closing Date. Any Noteholder may take such actions as may be necessary and appropriate, including seeking mandate or specific performance by court order, to cause the County to comply with its obligations under this Section.

Section 16. Conflicting Resolutions; Severability; Effective Date. All prior resolutions, rules or other actions of the County or any parts thereof in conflict with the provisions hereof shall be, and the same are, hereby rescinded insofar as the same may so conflict. In the event that any one or more provisions hereof shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions hereof. The foregoing shall take effect immediately upon adoption and approval in the manner provided by law.

Dated this 25<sup>th</sup> day of May, 2010.

  
Jeffrey A. Holst, First Vice Chairman  
Pierce County Board of Supervisors

ATTESTED TO BY:

  
Jamie Feuerhelm, County Clerk

APPROVED AS TO FORM AND LEGALITY BY:

  
Bradley D. Lawrence, Corp. Counsel

Adopted May 25, 2010

## **RESOLUTION 10-10**

### **Create the Position of Patrol Lieutenant - Sheriff's Department**

WHEREAS, the Sheriff's Department was awarded an American Recovery and Reinvestment Act grant in the amount of \$166,316 to support the St. Croix Valley Drug Task Force; and

WHEREAS, on May 4, 2010, the Law Enforcement Committee recommended that the Finance & Personnel Committee approve the creation of the position of Patrol Lieutenant in the Sheriff's Department to assist the Sheriff's Department with increased administrative duties currently performed by Patrol Sergeants and to support the St. Croix Valley Drug Task Force to implement participation in the State ACIS system; and

WHEREAS, the Law Enforcement Committee recommended to the Finance & Personnel Committee that the Patrol Lieutenant position be a regular, full time, non-represented position; and

WHEREAS, the JAG funds will be expended in one of two methods: If there is an internal hire for the Patrol Lieutenant position, such funds shall be utilized to fund a patrol deputy. Alternatively, if there is an external hire, such funds shall be utilized to fund the Patrol Lieutenant position. In either case, such JAG funds shall only be available for a period of no more than 2 years from the date of hire and no later than November 30, 2012; and

WHEREAS, pursuant to Article IV(B)(1) of the Personnel Policy regarding Position Establishment, authorization for all new positions is subject to approval of the Finance and Personnel Committee and the County Board; and

WHEREAS, on June 7, 2010, the Finance & Personnel Committee approved the creation of the Patrol Lieutenant position as a regular, full time, non-represented position and approved the position description.

NOW, THEREFORE BE IT RESOLVED, by the Pierce County Board of Supervisors that it authorizes the creation of the Patrol Lieutenant position as a regular, full time, non-represented position.

Dated this 22nd day of June, 2010.

RESOLUTION 10-11

**Authorize Execution of Agreement for Disposal of Dredge Material by Hoffman Construction on County Land - Stogdill Pit**

WHEREAS, the Pierce County Highway Department operates a gravel pit located on lands owned by the County which constitutes a suitable site for deposition of dredged/excavated materials from the Mississippi River, which materials are removed by a federal government contractor (Hoffman Construction Company, Inc.); and

WHEREAS, a proposed agreement has been drafted by the Corporation Counsel, and pursuant to the instructions of the Highway Committee, the Highway Commissioner has negotiated said agreement with Hoffman Construction Company, Inc. who is agreeable to its terms and conditions; and

WHEREAS, the Highway Committee recommends to the County Board that said agreement, for a limited term lease of the County gravel pit for deposition of dredge spoil materials, be entered into, subject to the consideration and responsibilities of Hoffman Construction Company, Inc. set forth in the attached agreement, and subject to approval of the County Board of Supervisors.

NOW, THEREFORE BE IT RESOLVED that the Pierce County Board of Supervisors hereby authorizes the Highway Commissioner and Highway Committee Chairperson to execute the agreement with Hoffman Construction, for use of the County Stogdill gravel pit site for deposition of dredge spoil materials taken from the Mississippi River by Hoffman Construction.

Dated this 27th day of July, 2010.

## RESOLUTION 10-12

### **Place Advisory Referendum Question on November Ballot**

WHEREAS, according to the Legislative Fiscal Bureau, over the past decade, the state of Wisconsin has transferred approximately \$1.2 billion from the state's segregated transportation fund to the state's general fund and replaced it with approximately \$800 million in General Obligation (GO) bonds, thereby, reducing the amount available for transportation purposes by approximately \$400 million; and

WHEREAS, Wisconsin's practice of transferring money from the segregated transportation fund to the general fund has eroded the public's confidence that the "user fees" they pay through the state gasoline tax and vehicle registration fees will be used for their intended purpose; and

WHEREAS, Wisconsin's practice of replacing the dollars transferred from the state's segregated transportation fund with GO bonds puts our state in the precarious position of bonding to fund ongoing operations; and

WHEREAS, the Pew Center on the States recently released a report that included Wisconsin as having one of the ten worst budget situations in the country and specifically cited transferring money from the transportation fund to fund ongoing operations as an example of one of the practices that has put Wisconsin in such an untenable position; and

WHEREAS, the debt service for these bonds will have to be paid for out of the state's general fund which hinders its ability to fund other programs like Shared Revenue, Youth Aids, Community Aids and courts in the future; and

WHEREAS, using the states General Obligation (GO) bonds in this way has hurt the state's bond rating. A report issued by CNN in 2009 listed Wisconsin as having the second worst GO bond rating in the country; and

WHEREAS, gas tax and vehicle registration fees comprise over 90% of the state's segregated transportation account. Revenues from these two sources have been declining and are inadequate to meet the existing transportation needs in this state; and

WHEREAS, Wisconsin's transportation infrastructure is a fundamental component in its ability to attract and retain business and produce jobs; and

WHEREAS, the citizens of Pierce County deserve the right to have their voices heard on this important issue; and

WHEREAS, providing constitutional protection much like our neighbors in Minnesota, Iowa, Michigan and Ohio already have is the only way to ensure that this practice will not continue.

NOW, THEREFORE BE IT RESOLVED, by the Pierce County Board of Supervisors that the following question will be put to the voters of Pierce County in an advisory referendum during the November 2010 election:

"Should the Wisconsin Constitution be amended to prohibit any further transfers or lapses from the segregated transportation fund?"

BE IT FURTHER RESOLVED that the County Clerk is directed to cause a copy of the Notice of Referendum to be published in the county's official newspaper as required by law; and

BE IT FURTHER RESOLVED that the County Clerk is directed to provide a copy of this resolution and a copy of the results of the advisory referendum to the Wisconsin Counties Association.

Dated this 27th day of July, 2010.



**Resolution 10-13**  
**Create Land Information Council**

WHEREAS, 1989 Wisconsin Act 31 and 1989 Wisconsin Act 339 created a statewide Land Information Program for the purpose of facilitating land records modernization in each county in Wisconsin; and,

WHEREAS, as a result of the above stated legislation the Pierce County Board of Supervisors established a Land Information Office for the purpose of directing and supervising Pierce County's Land Information Program and Land Information System; and,

WHEREAS, pursuant to the provisions of Sec. 59.72, of the Wisconsin Statutes, each county in Wisconsin, including Pierce County, funds its Land Information Program with real estate document recording or filing fees that are charged and collected in the office of the register of deeds; and,

WHEREAS, 2009 Wisconsin Act 314 was enacted on May 12, 2010, became effective on June 25, 2010, and renumbered, amended, and created statutory language which relates to changing the fees collected by a register of deeds, the redaction of social security numbers from electronic documents, and changes to the land information program; and,

WHEREAS, prior to the enactment of 2009 Wisconsin Act 314, in order for a county to retain part of the fee for recording or filing each instrument that is recorded or filed in the office of register of deeds, for use by a county to fund its land information program, the county must have established a land information office, and, in order for a county to apply to the department of administration for a grant for a land information project, the county must have established a land information office; and,

WHEREAS, pursuant to the provisions of Sec. 59.72, of the Wisconsin Statutes, as amended by 2009 Wisconsin Act 314, in order for a county to retain part of the fee for recording or filing each instrument that is recorded or filed in the office of register of deeds, for use by the county to fund its land information program, the county must have established a land information office and created a land information council, and, in order for a county to apply to the department of administration for a grant for a land information project, the county must have established a land information office and a land information council; and,

WHEREAS, 2009 Wisconsin Act 314 created Section 59.72(3m), of the Wisconsin Statutes, which defines the membership and duties of a land information council; and,

WHEREAS, Section 59.72(3m), of the Wisconsin Statutes, states that a land information council shall consist of not less than eight members and shall consist of the register of deeds, the treasurer, and, if one has been appointed, the real property lister or their designees and the following members appointed by the board of supervisors for terms prescribed by the board of supervisors:

1. A member of the board;
  2. A representative of the land information office;
  3. A realtor or a member of the Realtors Association employed within the county;
  4. A public safety or emergency communications representative employed within the county;
  5. The county surveyor or a registered professional land surveyor employed within the county; and,
  6. Any other members of the board of supervisors or public that the board of supervisors designates;
- and,

WHEREAS, Section 59.72(3m), of the Wisconsin Statutes, states that the duties of a land information council are to review the priorities, needs, policies, and expenditures of a land information office established by the board of supervisors and advise the county on matters affecting the land information office; and,

WHEREAS, the Pierce County Land Management Committee, at its meeting on July 21, 2010, recommended that the Pierce County Board of Supervisors create a Pierce County Land Information Council so that Pierce County will continue to be authorized to retain part of the fee for recording or filing each instrument that is recorded or filed in the Office of the Pierce County Register of Deeds, for use by

Pierce County to fund its Land Information Program, and so that Pierce County will continue to be authorized to apply to the Wisconsin Department of Administration for grants for land information projects;

SO, NOW, THEREFORE, BE IT RESOLVED, that the Pierce County Board of Supervisors hereby creates a Pierce County Land Information Council; and,

BE IT FURTHER RESOLVED, that the duties of the Land Information Council shall be to review the priorities, needs, policies, and expenditures of the Pierce County Land Information Office and advise Pierce County on matters affecting the Pierce County Land Information Office; and,

BE IT FURTHER RESOLVED, that the Pierce County Land Information Council shall consist of the Pierce County Register of Deeds, the Pierce County Treasurer, the Pierce County Real Property Lister, and the following members appointed by the Chairman of the Pierce County Board of Supervisors and confirmed by the Pierce County Board of Supervisors:

1. A member of the Pierce County Board of Supervisors;
  2. A representative of the Pierce County Land Information Office;
  3. A realtor or a member of the Realtors Association employed within Pierce County;
  4. A public safety or emergency communications representative employed within Pierce County;
  5. The County Surveyor or a registered professional land surveyor employed within Pierce County;
  6. Any other members of the board of supervisors or public that the board of supervisors designates;
- and

BE IT FURTHER RESOLVED, that the initial terms of the members of the Pierce County Land Information Council who will be appointed by the Chairman of the Pierce County Board of Supervisors and confirmed by the Pierce County Board of Supervisors shall be for a period of time commencing on the date that the appointments will be confirmed by the Pierce County Board of Supervisors and ending on April 16, 2012, both inclusive; and,

BE IT FURTHER RESOLVED, that commencing on April 17, 2012, and continuing thereafter, the terms of the members of the Pierce County Land Information Council who will be appointed by the Chairman of the Pierce County Board of Supervisors and confirmed by the Pierce County Board of Supervisors shall be for a period of two years; and,

BE IT FURTHER RESOLVED, that the Pierce County Land Information Council shall meet on an as-needed basis.

Dated this 24<sup>th</sup> day of August, 2010.

RESOLUTION 10-14

**Amend Fees and Authorize Pierce County Register of Deeds to Collect an Additional \$5.00 Per Document Fee for the Purpose of Redaction of Social Security Numbers Found Within Pierce County Real Estate Records**

WHEREAS, 2009 Wisconsin Act 314, which became effective June 25, 2010, establishes a flat recording fee of \$25 per document, and requires the Register of Deeds to make a reasonable effort to redact Social Security Numbers from electronic documents that are viewable or accessible on the internet for any instrument filed or recorded by a Register of Deeds before April 1, 2006; and

WHEREAS, 2009 Wisconsin Act 314 further allows a Register of Deeds to temporarily collect an additional fee of \$5 per document recorded to pay for the redaction of Social Security Numbers from documents that are in digital format and available on the internet, as set forth in the Act; and

WHEREAS, the Register of Deeds may collect this additional \$5 fee until the earliest of the following: (1) completion of redaction of social security numbers on documents available on the internet or (2) January 1, 2012 or (3) January 1, 2015 if an extension is granted by the Department of Administration; and

WHEREAS, currently, the Register of Deeds office does allow internet access to recorded documents through the Laredo and Tapestry programs. These programs have been very successful for the Register of Deeds and the public and the Register of Deeds wishes to continue internet access to documents and therefore desires to collect the additional \$5 per document fee to defray the statutory obligation to redact Social Security Numbers; and

WHEREAS, the Pierce County Register of Deeds believes that redaction of Social Security Numbers from public records will provide greater security for the residents of Pierce County by reducing the possibility of identify theft; and

WHEREAS, the creation of a non-lapsing revenue account and expenditure account will ensure the accurate and transparent utilization of the redaction fees; and

WHEREAS, the Finance and Personnel Committee considered this matter at its meeting on August 23, 2010 and recommended approval of the amended fee and the collection in a non-lapsing account of a redaction fee as set forth above, and that it be effective retroactive to June 25, 2010.

NOW THEREFORE BE IT RESOLVED that effective June 25, 2010, the Pierce County Board of Supervisors does authorize the \$25 fee and the collection of an additional fee of \$5 per document recorded, consistent with 2009 Wisconsin Act 314, to pay for the redaction of social security numbers from documents recorded prior to April 1, 2006 that are in digital format and available on the internet.

BE IT FURTHER RESOLVED that the Pierce County Board of Supervisors does authorize the creation of a non-lapsing revenue account and expenditure account for the uses specified in 2009 Wisconsin Act 314.

BE IT FURTHER RESOLVED that the additional \$5.00 fee will discontinue, consistent with the requirements of §59.43(2)(L) Wis. Stats., upon the earliest of the following: (1) completion of the redaction of Social Security Numbers on documents available on the internet; or (2) January 1, 2012 or January 1, 2015 if an extension is given by the Department of Administration.

## RESOLUTION 10-15

### **Amend Personnel Policy Article IX. Employee Benefits, Section L. Employee Training: Attending Conferences and Conventions and Article XII. Pierce County Travel Policy**

WHEREAS, §4-20 of the Pierce County Code the addresses amendments to the Pierce County Personnel Policy as follows:

“The Pierce County Personnel Code shall be maintained under the guidance, direction and policymaking supervision of the Finance and Personnel Committee, which shall have the authority to amend the code from time to time, to conform its provisions with current personnel policies as devised by the Board and Finance and Personnel Committee, collective bargaining agreements and other contracts. Amendment to the Pierce County Code shall require approval of the Board.” And

WHEREAS, the Personnel Policy further states in Article III Section B that the County Board shall authorize by resolution any amendments to the Personnel Policy; and

WHEREAS, the purpose of a code of personnel policies and procedures, as set forth in Article 1, Section A of the Personnel Policy, is to create a guide for the administration of personnel, and to spell out the responsibilities of supervisory staff so that their leadership results in effective administration and maximum utilization of the work force; and

WHEREAS, the Finance and Personnel Committee recommends changes to the Personnel Policy as follows:

Amend Personnel Policy, Article IX. Employee Benefits, Section L. Employment Training: Attending Conferences or Conventions.

“Department Heads shall determine what training is appropriate for the current department employees, consistent with Article XII. (Travel Policy) and subject to the following:

1. Reimbursement for all travel expenses to national conventions will only be authorized if the employee is an officer in the national organization or has been asked to participate in program agenda.
2. National conventions in the State of Wisconsin or to locations within 200 miles of Ellsworth are exempt from Subsection 1.
3. Membership dues to national organizations are prohibited; exception is if affiliation has no state organization.
4. As a requirement of the position, extension agents shall be reimbursed for participation in national conventions affiliated with program area upon prior approval by Agriculture and Extension Education Committee.
5. Prior authorization shall be obtained from the standing committee whenever possible, and when standing committee authorization is not possible, by the standing committee chairperson, for all out-of-county travel to seminars, conferences or conventions, and, if approved, the attending employee shall provide a written report summarizing the seminar, conference or convention to the standing committee and Department Head.”

Amend Personnel Policy, Article XII. Pierce County Travel Policy.

#### **GENERAL PROVISIONS**

The Department Head shall approve travel and training requests consistent with Article IX, Section L, the budget and program requirements. Authorization for non-budgeted or extraordinary travel or training shall be given by the standing committee whenever possible, and when standing committee authorization is not possible, by the standing committee chairperson.

Reimbursement for out of state travel expense shall be limited to those whose attendance has previously been approved by the Finance and Personnel Committee. Travel to locations within 200 miles of Ellsworth is exempt. And

WHEREAS, the Finance and Personnel Committee, at its meetings on July 26 and August 9, 2010, reviewed the proposed policy revision and recommends that the County Board adopt the revisions and amend Article IX, Section L, and Article XII. Pierce County Travel Policy; and

WHEREAS, the Pierce County Board of Supervisors has considered recommendations to improve administrative procedures and change the policy of employee attendance for training at conferences and conventions, and the Board of Supervisors has determined that the recommended changes will benefit the cost, efficiency and accountability of county government.

NOW THEREFORE, BE IT RESOLVED, that the Pierce County Board of Supervisors amends the Pierce County Personnel Policy as set forth herein and as recommended by the Finance and Personnel Committee.

Dated this 26<sup>th</sup> day of October, 2010.

**RESOLUTION 10-16**

**Adopt Pierce County Outdoor Recreation Plan 2010-2014**

WHEREAS, Pierce County has participated in a county-wide Outdoor Recreation Planning Program covering both unincorporated and incorporated areas of Pierce County; and

WHEREAS, said planning program has been conducted by Pierce County through the Mississippi River Regional Planning Commission in conjunction with the Pierce County Land Management Committee; and

WHEREAS, said planning document reflects community and county recreation needs in light of goals, objectives and generally accepted recreation planning standards; and

WHEREAS, the Pierce County Land Management Committee at its meeting on August 4, 2010 and the Finance and Personnel Committee at its meeting on August 23, 2010 approved the Outdoor Recreation Plan and has recommended adoption by the Pierce County Board of Supervisors.

NOW, THEREFORE, BE IT RESOLVED, that the Pierce County Board of Supervisors does hereby adopt the Pierce County Outdoor Recreation Plan 2010-2014 as its guide to future recreation facility improvements in the County of Pierce.

Dated this 28<sup>th</sup> day of September, 2010.

**RESOLUTION 10-17**  
**Authorize Increase In Hours For Drug Court Coordinator**

WHEREAS, Resolution 05-17 authorized the creation of a .6 FTE Drug Court Coordinator, and Resolution 07-04 authorized an increase from .6 FTE to .8 FTE (7/hrs/wk); and

WHEREAS, it is now being requested to increase the hours for the Drug Court Coordinator from 28 per week (0.8 7/hr/wk) to 40 per week (1.0 8/hr/wk), and that the increase be effective October 1, 2010; and

WHEREAS, since the start of the program, the caseload has increased from 4 participants to an average of 10 participants, and the increase in hours would allow for the number of participants to increase from 10 to 20;

WHEREAS, at the direction of the former Drug Court Committee, a program evaluation was completed in May 2007, which provided data showing that the Drug Court program does save money and produces productive, responsible citizens in the community; and

WHEREAS, it is anticipated that the costs of one 8 hour FTE Drug Court Coordinator has the potential to save up to \$405,984 per year in costs for jail and other County services for client who would otherwise be incarcerated without treatment; and

WHEREAS, the increased costs associated with this requested increase in hours will be funded from current OWI surcharge revenues; and

WHEREAS, the Human Services Board considered this matter at its meetings on June 10, 2010, and August 12, 2010 and recommended approving an increase in hours from 28 per week to 40 per week, and that the increase be effective October 1, 2010; and

WHEREAS, the Finance and Personnel Committee considered this matter at its meetings on July 26, 2010 and September 13, 2010 and recommended approving an increase in hours from 28 to 40 per week effective October 1, 2010, and that to be effective October 1, 2010 it is necessary for action to be taken on a first reading before the County Board of Supervisors.

NOW, THEREFORE BE IT RESOLVED, by the Pierce County Board of Supervisors that it authorizes increasing the hours for the Drug Court Coordinator from 28 per week (.8 7/hr/wk) to 40 per week (1.0 8/hr/wk), with the increased costs to be funded from the OWI surcharge revenues, and that the increase be effective October 1, 2010.

Dated this 28th day of September 2010

**SUMMARY OF Pierce County 2011 INITIAL BUDGET WITH COMPARISON TO PRIOR YEAR BUDGETS**

| <b>SUMMARY OF BUDGET:</b>                                    | <b>2009<br/>ADOPTED<br/>BUDGET</b> | <b>2010<br/>ADOPTED<br/>BUDGET</b> | <b>2011<br/>RECOMMENDED<br/>BUDGET</b> | <b>Percentage<br/>Change</b> |                   |
|--|------------------------------------|------------------------------------|--|------------------------------|-------------------|
| Total Gov't'l Funds Expenditures                             | 31,786,827                         | 32,927,102                         | 38,492,301                             | 16.90%                       |                   |
| Less Program Revenues/Carryovers                             | 9,615,283                          | 10,456,558                         | 15,605,729                             | 49.24%                       |                   |
| Net Gov't'l Funds Budgeted Expenditures                      | 22,171,544                         | 22,470,544                         | 22,886,572                             | 1.85%                        |                   |
| Less Anticipated General Revenues                            | 5,777,926                          | 5,791,722                          | 5,774,546                              | -0.30%                       |                   |
| Gross Levy   | 16,393,618                         | 16,678,822                         | 17,112,026                             | 2.60%                        |                   |
| Less County Sales Tax Applied                                | 1,535,000                          | 1,525,000                          | 1,500,000                              | -1.64%                       |                   |
| Less Human Services Funds Applied                            | 100,000                            | -                                  | -                                      | 0.00%                        |                   |
| <b>Net County Levy</b>                                       | <b>14,758,618</b>                  | <b>15,153,822</b>                  | <b>15,612,026</b>                      | <b>3.024%</b>                |                   |
| <b>COUNTY TAX LEVY:</b>                                      |                                    |                                    |  |                              |                   |
| Operating Levy   | 13,673,825                         | 14,101,350                         | 14,321,567                             | 1.56%                        | <i>formula</i>    |
| Debt Service Levy  | 452,625                            | 452,425                            | 661,489                                | 46.21%                       |                   |
| Special Purpose Levies:                                      |                                    |                                    |  |                              |                   |
| County Library   | 432,168                            | 400,047                            | 428,970                                | 7.23%                        |                   |
| County Aid Bridges   | 200,000                            | 200,000                            | 200,000                                | 0.00%                        |                   |
|  | 14,758,618                         | 15,153,822                         | 15,612,026                             | 3.024%                       |                   |
| Subject to Levy Limit  | 13,673,825                         | 14,101,350                         | 14,321,567                             | 1.562%                       | <i>from above</i> |
| Not Subject to Levy Limit-Library                            | 432,168                            | 400,047                            | 428,970                                |                              | <i>from above</i> |
| Not Subject to Levy Limit-Bridges                            | 200,000                            | 200,000                            | 200,000                                |                              | <i>from above</i> |
| Not Subject to Levy Limit-Debt Service                       | 452,625                            | 452,425                            | 661,489                                |                              | <i>from above</i> |
|  | 14,758,618                         | 15,153,822                         | 15,612,026                             | 3.024%                       |                   |
| <b>COUNTY MILL RATE:</b>                                     |                                    |                                    |  |                              |                   |
| Operating Levy   | 4.255209                           | 4.590545                           | 4.948147                               |                              |                   |
| Debt Service Levy  | 0.140854                           | 0.147282                           | 0.228547                               |                              |                   |
| Special Purpose Levies:                                      |                                    |                                    |  |                              |                   |
| County Library   | 0.134488                           | 0.130231                           | 0.148210                               |                              |                   |
| County Aid Bridges   | 0.062239                           | 0.065108                           | 0.069101                               |                              |                   |
|  | 4.592790                           | 4.933166                           | 5.394005                               |                              |                   |
| <b>CHANGE FROM PRIOR YEAR:</b>                               |                                    |                                    |  |                              |                   |
| <b>Dollars:</b>  |                                    |                                    |  |                              |                   |
| Amount   | 296,557                            | 395,204                            | 458,204                                |                              |                   |
| Percent  | 2.05%                              | 2.68%                              | 3.02%                                  |                              |                   |
| <b>Mill Rate:</b>  |                                    |                                    |  |                              |                   |
| Mills  | 0.032694                           | 0.340376                           | 0.460839                               |                              |                   |
| Percent  | 0.72%                              | 7.41%                              | 9.34%                                  |                              |                   |
| <b>COUNTY EQUALIZED VALUATION</b>                            |                                    |                                    |  |                              |                   |
| <b>(Reduced by TID Increments):</b>                          |                                    |                                    |  |                              |                   |
| Total Value  | 3,213,431,800                      | 3,071,824,800                      | 2,894,329,400                          |                              |                   |
| Percentage Change from Prior Year                            | 1.318601%                          | -4.406722%                         | -5.778175%                             |                              |                   |
| % Change Due to Net New Construction<br>and TID Terminations | 1.838%                             | 0.874%                             | 0.740%                                 |                              |                   |
| <b>STATE LIMIT ON OPERATING MILL RATE: 1 below</b>           |                                    |                                    |  |                              |                   |



|  |          |          |            |
|--|----------|----------|------------|
| Frozen Operating Mill Rate                         | 5.478828 | 5.478828 | 5.478828   |
| Amount Under (Over) Frozen Over. Mill Rate         | 1.223619 | 0.888283 | 0.530681   |
| <b>STATE LIMIT ON OPERATING TAX LEVY: 2 below</b>  |          |          | 14,539,130 |
| Amount Under (Over) Tax Levy Limit                 |          |          | 217,563    |
| Amount Under (Over) Tax Levy Limit minus \$190,000 |          |          | 27,563     |

**COUNTIES MUST MEET BOTH OF THE FOLLOWING REQUIREMENTS FOR SETTING ITS LEVY:**

- 1 They must stay under the frozen operating mill rate....for Pierce County that is 5.478828 mills; and  
The growth factor in the net county levy (except exempted debt service and special purpose levies for library and county aid bridges) is limited to the greater of 3 percent or the total of the percent increase due to net new construction plus the adjustment for TID
- 2 terminations. These percents were 0.74% and 0.00 respectively.

## **RESOLUTION 10-19**

### **Order Issuance of Deed to Pierce County for Property Subject to Tax Certificate**

WHEREAS, pursuant to WI STATS §75.14 (1) the following described real property has been subject of a tax certificate for unpaid real estate taxes:

File #414 (106-01010-0600) - A parcel in the Village of Bay City in Government Lot 4, Section 8, Township 24N, Range 17W, described as follows: *Commencing in the center of Main Street 108 Rods 23 Links Southeasterly of the Northwest corner of Government Lot 4 and 298 feet S44°W for point of beginning; thence S44°W 104 feet; thence at right angles N46°W 208 feet; thence N44°W 104 feet; thence S46°E 208 feet to the point of beginning.*

- \* A tax certificate was issued indicating taxes are unpaid for the years of 2001 - 2006.

- \* A Notice of Application for Tax Deed was served on owner by the County Treasurer on April 29, 2010 via registered mail as provided for in WI STATS §75.12.

WHEREAS, the redemption period is two years from the date that said Tax Certificates were issued listing all of the tax years identified above as being unpaid;

WHEREAS, the County is entitled to take a tax deed to said properties on or after September 1 two years after issuance of said Tax Certificates, if all of the procedures of WI STATS Chapters 74 and 75 are followed;

WHEREAS, WI STATS §75.14 (1) requires that the County Board order issuance of the Deeds;

NOW THEREFORE BE IT RESOLVED, that the Pierce County Board of Supervisors hereby orders the County Clerk to issue Tax Deeds in favor of the County after confirmation by the County Treasurer and Corporation Counsel that all statutory procedures have been followed.

DATED this 26<sup>th</sup> day of October, 2010.

**RESOLUTION 10-20**  
**Care of Soldiers' Graves**

WHEREAS, the Finance Committee has audited the claims for care of Soldier's Graves and found them to be justified claims against Pierce County.

THEREFORE, BE IT RESOLVED, that the County Clerk be authorized to pay the below schedule of claims, pursuant to §45.85, Wis. Stats.:

| Cemetery Association            | Graves | Amount Claimed |
|---------------------------------|--------|----------------|
| Bay City                        | 90     | 270.00         |
| Beldenville                     | 45     | 135.00         |
| Bethel Mission                  | 45     | 135.00         |
| Bethlehem                       | 16     | 48.00          |
| Diamond Bluff                   | 53     | 159.00         |
| Eidsvold Lutheran               | 16     | 48.00          |
| Free Home                       | 29     | 87.00          |
| Gilman Lutheran                 | 73     | 219.00         |
| Greenwood Valley                | 5      | 15.00          |
| Hartland Methodist              | 9      | 27.00          |
| Hartland Presbyterian           | 8      | 24.00          |
| Maiden Rock                     | 76     | 228.00         |
| Mann Valley                     | 10     | 30.00          |
| Maple Grove                     | 175    | 525.00         |
| Martell Lutheran                | 26     | 78.00          |
| Martell Methodist               | 15     | 45.00          |
| Mt. Olivet                      | 20     | 60.00          |
| Mt. Tabor                       | 21     | 63.00          |
| Oak Ridge                       | 28     | 84.00          |
| Ono Methodist                   | 29     | 87.00          |
| Our Lady's                      | 22     | 66.00          |
| Our Savior's / South Rush River | 43     | 129.00         |
| Pine Glen                       | 186    | 558.00         |
| Plum City Protestant            | 54     | 162.00         |
| Poplar Hill                     | 129    | 387.00         |
| Rush River                      | 80     | 240.00         |
| Sacred Heart Elmwood            | 40     | 120.00         |
| Sacred Heart-Spring Valley      | 38     | 114.00         |
| Salem Lutheran                  | 4      | 12.00          |
| Spring Lake                     | 61     | 183.00         |
| Spring Lake Lutheran            | 24     | 72.00          |
| St. Bridget's                   | 97     | 291.00         |

|                                   |       |          |
|-----------------------------------|-------|----------|
| St. Francis                       | 75    | 225.00   |
| St. John's Lutheran-Spring Valley | 78    | 234.00   |
| St. John's - Oak Grove            | 3     | 9.00     |
| St. John's Catholic-Plum City     | 76    | 228.00   |
| St. Joseph's - Prescott           | 76    | 228.00   |
| St. Joseph's - El Paso            | 24    | 72.00    |
| St. Martin's                      | 30    | 90.00    |
| St. Mary's - Big River            | 10    | 30.00    |
| St. Paul's                        | 44    | 132.00   |
| Svea                              | 25    | 75.00    |
| Thurston Hill                     | 18    | 54.00    |
| Trenton                           | 69    | 207.00   |
| Trimbelle                         | 44    | 132.00   |
| TOTAL                             | 2,139 | 6,417.00 |

DATED this 9<sup>th</sup> day of November, 2010.

**RESOLUTION 10-21****Claims for Listing Dogs**

WHEREAS, the Finance Committee has audited the listing officials claims for the listing of dogs and found them to be justified against Pierce County.

THEREFORE, BE IT RESOLVED, that the County Clerk be authorized to pay the schedule of claims, pursuant to §174.06(3), Wis. Stats.:

| <b>MUNICIPALITY</b>             | <b># DOGS</b> | <b>\$ CLAIMED</b>  |
|---------------------------------|---------------|--------------------|
| Towns:                          |               |                    |
| Clifton - Judy Clement-Lee      | 154           | 77.00              |
| Diamond Bluff - Mark Place      | 55            | 27.50              |
| Ellsworth - Audrey Murphy       | 178           | 89.00              |
| El Paso - Mary Foley            | 124           | 62.00              |
| Gilman - Town of Gilman         | 254           | 127.00             |
| Hartland - Cynthia Kern         | 134           | 67.00              |
| Isabelle - Lora Henn            | 59            | 29.50              |
| Maiden Rock - Merle Sjostrom    | 76            | 38.00              |
| Martell - Noreen Falde          | 294           | 147.00             |
| Oak Grove - Jeremy Boles        | 183           | 91.50              |
| River Falls - Caroline Hamilton | 297           | 148.50             |
| Rock Elm - Ann Larson-Graham    | 77            | 38.50              |
| Salem - Ann Larson-Graham       | 69            | 34.50              |
| Spring Lake - Charles Bricton   | 114           | 57.00              |
| Trenton - Kathryn Fuchs         | 114           | 57.00              |
| Trimbelle - Karen O'Brien       | 293           | 146.50             |
| Union - Barbara Schneider       | 101           | 50.50              |
| Villages:                       |               |                    |
| Bay City - Kay Beder            | 83            | 41.50              |
| Ellsworth - Peggy Nelson        | 383           | 191.50             |
| Elmwood - Amy Wayne             | 135           | 67.50              |
| Maiden Rock - Shirley Gilles    | 25            | 12.50              |
| Plum City - Bonnie Frickson     | 68            | 34.00              |
| Spring Valley - Rita Goveronski | 193           | 96.50              |
| Cities:                         |               |                    |
| Prescott - Elizabeth Frueh      | 127           | 63.50              |
| River Falls - Julie Bergstrom   | 432           | 216.00             |
| <b>TOTAL</b>                    | <b>4,022</b>  | <b>\$ 2,011.00</b> |

DATED this 9<sup>th</sup> day of November, 2010.

**RESOLUTION 10-22**

**Ratify Community Health Association - Labor Association of Wisconsin, Inc. (L.A.W.) Bargaining Agreement**

WHEREAS, negotiations were undertaken by and between the County and Community Health Association - Labor Association of Wisconsin, Inc. (L.A.W.) with respect to the Community Health Association (L.A.W.) Collective Bargaining Agreement; and

WHEREAS, on January 17, 2011, the Finance and Personnel Committee reviewed the tentative, proposed contract settlement offer for the period of January 1, 2011 through December 31, 2012; and

WHEREAS, the Community Health Association (L.A.W.) is in agreement with said proposal; and

WHEREAS, the Finance and Personnel Committee recommends to the full County Board of Supervisors that it ratify said Collective Bargaining Agreement, as revised and incorporating the settlement offer, for the period in question.

NOW, THEREFORE BE IT RESOLVED, by the County Board of Supervisors that it hereby goes on record in ratifying the Collective Bargaining Agreement by and between Pierce County and its Community Health Association (L.A.W.) employees for the term of January 1, 2011 through December 31, 2012 as incorporating the attached Settlement Proposal, Exhibit "A", to this Resolution.

Dated this 25<sup>th</sup> day of January, 2011.

**TENTATIVE SETTLEMENT  
BETWEEN  
PIERCE COUNTY  
AND  
PIERCE COUNTY COMMUNITY HEALTH ASSOCIATION  
FOR A SUCCESSOR TO THE 2008-10 AGREEMENT**

From the December 17, 2010, Bargaining Session

All terms and conditions of the 2008-10 Agreement and the tentative agreements (attached) shall be come the terms and conditions for a 2011-12 Agreement, with the following additions:

1. **ARTICLE XXIV – VACATIONS** (Un.7 as amended). Amend Section 24.01 as follows:

Section 24.01. All full time County employees shall be granted vacation with pay as follows:

- 12 days during the 1<sup>st</sup> year through the 8<sup>th</sup> year;
- 15 days during the 9<sup>th</sup> year through the 15<sup>th</sup> year;
- \* - 20 days during the 16<sup>th</sup> year ~~and thereafter~~ through the 25<sup>th</sup> year;
- \* - 25 days during the 26<sup>th</sup> year and thereafter.

(Vacation may be taken in increments of one hour or more.)

- \* 2. **ARTICLE XXVI – SICK LEAVE** (Un. 7 as amended). Amend Section 26.02 as follows:

Section 26.02. In order to qualify for such sick leave an employee must report that he/she is sick not later than one-half (½) hour after the earliest time for which he/she is to report for work. If the employee can show it was impossible to give the notice required hereunder, then the notice requirement shall be waived. Employer may request a doctor's certificate. The employee may use such leave for personal illness and for attendance upon spouse and children who are ill. The employee may use up to five (5) days per year of such leave for attendance upon parent and parent-in-law who are ill.

3. **ARTICLE XXVI – SICK LEAVE** (Un. 8 as amended). Amend Section 26.03 as follows:

Section 26.03. Upon termination of employment, after five (5) years of service, the County agrees to pay one hundred percent (100%) of the unused accumulated sick leave; up to a maximum of sixty (60) days, except for employees discharged for cause. Upon termination of employment, after thirty (30) years of service, the County agrees to pay

one hundred percent (100%) of all unused accumulated sick leave, except for employees discharged for cause.

4. **ARTICLE XXX – FUNERAL LEAVE** (Un. 9 as amended). Amend Section 30.01 as follows:

\* Section 30.01. The County will pay five (5) days for time lost from work by any employee in the event of a death of the employee's children and spouse and three (3) days for employee's mother, father, sister, or brother. The County will pay up to three (3) days for mother-in-law, father-in-law, brother-in-law, sister-in-law, grandparents, grandparents-in-law or grandchildren. The County will compensate an employee for up to one-half (½) day for the funeral of a co-worker from the Public Health Department. Up to one (1) day per year, deducted from an employee's available sick leave, may be used for attendance at the funeral of a close friend or relative not in the immediate family. No more than one (1) day per year may be used by each employee for this purpose.

5. **HEALTH INSURANCE**

January 1, 2011: All employees with health insurance to be enrolled in Anthem Blue POS Network Plan.  
Rates: 5% increase over 2010 rates.

Employer Contribution: \$730.80 single  
\$1852.20 family

Employee Contribution: \$81.20 single  
\$205.80 family

Total Premium: \$812.00 single  
\$2,058.00 family

Anthem PPO Plan is eliminated.

January 1, 2012: Anthem Blue POS Network Plan to be modified to Alternative Plan **with drug card modified from \$5/\$20/\$40 to \$5/\$15/\$25.** A summary of which is attached.  
Rates: To Be Determined.

6. **WAGE INCREASES**

\* January 1, 2011 1.25%  
\* January 1, 2012 1.25%



- \* 7. **ARTICLE XX – HOURS OF WORK/OVERTIME.** Amend Section 20.07 as follows:

Section 20.07. Employees shall receive differential pay of seventy-five cents (75¢) per hour, in addition to all other compensation, for all hours spent at Immunization Clinics or other public health clinics which are outside of regular work hours of 8:00 a.m. to 5:00 p.m., Monday through Friday. The Early Intervention (Birth-to-3) Coordinator, Service Coordinator, and Environmental Health Specialist shall receive differential pay of seventy-five cents (75¢) per hour, in addition to all other compensation, for all hours spent at home visits and environmental visits which cannot be scheduled during the regular work hours of 8:00 a.m. to 5:00 p.m., Monday through Friday, with department head approval.

**TENTATIVE AGREEMENTS  
BETWEEN  
PIERCE COUNTY  
AND  
PIERCE COUNTY COMMUNITY HEALTH ASSOCIATION  
FOR A SUCCESSOR TO THE 2008-10 AGREEMENT**

From September 20, 2010 Bargaining Session

Un. 1. **ARTICLE IV – ASSOCIATION SECURITY.** Amend Section 4.04 as follows:

Section 4.04. Indemnification. The Employer shall not be held liable to the Association, employee, or any party, by reason of the requirements of this Article for the remittance or payment of any sum, other than that constituting actual dues or Fair Share deductions from employee's wages earned.

The Union Association does hereby indemnify and shall save the County harmless against any and all claims, demands, suits, or other forms of liability, including court costs, that shall arise out of or by reason of action taken or not taken by the County, which County action or non-action is in compliance with the provisions of this Article, and in reliance on any list or certificates which have been furnished to the County pursuant to this Article.

[Make same change from "Union" to "Association" throughout entire contract.]

Co. 2. **ARTICLE VIII – GRIEVANCE PROCEDURE AND ARBITRATION.** Amend Section 8.08 as follows:

Section 8.08. Any grievance which cannot be settled through the above procedure may be submitted by either party to final and binding arbitration within ten (10) working days of the Finance and Personnel Committee's written decision as follows: the parties shall attempt to voluntarily agree upon a neutral arbitrator. In the event that they are unable to agree, the parties shall develop a list of three (3) mutually acceptable staff persons from the Wisconsin Employment Relations Commission. Each party shall suggest staff members to the other party until three (3) mutually agreeable arbitrators are selected. In the event the parties cannot agree to three (3) staff persons who are mutually agreeable within ten (10) working days, the list of mutually agreeable arbitrators shall be utilized. The parties shall request the Commission to appoint one of the arbitrators from the list of mutually agreeable arbitrators to serve as arbitrator in an individual case. The arbitrator shall render a decision which shall be final and binding upon both parties.

Co. 3. **ARTICLE X – EMPLOYMENT PHYSICAL EXAMINATION.** Delete as unnecessary:

Section 10.01. ~~All new employees shall have a physical examination, including back x-ray, according to Agency policy, paid for by the County and conducted by the Employer's physician of choice. If a chest x-ray is warranted, it shall be paid for by the County.~~

Un. 3. **ARTICLE XVIII – LAYOFF/RECALL.** Amend Section 18.01 as follows:

Section 18.01. When the County decides to decrease the number of department employees, the employees shall be laid off in the inverse order **of their seniority** within the department providing the remaining persons are qualified to perform the required work. Association members may bump a less senior member provided they have the qualifications for the position. The Employer shall give at least twenty-one (21) calendar days notice to employees who are to be laid off or be compensated at the employee's regular rate of pay to the extent such notice is deficient. (The daily rate is based on the percentage of full time worked in previous quarter.)

Co. 7. **ARTICLE XXIX – LONGEVITY PAY PROGRAM**

Section 29.01. Amend paragraph c. to reflect current practice:

- c. Longevity pay shall be paid each year to eligible employees on the first payroll after the first of ~~December~~ January.

TENTATIVE AGREEMENTS  
BETWEEN  
PIERCE COUNTY  
AND  
PIERCE COUNTY COMMUNITY HEALTH ASSOCIATION  
FOR A SUCCESSOR TO THE 2008-10 AGREEMENT

From November 3, 2010 Bargaining Session

Co. 1. **ARTICLE V – ASSOCIATION ACTIVITIES**

- \* A. Amend to add new section:

Section 5.04. Every other negotiation session shall be conducted during normal work hours and paid by the County as if the employee was attending to normal duties with the County paying for a maximum of three (3) negotiators. The alternate negotiation sessions shall be held outside the normal workday with no pay from the County with the first meeting for the exchange of initial proposals to be held outside the normal workday. The employee shall work his/her normal work on those days of the alternate bargaining sessions. No overtime payments will be paid on negotiation days except for time spent performing normal duties.

Mediation and arbitration sessions shall be scheduled by mutual Agreement. If such sessions are scheduled during the normal workday, they will be considered business of the County and attendees will be excused from normal duties without loss of regular wages. No overtime will be paid for time attending mediation/arbitration sessions.

- B. Delete ARTICLE XXXV – DURATION, Section 35.03:

~~Section 35.05. Negotiations of a new contract shall be considered business of the County and shall be continued during working hours with the County paying three (3) negotiators with no deductions for time off.~~

Co. 4. **ARTICLE XX – HOURS OF WORK/OVERTIME**

Change normal business hours from 8:00 a.m. to 5:00 p.m. to 8:00 a.m. to 4:30 p.m., as applicable, adjusting employee's schedules accordingly with a ½ hour unpaid lunch for employees working an 8 hour day and employees working a 7 hour day continuing to have a one-hour unpaid lunch. This proposal is contingent upon the County Board's approval of a corresponding resolution changing to the usual business hours for statutory offices, as set forth in Wis. Stat. § 59.20(30), from 8:00 a.m. to 5:00 p.m. to 8:00 a.m. to 4:30 p.m.

Un. 5. **ARTICLE XXIII – PENSION AND INSURANCE**

Amend Section 23.03 as follows:

Section 23.03. The County shall pay ~~up to a maximum of 6.5%~~ one hundred percent (100%) of the employee's share which shall be credited to the employee's account and the municipality contribution rate is as determined by the Wisconsin Retirement System.

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## **RESOLUTION 10-23**

### **Establish 2011 Salaries and Benefits for Non-Represented Employees**

WHEREAS, the Finance and Personnel Committee has duly considered the existing salaries for non-represented employees of Pierce County; and

WHEREAS, part and parcel of said analysis has been consideration of the 2010 BCC Salary Matrix; and

WHEREAS, the Finance and Personnel Committee did meet on January 3, 2011, and recommends salary increases in the amount of 0% across the board to the BCC 10-step Salary Matrix system, as and for non-represented employees identified on the current BCC 10-step salary matrix, for the 2011 calendar year, effective retroactive to January 1, 2011.

NOW THEREFORE BE IT RESOLVED by the Pierce County Board of Supervisors that the BCC salary matrix and salaries of all non-represented employees identified on the matrix be adjusted by 0% across the board, calculated upon the basis of the 10-step salary matrix, for the 2011 calendar year, effective retroactive to January 1, 2011.

BE IT FURTHER RESOLVED that effective 1/1/11, non-represented employees on the self-funded plan will continue to contribute 10% toward the health insurance premiums.

DATED this 25th day of January 2011.

## **RESOLUTION 10-24**

### **Dog Damage Claims**

WHEREAS, the Finance Committee has audited the dog damage claims against Pierce County,

THEREFORE, BE IT RESOLVED, that the County Clerk be authorized to pay the below schedule of claims, pursuant to §174.11 (4), Wis. Stats. & §101-9 C Pierce County Code:

| Claimant                             | Claim  | Amount Claimed | Amount Allowed |
|--------------------------------------|--|----------------|----------------|
| Arvid Schwake<br>Town of Maiden Rock | 6 Sheep/Ewes (bred) > \$1800<br>2 Laying Hens > \$30 | \$1,830.00     | \$1,000.00     |
| TOTAL                                |  | \$1,830.00     | \$1,000.00     |

DATED this 25<sup>th</sup> day of January, 2011.

**RESOLUTION 10-25**

**Develop a Closed Point of Dispensing (POD) Plan and Establish an Ad Hoc POD Development Committee**

WHEREAS, preventative medication or immunization may be required in the event of a public health emergency or act of bioterrorism and a point-of-dispensing (POD) plan would be activated in order to provide the necessary medication should such an event occur; and

WHEREAS, Pierce County is a large employer within our county and its employees perform many vital functions; and

WHEREAS, in order to reduce the stress on the community clinics conducted by the Health Department, Pierce County would serve as a closed POD to serve its employees and their families, giving them a convenient way to receive prophylaxis. This POD would take place simultaneously with community clinics; and

WHEREAS, the Pierce County Board of Health at its meeting on January 24, 2011 and the Finance and Personnel Committee at its meeting on February 7, 2011 recommended the development of a Closed POD Plan for Pierce County employees and forward to the County Board for consideration.

NOW, THEREFORE BE IT RESOLVED that the Pierce County Board of Supervisors approves the development of a Closed POD Plan for Pierce County.

NOW BE IT FURTHER RESOLVED that the Pierce County Board of Supervisors hereby directs the Pierce County Board of Health take a lead in the development of a Closed POD Plan and authorizes the creation of an Ad Hoc planning committee, to be selected by the Board of Health, to put together policy and procedure and assist in the development of a Closed POD Plan for Pierce County.

NOW BE IT FURTHER RESOLVED that Ad Hoc planning committee members shall receive a per diem and be reimbursed for mileage costs per County Board Policies.

NOW BE IT FURTHER RESOLVED that the Ad Hoc planning committee will sunset upon the adoption of a Closed POD Plan by the Pierce County Board of Supervisors.

Dated this 22<sup>nd</sup> day of March, 2011.

## **RESOLUTION 10-26**

### **Amend the Personnel Policy to Include Lockdown Guidelines**

WHEREAS, §4-20 of the Pierce County Code addresses amendments to the Pierce County Personnel Policy as follows:

“The Pierce County Personnel Code shall be maintained under the guidance, direction and policymaking supervision of the Finance and Personnel Committee, which shall have the authority to amend the code from time to time, to conform its provisions with current personnel policies as devised by the Board and Finance and Personnel Committee, collective bargaining agreements and other contracts. Amendment to the Pierce County Code shall require approval of the Board.” and

WHEREAS, the Personnel Policy further states in Article III Section B that the County Board shall authorize by resolution any amendments to the Personnel Policy; and

WHEREAS, the purpose of a code of personnel policies and procedures, as set forth in Article 1, Section A of the Personnel Policy, is to create a guide for the administration of personnel, and to spell out the responsibilities of supervisory staff so that their leadership results in effective administration and maximum utilization of the work force; and

WHEREAS, the purpose and directive of the Ad Hoc Courthouse Security Workgroup is to consider preliminary recommendations for potential physical facility plant changes and policy modifications to be considered by the appropriate County committee for adoption; and

WHEREAS, the Ad Hoc Courthouse Security Workgroup, at its meeting on January 21, 2011, recommended adopting the attached Lockdown Policy and Bomb Threat Checklist in order to improve the safety and security of the public, Pierce County employees and County facilities; and

WHEREAS, the Finance and Personnel Committee, at its meeting on February 7, 2011, reviewed the proposed Lockdown Policy and Bomb Threat Checklist, and recommended that the County Board adopt the policy and checklist, and amend the Personnel Policy, adding the policy language in the most appropriate location as well as adding the policy and checklist to a safety and security manual.

NOW THEREFORE, BE IT RESOLVED, that the Pierce County Board of Supervisors adopts the Lockdown Policy and Bomb Threat Checklist effective immediately and instructs that the attached policy be added to the Pierce County Personnel Policy in the most appropriate location, and that the policy and checklist be added to a safety and security manual.

Dated this 22<sup>nd</sup> day of March, 2011.

*(The Lockdown Policy and Bomb Threat Checklist may be viewed in person at the offices of Administration, Corporation Counsel, or Sheriff.)*



## **RESOLUTION 10-27**

### **Amend Personnel Policy Article XI: Conditions of Employment, Section L. Employee Identification / Access Cards Policy**

WHEREAS, §4-20 of the Pierce County Code addresses amendments to the Pierce County Personnel Policy as follows:

“The Pierce County Personnel Code shall be maintained under the guidance, direction and policymaking supervision of the Finance and Personnel Committee, which shall have the authority to amend the code from time to time, to conform its provisions with current personnel policies as devised by the Board and Finance and Personnel Committee, collective bargaining agreements and other contracts. Amendment to the Pierce County Code shall require approval of the Board.” and

WHEREAS, the Personnel Policy further states in Article III Section B that the County Board shall authorize by resolution any amendments to the Personnel Policy; and

WHEREAS, the purpose of a code of personnel policies and procedures, as set forth in Article 1, Section A of the Personnel Policy, is to create a guide for the administration of personnel, and to spell out the responsibilities of supervisory staff so that their leadership results in effective administration and maximum utilization of the work force; and

WHEREAS, the purpose and directive of the Ad Hoc Courthouse Security Workgroup is to consider preliminary recommendations for potential physical facility plant changes and policy modifications to be considered by the appropriate County committee for adoption; and

WHEREAS, the Ad Hoc Courthouse Security Workgroup, at its meeting on January 21, 2011, recommended adopting the security card access policy language below in order to improve the safety and security of the public, Pierce County employees and County facilities; and

WHEREAS, the Finance and Personnel Committee recommends amending the Personnel Policy to add the following:

Personnel Policy, Article XI. Conditions of Employment, Section L. Employee Identification / Access Cards Policy

- “6. Security Card Access - For all Department entrances requiring security card access:
  - a. The Department Head shall determine access for security card access doors solely involving their department.
  - b. Determinations regarding access involving multiple departments are to be made by those effected Department Heads.
  - c. Any disputes shall be brought before the Ad Hoc Courthouse Security Workgroup.
7. The County Administrative Coordinator may propose additional procedures necessary for the implementation and enforcement of this policy and its related procedures and may interpret or authorize exceptions when deemed in the best interest of the County.
8. Violations of this policy and its related procedures are subject to disciplinary action.”; and

WHEREAS, the Finance and Personnel Committee, at its meeting on February 7, 2011 reviewed the proposed policy revision and recommended that the County Board adopt the revisions and amend Article XI, Section L; and

WHEREAS, the Pierce County Board of Supervisors has considered recommendations to improve administrative procedures and amend the Employee Identification / Access Cards policy to include provisions for security card access and has determined that the recommended changes will improve the safety and security of the public, Pierce County employees and County facilities.

NOW THEREFORE, BE IT RESOLVED, that the Pierce County Board of Supervisors amends the Pierce County Personnel Policy as set forth herein and as recommended by the Ad Hoc Courthouse Security Workgroup and the Finance and Personnel Committee.

Dated this 22nd day of February, 2011.

## **RESOLUTION 10-28**

### **Eliminate Positions of Assistant Public Health Director / Health Officer II and the .6 FTE WIC Manager and Authorize Creation of Public Health Manager / WIC Director Position at .8 FTE (1,664 Hours)**

WHEREAS, on June 23, 2009, the position of Assistant Public Health Director/Health Officer II was vacated when the incumbent accepted the position of Director/Health Officer of Public Health & Home Care; and

WHEREAS, the Public Health Department reviewed the duties of the Assistant Public Health Director/Health Officer II and proposed to add to the position of WIC Manager some of the management duties assigned to the position of Assistant Public Health Director/Health Officer II, and also to include supervision of the Birth to Three, Children and Youth with Special Health Care Needs, and Oral Health programs and three support staff; and

WHEREAS, the Interim Administrative Coordinator approved the assignment of these duties on a temporary basis to the WIC Manager effective October 18, 2010 through March 31, 2011 and authorized a temporary increase in hours for the position from .6 FTE to .8 FTE for the same period of time; and

WHEREAS, the temporary increase in hours for the WIC Manager was funded from the monies allocated in the 2010 and 2011 budget for the position of Assistant Public Health Director/Health Officer II; and

WHEREAS, on January 24, 2011, the Board of Health took action to approve a revised position description for the WIC Manager which would change the position to that of Public Health Manager/WIC Director and to make the previously temporary work assignments a permanent assignment as well as to recommend the position be created at .8 FTE status; and

WHEREAS, pursuant to the Pierce County Personnel Policy, §IV(B) regarding Position Establishment, authorization for all new positions is subject to approval of the Finance and Personnel Committee and the County Board; and

WHEREAS, the Finance and Personnel Committee considered this matter at its meeting on February 7, 2011 and recommended eliminating the position of Assistant Public Health Director/Health Officer II and .6 FTE WIC Manager and creating the position of Public Health Manager/WIC Director at .8 FTE with the additional costs to be funded from the 2011 budget.

NOW, THEREFORE BE IT RESOLVED, by the Pierce County Board of Supervisors that it authorizes eliminating the Assistant Public Health Director/Health Officer II and the .6 FTE WIC Manager positions and to create the .8 FTE Public Health Manager/WIC Director position, and that the changes be effective following adoption of this resolution.

DATED this 22<sup>nd</sup> day of February, 2011.

## **RESOLUTION 10-29**

### **Authorization to Purchase Sheriff's Department Computer Software/Hardware for Records Management, Computer Aided Dispatch, Civil Process, Jail Management, Mobile Computer and Automated Vehicle Location System (RMS System)**

WHEREAS, in September 2010, the Pierce County Sheriff's Department looked at several RMS systems to replace the current RMS system through SMART Public Safety Software, Inc., which as of September 1, 2010 was no longer in use by the Sheriff's Department; and

WHEREAS, after reviewing several RMS computer systems, the system from Computer Information Systems, Inc. (CIS) was focused on; and

WHEREAS, the cost of the complete RMS system from CIS is \$430,000 which includes software, servers, on site training, and limited 24x7x365 maintenance for various modules including records management, computer aided dispatch, jail management, civil process and mobile computer systems for patrol squads, as well as other interface systems; and

WHEREAS, this system is currently operating in several Wisconsin and Minnesota Counties, including Wood, Langlade and Jefferson Counties in Wisconsin, and Goodhue County in Minnesota as well as several other municipalities; and

WHEREAS, the CIS RMS system is a complete turnkey system, which will be completely installed by CIS; and

WHEREAS, the Law Enforcement Committee, at its meeting on January 20, 2011, took action to recommend approval of the purchase of a complete RMS system from CIS for the sum of \$430,000; and

WHEREAS, the Finance and Personnel Committee, at its meeting on January 25, 2011, considered this issue and took action to move the matter on to the full County Board for its consideration; and

WHEREAS, with regard to the source of funds for the project, the approximate dollar figures are as follows:

- a. There is already \$312,000 in the Sheriff's Department budget set aside for the above described software/hardware system, and
- b. Money from the bond (Resolution 07-28 which passed 12-18-07) has already been approved for such a system, and \$96,495.64 of bond proceeds remain in said fund, and the Bond Proceeds Subgroup, at its meeting on September 24, 2010 approved allocating the remaining bond funds for this project, and
- c. The remaining sum of \$21,504.36 will be budgeted in subsequent years by the Sheriff's Department.

NOW, THEREFORE BE IT RESOLVED, that the Pierce County Board of Supervisors approves the purchase of a complete RMS system from CIS for the sum of \$430,000, subject to the execution of a contract, with the source of funds at set forth herein.

Dated this 22nd day of February, 2011.

***(This resolution was presented but did not pass. The County Board will retain 17 supervisory districts.***

**RESOLUTION 10-30**

**Change the Number of County Board Supervisory Districts as Part of Decennial Redistricting Process**

WHEREAS, reapportionment and redistricting are mandated by federal and state law.

“Reapportionment” refers to the allocation of political seats among governmental units, and “redistricting” refers to the establishment of boundaries among political units such as county supervisory districts; and

WHEREAS, pursuant to §59.10 Wis. Stats., county governments in Wisconsin are required to redistrict following completion of the federal ten-year or “decennial” census; and

WHEREAS, the primary purpose of this process is to reflect population shifts that have occurred over the past ten years within counties as reflected by the results of the federal census; and

WHEREAS, decennial redistricting also provides counties with the opportunity to increase or decrease the size of their county boards by increasing or decreasing the number of supervisory districts in their redistricting plan; and

WHEREAS, Wisconsin Counties Association recommends that if the board size is to remain the same, no action should be taken (in other words no action should be taken on this Resolution), however, should a change in size be desired, it needs to be accomplished in March to allow action in accordance with statutory timelines, in developing the redistricting plan once census data is received; and

WHEREAS, the Redistricting Committee considered this issue at its meeting on March 7, 2011 and recommends that the number of supervisory districts remain seventeen.

NOW THEREFORE, BE IT RESOLVED, that the Pierce County Board of Supervisors approves decreasing/increasing the number of supervisory districts in Pierce County from the current seventeen (17) supervisors to \_\_\_\_ supervisors.

Dated this 22nd day of March, 2011.

## **RESOLUTION 10-31**

### **Opposing Elimination of Municipal Recycling Requirements and Opposing Elimination of Recycling Grant Programs**

WHEREAS, recycling provides a whole host of environmental benefits, including preserving natural resources, less air pollution, energy savings, reduced greenhouse gas emissions, reducing mining wastes and conserving landfill space; and

WHEREAS, recycling also provides extensive economic benefits, providing material feedstock for manufacturing, business development, state and local tax revenue and four times more jobs than the disposal industry; and

WHEREAS, the University of Wisconsin Survey Center, commissioned by the Department of Natural Resources (2006), demonstrated that 93% of Wisconsin residents favor or strongly favor the Recycling Law and 96% of Wisconsin households are "committed" to recycling; and

WHEREAS, the State of Wisconsin mandated recycling in 1990 under 1989 Wisconsin Act 335 and Administrative Code NR 544; and

WHEREAS, Towns, Villages, Cities and Counties, hereafter Municipalities, responded by becoming Responsible Units for Recycling and as such, invested millions of dollars in education, collection and processing infrastructure for effective recycling programs; and

WHEREAS, Pierce County is a Responsible Unit for providing recycling education, outreach, and recycling collection containers that serves twenty-four (24) municipalities, representing approximately 13,419 households; and

WHEREAS, in 1996, Pierce County constructed a new Recycling Material Recovery Facility, and from 1996 through 2010 the facility received, processed and marketed over 53,700 tons of recyclable materials including 9,880 appliances, 14,459 electronic components, 49,580 fluorescent lamps, 595 ballasts containing PCBs, 1,663 tons of tires, 94,670 gallons of waste oil, 4,550 gallons of anti-freeze, 115 tons of lead acid batteries and 24 tons of oil filters; and

WHEREAS, the Pierce County Material Recovery Facility also hosts two annual collection events for their residents and business to safely and properly dispose of unwanted hazardous and pharmaceutical waste, which have proven to be successful; and

WHEREAS, the State of Wisconsin originally proposed to cost share 66% of the Municipalities' costs for establishing and maintaining Effective Recycling Programs, and the State currently reimburses Pierce County for less than 40% of its Recycling Program costs; and

WHEREAS, the State of Wisconsin has imposed levy limits on Municipalities putting many under severe financial constraints; and

WHEREAS, the 2011-2013 Executive Budget Bill proposed by Governor Walker (AB 40 and SB 27) seeks to eliminate the requirement that Municipalities operate a recycling program; eliminates all financial assistance for Municipal recycling programs; converts the Recycling and Renewable Energy Segregated Fund to a newly created Economic Development Fund and directs revenue collected on the landfill tipping fee surcharge into this Fund; and

WHEREAS, since 1990 the State has taken over one hundred forty million dollars (\$140,000,000) away from the Recycling and Renewable Energy Segregated Fund to pay for other State programs; and

WHEREAS, the State of Wisconsin has used monies raised to support Municipal Recycling Programs as part of a failed attempt to balance the State's budget and proposes to do so again, while also becoming the first State in the Nation to repeal a mandatory recycling program; and

WHEREAS, the strength of Wisconsin's recycling program comes from its mandate, ensuring sufficient feedstock for economical recycling collection, processing and manufacturing by both public and private sector entities, and to eliminate this mandate and accompanying financial assistance in such a dramatic way (as of July 1<sup>st</sup>) will devastate Wisconsin's recycling program.

NOW, THEREFORE, BE IT RESOLVED that the Pierce County Solid Waste Management Board opposes the elimination of the requirement that a Municipality operate a recycling program.

BE IT FURTHER RESOLVED that the Pierce County Solid Waste Management Board opposes the elimination of the financial assistance program for municipal recycling during the 2011-2013 biennium.

BE IT FURTHER RESOLVED that the Pierce County Solid Waste Management Board supports the use of the landfill tipping fee surcharge as the source of funding for financial assistance to Municipalities, as it was intended, and contends whether this fund is termed the Recycling and Renewable Energy Segregated Fund or the Economic Development Fund its purpose is realized due to the significant economic impact of recycling in the State.

BE IT FURTHER RESOLVED that the Pierce County Solid Waste Management Board cannot condone the collecting of the landfill tipping fee surcharge without financial assistance for municipal recycling programs.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Governor, the leadership of both houses in the Legislature, the Joint Committee on Finance, the Legislators representing Pierce County, and the Wisconsin Counties Association.

Dated this 22<sup>nd</sup> day of March, 2011.

## **RESOLUTION 10-32**

### **Maintain Certain Benefits for Represented Employees on a Temporary Basis in Response to Budget Repair Bill (2011 Wisconsin Act 10)**

WHEREAS, Governor Walker signed into law 2011 Wisconsin Act 10 (informally referred to as the Budget Repair Bill) on March 11, 2011, and in discussing that law made clear his intent to provide local autonomy in decisions relating to personnel costs in exchange for steep cuts in state aid; and

WHEREAS, the law makes sweeping changes in the relationship among counties, their employees and employee unions; and

WHEREAS, there are many questions surrounding the new law and how it will effect county employees which will likely be sorted out over many months to come; and

WHEREAS, the new law takes effect on or about March 26, 2011, and procedures need to be developed and organizational decisions need to be made to implement the new law, which could take several weeks or months to complete; and

WHEREAS, the County, under the new law, has no obligation to, but desires to voluntarily and temporarily maintain certain benefits to represented employees, as set forth in the Attached Exhibit A, until such time as a more comprehensive review is completed, as determined by the County; and

WHEREAS, this Resolution does not impact the represented employees covered under the L.A.W. Community Health bargaining agreement or represented employees covered under the L.A.W. Sheriff's Department bargaining unit; and

WHEREAS, the County's desire to temporarily maintain certain benefits as set forth herein is not meant to create any contractual relationship or obligation on the part of the County to provide said benefits but rather to keep said benefits in place to provide continuity and clarity until such time as new procedures are developed and implemented; and

WHEREAS, the County cannot guarantee that the temporarily maintained benefits will remain in place for a specific set period of time, however, it would be a reasonable expectation that said benefits would likely remain in place until June 30, 2011.

NOW THEREFORE, BE IT RESOLVED, that the Pierce County Board of Supervisors approves voluntarily and temporarily maintaining certain benefits to represented employees, as set forth in the Attached Exhibit A, until such time as a more comprehensive review is completed, as determined by the County.

Dated this 22nd day of March, 2011.

### **Res. 10-32 EXHIBIT A - BENEFITS 2010 CONTRACTS**

(Paid / Unpaid)

| UNIT                 | ARTICLE / LEAVE                   | PAID / UNPAID          |
|----------------------|-----------------------------------|------------------------|
| AFSCME<br>Courthouse | #7 Leave of Absence               | Unpaid                 |
|                      | #10 Holidays                      | Paid                   |
|                      | #11 Vacations                     | Paid                   |
|                      | #12 Sick Leave                    | Paid/Bank              |
|                      | #16 WC supplement                 | Paid sick leave        |
|                      | #17 Commiseration                 | Paid – unlimited       |
|                      | #18 Jury                          | Paid                   |
|                      | #19 General (call out)            | 4 hrs paid             |
|                      | #19 General Conference/Convention | Paid 4 days aggregate  |
|                      | #19 General 7.                    | Uniforms for Recycling |

|  |  |  |
|--|--|--|
|  | #20 Overtime                                     | Paid – time worked   |
|  | #23 Longevity                                    | Paid   |
|  | #24 Incentive                                    | Paid   |
|  | #25 Wages  | Automatic step increases   |
| AFSCME<br>Highway                            | #6 Hours -3. work through lunch and rest periods | 1 hr OT  |
|  | #6 Hours -7 Report                               | 2 hrs paid   |
|  | #6 Hours – 8 call out                            | 4 hrs paid   |
|  | App A Vacations                                  | Paid   |
|  | App A Holidays                                   | Paid after 30 days   |
|  | App A Sick leave                                 | Paid/Bank  |
|  | App A Commiseration                              | Paid – unlimited   |
|  | App A Jury Leave                                 | Paid   |
|  | App A Leave of Absence                           | Paid   |
|  | Military   | Paid 10 days annually  |
|  | App A Conference/Conven                          | Paid 6 days aggregate  |
|  | App A WC supplement                              | Paid sick leave  |
|  | App A Longevity                                  | Paid   |
|  | App A Incentive                                  | Paid   |
|  | App A 1. OT                                      | Paid on work day/work week   |
|  | App A 5 Foremen OT                               | Paid ½ hr per day for records  |
|  | App A 2 Class/Pay Plan                           | \$200 for safety glasses<br>\$125 for tool allowance<br>Uniforms provided - Shop |
| AFSCME<br>Human Services<br>Support Staff    | Art 7 Leave of Absence                           | Unpaid – Paid insurance up to 1 year for work injury                             |
|  | Art 7, 6 Leave of Absence                        | Leave for public office  |
|  | Art 7, 7 Conference/Conven                       | Paid 4 days aggregate  |
|  | Art 12 Holidays                                  | Paid   |
|  | Art 13 Sick Leave                                | Paid after 5 years   |
|  | Art 14 Health & Welfare<br>14.03 WC Supplement   | Paid sick leave  |
|  | Art 15 Vacations                                 | Paid   |
|  | Art 17 Commiseration                             | Paid unlimited   |
|  | Art 19 Jury/Witness                              | Paid   |
|  | Art 20 Longevity                                 | Paid   |
|  | Art 21 Reimbursement                             | Paid car allowance >200 mi   |
|  | Art 29 Incentive                                 | Paid   |
|  | App A Wages                                      | Automatic step increases   |
| TEAMSTERS<br>Human Services<br>Professionals | Art 15 3 Hours of work                           | Comp time within 1 yr  |
|  | Art 15 4 On-call                                 | Paid   |
|  | Art15 4 Call out                                 | Paid 2 hrs; paid comp for telephone calls taken/made                             |
|  | Art 17 Jury and Witness                          | Paid   |
|  | Art 19 Funeral Leave                             | Paid unlimited   |



|  |                                |   |
|--|--------------------------------|---|
|  | Art 21 Leave of Absence        | Unpaid                                    |
|  | Art 21 5 Leave of Absence      | Paid insurance up to 1 yr for work injury |
|  | Art 22 Sick leave              | Paid after 5 yrs                          |
|  | Art 23 Holidays                | Paid                                      |
|  | Art 24 Vacations               | Paid                                      |
|  | Art 27 Longevity (& Incentive) | Paid                                      |
|  | Art 28 Reimbursement           | Paid car allowance >200 mi                |
|  | Exhibit A Wage/Classification  | Automatic step increases                  |
|  | Exhibit B Reclass              | Years of service movement                 |

General observations:

- 10 paid holidays
- Sick leave used for spouse and child
- Proration of health insurance after 4 days

**RESOLUTION 10-33**

**Ratify Collective Bargaining Agreements for Teamsters Human Services Professionals, AFSCME Courthouse, AFSCME Highway, and AFSCME Human Services Support Staff**

WHEREAS, negotiations were undertaken by and between the County and the Teamsters Human Services Professionals Local 662, and the AFSCME Local 556 Courthouse, Highway, and Human Services Support Staff employees, with regard to their respective Collective Bargaining Agreements; and

WHEREAS, the Negotiations Committee, at its meeting on March 21, 2011, and the Finance and Personnel Committee, at its meeting on March 22, 2011, reviewed the tentative, proposed contract settlement offers for the period of January 1, 2011 through December 31, 2012 (summaries attached and incorporated herein as Exhibits A - D); and

WHEREAS, the Teamsters Human Services Professionals Local 662, and the AFSCME Local 556 Courthouse, Highway and Human Services Support Staff employees are in agreement with said proposals; and

WHEREAS, the Negotiations Committee, and the Finance and Personnel Committee, recommend to the full County Board of Supervisors that it ratify said Collective Bargaining Agreements, summaries of which are attached hereto in Exhibits A-D, for the period in question.

NOW, THEREFORE BE IT RESOLVED, by the County Board of Supervisors that it hereby goes on record in ratifying the Collective Bargaining Agreements by and between Pierce County and its Teamsters Human Services Professionals Local 662, AFSCME Local 556 Courthouse, Highway and Human Services Support Staff employees for the term of January 1, 2011 through December 31, 2012 as incorporated in the attached Settlement Proposal Summaries attached as Exhibits "A" through "D" to this Resolution.

Dated this 22nd day of March, 2011.

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**EXHIBIT A**

**Tentative Agreement between Pierce County and Pierce County Human Services Professional Employees General Teamsters Union Local 662 for a Successor to the 2008-10 Agreement**

March 21, 2011

The terms and conditions of the 2011-12 Agreement shall contain only the following provisions:

1. Recognition Clause (Former Article 1. Section 2 and Article 2. Section 1)
2. Fair Share and Check-off Provisions (Former Article 2. Section 2, 3, 4, 5)
3. Wage schedule and classifications (Former "Exhibit A"), with a 1.25% wage increase on January 1, 2011 and a 1.25% wage increase on January 1, 2012

All other terms and conditions of employment shall be set by the County.

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**EXHIBIT B**

**Tentative Agreement between Pierce County and Pierce County Courthouse AFSCME Union Local 556 for a Successor to the 2008-10 Agreement**

March 21, 2011

The terms and conditions of the 2011-12 Agreement shall contain only the following:

1. Recognition Clause (Former Article 1, Section 1)
2. Fair Share and Check-off Provisions (Former Article 1, Section 3.)
3. Wage schedule and classifications, (Formerly Article 25, Section 3) with a 1.25% wage increase on January 1, 2011 and a 1.25% increase on January 1, 2012

All other terms and conditions of employment shall be set by the County.

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**EXHIBIT C**

**Tentative Agreement between Pierce County and Pierce County Highway AFSCME Union Local 556  
for a Successor to the 2008-10 Agreement**

March 21, 2011

The terms and conditions of the 2011-12 Agreement shall contain only the following:

1. Recognition Clause (Formerly Article 1, Section 1.)
2. Fair Share and Check-off Provisions (Formerly Article 1, Section 4)
3. Wage schedule and classifications (Formerly Appendix A, Classification and Pay Plan, Section 4), with a 1.25% wage increase on January 1, 2011 and a 1.25% wage adjustment on January 1, 2012

All other terms and conditions of employment shall be set by the County.

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**EXHIBIT D**

**Tentative Agreement between Pierce County and Pierce County Human Services Support Staff  
Union Local 556 for a Successor to the 2008-10 Agreement**

March 21, 2011

The terms and conditions of the 2011-12 Agreement shall contain only the following provisions:

1. Recognition Clause (Former Article 1. Section 1.01)
2. Fair Share and Check-off Provisions (Former Article 1. Section 1.03 and 1.04)
3. Wage schedule and classifications (Former "Appendix A"), with a 1.25% wage increase on January 1, 2011 and a 1.25% wage increase on January 1, 2012

All other terms and conditions of employment are set by the County.