

ORDINANCE INDEX 2012

ORDINANCE NO.	DESCRIPTION	ADOPTION DATE
12-01	Amend Chapter 4, §4-45 of the Pierce County Code	April 17, 2012
12-02	Revise Chapter 240 of the Pierce County Code - Zoning	April 17, 2012
12-03	Amend Chapter 172, Section 172-15 of the Pierce County Code - Parks and Recreation	April 17, 2012
12-04	Rezoning 29.310 Acres from Primary Agriculture to General Rural Flexible in the Town of Martell: Steven & Susan Boyer	May 22, 2012
12-05	Rezoning 214.99 Acres from Rural Residential 12/PRD to General Rural Flexible in the Town of Oak Grove: NEWCO Finance, Inc. (Wm. F. Holst III)	June 26, 2012
12-06	Amend Chapter 1, §1-31(B) of the Pierce County Code - citation Authority for the Land Management Department	July 24, 2012
12-07	Ordinance to Revise Chapter 240 of the Pierce County Code - Zoning	July 24, 2012
12-08	Amend Chapter 4, §4-50 of the Pierce County Code - Clarification to Per Diem for the Board of Supervisors	July 24, 2012
12-09	12-09 Amend Chapter 191 of the Pierce County Code - Sewage Disposal - Exhibit A Chapter 191 - Sewage Disposal	November 13, 2012
12-10	Amend Chapter 184 of the Pierce County Code - Food Establishments and Public Accommodations to Establish Agent Status for the Department of Agriculture	February 26, 2013
12-11	Amend Chapter 13, § 13-6(I)(4) of the Pierce County Code – Administrative Coordinator Participation in Department Head Performance Reviews	April 16, 2013
12-12	Amend Chapter 4, § 4-12(B) of the Pierce County Code – Eliminate Appointment of Great River Road Representative and Partners in Tourism Representative.	April 16, 2013

RESOLUTION INDEX

RESOLUTION NO.	DESCRIPTION	ADOPTION DATE
12-01	Commendation To Former County Board Supervisors	April 17, 2012
12-02	Commemorating The 100th Anniversary Of Cooperative Extension, A Division Of The University Of Wisconsin-Extension	April 17, 2012
12-03	Authorize Sale Of County-Owned Property In the Town of Trenton	April 17, 2012
12-04	Development of Recreational Boating Facilities on Trenton Island and Request for Funding Assistance	June 26, 2012
12-05	Convey Property Acquired Through Trenton Island Property Acquisition Project to Town of Trenton	June 26, 2012
12-06	Granting Exception to Purchasing Policy and Authorization for County to Perform Parking Lot Resurfacing and Striping Work Without Submitting for Bids	May 22, 2012

12-07	Authorize Increase in Hours for Deputy County Clerk Position	May 22, 2012
12-08	Amend Personnel Policy to Make Certain Changes and Clarifications	June 26, 2012
12-09	Join County Housing Consortium for Administration of Community Development Block Housing Grant Program	June 26, 2012
12-10	Memorial to Robert "Bob" Stevens	June 26, 2012
12-11	Approve Unbudgeted Expenditure of Human Services 2011 Levy Surplus to Complete Office Remodeling	June 26, 2012
12-12	Memorial to Lloyd Yanish	July 24, 2012
12-13	Authorize to Use Jail Assessment fund to Pay for Improvement to Jail, Jail Kitchen/Housekeeping Area and Upgrade Equipment	July 24, 2012
12-14	To Amend Resolution No. 11-16 Prohibiting Carrying Concealed Weapons or Firearms in Buildings Owned, Occupied or Controlled by Pierce County and at Special Events Organized by Pierce County	July 24, 2012
12-15	Support for Conversion of Pamida Store / Pharmacy to a Hometown Shopko Express Store / Pharmacy at Crossing Meadows Business Park, 598 W. Lucas Lane, Ellsworth, WI	July 24, 2012
12-16	To Order Issuance of Deed to Pierce County for Property subject to Tax Certificate	August 28, 2012
12-17	Reduce Fee for Passport Photos	September 25, 2012
12-18	Authorize New Positions for 2013	November 13, 2012
12-19	Approve 2013 Tax Levy and Budget	November 13, 2012
12-20	Authorizing Sale of County-Owned Property in the Town of Trenton	November 13, 2012
12-21	Supporting Legislation Requiring ONLINE-Only Retailers to Collect and Remit Wisconsin Sales Tax	November 13, 2012
12-22	<i>Action Deferred Indefinitely</i>	
12-23	Requesting Affiliation of the Pierce County Revolving Loan Fund with the Regional Business Fund, Inc. (Revised December 17, 2013 - see Res. 13-27)	November 13, 2012
12-24	Care of Soldier's Graves	November 13, 2012
12-25	Claims for Listing Dogs	November 13, 2012
12-26	To Implement a Health and Wellness Incentive Program	November 13, 2012
12-27	Authorization to use Jail Maintenance Funds to Pay of Assessment/Study for Remodeling Current Jail Facility	November 13, 2012
12-28	Authorize Participation in the Northwest Wisconsin Regional Medical Examiner Mutual Aid Compact	November 13, 2012
12-29	Resolution Authorizing the Borrowing Not to Exceed \$7,000,000 and Providing for the Issuance and Sale of General Obligation Promissory Notes	November 13, 2012
12-30	Resolution Designating Official Authorized to Declare Official Intent Under Reimbursement Bond Regulations	November 13, 2012

12-31	Amend Fees for Issuing Permits and Making Inspections and Investigations of Certain Types of Establishments	November 13, 2012
12-32	Authorization to Use Jail Maintenance Fund to Pay for Construction of Fence in the Jail Garage	January 22, 2013
12-33	Authorize County Contribution Toward Regional Partner's Share of Assistance to Firefighters Grant	January 22, 2013
12-34	Approving Post-Issuance Tax Compliance Procedures	January 22, 2013
12-35	Jurisdictional Transfer of Portion of CTH "U" Between County of Pierce and Town of Union	February 26, 2013
12-36	Resolution Urging State Legislators to Vote in Favor of Transportation Dollars for Transportation	February 26, 2013
12-37	Establish 2013 Salaries and Benefits for Non-Represented Employees	February 26, 2013
12-38	Resolution Authorizing the Issuance and Awarding of Sale of \$7,000,000 General Obligation	January 22, 2013
12-39	To Authorize the Sale of and Prohibit Carry-in of Intoxicating Liquor and Fermented Malt Beverages on the Pierce County Fairgrounds	March 26, 2013
12-40	To Order Issuance of Deed to Pierce County for Property Subject to Tax Certificate	March 26, 2013
12-41	Ratify Collective Bargaining Agreement for Teamster Human Services Professionals, L.A.W. - Community Health, AFSCME - Courthouse and AFSCME Human Services Support Staff	March 26, 2013
12-42	Memorial to Don Rohl	March 26, 2013
12-43	Transfer From General Fund for 2012 Medical Examiner Budget Deficit	March 26, 2013

ORDINANCE 12-01

Amend Chapter 4, § 4-45 of the Pierce County Code

Pierce County Board of Supervisors does hereby ordain as follows:

SECTION 1: That Chapter 4, § 4-45 of the Pierce County Code is hereby revised as follows

§ 4-45. Rules of Practice.

The rules of parliamentary practice comprised in Robert's Rules of Order, Newly Revised, ~~10th~~ 11th Edition, ~~2000~~ 2011, shall govern the proceedings of the Board in all cases to which they are applicable and where they are consistent with the state laws and these rules.

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

Dated this 17th day of April, 2012.

ORDINANCE 12-02

Revise Chapter 240 Of The Pierce County Code- Zoning

Pierce County Board of Supervisors does hereby ordain as follows:

SECTION 1: That § 240-17 (240 Attachment 1, Table of Uses), as shown in Exhibit A, § 240-37, § 240-37.1 and § 240-66, as shown in Exhibit B, and § 240-88, as shown in Exhibit C; of Chapter 240 of the Pierce County code are hereby revised as shown in the attached Exhibits A, B, and C.

SECTION 2: That the revised ordinance shall become effective upon its adoption and publication as required by law.

Dated this 17th day of April, 2012.

ORDINANCE 12-03

Amend Chapter 172, Section 172-15 of the Pierce County Code - Parks and Recreation

Pierce County Board of Supervisors does hereby ordain as follows:

SECTION 1: That Chapter 172, Section 172-15 of the Pierce County Code is hereby revised as follows

§ 172-15 All-terrain vehicles and routes

- A. Operation of all-terrain vehicles. Pursuant to s. 23.33(4)(d)4, Wis. Stats., except as otherwise provided in s. 23.33(4), Wis. Stats., no person may operate an all-terrain vehicle on the roadway portion of any highway in the county except on roadways that are designated as an all-terrain vehicle route by this ordinance. Operation of all-terrain vehicles on a highway in the county that is an all-terrain vehicle route is authorized only for the extreme right side of the roadway except that left turns may be made from any part of the roadway that is safe given prevailing conditions. On paved roadway, all-terrain vehicles must be operated on the paved portion of the roadway and not on the gravel shoulder.
- B. Designation of all-terrain vehicle routes. The following routes are designated all-terrain vehicle routes in the county.
 - (1) In the Town of El Paso, the portion of County Road N from 650th Avenue to County Road G to 425th Street.
 - (2) In the Town of El Paso, from the intersection of County Road N and G to W4277 County Road G.
 - (3) In the Town of Spring Lake, CTH B, from 170th Street proceeding North approximately 0.8 miles to 850th Avenue.
 - (4) In the Village of Spring Valley, CTH B, from a point 1800 feet West of the intersection of CTH B and Newman Avenue, to the intersection of CTH B and Newman Avenue, South to the intersection of CTH B and Akers Street, East to the intersection of CTH B and McKay Avenue.
- C. Conditions applicable to all-terrain vehicle routes. Pursuant to s. 23.33(8)(d), Wis. Stats., the following restrictions are placed on the use of the county all-terrain vehicle routes designated by this ordinance:
 - (1) Routes shall be marked with uniform all-terrain vehicle route signs in accordance with s. NR 64.12(7), Wisconsin Administrative Code. No person may do any of the following in regard to signs marking county all-terrain vehicle routes.
 - a. Intentionally remove, damage, deface, move or obstruct any uniform all-terrain vehicle route sign or standard or intentionally interfere with the effective operation of any uniform all-terrain vehicle route or standards if the sign or standard is legally placed by the state, any municipality or any authorized individual.
 - b. Possess any uniform all-terrain vehicle route sign or standard of the type established by the department for the warning, instruction or information of the public, unless he or she obtained the uniform all-terrain vehicle route sign or standard in a lawful manner. Possession of a uniform all-terrain vehicle route sign or standard creates a rebuttable presumption of illegal possession.
 - (2) Operation shall be subject to all provisions of s. 23.33, Wis. Stats., which is adopted as part of this ordinance by reference, pursuant to s.23.33(11), Wis. Stats.
 - (3) A copy of this ordinance shall be sent by the County Clerk to appropriate entities as set forth in §23.33(11)(b) Wis. Stats.
 - (4) In addition to the provisions of s. 23.33, Wis. Stats., the following restrictions are placed on the use of the county all-terrain vehicle routes designated by this ordinance:
 - a. All all-terrain vehicle operators shall observe a speed limit of not more than 40 mph or the posted roadway speed limit, whichever is lower.
 - b. All all-terrain vehicle operators shall ride single file.
 - c. The allowed hours of operation shall be from 6:00 a.m. to 8:00 p.m. during Daylight Savings

Time and from 6:00 a.m. to 7:00 p.m. during Standard Time.

- d. All all-terrain vehicle operators 12 to 15 must be under the direct supervision of a parent or legal guardian at all times when operating on a designated all-terrain vehicle route.
- e. All persons under 18 must wear a helmet.

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

Dated this 17th day of April, 2012.

ORDINANCE 12-04

**Rezoning 29.310 Acres from Primary Agriculture to General Rural Flexible in the Town of Martell:
Steven & Susan Boyer**

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

SECTION 1: The Official Pierce County Zoning Map for the Town of Martell is amended to change the zoning from Primary Agriculture (PA) to General Rural Flexible (GRF) on 29.310 acres located in the East 694 feet of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ and that part of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ lying south and easterly of US Hwy 63, as laid and traveled on September 1, 1980, all located in Section 13, T27N, R17W, all in the Town of Martell, Pierce County, Wisconsin.

SECTION 2: That this ordinance shall not be codified.

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

Dated this 17th day of April, 2012.

ORDINANCE 12-05

Rezoning 214.99 Acres from Rural Residential 12/PRD to General Rural Flexible 8 in the Town of Oak Grove. NEWCO Finance, Inc. (Wm. F. Holst III)

Pierce County 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 Rural Residential-12/PRD to General Rural Flexible 8 on 217.00 acres located in:

*all of the SE ¼ of the SE ¼ in Sec 33, T26N, R19W; and,
the NE ¼ of the SE ¼, Except the Plat of Diamond Bluff, in Sec 33 T26N, R19W; and,
the NW ¼ of the SE ¼, Except the Plat of Diamond Bluff, in Sec 33, T26N, R19W; and,
the SW ¼ of the SE ¼, Except the Plat of Diamond Bluff, and Except the 7.956-acre Pierce County Park being that part of the SW ¼ of the SE ¼ and Government Lot 2, in Sec 33, Town 26 North, Range 19 West, described as commencing at the NE corner of Section 33; Thence South 2 degrees 13 minutes 43 seconds West, along East line NE ¼ of Sec 33 a distance of 2,643 feet to NE corner SE ¼ of Section 33; Thence North 88 degrees 34 minutes 5 seconds West, along north line of said SE ¼ and North line of Government Lot 2 a distance of 3,987.11 feet to NW corner of Government Lot 2; Thence South 1 degree 48 minutes 16 seconds West along west line of Government Lot 2 a distance of 1,217.28 feet to the Northeasterly railroad right-of-way; Thence South 38 degrees 48 minutes 23 seconds East along railroad right-of-way a distance of 1,904.68 feet; Thence South 88 degrees 18 minutes 31 seconds East along South line of Government Lot 2 a distance of 65.75 feet to Point of Beginning; Thence continuing South 88 degrees 18 minutes 31 seconds East along the south line of Government Lot 2 and South line of the SW ¼ of the SE ¼ a distance of 1,267.53 feet; Thence North 1 degree 41 minutes 29 seconds East a distance of 10.79 feet; Thence Northwesterly a distance of 81.79 feet along non-tangential curve, concave to the north east having a radius of 74 feet, a chord which bears of North 25 degrees 19 minutes 17 seconds west and chord 77.69 feet; Thence North 88 degrees 18 minutes 31 seconds west a distance of 645.15 feet; Thence North 27 degrees 50 minutes 5 seconds west a distance of 603.42 feet; Thence southwesterly a distance of 118.28 along a non-tangential curve, concave to the northwest having a radius of 710.55 feet, a central angle of 9 degrees 32 minutes 15 seconds, a chord which bears a South 71 degrees 50 minutes 53 seconds West and a chord of 118.14 feet; Thence southwesterly a distance of 266.35 feet along a tangential curve, concave to the southeast having a radius of 528.83 feet, a central angle of 28 degrees 51 minutes 27 seconds, a chord which bears South 62 degrees 11 minutes 17 seconds West, and a chord of 263.54 feet; Thence South 12 degrees 36 minutes 33 seconds West a distance of 312.12 feet; Thence South 38 degrees 48 minutes 23 seconds East a distance of 169.23 feet to Point of Beginning, in Sec 33, T26N, R19W; and,
all of the SE ¼ of the SW ¼, Except the parcel of land conveyed to the Town of Oak Grove per Volume 144 Page 637, in Sec 34, T26N, R19W; and,
all of the SW ¼ of the SW ¼, Except Lot 1 Certified Survey Map (CSM) Volume 6 Page 10, in Sec 34, T26N, R19W; and,
the SW ¼ of the NW ¼, Except CSM Volume 6 Page 56 and Except parcel described in Volume 336 Page 422 Commencing on the south line of the SW ¼ of the NE ¼ a distance of 780 feet West of the Southeast Corner Thereof; Thence North 88 degrees 3 minutes 52 seconds West along south line a distance of 1170.01 feet; Thence North 1 degree 43 minutes 7 seconds East a distance of 560 feet; Thence South 88 degrees 3 minutes 52 seconds East a distance of 1170.01 feet; Thence South 1 degree 43 minutes 7 seconds West a distance of 560 feet to the point of beginning, and Except the Plat of Diamond Bluff, in Sec 34, T26N, R19W; and,
the NW ¼ of the SW ¼, Except that part of the parcel described in Volume 336 Page 424, and Except the plat of Diamond Bluff, in Sec. 34, T26N, R19W;
all in the Town of Oak Grove, Pierce County, Wisconsin.*

SECTION 2: That this ordinance shall not be codified.

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

Dated this 22nd day of May 2012.

ORDINANCE NO. 12-06
Amend Chapter 1, § 1-31(B) of the Pierce County Code - Citation Authority
for the Land Management Department

Pierce County Board of Supervisors Does Hereby Ordain as Follows::

SECTION 1: That Chapter 1, Section 1-31(B) of the Pierce County Code is hereby revised as follows:

B. In addition, each of the following County officials may issue citations for the violation of ordinances directly related to his or her official responsibilities: Pierce County Solid Waste Administrator, Pierce County Zoning Administrator, Assistant Zoning Administrator, Pierce County Land Management ~~Administrator~~ Director / Land Use Coordinator, ~~Land Management Specialist~~, Zoning Specialist, the Pierce County Public Health Director, Environmental Health Specialist, Land Conservation Supervisor, Conservation Engineering Technician, Soil Conservationist, Pierce County Parks Superintendent and park personnel delegated authority by the Pierce County Parks Superintendent.

- (1) In the event that the position of Solid Waste Administrator, Zoning Administrator, Assistant Zoning Administrator, Land Management ~~Administrator~~ Director / Land Use Coordinator, ~~Land Management Specialist~~ or Zoning Specialist is vacant, his or her authority under this article may be assumed by the Land Management Department and/or solid waste management personnel designated by the Land Management Committee and/or Solid Waste Management Board.
- (2) In the event that the position of Public Health Director or Environmental Health Specialist is vacant, his or her authority under this article may be assumed by personnel designated by the Board of Health.
- (3) In the event that the position of Land Conservation Supervisor, Conservation Engineering Technician, or Soil Conservationist is vacant, his or her authority under this article may be assumed by Land Management Department personnel designated by the Land Management Committee and the Land Conservation Committee.

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

Dated this 26th day of June, 2012.

ORDINANCE 12-07

Ordinance to Revise Chapter 240 of the Pierce County Code - Zoning

Pierce County Board of Supervisors Does Hereby Ordain as Follows:

SECTION 1: That § 240-17 (240 Attachment 1, Table of Uses), as shown in Exhibit A, § 240-35, § 240-36, § 240-39, as shown in Exhibit B, and § 240-88, as shown in Exhibit C; of Chapter 240 of the Pierce County code are hereby revised as shown in the attached Exhibits A, B, and C.

SECTION 2: That the revised ordinance shall become effective upon its adoption and publication as required by law.

Dated this 26th day of June, 2012

ZONING

Exhibit A

240 Attachment 1

Table of Uses Pierce County

- | | | | |
|---|---|---|---------------------------|
| (1) See §240-18B for shoreland-Wetland District regulations | P | = | Permitted Use |
| | C | = | Conditional Use |
| (2) See Article VI for planned residential developments. | | = | Not permitted in district |

Uses	EA	PA	GR	GRF	AR	RR-8	RR-12	RR-20	C	LI	I	S-W (1)	PRD (2)
Agricultural Uses													
<u>Agritourism (§240-35B.(1))</u>	C	C	C	C	C	-	-	-	-	-	-	-	-
<u>Direct Market Agriculture (§240-35B.(2))</u>	C	P	P	P	P	-	-	-	-	-	-	-	-
<u>Farmers Market (§240-35B.(3))</u>	C	P	P	P	P	-	-	-	P	-	-	-	-
<u>General Agriculture (§240-35A)</u>	P	P	P	P	P	-	-	-	-	-	-	-	-
<u>Greenhouses</u>	P	P	P	P	P	-	-	-	P	-	-	-	-
<u>Nursery (§240-35B.(4))</u>	C	C	C	C	C	-	-	-	-	-	-	-	-
<u>Orchard (§240-35B.(5))</u>	C	C	C	C	C	-	-	-	-	-	-	-	-
<u>Winery (§240-35B.(6))</u>	C	C	C	C	C	-	-	-	-	-	-	-	-
Commercial Uses													
<u>Antique shop, art gallery</u>	G	G	G	G	G	-	-	-	P	G	-	-	-
<u>Bed-and-breakfast (§240-36A)</u>	C	P	P	P	P	C	C	C					
<u>Boardinghouse (§240-36B)</u>	C	C	C	C	C	C	C	C					
<u>Family day care (§240-36C)</u>	C	P	P	P	P	P	P	P					
<u>Farm and home business (§240-36ED)</u>	C	C	C	C	C	C							
<u>Farm market (§ 240-36D)</u>	G	P	P	P	P	-	-	-	-	-	-	-	-
<u>General retail and services (§240-36E)</u>									P	C			
<u>Home business (§240-36F)</u>	C	P	P	P	P	C							
<u>Home occupation (§240-36G)</u>	C	P	P	P	P	P	P	P					
<u>Indoor maintenance and repair (§240-36H)</u>									-	P	P		
<u>Kennels (§240-36I)</u>	C	C	C	C	C								
<u>Lodging (§240-36J)</u>									P				
<u>Mini-storage (§240-36K)</u>									P	P	P		
<u>Offices (§240-36L)</u>									P	P			
<u>Retreat Centers (§240-36NM)</u>	C	C	C	C	C	-	-	-	P	-	-	-	-
<u>Roadside stand (§ 240-36L)</u>	G	P	P	P	P	-	-	-	-	-	-	-	-
<u>Trade/contractor establishment (§240-36M)</u>									P	P	P		
Industrial Uses													
<u>Heavy industrial uses (§ 240-37E)</u>											C		
<u>Hydraulic Dredge Material Storage (§ 240-37F)</u>		C	C	C	C						C		
<u>Light industrial uses (§ 240-37.1A)</u>									C	P	C		
<u>Mining, accessory uses (§ 240-37B)</u>		C	C	C	C						C		

Nonmetallic mining (§ 240-37A)	C	C	C	C	C						C		
Recycling Collection Point (§ 240-37.1D)		C	C	C	C					P	P	C	
Recycling Facility (§ 240-37.1C)										C	P	C	
Salvage yards (§ 240-37C)		C	C	C	C							C	
Sawmills/planing mills (§ 240-37D)		C	C	C	C							C	
Warehouse and Storage (240-37.1B)										C	P	C	
Institutional Uses													
Cemeteries	C	C	C	C	C								
Community living arrangements - per state statutes													
Private institutional (§240-38A)	C	C	C	C	C	C	C	C	C	C	C		
Public institutional	C	P	P	P	P	P		P	P	P	P		
Uses	EA	PA	GR	GRF	AR	RR-8	RR-12	RR-20	C	LI	I	S-W (1)	PRD (2)
Outdoor Recreational Uses													
Campgrounds (§240-39A)	-	C	C	C	C	-	-	-	C	-	-	-	-
Nature-Based Operations (§240-39C)	C	C	C	C	C	-	-	-	-	-	-	-	-
Private outdoor recreation (§240-39D)		C	C	C	C	C	C	C	C				
Public outdoor recreation (§240-39E)		P	P	P	P	P	P	P	P				
Residential Parks (§240-39F)	-	-	-	-	-	C	C	C	-	-	-	-	-
Resorts (§240-39G)	C	C	C	C	C	-	-	-	-	-	-	-	-
Riding stables (§240-39GB)	C	P	P	P	P								
Residential Uses													
Accessory residence (§240-40A)	C	C	C	C	C	C	C	C	P	P	P		
Duplexes		C	C	C	C	C	C	P					
Manufactured homes (§240-40B)	P	P	P	P	P								
Manufactured home parks (§240-40C)			C	C	C								
Multiple-family dwellings								C					
Second farm residence (§240-40D)	P	P	P	P	P								
Separated farm residence (§240-40E)	C												
Single-family residences	P	P	P	P	P	P	P	P					
Miscellaneous Uses													
Airports (§240-41A)			C		C								
Airstrips (§240-41A)	C	C	C	C	C								
Clean fill site (§240-41B)	C	P	P	P	P	P	P	P	P	P	P		
Communication Towers <70 feet (§240-41C)	C	P	P	P	P	P	P	P	P	P	P		
Communication Towers >70 feet (§240-41C)	C	C	C	C	C	C	C	C	C	C	C		
Filling and grading (§240-41E)	C	C	C	C	C	C	C	C	C	C	C		
Large Solar Energy System (§240-41D)	C	C	C	C	C	C	C	C	C	C	C		C
Large Wind Energy System (§240-41D)	C	C	C	C	C	C	C	C	C	C	C		C
Sludge disposal	C	C	C	C	C								
Small Solar Energy System (§240-41D)	P	P	P	P	P	P	P	P	P	P	P		P
Small Wind Energy System (§240-41D)	P	P	P	P	P	P	P	P	P	P	P		P
Solid waste facility		C	C	C	C								
Utility facilities (>1,000 sf.) (§240-41F)	C	C	C	C	C	C	C	C	C	C	C		
Unspecified temporary uses (§240-42A)	C	P	P	P	P	P	P	P	P	P	P		
Camping during construction of a residence (§240-42B)	P	P	P	P	P	P	P	P					
Contractor's project office (§240-42C)		P	P	P	P	P	P	P	P	P	P		
On-site real estate sales office (§240-42D)					P	P	P	P					
Second residence during construction (§240-42E)	P	P	P	P	P	P	P	P					
Temporary concrete or asphalt plant (§240-42F)	C	C	C	C	C								

Exhibit B

PLEASE NOTE: Underlined text is proposed to be added; struck through text is proposed to be deleted.

§ 240-35. Agricultural uses.

A. General ~~a~~Agriculture.

- (1) Barnyards, feed lots and farm structures housing animals shall be located at least 100 feet from navigable water and shall be located so that manure will not drain into navigable water.
- (2) General agricultural practices shall be allowed in all agricultural districts without issuance of a land use permit, except that structures shall require a land use permit.
- (3) General agricultural practices, except for barnyards, feed lots and uses involving agricultural structures, shall be allowed in all nonagricultural zoning districts without issuance of a land use permit.

B. Agricultural Business Operations

(1) Agritourism

(2) Direct Market Agriculture

- a. Except for temporary structures not exceeding 160 square feet of floor area, all structures associated with Direct Market Agriculture shall meet all setbacks and other provisions of this chapter. Temporary Direct Market structures which do not exceed 160 square feet of floor area shall be considered a minor structure such as those listed in § 240-32A(1).
- b. Only one Direct Market structure shall be permitted on a lot.

(3) Farmers Market

- a. Such use shall principally involve the sale of farm and garden products, but other types of merchandise may be sold, provided such merchandise occupies not more than 25% of the indoor and outdoor display area of the farm market.
- b. At least one off-street parking space shall be provided for each 200 square feet of indoor and outdoor display area.
- c. Combined indoor and outdoor display areas shall not exceed 2,000 square feet.
- d. The farmers market shall obtain site plan approval and a land use permit.

(4) Nursery

(5) Orchard

(6) Winery

§ 240-36. Commercial uses.

A. Bed-and-breakfast establishments.

- (1) There shall be no more than eight rooms available for rent to transient guests. A conditional use permit shall be required for bed-and-breakfasts with more than four rooms available to rent in the PA, GR, GRF and AR Districts.
- (2) Bed-and-breakfast establishments shall comply with the parking requirements of § 240-54.
- (3) All lot size and other dimensional requirements for single-family residences shall be met.
- (4) No more than one on-premises sign shall be permitted. Such sign shall not exceed nine square feet in sign face area.

B. Boardinghouses.

- (1) There shall be one off-street parking space per sleeping room provided, in addition to two spaces required for residents of the dwelling.
- (2) There shall be no more than eight sleeping rooms provided for boarding.
- (3) All boardinghouses with sleeping rooms above the ground floor shall provide an outside fire escape or escape balcony from an area accessible to the occupants of the upper floor(s) and appropriate exit signs.

- (4) All lot size and other dimensional requirements for single-family residences shall be met.
- (5) No more than one sign shall be permitted. Such sign shall not exceed nine square feet in sign face area.

C. Family day-care homes. Family day-care homes shall be permitted no more than one sign. Such sign shall not exceed nine square feet in sign face area and shall not be illuminated.

~~D. Farm markets accessory to agricultural uses are permitted subject to the following:~~

- ~~— (1) Such use shall principally involve the sale of farm and garden products, but other types of merchandise may be sold, provided such merchandise occupies not more than 25% of the indoor and outdoor display area of the farm market.~~
- ~~— (2) At least one off street parking space shall be provided for each 200 square feet of indoor and outdoor display area.~~
- ~~— (3) Combined indoor and outdoor display areas shall not exceed 2,000 square feet.~~
- ~~— (4) Minimum lot size for the parcel on which the farm market is located shall be 10 acres.~~
- ~~— (5) The farm market shall obtain site plan approval and a land use permit.~~

ED. Farm and home based businesses accessory to permitted single-family residences shall be permitted by conditional use permit in agricultural districts, subject to the following:

- (1) The farm and home based business shall be conducted by the owner of the dwelling unit. No more than eight persons not residing on the site may be employed in the business. Farm and home based businesses located in the Exclusive Agriculture District shall not have more than two nonresident farm family member employees. **[Amended by Ord. No. 99-11]**
- (2) If located within a dwelling unit, the farm and home business shall occupy no more than 50% of the dwelling unit. If located in an accessory building, the farm and home business shall not occupy an area greater than 5,000 square feet.
- (3) Minimum lot size shall be five acres.
- (4) Such other conditions as specified by the Land Management Committee pursuant to § 240-76 shall apply.

E. General Retail and Services

F. Home businesses accessory to principal permitted single-family residences.

- (1) If located within a dwelling unit, the home business shall occupy no more than 50% of the floor area of the dwelling unit. If located in an accessory building, the home business shall not occupy an area greater than 1,500 square feet of such accessory building.
- (2) Minimum lot size shall be two acres.
- (3) The home business shall be conducted by a resident of the dwelling unit. Such home business shall not employ more than two persons who are not residents of the dwelling unit.
- (4) Off-street parking shall be provided in accordance with the requirements in Article VII, Parking, Loading and Access Requirements.
- (5) Such use shall not include the operation of any machinery, tools, appliances or other operational activity that would create a nuisance due to noise, dust, odors or vibration or be otherwise incompatible with the surrounding area.
- (6) No more than two home businesses shall be permitted on a single lot. The total space allowed for two home businesses combined shall not exceed the maximum allowed for a single home business.
- (7) A lavatory shall be provided for employees and clients of the home business.
- (8) A home business which involves a use that has particular use requirements listed in this Article IV shall, in addition, comply with those requirements.
- (9) No more than one on-premises sign shall be permitted. Such sign shall not exceed 12 square feet in sign face area.

- (10) The business site shall have direct access to only state, county or town roads. Direct access to easements shall not be allowed. The business shall not have direct access to a private road unless the business owner provides a written statement of permission signed by all parties who hold a property or maintenance interest in the road. It shall be the responsibility of the business owner to establish the list of all parties who hold such an interest. **[Amended 4-17-2001 by Ord. No. 00-15]**
 - (11) Only finished consumer goods that have been produced in connection with a home business and products accessory to such goods may be offered for sale.
- G. Home occupations. The use of a principal permitted single-family dwelling unit for a home occupation shall be clearly secondary to the residential use of the dwelling unit and shall not change the residential character of the dwelling unit. The following shall apply:
- (1) Home occupations shall be conducted only inside a single-family residence (including any attached garage) and shall not occupy more than an area equal to 25% of the floor area of the residence. Home occupations shall not be conducted in an accessory building.
 - (2) The home occupation shall be conducted by a resident of the dwelling unit. Such use shall not employ more than one person that is not a resident of the dwelling unit.
 - (3) Such use shall not include the conduct of any retail or wholesale business on the premises, except for the sale of products produced by the home occupation.
 - (4) Such use shall not include the operation of any machinery, tools, appliances or other operational activity that would create a nuisance due to noise, dust, odors or vibration or be otherwise incompatible with the surrounding area.
 - (5) Such use shall not involve any outdoor storage or display of any articles offered for sale or produced on the premises in conjunction with the home occupation. Outdoor storage of materials or machinery used in conjunction with the home occupation shall not be permitted.
 - (6) No more than one on-premises sign shall be permitted. The sign shall not exceed four square feet in sign face area. The sign shall not be illuminated.
 - (7) Off-street parking shall be provided in accordance with the requirements in Article VII, Parking, Loading and Access Requirements.
- H. Indoor maintenance and repair.
- (1) All repair, painting, parts storage and body work activities shall take place within a building.
 - (2) All damaged or nonoperable parts shall be stored indoors or in storage containers such as roll-offs, dumpsters or bins of similar size and construction.
 - (3) Outside storage of more than six vehicles for repair shall be screened from public right-of-way. All permitted storage of vehicles for repair shall be behind the building setback. **[Added 3-27-2001 by Ord. No. 00-14]**
- I. Kennels.
- (1) All dogs shall be housed indoors during the hours from 9:00 p.m. to 6:00 a.m.
 - (2) Minimum side and rear yards for all structures associated with kennels shall be 200 feet.
 - (3) Except as exempted here, all kennels shall be screened from public highways by vegetative screening as described in § 240-31D. Structures located at least 200 feet from the center line of public roads are exempt from the screening requirement.
 - (4) There shall be no more than two adult dogs in any single enclosure unit.
- J. Lodging facilities.
- (1) Density requirements.
 - (a) Lodging facilities in which the floor area of each of the occupancy units is less than 450 square feet shall have a maximum density of 16 units per acre (one unit per 2,723 square feet of lot area).

- (b) Lodging facilities in which the floor area of each of the occupancy units is 450 to 750 square feet in area shall have a maximum density of 12 units per acre (one unit per 3,630 square feet of lot area).
- (c) Lodging facilities in which the floor area of each occupancy unit is greater than 750 square feet shall have a maximum density of six units per acre (one unit per 7,260 square feet of lot area).
- (d) The allowable density of lodging facilities which include a mixture of unit sizes shall be calculated as follows: The sum of all areas derived by multiplying each unit by its appropriate lot area requirement shall not exceed the total area of the parcel.
- (2) Multiple buildings with lodging facilities may be located on the same parcel but shall be separated from each other by a distance of at least 30 feet.

K. Mini-storage.

- (1) Except in industrial districts, all buildings shall be located a minimum of 50 feet from all lot lines.
- (2) Commercial storage facilities shall not be used as workshops or retail shops.
- (3) Outside storage shall be prohibited.
- (4) Screening with vegetation and/or fencing as approved by the Land Management Committee shall be provided along property lines bordering residential districts.
- (5) Lighting shall be shielded to prevent direct illumination of adjacent properties not in industrial and commercial districts or public rights-of-way.

L. Offices.

~~Roadside stands accessory to agricultural uses are permitted subject to the following:~~

- ~~(1) Such use shall only involve the sale of farm products produced on the premises.~~
- ~~(2) Except for temporary structures not exceeding 160 square feet of floor area, all structures associated with roadside stands shall meet all setbacks and other provisions of this chapter. Temporary roadside stands which do not exceed 160 square feet of floor area are exempt from § 240-27 but shall not be placed in public rights-of-way.~~
- ~~(3) Only one roadside stand shall be permitted on a lot.~~

M. ~~Trade and contractors establishment. The following shall apply to such uses located in the Commercial District:~~

- ~~(1) Outside storage of equipment shall be screened from public rights-of-way.~~

NM. Retreat Centers.

- (1) Facilities may not be utilized by the non participating public for meals or overnight accommodations.
- (2) Housing may be in lodges, cabins, or dormitories and other residential structures.
- (3) Each housing structure may have one cooking facility.
- (4) Minimum lot size for the parcel shall be 2 acres.
- (5) There shall be one off-street parking space provided for each sleeping room provided.
- (6) Retail activities outside the commercial district shall be limited to those specifically identified in the conditional use permit.
- (7) Adequate code compliant onsite wastewater facilities shall be provided.

§ 240-39. Outdoor recreational uses.

A. ~~Campgrounds and trailer camps.~~

- (1) Each ~~recreational vehicle, trailer or camp~~ campsite shall be plainly marked and surfaced with gravel, asphalt or other material to free the site of mud.
- (2) The maximum number of ~~recreational vehicle, trailer or camp~~ campsites shall be 15 per acre.
- (3) The minimum lot size of a ~~recreational vehicle park, trailer park or campground~~ shall be five acres, ~~except that in the PA District the minimum size shall be 20 acres.~~

- (4) ~~The minimum dimensions of a recreational vehicle, trailer or camp site shall be 25 feet wide by 40 feet long. Each campsite shall be a minimum of 1000 square-feet.~~
- (5) ~~Each recreational vehicle, trailer or camp site shall be separated from other recreational vehicle, trailer or camp sites by at least 15 feet.~~
- (6 5) There shall be two off-street parking spaces for each ~~recreational vehicle, trailer or camp~~ campsite.
- (7 6) All ~~recreational vehicle, trailer or camp~~ sites shall meet the required setbacks from roads and from the ordinary high-water mark and shall be located at least 50 feet from all exterior lot lines.
- (8 7) Each ~~recreational vehicle park, trailer park or campground~~ shall be screened by means of a vegetative screening, as described in § 240-31D, along all lot lines. Such requirement may be waived by the Zoning Administrator if existing woody vegetation is such that the screening objective is or will be achieved.
- (9) ~~Seasonal campsites shall be allowed subject to the following:~~
- (a 8) No more than one ~~wheeled camping unit or one shelter unit~~ mobile recreational vehicle shall be allowed on any individual campsite. ~~In addition to these facilities, a tent may be erected to serve as an auxiliary shelter but shall not be erected for a period of more than 14 consecutive days.~~
- (b) ~~A seasonal camping unit shall not exceed 400 square feet in floor area nor eight feet six inches in width when in the in-transit position.~~
- (e 9) A seasonal camping unit shall not be occupied for more than eight months in a calendar year, although a camping unit may remain on an individual campsite for an entire calendar year. The wheels and tires shall remain in an in-transit position.
- (d 10) No porches, lean-tos or additions shall be constructed onto or immediately adjacent to a camping unit. Canvas screen rooms or awnings shall be allowed.
- (e 11) A wooden deck may be provided adjacent to a camping unit subject to the following:
- [1] The deck shall not exceed 256 square feet in area.
- [2] The deck may be enclosed by open railings but shall not have built-in benches or tables.
- [3] The deck shall not have a permanent foundation in the ground.
- (f 12) A camping unit and deck may only be skirted with lattice; however, solid skirting may be installed immediately adjacent to the tires.
- (g 13) One storage shed shall may be allowed per campsite. Said shed shall not exceed 80 square feet in floor area.
- (40 14) A shelter unit may be located on an individual campsite provided it is designed only to protect occupants from the elements and does not have a permanent water supply, a sewage system, electricity or heating and cooking facilities. A shelter unit shall not exceed 300 square feet in total floor area ~~and shall not be rented to a camping party for a term exceeding 30 consecutive days.~~
- (44 15) One dwelling unit to be occupied by the owner and not more than one additional dwelling unit to be occupied by the manager shall may be allowed permitted in a campground.
- (42 16) Camping shall be permitted in approved campgrounds without issuance of a regular land use permit.

~~B. Institutional recreation camps.~~

- ~~(1) Minimum lot size shall be 10 acres.~~
- ~~(2) Maximum capacity shall be five persons per acre or 200 persons, whichever is less. Such capacity shall be determined by the number of sleeping spaces, number of dining spaces and/or other appropriate means of determination.~~

- ⊖ B. Riding stables, commercial and private.
- (1) Minimum lot size for riding stables shall be 10 acres for commercial riding stables and ~~five~~ three acres for private riding stables.
 - (2) There shall be at least one acre of open space provided on the lot for each horse kept on the lot.
 - (3) All stables shall be located at least 100 feet from the ordinary high-water mark of navigable water and shall be located such that manure will not drain into navigable water.
 - (4) Riding stables in the Exclusive Agriculture District shall require a conditional use permit subject to § 91.75(8), Wis. Stats. **[Added by Ord. No. 99-11]**
- C. Nature-Based Operations.
- D. Private Outdoor Recreational Uses.
- E. Public Outdoor Recreational Uses.
- F. Residential Parks.
- G. Resorts.
- (1) Housing may be in lodges, cabins and other residential structures.
 - (2) Each housing structure may have one cooking facility.
 - (3) There shall be one off-street parking space provided for each sleeping room provided.
 - (4) Retail activities shall be limited to those specifically identified in the Conditional Use Permit

Exhibit C

§ 240-88. Definitions.

When used in this chapter, the following terms shall have the meanings herein assigned to them. Words used in this chapter, but not defined therein, shall carry the meanings as defined in Webster's Unabridged Third International Dictionary or its successor volumes.

ABANDONMENT OF NONMETALLIC MINING OPERATIONS - The cessation of nonmetallic mining operations or activities for more than 365 consecutive days, where the cessation is not specifically set forth in an operator's application, operation or reclamation plan or permit or is not specifically approved by the Land Management Committee upon written request. Abandonment of operations does not include the cessation of activities due to labor strikes or natural disasters.

ACCESSORY BUILDING - See "building, accessory."

ACCESSORY RESIDENCE -

A. A dwelling unit that is accessory to a nonresidential use on the same lot, is the only dwelling unit on the lot, and provides living quarters for the owner, proprietor, commercial tenant, employee or caretaker of the nonresidential use.

B. A dwelling unit located in an accessory building located on a residential parcel.

ACCESSORY STRUCTURE - See "structure, accessory."

ACCESSORY USE - See "use, accessory."

ADMINISTRATOR/PLANNER - An authorized representative of the Land Management Committee appointed by the County of Pierce to supervise the operation of the Planning Department and to carry out, or to delegate carrying out, the assigned responsibilities of this chapter.

AGRICULTURAL BUSINESS OPERATION - A site-specific business reliant on the property's active agriculture which may include multiple related uses managed as one operation.

AGRICULTURE, GENERAL - Any agricultural use, except those listed for intensive agriculture, including apiculture; animal husbandry; dairying; floriculture; forage crop production; forest crop production; grain production; grazing; horticulture; orchards; specialty crop production, such as maple syrup, mint and willow; viticulture; and truck farming.

AGRITOURISM - Activities conducted at a working agricultural operation and offered to the public or to invited groups for the purpose of recreation, education, or active involvement in the operation.

AIRPORT - The use of any area of land or water which is used or intended for use by four or more aircraft for the landing and takeoff of aircraft and any appurtenant areas which are used, or intended for use, for airport buildings or other airport facilities or rights-of-way, together with all airport buildings and facilities located thereon.

AIRSTRIp - The use of any area of land or water which is used or intended for use by three or fewer aircraft based at such airstrip for the landing and takeoff of aircraft and any appurtenant areas which are used, or intended for use, for airport buildings or other airport facilities or rights-of-way, together with all airport buildings and facilities located thereon.

ART - The conscious use of skill, taste and creative imagination in the production of objects whose primary or sole value is intended to be aesthetic. Art is distinct from other forms of production by its application of a personal, unanalyzable creative power, not only expertness in workmanship.

~~**ART GALLERY** - An institution or business exhibiting or dealing in works of art.~~

BED-AND-BREAKFAST ESTABLISHMENT - Any place of lodging that provides eight or fewer rooms for rent to transient guests, is the owner's personal residence, is occupied by the owner at the time of rental and in which the only meal served to guests is breakfast.

BLUFFLINE - A line along the top of a slope of at least 20%, connecting the points at which the slope, proceeding away from the bottom of the slope, becomes less than 12%.

BOARDINGHOUSE - A place in which lodging, with or without meals, is offered for compensation to nontransient guests, that provides eight or fewer rooms for rent, is the owner's personal residence and is occupied by the owner at the time of rental.

BOATHOUSE - An accessory building which includes all structures which are totally enclosed, have roofs or walls or any combination of these structural parts and is accessible by boats from navigable water, is designed, constructed and used solely for the purpose of storing or protecting boats and other water-related recreational materials for noncommercial purposes and used in conjunction with a residence. A boathouse must be placed two feet above the ordinary high-water mark of navigable waters.

BUILDING - An enclosed structure built, maintained or intended to be used for the protection, shelter or enclosure of persons, animals or property and which is affixed to the ground.

BUILDING, ACCESSORY - A building, not attached to a principal building by means of a common wall, common roof or an aboveground roofed passageway, which is:

- A. Subordinate to and serves a principal structure or a principal use.
- B. Located on the same lot as the principal structure or use served.
- C. Customarily incidental to the principal structure or use.

BUILDING, PRINCIPAL - A building which houses a principal use of a lot, including any functional appurtenances, such as decks, stairways and balconies, which are attached to, or located within three feet of, said building.

BUILDING SITE - A lot on which buildings or structures that are permitted in the applicable zoning district may be placed.

BUILDING ZONE - The area of a lot between the required road setback line (or front yard line) and rear yard line (or navigable water setback line).

CAMPGROUND - Any parcel or tract of land ~~owned by a person, the state or a local government unit~~ which is designed, maintained, intended or used for the purpose of providing sites for nonpermanent overnight use by four or more camping units or by one to three camping units if the parcel or tract of land is represented as a campground and may include multiple related uses managed as one operation.

CAMPING - The placement of a temporary shelter used as or designed to be used for sleeping purposes. Examples of shelters used for camping include tents, trailers, motor homes, recreational vehicles, tarpaulins, bedrolls and sleeping bags.

CAMPING PARTY - Any individual or camping family or a group consisting of not more than six persons who are seven years of age or older, provided that such individual, family or group is engaging in camping.

CAMPING UNIT - Any single temporary shelter, except sleeping bags, bedrolls and hammocks, used for camping by a camping party.

CAMPSITE - A segment of a campground which is designated for camping by a camping party.

CEMETERY - Land used for the burial of dead humans and dedicated for cemetery purposes, including columbaria, crematories, mausoleums and mortuaries when operated in conjunction with and within the boundary of such cemetery.

CERTIFICATE OF COMPLIANCE - An official written document, issued by the Zoning Administrator, which certifies that the use or structure complies with all applicable provisions of this chapter and the land use permit, sign permit or conditional use permit issued for that use or structure.

CHANGE OF USE - Conversion of a principal use of a lot from one use category, as listed in § 240-17, to another use category.

CLEAN FILL - Clean soil, brick, building stone, concrete, reinforced concrete, broken pavement and unpainted or untreated wood.

CLEAN FILL SITE - A site used only to dispose of clean fill.

COMMERCIAL COMMUNICATIONS TOWERS, ANTENNAS AND TRANSMITTERS - Any facilities or equipment used, or designed to be used, for receiving or sending communications signals, except for such facilities which are used solely for private, recreational use.

COMMERCIAL RIDING STABLE - See "riding stable, commercial."

COMMUNITY LIVING ARRANGEMENTS - A facility defined as such in § 46.03(22), Wis. Stats.

CONDITIONAL USE - See "use permitted as a conditional use."

CONDITIONAL USE PERMIT - A permit, issued by the Land Management Committee, stating that a use permitted as a conditional use may be established, expanded or enlarged subject to any conditions placed on the authorization and the provision of this chapter.

CONTRACTOR'S ESTABLISHMENT - See "trade or contractor's establishment."

DECK - An unenclosed, unroofed exterior platform structure, with or without railings, which is elevated above preconstruction grade and is typically of wood construction, either attached to a building or freestanding.

DEPARTMENT OF NATURAL RESOURCES - The Wisconsin Department of Natural Resources.

DIRECT MARKET AGRICULTURE - A use involving the sale of agricultural products which are produced on-site and sold directly to consumers including uses such as roadside stands, pick-your-own fruits and vegetables and Christmas tree farms.

DRIVEWAY - A means of access to or from a property, site or use or a means of circulation within a parking area.

DUPLEX - Two attached dwelling units on a single lot regardless of the form of ownership of the units.

DWELLING UNIT - A building or portion thereof which provides or is intended to provide living quarters exclusively for one family.

DWELLING UNIT, SINGLE-FAMILY - A freestanding building which provides or is intended to provide living quarters exclusively for one family, except dwelling units that meet the definition of "manufactured home."

EFFECTIVE DATE OF THIS CHAPTER - The date that this chapter takes effect on a given parcel of land as provided in § 240-6 or the date that an amendment to this chapter becomes effective.

ENCLOSED STRUCTURE - A structure consisting of a solid roof, a permanent foundation, a floor and solid walls extending from the floor to the roof. Solid doors, windows or other glazing is allowed in the wall segments. Open breezeways or screen walls do not qualify as enclosed structures.

FAMILY - A person or group of persons living together as a single housekeeping unit.

~~**FAMILY, CAMPING** - A parent or parents with their dependent children and not more than two guests. This definition is to be used for camping-related purposes only.~~

FAMILY DAY-CARE HOME - A dwelling unit where supervision and care and/or instruction for not more than eight children under the age of seven is provided for periods of less than 24 hours per day and which is licensed by the Wisconsin Department of Health and Family Services.

FARM AND HOME-BASED BUSINESS - A business, profession, occupation or trade for gain or support which is conducted on the same lot as a residence or farmstead.

FARMERS MARKET - A use or structure(s) which principally involves the retail sale of farm and garden products from local area farmers, ~~regardless of whether such products were produced on the premises~~

FENCE - A barrier intended to prevent escape or intrusion or to mark a boundary. "Fence" does not include a railing serving a deck, porch, balcony or similar items.

FLOODPLAIN - The land which has been or may be hereafter covered by floodwater during a regional flood, including the floodway and the flood-fringe as defined in Chapter NR 116, Wisconsin Administrative Code. Floodplains are designated as A Zones on the Flood Insurance Rate Maps for Pierce County.

FLOOR AREA - The sum of the gross horizontal areas of the several floors of the building, measured from the outer lines of the exterior walls of the building, except that the floor area of the dwelling does not include space not usable for living quarters, such as attics, unfinished basement rooms, garages, breezeways and unenclosed porches or terraces. (See also "primary floor area.")

FOOTPRINT, BUILDING - A single horizontal plane bounded by the exterior walls of a building.

GARAGE - An accessory structure (except for public highway garages) primarily intended for and used for the enclosed storage or shelter of motor vehicles.

GENERAL AGRICULTURE - See "agriculture, general."

GENERAL RETAIL AND SERVICES – Establishments that provide goods and/or services to the consumer.

GRADE ELEVATION - The average elevation around the base of a building or a structure where such building or structure meets the surface of the ground.

HISTORIC BUILDING - A building which is one of the following:

- A. Listed on, or nominated by the State Historical Society for listing on, the National Register for Historic Places in Wisconsin;
- B. Included in a district which is listed on, or nominated by the State Historical Society for listing on, the National Register for Historic Places in Wisconsin and which has been determined by the State Historical Society to contribute to the historic significance of the district;
- C. Listed on a certified municipal register of historic property; or
- D. Included in a district which is listed on a certified municipal register of historic property and which has been determined by the municipality to contribute to the historic significance of the district.

HOME BUSINESS - A business conducted on the same lot as, and in conjunction with, a residence.

HOME OCCUPATION - A business, profession, occupation or trade which is conducted for gain or support, located entirely within a principal dwelling unit, operated by at least one person residing in the dwelling unit and is accessory, incidental and secondary to the use of the building as a residence and does not change the essential residential character or appearance of the dwelling unit.

HYDRAULIC DREDGED MATERIAL STORAGE – The placement of dredged material which had large amounts of water added for transfer.

IMPERVIOUS SURFACE - Surfaces which do not absorb precipitation, including buildings, structures, parking areas, driveways, roads, sidewalks and any areas in concrete, asphalt or packed stone.

IMPERVIOUS SURFACE RATIO - A measure of the intensity of use of a parcel of land determined by dividing the total area of all impervious surfaces within the site by the total area of the site.

INDOOR MAINTENANCE - Businesses which offer maintenance, including repair of goods and equipment. Examples of such uses include automobile body shops, small-engine repair shops, boat repair and service and electronics maintenance and repair.

INDUSTRY, HEAVY - Uses such as manufacturing, assembling, fabrication, processing, bulk handling, storage, and trucking which are likely to generate significant levels of traffic, noise, pollution, vibration, dust, fumes, odors, pesticides, herbicides, or other hazardous materials, fire or explosion hazards, or other undesirable conditions which are unsuitable for any other district.

INDUSTRY, LIGHT - Nonnuisance, low-impact industrial uses compatible with surrounding commercial, residential or public uses which have a minimal impact on traffic, conducted indoors and without significant noise, odor, dust and glare which do not contribute to the degradation of the land, water and air.

~~**INSTITUTIONAL RECREATION CAMP** - An area containing one or more permanent buildings used periodically for the accommodation of members of associations or groups for recreational purposes.~~

KENNEL - Any establishment wherein or whereon eight or more dogs over the age of five months are kept.

LAND MANAGEMENT COMMITTEE - The committee designated by the Pierce County Board of Supervisors to fulfill the responsibilities as stated in this chapter.

LAND USE PERMIT - A permit, issued by the Zoning Administrator, stating that a use or a structure, except a sign or use permitted as a conditional use, may be established, expanded or enlarged subject to any conditions placed on the permit and the provisions of this chapter.

LIVESTOCK - Any horse, bovine, sheep, goat, pig, domestic rabbit or domestic fowl, including game fowl raised in captivity.

LIVING QUARTERS - A building or a portion of a building which provides, as a minimum, an area equipped or furnished for sleeping purposes. "Living quarters" also includes those finished portions of a building in which normal residential activities occur.

LODGING - A use which provides commercial transient lodging in individual rooms, suites of rooms or units. Examples of such uses include motels, hotels, inns, cottages, and cabins ~~and resorts~~.

LOT - A continuous parcel of land, not divided by a public right-of-way, occupied or intended to be occupied by a principal structure or use, and the accessory structures or uses permitted thereto, and sufficient in size to meet the lot width and lot area provisions of this chapter.

LOT AREA - The area of a horizontal plane bounded by the front, side and rear lot lines of a lot, but not including the area of any land below the ordinary high-water mark of navigable waters nor any land in a public right-of-way or private access easement.

LOT LINE - A line bounding a lot which divides one lot from another lot or from a street or road.

LOT LINE, FRONT - The lot line nearest to the center line of the public or private road from which the lot takes access.

LOT LINE, REAR - In the case of rectangular or most trapezoidal-shaped lots, that lot line which is generally parallel to and most distant from the front lot line of the lot. In the case of an irregular or triangular lot, a line 20 feet in length, entirely within the lot, parallel to, and at the maximum possible distance from, the front lot line.

LOT LINE, SIDE - Any lot line other than a front or rear lot line.

LOT OF RECORD - Any lot, the description of which is properly recorded with the Pierce County Register of Deeds, which at the time of its recordation complied with all applicable laws, ordinances and regulations.

LOT WIDTH - The horizontal distance of a line which connects two side lot lines, runs through the building zone of the lot and is perpendicular to the line bisecting the angle formed by the side lot lines. For lots with parallel side lot lines, the lot width is the perpendicular distance between the side lot lines.

MANUFACTURED HOME - A dwelling unit which is, or was as originally constructed, designed to be transported after fabrication on its own wheels, or by a motor-powered vehicle, arriving at a site where it is to be occupied as a residence (whether occupied or not) complete and ready for occupancy (with or without major appliances and furniture), except for minor and incidental unpacking and hookup operations, and designed, equipped and used primarily for sleeping, eating and living quarters or is intended to be so used, and includes any additions, attachments, annexes, foundations and appurtenances. Structures which are delivered to the site in halves or other modular arrangements (consisting of complete wall sections or large units fabricated off-premises by the manufacturer of the basic unit and designed and intended to be attached to the basic unit) and which when joined together exceed 18 feet in width throughout, meet minimum floor area requirements of this chapter, have a length to width ratio of not more than 2.5 to 1 (with length measured along the center of the longest roof axis and width measured perpendicular to the above at the completed unit's most narrow span) and which are placed upon a permanent foundation are considered single-family residences or single-family dwelling units.

MANUFACTURED HOME PARK - Any plot or plots of land designed, maintained, intended or used for the purpose of supplying a location or accommodations for more than two manufactured homes on a year-round basis and shall include all buildings used or intended for use as part of the equipment thereof, whether or not a charge is made for the use of the manufactured home park and its facilities. Manufactured home parks shall not include automobile or manufactured home sale lots on which unoccupied manufactured homes are parked for the purposes of inspection and sale.

METEOROLOGICAL TOWER - Towers that are used to monitor or transmit wind speed and wind flow characteristics for a period of time for either instantaneous wind information or to characterize the wind resource at a given location to assist in the siting of a WES and includes the tower, base plate, anchors, guy cables and hardware, anemometers (wind speed indicators), wind direction vanes, booms to hold equipment, data logger, instrument wiring, and telemetry devices.

MINING, ACCESSORY USE - Uses and activities which are customarily incidental, appropriate and subordinate to mining such as stockpiling, sorting, screening, washing and crushing when conducted on property that is not contiguous to the extraction site or batching, recycling of concrete, asphalt, and related construction materials, maintenance facilities, and contractor's service and storage yards, and concrete products manufacturing that make use of the products produced from the subject mining site, as well as asphalt plants. The stockpiling of materials by a public agency for construction, reconstruction, maintenance or repair of public transportation amenities at public-owned sites or within the property boundary of the transportation amenity is not considered an accessory use.

MINI-STORAGE - Indoor storage of customer's items within partitioned buildings with individual access to each partitioned area.

MOBILE RECREATIONAL VEHICLE: A vehicle which is built on a single chassis, 400 square feet or less when measured at the largest horizontal projection, designed to be self-propelled, carried or permanently towable by a licensed, light-duty vehicle, is licensed for highway use if registration is required and is designed primarily not for use as a permanent dwelling, but as temporary living quarters for recreational, camping, travel or seasonal use and which does not comply with the definition of a "manufactured home."

MODEL HOME - A single-family dwelling unit which is used as a model for inspection by prospective home buyers and is unoccupied as a residence but is intended for eventual use as a single-family residence and which may or may not contain a home sales office.

MULTIPLE-FAMILY DWELLING - A building containing three or more dwelling units.

NACELLE - Contains the key components of the wind turbine, including the gearbox, yaw system, and electrical generator.

NATURE-BASED OPERATION - A site-specific operation reliant on the property's natural environment and characteristics and may include multiple related uses managed as one operation.

NAVIGABLE WATER - The Mississippi River, St. Croix River, all natural inland lakes, all streams, ponds, sloughs, flowages and other waters within Pierce County which are navigable under the laws of the State of Wisconsin. Wisconsin's Supreme Court has declared navigable bodies of water that have a bed differentiated from adjacent uplands and levels of flow sufficient to support navigation by a recreational craft of the shallowest draft on an annually recurring basis [Muench vs. Public Service Commission, 256 Wis. 492 (1952), and DeGaynor and Co., Inc., vs. Department of Natural Resources, 70 Wis. 2d 936 (1975)]. For example, a stream which is navigable by skiff or canoe during normal spring high water is navigable, in fact, under the laws of this state though it may be dry during other seasons.

NONCONFORMING LOT - A lot which, in its most recent configuration, does not contain sufficient area and/or width to meet the criteria of § 240-23 or 240-24E.

NONCONFORMING SIGN - Any sign, legally established prior to the effective date of this chapter or subsequent amendments thereto, which does not fully comply with the requirements imposed by this chapter.

NONCONFORMING STRUCTURE - Any building or structure, other than a sign, legally established prior to the effective date of this chapter or subsequent amendments thereto, which does not fully comply with the requirements imposed by the individual sections of this chapter that pertain to the size, height, location, setback and similar characteristics of structures.

NONCONFORMING USE - Any use of structures, land or water which was lawfully established at the time of the effective date of this chapter or subsequent amendments thereto which does not fully comply with the use requirements imposed by this chapter.

NONMETALLIC MINING or NONMETALLIC MINING OPERATION - Operations or activities for the extraction from the earth for sale or use by the operator of mineral aggregates such as stone, sand, gravel and nonmetallic minerals such as asbestos, beryl, clay, feldspar, peat and talc; topsoil-related operations or activities such as excavation, grading or dredging if the purpose of those operations or activities is the extraction of mineral aggregates and nonmetallic minerals; and related processes such as stockpiling, sorting, screening, crushing, screening, scalping, dewatering and blending.

"Nonmetallic mining" or "nonmetallic mining operation" does not include or allow the following activities or uses, by way of illustration, which include, but are not limited to, manufacture of concrete building blocks or other similar products, asphalt or hot blacktop mixing and production of ready-mix concrete. Nonmetallic mining does not include the following activities:

- A. Excavations or grading by a person solely for domestic use at his or her residence.
- B. Excavations or grading conducted for highway construction purposes within the highway right-of-way.
- C. Grading conducted for farming, preparing a construction site or restoring land following a flood or natural disaster.
- D. Excavations for the foundation of structures, provided that such excavation does not exceed a volume of material 1.5 times the volume of the polyhedron bounded by the natural grade, the bottom of the footings and the exterior of the foundation walls.
- E. Minor land disturbances such as installation of utilities, walks and driveways, sanitary waste disposal systems or fuel storage tanks.
- F. Any mining operation, the reclamation of which is required in a permit obtained under §§ 293.01 to 293.93, Wis. Stats.

G. Any activities conducted at a soil or hazardous waste disposal site required to prepare, operate or close a solid waste disposal facility under §§ 289.05 to 289.33, Wis. Stats., or a hazardous waste disposal facility under §§ 291.001 to 291.97, Wis. Stats.; provided, however, that said section applies to activities related to solid or hazardous waste disposal which are conducted at a nonmetallic mining site separate from the solid or hazardous waste disposal facility, such as activities to obtain nonmetallic minerals to be used for lining, capping, covering or constructing berms, dikes or roads.

H. Any nonmetallic mining site or portion of a site which is subject to permit and reclamation requirements of the Department of Natural Resources under §§ 30.19, 30.195 and 30.20, Wis. Stats.

NONMETALLIC MINING REFUSE - Waste soil, rock, mineral, liquid, vegetation and other waste material resulting from a nonmetallic mining operation. This term does not include merchantable by-products resulting directly from or displaced by the nonmetallic mining operation.

NONMETALLIC MINING SITE - The location where a nonmetallic mining operation is conducted or is proposed to be conducted, including all surface areas from which minerals are removed, related storage and processing areas, areas where nonmetallic mining refuse is deposited and areas disturbed by the nonmetallic mining operation by activities such as the construction or improvement of roads or haulageways.

NURSERY - A facility or facilities used primarily to raise trees, shrubs, flowers, produce and other plants for sale of which at least 50% are grown onsite. Landscaping and horticultural services may be offered along with the sale of garden products such as rakes, shovels, and pots. The sales of garden products shall not occupy more than 25% of the sales area.

OCCUPANCY UNIT - A room, or interconnected rooms, consisting of living quarters physically separated from any other unit in the same building. The unit may include facilities for cooking and eating and other facilities convenient to human living.

OFFICES - Exclusively indoor uses for the handling of information or administrative services. Such uses do not typically provide services directly to customers on a walk-in or on-appointment basis.

OPEN FENCE - A fence whose entire length is not greater than 50% opaque and whose individual elements or sections are also not greater than 50% opaque.

OPEN SPACE - Area on a lot that is open to the sky, contains no structures, parking, driveways or other impervious surfaces and contains no nonmetallic mining uses. (See also "preserved open space.")

ORCHARD - An establishment located on a lot devoted to the cultivation of fruit trees that includes the sale of goods containing produce primarily grown on-site and items to attract customers and promote the sale of agricultural products such as baked goods, ice cream, crafts and other retail items identified in the conditional use permit.

ORDINARY HIGH-WATER MARK - The point on the bank or shore up to which the presence and action of surface water is so continuous as to leave a distinct mark such as by erosion, destruction or prevention of terrestrial vegetation, predominance of aquatic vegetation, or other easily recognized characteristic. Where the bank or shore at any particular place is of such character that it is difficult or impossible to ascertain where the point of ordinary high-water mark is, recourse may be had to the opposite bank of a stream or to other places on the shore of a lake or flowage to determine whether a given stage of water is above or below the ordinary high-water mark.

OUTDOOR RECREATION, PRIVATE - Land uses which offer recreation activities primarily outdoors, including such uses as private parks, sportsmen's clubs, ~~campgrounds~~, golf courses and ski hills, and which are operated for members or on a commercial basis for members of the public and may include multiple related uses managed as one operation.

OUTDOOR RECREATION, PUBLIC - Land uses operated by governmental units which offer recreation activities primarily outdoors.

PLANNED RESIDENTIAL DEVELOPMENT - An area of land, controlled by a developer, to be developed as a single entity for more than one dwelling unit, the plan for which does not necessarily comply with the various dimensional and locational requirements for the zoning district in which it is located but in which each dwelling unit is located on its own lot.

PRESERVED OPEN SPACE - Open space which has been permanently preserved in conjunction with a planned residential development or manufactured home park.

PRIMARY FLOOR AREA - The floor area of a building for purposes of determining required parking ratios for certain uses, such area to include only that portion of the total floor area devoted to customer service, sales and office space and not to include warehouses, utility, hallways and other accessory space, except as they generate parking demand.

PRINCIPAL BUILDING - See "building, principal."

PRINCIPAL STRUCTURE - See "structure, principal."

PRINCIPAL USE - See "use, principal."

PRIVATE RIDING STABLE - See "riding stable, private."

REAR LOT LINE - See "lot line, rear."

REAR YARD - See "yard, rear."

RECLAMATION - The rehabilitation of a nonmetallic mining site, including but not necessarily limited to removal of nonmetallic mining refuse, grading of the site, replacement of topsoil, stabilization of soil conditions, establishment of vegetative cover, control of surface water and groundwater, prevention of environmental pollution, construction of fences and, if practical, restoration of plant, fish and wildlife habitat.

RECYCLING COLLECTION POINT - A site in which recyclable materials such as paper, cardboard, glass, metal, and plastic are collected and temporarily held until transferred.

RECYCLING FACILITY - A facility in which recyclable materials are recycled, reprocessed and treated to return such products to a condition in which they may again be used for production.

RECREATION CAMP - See "institutional recreation camp."

REGIONAL FLOOD - A flood determined to be representative of large floods known to have generally occurred in Wisconsin and which may be expected to occur on a particular stream because of like physical characteristics once in every 100 years.

RESIDENCE - The use of premises for the act or fact of dwelling.

RESIDENCE, SINGLE-FAMILY - The use of premises for the act or fact of dwelling in a single-family dwelling unit.

RESIDENTIAL DENSITY - The ratio of dwelling units to acres for a particular tract of land.

RESIDENTIAL PARK - Land within a residential development used for recreational purposes.

RESIDENTIAL USE - Any listed under "residential uses" in § 240-17. Editor's Note: See the Table of Uses, which is included at the end of this chapter.

RESORTS - A facility for transient guests where the primary attraction is generally on-site recreational features or activities and may include multiple related uses managed as one operation.

RETREAT CENTER - A facility or facilities used for professional, educational, organizational, or religious meetings, conferences, or seminars and which may provide meals, housing, and recreation for participants and may include multiple related uses managed as one operation.

RIDING STABLE, COMMERCIAL - Any establishment where seven or more adult horses are kept for riding or recreation or where any number of horses are stabled for compensation, sale or show.

RIDING STABLE, PRIVATE - Any establishment where six or fewer adult horses are kept for riding or private recreation.

ROAD, PRIVATE - A recorded, described easement for access which serves two or more building lots but does not include a shared driveway.

~~ROADSIDE STAND~~ - ~~A use or structure involving only the display and sale of agriculture products which are produced exclusively on the premises.~~

ROTOR DIAMETER - The diameter of the circle described by the moving rotor blades.

SALVAGE YARD - Any land or structure where waste or scrap materials, including but not limited to scrap iron and other metals, paper, rags, rubber tires, glass and inoperable vehicles or appliances, are either bought, sold, exchanged, baled, packed, disassembled or hauled for compensation.

SAWMILLS - A facility where wood is sawed, split, shaved, stripped, chipped, or otherwise processed to produce wood products to be sold.

SETBACK - The minimum horizontal distance from the center line of a road or from the edge of the right-of-way of a road or from the ordinary high-water mark to a structure or use.

SHORELANDS - Those lands which are located within 1,000 feet of the ordinary high-water mark of a navigable lake, pond or flowage or within 300 feet of the ordinary high-water mark of a navigable river or stream or to the landward side of the floodplain of the river or stream, whichever distance is greater.

SHRUBBERY - Woody vegetation which is less than a height of 15 feet and is generally incapable of attaining such height.

SIDE YARD - See "yard, side."

SIGN - Any device, fixture, placard or structure that uses any color, form, graphic, illumination, symbol or writing to advertise, announce the purpose of or identify a person or entity or to communicate information of any kind to the public and which is intended to be visible from any road or from navigable water.

SIGN, ABANDONED - A sign which advertises a use that has ceased or relates to an individual, firm or association, profession, business, commodity or product that no longer exists or relates to an activity or purpose that is no longer applicable.

SIGN, ADVERTISING - A sign, except for directional signs, used to arouse a desire to buy a commodity or product or to patronize a business or to identify a business.

SIGN, DIRECTIONAL - An off-premises sign intended solely for the purpose of directing people to an establishment that is not located on a state highway.

SIGN FACE AREA - The entire surface area of a sign display face upon which copy could be placed or, if no background or frame, the total area of the smallest rectangle or rectangles which can encompass all words, letters, figures, emblems and any other element of the sign's message. When a sign has more than one display face, the combined surface area of all display faces that can be viewed simultaneously shall be considered the sign face area.

SIGN, FREESTANDING - Signs which have their own base of support from the ground and are not attached to a building.

SIGN, OFF-PREMISES - A sign which is not located on the lot on which the individual, firm, association, profession, business, commodity or product promoted on the sign is located.

SIGN, ON-PREMISES - A sign located on the same lot on which the individual, firm, association, profession, business, commodity or product promoted on the sign is located.

SIGN, OPINION - A sign which expresses a personal opinion or belief of a noncommercial nature.

SIGN PERMIT - A permit, issued by the Zoning Administrator, stating that a sign may be established, located or altered subject to any conditions placed on the authorization and the provisions of this chapter.

SIGN, PROJECTING - A sign, generally oriented perpendicular to the face of a building wall, which is attached to a building and which extends more than six inches from a building wall, typically having two viewable sides.

SIGN, WALL - A sign painted on a building wall and all other signs, oriented parallel to the face of a building wall, which are attached to a building wall and where no part of the structure of the sign extends more than six inches out from a wall, as measured near the points of attachment to the building, nor above the roof of the building, nor beyond the end of a wall.

SINGLE-FAMILY DWELLING UNIT - See "dwelling unit, single-family."

SINGLE-FAMILY RESIDENCE - See "residence, single-family."

SITE PLAN - A graphic representation of a parcel of land and all of the structures and features, or proposed structures and features, contained thereon.

SLOPE - The relationship of the change in vertical distance to the change in horizontal distance, expressed as a percentage.

SOLAR COLLECTOR - A solar photovoltaic cell, panel, or array, or solar hot air or water collector device, which relies upon solar radiation as an energy source for the generation of electricity or transfer of stored heat.

SOLAR ENERGY SYSTEM, LARGE - Equipment which directly converts and then transfers or stores solar energy into usable forms of thermal or electrical energy which is intended for off-site consumption.

SOLAR ENERGY SYSTEM, SMALL - Equipment which directly converts and then transfers or stores solar energy into usable forms of thermal or electrical energy which is incidental and subordinate to a permitted use on the same parcel or on a contiguous parcel of common ownership and is intended to supply thermal energy or electrical power solely for on-site use, except that when a parcel on which the system is installed also receives electrical power supplied by a utility company, excess electrical power generated and not presently needed for on-site use may be used by the utility company.

SOLID WASTE FACILITY - A facility or land for solid waste treatment, solid waste storage or solid waste disposal, and includes commercial, industrial, municipal, state and federal establishments or operations such as, without limitation because of enumeration, sanitary landfills, dumps, incinerators, land disposal sites, transfer stations, storage facilities, collection and transportation services and processing, treatment and recovery facilities. "Solid waste facility" does not include a salvage yard.

STEALTH FACILITY - A wireless communications service facility which appropriately models or mimics in size, shape, and color something in the immediate landscape which could legally be placed there at the time the application is submitted, such as a silo in farm settings or a tree in forested lands, and which is unrecognizable to a casual observer as a tower.

STRUCTURAL ALTERATIONS - Any change in the supporting members of the exterior portions of a building or structure, such as foundations, load-bearing wall columns, sills and rafters, or any change in the dimensions or configuration of the roof or exterior walls.

STRUCTURAL REPAIRS - Any repair of the supporting members of the exterior portions of a building or structure, such as foundations, load-bearing wall columns, sills and rafters.

STRUCTURE - Anything constructed, erected or manufactured, the use of which requires a more or less permanent location on or in the ground.

STRUCTURE, ACCESSORY - A building or other structure which is customary, incidental and subordinate to a permitted principal use of a lot and located on the same lot as the principal use and does not meet the definition of a principal structure.

STRUCTURE, PERMANENT - A structure placed on or in the ground or attached to another structure in a fixed position and intended to remain in place for a period of more than nine months.

STRUCTURE, PRINCIPAL - A building or other structure which houses a principal use of a lot, including any functional appurtenances, such as decks, stairways and balconies, which are attached to, or located within three feet of, said building or structure.

TEMPORARY ACCESSORY UNIT - A temporary dwelling unit installed on the same lot as a single-family residence and used to provide independent but supervised housing for a disabled or infirm dependent(s).

TOPSOIL - Soil material (normally the A horizon and upper part of the B horizon of a soil profile) which is acceptable for resspreading on the surface of regraded areas to provide a medium which sustains a

dense plant growth capable of preventing wind and water erosion of the topsoil and other materials beneath.

TOTAL HEIGHT, ENERGY SYSTEM - The highest point, above ground level, reached by any part of the energy system.

~~**TRADE OR CONTRACTOR'S ESTABLISHMENT** - Uses such as plumbers, heating and air-conditioning contractors, excavators, carpenters, painting contractors, wastewater treatment system contractors, electricians, well drillers and similar uses in which primary work takes place off-premises.~~

~~**TRAILER** - A portable structure built on a chassis which can be towed by an appropriate motor vehicle and is designed to be used as a temporary dwelling for travel, recreation or vacation use and which does not fall into the definition of a "manufactured home."~~

~~**TRAILER CAMP** - Any privately or publicly owned parcel or tract or land designed, maintained, intended or used for the purpose of supplying accommodations for use by trailers or recreational vehicles on a temporary basis, open to the public and designated as a trailer camp area.~~

TRANSIENT - A person who travels from place to place away from his or her permanent address for vacation, pleasure, recreation, culture or business.

TREE - Woody vegetation that is, or is capable of attaining, a height of at least 15 feet.

UNINCORPORATED AREA - All lands and waters located within Pierce County which are located outside the municipal boundaries of a village or city.

UNNECESSARY HARDSHIP - Circumstance where special conditions affecting a particular property, which were not self-created, have made strict conformity with restrictions governing area, setbacks, frontage, height or density unnecessarily burdensome or unreasonable in light of the purposes of the zoning ordinances.

USE - The purpose or activity for which a parcel of land, or structure(s) thereon, is designed, arranged, intended, occupied or maintained.

USE, ACCESSORY - A use subordinate to and customarily incidental to a permitted principal use of a lot and located on the same lot as the principal use.

USE PERMITTED AS A CONDITIONAL USE - A use whose nature, character or circumstance is so unique or so dependent upon specific conditions that predetermination of permissibility by right is not practical but which may be permitted on a case-by-case basis subject to the conditional use permit procedure.

USE, PRINCIPAL - The basic use of a lot or structure or one of the basic uses of a lot or structure where more than one basic use exists on a lot. Principal uses are those listed as such in § 240-17. Editor's Note: See the Table of Uses, which is included at the end of this chapter.

USE, UNSPECIFIED TEMPORARY - A use which is conducted for not more than seven consecutive days nor more than 10 days in any one-year period.

UTILITY FACILITIES - Any structure or equipment, except for communications towers, used or designed for the production, transmission, delivery or furnishing of heat, light, water, power, sewer services or telecommunications either directly or indirectly to or for the public.

VARIANCE - An authorization, granted by the Board of Adjustment, to depart from the literal requirements of this chapter.

WALKWAY - An unenclosed, unroofed exterior platform structure, with or without railings, not exceeding 48 inches wide.

WAREHOUSE AND STORAGE - The holding of packaged or wholly or partially finished materials, foods or products within enclosed buildings which will not create significant impacts to surrounding uses. Examples of such use includes wholesale establishments primarily engaged in selling and/or distributing merchandise to retailers; to industrial, commercial, institutional, or professional business users, or to other

wholesalers. The use does not include those uses which are consistent with the definition of “Mini-storage”.

WETLAND - Those areas where water is at, near or above the land surface long enough to be capable of supporting aquatic or hydrophytic vegetation and which have soils indicative of wet conditions.

WIND ENERGY SYSTEM - Equipment that converts and then stores or transfers energy from the wind into usable forms of energy. This equipment includes any base, blade, foundation, generator, nacelle, rotor, tower, transformer, vane, wire, inverter, batteries, or other component used in the system.

WIND ENERGY SYSTEM, BUILDING-MOUNTED - A wind energy system located on a building.

WIND ENERGY SYSTEM, LARGE - A WES intended to generate power for off-site consumption consisting of one or more wind turbine(s), a tower(s), and associated control or conversion electronics, which has a rated capacity of more than 100 kilowatts or a total height of 200 feet or greater.

WIND ENERGY SYSTEM, SMALL - A WES that has not more than 100 kilowatts in total nameplate generating capacity and a total height less than 200 feet which is incidental and subordinate to a permitted use on the same parcel or on a contiguous parcel of common ownership and is intended to supply electrical power solely for on-site use, except that when a parcel on which the system is installed also receives electrical power supplied by a utility company, excess electrical power generated and not presently needed for on-site use may be used by the utility company.

WIND GENERATOR - Blades and associated mechanical and electrical conversion components mounted on top of the tower.

WIND TOWER - Vertical structures that supports a wind generator and any associated generation equipment.

WINERY - An establishment located on land with a producing vineyard or similar growing area for the production of wine, as defined by the State of Wisconsin, that includes a room for the tasting of wine, nonalcoholic fruit juices or incidental food items or the retail sales of winery products, products by the bottle for off-premise consumption or other retail items identified in the conditional use permit.

WIRELESS COMMUNICATIONS SERVICE FACILITY OR FACILITIES (WCSF) - All equipment, buildings and structures with which a wireless communications service carrier or provider broadcasts and receives the radio frequency waves which carry its services and all locations of said equipment, buildings and structures.

WOODLAND - Land covered with trees, not including orchard or nursery trees.

YARD - A required area on a lot, unoccupied by buildings and open to the sky, extending along a lot line to a specified depth or width.

YARD, FRONT - A yard extending along an entire front lot line from the front lot line to the depth or width specified in the yard requirements for the applicable district.

YARD, REAR - A yard extending along an entire rear lot line from the rear lot line to the depth or width as specified in the yard requirements for the applicable district.

YARD, SIDE - A yard extending along an entire side lot line from the side lot line to the depth or width specified in the yard requirements for the applicable district.

ZONING ADMINISTRATOR - An authorized representative of the Land Management Committee appointed by the County of Pierce for the purpose of carrying out the terms of this chapter.

ZONING MAP - The series of maps showing the location and boundaries of the zoning districts established by this chapter.

ORDINANCE NO. 12-08

**Amend Chapter 4, § 4-50 of the Pierce County Code -
Clarification to Per Diem for the Board of Supervisors**

Pierce County Board of Supervisors Hereby Ordain as Follows:

SECTION 1: That Chapter 4, Section 4-50 of the Pierce County Code is hereby revised as follows:

§ 4-50. Compensation and per diem.

All members of the Board, its standing committees, and employees shall be compensated for mileage, meal and lodging allowances in accordance with the following requirements:

- 1) The guidelines for mileage, meal and lodging allowances that are established annually for state employees in accordance with Chapter 418, Laws of 1977, State of Wisconsin, by the Secretary of the Department of Employment Relations with the approval of the Joint Committee on Employment Relations shall also apply to County Board members or employees.
- 2) The mileage, meal and lodging allowances shall be reimbursed at the state reimbursement rate.
- 3) It shall be the responsibility of the Administrative Coordinator to bring to the attention of the County Board the changes in the mileage, meal and lodging allowances as they are revised by the state each year.

All members of the Board and its standing committees shall be compensated per diem in accordance with the following requirements;

- 1) Base salary of the County Board Chair is \$300 per month.
- 2) Per diems for all County Board of Supervisors and citizen members of standing, special, or other (e.g. screening, hiring, etc.) internal county committees shall be established at \$40 per meeting. If a committee meeting lasts over four hours, it shall be \$10 per hour for each hour thereafter. If a Supervisor attends two or more meetings in a day, whether consecutive or nonconsecutive, each meeting shall be paid at the regular meeting rate of \$40 per meeting.
- 3) Per diems for County Board meetings, whether regularly scheduled or special, shall be \$50 per meeting. Supervisors representing the County attending out-of-county meetings shall be compensated at the rate of \$75 per day.
- 4) Attendance at meetings and conferences shall require prior authorization by the Board Chairperson or appropriate standing committee chairperson. Each Supervisor, employee or official must have receipts for all expenses.
- 5) Attendance at the Wisconsin Counties Association annual convention shall be approved by the Finance Committee.

Citizens that are appointed to special committees are entitled to mileage.

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

Dated this 26th day of June, 2012.

ORDINANCE NO. 12-09
Amend Chapter 191 of the Pierce County Code – Sewage Disposal

PIERCE COUNTY BOARD OF SUPERVISORS DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: That Chapter 191 of the Pierce County Code is hereby revised as shown in the attached Exhibit A.

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

Dated this 23rd day of October, 2012.

Jeffrey A. Holst, Chair
Pierce County Board of Supervisors

Approved as to form and legality:

Attested to:

Bradley D. Lawrence, Corporation Counsel

Jamie Feuerhelm, County Clerk

Adopted by County Board on _____

EXHIBIT A

Chapter 191 SEWAGE DISPOSAL

ARTICLE I General Provisions

- § 191-1 Adoption of Private Onsite Wastewater Treatment Systems (POWTS) regulations
- § 191-2 Definitions
- § 191-3 Administration
- § 191-4 Issuing agent
- § 191-5 Purpose
- § 191-6 Interpretation

ARTICLE II Sewage Disposal Systems

- § 191-7 Sewage disposal required
- § 191-8 Sanitary Permit
- § 191-9 Construction affecting wastewater flow or contaminant load
- § 191-10 Fees
- § 191-11 Inspection
- § 191-12 Maintenance program
- § 191-13 Filing requirements for soil and site evaluation reports

- § 191-14 Experimental system verification
- § 191-15 As-built forms submittal
- § 191-16 Emergency issuance of sanitary permit
- § 191-17 Land use and conditional use permit
- § 191-18 Temporary holding tanks
- § 191-19 Privies
- § 191-20 POWTS Replacement or Rehabilitation Financial Assistance Program.
- § 191-21 Disclaimer of liability and warranties

ARTICLE III Holding Tanks utilized for POWTS

- § 191-22 Plans required
- § 191-23 Minimum capacity
- § 191-24 Disposal agreement
- § 191-25 Installation
- § 191-26 Examination fees; approval authority

ARTICLE IV Variances; Enforcement and Penalties

- § 191-27 Variances
- § 191-28 Enforcement and penalties

[HISTORY: Adopted by the Board of Supervisors of Pierce County 5-25-2004 by Ord. No. 04-06.¹ Amendments noted where applicable.]

GENERAL REFERENCES

Public health nuisances and human health hazards — See Chapter 180.

~~ARTICLE I. Septic Tank Permits~~

~~§ 191-1. Issuing agent.~~

~~The County Zoning Administrator is designated as the agent to issue sanitary permits.~~

ARTICLE I. General Provisions.

§ 191-1. Adoption of Private Onsite Wastewater Treatment Systems (POWTS) regulations.

A. Adoption. Pursuant to Section 59.70(5), Wis. Stats., the Pierce County Board of Supervisors adopts the Pierce County Private Sewage System Ordinance.

B. Reference to state regulations. This chapter shall be subject to the provisions of Chapter 145 and Chapter 254.59, Wis. Stats, and Chapters SPS 381 through 387, and SPS 391, Wis. Admin. Code, as

¹ Editor's Note: This ordinance also repealed former Ch. 191, Sewage Disposal, adopted as Title 14 of the 1978 Code, as amended.

applicable, and all subsequent rules and regulations promulgated thereunder regarding private onsite wastewater treatment systems (hereinafter referred to as “POWTS”).

C. Severability. If any section, paragraph, clause, provision, or portion of this chapter is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this chapter shall not be affected thereby. If an application of this chapter to a particular structure, land, or water is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not be applicable to any other structure, land, or water not specifically included in said judgment.

§ 191-2. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

ACCESSORY BUILDING — A detached building not used as a dwelling unit but incidental to that of the dwelling.

BEDROOM — Any room which could be used for sleeping purposes regardless of actual use of the room. Examples of such rooms include but are not limited to dens, sewing rooms, studies and nurseries.

CERTIFIED SOIL TESTER — Permitted to conduct soil morphological evaluations and evaluate the significance of soil mottling.

DEPARTMENT — The Department of Safety and Professional Services (SPS).

DOMESTIC WASTEWATER — The type of wastewater normally discharged from plumbing fixtures, appliances or devices, including but not limited to sanitary, dishwashing, laundry, bath, garbage disposal and cleaning wastewater.

DWELLING — Any structure or that part of a structure which is used or intended to be used as a home, residence or sleeping place by one person or by two or more persons maintaining a common household to the exclusion of all others.

FAILING SANITARY SYSTEM — The same meaning as given in Section 145.245(4), Wis. Stats., states in part:

A failing private sewage system is one which causes or results in any of the following conditions: (a) the discharge of sewage into surface water or groundwater; (b) the introduction of sewage into zones of saturation which adversely affects the operation of a private sewage system; (c) the discharge of sewage to a drain tile or into zones of bedrock; (d) the discharge of sewage to the surface of the ground; (e) the failure to accept sewage discharges and backup of sewage into the structure served by the private sewage system.

FARM — ~~A tract of land with at least 35 contiguous acres devoted primarily to agricultural purposes, generally under the management of a tenant or the owner.~~ All land under common ownership that is primarily devoted to agricultural use.

HUMAN HEALTH HAZARD—A substance, activity, or condition that is known to have the potential to cause acute or chronic illness, to endanger life, to generate or spread infectious diseases, or otherwise injuriously to affect the health of the public.

ISSUING AGENT — The Pierce County Department of Land Management through its authorized agent, the Pierce County Zoning Administrator, assigned the duties of administering the private sewage system program by the Pierce County Board of Supervisors.

LOCAL GOVERNMENT—Includes townships, villages and cities.

OPEN BODIES OF WATER — All lakes, bays, rivers, streams, springs, ponds, wells, impounding reservoirs, marshes, watercourses, drainage systems and other surface water, natural or artificial, public or private within the state or under its jurisdiction.

PRIVATE ONSITE WASTEWATER TREATMENT SYSTEM (POWTS) — A sewage treatment and disposal system serving a single structure with a septic tank and soil absorption field located on the same parcel as the structure. This term also means an alternative sewage system approved by the department including a substitute for the septic tank or soil absorption field, a holding tank, a system serving more than one structure or a system located on a different parcel than the structure. A POWTS may be owned by the property owner or by a special purpose district.

PRIVY, PIT — An enclosed, nonportable toilet into which non-water-carried human wastes are deposited to a subsurface storage chamber which is not watertight.

PRIVY, VAULT — An enclosed, nonportable toilet into which non-water-carried human wastes are deposited to a subsurface storage chamber which is watertight.

SANITARY PERMIT — A permit issued by the Department or the issuing agent for the installation or modification of a POWTS.

STATE PLUMBING CODE — Chapters SPS 381 to 387 of the Wisconsin Administrative Code.

STRUCTURE – Anything constructed, erected or manufactured, the use of which requires a more or less permanent location on or in the ground.

VIOLATION — A failure to comply with any provision of this chapter.

§ 191-3. Administration.

The administration of this chapter shall be the duty of the issuing agent. The issuing agent shall provide, contract for, or hire state-certified POWTS inspectors or certified soil testers as directed by action of the Pierce County Board of Supervisors.

§ 191-4. Issuing agent.

A. Pursuant to Section 145.20(1), Wis. Stats., the Pierce County Zoning Administrator shall act as the POWTS issuing agent and shall administer the POWTS program.

B. Pursuant to Section 145.19(1), the Pierce County Zoning Administrator shall act as the agent to issue sanitary permits.

§ 191-5. Purpose.

The purpose of this chapter is to:

- A. Exercise jurisdiction over the construction and inspection of all new POWTS in the County;
- B. Provide plan review and inspection performed by state-certified inspectors;
- C. Establish and collect permit fees to defray POWTS inspection costs;
- D. Provide remedies and penalties for violations; and
- E. Establish a County office responsible for administration of the POWTS.

§ 191-6. Interpretation.

In their interpretation and application, the provisions of this chapter shall be held to be minimum requirements and shall not be a limitation or repeal of any other powers granted by the Wisconsin Statutes and the Wisconsin Administrative Code.

ARTICLE II. Holding Tanks utilized for Private Domestic Sewage Onsite Wastewater Treatment Systems

§ 191-2. Definitions.

As used in this article, the following term shall have the meaning indicated:

LOCAL GOVERNMENT—Includes townships, villages and cities.

§ 191-3. Plans required.

Holding tanks shall be considered on an individual basis. Three complete sets of plans, as required in Wisconsin Administrative Code Section, COMM 83.22 SPS 383.22 shall be submitted to the County for each request to install a holding tank.

§ 191-4. Minimum capacity.

Tank size:

- A. One and two family dwellings. Minimum liquid capacity of a holding tank for one and two family dwelling applications must not be less than 2,000 gallons or five times the estimated daily wastewater flow determined in accordance with Section COMM 83.43 SPS 383.43 (3), (4), (5), Wisconsin Administrative Code, whichever is greater.
- B. Public facilities. Minimum liquid capacity of a holding tank for public facilities must not be less than 2,000 gallons or five times the estimated daily wastewater flow, whichever is greater, as determined in accordance with Section COMM 83.43 SPS 383.43 (6), Wisconsin Administrative Code.

§ 191-5. Disposal agreement.

A signed agreement between the local government and the owner to guarantee the pumping and transport of the holding tank contents to a disposal site meeting the requirements of Wisconsin Administrative Code Chapter NR 113, provided that it becomes necessary to prevent or abate a nuisance as described in the Wisconsin Administrative Code and § 254.59, Wis. Stats., or if the owner does not pump and

transport in response to orders from the local government, shall be submitted to the County for review and approval. The agreement shall be binding on the owners, their heirs and assignees.

§ 191-6. Installation.

The installation of holding tanks shall be made in accordance with the following criteria:

- A. ~~Materials. The tank shall be constructed of materials approved by the Department.~~
- B. ~~Location. Tanks shall be located in accord with Wisconsin Administrative Code Table 83.43-1 383.43-1.~~
- C. ~~Warning device. A high water warning device shall be installed. This device shall be either an audible or an indoor illuminated alarm. If the latter, it shall be conspicuously mounted.~~
- D. ~~Manhole. Each tank shall be provided with a manhole opening no less than 23 inches in the least dimension. Manhole openings located above treatment apparatus and pumps shall extend a minimum of four inches above the ground surface. Each manhole cover shall have an effective locking device. Other manhole openings shall be located no greater than six inches below ground level.~~
- E. ~~Septic tank. If an approved septic tank is installed to serve as a holding tank, the inlet and outlet baffles shall be removed and the outlet sealed.~~
- F. ~~Vent. Each tank shall be provided with a minimum four inch fresh air inlet extending 12 inches above final grade, terminating with an approved vent cap a minimum of 10 feet from a service door, window or fresh air inlet.~~
- G. ~~Servicing. Holding tanks shall be serviced in accord with Chapter 146, Wis. Stats., and Wisconsin Administrative Code Chapter NR 113.~~
- H. ~~Before any holding tank is purchased or installed, a sanitary permit shall be obtained in accord with § 145.19, Wis. Stats.~~

§ 191-7. Examination fees; approval authority.

- A. ~~The plan examination fee shall be as set from time to time by the County Board.~~
- B. ~~The agent for plan examination and approval shall be the Zoning Administrator for the County.~~

§ 191-8. Violations and penalties.

~~A violator shall, upon conviction, forfeit to the County a penalty of not less than \$10 together with the taxable cost in such action and not more than \$200, and every day of violation shall constitute a separate offense.~~

ARTICLE II. Sewage Disposal Systems.

§ 191-7. Sewage disposal required.

All premises intended for human occupation or occupancy shall be provided with an adequate, functioning public sewer, privy, POWTS, or other approved method of sewage disposal.

§ 191-8. Sanitary permit.

A. Validity.

- (1) No person may install, repair, alter, modify or reconnect to a POWTS or privy unless the owner of the property on which the POWTS or privy is to be installed, repaired, altered, modified or reconnected holds a valid sanitary permit.
- (2) No person may sell at retail a septic tank for installation unless the purchaser holds a valid sanitary permit.
- (3) A sanitary permit is valid for two years from the date of issue and is renewable for similar periods thereafter with a renewal permit.
- (4) A sanitary permit may be transferred from the holder to a subsequent owner of the land. The subsequent owner must obtain a new ~~copy of the~~ sanitary permit number and card from the issuing agent.
- (5) A revision sanitary county permit may be approved for a change of plumber with a new permit application submitted and plan by a new plumber, unless plans were prepared by a Plumbing Designer, Architect, or Engineer. A new permit number is assigned and new card issued.
- (6) A sanitary permit may be revised for an approved plan on file subject to SPS 383.22(4) without a fee.

B. Application forms. The issuing agent shall use the sanitary permit forms ~~provided~~ approved by the Department for state permits and locally created forms for County sanitary permits.

C. Application process.

- (1) The applicant shall submit the completed sanitary permit application to the issuing agent.
- (2) The issuing agent shall review the certified soil tester's reports for the proposed POWTS and verify the report at the proposed site, if necessary.
- (3) The issuing agent shall approve or disapprove applications for sanitary permits and assist applicants in preparing an approvable application.
- (4) The issuing agent shall issue written notice to each applicant whose sanitary permit application is disapproved. Each notice shall:
 - (a) State the specific reasons for disapproval and amendments to the application, if any, which would render the application approvable.
 - (b) Inform the applicant of the right to appeal and the procedures for conducting an appeal under Chapter 68, Wis. Stats.

§ 191-9. Construction affecting wastewater flow or contaminant load.

- A. Construction affecting existing structures when the proposed construction will modify the design wastewater flow and or contaminant load, or both, to an existing POWTS shall be in conformance with Section SPS 383.25(2), Wisconsin Administrative Code. For purposes of this section, a modification in wastewater flow or contaminant load shall be considered to occur:
- (1) For existing dwellings, when there is an increase or decrease in the number of bedrooms.
 - (2) For existing commercial facilities, public buildings, and places of employment, when there is a proposed change in occupancy of the structure; or the proposed modification affects either the type or number of plumbing appliances, fixtures or devices discharging to the system.
- B. A sanitary permit for construction modifying wastewater flow or contaminant load, or both, shall be required. The sanitary permit shall require documentation to verify whether the size of the existing private sewage system can accommodate the increased wastewater. Documentation shall comply with Section SPS 383.25(2)(d) and (e) of the Wisconsin Administrative Code.
- C. No permit for construction involving modified wastewater flow or contaminant load, or both, shall be issued unless the existing system is approved according to Subsection B of this section by recording a signed per capita flow statement or covenant in the Register of Deeds office or the existing system is modified to comply with this chapter.

§ 191-10. Fees.

- A. The fee for a sanitary permit shall be as established by the Pierce County Board of Supervisors.
- B. Fees shall be established for all activities and systems listed in Chapter SPS 383 of the Wisconsin Administrative Code and for other activities and permits as established by the County Board.
- C. The County may not charge more than one fee for a sanitary permit or the renewal of a sanitary permit in any twelve-month period.
- D. The issuing agent shall forward a copy of each valid state sanitary permit and the Department's portion of the fee to the Department within 90 days after the permit is issued.
- E. Plan revision. No permit fee shall be charged for a system that requires revision from the Department or Pierce County issuing agent on a parcel that has a valid sanitary permit.

§ 191-11. Inspection.

- A. The issuing agent shall inspect or cause the inspection of all POWTS after construction but before backfilling, no later than the end of the next workday, excluding Saturdays, Sundays and holidays, after receiving notice from the plumber in charge.
- B. The issuing agent shall file inspection reports and conduct surveys and inspections as required by the Department.

§ 191-12. Maintenance program.

- A. The applicant for a sanitary permit shall be provided written notice of the maintenance program at the time the sanitary permit is issued. The records of this notification shall be maintained by the issuing agent.
- B. Every three years after the installation of a POWTS, the owner will be provided a certification form by the County Issuing Agent at least 30 days prior to its due date. The form must be filled out and signed by either a licensed master plumber or master plumber restricted sewer; a certified septage servicing operator under Chapter NR 114 of the Wisconsin Administrative Code; a certified POWTS inspector; or a registered POWTS maintainer licensed to inspect septic systems.
- C. The certification form will state that:
- (1) The POWTS is in proper operating condition at the time of inspection.
- (2) The septic tank was recently pumped by a certified septage servicing operator or it was inspected and is less than 1/3 full of sludge and scum.
- D. Circumstances, such as inclement weather, road weight restrictions and site limitations, may necessitate a delay in septic tank maintenance until conditions permit.
- E. The certification form is to be filed with the Pierce County Department of Land Management.

§ 191-13. Filing requirements for soil and site evaluation reports.

- A. Soil evaluation reports shall be completed in accordance with Sections SPS 385.20 and 385.30 of the Wisconsin Administrative Code. Soil and site evaluation reports shall be prepared and submitted to the issuing agent in accordance with Section SPS 385.40 of the Wisconsin Administrative Code.
- B. Plot plans shall be submitted in accordance with Section SPS 385.40(3) of the Wisconsin Administrative Code. All plot plans shall have a location map.
- C. Perc test reports on file for perc tests performed after June 21, 1980, will be allowed to be used for the permitting of a soil absorption system, provided adequate information is available to design a POWTS that will meet current code standards.
- D. Perc tests submitted before June 21, 1980, will require a complete soil and site evaluation by a certified soil tester.

§ 191-14. Experimental system verification.

The issuing agent shall conduct an on-site inspection to verify the soil conditions for all experimental soil absorption systems. At least one soil observation pit is needed to verify the soil conditions. Experimental systems approved by the Department shall comply with Section SPS 383.27 of the Wisconsin Administrative Code.

§ 191-15. As-built forms submittal.

- A. The installing licensed ~~master~~ plumber shall indicate on the as-built exactly the way the system was installed.

B. As-builts shall be submitted by the installing licensed plumber to the issuing agent before the following calendar year. ~~C. As-built forms can be obtained from the issuing agent.~~

§ 191-16. Emergency issuance of sanitary permit.

A. In an emergency or due to inclement weather, a sanitary permit may be issued in an apparent noncompliance with the administrative rules because the owner is acting under the direction of the County or Department to abate a nuisance or other health or safety concern. A permit may be issued prior to the conduct of a soil evaluation report and plan submittal. ~~Due to inclement weather and emergency at the time of installation, a soil and site evaluation, or an existing POWTS evaluation, cannot be conducted, nor are plans and specifications submitted to the Department, if Department approval is necessary.~~

B. As a part of this procedure, the owner must be made aware that he or she is responsible for conducting a soil ~~and site~~ evaluation report or corrective measures as specified in the sanitary permit if the existing POWTS is failing.

§ 191-17. Land use and conditional use permit.

The issuing agent shall not issue a land use or a conditional use permit for the construction of a structure to be connected to an existing POWTS, the reconstruction of a structure connected to an existing POWTS, or the disconnecting of a structure from an existing structure and connecting another structure to an existing POWTS, unless the owner provides the documentation required per Section SPS 383.25(2), Wisconsin Administrative Code.

§ 191-18. Temporary holding tanks.

No sanitary permit shall be issued for a temporary holding tank unless the permit holder has a servicing contract with a certified septage servicing operator.

§ 191-19. Privies.

A. Privies shall be in conformance with Section SPS 391.12, Wisconsin Administrative Code. The storage chamber of a vault privy shall conform to the construction requirements for holding tanks and shall have a minimum storage capacity of 200 gallons or one cubic yard. The storage chamber shall be anchored to prevent flotation caused by saturated soil conditions. Applicants for vault privies shall record a signed privy installation agreement ~~and a signed holding tank agreement~~ in the Register of Deeds Office. Applicants for vault privies shall have a holding tank servicing contract signed, notarized, and filed with the Issuing Agent prior to issuance of the sanitary permit.

B. Applicants for pit privies shall submit a soil evaluation report by a certified soil tester indicating conformance with limiting factors expressed in the plumbing code. The storage chamber of a pit privy shall be sited in soils recognized to provide treatment and dispersal in accordance with the plumbing code. Applicants shall record a signed privy installation agreement in the Register of Deeds office.

C. The storage chamber for a pit or vault privy shall be provided with a vent for the purpose of relieving explosive gases. The vent shall be at least three inches in diameter, installed in accordance with Section SPS 382.31 of the Wisconsin Administrative Code and be fabricated or provided with screening to prevent insects from entering the storage chamber. All windows, ventilators and other openings of privies shall be screened to prevent insects from entering.

- D. Servicing of a vault privy relative to the pumping, transporting and disposal of the contents shall be in accordance with Chapter NR 113 of the Wisconsin Administrative Code.
- E. Abandonment of a vault privy shall be accomplished by having the contents of the storage chamber pumped and disposed of in accordance with Chapter NR 113 of the Wisconsin Administrative Code, ~~removing the entire top of the chamber and filling the remaining portion of the emptied storage chamber with soil or other inert material to an elevation equal to the surrounding grade.~~ and per Section SPS 391.12(4).
- F. The abandonment of a pit privy shall be accomplished per Section SPS 391.12(5) ~~by filling the storage chamber with soil or other inert material to an elevation equal to the surrounding grade.~~
- G. A privy shall not be installed in the floodway. A privy installed in the flood-fringe shall comply with floodproofing and other applicable floodplain ordinance standards.²
- H. Setback requirements. Setback requirements shall be as follows:

	<u>Well</u>	<u>Structure</u>	<u>Lot</u> <u>Line</u>	<u>Slope Greater</u> <u>Than 12%</u>	<u>Ordinary High</u> <u>Water Mark</u>	<u>Lake/ Stream</u>
	<u>(feet)</u>	<u>(feet)</u>	<u>(feet)</u>	<u>(feet)</u>	<u>(feet)</u>	<u>(feet)</u>
<u>Pit privies</u>	<u>50</u>	<u>25</u>	<u>25</u>	<u>25</u>	<u>50</u>	<u>75</u>
<u>Vaulted privies</u>	<u>25</u>	<u>25</u>	<u>25</u>	<u>25</u>	<u>50</u>	<u>75</u>

- I. All privies shall be properly vented and rodent-resistant, have a self-closing door and be kept in a nuisance-free condition.
- J. Public privies shall also comply with state requirements for public facilities found in Section SPS 391.12 and Chapters SPS 361 to Chapter SPS 366 ~~362.2900(1)~~, Wisconsin Administrative Code.
- K. Composting and incinerating toilets are permitted and allowed in public parks and public recreational areas subject to Section SPS 391.10 and Section SPS 391.11.

§ 191-20. POWTS Replacement or Rehabilitation Financial Assistance Program.

This program is also commonly referred to as the Wisconsin or WI Fund. Filing deadline for the application is December 15. Applications received after the 15th of December will be processed the following year. Owners shall pay for the replacement of their POWTS prior to grant submittal.

§ 191-21. Disclaimer of liability and warranties.

² Editor's Note: See Chapter 238, Floodplain Zoning Ordinance for Pierce County, Wisconsin.

- A. This chapter shall not create a liability on the part of or be a cause of action against the County or any officer, agent or employee thereof for any injury or damage that may result from reliance on this chapter or approval or denial of any permit or site.
- B. The issuance of a sanitary permit and the final inspection of such a system does not warrant the system's function nor is there a ~~guaranty~~ guarantee that the system is free from defects or that all aspects of the system comply with Wisconsin Statutes or Administrative Code requirements.

ARTICLE III. Private Sewage System

~~§ 191-9. Sewage disposal required.~~

~~All premises intended for human occupation or occupancy shall be provided with an adequate, functioning public sewer, privy, private sewage system private onsite wastewater treatment systems (POWTS), or other approved method of sewage disposal.~~

~~§ 191-10. Purpose.~~

The purpose of this article is to:

- ~~A. Exercise jurisdiction over the construction and inspection of all new private sewage disposal systems POWTS in the County;~~
- ~~B. Provide plan review and inspection performed by state-certified inspectors;~~
- ~~C. Establish and collect permit fees to defray sewage system POWTS inspection costs;~~
- ~~D. Provide remedies and penalties for violations; and~~
- ~~E. Establish a County office responsible for administration of the private sewage system POWTS.~~

~~§ 191-11. Adoption of sewage POWTS regulations.~~

- ~~A. Adoption. Pursuant to § 59.70(5), Wis. Stats., the Pierce County Board of Supervisors adopts the Pierce County Private Sewage System Ordinance.~~
- ~~B. Reference to state regulations. This article shall be subject to the provisions of Chapter 145, of the Wisconsin Statutes, as applicable, and all subsequent rules and regulations promulgated thereunder regarding private sewage systems POWTS.~~
- ~~C. Severability. If any section, paragraph, clause, provision, or portion of this chapter is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this chapter shall not be affected thereby. If an application of this chapter to a particular structure, land, or water is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not be applicable to any other structure, land, or water not specifically included in said judgment.~~

~~§ 191-12. Definitions.~~

~~As used in this article, the following terms shall have the meanings indicated:~~

~~ACCESSORY BUILDING~~ — A detached building not used as a dwelling unit but incidental to that of the dwelling.

~~BEDROOM~~ — Any room which could be used for sleeping purposes regardless of actual use of the room. Examples of such rooms include but are not limited to dens, sewing rooms, studies and nurseries.

~~CERTIFIED SOIL TESTER~~ — Permitted to conduct soil morphological evaluations and evaluate the significance of soil mottling.

~~DEPARTMENT~~ — The Department of Commerce Safety and Professional Services (SPS).

~~DOMESTIC WASTEWATER~~ — The type of wastewater normally discharged from plumbing fixtures, appliances or devices, including but not limited to sanitary, dishwashing, laundry, bath, garbage disposal and cleaning wastewater.

~~DWELLING~~ — Any structure or that part of a structure which is used or intended to be used as a home, residence or sleeping place by one person or by two or more persons maintaining a common household to the exclusion of all others.

~~FAILING SANITARY SYSTEM~~ — The same meaning as given in § 145.245(4), Wis. Stats. Section 145.245(4), Wis. Stats., reads:

~~A failing private sewage system is one which causes or results in any of the following conditions: (a) the discharge of sewage into surface water or groundwater; (b) the introduction of sewage into zones of saturation which adversely affects the operation of a private sewage system; (c) the discharge of sewage to a drain tile or into zones of bedrock; (d) the discharge of sewage to the surface of the ground; (e) the failure to accept sewage discharges and backup of sewage into the structure served by the private sewage system.~~

~~FARM~~ — A tract of land with at least 35 contiguous acres devoted primarily to agricultural purposes, generally under the management of a tenant or the owner.

~~HEALTH HAZARD~~ — A situation or condition which exists or has the potential to exist which adversely affects or has the potential to adversely affect the health of a person and/or the general public.

~~HUMAN HEALTH HAZARD~~ — A substance, activity, or condition that is known to have the potential to cause acute or chronic illness, or death if exposure to the substance, activity or condition is not abated.

~~ISSUING AGENT~~ — The Pierce County Department of Land Management through its authorized agent, the Pierce County Zoning Administrator, assigned the duties of administering the private sewage system program by the Pierce County Board of Supervisors.

~~OPEN BODIES OF WATER~~ — All lakes, bays, rivers, streams, springs, ponds, wells, impounding reservoirs, marshes, watercourses, drainage systems and other surface water, natural or artificial, public or private within the state or under its jurisdiction.

~~PRIVATE ONSITE WASTEWATER TREATMENT SYSTEM (POWTS)~~ — The meaning as given in § 145.01(12), Wis. Stats.

~~PRIVY, PIT—An enclosed, nonportable toilet into which non-water-carried human wastes are deposited to a subsurface storage chamber which is not watertight.~~

~~PRIVY, VAULT—An enclosed, nonportable toilet into which non-water-carried human wastes are deposited to a subsurface storage chamber which is watertight.~~

~~SANITARY PERMIT—A permit issued by the Department or the issuing agent for the installation or modification of a private sewage system.~~

~~STATE PLUMBING CODE—Chapters COMM 81 to 87 SPS 381 to 387 of the State Administrative Code.~~

~~§ 191-13. Administration.~~

~~The administration of this article shall be the duty of the issuing agent. The issuing agent shall provide, contract for, or hire state-certified inspectors or testers as directed by action of the County Board.~~

~~§ 191-14. Issuing agent.~~

~~The Pierce County Zoning Administrator shall act as the Pierce County issuing agent and is assigned the duties of administering the private on-site wastewater treatment system (POWTS) program.~~

~~§ 191-15. Sanitary permit.~~

~~A. Validity.~~

- ~~(1) No person may install, repair, alter, modify or reconnect to a private sewage system POWTS or privy unless the owner of the property on which the private sewage system POWTS or privy is to be installed, repaired, altered, modified or reconnected holds a valid sanitary permit.~~
- ~~(2) No person may sell at retail a septic tank for installation unless the purchaser holds a valid sanitary permit.~~
- ~~(3) A sanitary permit is valid for two years from the date of issue and is renewable for similar periods thereafter.~~
- ~~(4) A sanitary permit may be transferred from the holder to a subsequent owner of the land, except that the subsequent owner must obtain a new copy of the sanitary permit from the issuing agent.~~

~~B. Application forms. The issuing agent shall use the sanitary permit forms provided approved by the Department for state permits and locally created forms for County sanitary permits.~~

~~C. Application process.~~

- ~~(1) The applicant shall submit the completed sanitary permit application to the issuing agent.~~
- ~~(2) The issuing agent shall review the certified soil tester's reports for the proposed private sewage systems POWTS and verify the report at the proposed site, if necessary.~~

- ~~(3) The issuing agent shall approve or disapprove applications for sanitary permits and assist applicants in preparing an approvable application.~~
- ~~(4) The issuing agent shall issue written notice to each applicant whose sanitary permit application is disapproved. Each notice shall:
 - ~~(a) State the specific reasons for disapproval and amendments to the application, if any, which would render the application approvable.~~
 - ~~(b) Inform the applicant of the right to appeal and the procedures for conducting an appeal under Chapter 145 68, Wis. Stats.~~~~

~~§ 191-16. Construction involving increased affecting wastewater flow or contaminant load.~~

- ~~A. Construction involving increased wastewater flow and contaminant load shall be in conformance with SPS 383.25(2), Wisconsin Administrative Code, and is defined as:
 - ~~(1) Any addition or remodeling which adds a bedroom or increases the total gross area of the livable area of an existing dwelling unit by 25%. For dwellings, when there is an increase or decrease in the number of bedrooms.~~
 - ~~(2) A public building or place of employment where there is a proposed change in occupancy.~~~~
- ~~B. A sanitary permit for construction increasing wastewater flow and contaminant load shall be required. The sanitary permit shall require documentation to verify whether the size of the existing private sewage system can accommodate the increased wastewater. Documentation shall comply with Section COMM 83.25(2) SPS 383.25(2)(d) and (e) of the Wisconsin Administrative Code.~~
- ~~C. No permit for construction involving wastewater flow and contaminant load shall be issued unless the existing system is approved according to Subsection B of this section, or the existing system is modified to comply with this code, or a per capita wastewater flow is designated in accordance with Section COMM 83.43 SPS 383.43 and Subsection D below.~~
- ~~D. If an existing system is found to be compliant except that it is undersized for the structure for which the permit is sought, the owner may file findings with the Pierce County Register of Deeds which states that the system is undersized. Such statement is to run with the property.~~

~~§ 191-17. Fees.~~

- ~~A. The fee for a sanitary permit shall be as established by the County Board.~~
- ~~B. Fees shall be established for all activities and systems listed in Chapter COMM 83 SPS 383 of the Wisconsin Administrative Code and for other activities and permits as established by the County Board.~~
- ~~C. A County may not charge more than one fee for a sanitary permit or the renewal of a sanitary permit in any twelve-month period.~~

- ~~D. The issuing agent shall forward a copy of each valid sanitary permit and the Department's portion of the fee to the Department within 90 days after the permit is issued.~~
- ~~E. Plan revision. No permit fee shall be charged for a system that requires revision from the Department or Pierce County on a parcel that has a valid sanitary permit.~~

~~§ 191-18. Inspection.~~

- ~~A. The issuing agent shall inspect or cause the inspection of all private sewage systems POWTS after construction but before backfilling, no later than the end of the next workday, excluding Saturdays, Sundays and holidays, after receiving notice from the plumber in charge.~~
- ~~B. The issuing agent shall file inspection reports and conduct surveys and inspections as required by the Department.~~

~~§ 191-19. Maintenance program.~~

- ~~A. The applicant for a sanitary permit shall be provided written notice of the maintenance program at the time the sanitary permit is issued. The records of this notification shall be maintained by the issuing agent. Upon the sale of the property, the owner shall provide written notification of the maintenance program to the buyer.~~
- ~~B. Every three years after the installation of a private sewage system POWTS, the owner will be provided a certification form by the County Sanitarian at least 30 days prior to its due date. The form must be filled out and signed by either a licensed master plumber or master plumber restricted sewer; a licensed septic tank pumper; or County personnel certified septage servicing operator under Ch. NR 114; a certified POWTS inspector; or a registered POWTS maintainer licensed to inspect septic systems. The certification form must be signed by the owner.~~
- ~~C. The certification form will state that:~~
- ~~(1) The private sewage disposal system POWTS is in proper operating condition at the time of inspection.~~
- ~~(2) The septic tank was recently pumped by a licensed septic tank pumper certified septage servicing operator or it was inspected and is less than 1/3 full of sludge and scum.~~
- ~~D. Circumstances, such as inclement weather, road weight restrictions and site limitations, may necessitate a delay in septic tank maintenance until conditions permit.~~
- ~~E. The certification form is to be filed with the Pierce County Department of Land Management.~~

~~§ 191-20. Filing requirements for soil and site evaluation reports.~~

- ~~A. Soil and site evaluation reports shall be submitted in ink or photocopied with the certified soil tester's original signature on the report and the plot plan. Soil and site evaluation reports submitted in pencil and without the certified soil tester's original signature will be returned. Site Soil evaluation reports shall be completed in accordance with Section COMM 85.20 SPS 385.20 and 85.30 385.30 of the~~

~~Wisconsin Administrative Code. Soil and site evaluation reports shall be prepared and submitted to the issuing agent in accordance with Section SPS 385.40 of the Wisconsin Administrative Code.~~

- ~~B. Plot plans shall be submitted in accordance with Section COMM 85.40 (3) SPS 385.40(3) of the Wisconsin Administrative Code. All plot plans should have a location map.~~
- ~~C. Perc test reports on file for perc tests performed after June 21, 1980, will be allowed to be used for the permitting of a soil absorption system, provided adequate information is available to design a POWTS that will meet current code standards.~~
- ~~D. Perc tests submitted before June 21, 1980, will require a complete soil and site evaluation by a certified soil tester.~~

~~§ 191-21. Experimental system verification.~~

~~The issuing agent shall conduct an on-site inspection to verify the soil conditions for all experimental soil absorption systems. At least one soil observation pit is needed to verify the soil conditions. Experimental systems approved by the Department shall comply with Section COMM 83.27 SPS 383.27 of the Wisconsin Administrative Code.~~

~~§ 191-22. As-built forms submittal.~~

- ~~A. The installing licensed master plumber shall indicate on the as-built exactly the way the system was installed.~~
- ~~B. As-builts shall be submitted by the installing licensed plumber to the issuing agent before the issuance of a sanitary permit the following calendar year.~~
- ~~C. As-built forms can be obtained from the issuing agent.~~

~~§ 191-23. Emergency issuance of sanitary permit.~~

- ~~A. Due to inclement weather and emergency at the time of installation, a soil and site evaluation, or an existing private sewage system POWTS evaluation, cannot be conducted, nor are plans and specifications submitted to the Department, if Department approval is necessary. In such cases, a sanitary permit may be issued in an apparent noncompliance with the administrative rules because the owner is acting under the direction of the County or Department to abate a nuisance or other health or safety concern.~~
- ~~B. The compelling need to protect public health and safety takes priority over the ministerial duty to review plans. As a part of this procedure, the owner must be made aware that he is responsible for a soil and site evaluation or corrective measures as specified in the sanitary permit if the existing private sewage system POWTS is failing. The notice to the owner should be made in the form of an affidavit that also includes a statement from the owner agreeing to have a complete soil and site conditions or other circumstances permit.~~
- ~~C. A copy of the affidavit, in lieu of a soil and site evaluation report, must be included with a copy of the permit submitted to the Department as specified in § 145.19(3), Wis. Stats.~~

§ 191-24. Land use permit.

~~The issuing agent shall not issue a land use permit for the construction of a structure to be connected to an existing private sewage system POWTS, the reconstruction of a structure connected to an existing private sewage system POWTS, or the disconnecting of a structure from an existing structure and connecting another structure to an existing private sewage system POWTS, unless the owner provides the documentation required per Section COMM 83.25 (2) SPS 383.25(2), Issuance of building permits, of the Wisconsin Administrative Code.~~

~~§ 191-25. Temporary holding tanks.~~

~~No sanitary permit shall be issued for a temporary holding tank unless the permit holder has a servicing contract with a licensed sanitary system pumper certified septage servicing operator.~~

~~§ 191-26. Privies.~~

- ~~A. Privies shall be in conformance with SPS 391.12, Wisconsin Administrative Code. The storage chamber of a vault privy shall conform to the construction requirements for holding tanks and shall have a minimum storage capacity of 200 gallons or one cubic yard. The storage chamber shall be anchored to prevent flotation caused by saturated soil conditions. Applicants for vault privies shall record a signed privy installation agreement and a signed holding tank agreement in the Register of Deeds office.~~
- ~~B. Applicants for pit privies shall submit a soil evaluation report by a certified soil tester indicating conformance with limiting factors expressed in the plumbing code. The storage chamber of a pit privy shall be sited in soils recognized to provide treatment and dispersal in accordance with the plumbing code. Applicants shall record a signed privy installation agreement in the Register of Deeds office.~~
- ~~C. The storage chamber for a pit or vault privy shall be provided with a vent for the purpose of relieving explosive gases. The vent shall be at least three inches in diameter, installed in accordance with Section COMM 82.31 SPS 382.31 of the Wisconsin Administrative Code and be fabricated or provided with screening to prevent insects from entering the storage chamber. All windows, ventilators and other openings of privies shall be screened to prevent insects from entering.~~
- ~~D. Servicing of a vault privy relative to the pumping, transporting and disposal of the contents shall be in accordance with Chapter NR 113 of the Wisconsin Administrative Code. Applicants shall provide a signed holding tank servicing contract with a licensed plumber certified septage servicing operator prior to the issuance of a permit.~~
- ~~E. Abandonment of a vault privy shall be accomplished by having the contents of the storage chamber pumped and disposed of in accordance with Chapter NR 113 of the Wisconsin Administrative Code, removing the entire top of the chamber and filling the remaining portion of the emptied storage chamber with soil or other inert material to an elevation equal to the surrounding grade.~~
- ~~F. The abandonment of a pit privy shall be accomplished by filling the storage chamber with soil or other inert material to an elevation equal to the surrounding grade.~~

~~G. A privy shall not be installed in the floodway. A privy installed in the flood fringe shall comply with floodproofing and other applicable floodplain ordinance standards.³~~

~~H. Setback requirements. Setback requirements shall be as follows:~~

	Well	Structure	Lot Line	Slope Greater Than 12%	Ordinary High Water Mark	Lake/ Stream
	(feet)	(feet)	(feet)	(feet)	(feet)	(feet)
Pit privies	50	25	25	25	50	75
Vaulted privies	25	25	25	25	50	75

~~I. All privies shall be properly vented and rodent resistant, have a self closing door and be kept in a nuisance free condition.~~

~~J. Public privies shall also comply with state requirements for public facilities found in COMM 91 SPS 362.2900(1), Wisconsin Administrative Code.~~

~~§ 191-27. Wisconsin Replacement Fund POWTS Replacement or Rehabilitation Financial Assistance Program.~~

~~This program is also commonly referred to as the Wisconsin or WI Fund. Filing deadline for the application is December 15. Applications received after the 15th of December will be processed the following year.~~

~~§ 191-28. Disclaimer of liability and warranties.~~

~~A. This article shall not create a liability on the part of or be a cause of action against the County or any officer, agent or employee thereof for any injury or damage that may result from reliance on this article or approval or denial of any permit or site.~~

~~B. The issuance of a sanitary permit and the final inspection of such a system does not warrant the system's function nor is there a guaranty that the system is free from defects or that all aspects of the system comply with Wisconsin statutes or administrative code requirements.~~

~~§ 191-29. Interpretation.~~

~~In their interpretation and application, the provisions of this article shall be held to be minimum requirements and shall not be a limitation or repeal of any other powers granted by the Wisconsin sStatutes.~~

~~§ 191-30. Variances.~~

~~Petitions for variances must be filed with the Department. Requests shall be reviewed by the issuing agent prior to submitting to the Department. The issuing agent shall add any relevant evidence regarding the request.~~

³ Editor's Note: See Chapter 238, Floodplain Zoning Ordinance for Pierce County, Wisconsin.

~~§ 191-31. Enforcement; violations and penalties.~~

~~A. The issuing agent shall investigate violations of this article, issue orders to abate the violations and submit orders to the Corporation Counsel, the District Attorney or Attorney General for enforcement.~~

~~(1) Ordered abatement of certain nuisances and health hazards. Where a nuisance or human health hazard as defined in this chapter and § 254.59(1), Wis. Stats., is encountered which may require ordered abatement and/or correction as per § 254.59, Wis. Stats., the Local Health Officer or other county official shall serve upon the responsible person a written order stating the nature of the violation and the steps needed to abate and/or correct it, the time period in which the violation must be corrected and/or abated, and the penalty or penalties the violator would be subject to if the apparent violation is not abated and/or corrected within the cited time period. A copy of this order shall be forwarded to the local governing body. If the nuisance is not abated and/or corrected within the time period specified in the order, the local governing body shall enter upon the property and abate and/or correct the nuisance or cause it to be abated and/or corrected. If the local governing body fails to abate and/or correct the nuisance or cause it to be abated and/or corrected, the County may enter on the property and do the same. The cost of such abatement and/or correction is to be recovered by the local governing body, and if not the local governing body the County, either directly from the responsible person or as a special tax assessment on the property as per § 254.59(2), Wis. Stats.~~

~~B. The issuing agent, pursuant to powers granted by Chapter 145, Wis. Stats., shall investigate nuisances and issue orders to abate the violations and submit orders to the Corporation Counsel for enforcement.~~

~~C. Any person who violates any provision of Chapter 145, Wis. Stats., or any rules or regulations promulgated under such statute, and whoever violates any provisions, rules or regulations of this article or any provision or regulation adopted by the Pierce County Board of Supervisors pursuant to the authority granted by this article shall, upon conviction, forfeit not less than \$100 plus cost of prosecution and, in default thereof, shall be imprisoned in the County jail not less than one day nor more than 30 days, and each day's failure to comply shall constitute a separate violation.~~

~~D. The provisions of any Pierce County Citation Ordinance adopted pursuant to § 66.0113, Wis. Stats., authorizing the use and issuance of citations for violations, may also be used to enforce the terms and provisions of this article.~~

~~E. In addition, violations of the provisions of this article and of the aforesaid Wisconsin statutes and rules and regulations may be enforced by the bringing of a suit for injunctive relief.~~

~~F. An action to enjoin a violation of this article and any rules or regulations promulgated under this article may be commenced and prosecuted by the Corporation Counsel of Pierce County.~~

~~G. In addition to such forfeiture or imprisonment, an action may be brought to enjoin, remove, abate or vacate any use in violation of this article.~~

ARTICLE III. Holding Tanks utilized for POWTS.

§ 191-22. Plans required.

Holding tanks shall be considered on an individual basis. Three complete sets of plans, as required in Wisconsin Administrative Code Section SPS 383.22 shall be submitted to the County issuing agent for each request to install a holding tank.

§ 191-23. Minimum tank capacity.

Tank size:

- A. One- and two-family dwellings. Minimum liquid capacity of a holding tank for one- and two-family dwelling applications must not be less than 2,000 gallons or five times the estimated daily wastewater flow determined in accordance with Section SPS 383.43 (3), (4), (5), Wisconsin Administrative Code, whichever is greater.
- B. Public facilities. Minimum liquid capacity of a holding tank for public facilities must not be less than 2,000 gallons or five times the estimated daily wastewater flow, whichever is greater, as determined in accordance with Section SPS 383.43 (6), Wisconsin Administrative Code.

§ 191-24. ~~Disposal agreement~~ Holding Tank Agreement & Servicing Contract.

- A. Applicants for holding tanks shall first receive approval from the Local Government, and then have a signed and notarized Holding Tank Agreement recorded in the Register of Deed's Office. The Holding Tank Agreement shall be binding on the owners, their heirs and assignees.
- B. Applicants for holding tanks shall submit a signed and notarized Holding Tank Servicing Contract with a certified septage servicing operator to the County issuing agent prior to the issuance of a state sanitary permit. The holding tank servicing contract will remain in effect until the owner or Wisconsin DNR Certified Septage Servicing Operator terminates the contract. In the event of a change in servicing contract, the owner agrees to file a copy of any changes to this service contract or a copy of a new service contract with the County Issuing Agent within ten (10) business days from the date of change to this service contract. Holding tank servicing frequency shall follow s. SPS 383.54(3)(c), Wis. Adm. Code and Section VII of the Holding Tank Component Manual. The servicing contract guarantees a Wisconsin DNR Certified Septage Servicing Operator is hired for pumping and transport of the holding tank contents to a Wisconsin DNR approved disposal site meeting the requirements of Chapter NR 113, WI Administrative Code. The servicing contract is necessary to prevent or abate a nuisance as described in the Wisconsin Administrative Code and Section 254.59, Wis. Stats..

~~A signed agreement between the local government and the owner to guarantee the pumping and transport of the holding tank contents to a disposal site meeting the requirements of Wisconsin Administrative Code Chapter NR 113, provided that it becomes necessary to prevent or abate a nuisance as described in the Wisconsin Administrative Code and Section 254.59, Wis. Stats., or if the owner does not pump and transport in response to orders from the local government, shall be submitted to the County for review and approval. The agreement shall be binding on the owners, their heirs and assignees.~~

§ 191-25. Installation.

The installation of holding tanks shall be made in accordance with the following criteria:

- A. Materials. The tank shall be constructed of materials approved by the Department.
- B. Location. Tanks shall be located in accord with Wisconsin Administrative Code Table 383.43-1.
- C. Warning device. A high water warning device shall be installed. This device shall be either an audible or an indoor illuminated alarm. If the latter, it shall be conspicuously mounted.
- D. Manhole. Each tank shall be provided with a manhole opening no less than 23 inches in the least dimension. Manhole openings located above treatment apparatus and pumps shall extend a minimum of four inches above the ground surface. Each manhole cover shall have an effective locking device. Other manhole openings shall be located no greater than six inches below ground level.
- E. Septic tank. If an approved septic tank is installed to serve as a holding tank, the inlet and outlet baffles shall be removed and the outlet sealed.
- F. Vent. Each tank shall be provided with a minimum four-inch fresh air inlet extending 12 inches above final grade, terminating with an approved vent cap a minimum of 10 feet from a service door, window or fresh air inlet.
- G. Servicing. Holding tanks shall be serviced in accord with s. SPS 383.54(3)(c), Wis. Adm. Code, Chapter 145, Wis. Stats., and Wisconsin Administrative Code Chapter NR 113.
- H. Before any holding tank is purchased or installed, a sanitary permit shall be obtained in accord with Section 145.19, Wis. Stats.

§ 191-26. ~~Examination fees; Permit approval authority.~~

- A. ~~The plan examination fee shall be as set from time to time by the Pierce County Board of Supervisors.~~
- B. ~~The agent for holding tank plan examination and approval shall be the Pierce County Zoning Administrator Issuing Agent.~~

ARTICLE IV. Variances; enforcement and penalties.

§ 191-27. Variances.

Petitions for variances must be filed with the Department. Requests shall be reviewed by the issuing agent prior to submitting to the Department. The issuing agent shall add any relevant evidence regarding the request.

§ 191-28. Enforcement and penalties.

- A. The issuing agent shall investigate violations of this chapter, issue orders to abate violations and submit orders to the Corporation Counsel, the District Attorney or Attorney General for enforcement.
- (1) Where a violation of this chapter is encountered which may require ordered abatement and/or correction in accordance with Sections 254.59 and 145.20, Wis. Stats., the issuing agent shall serve upon the responsible person a written order stating the nature of the violation and the steps needed to abate and/or correct it, the time period in which the violation must be corrected and/or abated, and the penalty or penalties the violator would be subject to if the apparent violation is not abated

and/or corrected within the cited time period. If the violation is not abated and/or corrected within the time period specified in the order, the County shall enter upon the property and abate and/or correct the violation or cause it to be abated and/or corrected.

- (2) For any violation that is a human health hazard, the cost of such abatement and/or correction is to be recovered by the County, either directly from the responsible person or as a special tax assessment on the property in accordance with Section 254.59(2), Wis. Stats. For any violation that involves pumping of a septic or holding tank, the cost of such abatement and/or correction is to be recovered by the County, either directly from the responsible person or as a special tax assessment on the property in accordance with Section 145.20(4), Wis. Stats.

B. Any person who violates any provision of Chapter 145, Wis. Stats., or any rules or regulations promulgated under such statute, and whoever violates any provisions, rules or regulations of this chapter or any provision or regulation adopted by the Pierce County Board of Supervisors pursuant to the authority granted by this chapter shall, upon conviction, forfeit not less than \$100 plus cost of prosecution and, in default thereof, shall be imprisoned in the County jail not less than one day nor more than 30 days, and each day's failure to comply shall constitute a separate violation.

C. The provisions of any Pierce County Citation Ordinance adopted pursuant to Section 66.0113, Wis. Stats., authorizing the use and issuance of citations for violations, may also be used to enforce the terms and provisions of this chapter.

D. Violations of this chapter, an abatement order, the aforementioned Wisconsin Statutes or the State Plumbing Code may be enforced by Pierce County Corporation Counsel by action for injunctive relief.

E. In addition to forfeiture or imprisonment, an action may be brought to enjoin, remove, abate or vacate any use in violation of this chapter.

ORDINANCE NO. 12-10
Amend Chapter 184 of the Pierce County Code –
Food Establishments and Public Accommodations
to Establish Agent Status for the Department of Agriculture

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. Wis. Stats. § 97.41(1m) authorizes the Wisconsin Department of Agriculture, Trade and Consumer Protection to enter into a written agreement with Pierce County Public Health Department to issue licenses and make investigations or inspections of retail food establishments as defined in Wis. Stats. § 97.30(1)(c).

§ 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.

- 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 DSPS 90, and ATCP 75~~ 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.
- B. As used in this chapter, the following terms shall have the meanings indicated:

~~A/W VALUE~~

—Water Activity.

ANNUAL PERMIT FEE

A fee for issuing annual permit and fee for yearly 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.

DUPLICATE PERMIT FEE

A fee for the replacement of an original permit.

FULL FOOD SERVICE

~~—The preparing of food on premises and serving of this food on premises or to a transient population.~~

FOOD ESTABLISHMENT

- (1) “Food establishment” means any operation that stores, prepares, serves, vends, sells or otherwise provides food for human consumption. The term food establishment includes a “restaurant” as defined in s. 254.61(5), Wis. Stats.; “retail food establishment” as defined in s. 97.30 Wis. Stats.; and a “temporary restaurant” as defined in s. 254.61(5m), Wis. Stats.
- (2) “Food Processing” means the manufacture or preparation of food for sale through the process of canning, extracting, fermenting, distilling, pickling, freezing, baking, drying, smoking, grinding, cutting, mixing, coating, stuffing, packaging, bottling or packaging or through any other treatment or preservation process.

HEALTH DEPARTMENT

The Pierce County Public Health Department.

INSPECTION FEE

~~—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.~~

LATE FEE

A fee for failure to pay established fees in a timely manner.

LICENSE

Permit

LIMITED FOOD SERVICE

~~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, tourist rooming house, 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.~~

PREINSPECTION 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, motel, tourist rooming house, bed-and-breakfast establishment, campground, camping resort, recreational/educational camp, pool, ~~restaurant~~, vending machine commissary or ~~retail~~ food establishment or to a person intending to be the new operator of an existing hotel, motel, tourist rooming house, bed-and-breakfast establishment, campground, camping resort, recreational/educational camp, pool, ~~restaurant~~, vending machine commissary or ~~retail~~ food establishment.

RESINSPECTION 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, temporary food establishment, unless otherwise exempt, 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. 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 void.~~
- C. ~~No permit shall be granted to any person under this chapter without a preinspection by the Health Department of the premises for which the permit shall be granted. Temporary permits are issued per event.~~
- D. Transferability of Permit.
- (1) Except as provided in this subsection, no permit issued under this chapter is

transferable from one premises to another or from one person or entity to another. No permit shall be issued until all application fees have been paid.

- (2) 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:

(a)	<u>As to location, temporary permits may be transferred.</u>
(b)	<u>As to the operator:</u> [1] <u>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.</u> [2] <u>An individual may transfer a permit to an immediate family member if the individual is transferring operation of the restaurant.</u> <u>Note: Under s. 254.64(4)(a)2., Wis. Stats., “Immediate family member” means a spouse, grandparent, parent, sibling, child, stepchild, or grandchild or the spouse of a grandparent, parent, sibling, child stepchild, or grandchild.</u> [4] <u>A sole proprietorship that reorganizes as a business entity or a business entity that reorganizes as a proprietorship or a different type of business entity may transfer a permit to the newly formed business entity or sole proprietorship if the restaurant remains at the location for which the permit was issued and at least one individual who had an ownership interest in the sole proprietorship or business entity to which the permit was issued has an ownership in the newly formed sole proprietorship or business entity.</u> <u>Note: Under s. 254.64(4)(a)1. and s. 179.70(1), Wis. Stats., a “business entity” means: a corporation, as defined in s. 180.0103(5), Wis. Stats., a limited liability company, as defined in s. 183.0102(10), Wis. Stats., a limited partnership, or a corporation, as defined in s. 181.0103(5), Wis. Stats., a foreign limited liability company, as defined in s. 183.0102(8), Wis. Stats., a foreign limited partnership, a foreign corporation, as defined in 180.0103(9), Wis. Stats., or a foreign corporation as defined in s. 181.0103(13), Wis. Stats.</u>

- 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. No permit shall be granted to any person under this chapter without a preinspection by the Health Department of the premises for which the permit shall be granted.
- F. No permit shall be issued until all application fees have been paid.
- G. 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 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 fifteen (15) days prior to date of opening or operation. The Health Department shall either approve the application or deny the permit within ~~30~~ 15 business 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 Denial, Ssuspension 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 immediate 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. The Health Officer, or designee, may deny any license application or suspend or revoke any license issued under this chapter for non-compliance with this code and regulations, rules and laws adopted by reference under Section 184-10, Pierce County Code.~~

§ 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~~ DSPS 90 and ATCP 75 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.

- A. 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.
- B. Appeals Board. The Appeals Board shall consist of the Chairperson of the Pierce County Board of Health or a designated appointee, an Environmental Health professional from another local health department or a designated appointee and the Pierce County Administrative Coordinator or a designated appointee.
 - (1) Request for hearing. Any person affected by the denial of a permit or a notice of closure, suspension or revocation shall be granted a hearing on the matter before the Appeals Board upon filing with the Pierce County Health Officer written petition requesting such a hearing and setting forth a brief statement on the grounds therefore. Said petition shall be filed within 10 days after notice was served.
 - (2) Date of hearing. The hearing requested shall be held not more than ten (10) days after the date on which the petition was filed. The Chairman of the Appeals Board may postpone the date of the hearing for a reasonable time beyond such ten (10) day period, if a good and sufficient reason exists for such postponement.
 - (3) Notice of Hearing. The Pierce County Health Officer shall cause (5) days written notice of hearing to be given to the petitioner or petitioners by personal service or by mailing to the petitioner or petitioner's last known address.
 - (4) Proceedings. At such hearing the petitioner, their agent or attorney shall be given an opportunity to be heard and to show cause why the denial or notice of closure, suspension or revocation issued by the Pierce County Health Officer, or designee, should be modified or withdrawn. The Pierce County Health Officer shall present a detailed written statement of their findings and recommendation(s) to the Appeals Board at the time of the hearing.
 - (5) Decisions of the Appeals Board. The Appeals Board, within three (3) days after such hearing shall sustain, modify or withdraw the denial or notice of closure, suspension or revocation depending upon its findings. A copy of the decision of the Appeals Board shall be served by mail to the petitioner or petitioners. Any person aggrieved by the decision of the Appeals Board may seek relief therefrom in any court of competent jurisdiction as provided by the laws of the state.

(6) Notices not appealed. Any notice of denial, closure, suspension or revocation served pursuant to the provisions of this ordinance shall automatically become final if a written petition for a hearing is not filed with the Pierce County Health Officer within ten (10) days after the notice is served.

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

Dated this __ day of _____, 2013.

Jeffrey A. Holst, County Board Chairperson

Approved as to form and legality:

Attested to:

Bradley D. Lawrence, Corporation Counsel

Jamie Feuerhelm, County Clerk

Adopted by County Board on _____

ORDINANCE NO. 12-11
Amend Chapter 13, § 13-6(I)(4) of the Pierce County Code -
Administrative Coordinator Participation in Department Head Performance Reviews

PIERCE COUNTY BOARD OF SUPERVISORS DOES HEREBY ORDAIN AS
FOLLOWS:

SECTION 1: That Chapter 13, Section 13-6(I)(4) of the Pierce County Code is hereby revised as follows:

- (4) Participate with the standing committees in conducting performance reviews of all nonelected department heads ~~and~~ except Corporation Counsel.

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

Dated this 26th day of March, 2013.

Jeffrey A. Holst, Chair
Pierce County Board of Supervisors

Approved as to form and legality:

Attested to:

Bradley D. Lawrence, Corporation Counsel

Jamie Feuerhelm, County Clerk

Adopted by County Board on _____

ORDINANCE NO. 12-12
Amend Chapter 4, § 4-12(B) of the Pierce County Code -
Eliminate Appointment of Great River Road Representative and
Partners in Tourism Representative

PIERCE COUNTY BOARD OF SUPERVISORS DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: That Chapter 4, Section 4-12(B) of the Pierce County Code is hereby revised as follows:

B. Individuals.

- (1) Affirmative Action Officer.
- (2) ~~Great River Road representative.~~ Highway Safety Commission representative.
- (3) ~~Highway Safety Commission representative.~~ Indianhead Library representative.
- (4) ~~Indianhead Library representative.~~ Mississippi River Regional Planning.
- (5) ~~Mississippi River Regional Planning.~~ Pierce County Economic Development representative.
- (6) ~~Pierce County Economic Development representative.~~ West Cap representative.
- (7) ~~Partners in Tourism representative.~~ Wisconsin Indianhead representative.
- (8) ~~West Cap representative.~~
- (9) ~~Wisconsin Indianhead representative.~~

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

Dated this 26th day of March, 2013.

Jeffrey A. Holst, Chair
Pierce County Board of Supervisors

Approved as to form and legality:

Attested to:

Bradley D. Lawrence, Corporation Counsel

Jamie Feuerhelm, County Clerk

Adopted by County Board on _____

RESOLUTION 12-01

Commendation To Former County Board Supervisors

WHEREAS, Leo "Chip" Simones, Benjamin Plunkett, Paul Barkla, Cullen Peterson, Rodney Rommel, Thomas Sitz and Don Rohl have served on numerous committees as well as participated in many sessions of the Pierce County Board of Supervisors; and

WHEREAS, these seven 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 17th day of April, 2012.

RESOLUTION 12-02

Commemorating The 100th Anniversary Of Cooperative Extension, A Division Of The University Of Wisconsin-Extension

WHEREAS, Earnest L. Luther was appointed the state's first county extension agent in Oneida County on February 12, 1912; and

WHEREAS, 2012 marks the 100th anniversary of this unique educational partnership between the counties of the state and Cooperative Extension; and

WHEREAS, this partnership as pioneered in Wisconsin embodies the true meaning of the "Wisconsin Idea" – that the resources and knowledge of the university shall be extended to the people of the state wherever they live and work; and

WHEREAS, the 100th anniversary of Mr. Luther's appointment commemorates the contributions of all Cooperative Extension educators to the growth and development of the entire state; and

WHEREAS, Cooperative Extension's purpose is to teach, learn, lead and serve, connecting the people with the University of Wisconsin, and engaging with them in transforming lives and communities; and

WHEREAS, the vitality of today's Cooperative Extension programs can be credited to the men and women of vision who accepted the challenge in 1912 to create the Wisconsin county extension system.

NOW THEREFORE, BE IT RESOLVED, by the Pierce County Board of Supervisors that the board hereby commends the UW-Extension, its division of Cooperative Extension, and its local county extension educators for their cooperation and support, which allows the people of Pierce County to apply the research and knowledge of the University of Wisconsin in their lives, homes, farms, schools and businesses.

Dated this 17th day of April, 2012.

RESOLUTION 12-03

Authorize Sale Of County-Owned Property In The Town Of Trenton

WHEREAS, Pierce County owns approximately 7.5 acres of land in Section 28, Township 25 North, Range 18 West, Town of Trenton, formerly used for the mining of sand and gravel for Highway purposes; and

WHEREAS, an adjacent property owner has approached the County with regard to the potential purchase of said property; and

WHEREAS, the Highway Committee, at its meeting on March 15, 2012 declared the approximately 7.5 acres of property to be unnecessary for County needs and thus surplus property; and,

WHEREAS, the Finance and Personnel Committee took action on April 2, 2012 to recommend that the County Board authorize the sale of the approximate 7.5 acres of County-owned property.

NOW, THEREFORE BE IT RESOLVED, that the Board of Supervisors authorizes the sale of approximately 7.5 acres of County-owned property as described above, and that the Finance and Personnel Committee is authorized to proceed consistent with §40-19 of the Pierce County Code.

Dated this 17th day of April, 2012.

RESOLUTION 12-04
Development of Recreational Boating Facilities on Trenton Island
and Request for Funding Assistance

WHEREAS, Pierce County, between approximately 1980 and 2006, collected a park fee in conjunction with the creation of residential parcels in unincorporated areas of the County, which fees were deposited in the Park Development Fund which was created to address the need for additional recreational opportunities that occur with an increase in residential population; and

WHEREAS, in Resolution 04-09 the County Board adopted Park Development Fund Policies to regulate the use of the Park Development Fund; the County has also adopted the Pierce County Parks and Recreation Plan, and the proposed development described herein fits within those policies and plan; and

WHEREAS, Pierce County recognizes the potential outdoor recreational opportunities that exist on this property due to its location along the Mississippi River, and in Resolution 11-14 Pierce County purchased property to facilitate a boat ramp improvement project on Trenton Island; and

WHEREAS, Pierce County supports the preservation of the natural resources of Pierce County, and providing outdoor recreational opportunities to the citizens of, and visitors to, Pierce County; and

WHEREAS, Pierce County has a County Parks Department and County Parks Committee that can operate and manage this property; and

WHEREAS, Pierce County hereby requests funding assistance for the purpose of developing recreational boating facilities on Trenton Island; and

WHEREAS, Pierce County has budgeted a sum sufficient to complete the County's obligation for this project with said funds to come from the County Park Development Fund.

NOW, THEREFORE BE IT RESOLVED by the Pierce County Board of Supervisors that it authorizes the County Board Chairperson and the County Park Superintendent, to act on behalf of Pierce County to submit an application to the Wisconsin Waterways Commission for financial assistance; to sign documents; and take necessary action to undertake, direct and complete the Trenton Island Boat Ramp Improvement Project.

BE IT FUTHER RESOLVED that Pierce County will comply with state and federal rules for the programs; may perform force account work; will maintain the completed project in an attractive, inviting and safe manner; will keep the facilities open to the public during reasonable hours consistent with the type of facility; and will obtain authorization in writing from the Wisconsin Waterways Commission before any change is made in the use of the project site.

Dated this 22nd day of May, 2012.

RESOLUTION 12-05

Convey Property Acquired Through Trenton Island Property Acquisition Project to Town of Trenton

WHEREAS, Pierce County acquired title to certain parcels of property located in the floodplain through the Trenton Island Property Acquisition Project; and

WHEREAS, State and Federal dollars were used to demolish structures on the floodplain property; and

WHEREAS, fifty-seven (57) of the parcels acquired through the Project are within the boundaries of the Town of Trenton and legally described on Exhibit "A" attached hereto; and

WHEREAS, the Town of Trenton has requested that Pierce County transfer all right, title and interest in the fifty-seven (57) properties described in Exhibit "A" acquired by Pierce County in the floodplain acquisition program in the Town of Trenton; and

WHEREAS, the Town of Trenton has agreed by resolution adopted March 13, 2012 to maintain the properties and hold the county harmless upon conveyance of the properties; and

WHEREAS, conveyance of the properties is subject to the restrictions attached hereto as Exhibit "B", which shall run with the land; and

WHEREAS, Pierce County has obtained approval from the Federal Emergency Management Agency and the Wisconsin Division of Emergency Management for the conveyance of properties acquired through the Hazard Mitigation Grant Program to the Town of Trenton, subject to the restrictive covenants that run in perpetuity with the land; and

WHEREAS, the Parks Committee, at its meeting on May 7, 2012 recommended that the parcels described on Exhibit "A" be conveyed to the Town of Trenton; and

WHEREAS, the Finance and Personnel Committee, at its meeting on May 7, 2012 recommended the parcels described on Exhibit "A" be conveyed to the Town of Trenton.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Pierce County hereby authorizes conveyance of the parcels described in Exhibit "A" to the Town of Trenton subject to the restrictive covenants referenced above; and

BE IT FURTHER RESOLVED, that the Corporation Counsel shall prepare the appropriate deeds and the County Chairperson and County Clerk shall execute the deeds and any other necessary documents to complete the transfer of ownership.

Dated this 22nd day of May, 2012.

EXHIBIT "A"

A parcel of land located in Government Lot 5, Section 3, Township 24 North, Range 18 West, Town of Trenton, more fully described as follows:

Commencing at a point on the south line of said Government Lot 5, which point is the Northeast corner of the lot of Jeske B. Olander, said point being 2105.94' West of the Southeast corner of said Government Lot 5, and continuing West along the South line of said Government Lot 5 a distance of 540' to an iron stake set 13' from the edge of the Mississippi River; thence North 33 degrees 48'W along the Mississippi River a distance of 306.03' to point of beginning; thence continuing North 33 degrees 48' W along the Mississippi River a distance of 50'; thence North 56 degrees 21'E a distance of 451'; thence South 33 degrees 39'E a distance of 50'; thence South 56 degrees 21'W a distance of 451' to the point of beginning.

A part of Government Lot 5, Section 3, Township 24 North, Range 18 West, described as follows:

Commencing on the sought line of said Government Lot 5 at a point that is 2105.94 feet West of the Southeast corner of said Government Lot 5; running thence N33°39'W to a point that is 1544.31 feet North and 3133.93 West of the Southeast corner of said Government Lot 5 being the point of beginning; thence continuing N33°39'W 100 feet; thence S56°21'W to the Mississippi River; thence Southeasterly along the Mississippi River to a point that is S56°21'W of the point of beginning; thence N56°21'E to the point of beginning. Subject to roadway rights and easements of record

Also,

A part of Government Lot 5, Section 3, Township 24 North, Range 18 West, described as follows:

Commencing on the South line of said Government Lot 5 at a point that is 2105.94 feet West of the Southeast corner of said Government Lot 5, running thence N33°39'W to a point that is 1461.07 feet North and 3078.52 feet West of the Southeast corner of said Government Lot 5 and being the Northerly corner of premises conveyed to James F. Brusegard and Harriet L. Brusegard, husband and wife, in 1963, and the point of beginning; thence continuing N33°39'W 300 feet, thence S56°21' to the Mississippi River, thence Southeasterly along the Mississippi River to a point that is 56°21'W of the point of beginning, thence N56°21'E to the point of beginning. Except parcel conveyed to George Jackish by Warranty Deed recorded in the Office of the Register of Deeds of Pierce County, Wis. in Vol. 73 of Records, page 324, as Doc. No. 248450, and except parcel conveyed to Frank Anthony Gruber and Margaret Marie Gruber by Warranty Deed recorded in the office of the Register of Deeds of Pierce County, Wis. in Vol. 73 of Records, pages 325-326, Doc. No. 248451.

Also subject to easement over the existing road on the North 15 feet of those premises described in Vol. 73 of Records, pages 325-326.

A parcel of land in Government Lot 5, Section 3, Township 24 North, Range 18 West, described as follows:

Commencing at a point that is 711.91 feet North and 2579.83 feet West of the Southeast corner of said Government Lot 5 as the point of beginning; thence South 56°21' West a distance of 451 feet to an iron stake on the bank of the Mississippi River; thence North 29°59' West along said bank a distance of 100.21 feet to an iron stake; thence North 56°21' East a distance of 444.59 feet to an iron stake; thence South 33°39' East a distance of 100 feet to an iron stake and the point of beginning.

A parcel of land in Government Lot 5, Section 3, Township 24 North, Range 18 West, described as follows:

Commencing at a point which is 795.15 feet North and 2635.24 feet West of the Southeast corner of said Government Lot 5 as the point of beginning; thence South 56 degrees 21 minutes West a distance of 444.59 feet to an iron stake on the bank of the Mississippi River; thence North 29 degrees 59 minutes West along said bank a distance of 100.21 feet to an iron stake; thence North 56 degrees 21 minutes East a distance of 438.18 minutes to an iron stake; thence South 33 degrees 39 minutes East a distance of 100 feet to an iron stake and the point of beginning.

Said parcel containing 1.03 acres. Above bearing extended from prior lot surveys of record South of Government Lot 5.

A part of Government Lot 1, Section 12, Township 24 North, Range 18 West, described as follows:

Commencing at an iron stake which 651.5 feet East of the NW corner of said Section, on the North line thereof, which point is 45 feet West of an iron stake set across the Town Road on the Easterly side of said Town Road, thence south 70 feet, more or less, to an iron stake; thence West 63 feet, more or less at right angles to the NE'y corner of "Burgess" lot, to an iron stake; thence Southerly along the Easterly side of "Burgess" Lot to an iron stake, at the SE'y corner of said lot and on a continuation of said line a distance of 193 feet, more or less, from the NE corner of said "Burgess" lot to an iron stake; thence Easterly a distance of 72 feet, more or less, to iron stake; thence South 30 feet more or less to an iron stake; thence SE'y 167, more or less, to an iron stake; thence Northerly 75 feet, more or less to an iron stake; thence Easterly 105 feet, more or less, to an iron stake; thence NW'y 72 feet, more or less, to an iron stake; thence Westerly 30 feet, more or less, to an iron stake on the Easterly side of said Town Road as extended South; thence Northerly along the East side of said Town Road 283 feet, more or less, to an iron stake; thence Westerly across said Town Road 45 feet more or less, to an iron stake; being the place of beginning.

Also any and all lands lying and being between the low water mark of the Wisconsin Channel of the Mississippi River, and the Southerly line (riverside line) of said parcel conveyed.

All subject to the Roadway as now laid out, and existing roadways and easements heretofore granted by grantors, and the grantors reserve the full right and privilege, and their heirs or successors in title to use said roadways and rights of way, and to use thereof to lands still owned by grantors, and the grantors reserved the right and privilege of granting an additional right of way, leading to and over and across lands not conveyed by this instrument; all of said roadways and easements now existing and heretofore and hereafter granted by grantors, their heirs or assigns, if any, shall be kept open and free of obstructions for the purpose of the rights of way, and the rightful use thereof. Except parcel described in Vol. 185 Records, on page 371.

Commencing 961.63 feet North and 2746.06 feet west of the Southeast corner of Government Lot 5, Section 3, Township 24 North, Range 18 West, as the point of beginning, running thence North 33°39' West 100 feet, thence South 56°21' West 425.36 feet to an iron stake on the shore of the Mississippi River, thence South 29°59' East 100.21 feet to an iron stake, thence North 56°21' East 431.77 feet to the place of beginning.

Commencing at the intersection of the South line of said Government Lot 5 with the Westerly line of public high commonly called "Island Road", running thence North 14 degrees East along the Westerly line of said "Island Road" 1090 feet to an iron monument for the place of beginning of land deeded; running thence North 14 degrees East along the Westerly line of said "Island Road" 90 feet to an iron monument; thence North 76 degrees West to low water mark of the Mississippi River; thence Southwesterly along the low water mark of the Mississippi River 90 feet; thence South 76 degrees East to a place of beginning, all being located in Section 10, Township 24 North, Range 18 West.

Parcel in Government Lot 5, Section 3, Township 24 North, Range 18 West, described as follows:

Commencing on the South line of said Government Lot 5 at a point that is 2105.94 feet West of the Southeast corner of said Government Lot 5, running thence North 33 degrees 39' West to a point that is 1794.03 feet North and 3300.16 feet West of the Southeast corner of said Government Lot 5 being the point of beginning, thence continuing North 33 degrees 39' West 100 feet, thence South 56 degrees 21' West to the Mississippi River, thence Southeasterly along the Mississippi River to a point that is South 56 degrees 21' West of the point of beginning, thence North 56 degrees 21' East to the point of beginning. Subject to roadway rights and easements of record.

Together with the nonexclusive right for purchaser and his heirs and assigns together with vendor and their heirs and assigns to use the driveway easement located between the above-described parcel and the following described parcel.

A part of Government Lot 5, Section 3, Township 24 North, Range 18 West, described as follows:

Commencing on the South line of said Government Lot 5 at a point that is 2105.94 feet West of the Southeast corner of said Government Lot 5, running thence North 33 degrees 39' West to a point that is 1877.27 feet North and 3355.57 feet West of the Southeast corner of said Government Lot 5 being the point of beginning, thence continuing North 33 degrees 39' West 100 feet, thence South 56 degrees 21' West to the Mississippi River, thence Southeasterly along the Mississippi River to a point that is South 58 degrees 21' West of the point of beginning, thence North 56 degrees 21' East to the point of beginning.

The middle 1/3 of the South ½ of the North ½ of Government Lot 6, Section 10, Township 24 North, Range 18 West, lying East of the highway.

A part of Government Lot 5, Section 10, Township 24 North, Range 18 West, bounded by a line described as follows:

Commencing at a point on the East line of the Island Road (so called) intersecting the South line of Government Lot 5 of said Section 10, Township 24 North, Range 18 West; thence running northerly along the East line of said Island Road North 14 degrees East for 750 feet, thence East parallel with the South line of Gov't Lot 4 for 127 feet, to the starting point of this description; thence North 14 degrees East for 466.8 feet; thence East parallel with the South line of Gov't Lot 4, for 161.4 feet; thence South 14 degrees West for 466.8 feet; thence West for 161.4 feet, to the place of beginning.

Subject to a 16 foot wide right-of-way across said tract from East to West adjacent to and paralleling the North boundary of said tract. With the right and privilege of access to and from said parcel over and across the parking space of lands owned by Margaret Gardas Marquardt and Donald Gardas lying between the above described parcel the "Island Road".

Subject to Easement in Vol. 150 Records, pg. 35. Subject to Water rights Agreement in Vol. 150 Records, pg. 36-37.

A part of Government Lot 5, Section 10, Township 24 North, Range 18 West, described as follows:

Commencing at a point on the East line of the Island Road (so called) intersecting the South line of Government Lot 5, thence running Northerly along the East line of said Island Road North 14° East for 750 feet to the starting point of this description; thence North 14° East for 466.8 feet; thence East parallel with the South line of Government Lot 4 for 127 feet; thence South 14° West for 466.8 feet; thence West 127 feet to the place of beginning. Subject to a 16 foot wide right-of-way across said tract from East to West adjacent to and paralleling the North boundary of said tract.

Also, subject to a right-of-way for Cashmere Gardas, his heirs, successors or assign, for ingress and egress to parcel of land lying and being immediately to the East of the above parcel conveyed, said parcel so owned by Cashmere Gardas, being 161.4 feet East and West by 466.8 feet North and South over, and across the parking space of the above conveyed parcel.

Part of the North Half (N 1/2) of Government Lot 5, Section 10, Township 24 North, Range 18 West, described as follows:

Commencing at the intersection of the South line of said Government Lot 5 with the Easterly right-of-way line of State Highway #46 (now Federal Highway #63); thence N14°E along the Easterly right-of-way line of said highway 750 feet to an iron monument; thence due East 288.4 feet to an iron monument for placement of beginning; thence N14°E parallel to the Easterly right-of-way line of said highway 466.8 feet; thence due East 288.4

feet; thence S14°W parallel to the Easterly right-of-way line of said highway 466.8 feet; thence due West 288.4 feet to place of beginning. Containing 3 acres, more or less.

Also granting a 16 foot wide right-of-way from above described tract West to said Highway 46. Reserving 16 foot right-of-way across tract deeded in an East and West direction.

A part of Government Lot 5, Section 10, Township 24 North, Range 18 West, described as follows:

Commencing at the intersection of the South line of said Government Lot 5 with the westerly line of the Main Red Wing-Ellsworth highway, commonly called "Island Road", thence running North 14° East along the Westerly line of said highway 100 feet, thence North 76° West (previously described as North 76°) at right angles to said highway to the low water mark of the Mississippi River, thence Southerly along the low water mark of said river 130 feet, more or less, to its intersection with the South line of said Government Lot 5, thence run due East to the point of beginning.

All that part of Government Lot 5, Section 10, Township 24 North, Range 18 West, described as follows:

Commencing at the intersection of the South line of said Government Lot 5 with the westerly line of main Red Wing-Ellsworth Highway, commonly called "Island Road" thence running North 14° East along westerly line of said highway 100 feet to the place of beginning of tract deeded; thence running North 14° East along westerly line of said highway 100 feet; thence North 76° West at right angles to said highway, to low water mark of the Mississippi River; thence Southerly along low water mark of River 100 feet, thence South 76° East to place of beginning of tract deeded.

The North 145 feet of the South 565 feet of Government Lot 6, in Section 10, Township 24 North, Range 18 West, the north and south line of said line of said tract to run parallel with the south line of said Lot 6, extending from the Mississippi River east to the Island Road.

A parcel of land in Government Lot 5, Section 3, Township 24 North, Range 18 West, described as follows:

Commencing at a point on the South line of said Government Lot 5, which point is the NE corner of the Lot of Jeske B. Olander, said point being 2105.94' W of the SE corner of said Government Lot 5 and the point of beginning; thence continuing West along the South line of said Government Lot 5 a distance of 540' to an iron stake set 13' from the edge of the Mississippi River; thence N 33°48' West along the Mississippi River a distance of 156.03'; thence N 56°21' East a distance of 451', more or less; thence S 33°39' E a distance of 455.21' to the point of beginning.

A parcel of land in Government Lot 5, Section 3, Township 24 North, Range 18 West, described as follows:

Commencing at a point that is 2043.75 feet North and 3466.29 feet West of the Southeast corner of said Government Lot 5, as the point of beginning; running thence South 56°21' West to the shore of the Mississippi River, thence in a Northerly direction along the shore of the Mississippi River, to the point where the shore of the Mississippi River intersects the shore of the Wisconsin Channel of the Mississippi River, thence Easterly and Southerly along the shore of the Wisconsin Channel of the Mississippi River to the intersection of said Wisconsin Channel with a line extended North 33°39' West of the point of beginning, thence South 33°39' East to the point of beginning. Containing approximately one-half (1/2) of one acre; The Term "shore", as used herein, refers to the high water mark. It is understood the boundaries of this parcel may be periodically altered by the change if [sic] flow, direction and elevation of the Mississippi River or the Wisconsin Channel of the Mississippi River.

The North One-Half (N ½) of Government Lot 4, Section 10, Township 24 North, Range 18 West.

Part of Government Lot 5, Section 10, Township 24 North, Range 18 West, described as follows:

Commencing at the intersection of the South line of said Government Lot 5 with the Westerly line of the public highway commonly called "Island Road"; running thence N14°E along the Westerly line of said "Island Road" 790 feet to an iron monument for the place of beginning; thence N14°E along the Westerly line of said "Island Road" 100 feet to an iron monument; thence N76°W to low water mark of the Mississippi River; thence Southwesterly along the low water mark of the Mississippi River 100 feet; thence S76°E to place of beginning.

All that part of Government Lot 5, Section 10, Township 24 North, Range 18 West, described as follows:

Commencing at an iron monument at the intersection of the South line of said Government Lot 5 with the Easterly line of State Highway #46 for place of beginning, thence run North 14 degrees East along the Easterly line of said Highway #46 for 750 feet to an iron monument; thence run due East 359 feet to an iron monument; thence run South 14 degrees West 750 feet to an iron monument; thence run due West 359 feet to place of beginning. Said tract containing 6 acres more or less.

A part of Government Lot 5, Section 3, Township 24 North, Range 18 West, described as follows:

Commencing on the South line of said Government Lot 5 at a point that is 2105.94 feet West of the Southeast corner of said Government Lot 5, running thence North 33°39' West to a point that is 1461.07 feet North and 3078.52 feet West of the Southeast corner of said Government Lot 5 and being the Northerly corner of premises conveyed to James F. Brusegard and Harriet L. Brusegard, husband and wife, in 1963, and the point of beginning, thence continuing North 33°39' West 100 feet, thence South 56°21' West to the Mississippi River, thence Southeasterly along the Mississippi River to a point that is South 56°21' West of the point of beginning, thence North 56°21' East to the point of beginning.

The North 1/3 of the South Half (S ½) of the North Half (N ½) of Government Lot 6, Township 24 North, Range 18 West, Section 10.

The South 100 feet of the North (N ½) of the North Half (N ½) of Government Lot 6, Section 10, Township 24 North, Range 18 West.

and

All that part of the North Half (N ½) of the North Half (N ½) of Lot 6, lying East of the Island Road to Mud Lake, except the Southerly One Hundred (100) feet thereof deeded to Charles E. Nordeen by Warranty Deed, dated March 30, 1943, recorded March 30, 1943, at 4:05 p.m., in Volume 153 of Deeds, page 147, in the Office of the Register of Deeds for Pierce County, Wisconsin, said Government Lot 6 referred to above is located in Section 10, Township 24 North, Range 18 West.

All that part of Government Lot 3, of Section 10, Township 24 North, Range 18 West, Pierce County, Wisconsin according to the Plat on file and of record in the office of the Register of Deeds of Pierce County, described as follows:

From the intersection of the South line of said Government Lot 3 with the Westerly line of Wisconsin State Highway #34, run West 534 feet along the South line of a road on the South line of said Government Lot 3 to an iron monument, thence North 33°39' West 697 feet along the Westerly line of said road to an iron monument for a place of beginning, run thence North 33°39' West 100 feet along the Westerly line of said road to an iron monument, thence South 51°50' West 400 feet more or less to the bank of the Mississippi River at a low water mark, thence Southeasterly along the bank of said river at low water mark to a point that is South 51°50' West of the place of beginning, thence North 51°50' East to the Westerly line of said road to the place of beginning. Subject to easements of record.

All that part of Government Lot 1, Section 15, Township 24 North, Range 18 West, described as follows, to-wit:

Beginning at the Northwest corner of Government Lot 1, of Section 15, Township 24 North, Range 18 West, aforesaid running thence East 292 feet for the point of beginning of the premises to be described; thence running East 292 feet more or less to the center of the public road; thence South 44° East along the center of said road 92 ½ feet; thence West 364 feet, thence at right angles Northerly a distance of 70 feet to the point of beginning.

All of Block "C" in the Village of Trenton, now vacated, located in the Southeast Quarter (SE ¼) of Section 33, Township 25 North, Range 18 West. Also Lots 7, 8 and 9 in Block 54 in said Vacated Village, Section 33, Township 25 North, Range 18 West.

Lots 10, 11 and 12 in Block 54 in Village of Trenton, now vacated; also Lots 7, 8, 9, 10, 11 and 12 in Block 53, Village of Trenton, now vacated; all located in the Southeast Quarter (SE ¼) of Section 33, Township 25 North, Range 18 West. Also, all portions of the Village of Trenton now vacated located in the SE ¼ of Section 33, Township 25 North, Range 18 West lying between the above two parcels.

A parcel of land in Government Lot 3, Section 33, Township 25 North, Range 18 West, described as follows:

Commencing at a point 275 feet Southeasterly of the point of intersection of the West line of said Gov. Lot 3 with the Trenton Slough at the low water mark; thence Southeasterly along said Slough 50 feet; thence Northeasterly 175 feet parallel with the East boundary line of the Walter Olson lot as described in that certain Warranty Deed recorded in Vol. 204 of Deeds, page 12; thence Northwesterly parallel with said Slough 50 feet to the East boundary of said Walter Olson lot; thence Southwesterly 175 feet to the point of beginning.

Part of Government Lot 3, Section 33, Township 25 North, Range 18 West, bounded by a line described as follows:

Commencing at a point 225 feet Southeast of where the West line of said Gov. Lot 3 intersects Trenton Slough at low water mark; thence Southeasterly along said Slough a distance of 50 feet; thence Northeasterly at right angles a distance of 175 feet; thence Northwesterly parallel with said Slough a distance of 50 feet; thence Southwesterly parallel with the East line of land to be deeded 175 feet to the point of beginning.

All that part of Government Lot 5, Section 10, Township 24 North, Range 18 West, described as follows:

Commencing at the intersection of the South line of Government Lot 5 with the Westerly line of the Main Red Wing – Ellsworth Highway commonly called "Island Road", thence running North 14° East along the Westerly line of said Highway 450 feet to the place of beginning of tract deeded, thence running North 14° East along the Westerly line of said highway 90 feet, thence North 76° West at right angles to said Highway to low water mark of the Mississippi River, thence Southerly along low water mark of river 90 feet, thence South 76° East to the place of beginning of tract deeded. Subject to Easement recorded in Vol. 318 Records, pg. 889-890.

All that part of Government Lot 3, Section 10, Township 24 North, Range 18 West, described as follows:

From the intersection of the South line of said Gov. Lot 3 with the Westerly line of Wisconsin State Highway #34, run West 534 feet along the South line of a road on the South line of said Gov. Lot 3 to an iron monument, thence North 33°39' West 1457 feet along the Westerly line of said road for a place of beginning; run thence North 33°39' West 100 feet along the Westerly line of said road, thence South 51°50' West 400 feet more or less, to the Bank of the Mississippi River, at low water mark; thence Southeasterly along the bank of said River at low water mark to a point that is South 51°50' West of the place of beginning, thence North 51°50' East to the Westerly line of said road at the place of beginning. Subject to easement of Northern States Power Company.

Lot 2, Volume 5, Certified Survey Maps, page 56, being a part of Government Lot 5, Section 10, Township 24 North, Range 18 West.

A part of Government Lot 5, Section 10, Township 24 North, Range 18 West, described as follows:

Commencing at a point on the South line of said Government Lot 5, 359 feet East of the East line of U.S. Highway "63" (Island Road), thence East 119 feet 8 inches, thence North 14° East 750 feet, thence West 119 feet 8 inches, thence South 14° West 750 feet to the point of beginning.

Lot 1, Volume 5, Certified Survey Maps, page 73, being a part of Government Lot 1, Section 14, Township 24 North, Range 18 West.

All that part of Government Lot 3, Section 10, Township 24 North, Range 18 West, according to the plat on file and of record in the office of the Register of Deeds of Pierce County, Wisconsin, described as follows:

From the intersection of the South line of said Gov. Lot 3 with the Westerly line of Wisconsin State Highway #63, run West 534 feet along the South line of a road on the South line of said Gov. Lot 3 to an iron monument, thence North 33°39' West 1557 feet along the westerly line of said road to an iron monument for a place of beginning, thence run North 33 degrees and 39 minutes West 28.7 feet to the North line of said Government Lot 3 in said section, township, and range at an iron monument, run thence West along the North line of said Government Lot 3 for 535 feet more or less to the bank of the Mississippi River at low water mark 350 feet more or less to a point that is South 51 degrees and 50 minutes West of the place of beginning, thence run North 51 degrees and 50 minutes East 452 feet more or less to the place of beginning.

All that part of Government Lot 3, Section 10, Township 24 North, Range 18 West, described as follows:

From the intersection of the South line of said Gov. Lot 3 with the Westerly line of Wisconsin State Highway #63, run West 534 feet along the South line of a road on the South line of said Gov. Lot 3 to an iron monument, thence North 33°39' West 1157 feet along the Westerly line of said road to an iron monument for a place of beginning, run thence North 33°39' West 100 feet along the Westerly line of said road to an iron monument, thence South 51°50' West 450 feet, more or less, to the bank of the Mississippi River at low water mark, thence Southeasterly along the bank of said River at a low water mark to a point that is South 51°50' West of the place of beginning, thence North 51°50' East to the place of beginning.

A parcel of land located in Government Lot 5, Section 3, Township 24 North, Range 18 West, described as follows:

Commencing on the South line of said Government Lot 5 at a point that is 2105.94 feet West of the Southeast corner of said Government Lot 5; running thence N33°39' W to a point that is 1128.11 feet North and 2856.88 feet West of the Southeast corner of said Government Lot 5, being the point of beginning; thence continuing N33°39'W 200 feet; thence S56°21'W to the Mississippi River; thence Southeasterly along the Mississippi River to a point that is S56°21'W of the point of beginning; thence N56°21'E to the point of beginning.

All that part of Government Lot 5, Section 10, Township 24 North, Range 18 West, more fully, described as follows:

Commencing at the intersection of the south line of said Government Lot 5 with the westerly line of public highway commonly called Island Road thence run North 14 degrees East along the westerly line of said Island Road 890 feet to iron monument for place of beginning of land deeded, thence run North 14 degrees East along westerly line of Island Road 100 feet to an iron monument, thence North 76 degrees West to "low water mark" of Mississippi River, thence Southwesterly along "low water mark" of Mississippi River 100 feet, thence South 76 degrees East to place of beginning of land deeded.

A parcel of land located in Government Lot 5, Section 3, Township 24 North, Range 18 West, described as follows:

Commencing at a point that is 1294.59 feet North and 2967.70 feet West of the Southeast corner of said Government Lot 5 as the point of beginning; running thence N33°39'W 200 feet; thence S56°21'W to the Mississippi River, thence Southeasterly along the Mississippi River 200 feet, more or less, to a point that is S56°21'W of the point of beginning; thence N56°21'E to the point of beginning.

A parcel of land located in Government Lot 5, Section 3, Township 24 North, Range 18 West, described as follows:

Commencing at a point on the South line of said Government Lot 5, which point is the NE corner of the lot of Jeske B. Olander, said point being 2105.94 feet West of the Southeast corner of said Government Lot 5, and continuing West along the South line of said Government Lot 5 a distance 540 feet East to an iron stake set 13 feet from the edge of the Mississippi River, thence N33°48' West along the Mississippi River a distance of 456.03 feet for the point of beginning of land to be conveyed; thence N33°48' West along the Mississippi River a distance of 100 feet; thence N56°21' East for 451 feet; thence South 33°39' E. a distance of 100 feet; thence South 56°21' West to the point of beginning.

A parcel of land located in Government Lot 1, Section 12, Township 24 North, Range 18 West, described as follows:

Commencing at a pipe which is 651.5 feet East and 264.2 feet South of the Northwest corner of said Section 12 as the point of beginning; thence North 75°20' West a distance of 129.26 feet; thence South to the high water mark of Wisconsin Channel; thence Southeasterly along said high water mark to a point due South of point of beginning; thence North 144.8 feet more or less to the point of beginning.

That part of Government Lot 5, Section 10, Township 24 North, Range 18 West, described as follows:

Commencing at the intersection of the South line of Gov. Lot 5 with the Westerly line of Main Red-Wing Ellsworth Highway commonly called "Island Road," thence run North 14° East along the Westerly line of said highway 300 feet for place of beginning of tract described, thence run North 14° East along Westerly line of said highway 100 feet, thence North 76° West at right angles to said highway to low water mark of the Mississippi River, thence Southerly along low water mark of River 100 feet, thence South 76° East to place of beginning of tract described.

Also, the South One-Half (S ½) of the following described premises, to-wit: a lot located in Government Lot 5, Section 10, Township 24, Range 18 West, and described as follows:

Commencing at the intersection of the South line of said Government Lot 5 with the Westerly line of State Trunk Highway number 63; thence North 14° East along the Westerly line of said highway 400 feet for place of beginning; thence North 14 degrees East along the Westerly line of said Highway 100 feet; thence North 76 degrees West to low water mark of the Mississippi River; thence Southerly along the low water mark of River 100 feet; thence South 76 degrees East to place of beginning.

All that part of Government Lot 3, Section 10, Township 24 North, Range 18 West, according to the plat on file and of record in the office of register of deeds for Pierce County, Wisconsin, described as follows:

From the intersection of the South line of said Government Lot 3, with the Westerly line of Wisconsin State Highway No. 63 running West 534 feet along the south line of a road on the South line of said Government Lot 3 to an iron monument, thence N 33°39' W 547 feet along the Westerly line of said road to an iron monument for a place of beginning, running thence N 33°39' W 150 feet along the Westerly line of said road to an iron monument, thence S 51°50' W 350 feet more or less to the Bank of the Mississippi River at low water mark, thence Southeasterly

along the bank of said river at low water mark to a point that is S 51°50'W to the place of beginning, thence N51°50' E to the Westerly line of said road at the place of beginning, together with the right of way to said premises.

-AND-

From the intersection of the South line of said Government Lot 3 with the Westerly line of the U.S. Highway No. 63, run West 534 feet along the South line of the road on the South line of said Government Lot 3 to an iron monument, thence N 33°39' West 447 feet along the Westerly line of said road to an iron monument for a place of beginning, run thence North 33°39' West 100 feet along the Westerly line of said road to an iron monument, thence South 51°50' West 450 feet more or less to the bank of the Mississippi River at low water mark, thence Southeasterly along the bank of the Mississippi River at low water mark 100 feet; thence Easterly in a straight line to place of beginning.

A part of Government Lot 5, Section 3, Township 24 North, Range 18 West, described as follows:

Commencing on the South line of said Government Lot 5 at a point that is 2105.94 feet West of the Southeast corner of said Government Lot 5, running thence North 33°39' West to a point that is 1960.51 feet North and 3410.98 feet West of the Southeast of said Government Lot 5 being the point of beginning, thence continuing North 33°39' West 100 feet, thence South 56°21' West to the Mississippi River, thence Southeasterly along the Mississippi River to a point that is South 56°21' West of the point beginning, thence North 56°21' East to the point of beginning. Subject to roadway rights and easements of record.

A parcel of land located in Government Lot 5, Section 3, Township 24 North, Range 18 West, described as follows:

Commencing at a point on the South line of said Government Lot 5, which point is the NE corner of the lot of Jeske B. Olander, said point being 2105.9 feet West of the SE corner of said Government Lot 5, continuing West along the South line of said Government Lot 5 a distance of 540 feet to an iron stake set 13 feet from the edge of the Mississippi River, thence North 33 degrees 48' West along the Mississippi a distance of 156.03 feet for the point of beginning; thence continuing North 33 degrees 48' West along the Mississippi River a distance of 100 feet; thence North 56°21' East a distance of 451 feet more or less; thence South 33°39' East a distance of 100 feet; thence South 56°21' West a distance of 451 feet, more or less to the point of beginning.

Lot 1, Volume 5, Certified survey Maps, Page 72, being part of Government Lot 2, Section 15, Township 24 North, Range 18 West, Town of Trenton, Pierce County, Wisconsin.

The North 100 feet of the South 665 feet of Government Lot 6, of Section 10, Township 24 North, Range 18 West.

All that part of Government Lot 5, Section 10, Township 24 North, Range 18 West, described as follows:

Commencing at the intersection of the South line of said Government Lot 5 within the Westerly line of the public highway commonly called the "Island Road", thence running North 14° East along the Westerly line of said road 990 feet to an iron monument for place of beginning of the land to be described herein, thence running North 14° East long the Westerly line of said road 100 feet, to an iron monument, thence North 76° West to low water mark of the Mississippi River, thence Southwesterly along low water mark of river 100 feet, thence South 76° East to the place of beginning.

All that part of Government Lot 5, Section 10, Township 24 North, Range 18 West, described as follows:

Commencing at the intersection of the South line of said Gov. Lot 5 with the Westerly line of the main Red Wing-Ellsworth highway, commonly called "Island Road", thence running North 14° East along Westerly line of said highway 200 feet to the place of beginning of tract deeded, thence run North 14° East along Westerly line of said

highway 100 feet; thence North 76° West at right angles to said highway to low water mark of Mississippi River, thence Southerly along low water mark of River 100 feet; thence South 76° East to the place of beginning of tract deeded.

A parcel of land located in Government Lot 5, Section 3, Township 24 North, Range 18 West, described as follows:

Commencing at a point that is 1044.87 feet North and 2801.47 feet West of the Southeast corner of said Gov. Lot 5, as the point of beginning, running thence North 33°39' West 100 feet, thence South 56°21' West to the Mississippi River, thence Southeasterly along the Mississippi River 100 feet, more or less, to a point that is South 56°21' West of the point of beginning, thence North 56°21' East to the point of beginning. Subject to roadway.

A parcel of land located in Government Lot 5, Section 3, Township 24 North, Range 18 West, described as follows:

Commencing at a point that is 878.39 feet North and 2690.65 feet West of the Southeast corner of said Government Lot 5 as the point of beginning, running thence North 33°39' West 100 feet, thence South 59°21' West 431.77 feet to an iron stake on the shore of the Mississippi River, thence South 29°59' East 100.21 feet to an iron stake, thence North 59°21' East 438.18 feet to the point of beginning.

Together with all land on the Southwesterly side of said premises between said premises and the Mississippi River.

All that part of the following described premises lying west of Highway 63 as now traveled: the North 100 feet of the South 415 feet of Government Lot 6, Section 10, Township 24 North, Range 18 West, the North and South lines of said tract running parallel with the South line of said Government Lot 6;

Excepting therefrom a parcel described as follows: beginning at an iron stake on the South line of said 100 foot strip 241 feet West of its intersection with the center of the paved part of Highway 63; thence running N81°W to the low water mark of the Mississippi River; thence Southerly along low water mark to the South line of said 100 foot strip; thence East to the place of beginning. Conveyed to Gerald M. Haustein by deed dated July 11, 1951, recorded in Vol. 226, page 635.

Subject to easements of record.

A part of Government Lot 3, Section 10, Township 24 North, Range 18 West, described as follows:

From the intersection of the South line of said Government Lot 3 with the Westerly line of U.S. Highway #63, run West 534 feet along the South line of the road on the South line of said Government Lot 3 to an iron monument, thence North 33°39' West 1257 feet along the Westerly line of said road to an iron monument for a place of beginning, run thence North 33°39' West 100 feet along the Westerly line of said road to an iron monument, thence South 51°50' West 450 feet, more or less, to the bank of the Mississippi River at low water mark to a point that is South 51°50' West of the place of beginning, thence North 51° 50' East to the place of beginning.

Above parcel subject to easement of Northern States Power Company.

Exhibit B

In reference to the property or properties ("Property") conveyed by the Deed between Pierce County, Wisconsin, a Quasi-Municipal Corporation, participating in the federally-assisted acquisition project ("the Grantor") and the Town of Trenton, ("the Grantee"), its successors and assigns:

WHEREAS, The Robert T. Stafford Disaster Relief and Emergency Assistance Act, ("The Stafford Act"), 42 U.S.C. § 5121 et seq., identifies the use of Disaster Relief Funds under § 5170, Hazard Mitigation Grant Program Section 404 ("HMGP"), including the acquisition and relocation of structures in the floodplain;

WHEREAS, the mitigation grant program provides a process for a local government, through the State of Wisconsin, to apply for federal funds for mitigation assistance to acquire interests in property, including the purchase of structures in the floodplain, to demolish and/or remove the structures, and to maintain the use of the Property as open space in perpetuity;

WHEREAS, the State of Wisconsin has applied for and been awarded such funding from the Department of Homeland Security, Federal Emergency Management Agency ("FEMA"), and has entered into a mitigation grant program Grant Agreement dated July 8, 1993 with FEMA and herein incorporated by reference; making it a mitigation grant program grantee.

WHEREAS, the Property is located in Town of Trenton, Pierce County, Wisconsin. Pierce County, Wisconsin participates in the National Flood Insurance Program ("NFIP") and is in good standing with NFIP as of the date of the Deed;

WHEREAS, Pierce County has applied for and been awarded federal funds pursuant to an agreement with State of Wisconsin dated December 22, 1994 ("State-Local Agreement") and herein incorporated by reference, making it a mitigation grant program subgrantee;

WHEREAS, the terms of the mitigation grant program statutory authorities, Federal program requirements consistent with 44 C.F.R. Part 80, the Grant Agreement, and the State-local Agreement require that the Grantee agree to conditions that restrict the use of the land to open space in perpetuity in order to protect and preserve natural floodplain values;

NOW, therefore, the grant is made subject to the following terms and conditions:

1. Terms. Pursuant to the terms of the Hazard Mitigation Grant Program statutory authorities, Federal program requirements consistent with 44 C.F.R. Part 80, the Grant Agreement, and the State-local Agreement, the following conditions and restrictions shall apply in perpetuity to the Property described in the attached deed and acquired by the Grantee pursuant to FEMA program requirements concerning the acquisition of property for open space:
 - a. Compatible uses. The Property shall be dedicated and maintained in perpetuity as open space for conservation of natural floodplain functions. Such uses may include: parks for outdoor recreational activities; wetlands management; nature reserves; cultivation; grazing; camping (except where adequate warning time is not available to allow evacuation); unimproved unpaved parking lots; buffer zones; and other uses consistent with FEMA guidance for open space acquisition, Hazard Mitigation Assistance, Requirements for Property Acquisition and Relocation for Open Space.
 - b. Structures. No new structures or improvements shall be erected on the Property other than:
 - i. A public facility that is open on all sides and functionally related to a designated open space or recreational use;
 - ii. A public rest room; or
 - iii. A structure that is compatible with open space and conserves the natural function of the floodplain, including the uses described in Paragraph 1.a., above, and approved by the FEMA Administrator in writing before construction of the structure begins.

Any improvements on the property shall be in accordance with proper floodplain management policies

and practices. Structures built on the Property according to paragraph b. of this section shall be floodproofed or elevated to at least the base flood level plus two foot of freeboard, or greater, if required by FEMA, or if required by any State, Tribal, or local ordinance, and in accordance with criteria established by the FEMA Administrator.

- c. Disaster Assistance and Flood Insurance. No federal entity or source may provide disaster assistance for any purpose with respect to the Property, nor may any application for such assistance be made by any Federal entity or source. The Property is not eligible for coverage under the NFIP for damage to structures on the property occurring after the date of the property settlement, except for pre-existing structures being relocated off the property as a result of the project.
- d. Transfer. The Grantee, including successors in interest, shall convey any interest in the Property only if the FEMA Regional Administrator, through the State, gives prior written approval of the transferee in accordance with this paragraph.
 - i. The request by the Grantee, through the State, to the FEMA Regional Administrator must include a signed statement from the proposed transferee that it acknowledges and agrees to be bound by the terms of this section, and documentation of its status as a qualified conservation organization if applicable.
 - ii. The Grantee may convey a property interest only to a public entity or to a qualified conservation organization. However, the Grantee may convey an easement or lease to a private individual or entity for purposes compatible with the uses described in paragraph (a), of this section, with the prior approval of the FEMA Regional Administrator, and so long as the conveyance does not include authority to control and enforce the terms and conditions of this section.
 - iii. If title to the Property is transferred to a public entity other than one with a conservation mission, it must be conveyed subject to a Conservation Easement that shall be recorded with the deed and shall incorporate all terms and conditions set forth in this section, including the easement holder's responsibility to enforce the easement. This shall be accomplished by one of the following means:
 - a. The Grantee shall convey, in accordance with this paragraph, a conservation easement to an entity other than the title holder, which shall be recorded with the deed, or
 - b. At the time of title transfer, the Grantee shall retain such conservation easement, and record it with the deed.
 - iv. Conveyance of any property interest must reference and incorporate the original deed restrictions providing notice of the conditions in this section and must incorporate a provision for the property interest to revert to the State, Tribe, or local government in the event that the transferee ceases to exist or loses it eligible status under this section.
2. Inspection. FEMA, its representatives, and assigns, including the State or Tribe shall have the right to enter upon the Property, at reasonable times and with reasonable notice, for the purpose of inspecting the Property to ensure compliance with the terms of this part, the Property conveyance and of the grant award.
3. Monitoring and Reporting. Every three years on [Date], the Grantee (mitigation grant program grantee), in coordination with any current successor in interest, shall submit through the State to the FEMA Regional Administrator a report certifying that the Grantee has inspected the Property within the month preceding the report, and that the Property continues to be maintained consistent with the provisions of 44 CFR Part 80, the property conveyance, and the grant award.
4. Enforcement. The Grantee (mitigation grant program subgrantee), the State, FEMA, and their

respective representatives, successors and assigns, are responsible for taking measures to bring the Property back into compliance if the Property is not maintained according to the terms of 44 CFR Part 80, the property conveyance, and the grant award. The relative rights and responsibilities of FEMA, the State, the Grantee, and subsequent holders of the property interest at the time of enforcement, shall include the following:

- a. The State will notify the Grantee and any current holder of the property interest in writing and advise them that they have 60 days to correct the violation.
 - i. If the Grantee or any current holder of the property interest fails to demonstrate a good faith effort to come into compliance with the terms of the grant within the 60-day period, the State shall enforce the terms of the grant by taking any measures it deems appropriate, including but not limited to bringing an action of law or in equity in a court of competent jurisdiction.
 - ii. FEMA, its representatives, and assignees may enforce the terms of the grant by taking any measures, it deems appropriate, including but not limited to 1 or more of the following:
 - a) Withholding FEMA mitigation awards or assistance from the State or Tribe, and Grantee; and current holder of the property interest.
 - b) Requiring transfer of title. The Grantee or the current holder of the property interest shall bear the costs of bringing the Property back into compliance with the terms of the grant; or
 - c) Bringing an action at law or in equity in a court of competent jurisdiction against any or all of the following parties; the State, the Tribe, the local community, and their respective successors.

5. Amendment. This agreement may be amended upon signatures of FEMA, the State, and the Grantee only to the extent that such amendment does not affect the fundamental and statutory purposes underlying the agreement.

6. Severability. Should any provision of this grant or the application thereof to any person or circumstance be found to be invalid or unenforceable, the rest and remainder of the provisions of this grant and their application shall not be affected and shall remain valid and enforceable.

RESOLUTION NO. 12-06

Granting Exception to Purchasing Policy and Authorization for County to Perform Parking Lot Resurfacing and Striping Work Without Submitting for Bids

WHEREAS, the County has planned a project involving the resurfacing, striping, and lighting of parking lots for the Courthouse and Pierce County Office Building, for which funding will be from the Recovery Zone Economic Developments bonds, as well as from budgeted Building Outlay funds; and

WHEREAS, the Pierce County Purchasing Policy (Resolution 03-02) requires purchases over \$5,000 to be bid out, and §59.52(29) Wis. Stats. require public works where the estimated cost of which will exceed \$25,000 to be bid out – except that the county board may by a three-fourths vote of all the members entitled to a seat, provide that a public works project may be done directly by the county without submitting the same for bids; and

WHEREAS, it is the desire of the County to perform a portion of the project, specifically the resurfacing and striping, directly through its Highway Department rather than through outside bids, for the following reasons:

- The Highway Department has all the expertise needed for this project in-house;
- In order to bid out the project, the County would have to have formal specifications developed in order to solicit bids, adding expense to the total project cost;
- The Highway Department would have virtually no mobilization costs with this project, thereby keeping their costs down;
- This project would benefit the Highway Department in that it could be scheduled around other highway projects in order to maximize that department's use of resources and at a time that is convenience for the County;
- The Highway Department purchases material from the same suppliers as other local construction companies, making the cost of materials stable for all bidders; and

WHEREAS, the Building Committee, at its meeting on April 10, 2012, and the Finance and Personnel Committee, at its meeting on May 7, 2012, recommended authorizing the exceptions from both the Pierce County Purchasing Policy and statutory bidding requirements in order for the County, through its Highway Department, to directly perform the resurfacing and striping portion of the project work.

NOW THEREFORE, BE IT RESOLVED, that the Pierce County Board of Supervisors hereby authorizes exceptions from both the Pierce County Purchasing Policy and statutory bidding requirements in order for the County, through its Highway Department, to directly perform the resurfacing and striping portion of the above described project work for the reasons stated herein.

Dated this 22nd day of May, 2012.

RESOLUTION 12-07

Authorize Increase in Hours for Deputy County Clerk Position

WHEREAS, the position of Deputy County Clerk was vacated in March 2012 with the retirement of the employee; and

WHEREAS, the County Clerk did assess the needs of the office and recommended to the Finance & Personnel Committee that the position be increased by five (5) hours per week to accommodate an increase in the work load created by excessive election legislation along with consistent pressure of counter traffic for hunting/fishing licenses, marriage licenses and passports; and

WHEREAS, the increase of five (5) hours per week is \$4,870.00 per year but while this amount was not budgeted for 2012, it is the position of the County Clerk that the majority, if not all, of the associated costs with the increase can and will be absorbed via other sources within the County Clerk budget, such as the savings actuated by the amount of time that this position and other positions in the office of the County Clerk will be vacant during 2012; and

WHEREAS, on May 7, 2012, the Finance & Personnel Committee did take action to recommend to the County Board that the position of Deputy County Clerk be increased from 35 hours per week to 40 hours per week upon refill.

NOW, THEREFORE BE IT RESOLVED, that the Pierce County Board of Supervisors do authorize that the position of Deputy County Clerk will be increased from 35 hours per week to 40 hours per week effective immediately upon adoption of this resolution.

DATED this 22nd day of May, 2012.

RESOLUTION NO. 12-08

Amend Personnel Policy to Make Certain Changes and Clarifications

WHEREAS, §4-21 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 effective administration of both supervisory and non-supervisory staff, with the goal of advancing understanding between the County and its employees; and

WHEREAS, 2011 Act 10 and 2011 Act 32, collectively referred to as the Budget Repair Bill, made significant changes to public employee compensation and collective bargaining provisions in an effort to provide state and local governments with flexibility needed to reduce costs and maintain essential public services; and

WHEREAS, the Budget Repair Bill changes required that issues such as filling position vacancies, employee benefits, etc. be included in the Personnel Policy as they are no longer addressed in collective bargaining agreements; and

WHEREAS, on February 28, 2012, the County Board passed Resolution 11-31 updating and addressing collective bargaining changes resulting from the Budget Repair Bill; and

WHEREAS, it is necessary to amend the Personnel Policy to make and address clarifications that have been identified; and

WHEREAS, the Finance and Personnel Committee, at its meetings on May 7, 2012, and June 4, 2012, reviewed the proposed policy revisions and recommends that the County Board amend the Personnel Policy, as set forth in the attached Exhibit A.

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

Dated this 26th day of June, 2012.

EXHIBIT A

Amend Article IX. EMPLOYEE BENEFITS, Section C as follows:

C. Paid Time Off (PTO)

Paid Time Off (PTO) replaces conventional sick leave and vacation with a single time off benefit for employee groups who were non-represented as of December 31, 2011. ~~This benefit is available to regular non-represented employees effective January 1, 2001 as approved in Resolution 00-23.~~ Project, temporary, ~~casual, and limited term employees and employees who were represented as of December 31, 2011, other non-represented employees~~ are not eligible for PTO.

Earning Time. PTO time is earned based on length of service and number of regular hours, up to a maximum of 80, paid in each pay period. The number of hours paid is multiplied by a multiplier to determine PTO hours credited to the employee. This time is available for use as it is accrued.

Years of Service	Multiplier	80 hour/week Per Pay Period Accrual
0-7	.09231	7.39
8-14	.10385	8.31
15-19	.12308	9.85
20+	.14231	11.39

Note: 0-7 means from the beginning of employment to the end of the 7th year; 8-14 means from the beginning of the 8th [year](#) to the end of the 14 year, etc. Accruals will be calculated to two decimal places.

Accumulation. Each employee has a PTO account. Attendance sheets tracking PTO/PSLB must be submitted to Administration on a bi-weekly basis by 8:00 a.m. on the Tuesday preceding the payroll Friday. Except for extenuating circumstances, failure to meet this deadline will result in forfeiture of PTO accrual for that pay period. As time is earned it is credited to the account. Maximum PTO accumulation is 320 hours for a full-time employee and 240 hours for a part-time employee. Once the maximum is reached any additional hours are forfeited.

Personal Sick Leave Bank. Each employee also has a personal sick leave bank account. Accrued sick leave is placed in the PSLB upon start-up of the program, and thereafter is added to an annual basis. Time placed in PSLB is available for extended illness of greater than 3 days. The employee's PTO account is used to cover illnesses of 3 days or less. However, when an illness is greater than 3 days, the use of PSLB time will revert to the first day. A physician's statement may be required by the employer to use PSLB time.

Annual PTO Options. On the first day of each year the employee has the option of placing up to 96 hours (full-time) or 48 hours (part-time) into the Personal Sick Leave Bank. The employee also has the option of taking up to 48 hours (full-time) or 24 hours (part-time) in a cash payment at the rate of pay on December 31. The cash payout is available only for employee with a balance of at least 96 hours (full-time) or 48 hours (part-time) in their accounts. PTO hours up to the maximum accumulation may be carried over into the following year. If an employee does not indicate a choice all PTO hours up to the account maximum will be carried forward.

Termination in Good Standing. An employee who leaves the Pierce County in good standing is paid for all PTO hours remaining in the employees account. In addition, employees are eligible for payout of 1/2 of accumulated PSLB hours up to the following maximums: 8-10 years of service, 160 hours (80 PT); 11-15 years of service, 320 hours (160 PT); 16+ years of service, 480 hours (240 PT).

Retirement. An employee who retires (immediately receives a pension from the Wisconsin Retirement System) has the option of receiving a payout of 1/2 of accumulated PSLB hours to the maximum of 640 [9](#) hour (full-time) or 320 hours (part-time). The employee also has the option of converting all PSLB hours to a cash equivalent to pay for continuation of health insurance based on the employee's last hourly rate of pay provided the employee participated in the health insurance program for 12 full months prior to retirement. The payout options are also available to the spouse in the case of death or disability of the employee. If there is no spouse, or if the spouse dies any unused benefits revert to the county. Employees and surviving spouses can

continue on the health insurance program after the benefit has been used provided the employee or spouse pays the entire premium. Employees who elect the payout option can continue on the health insurance provided the employee pays the premium.

An employee who retires on or after June 1, 2003 may elect to transfer up to all remaining PTO hours to his or her PSLB account for the purpose of applying the hours to continuation of health insurance benefits.

Use of PTO. PTO and PSLB time may not be given away or loaned. Employees will receive pay deductions for overdrawing accounts and be subject to disciplinary actions. Employees cannot be paid for time at work and receive PTO time at the same time. Employees who report to work appearing ill may be sent home on PTO time by the department head or supervisor.

The employee may be requested to provide a physician's statement for PTO and PSLB hours that are taken due to illness when no prior approval has been given. The employer may require a medical examination by a physician of the employer's choice to substantiate the need for leave or the fitness to return to work.

For persons requesting an unpaid leave of absence who are not covered by WFML, ~~All PTO and PSLB time shall be exhausted prior to application for an unpaid leave of absence; all PSLB time shall be exhausted prior to application for unpaid leave for an extended illness.~~ For persons requesting an unpaid leave under WFML, Employees are eligible to may substitute, but are not required to substitute, PTO and PSLB time for unpaid time off ~~under FMLA.~~

PTO time cannot be used in increments of less than ~~1/2~~one-half hour.

Advanced notice. PTO time is to be scheduled with the department head or supervisor as far in advance as possible. Requests to use time shall be in writing. Department heads and supervisors may deny the use of PTO if it cannot be accommodated in the workload of the department, or if any other employees are already scheduled to be off.

New Employees. New employees begin earning PTO time on the first day of work. PTO hours in excess of 96 may not be used during the probationary period. Time in excess of 96 hours shall not be considered earned until the end of probation.

Conversion from present sick leave and vacation plans. At the start of PTO all vacation time will be placed in the PTO account and all sick leave will go into the PSLB. From then on PTO time will accumulate each pay period.

Amend Article IX. EMPLOYEE BENEFITS, Section M as follows:

M. Longevity Pay

1. All employees shall receive longevity pay based on their years of service as follows:

Employees:	Years of Service	Amount of Longevity
	After 3 years by November 30 th	\$60.00
	Each additional year	\$40.00

[Note: For the calendar year 2012, longevity shall be paid for all employee groups represented by a union as of December 31, 2011, pursuant to the longevity provisions contained in the collective bargaining agreements which expired December 31, 2010.]

2. No pro-rating or partial payments except for those terminating because of death, disability or retirement. Retirement is defined as receiving benefits from the WRS.

3. Regular part-time employees shall receive prorated longevity pay.
Amend Article IX. EMPLOYEE BENEFITS, Section B1 as follows:

B1. Vacations-~~Represented~~ Employees ~~General Information~~Represented as of December 31, 2011.

(Note: An appropriate transition plan will be developed to accommodate any change to this schedule, as applicable.)

~~Upon termination of employment, the employee receives payment equal to the amount of vacation accrued, including vacation earned but not available for use until the anniversary date.~~

~~Vacation is not cumulative from year to year. The employee uses the earned vacation within one year from the anniversary date or it is forfeited. Exceptions to this carry-over may be granted by the Department Head and/or Committee, but in all cases, no more than six (6) days may be carried over, and must be used within 6 months of the following year. The vacation benefit applies to all fulltime employees, as well as regular part-time employees regularly scheduled to work a minimum of 14 hours per week, who are not subject to the County's PTO policy or to any collective bargaining agreement.~~

1. Vacation shall be accrued each pay period starting with the employee's first day of employment and shall increase on the employee's anniversary based on years of service.

Full-time employees shall accrue vacation in accordance with the following table:

<u>8-HOUR EMPLOYEES</u>		
<u>Years of Service</u>	<u>Vacation Accrued Per Year</u>	<u>Vacation Accrued Per Pay Period</u>
<u>Years 1-8</u>	<u>12 days (96 hours)</u>	<u>3.69 hours</u>
<u>Years 9-15</u>	<u>15 days (120 hours)</u>	<u>4.62 hours</u>
<u>Year 16 & after*</u>	<u>20 days (160 hours)</u>	<u>6.15 hours</u>

<u>7-HOUR EMPLOYEES</u>		
<u>Years of Service</u>	<u>Vacation Accrued Per Year</u>	<u>Vacation Accrued Per Pay Period</u>
<u>Years 1-8</u>	<u>12 days (84 hours)</u>	<u>3.23 hours</u>
<u>Years 9-15</u>	<u>15 days (105 hours)</u>	<u>4.04 hours</u>
<u>Year 16 & after*</u>	<u>20 days (140 hours)</u>	<u>5.38 hours</u>

[NOTE: 1-8 means from the beginning of employment to the end of the 8th year; 9-15 means from the beginning of the 9th year to the end of the 15th year; etc.]

Part-time employees shall accrue vacation hours in accordance with the above schedules, on a pro-rated basis, based on all hours paid up to 80 hours in a two-week pay period.

*Employees who are members of the Community Health bargaining unit as of the expiration of the 2011-12 collective bargaining agreement and who have reached their 24th anniversary date prior to the expiration of the collective bargaining agreement shall continue to accrue vacation as follows:

<u>8-HOUR EMPLOYEES</u>		
<u>Years of Service</u>	<u>Vacation Accrued Per Year</u>	<u>Vacation Accrued Per Pay Period</u>
<u>Years 16-25</u>	<u>20 days (160 hours)</u>	<u>6.15 hours</u>
<u>Years 26 & after</u>	<u>25 days (200 hours)</u>	<u>7.69 hours</u>

<u>7-HOUR EMPLOYEES</u>		
<u>Years of Service</u>	<u>Vacation Accrued Per Year</u>	<u>Vacation Accrued Per Pay Period</u>
<u>Years 16-25</u>	<u>20 days (140 hours)</u>	<u>5.38 hours</u>
<u>Years 26 & after</u>	<u>25 days (175 hours)</u>	<u>6.73 hours</u>

2. No credits for vacation are granted for time worked in excess of the usual workweek. Sick leave cannot be claimed for an illness occurring during an employee's vacation time. Vacations may not be used to supplement Worker's Compensation Benefits.
3. Maximum Accruals. The maximum number of accrued hours in an employee's vacation bank at any one time shall be 160 hours for 8-hour employees and 140 hours for 7-hour employees. An 8-hour employee who has accumulated 160 hours of vacation shall not accrue any additional vacation hours until the accumulated balance credited to the employee falls below 160 hours. A 7-hour employee who has accumulated 140 hours of vacation shall not accrue any additional vacation hours until the accumulated balance credited to the employee falls below 140 hours. A part-time employee who accumulates 100 hours of vacation shall not accrue any additional vacation hours until the accumulated balance credited to the employee falls below 100 hours.
4. Scheduling: Use of vacation time is to be scheduled with the department head or supervisor as far in advance as possible pursuant to department guidelines as may be applicable. Requests to use time shall be in writing. The County reserves the right to determine the number of personnel to be on vacation at any one time. Department heads and supervisors may deny the use of vacation if it cannot be accommodated in the workload of the department, or if other employees are already scheduled to be off. Generally, vacation leave requests shall be granted on a first come, first served basis.

Vacations may be taken in one-half hour increments. Vacation may not be used in the pay period in which it is accrued.

- 4.5. Upon voluntary termination of an employee in good standing, the employee will be paid for all accrued vacation including that vacation time earned during the year in which the termination takes place.

Add Article IX. EMPLOYEE BENEFITS, Section B1A as follows:

B1A. Vacation Donation

This policy allows regular full time or regular part-time employees to voluntarily donate vacation leave to other regular employees who have been absent from pay status due to a seriously incapacitating illness/injury for which no eligible paid leave benefits or replacement income are available. All requests for participation in the program are treated in a highly confidential manner. Vacation donations are a conditional benefit and not a right of employment. Seriously incapacitating is any serious illness or injury which requires the employee to receive continuing treatment for an extended period of time. Examples of seriously incapacitating illness/injury may include cancer, major heart attacks, long-term hospitalization, and disabling accidents.

1. Program Points

- (1) Participation will be considered on a case-by-case basis with approval from the Administrative Coordinator.
- (2) Employees receiving donated vacation time (Recipient) must have exhausted all of their accumulated sick leave, compensatory time, vacation time and holiday time prior to the use of any donated vacation time. The Recipient must use the newly accrued leaves as they are accrued.
- (3) Any one employee may not receive more than 160 hours of donated vacation time per year.
- (4) Vacation donations must be made in increments of full hour blocks with a minimum of 7 hours.
- (5) Any one employee may not donate more than 40 hours.
- (6) Donations will be confidential and made in writing using the Donor Deduction Authorization form. The Donor's information will not be revealed to the Recipient.
- (7) Donated vacation time will be based on hour for hour transfers based on the Recipient's current rate of pay. (Example 1: \$15/hour employee donated 8 hours to \$18/hour employee. The Recipient would receive 8 hours at \$18 per hour. Example 2: \$20/hour employee donated 8 hours to \$15/hour employee. The Recipient would receive 8 hours at \$15 per hour.)
- (8) Donated vacation will be allocated in the order it is donated.
- (9) Unused donation will be credited back to the donor only if the Recipient returns to full work schedule (full or part time) prior to use of the donated vacation time.
- (10) Leave donations are not tax deductible.
- (11) A donor may donate to any Recipient who is determined to be eligible for the program.
- (12) Employees on PTO are not eligible for this program.

2. Recipient Eligibility

To be an eligible recipient, an employee must meet all of the following criteria:

- (1) Must be working in a regular position that is eligible for benefits and have worked at least 12 months.
- (2) Must be on an approved unpaid leave of absence due to a serious illness/injury of the employee.
- (3) Must have provided medical certification of the illness/injury.
- (4) Must not be receiving worker's compensation benefits.
- (5) Must not be receiving short or long term disability insurance benefits.
- (6) Must have exhausted all available leaves include vacation, sick leave, compensatory time, and holidays.
- (7) Must complete a Request for Vacation Donation Assistance form (available in Administration Office).

3. Donor Eligibility

Potential Donors must meet all of the following criteria:

- (1) Must be eligible to accrue and use leave benefits.
- (2) Must have an earned balance that is equal to at least forty (40) hours.
- (3) Must complete the Vacation Deduction Authorization form.

A Donor may not withdraw the voluntary deduction once the form has been submitted. A Donor may not request return of donated leave. The only notice a Donor will receive that the vacation donation has been used is by the deduction in the vacation leave balance noted on their payroll statement.

4. Notification of Requests for Assistance

Requests for assistance approved by the Administrative Coordinator will be circulated to employees via email upon request of the Recipient to notify potential donors.

Add Article IX. EMPLOYEE BENEFITS, Section Q as follows:

Q. Workers Compensation

Employees who sustain an occupational injury or illness will be compensated in accordance with the State Workers Compensation Law. In order to receive such benefits, the appropriate notification and medical reports must be provided by the employee.

1. Accident/injury reporting

- (1) When an accident/injury occurs at work, the first priority is to remove yourself and others from further danger.
- (2) Report accidents/injuries immediately to your supervisor or the Insurance Coordinator for investigation and documentation. When possible, report an accident/injury prior to seeking medical attention. However, the seriousness of the accident/injury will dictate whether this is feasible.
- (3) Accidents/injuries that may initially appear to be minor can develop into major health problems. For this reason, report all accidents/injuries to your supervisor.
- (4) The injured employee must complete an *Employee Accident/Injury/Incident Report* available from their supervisor or from the Insurance Coordinator. The report is to be filed with the Insurance Coordinator within 48 hours of an accident/injury when possible.

2. Accident/injury benefit

- (1) An employee disabled for three (3) days or less does not receive worker's compensation salary benefits but can use sick leave. A time slip with an explanation covering these days must be turned into the supervisor.

- (2) Employees will not be paid for holidays that occur during an absence resulting from a qualified worker's compensation claim.
 - (3) Employees will not be able to use vacation and sick leave to supplement a worker's compensation absence and will not accrue sick leave or vacation during the absence. The accruals will cease if the employee is absent for an entire pay period.
 - (4) Employees receiving temporary total workers compensation benefits shall have their health insurance premiums paid by the county at the current participation rate for a period not to exceed six (6) months.
3. FMLA shall run concurrent with Worker's Compensation.

RESOLUTION NO. 12-09
Join County Housing Consortium for
Administration of Community Development Block Housing Grant Program

WHEREAS, the Wisconsin Department of Administration, Division of Housing (DOH) has determined that all Community Development Block Grant (CDBG) funding commencing with the 2012-2013 state fiscal year will only be awarded based on an application for CDBG funds from a county housing consortium lead county; and

WHEREAS, CDBG funds are provided by the federal government through DOH to be distributed to units of government of the state for the various housing needs of low to moderate income families; and

WHEREAS, previous to this change in CDBG funding procedures, most Wisconsin units of government made application directly to the DOH for these CDBG funds to provide housing assistance to low to moderate income families; and

WHEREAS, going forward, any county that chooses not to join a county housing consortium in Wisconsin will not be eligible for any new CDBG funds commencing in fiscal year 2012, but could certainly continue to operate a housing program using its existing revolving loan fund from loans previously made from prior CDBG grant funds; and

WHEREAS, the DOH has identified proposed regional housing consortia and Pierce County has determined it would be appropriate to be in the West Central Regional Housing Consortium (WCRHC) with nine other counties, Barron, Buffalo, Chippewa, Clark, Dunn, Eau Claire, Pepin, Polk, and St. Croix Counties; and

WHEREAS, of the ten counties in the WCRHC, only Chippewa County has agreed to serve as the lead county as the administrator of the consortium; and

WHEREAS, the lead county will assume administrative, fiscal, and policy responsibilities for the WCRHC for the CDBG grant funding as well as being the signatory on the contract with DOH on behalf of the WCRHC; and

WHEREAS, the lead county will be responsible for program design and submitting grant applications and therefore will be eligible to receive up to 15% of the total expended grant awarded funds to reimburse for administrative expenses; and

WHEREAS, Chippewa County has used the Chippewa County Housing Authority (Housing Authority), a quasi-governmental entity, to administer the CDBG funds awarded to citizens of Chippewa County and the Housing Authority has the technical qualifications and experience to continue to serve as the program administrator; and

WHEREAS, the Housing Authority will act as the program administrator for the WCRHC as Chippewa County's designated housing program administrator with all of the powers and duties necessary to fulfill the housing consortia and lead county's responsibilities; and

WHEREAS, by serving as the lead county for the WCRHC, it is anticipated that there will be no additional fiscal impact to Chippewa County and that any additional expenses incurred by the Housing Authority, while serving as the program administrator for the consortium, would be reimbursed as administrative expenses from the 15% allowed by the CDBG program; and

WHEREAS, each county member of the consortium will enter into a consortium agreement which will spell out the policies and procedures of the consortium and the responsibilities of the members of the consortium and the lead county; and

WHEREAS, the intent of this resolution is to enter into the WCRHC and to authorize the Chippewa County Administrator to enter into any and all agreements or other documents necessary to create, form, authorize, and/or operate the WCRHC of which Pierce County will a member; and

WHEREAS, this resolution shall be interpreted liberally in favor of authorizing the County Administrator to take all actions necessary to effectuate the intent of this resolution.

NOW, THEREFORE BE IT RESOLVED, that the Pierce County Board of Supervisors does hereby agree to be a member of the West Central Regional Housing Consortium (WCRHC) and the County Administrator shall have the authority to take all actions necessary to effectuate the creation and formation of the WCRHC, including the authority to sign all agreements on behalf of Pierce County.

BE IT FURTHER RESOLVED, that Chippewa County has agreed to be the lead county in the WCRHC and Pierce County agrees with Chippewa County's designation of the Chippewa County Housing Authority (Housing Authority) as the program administrator for the consortium.

Dated this 26th day of June, 2012.

RESOLUTION 12-10

Memorial to Robert "Bob" Stevens

WHEREAS, a respected and valued county board supervisor has departed this life; and

WHEREAS, Robert "Bob" Stevens was a dedicated member of the Pierce County Board of Supervisors for several years; and

WHEREAS, he gave much of his valued time and effort for the people of Pierce County and the community; and

WHEREAS, the Pierce County Board of Supervisors wish to extend their sincere sympathy to the Stevens family.

NOW, THEREFORE BE IT RESOLVED, that this resolution be adopted and spread upon the minutes and a copy be presented to the bereaved Stevens family

DATED this 26th day of June, 2012.

RESOLUTION NO. 12-11
Approve Unbudgeted Expenditure of Human Services 2011 Levy Surplus
to Complete Office Remodeling

WHEREAS, over the past ten years, the Human Services Department has been in the process of replacing outdated office furniture in varying stages of disrepair; and

WHEREAS, staff offices are being updated to modular furniture that is ergonomically better for staff and provides for a more efficient use of office space; and

WHEREAS, in order to manage the cost within budget parameters, only one to two offices have been updated per year, as the budget allows; and

WHEREAS, there are currently 17 offices in line to have furniture replaced. At the current rate, it will take 15 to 20 years to complete updating, and new offices will need replacing before the old offices have been updated; and

WHEREAS, upon completing payment for all outstanding balances pursuant to the 2011 audit, the Human Services Department had a surplus of funds; and

WHEREAS, the Human Services Board, at its meeting on March 8, 2012, and the Finance and Personnel Committee, at its meeting on April 2, 2012, approved using up to \$70,000 of the Human Services 2011 Levy Surplus to complete office remodeling for up to 17 offices; and

WHEREAS, subsequently it has been determined that the cost to replace the outdated furniture for 15 of the 17 offices will be \$55,908; and

WHEREAS, pursuant to §65.90(5)(a) Wis. Stats., a two-thirds vote of the entire membership of the governing body of the municipality is required when the purpose of the appropriation in the budget has changed.

NOW, THEREFORE BE IT RESOLVED, by the Pierce County Board of Supervisors that it approves using \$55,908 of the Human Services 2011 Levy Surplus to complete office remodeling for 15 offices.

Dated this 26th day of June, 2012.

RESOLUTION 12-12
Memorial to Lloyd Yanisch

WHEREAS, a respected and valued county board supervisor has departed this life; and

WHEREAS, Lloyd Yanisch was a dedicated member of the Pierce County Board of Supervisors for several years; and

WHEREAS, he gave much of his valued time and effort for the people of Pierce County and the community; and

WHEREAS, the Pierce County Board of Supervisors wish to extend their sincere sympathy to the Yanisch family.

NOW, THEREFORE BE IT RESOLVED, that this resolution be adopted and spread upon the minutes and a copy be presented to the bereaved Yanisch family

DATED this 24th day of July, 2012.

RESOLUTION NO. 12-13

Authorization to Use Jail Assessment Fund to Pay for Improvements to Jail, Jail Kitchen/Housekeeping Area and Upgrade Equipment

WHEREAS, the Sheriff's Department seeks to enhance the jail kitchen/housekeeping area, improve jail facilities and upgrade equipment; and

WHEREAS, the Sheriff's Department is requesting the authorization of said projects, and that they be paid from the Jail Assessment Fund, more specifically set forth as follows:

Item	Cost
Water Softener	\$ 2,214.00
SCBA Gear (refurbished) – 2 tanks	\$ 4,590.00
Plastic Lockers for Male Huber Inmates	\$ 3,850.00
Cabinets for Jail Administrative Area	\$ 2,701.20
Countertop for Jail Administration	\$ 625.00
Refrigerators (2)	\$ 318.00
New Flooring for Jail Garage	\$11,400.00
Total Jail Assessment Fund Expenditure	\$25,698.20

WHEREAS, the Finance Director has submitted documentation confirming that there are sufficient funds within the Jail Assessment Fund to cover the requested expenditure; and

WHEREAS, the Corporation Counsel has conducted legal research with regard to the Jail Assessment Fund, and concluded that in accordance with §302.46 and 59.25(3)(g) Wis. Stats., the Jail Assessment Fund can be used with respect to the projects set forth herein, and further concluded that use of the jail assessment funds requires authorization by the County Board of Supervisors; and

WHEREAS, the Law Enforcement Committee, at its meeting on April 5, 2012, the Building Committee, at its meeting on June 12, 2012, and the Finance and Personnel Committee, at its meeting on July 2, 2012, authorized the projects set forth herein and recommended that the costs for the projects come from the Jail Assessment Fund.

NOW THEREFORE, BE IT RESOLVED, that the Pierce County Board of Supervisors hereby authorizes the projects in the jail as set forth above and an amount not to exceed \$25,698.20, and that said costs be paid from the Jail Assessment Fund.

Dated this 24th day of July, 2012.

RESOLUTION NO. 12-14

**To Amend Resolution No. 11-16 Prohibiting Carrying Concealed Weapons or Firearms
in Buildings Owned, Occupied or Controlled by Pierce County and
at Special Events Organized by Pierce County**

WHEREAS, the Board adopted Resolution No. 11-16 on October 25, 2011, prohibiting carrying of concealed weapons, or firearms in buildings owned, occupied, or controlled by Pierce County and at special events organized by Pierce County; and

WHEREAS, it is desired to prohibit openly carried (unconcealed) weapons or firearms during the Pierce County Fair and any other special event organized by Pierce County, as well as from County owned, controlled or occupied buildings; and

WHEREAS, Resolution No. 11-16 is limited in that it was specifically drafted to impact concealed carry licensees, and it therefore needs to be amended to include non-licensees and unconcealed weapons and firearms; and

WHEREAS, section 941.235 Wis. Stats. already prohibits persons without concealed carry licenses from going armed with a firearm in any public building owned or leased by the state or any political subdivision of the state such as the County; and

WHEREAS, the Finance and Personnel Committee, at its meeting on July 2, 2012, approved amending Resolution 11-16 to prohibit openly carried (unconcealed) weapons or firearms during the Pierce County Fair and any other special event organized by Pierce County, as well as from County owned, controlled or occupied buildings, and further requests action by the Board on a first reading in order to be applicable to the 2012 Pierce County Fair.

NOW, THEREFORE BE IT RESOLVED, by the Pierce County Board of Supervisors that the last two paragraphs of Resolution 11-16 be amended to read as follows:

“NOW, THEREFORE, BE IT RESOLVED no person or licensee carrying a concealed or unconcealed weapon or firearm shall enter any building owned, occupied or controlled by Pierce County.

BE IT FURTHER RESOLVED no person or licensee carrying a concealed or unconcealed weapon or firearm shall enter any special event organized by Pierce County.”

Dated this 24th day of July, 2012.

RESOLUTION 12-15

Support for Conversion of Pamida Store / Pharmacy to a Hometown Shopko Express Store / Pharmacy at Crossing Meadows Business Park, 598 W. Lucas Lane, Ellsworth

WHEREAS, the Village of Ellsworth works to promote the economic, industrial, professional, cultural, educational and civic well-being of the community; and

WHEREAS, Village of Ellsworth works to maintain current businesses as well as recruit new business to the community and promote job creation; and

WHEREAS, the Village of Ellsworth looks to develop partnerships with existing and new businesses, assisting as they are able to do so; and

WHEREAS, residents and senior citizens in the Village of Ellsworth need a local store / pharmacy to be able to shop locally; and

WHEREAS, such a store would keep residents in the community and also bring in residents from surrounding areas; and

WHEREAS, the Pamida Store / Pharmacy is the only pharmacy in the Village of Ellsworth.

NOW THEREFORE, BE IT RESOLVED, that the Pierce County Board of Supervisors hereby joins the Village of Ellsworth in supporting the conversion of the Pamida Store / Pharmacy to a Hometown Shopko Express Store / Pharmacy at the Crossing Meadows Business Park, 598 W. Lucas Lane, Ellsworth, WI.

BE IT FURTHER RESOLVED, that the Pierce County Board of Supervisors believes that the community would support such a store and that residents and business owners would be extremely supportive of this transition in helping make this a successful venture for Shopko in the Ellsworth Community.

Dated this 24th day of July, 2012.

RESOLUTION 12-16
To 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 #415 (010-01083-1000) – A parcel in the NE ¼ of the NE ¼ of Section 36, Township 27N, Range 16W, described as commencing 388 feet south of the Northeast corner of said forty; thence West 10 rods, thence North 2 rods 3 feet; thence South 5 rods; thence East 6 rods 15 feet; thence North 5 rods to the Point of Beginning.

- A tax certificate was issued indicating taxes are unpaid for the years of 2007 - 2008.
- A Notice of Application for Tax Deed was served on owner by the County Treasurer on Sept. 14, 21, 28, 2011 via publication in Pierce County Herald as provided for in WI STATS §75.12.

File #416 (106-01009-0100) – Part of Government Lot 4 Section 8, Township 24N, Range 17W, Village of Bay City, commencing at an ash tree located on the south line of Chicago, Burlington and Northern Railway right of way; thence in a southerly direction along the East line of a tract of land formerly deeded to Eli Miner; thence to the Southeast corner of parcel deeded to Eli Miner; thence in an Easterly direction a distance of 50 feet along a vacated street; thence in a northerly direction on a straight line 50 feet from and on a parallel line to the said Eli Miner tract to the south line of the aforesaid railway right of way; thence along the south line of the railroad right of way to the ash tree, the point of beginning. W6537 Saratoga St.

- A tax certificate was issued indicating taxes are unpaid for the years of 2007 - 2008.
- A Notice of Application for Tax Deed was served on owner by the County Treasurer on March 20, 2012 via registered mail as provided for in WI STATS §75.12.

WHEREAS, there is a statutory redemption period and the property has not been redeemed; and

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; and

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 28th day of August, 2012.

Submitted by
FINANCE & PERSONNEL
COMMITTEE

Jeff Holst, County Board Chairman

APPROVED AS TO
FORM AND LEGALITY BY:

Brad Lawrence,
Corporation Counsel

ATTESTED TO BY:

Jamie R. Feuerhelm, County Clerk

Adopted:

RESOLUTION NO. 12-17
Reduce Fee for Passport Photos

WHEREAS, Pierce County, through the County Clerk's office, is authorized by the Department of State, Bureau of Consular Affairs, Office of Passport Services as a passport acceptance facility; and

WHEREAS, as part of the passport application process, an applicant must submit photographs that meet the Department's specifications, that are a good likeness of, and satisfactorily identifies, the applicant; and

WHEREAS, due to the limited number of nearby places that provided photo processing to the Department's specifications, Pierce County authorized purchasing photo equipment specifically for this purpose in 2005 and set a fee of \$17.50 per photo set; and

WHEREAS, due to the increased availability of passport photo processing by discount stores at a much cheaper cost, the demand to purchase said photos from the County Clerk has been greatly diminished; and

WHEREAS, in order to be more competitive, and with the goal of increasing the number of photo sets purchased at the County, the County Clerk proposes to reduce the passport photo fee; and

WHEREAS, the Finance & Personnel Committee, at its meeting on July 23, 2012, recommended that the Board of Supervisors reduce the passport photo fee to \$10.00 per set.

NOW THEREFORE, BE IT RESOLVED, that the Pierce County Board of Supervisors approves reducing the passport photo fee from \$17.50 per set to \$10.00 per set and that this fee shall take effect upon adoption.

Dated this 28th day of August, 2012.

RESOLUTION 12-18
Authorize New Positions for 2013

WHEREAS, the Finance and Personnel Committee did review requests for additional personnel in 2013, pursuant to the Pierce County Personnel Policy; and

WHEREAS, the Finance and Personnel Committee recommends that the following positions be approved effective January 1, 2013:

Date	Department/Position	Cost	County Allocation
10/1/12	Increase Horticulturist from .4 FTE - .5 FTE	\$ 2,682	\$ 2,682
10/1/12	Sheriff's Dept – Court Security Officer	\$75,174	\$75,174
11/5/12	Human Services – Child Support Supervisor	\$84,501	\$28,730
11/5/12	Human Services – Social Services Aide from .8 FTE to 1.0 FTE	\$11,578	\$11,578
	TOTAL	\$173,935	\$118,164

NOW THEREFORE, BE IT RESOLVED that the Pierce County Board of Supervisors does accept the recommendation of the Finance and Personnel Committee to create or increase hours for the above listed positions and approves the funding for the above listed positions to be included in the 2013 budget.

DATED this 23rd day of October, 2012.

Jeff Holst, Chairman
Pierce County Board of Supervisors

ATTESTED TO BY:

APPROVED AS TO
FORM AND LEGALITY BY:

Jamie Feuerhelm, County Clerk

Bradley D. Lawrence, Corp. Counsel

AMENDED: _____

ADOPTED: _____

RESOLUTION 12-19

APPROVE 2013 TAX LEVY AND BUDGET

BE IT RESOLVED, that there be a tax levied upon all taxable property in Pierce County for operation and maintenance for the 2013 budget in the amount of: County Operating Levy \$14,763,959, Debt Service \$653,408, County Library \$387,586, County Aid Bridges \$200,000, for a total of \$16,004,953.

BE IT FURTHER RESOLVED, that in accordance with the tax levied in the total of \$16,004,953 the Pierce County Board of Supervisors hereby approves and authorizes the 2013 budget as set forth in the summary page attached hereto as Exhibit "A".

DATED this 23rd day of October, 2012.

Jeff Holst, Chairman Pierce County Board of Supervisors

ATTESTED TO BY:

APPROVED AS TO FORM AND LEGALITY BY:

Jamie Feuerhelm, County Clerk

Bradley D. Lawrence, Corporation Counsel

Adopted: _____

PIERCE COUNTY WISCONSIN
2013 BUDGET

10/10/12 12:43 PM

Resolution 12-19

Exhibit "A"

SUMMARY OF 2013 INITIAL BUDGET WITH COMPARISON TO PRIOR YEAR BUDGETS

	2011 ADOPTED BUDGET	2012 ADOPTED BUDGET	2013 RECOMMENDED BUDGET	Percentage Change
SUMMARY OF BUDGET:				
Total Gov't'l Funds Expenditures	38,492,301	39,017,020	36,693,037	-5.96%
Less Program Revenues/Carryovers	15,605,729	16,156,487	14,309,099	-11.43%
Net Gov't'l Funds Budgeted Expenditures	22,886,572	22,860,533	22,383,938	-2.08%
Less Anticipated General Revenues	5,774,546	5,477,741	4,878,985	-10.93%
Gross Levy	17,112,026	17,382,792	17,504,953	0.70%
Less County Sales Tax Applied	1,500,000	1,500,000	1,500,000	0.00%
Less Applied	-	-	-	#DIV/0!
Net County Levy	15,612,026	15,882,792	16,004,953	0.769%
COUNTY TAX LEVY:				
Operating Levy	14,321,567	14,657,308	14,763,959	0.73% formula
Debt Service Levy	661,489	654,428	653,408	-0.16%
Special Purpose Levies:				
County Library	428,970	371,056	387,586	4.45%
County Aid Bridges	200,000	200,000	200,000	0.00%
	15,612,026	15,882,792	16,004,953	0.769%
Subject to Levy Limit-Operating	14,321,567	14,657,308	14,763,959	0.728% from above
Not Subject to Levy Limit-Library	428,970	371,056	387,586	from above
Not Subject to Levy Limit-Bridges	200,000	200,000	200,000	from above
Subject to Levy Limit-Debt Service	661,489	654,428	653,408	from above
	15,612,026	15,882,792	16,004,953	0.769%
COUNTY MILL RATE:				
Operating Levy	4.948147	5.263537	5.467813	
Debt Service Levy	0.228547	0.235009	0.241989	
Special Purpose Levies:				
County Library	0.148210	0.133249	0.143542	
County Aid Bridges	0.069101	0.071821	0.074070	
	5.394005	5.703616	5.927414	
CHANGE FROM PRIOR YEAR:				
Dollars:				
Amount	458,204	270,766	122,161	
Percent	3.02%	1.73%	0.77%	
Mill Rate:				
Mills	0.460839	0.309611	0.223798	
Percent	9.34%	5.74%	3.92%	
COUNTY EQUALIZED VALUATION				
(Reduced by TID Increments):				
Total Value	2,894,329,400	2,784,688,100	2,700,158,100	
Percentage Change from Prior Year	-5.778175%	-3.788142%	-3.035528%	
% Change Due to Net New Construction and TID Terminations	0.740%	0.700%	0.710%	
STATE LIMIT ON OPERATING MILL RATE: 1 below				
Frozen Operating Mill Rate	5.478828	5.478828	5.478828	
Amount Under (Over) Frozen Oper. Mill Rate	0.530681	0.215291	0.011015	
STATE LIMIT ON OPERATING TAX LEVY: 2 below				
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:

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 0 percent or the total of the percent increase due to net new construction plus the adjustment for TID terminations. These percents were 0.715% and 0.00% respectively.

RESOLUTION NO. 12-20
AUTHORIZING SALE OF COUNTY-OWNED PROPERTY
IN THE TOWN OF TRENTON

WHEREAS, Pierce County owns approximately 15 acres of land in part of the SW ¼ of Section 34, Township 25 North, Range 18 West, Town of Trenton, formerly used for the mining of sand and gravel for Highway purposes; and

WHEREAS, an interested party has approached the County with regard to the potential purchase of said property; and

WHEREAS, the Highway Committee, at its meeting on September 6, 2012 declared the approximately 15 acres of property to be unnecessary for County needs and thus surplus property; and,

WHEREAS, the Highway Committee at its meeting on September 20, 2012 and the Finance and Personnel Committee on October 1, 2012 took action to recommend that the County Board authorize the sale of the approximately 15 acres of County-owned property.

NOW, THEREFORE BE IT RESOLVED, that the Board of Supervisors authorizes the sale of approximately 15 acres of County-owned property as described above, and that the Finance and Personnel Committee is authorized to proceed consistent with §40-19 of the Pierce County Code.

Dated this 23rd day of October, 2012.

Jeffrey A. Holst, County Board Chair
Pierce County Board of Supervisors

ATTESTED TO BY:

APPROVED AS TO FORM AND LEGALITY
BY:

Jamie Feuerhelm, County Clerk

Bradley D. Lawrence, Corp. Counsel

Adopted _____

RESOLUTION 12-21
SUPPORTING LEGISLATION REQUIRING ONLINE-ONLY RETAILERS TO
COLLECT AND REMIT WISCONSIN SALES TAX

WHEREAS, under current law many online-only retailers are refusing to collect and remit sales taxes in states where they do not have a physical presence; and

WHEREAS, this creates an unfair price advantage for online-only retailers over traditional brick-and-mortar Wisconsin businesses that provide Wisconsin-based jobs; and

WHEREAS, the amount of unpaid tax by some people grows, more revenue needs to be collected from everyone else to compensate; and

WHEREAS, uncollected Wisconsin state and local sales tax revenue is estimated between \$100 and \$200 million annually; and

WHEREAS, sales tax revenues are an important component of state and local government budgets; and

WHEREAS, this resolution supports all Wisconsin residents, businesses and units of government.

NOW THEREFORE, BE IT RESOLVED, that the Pierce County Board of Supervisors hereby support legislation requiring online retailers with subsidiaries or affiliates located in Wisconsin to collect and remit Wisconsin state and local sales tax.

Dated this 23rd day of October, 2012.

Jeffrey A. Holst, County Board Chair
Pierce County Board of Supervisors

ATTESTED TO BY:

APPROVED AS TO FORM AND LEGALITY BY:

Jamie Feuerhelm, County Clerk

Bradley D. Lawrence, Corp. Counsel

Adopted _____

AMENDED RESOLUTION NO. 12-23
REQUESTING AFFILIATION OF THE PIERCE COUNTY REVOLVING LOAN FUND
WITH THE REGIONAL BUSINESS FUND, INC.

WHEREAS, the Pierce County Revolving Loan Fund has served since 1997 to provide capital for business development needs, under the Community Development Block Grant program of the U.S. Department of Housing & Urban Development and the oversight and guidance of the State of Wisconsin Department of Administration and predecessor agencies; and

WHEREAS, the County's loan fund has provided necessary financing to 44 county-based businesses with a total impact of over 430 jobs created and 200 jobs retained, with a principal loss rate of less than two percent of total loan dollars; and

WHEREAS, regionalization of the County revolving loan fund will relieve County staff responsibilities for financial management, reporting, and legal services while continuing the County's Revolving Loan Fund Committee role in reviewing most local applications for financing under a regional fund structure; and

WHEREAS, in 2006 local revolving loan funds in the counties located immediately north and east of Pierce County successfully regionalized their operations as the Regional Business Fund, Inc.; and

WHEREAS, the Regional Business Fund has successfully operated a diverse revolving loan financing program through the West Central Wisconsin Regional Planning Commission and a Board of Directors representing all participating counties; and

WHEREAS, Pierce County's geography, economic and community relationships, development patterns, economic development partnerships, and regional office jurisdictions of other State and Federal agencies support the affiliation of the County revolving loan fund with the Regional Business Fund, Inc.; and

WHEREAS, the County Revolving Loan Fund Committee has reviewed alternatives for Regionalization, including the proposed western Wisconsin regional fund territory and has recommended the option of affiliation with the Regional Business Fund, Inc.

NOW, THEREFORE, BE IT RESOLVED, that the Pierce County Board of Supervisors requests that the Pierce County Revolving Loan Fund be allowed to join the Regional Business Fund, Inc. and that the appropriate County staff and contract manager for the Revolving Loan Fund be directed to take all necessary steps to effectuate this transition in an orderly fashion and that the County Board Chair be authorized to sign such documents as may be necessary to effectuate this transition.

BE IT FURTHER RESOLVED, that copies of this resolution be transmitted to the Regional Business Fund, Inc. staff and Directors; the State of Wisconsin Department of Administration; and Pierce County's State and Federal legislative delegations.

Dated this 23rd day of October, 2012.

Jeffrey A. Holst, County Board Chair
Pierce County Board of Supervisors

ATTESTED TO BY:

APPROVED AS TO FORM AND LEGALITY
BY:

Jamie Feuerhelm, County Clerk

Bradley D. Lawrence, Corp. Counsel

Adopted: December 17, 2013

RESOLUTION 12-24
Care of Soldiers' Graves

WHEREAS, the Finance and Personnel 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	98	294.00
Beldenville	45	135.00
Bethel Mission	45	135.00
Bethlehem	16	48.00
Diamond Bluff	68	204.00
Eidsvold Lutheran	16	48.00
Free Home	30	90.00
Gilman Lutheran	75	225.00
Greenwood Valley	5	15.00
Hartland Methodist	9	27.00
Hartland Presbyterian	8	24.00
Maiden Rock	107	321.00
Mann Valley	10	30.00
Maple Grove	227	681.00
Martell Lutheran	26	78.00
Martell Methodist	15	45.00
Mt. Olivet	22	66.00
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	56	168.00
Poplar Hill	142	426.00
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	54	162.00
St. John's Lutheran-Spring Valley	78	234.00
St. John's - Oak Grove	3	9.00
St. John's Catholic-Plum City	85	255.00
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	72	216.00
Trimbelle	44	132.00
TOTAL	2256	6768.00

DATED this 13th day of November, 2012.

Submitted by FINANCE &
PERSONNEL COMMITTEE

Jeff Holst, Chairman

APPROVED AS TO
FORM AND LEGALITY BY:

Brad Lawrence,
Corporation Counsel

ATTESTED TO BY:

Jamie R. Feuerhelm, County Clerk

Adopted:

RESOLUTION 12-25
Claims for Listing Dogs

WHEREAS, the Finance and Personnel 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.:

	<u>MUNICIPALITY</u>	<u># DOGS</u>	<u>\$ CLAIMED</u>
Towns:	Clifton – Judy Clement-Lee	156	78.00
	Diamond Bluff – Mark Place	44	22.00
	Ellsworth - Audrey Murphy	167	83.50
	El Paso – Mary K. Foley	108	54.00
	Gilman – Richelle Bartlett	236	118.00
	Hartland – Cynthia Kern	123	61.50
	Isabelle - Lora Henn	59	29.50
	Maiden Rock – Darla Pittman	62	31.00
	Martell – Noreen Falde	221	110.50
	Oak Grove – Jeremy Boles	179	89.50
	River Falls - Caroline Hamilton	200	100.00
	Rock Elm – Pamela Reitz	71	35.50
	Salem – Ann Larson-Graham	73	36.50
	Spring Lake – Charles Bricton	90	45.00
	Trenton – Kathryn Fuchs	102	51.00
	Trimbelle – Karen O’Brien	268	134.00
	Union – Barbara Schneider	115	57.50
Villages:	Bay City - Kay Beder	74	37.00
	Ellsworth - Peggy Nelson	408	204.00
	Elmwood – Amy Wayne	155	77.50
	Maiden Rock - Shirley Gilles	13	6.50
	Plum City – Michele Burg	47	23.50
	Spring Valley – Rita Goveronski	162	81.00
Cities:	Prescott – Jayne Brand	173	86.50
	River Falls - Julie Bergstrom	421	210.50
	TOTAL	3,727	\$1,863.50

DATED this 13th day of November, 2012.

Submitted by FINANCE &
PERSONNEL COMMITTEE

Jeff Holst, Chairman

APPROVED AS TO
FORM AND LEGALITY BY:

Brad Lawrence
Corporation Counsel

ATTESTED TO BY:

Jamie R. Feuerhelm
County Clerk

Adopted:

RESOLUTION NO. 12-26
TO IMPLEMENT A HEALTH AND WELLNESS
INCENTIVE PROGRAM

WHEREAS, Pierce County has an interest in maintaining a healthy workforce and an efficient health insurance plan; and

WHEREAS, the Administration Department seeks to implement a health and wellness incentive program for all employees that are participants of the health insurance plan through Anthem, and recommends a health and wellness plan as a means to improve productivity, decrease healthcare costs, reduce absences, and boost morale; and

WHEREAS, health and wellness activities have been introduced in both the public and private sector to promote wellness in the workplace and educate employees on staying healthy; and

WHEREAS, statistics and feedback from such programs have confirmed that the impact of in implementing a health and wellness incentive program generally means fewer health insurance claims, which, in turn, translates to lower premiums and lower funding requirements for a healthy insurance plan; and

WHEREAS, the terms of the health and wellness incentive program would include the following:

- Requirements of 10 sessions per person per month from fitness club, or attend 80% sessions per month at a weight loss program, or 8 monthly fitness classes. Prove by receipts and authorized/approved by Administration
- Must take one health risk assessment per person annually online - FREE
- Reimburse \$20 monthly to a max of \$240 annually each for employee and spouse
- \$240 is reimbursed through payroll since this will be a taxable benefit.
- Funded through the health insurance account

WHEREAS, the Finance & Personnel Committee at its meeting on November 5, 2012 took action to recommend that the County Board implement a health and wellness incentive program.

NOW, THEREFORE BE IT RESOLVED, by the Pierce County Board of Supervisors that it approves and authorizes implementation of a health and wellness incentive program for health insurance participants and spouses up to a maximum reimbursement of \$240.00 each, consistent with the terms set forth above, with an effective date of January 1, 2013.

Dated this 13th day of November, 2012.

Jeffrey A. Holst, Chair
Pierce County Board of Supervisors

ATTESTED TO BY:

APPROVED AS TO FORM AND
LEGALITY BY:

Jamie Feuerhelm, County Clerk

Bradley D. Lawrence, Corp. Counsel

Adopted _____

RESOLUTION NO. 12-27
AUTHORIZATION TO USE JAIL MAINTENANCE FUNDS TO PAY FOR
AN ASSESSMENT/STUDY FOR REMODELING CURRENT JAIL FACILITY

WHEREAS, the Sheriff's Department and Law Enforcement Committee seek to effectively plan for the future of Pierce County Jail operations; and

WHEREAS, the Sheriff's Department and Law Enforcement Committee have previously had needs assessments performed by DLR Group/KKE including, but not limited to, consideration of current facility needs, population growth, trends in dispatch calls, crime statistics, jail population and court caseload (see Resolution 09-09B), and to look at approximate costs for a new justice center as well as an expansion of the current jail (see Resolution 11-05); and

WHEREAS, the above studies were completed, and the Sheriff's Department and Law Enforcement Committee would like to have DLR Group/KKE conduct an assessment/study regarding remodeling the existing jail facility, to include: a) remodel cell blocks to improve visibility and security, and b) move the County Dispatch Center to a new addition on the south side of the building; and remodel existing Dispatch Center into office space for Jail Administrator and Sergeants, with the costs for said assessment/study in an amount not to exceed \$2,500 to be paid from the Jail Maintenance Fund; and

WHEREAS, the Finance Director has submitted documentation confirming that there are sufficient funds within the Jail Maintenance Fund to cover the requested expenditure; and

WHEREAS, the Corporation Counsel has conducted legal research with regard to the Jail Maintenance Fund, and concluded that in accordance with §302.46 and 59.25(3)(g) Wis. Stats., the Jail Maintenance Fund can be used with respect to the above described assessment by DLR Group/KKE, and further concluded that use of the Jail Maintenance Funds requires authorization by the County Board of Supervisors; and

WHEREAS, the Law Enforcement Committee, at its meeting on October 4, 2012, and the Finance and Personnel Committee, at its meeting on November 5, 2012, authorized DLR Group/KKE to perform the assessment/study as set forth herein, and recommended to the Board that the above stated costs be paid from the Jail Maintenance Fund.

NOW THEREFORE, BE IT RESOLVED, that the Pierce County Board of Supervisors hereby authorize DLR Group/KKE to perform the assessment/study, as set forth herein, in an amount not to exceed \$2,500, and that said costs be paid from the Jail Maintenance Fund.

Dated this 13th day of November, 2012.

Jeffrey A. Holst, Chairman
Pierce County Board of Supervisors

ATTESTED TO BY:

APPROVED AS TO
FORM AND LEGALITY BY:

Jamie Feuerhelm, County Clerk

Bradley D. Lawrence, Corp. Counsel

Adopted _____

RESOLUTION NO. 12-28
Authorize Participation in the Northwest Wisconsin Regional
Medical Examiner Mutual Aid Compact

WHEREAS, the County governments of Barron, Dunn, Pierce, Polk and St. Croix desire to participate in a Mutual Aid Compact for emergency medical examiner assistance; and

WHEREAS, emergencies involving mass fatality incidents may arise within the jurisdictional boundaries of the specified counties located in Northwest Wisconsin, which may require additional assistance beyond each county's own resources; and

WHEREAS, the training and/or expertise of medical examiner staff personnel throughout the Northwest Wisconsin Region could be requested to assist in dealing with mass fatality incidents within the geographical boundaries of the counties; and

WHEREAS, the parties recognize that mass fatality incidents can more effectively be handled by pooling of human resources; and

WHEREAS, the parties have authority to enter into the Northwest Wisconsin Regional Medical Examiner Mutual Aid Compact pursuant to Sections 59.03, 59.04, 66.0301, 66.0313, 66.0314 and Chapter 323 of the Wisconsin Statutes; and

WHEREAS, the Law Enforcement Committee, at its meeting on August 2, 2012, and the Finance & Personnel Committee, at its meeting on November 5, 2012, passed a motion to approve Pierce County's participation in the Northwest Wisconsin Regional Medical Examiner Mutual Aid Compact.

NOW THEREFORE, BE IT RESOLVED, by the Board of Supervisors that it authorizes Pierce County to participate in the Northwest Wisconsin Regional Medical Examiner Mutual Aid Compact for emergency medical examiner assistance.

Dated this 13th day of November, 2012.

Jeffrey A. Holst, Chairman
Pierce County Board of Supervisors

ATTESTED TO BY:

APPROVED AS TO
FORM AND LEGALITY BY:

Jamie Feuerhelm, County Clerk

Bradley D. Lawrence, Corp. Counsel

Adopted _____

RESOLUTION 12-29
AUTHORIZING THE BORROWING OF NOT TO EXCEED \$7,000,000
AND PROVIDING FOR THE ISSUANCE AND SALE OF
GENERAL OBLIGATION PROMISSORY NOTES

WHEREAS, it is necessary that funds be raised by Pierce County, Wisconsin (the "County") for the purpose of paying the cost of road improvement projects (the "Project") and there are insufficient funds on hand to pay said costs; and

WHEREAS, the County hereby finds and determines that the Project is within the County's power to undertake and serves a "public purpose" as that term is defined in Section 67.04(1)(b) of the Wisconsin Statutes; and

WHEREAS, counties are authorized by the provisions of Section 67.12(12) of the Wisconsin Statutes to borrow money and to issue general obligation promissory notes for such public purposes.

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

Section 1. Authorization 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 not to exceed SEVEN MILLION DOLLARS (\$7,000,000) from a purchaser to be determined by public sale and approved by subsequent resolution of this County Board (the "Purchaser").

Section 2. Sale of the Notes. The County shall offer the \$7,000,000 General Obligation Promissory Notes (the "Notes") for public sale on March 26, 2013, provided, however, that the sale date may be changed to an earlier date upon direction to the County's financial advisor, Springsted, Incorporated, from the following County officials: the County Board Chairperson, the Administrative Coordinator and the Finance Director.

Section 3. Official Notice of Sale. The County Clerk (in consultation with Springsted, Incorporated) shall cause an Official Notice of Sale to be prepared and distributed and shall prepare or cause to be prepared an Official Statement pursuant to SEC Rule 15c2-12. Springsted, Incorporated is hereby appointed as the County's agent for purposes of receiving and tabulating the bids received on the Notes at its offices.

Section 4. Award of the Notes. Following receipt of bids for the Notes, the County Board shall consider taking further action with respect to the details of the Notes; to award the Notes to the lowest responsible bidder therefor whose proposal results in the lowest true interest cost to the County; and to levy a direct annual irrevocable tax sufficient to meet principal and interest on the Notes as the same becomes due as required by law.

Section 5. 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.

Adopted this 13th day of November, 2012.

Jeffrey A. Holst, County Board Chair
Pierce County Board of Supervisors

ATTESTED TO BY:

APPROVED AS TO FORM AND LEGALITY BY:

Jamie Feuerhelm, County Clerk

Bradley D. Lawrence, Corp. Counsel

Adopted _____

RESOLUTION 12-30
DESIGNATING OFFICIAL AUTHORIZED TO DECLARE OFFICIAL INTENT
UNDER REIMBURSEMENT BOND REGULATIONS

WHEREAS, the Internal Revenue Service has promulgated regulations (the "Regulations") with respect to proceeds of tax-exempt borrowings used to reimburse prior capital expenditures; and

WHEREAS, one of the requirements of the Regulations is that an issuer must timely declare an intention to reimburse itself for the expenditure from proceeds of a tax-exempt borrowing ("Official Intent"); and

WHEREAS, the Regulations permit an issuer to designate an official who would have authority to declare Official Intent on behalf of the issuer; and

WHEREAS, this governing body finds and determines that designating an official (or officials) with the authority to declare Official Intent will facilitate compliance with the Regulations.

NOW, THEREFORE, BE IT RESOLVED by the County Board of Pierce County, Wisconsin pursuant to Internal Revenue Code Regulation §1.150-2, that:

1. The following officials are hereby authorized and designated to declare Official Intent pursuant to the above-referenced regulation: Administrative Coordinator and Finance Director (including subsequently titled offices performing similar functions).
2. Any declaration of Official Intent shall be made in a format substantially similar to the form attached hereto.
3. Any declaration of Official Intent shall be maintained in the files of the above-designated officials and shall be considered a public record available for public inspection pursuant to Subchapter II of Chapter 19 of the Wisconsin Statutes.

Adopted and recorded this 13th day of November, 2012.

Jeffrey A. Holst, County Board Chair
Pierce County Board of Supervisors

ATTESTED TO BY:

APPROVED AS TO FORM AND LEGALITY BY:

Jamie Feuerhelm, County Clerk

Bradley D. Lawrence, Corp. Counsel

Adopted _____

DECLARATION OF OFFICIAL INTENT

This Declaration of Official Intent is made under and pursuant to Internal Revenue Code Regulation §1.150-2. The undersigned has been designated as an official authorized to declare official intent pursuant to Resolution No. _____ adopted on _____, 2012. This Declaration of Official Intent is a public record maintained in the files of the undersigned official and available for public inspection pursuant to Subchapter II of Chapter 19 of the Wisconsin Statutes.

The undersigned hereby declares that it is the reasonable intention of Pierce County, Wisconsin (the "Issuer") to use proceeds of debt to be incurred by the Issuer to reimburse expenditures on the project(s) or from the fund(s)/account(s) described below.

1. Project(s) description:

_____.

(Provide a general functional description of the project for which the expenditure to be reimbursed is paid, e.g., "highway capital improvement program", "hospital equipment acquisition", "school building renovation", etc.)

OR

2. Identify funds(s)/accounts:

(Provide a general functional description of the purpose of the fund or account from which the expenditure to be reimbursed is paid, e.g., "parks and recreation fund--recreational facility capital improvement program".)

The maximum principal amount of debt to be issued for the above-described purposes is reasonably expected, on the date hereof, to be \$_____.

Dated this _____ day of _____, 20__.

By: _____
Title: _____

RESOLUTION NO. 12-31
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, the Wisconsin Department of Agriculture, Trade and Consumer Protection (DATCP) has the authority under Wis. Stats. § 97.41 to enter into an agreement with local public health departments to act as a local agent to administer a retail food establishment licensing program; and

WHEREAS, the Pierce County Board of Health, at its meeting on October 18, 2012, and the Finance and Personnel Committee at its meeting on November 5, 2012, approved an agreement with the Wisconsin DATCP to act as a local agent to administer a retail food establishment licensing program; and

WHEREAS, Pierce County has established fees for issuing permits, making investigations and administering the retail food establishment licensing program under the ordinance as provided for in Wis. Stats. §§ 254.69 and 97.41; and

WHEREAS, the Pierce County Board of Health, at its meeting on October 18, 2012, and Finance and Personnel Committee at its meeting on November 5, 2012, recommended that the fees previously established in Resolution 11-29 be amended as follows:

Category	Annual Fee	Pre-Inspection Fee Existing Facility	Pre-Inspection Fee New Construction
Restaurants			
Pre-Packaged	\$146	\$190	\$235
Additional Area	\$120	\$200	\$245
Simple	\$230	\$253	\$298
Moderate	\$330	\$375	\$420
Complex	\$540	\$506	\$551
<u>Temporary Per Event</u>	<u>\$35</u>		
Body Art			
Tattoo	\$144	\$168	\$213
Piercing	\$144	\$168	\$213
Combined	\$234	\$234	\$279
Temporary per event	\$150		
Recreation			
Campgrounds:			
1-25 Sites	\$175	\$276	\$321

26-50 Sites	\$250	\$334	\$379
51-100 Sites	\$305	\$380	\$425
101-199 Sites	\$355	\$425	\$470
200+ Sites	\$410	\$480	\$525
Special Event Campgrounds:			
1-25 Sites	\$175		
26-50 Sites	\$250		
51-100 Sites	\$305		
101-199 Sites	\$355		
200+ Sites	\$410		
Rec/Ed Camp	\$505	\$483	\$528
Swimming Pool	\$231	\$231	\$276
Water Attraction	\$216		
Water Attraction with up to 2 slides	\$312		
Waterslide	\$186		
Pool Slide	\$150		
Lodging			
B&B	\$156	\$252	\$297
Tourist Rooming House; 1-4 rooms	\$156	\$230	\$275
Hotel/Motel:			
5-30 Rooms	\$240	\$290	\$335
31-99 Rooms	\$280	\$336	\$381
100-199 Rooms	\$372	\$483	\$528
200+ Rooms	\$558	\$633	\$678
School-Full Service			
DPI Satellite	\$150		
DPI Production	\$360		
License Description			
<u>Food sales of at least \$1,000,000 and processes potentially hazardous foods</u>	<u>\$959</u>	<u>\$959</u>	<u>\$1,009</u>
<u>Food sales of at least \$25,000 but less than \$1,000,000 and processes potentially hazardous foods</u>	<u>\$371</u>	<u>\$371</u>	<u>\$421</u>
<u>Food sales of at least \$25,000 and is engaged in food processing but does not process potentially hazardous</u>	<u>\$266</u>	<u>\$266</u>	<u>\$316</u>
<u>Food sales of less than \$25,000 and is engaged in food processing</u>	<u>\$84</u>	<u>\$84</u>	<u>\$134</u>
<u>Does not engage in food processing</u>	<u>\$63</u>	<u>\$63</u>	<u>\$113</u>
Additional Fees:			
Facility Name or Legal Licensee Name change Only	\$25		
Re-inspection Fee	\$100		

<i>Explanation – Fee assessed on the 3rd and 4th visits for the same violation. A citation will be issued at the 5th and subsequent visits.</i>			
Late Fee	\$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>			
Duplicate Fee	\$15		
Pre-inspection Fee <i>will be waived for a facility meeting the definition of, and being permitted as, a Special Organization serving food.</i>			
Inspection Fee	\$25		
<i>Explanation – Fee assessed for a currently permitted mobile facility currently permitted by the State of Wisconsin or another WI DATCP / Health Agent as mobile.</i>			
Consultation Fee	\$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>			
Plan Review Fee	\$100		
<i>Explanation – Fee assessed for HACCP recipe reviews, variance requests, equipment changes or reviewing blueprints for proposed facility.</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 13th day of November, 2012.

Jeffrey A. Holst, Chairman
Pierce County Board of Supervisors

ATTESTED TO BY:

APPROVED AS TO
FORM AND LEGALITY BY:

Jamie Feuerhelm, County Clerk

Bradley D. Lawrence, Corp. Counsel

Adopted _____

RESOLUTION NO. 12-32
AUTHORIZATION TO USE JAIL MAINTENANCE FUND TO PAY FOR
CONSTRUCTION OF FENCE IN THE JAIL GARAGE

WHEREAS, the Sheriff's Department seeks to effectively plan for the future of Pierce County jail operations; and

WHEREAS, the Sheriff desires to make changes to the garage in the jail by constructing chain-link fencing, to secure jail files and the library in order to safely and efficiently use jail space; and

WHEREAS, the Sheriff and the Law Enforcement Committee are requesting authorization for the construction of the fence to be completed at a cost not to exceed \$2,482.00, and that the cost be paid from the Jail Maintenance Fund; and

WHEREAS, the Finance Director has submitted documentation confirming that there are sufficient funds within the Jail Maintenance Fund to cover the requested expenditure; and

WHEREAS, the Corporation Counsel has conducted legal research with regard to the Jail Maintenance Fund, and concluded that in accordance with §302.46 and 59.25(3)(g) Wis. Stats., the Jail Maintenance Fund can be used with respect to the construction of the fence, and further concluded that use of the Jail Maintenance Funds requires authorization by the County Board of Supervisors; and

WHEREAS, the Law Enforcement Committee, at its meeting on November 1, 2012, and the Finance and Personnel Committee, at its meeting on December 3, 2012, authorized the project set forth herein and recommended that the costs for the project come from the Jail Assessment Fund.

NOW THEREFORE, BE IT RESOLVED, that the Pierce County Board of Supervisors hereby authorizes the construction of a chain-link fence in the jail garage, to be completed at a cost not to exceed \$2,482.00, and that the cost be paid from the Jail Maintenance Fund.

Dated this 18th day of December, 2012.

RESOLUTION NO. 12-33
AUTHORIZE COUNTY CONTRIBUTION
TOWARD REGIONAL PARTNERS' SHARE OF
ASSISTANCE TO FIREFIGHTERS GRANT

WHEREAS, since 2001 Assistance to Firefighter Grants (AFG) have been available through the Department of Homeland Security, and its Federal Emergency Management Agency, for the purpose of aiding firefighting and emergency response needs, to help fire fighters and other first responders obtain critically needed equipment, protective gear, emergency vehicles, training, and other resources needed to protect the public and emergency personnel from fire and related hazards; and

WHEREAS, Pierce County has approximately 41,000 residents and covers approximately 600 square miles, and is served by seven (7) fire service and six (6) emergency medical service (EMS) organizations which, over the years 2008 to 2010 averaged 3,384 total responses per year for fires, EMS calls, hazardous materials cases, etc.; and

WHEREAS, in 2011 those 13 fire and EMS organizations (hereafter referred to as the "Regional Partners") participated in submitting a regional AFG grant application seeking a \$1,000,000 grant for a project consisting of \$1,296,500 of equipment; and

WHEREAS, the project consists of procuring and deploying a region-wide simulcast two-way radio and paging system, used on a daily basis to notify firefighters, EMS and other first responders that an emergency response is required of them. This system will resolve a very challenging existing communication problem, caused by terrain and the many valleys and coulees in the County, and that radio pagers are a small target without an external antenna; and

WHEREAS, on March 9, 2012 the Department of Homeland Security Agency and FEMA awarded a grant to the Regional Partners in the sum of \$1,000,000; and

WHEREAS, the submitted grant application identified available "Federal Share" of grant funds of \$1,000,000 versus project funds of \$1,296,500, leaving a resulting difference of \$296,500 for which the Regional Partners identified as the "Applicant Share"; and

WHEREAS, the Pierce County Communications Center serves as the Public Safety Answering Point (PSAP) and primary dispatch center for all emergency and 911 dispatch functions for all public service agencies throughout Pierce County; and

WHEREAS, the Regional Partners seek an amount not to exceed \$200,000 from Pierce County to assist in meeting the "Applicant Share" of the funds, and will raise the remaining project funds

(approximately \$96,500) themselves, and in return will subsequently gift the entirety of the equipment, with the exception of pagers, they purchase through the grant process to Pierce County, to be integrated into the existing Pierce County PSAP and dispatch equipment, and enter into a Memorandum of Understanding with the County incorporating this arrangement; and

WHEREAS, as part of the budgeting process for 2013, understanding that the Regional Partners may be seeking a charitable contribution towards the “Applicant Share” of the project funds, Pierce County earmarked certain funds for this purpose: and

WHEREAS, the Law Enforcement Committee, at its meeting on November 1, 2012, and the Finance & Personnel Committee, at its meeting on December 3, 2012, took action to recommend that the Board of Supervisors approve the \$200,000 contribution to Regional Partners consistent with the terms set forth above.

NOW, THEREFORE BE IT RESOLVED, by the Pierce County Board of Supervisors that it authorizes a contribution to the Regional Partners in an amount not to exceed \$200,000 to assist in meeting the “Applicant Share” of the grant funds, with the understanding that the Regional Partners in return will subsequently gift the entirety of the equipment (with the exception of pagers) they purchase through the grant process to Pierce County, to be integrated into the existing Pierce County PSAP and dispatch equipment, and enter into a Memorandum of Understanding with the County incorporating this arrangement.

Dated this 18th day of December, 2012.

RESOLUTION NO. 12-34
APPROVING POST-ISSUANCE
TAX COMPLIANCE PROCEDURES

WHEREAS, the County of Pierce (the “Issuer”) from time to time issues tax-exempt or tax-advantaged governmental bonds or notes (the “Obligations”) to finance capital projects; and

WHEREAS, under Sections 103 and 141 to 150 of the Internal Revenue Code of 1986, as amended (the “Code”) and related regulations, the Issuer is required to take certain actions after the issuance of such Obligations to ensure that interest on those Obligations continues to qualify for tax-exempt or tax-advantaged treatment; and

WHEREAS, the Issuer has determined that it is in its best interest to adopt written procedures to set forth the steps that the Issuer will take to meet its compliance responsibilities which procedures are attached hereto and incorporated herein by this reference (the “Policy”).

NOW, THEREFORE BE IT RESOLVED, by the Pierce County Board of Supervisors that it approves the Policy attached hereto, that County staff is authorized to take all actions necessary to carry out the Policy, and that the Administrative Coordinator Jo Ann Miller be named as Pierce County’s Compliance Officer.

Dated this 22nd day of January, 2013.

Post-Issuance Tax Compliance Procedures For Tax-Exempt and Tax-Advantaged Bonds

The purpose of these Post-Issuance Tax Compliance Procedures is to establish policies and procedures in connection with tax-exempt or tax-advantaged obligations (the “Bonds”) issued by _____ (the “Issuer”) so as to maximize the likelihood that all applicable post-issuance requirements of the Internal Revenue Code of 1986, as amended (the “Code”) and applicable Treasury Regulations (the “Regulations”) needed to preserve the tax-exempt or tax-advantaged status of the Bonds are met. The Issuer reserves the right to use its discretion as necessary and appropriate to make exceptions or create additional provisions as circumstances warrant. The Issuer also reserves the right to change these policies and procedures from time to time.

General

Proceeds of the Issuer's Bonds are used to finance certain facilities and equipment. Federal tax law limitations apply to the Issuer's Bonds. These limitations apply throughout the life of the outstanding Bonds. Some of these "over the life" limitations relate to the investment of proceeds of the Bonds, and others relate to the use and expenditure of the proceeds of the Bonds. A failure to meet these "over the life" limitations at any time during the life of the Bonds could result in the retroactive and prospective loss of the tax-exempt or tax-advantaged status of the Bonds or the imposition of additional taxes or assessments on the Issuer.

The [NAME OF GOVERNING BODY] of the Issuer has the overall, final responsibility for monitoring whether the Issuer is in compliance with post-issuance federal tax requirements for the Issuer's Bonds. However, the [NAME OF GOVERNING BODY] assigns to the [TITLE OF EMPLOYEE/OFFICER OF ISSUER] (the "Compliance Officer") the primary operating responsibility to monitor the Issuer's compliance with post-issuance federal tax requirements for the Issuer's Bonds.

The Compliance Officer shall be aware of options for voluntary corrections for failure to comply with post-issuance compliance requirements (such as remedial actions under Section 1.141-12 of the Regulations and the United States Treasury's Tax-Exempt Bonds Voluntary Closing Agreement Program) and take such corrective action when necessary and appropriate.

The Compliance Officer shall review post-issuance compliance procedures and systems on a periodic basis, but not less than annually.

Post-Issuance Compliance Requirements

External Advisors / Documentation

The Issuer shall consult with bond counsel and other legal counsel and advisors, as needed, throughout the Bond issuance process to identify requirements and to establish procedures necessary or appropriate so that the Bonds will continue to qualify for tax-exempt or tax-advantaged status. The Issuer also shall consult with bond counsel and other legal counsel and advisors, as needed, following issuance of the Bonds to ensure that all applicable post-issuance requirements in fact are met. This shall include, without limitation, consultation in connection with any potential changes in use of Bond-financed or refinanced assets.

The Issuer shall be responsible to determine (or obtain expert advice to determine) whether arbitrage rebate calculations have to be made for the Bond issue. If it is determined that such calculations are or are likely to be required, the Issuer shall engage expert advisors (each a "Rebate Service Provider") to assist in the calculation of arbitrage rebate payable in respect of the investment of Bond proceeds, or else shall ensure that it has adequate financial, accounting and legal resources of its own to make such calculations. The Issuer shall make any rebate payments required on a timely basis.

The investment of Bond proceeds shall be managed by the Issuer in accordance with applicable statutory provisions. The Issuer shall maintain adequate records regarding the investments and transactions involving Bond proceeds.

Arbitrage Yield Restriction and Rebate Requirements

The Compliance Officer shall be responsible for overseeing compliance with arbitrage yield restriction and rebate requirements under federal tax regulations, as follows:

- 1) Monitor compliance with the applicable “temporary period” (as defined in the Code and Regulations) exceptions for the expenditure of Bond proceeds, and provide for yield restriction on investments including “yield reduction payments” (as defined in the Code and Regulations) where applicable.
- 2) Ensure that investments acquired with Bond proceeds are purchased at fair market value. In determining whether an investment is purchased at fair market value, any applicable safe harbor under the Code and Regulations may be used.
- 3) In the case of any issue of Bonds for an “advanced refunding” (as defined in the Code and Regulations), coordinate with the Issuer’s financial advisor and any escrow agent to arrange for the purchase of the refunding escrow securities, arrange for the computation of the yield on such escrow securities by an outside verification agent, and monitor compliance with applicable yield restrictions.
- 4) If at the time of Bond issuance, based on reasonable expectations set forth in the tax certificate/agreement executed at the time of Bond issuance (the “Tax Certificate”), it appears likely that the Bond issue will qualify for an exemption from the rebate requirement, the Issuer may defer taking any of the actions set forth in subsection (5). Not later than the time of completion of construction or acquisition of the project (or, in the case of a refunding, the redemption of the refunded bonds), and depletion of all funds from the borrowed money fund, the Issuer shall make a determination if expenditure of the Bond proceeds qualified for exemption from the rebate requirements based on the “small issuer” exception or spending within 6 months, 18 months or 24 months after issuance. If a rebate exemption is determined to be applicable, the Issuer shall prepare and keep in the permanent records of the Bond issue a memorandum evidencing this conclusion together with records of expenditure to support such conclusion. If the transaction does not qualify for rebate exemption, the Issuer shall initiate the steps set forth in (5) below.
- 5) If at the time of Bond issuance it appears likely that arbitrage rebate calculations will be required, or upon determination that calculations are required pursuant to (4) above, the Issuer shall:
 - engage the services of a Rebate Service Provider and, prior to each rebate calculation date, deliver periodic statements concerning the investment of Bond proceeds to the Rebate Service Provider;
 - provide to the Rebate Service Provider additional documents and information reasonably requested by the Rebate Service Provider;
 - monitor efforts of the Rebate Service Provider;

- assure payment of required rebate amounts, if any, no later than 60 days after each 5-year anniversary of the issue date of the Bonds, and no later than 60 days after the last Bond of each issue is redeemed;
- during the construction period of each capital project financed in whole or in part by Bonds, monitor the investment and expenditure of Bond proceeds and consult with the Rebate Service Provider to determine compliance with any applicable exceptions from the arbitrage rebate requirements during each 6-month spending period up to 6 months, 18 months or 24 months, as applicable, following the issue date of the Bonds; and
- retain copies of all arbitrage reports as described below under “Record Keeping Requirements.”
- in lieu of engaging an outside Rebate Service Provider, the Issuer may make a determination that it has sufficient capabilities using its own personnel, supported by its regular accounting and legal advisers, to be able to make the required rebate calculations. Such determination shall be evidenced in writing with specific reference to the personnel and advisers to carry out the calculations, and such written determination shall be maintained in the records of the bond transaction.

Use of Bond Proceeds and Bond-Financed or Refinanced Assets:

The Compliance Officer shall be responsible for:

- monitoring the use of Bond proceeds (including investment earnings and including reimbursement of expenditures made before bond issuance) and the use of Bond-financed or refinanced assets (e.g., facilities, furnishings or equipment) throughout the term of the Bonds to ensure compliance with covenants and restrictions set forth in the Tax Certificate relating to the Bonds;
- maintaining records identifying the assets or portion of assets that are financed or refinanced with proceeds of each issue of Bonds (including investment earnings and including reimbursement of expenditures made before bond issuance), including, if necessary a final reallocation of Bond proceeds within 18 months after each project financed by the Bonds is placed in service in accordance with Section 1.148-6(d) of the Regulations;
- consulting with bond counsel and other legal counsel and advisers in the review of any change in use of Bond-financed or refinanced assets to ensure compliance with all covenants and restrictions set forth in the Tax Certificate relating to the Bonds;
- conferring at least annually with personnel responsible for Bond-financed or refinanced assets to identify and discuss any existing or planned use of Bond-financed or refinanced assets, to ensure that those uses are consistent with all covenants and restrictions set forth in the Tax Certificate relating to the Bonds;

- to the extent that the Issuer discovers that any applicable tax restrictions regarding use of Bond proceeds and Bond-financed or refinanced assets will or may be violated, consulting promptly with bond counsel and other legal counsel and advisers to determine a course of action to remediate all nonqualified bonds, if such counsel advises that a remedial action is necessary;

All relevant records and contracts shall be maintained as described below.

Information Reporting

The Compliance Officer shall confirm that bond counsel has filed the applicable information report (e.g., Form 8038-G, Form 8038-CP, Form 8038) for each issue of Bonds with the Internal Revenue Service on a timely basis.

Qualified Tax-Exempt Obligations

If the Issuer issues “qualified tax-exempt obligations” in any year, the Compliance Officer shall monitor all tax-exempt financings (including lease purchase arrangements and other similar financing arrangements and conduit financings on behalf of 501(c)(3) organizations) to assure that the “small issuer” limit (currently, \$10,000,000) is not exceeded.

Federal Subsidy Payments

The Compliance Officer shall be responsible for the calculation of the amount of any federal subsidy payments and the timely preparation and submission of the applicable tax form and application for federal subsidy payments for tax-advantaged bonds such as Build America Bonds, New Clean Renewable Energy Bonds, Qualified Energy Conservations Bonds and Qualified School Construction Bonds.

Reissuance

The following policies relate to compliance with rules and regulations regarding the reissuance of Bonds for federal law purposes.

The Compliance Officer will identify and consult with bond counsel regarding any post-issuance change to any terms of an issue of Bonds which could potentially be treated as a reissuance for federal tax purposes.

Record Keeping Requirement

The Compliance Officer shall be responsible for maintaining the following documents for the term of each issue of Bonds (including refunding Bonds, if any) plus at least six years:

- a copy of the Bond closing transcript(s) and other relevant documentation delivered to the Issuer at or in connection with closing of the issue of Bonds;
- a copy of all material documents relating to capital expenditures financed or refinanced by Bond proceeds, including (without limitation) construction contracts, purchase orders, invoices,

requisitions and payment records, as well as documents relating to costs reimbursed with Bond proceeds and records identifying the assets or portion of assets that are financed or refinanced with Bond proceeds, including a final allocation of Bond proceeds; and

- a copy of all records of investments, investment agreements, arbitrage reports and underlying documents, in connection with any investment agreements, and copies of all bidding documents, if any.

While document retention is typically accomplished through the maintenance of hard copies, records may be kept in electronic format so long as applicable requirements, such as Revenue Procedure 97-22, are satisfied. IRS bond agents have been instructed to request documents and information in electronic format. IRM 4.81.5.7.2.4 (11-01-09). For this reason it is advisable to retain records relating to the Issuer's bonds in electronic format whenever practical.

Continuing Disclosure

Under the provisions of SEC Rule 15c2-12 (the "Rule"), underwriters are required to obtain an agreement for ongoing disclosure in connection with the public offering of securities in a principal amount in excess of \$1,000,000. Unless the Issuer is exempt from compliance with the Rule as a result of certain permitted exemptions, the Transcript for each issue of Bonds will include an undertaking by the Issuer to comply with the Rule. The Compliance Officer will monitor compliance by the Issuer with its undertakings, which may include the requirement for an annual filing of operating and financial information and will include a requirement to file notices of listed "material events."

Conduit Bond Financings

In conduit bond financings, such as industrial revenue bonds or Midwestern Disaster Area Bonds, the Issuer is not in a position to directly monitor compliance with arbitrage requirements and qualified use requirements because information concerning and control of those activities lies with the private borrower. The Issuer's policy in connection with conduit financings is to require that the bond documents in such financings impose on the borrower (and trustee or other applicable party) responsibility to monitor compliance with qualified use rules and arbitrage and other federal tax requirements and to take necessary action if remediation of nonqualified bonds is required.

Education Policy

It is the policy of the Issuer that the Compliance Officer and his or her staff, as well as the principal operating officials of those departments of the Issuer for which property is financed with Bond proceeds should be provided with education and training on federal tax requirements applicable to tax-exempt and tax-advantaged bonds. The Issuer recognizes that such education and training is vital as a means of helping to ensure that the Issuer remains in compliance with those federal tax requirements in respect of its Bonds. The Issuer will therefore enable and encourage those personnel to attend and participate in educational and training programs offered

by professional trade associations and other entities with regard to the federal tax requirements applicable to tax-exempt and tax-advantaged bonds.

7237128_2

RESOLUTION NO. 12-35 (PIERCE COUNTY)
RESOLUTION NO. 2012-6 (TOWN OF UNION)
JURISDICTIONAL TRANSFER OF PORTION OF CTH U
BETWEEN COUNTY OF PIERCE AND TOWN OF UNION

WHEREAS, Pierce County, through its Highway Department, has constructed certain improvements to CTH U in the Town of Union including constructing a new bridge and realignment of a portion of CTH U to eliminate substandard horizontal alignment and accommodate the relocated bridge over the branch of Plum Creek; and

WHEREAS, the construction improvements and realignment have resulted in that portion of old CTH U, as described on Exhibit "A" and shown on the map attached as Exhibit "B", no longer being a requisite part of current CTH U, but necessary to serve as town public road access for adjoining landowners, and as such requires a jurisdiction transfer from the County of Pierce to the Town of Union; and

WHEREAS, the jurisdiction transfer described above would ensure that the Town of Union would have all jurisdictional responsibility including but not limited to all maintenance, upkeep and future construction on the roadway and roadsides to provide a safe and efficient route to the public;

WHEREAS, the County and the Town approve of the jurisdictional transfer, and it is in the best interests of the County of Pierce and the Town of Union to transfer the jurisdiction as set forth herein.

NOW, THEREFORE BE IT RESOLVED, by the Pierce County Board of Supervisors and the Town of Union Board of Supervisors that, in accordance with §83.0125 Wis. Stats., the jurisdiction of portions of CTH U as described herein, be transferred from the Pierce County trunk highway system to the Town of Union, with the implementation date contingent upon approval of the change by the Wisconsin Department of Transportation.

Dated this 22nd day of January, 2013.

Jeffrey A. Holst, Chair
Pierce County Board of Supervisors

ATTESTED TO BY:

APPROVED AS TO FORM AND
LEGALITY BY:

Jamie Feuerhelm, County Clerk

Bradley D. Lawrence, Corp. Counsel

Adopted _____

Dated this 10th day of December, 2012.

William Bechel, Chair
Town of Union Board of Supervisors

John M. Krings

Arthur Ritchie

ATTESTED TO BY:

Monica Krings, Town Clerk

Adopted December 10, 2012

RESOLUTION NO. 12-36
RESOLUTION URGING STATE LEGISLATORS TO VOTE IN FAVOR OF
TRANSPORTATION DOLLARS FOR TRANSPORTATION

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

WHEREAS, gas tax and vehicle registration fees comprise over 85% of the state's segregated transportation account. Revenues from these two user fees have been declining and are inadequate to meet the existing transportation needs in this state; and

WHEREAS, Wisconsin's past 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 general obligation (GO) bonds put our state in the precarious position of bonding to fund ongoing operations; and

WHEREAS, the debt service for these bonds are being 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, Pierce County placed an advisory referendum on the November 2010 ballot asking "Should the Wisconsin Constitution be amended to prohibit any further transfers or lapses from the segregated transportation fund?"; and

WHEREAS, the people of Pierce County voted overwhelmingly in favor of this constitutional amendment – 67% voted "yes"; and

WHEREAS, Fifty-three other counties in Wisconsin also asked the same advisory referendum question and the support was similar across the state with an average "yes" vote of 70%; and

WHEREAS, first consideration of this constitutional amendment passed the Wisconsin State Legislature overwhelmingly last session, on a bipartisan basis; and

WHEREAS, the 2012-13 session of the Wisconsin State Legislature has the opportunity to pass second consideration of this constitutional amendment and in so doing will give the citizens of the entire state the opportunity to vote for amending the state constitution to ensure transportation revenues are spent for transportation purposes; and

WHEREAS, providing constitutional protection for transportation user fees will align Wisconsin with our neighbors in Minnesota, Iowa and Michigan.

NOW, THEREFORE, BE IT RESOLVED that the Pierce County Board of Supervisors strongly urges our state representatives to vote in favor of second consideration of the joint resolution to protect the transportation fund, thereby giving voters across this state the opportunity to vote on a binding referendum to amend the constitution and ensure the transportation user fees they pay will be spent for transportation purposes.

Dated this 22nd day of January, 2013.

Jeffrey A. Holst, Chair
Pierce County Board of Supervisors

ATTESTED TO BY:

APPROVED AS TO FORM AND
LEGALITY BY:

Jamie Feuerhelm, County Clerk

Bradley D. Lawrence, Corp. Counsel

Adopted _____

Resolution 12-37

**ESTABLISH 2013 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 2012 BCC Salary Matrix; and

WHEREAS, the Finance and Personnel Committee did meet on January 3, 2013, and recommends salary increases in the amount of 1.25% 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 2013 calendar year, effective January 1, 2013.

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 1.25% across the board, calculated upon the basis of the 10-step salary matrix, for the 2013 calendar year, effective January 1, 2013.

BE IT FURTHER RESOLVED that effective 1/1/13, non-represented employees on the self-funded plan will continue to contribute 10% toward the health insurance premiums.

DATED this 22nd day of January, 2013.

PIERCE COUNTY BOARD OF SUPERVISORS

Jeffrey A. Holst, County Board Chairman

APPROVED AS TO
FORM AND LEGALITY BY:

ATTESTED TO BY:

Brad Lawrence
Corporation Counsel

Jamie R. Feuerhelm
County Clerk

Adopted: _____

RESOLUTION NO. 12-38

RESOLUTION AUTHORIZING THE ISSUANCE AND AWARDING THE SALE OF
\$7,000,000 GENERAL OBLIGATION PROMISSORY NOTES, SERIES 2013A;
PROVIDING THE FORM OF THE NOTES;
AND LEVYING A TAX IN CONNECTION THEREWITH

WHEREAS, on November 13, 2012, the County Board of Pierce County, Wisconsin (the "County") adopted a resolution (the "Authorizing Resolution") authorizing the issuance and sale of general obligation promissory notes in an amount not to exceed \$7,000,000 (the "Notes") for the purpose of paying the cost of road improvement projects (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 January 22, 2013;

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

WHEREAS, it has been determined that the bid proposal submitted by Robert W. Baird & Co., Milwaukee, 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.

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 SEVEN MILLION DOLLARS (\$7,000,000). The bid proposal of Robert W. Baird & Co., Milwaukee, Wisconsin, (the "Purchaser") is hereby accepted, said proposal offering to purchase the \$7,000,000 Pierce County General Obligation Promissory Notes, Series 2013A (the "Notes") for the sum of SEVEN MILLION TWO HUNDRED THIRTY-EIGHT THOUSAND FIVE DOLLARS AND FIFTY CENTS (\$7,238,005.50), plus accrued interest to the date of delivery, resulting in a net interest cost of FIVE HUNDRED FORTY-FOUR THOUSAND SIX HUNDRED FIFTY DOLLARS AND SIX CENTS (\$544,650.06) and a true interest rate of 1.3590%. The Notes bear interest as follows:

<u>Year of Maturity</u>	<u>Principal Amount</u>	<u>Interest Rate</u>
2014	\$630,000	2.000%
2015	675,000	2.000
2016	680,000	2.000
2017	690,000	2.000
2018	695,000	2.000
2019	705,000	2.000
2020	715,000	2.000

<u>Year of Maturity</u>	<u>Principal Amount</u>	<u>Interest Rate</u>
2021	\$725,000	2.000%
2022	735,000	2.000
2023	750,000	2.000

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 "General Obligation Promissory Notes, Series 2013A"; shall be dated February 15, 2013; shall be in the denomination of \$5,000 or any integral multiple thereof; and shall mature serially on February 1 of each year, in the years and principal amounts as set forth above. Interest is payable commencing on February 1, 2014 and semi-annually thereafter on August 1 and February 1 of each year.

Section 4. Redemption Provisions. At the option of the County, the Notes maturing on February 1, 2022 and thereafter shall be subject to redemption prior to maturity on February 1, 2021 or on any day 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.

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>
2013	\$828,255.56	2018	\$770,550.00
2014	795,650.00	2019	766,350.00
2015	787,100.00	2020	761,950.00
2016	783,400.00	2021	757,350.00
2017	774,550.00	2022	757,500.00

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 General Obligation Promissory Notes, Series 2013A, dated February 15, 2013". 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 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. 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 Internal Revenue Code of 1986, as amended (the "Code") and any income tax regulations promulgated thereunder (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.

Section 10. Additional Tax Covenants; Exemption from Rebate; Qualified Tax-Exempt Obligation Status. The County hereby further covenants and agrees that it will take all necessary steps and perform all obligations required by the Code and Regulations (whether prior to or subsequent to the issuance of the Notes) to assure that the Notes are obligations described in Section 103(a) of the Code, the interest on which is excluded from gross income for federal income tax purposes, throughout their term. 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, certifying that it can and covenanting that it will comply with the provisions of the Code and Regulations.

Further, it is the intent of the County to take all reasonable and lawful actions to comply with any new tax laws enacted so that the Notes will continue to be obligations described in Section 103(a) of the Code, the interest on which is excluded from gross income for federal income tax purposes.

The County anticipates that the Notes will qualify for the construction expenditure exemption from the rebate requirements 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 did not qualify for any exemption from the rebate requirements of the Code, the County covenants that it would take all necessary steps to comply with such requirements.

The County hereby designates the Notes to be "qualified tax-exempt obligations" pursuant to the provisions of Section 265(b)(3) of the Code and in support of such designation, the County Clerk or other officer of the County charged with the responsibility for issuing the Notes, shall provide an appropriate certificate of the County as of the date of delivery and payment for 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. Bond Insurance. If the Purchaser obtains insurance upon the Notes, 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, if necessary, for inclusion in the transcript of proceedings, certifying that it can and covenanting that it will comply with the provisions and requirements of said bond insurance policy.

Section 16. 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 17. 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.

Adopted this 22nd day of January, 2013.

Jeffrey Holst, Chairperson

(SEAL)

ATTEST:

Approved as to form and legality:

Jamie Feuerhelm,
County Clerk

Bradley D. Lawrence, Corporation Counsel

8821969_2

EXHIBIT A

Robert W. Baird & Co., Inc. - Milwaukee , WI's Bid



Pierce County \$7,000,000 General Obligation Promissory Notes, Series 2013A

For the aggregate principal amount of \$7,000,000.00, we will pay you \$7,238,005.50, plus accrued interest from the date of issue to the date of delivery. The Bonds are to bear interest at the following rate(s):

Maturity Date	Amount \$	Coupon %	Yield %	Dollar Price
02/01/2014	630M	2.0000	0.3500	101.563
02/01/2015	675M	2.0000	0.5000	102.907
02/01/2016	680M	2.0000	0.6500	103.938
02/01/2017	690M	2.0000	0.7500	104.855
02/01/2018	695M	2.0000	0.9000	105.313
02/01/2019	705M	2.0000	1.0500	105.465
02/01/2020	715M	2.0000	1.2500	104.977
02/01/2021	725M	2.0000	1.4000	104.498
02/01/2022	735M	2.0000	1.5000	103.733
02/01/2023	750M	2.0000	1.6500	102.597

Total Interest Cost:	\$782,655.56
Premium:	\$238,005.50
Net Interest Cost:	\$544,650.06
TIC:	1.359098

Total Insurance Premium:	\$0.00
Time Last Bid Received On:01/22/2013 10:23:46 CST	

This proposal is made subject to all of the terms and conditions of the Official Bid Form, the Official Notice of Sale, and the Preliminary Official Statement, all of which are made a part hereof.

Bidder: Robert W. Baird & Co., Inc., Milwaukee , WI
Contact: Drew Kanyer
Title:
Telephone:414-765-7331
Fax:

Issuer Name: Pierce County

Company Name: Robert W. Baird & Co., Inc.

Accepted By: _____

Accepted By: _____

Date: January 22, 2013

Date: January 22, 2013

EXHIBIT B

(Form of Note)

UNITED STATES OF AMERICA
STATE OF WISCONSIN
PIERCE COUNTY
GENERAL OBLIGATION
PROMISSORY NOTE, SERIES 2013A
NO. R-__

MATURITY DATE:	ORIGINAL DATE OF ISSUE:	INTEREST RATE:	CUSIP
FEBRUARY 1, 20__	FEBRUARY 19, 2013	__%	720662__

DEPOSITORY OR ITS NOMINEE NAME: CEDE & CO.

PRINCIPAL AMOUNT: _____ DOLLARS
(\$_____)

KNOW ALL MEN BY THESE PRESENTS, that Pierce County, Wisconsin (the "County"), hereby acknowledges itself to owe and for value received promises to pay to the Depository or its Nominee Name (the "Depository") identified above (or to registered assigns), on the maturity date identified above, the principal amount identified above, and to pay interest thereon at the rate of interest per annum identified above, all subject to the provisions set forth herein regarding redemption prior to maturity. Interest is payable commencing on February 1, 2014 and semi-annually thereafter on August 1 and February 1 of each year until the aforesaid principal amount is paid in full. Both the principal of and interest on this Note are payable in lawful money of the United States by Wells Fargo Bank, N.A., Minneapolis, Minnesota, the fiscal agent appointed by the County pursuant to the provisions of Section 67.10(2), Wisconsin Statutes, to act as bond registrar and paying agent (the "Bond Registrar"). The principal of this Note shall be payable only upon presentation and surrender of the Note at the office of the Bond Registrar. Interest payable on any interest payment date shall be paid by wire transfer to the Depository in whose name this Note is registered on the Bond Register maintained by the Bond Registrar at the close of business on the 15th day of the calendar month next preceding the semi-annual interest payment date (the "Record Date").

For the prompt payment of this Note together with interest hereon as aforesaid and for the levy of taxes sufficient for that purpose, the full faith, credit and resources of the County are hereby irrevocably pledged.

This Note is one of an issue of Notes aggregating the principal amount of \$7,000,000, all of which are of like tenor, except as to denomination, interest rate, maturity date and redemption provision, issued by the County pursuant to the provisions of Chapter 67, Wisconsin Statutes, for the purpose of paying the cost of road improvement projects, all as authorized by resolutions of the County Board duly adopted by said governing body at meetings held on November 13, 2012 and January 22, 2013. Said resolutions are recorded in the official minutes of the County Board for said dates.

At the option of the County, the Notes maturing on February 1, 2022 and thereafter are subject to redemption prior to maturity on February 1, 2021 or on any day thereafter. Said Notes are 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.

In the event the County exercises its option to redeem the Notes prior to maturity, as long as the Notes are in book-entry-only form, the County shall direct the Bond Registrar to give official notice of the redemption by mailing a notice by registered or certified mail, or overnight express delivery, to the Depository not less than thirty (30) days nor more than sixty (60) days prior to the redemption date. If less than all the Notes of a maturity are to be called for redemption, the Notes of such maturity to be redeemed will be selected by lot. Such notice will include but not be limited to the following: the designation, date and maturities of the Notes called for redemption, CUSIP numbers, and the date of redemption. Any notice mailed as provided herein shall be conclusively presumed to have been duly given, whether or not the Depository receives the notice. The Notes shall cease to bear interest on the specified redemption date, provided that federal or other immediately available funds sufficient for such redemption are on deposit at the office of the Depository at that time. Upon such deposit of funds for redemption the Notes shall no longer be deemed to be outstanding.

It is hereby certified and recited that all conditions, things and acts required by law to exist or to be done prior to and in connection with the issuance of this Note have been done, have existed and have been performed in due form and time; that the aggregate indebtedness of the County, including this Note and others issued simultaneously herewith, does not exceed any limitation imposed by law or the Constitution of the State of Wisconsin; and that a direct annual irrepealable tax has been levied sufficient to pay this Note, together with the interest thereon, when and as payable. It is hereby further certified that the County has designated this Note to be a "qualified tax-exempt obligation" pursuant to the provisions of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended.

This Note is transferable only upon the books of the County kept for that purpose at the office of the Bond Registrar. In the event that the Depository does not continue to act as depository for the Notes, and the County Board appoints another depository, new fully registered Notes in the same aggregate principal amount shall be issued to the new depository upon surrender of the Notes to the Bond Registrar, in exchange therefor and upon the payment of a charge sufficient to reimburse the County for any tax, fee or other governmental charge required to be paid with respect to such registration. The Bond Registrar shall not be obliged to make any transfer of the Notes (i) after the Record Date, (ii) during the fifteen (15) calendar days preceding the date of any publication of notice of any proposed redemption of the Notes, or (iii) with

respect to any particular Note, after such Note has been called for redemption. The County and the Bond Registrar may treat and consider the Depository in whose name this Note is registered as the absolute owner hereof for the purpose of receiving payment of, or on account of, the principal or redemption price hereof and interest due hereon and for all other purposes whatsoever.

IN WITNESS WHEREOF, Pierce County, Wisconsin, by its governing body, has caused this Note to be executed for it and in its name by the signatures of its duly qualified Chairperson and County Clerk; and to be sealed with its official or corporate seal, if any, all as of the 15th day of February, 2013.

PIERCE COUNTY, WISCONSIN

By: _____
Jeffrey Holst,
Chairperson

(SEAL)

By: _____
Jamie Feuerhelm,
County Clerk

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned sells, assigns and transfers unto

(Name and Address of Assignee)

(Social Security or other Identifying Number of Assignee)

the within Note and all rights thereunder and hereby irrevocably constitutes and appoints _____, Legal Representative, to transfer said Note on the books kept for registration thereof, with full power of substitution in the premises.

Dated: _____

Signature Guaranteed:

(e.g. Bank, Trust Company
or Securities Firm)

(Depository or its Nominee
Name)

(Authorized Officer)

NOTICE: The above-named
Depository or its Nominee Name must
correspond with the name as it appears upon
the face of the within Note in every part-
icular, without alteration or enlargement or
any change whatever.

EXHIBIT C



Springsted

Springsted Incorporated
380 Jackson Street, Suite 300
Saint Paul, MN 55101-2887

Tel: 651-223-3000

Fax: 651-223-3002

Email: advisors@springsted.comwww.springsted.com

\$7,000,000*

PIERCE COUNTY, WISCONSIN

GENERAL OBLIGATION PROMISSORY NOTES, SERIES 2013A

(BOOK ENTRY ONLY)

AWARD: ROBERT W. BAIRD & COMPANY, INCORPORATED
AND SYNDICATE

SALE: January 22, 2013

Moody's Rating: Aa2

Bidder	Interest Rates	Price	Net Interest Cost	True Interest Rate
ROBERT W. BAIRD & COMPANY, INCORPORATED	2.00% 2014-2023	\$7,238,005.50	\$544,650.06	1.3590%
C.L. KING & ASSOCIATES				
COASTAL SECURITIES L.P.				
SAMCO CAPITAL MARKETS, INC.				
DAVENPORT & COMPANY LLC				
LOOP CAPITAL MARKETS, LLC				
EDWARD D. JONES & COMPANY				
CRONIN & COMPANY, INC.				
KILDARE CAPITAL				
CREWS & ASSOCIATES				
VINING-SPARKS IBG, LIMITED PARTNERSHIP				
ISAAK BOND INVESTMENTS, INC.				
WEDBUSH SECURITIES INC.				
ADVISORS ASSET MANAGEMENT				
ROSS, SINCLAIRE & ASSOCIATES, LLC				
CASTLEOAK SECURITIES, L.P.				
COUNTRY CLUB BANK				
BERNARDI SECURITIES, INCORPORATED				
DOUGHERTY & COMPANY LLC				
NORTHLAND SECURITIES, INC.				
BANKERS' BANK	0.40% 2014	\$6,979,844.64	\$539,851.62	1.3748%
	0.50% 2015			
	0.60% 2016			
	0.80% 2017			
	0.95% 2018			
	1.10% 2019			
	1.30% 2020			
	1.50% 2021			
	1.70% 2022			
	1.80% 2023			

(Continued)

Bidder	Interest Rates		Price	Net Interest Cost	True Interest Rate
UMB BANK, N.A.	0.35%	2014	\$6,953,100.00	\$539,931.35	1.3790%
	0.45%	2015			
	0.55%	2016			
	0.70%	2017			
	0.90%	2018			
	1.10%	2019			
	1.30%	2020			
	1.45%	2021			
	1.55%	2022			
	1.70%	2023			
PIPER JAFFRAY & CO.	2.00%	2014-2017	\$7,405,359.70	\$561,291.41	1.3795%
	3.00%	2018-2021			
	2.00%	2022-2023			
RAYMOND JAMES & ASSOCIATES, INC.	2.00%	2014-2023	\$7,219,035.20	\$563,620.36	1.4089%
BOSC, INC., A SUBSIDIARY OF, BOK FINANCIAL CORP.	2.00%	2014-2021	\$7,185,092.65	\$562,419.78	1.4120%
	1.75%	2022-2023			
PNC CAPITAL MARKETS	2.00%	2014-2023	\$7,203,106.70	\$579,548.86	1.4509%
STIFEL, NICOLAUS & COMPANY, INCORPORATED	2.00%	2014-2017	\$7,160,889.00	\$583,513.78	1.4658%
	1.50%	2018-2019			
	2.00%	2020-2023			
HUTCHINSON, SHOCKEY, ERLEY & CO.	1.00%	2014	\$7,120,019.45	\$597,369.72	1.5053%
	1.50%	2015-2017			
	2.00%	2018-2020			
	1.50%	2021			
	2.00%	2022-2023			
BMO CAPITAL MARKETS GKST INC.	2.00%	2014-2023	\$7,168,501.10	\$614,154.46	1.5427%
FTN FINANCIAL CAPITAL MARKETS	2.00%	2014-2023	\$7,168,101.25	\$614,554.31	1.5437%

REOFFERING SCHEDULE OF THE PURCHASER

Rate	Year	Yield
2.00%	2014	0.35%
2.00%	2015	0.50%
2.00%	2016	0.65%
2.00%	2017	0.75%
2.00%	2018	0.90%
2.00%	2019	1.05%
2.00%	2020	1.25%
2.00%	2021	1.40%
2.00%	2022	1.50%
2.00%	2023	1.65%

BBI: 3.53%
Average Maturity: 5.590 Years

* Subsequent to bid opening, the issue size was not changed.

EXHIBIT D

FISCAL AGENCY AGREEMENT

THIS AGREEMENT is made and entered into the ____ day of February, 2013, by and between Pierce County, Wisconsin (the "County"), and Wells Fargo Bank, N.A., Minneapolis, Minnesota (the "Agent").

WITNESSETH:

WHEREAS, the County has authorized the borrowing of the sum of SEVEN MILLION DOLLARS (\$7,000,000) pursuant to Section 67.12(12), Wisconsin Statutes, and the resolutions adopted by the County Board on November 13, 2012 and January 22, 2013 and has authorized the issuance and sale of \$7,000,000 principal amount of general obligation promissory notes to evidence such indebtedness (the "Obligations"). The Obligations shall be designated "General Obligation Promissory Notes, Series 2013A"; shall be dated February 15, 2013; shall bear interest at the rates set forth below; and shall mature serially on February 1 of each year, in the years and principal amounts as follows:

<u>Year of Maturity</u>	<u>Principal Amount</u>	<u>Interest Rate</u>
2014	\$630,000	___.____%
2015	675,000	___.____
2016	680,000	___.____
2017	690,000	___.____
2018	695,000	___.____
2019	705,000	___.____
2020	715,000	___.____
2021	725,000	___.____
2022	735,000	___.____
2023	750,000	___.____

Interest shall be payable commencing on February 1, 2014 and semi-annually thereafter on August 1 and February 1 of each year until the principal of the Obligations is paid in full or discharged;

WHEREAS, the County is issuing the Obligations in registered form pursuant to Section 149 of the Internal Revenue Code of 1986, as amended, and any applicable income tax regulations; and,

WHEREAS, pursuant to the aforesaid resolution or resolutions and Section 67.10(2), Wisconsin Statutes, the County Board of the County has authorized the appointment of the Agent as Fiscal Agent of the County for the purpose of performing any or all of the following functions with respect to the Obligations: paying the principal of and interest on the Obligations; accounting for such payments; registering, authenticating, transferring, and canceling the Obligations; and maintaining a registration book in addition to other applicable responsibilities all in accordance with the provisions of Section 67.10(2), Wisconsin Statutes.

NOW, THEREFORE, the County and the Agent do hereby agree as follows:

I. APPOINTMENT

The Agent is hereby appointed Fiscal Agent of the County with respect to the Obligations for the purpose of performing such of the responsibilities stated in Section 67.10(2)(a), Wisconsin Statutes, as are delegated herein or as may be otherwise specifically delegated in writing to the Fiscal Agent by the County.

II. INVESTMENT RESPONSIBILITY

The Fiscal Agent shall not be under any obligation to invest funds held for the payment of interest or principal on the Obligations.

III. PAYMENTS

At least one (1) business day before each semi-annual interest payment date (commencing with the first interest payment date and continuing thereafter until the principal of and interest on the Obligations should have been fully paid or prepaid in accordance with their terms) the County agrees to and shall pay to the Fiscal Agent, in immediately available funds, a sum equal to the amount payable as principal of and the premium, if any, and interest on the Obligations on such semi-annual interest payment date. Said semi-annual interest and/or principal payment dates and amounts are set forth in Exhibit A-1 which is attached hereto and incorporated herein by this reference.

IV. CANCELLATION

In every case of the surrender of any Obligation for the purpose of payment, the Fiscal Agent shall cancel and destroy the same and deliver to the County a certificate regarding such cancellation, setting forth an accurate description of the Obligation, specifying its number, date, purpose, amount, rate of interest, and payment date and stating the date and amount of each payment of principal or interest thereon. The Fiscal Agent shall also cancel and destroy Obligations presented for transfer or exchange and deliver a certificate with respect to such transfer or exchange to the County. The Fiscal Agent shall be permitted to microfilm, or otherwise photocopy and record said canceled Obligations.

V. REGISTRATION BOOK

Fiscal Agent shall maintain in the name of the County a Registration Book containing the names and addresses of all registered owners of the Obligations. The Fiscal Agent shall keep confidential said information in accordance with applicable banking and governmental regulations.

VI. PAYMENT OF INTEREST

Payment of each installment of interest shall be made to the registered owner who shall appear on the Registration Book at the close of business on the fifteenth day of the calendar month next preceding the interest payment date and shall be paid by check or draft of the Fiscal

Agent mailed to such registered owner at his address as it appears in such Registration Book or at such other address as may be furnished in writing by such registered owner to the Fiscal Agent.

VII. PAYMENT OF PRINCIPAL

Principal shall be paid to the registered owner of an Obligation upon surrender of the Obligation on or after its maturity or redemption date.

VIII. REDEMPTION NOTICE

In the event the County exercises its option, if any, to redeem any of the Obligations, the County shall direct the Fiscal Agent to give notice of such redemption by registered or certified mail at least thirty days prior to the date fixed for redemption to the registered owner of each Obligation to be redeemed in whole or in part at the address shown in the Registration Book. Such direction shall be given at least thirty-five days prior to such redemption date. If less than all the Notes of a maturity are to be called for redemption, the Notes of such maturity to be redeemed will be selected by lot. Such notice will include but not be limited to the following: the designation, date and maturities of the Notes called for redemption, CUSIP numbers, and the date of redemption. Any notice mailed as provided herein shall be conclusively presumed to have been duly given, whether or not the Depository receives the notice. The Notes shall cease to bear interest on the specified redemption date, provided that federal or other immediately available funds sufficient for such redemption are on deposit at the office of the Depository at that time. Upon such deposit of funds for redemption the Notes shall no longer be deemed to be outstanding.

IX. UTILIZATION OF THE DEPOSITORY TRUST COMPANY

The Depository Trust Company's Book-Entry-Only system is to be utilized for the obligations. The Fiscal Agent agrees to comply with the provisions of the attached Blanket Issuer Letter of Representation which has been executed and delivered to The Depository Trust Company by the County.

X. TRANSFER AND EXCHANGE OF OBLIGATIONS

The Fiscal Agent shall transfer Obligations upon presentation of a written assignment duly executed by the registered owner or by such owner's duly authorized legal representative. Upon such transfer, a new registered Obligation of authorized denomination or denominations in the same aggregate principal amount shall be issued to the transferee in exchange thereof, and the name of such transferee shall be entered as the new registered owner in the Registration Book. Upon request of the registered owner, the Fiscal Agent shall exchange Obligations of the issue for a like aggregate principal amount of Obligations of the same maturity in authorized whole integral multiples of \$5,000.

The Obligations shall be numbered 1 and upward. Upon any transfer or exchange, the Obligation or Obligations issued shall bear the next highest consecutive unused number or numbers.

XI. STATEMENTS

The Fiscal Agent shall furnish the County with an accounting of payments received and made and funds on hand annually.

XII. FEES

The County agrees to pay the Fiscal Agent fees in accordance with the fee schedule provided by the Fiscal Agent which is attached hereto as Exhibit B-1 and incorporated herein by this reference until the final principal payment (or redemption date in the event the County exercises its option, if any, to redeem the Obligations). Such fees are payable on the dates principal is due or pursuant to statements provided to the County by the Fiscal Agent. In the event the County exercises its option, if any, to redeem the Obligations, the Fiscal Agent shall be reimbursed for mailing costs related therewith.

XIII. MISCELLANEOUS

(a) Nonpresentment of Checks. In the event the check or draft mailed by the Fiscal Agent to the registered owner is not presented for payment within six years of its date, then the monies representing such nonpayment shall be returned to the County or to such board, officer or body as may then be entitled by law to receive the same, together with the name of the registered owner of the Obligation and the last mailing address of record. Thereafter, the Fiscal Agent shall not be responsible for the payment of such check or draft.

(b) Resignations; Successor Fiscal Agent. Fiscal Agent may at any time resign by giving not less than sixty days written notice to County. Upon receiving such notice of resignation, the County shall promptly appoint a successor Fiscal Agent by an instrument in writing executed by order of its governing body. If no successor Fiscal Agent shall have been so appointed and have accepted appointment within sixty days after such notice of resignation, the resigning Fiscal Agent may petition any court of competent jurisdiction for the appointment of a successor fiscal agent. Such court may thereupon, after such notice, if any, as it may deem proper and prescribes, appoint a successor fiscal agent.

Any successor fiscal agent shall be qualified to act pursuant to Section 67.10(2), Wisconsin Statutes, as amended.

Any successor fiscal agent shall execute, acknowledge and deliver to the County and to its predecessor fiscal agent an instrument accepting such appointment hereunder, and thereupon the resignation of the predecessor fiscal agent shall become effective and such successor fiscal agent, without any further act, deed or conveyance, shall become vested with all the rights, powers, trusts, duties and obligations of its predecessor, with like effect as if originally named as fiscal agent herein; but nevertheless, on written request of County, or on the request of the successor, the fiscal agent ceasing to act shall execute and deliver an instrument transferring to such successor fiscal agent, all the rights, powers, and trusts of the fiscal agent so ceasing to act. Upon the request of any such successor fiscal agent, the County shall execute any and all instruments in writing for more fully and certainly vesting in and confirming to such successor fiscal agent all such rights, powers and duties. Any predecessor fiscal agent shall pay over to its successor fiscal agent any funds of the County.

(c) Indemnification. The County agrees to hold the Agent harmless and to indemnify the Agent against any loss, liability, expenses (including attorney's fees and expenses), claims, or demand arising out of or in connection with the performance of its obligations in accordance with the provisions of this Agreement, except for negligence or willful misconduct of the Agent. The foregoing indemnities in this paragraph shall survive the resignation of the Agent or the termination of the Agreement.

(d) Termination. This Agreement shall terminate six years after the last principal payment on the Obligations is due whether by maturity or earlier redemption or the final discharge of the County's responsibilities for payment of the Obligations, whichever is later. The parties realize that any funds hereunder as shall remain upon termination shall be turned over to the County after deduction of any unpaid fees and disbursements of Fiscal Agent. Termination of this Agreement shall not, of itself, have any effect on County's obligation to pay the outstanding Obligations in full in accordance with the terms thereof.

(e) Execution. This Agreement shall be executed on behalf of the County and the Agent by their duly authorized officers. This Agreement may be executed in several counter-parts, each of which shall be an original and all of which shall constitute but one and the same agreement.

IN WITNESS WHEREOF, the parties have executed this Agreement, being duly authorized so to do, each in the manner most appropriate to it, on the date first above written.

SIGNATURE PAGE TO THE FISCAL AGENCY AGREEMENT

PIERCE COUNTY, WISCONSIN

(SEAL)

By: _____
Jeffrey Holst,
County Board Chairperson

And: _____
Jamie Feuerhelm,
County Clerk

SIGNATURE PAGE TO THE FISCAL AGENCY AGREEMENT

WELLS FARGO BANK, N.A.,
MINNEAPOLIS, MINNESOTA

(SEAL)

By: _____

And: _____

8889994_1

RESOLUTION NO. 12-39
TO AUTHORIZE THE SALE OF AND PROHIBIT CARRY-IN OF
INTOXICATING LIQUOR AND FERMENTED MALT BEVERAGES
ON THE PIERCE COUNTY FAIRGROUNDS

WHEREAS, the Pierce County fairgrounds are located within the Village of Ellsworth; and

WHEREAS, pursuant to a request from the County, in approximately 1996 the Village of Ellsworth passed an ordinance to prohibit any person from possessing any intoxicating liquor or fermented malt beverage in an open container in or upon the Pierce County fairgrounds during the period of the annual Pierce County Fair; and

WHEREAS, the County previously adopted Resolution 01-43 which further prohibited carry-in coolers with alcoholic beverages in the grandstand area during the Pierce County Fair; and

WHEREAS, as with any governmental entity, there are limited funds available and ever increasing needs, and the County has indicated a desire to remove the Fair from the County levy, and as a result the County is looking for opportunities to generate revenues; and

WHEREAS, the County Fair Committee has obtained input and feedback on revenue generating ideas, and the number one suggestion was to have a social garden allowing for the sale of intoxicating liquor or fermented malt beverages in order to generate revenue; and

WHEREAS, research into other fairs indicates that out of 76 district fairs, only 6 do not sell beer, and further, surveys taken during the 2012 Pierce County Fair indicate that current fairgoers would continue to attend the Fair if there was a social garden; and

WHEREAS, it is the desire to get County approval to allow for the sale of intoxicating liquor or fermented malt beverages by the County or its authorized agent on the fairgrounds throughout the course of the year and to prohibit carry-in of intoxicating liquor or fermented malt beverages in or upon the fairgrounds during Pierce County Fair Department sponsored events; and

WHEREAS, given the research and public feedback, and the desire to increase revenue opportunities, and to reduce the dependence of the Pierce County Fair on the County levy, County representatives requested that the Village of Ellsworth amend its ordinances to no longer prohibit the possession of intoxicating liquor or fermented malt beverages in or upon the fairgrounds during the fair; and

WHEREAS, pursuant to the November 13, 2012 recommendation of the Village of Ellsworth Health, License & Welfare Committee, the Village of Ellsworth, at its meeting on December 3, 2012, took action to adopt Ordinance #629 to eliminate Section 12.06(9)(d) to allow intoxicating liquor and fermented malt beverages in an open container in or upon the Pierce County Fairgrounds during the fair; and

WHEREAS, the Pierce County Fair Committee, at its meeting on December 12, 2012, took action to proceed with planning for a social garden during the Fair, and at its meeting on January 29, 2013 to recommend approval of a resolution to authorize the sale of intoxicating liquor or fermented malt beverages by the County or its authorized agent in or upon the fairgrounds and in areas specifically designated by Pierce County, and to prohibit carry-in of intoxicating liquor or fermented malt beverages in or upon the fairgrounds during Pierce County Fair Department sponsored events; and

WHEREAS, the Finance & Personnel Committee, at its meeting on February 4, 2013, took action to recommend approval of a resolution to authorize the sale of intoxicating liquor or fermented malt beverages by the County or its authorized agent in or upon the fairgrounds and in areas specifically designated by Pierce County, and to prohibit carry-in of intoxicating liquor or fermented malt beverages in or upon the fairgrounds during Pierce County Fair Department sponsored events.

NOW, THEREFORE BE IT RESOLVED, by the Pierce County Board of Supervisors that it authorizes the sale of intoxicating liquor or fermented malt beverages by the County or its authorized agent in or upon the fairgrounds and in areas specifically designated by Pierce County, and to prohibit carry-in of intoxicating liquor or fermented malt beverages in or upon the fairgrounds during Pierce County Fair Department sponsored events.

Dated this 26th day of February, 2013.

Jeffrey A. Holst, Chair
Pierce County Board of Supervisors

ATTESTED TO BY:

APPROVED AS TO FORM AND
LEGALITY BY:

Jamie Feuerhelm, County Clerk

Bradley D. Lawrence, Corp. Counsel

Adopted _____

RESOLUTION 12-40
To 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 #417 (022-01035-0200) – Lot 1 of Certified Survey Maps in Volume 1 Page 260 of Certified Survey Maps filed in Pierce County Register of Deeds, being a part of the SW ¼ of the SW ¼ of Section 8, Township 27 North, Range 18 West, Town of River Falls, Pierce County. N8128 State Rd. 29.

- A tax certificate was issued indicating taxes are unpaid for the years of 2007 - 2009.
- A Notice of Application for Tax Deed was served on owner by the County Treasurer on April 12, 2012 via registered mail as provided for in WI STATS §75.12.

File #418 (024-01042-0300) – A parcel in the SE ¼ of the NE ¼ of Section 17, Township 26 North, Range 15 West, Town of Rock Elm, described as commencing at the Northeast corner of said SE ¼ of the NE ¼, thence South on the section line a distance of 4 rods 4 feet; thence West 17 rods 7 feet to the Pint of Beginning. N5595 170th St.

- A tax certificate was issued indicating taxes are unpaid for the years of 2007 - 2008.
- A Notice of Application for Tax Deed was served on owner by the County Treasurer on May 10, 2012 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 26th day of February, 2013.

Submitted by FINANCE &
PERSONNEL COMMITTEE

Jeff Holst, County Board Chairman

APPROVED AS TO
FORM AND LEGALITY BY:

ATTESTED TO BY:

Brad Lawrence,
Corporation Counsel

Jamie R. Feuerhelm, County Clerk

Adopted:

RESOLUTION NO. 12-41
RATIFY COLLECTIVE BARGAINING AGREEMENT FOR
TEAMSTERS HUMAN SERVICES PROFESSIONALS, L.A.W. – COMMUNITY
HEALTH, AFSCME-COURTHOUSE AND
AFSCME – HUMAN SERVICES SUPPORT STAFF

WHEREAS, negotiations were undertaken by and between the County and Teamsters Human Services Professionals Local 662, L.A.W. – Community Health, AFSCME – Courthouse and AFSCME – Human Services Support Staff with regard to their respective Collective Bargaining Agreements; and

WHEREAS, the Negotiations Committee, at its meetings on December 5, 2012, December 12, 2012 and December 18, 2012 and the Finance and Personnel Committee, at its meeting on February 4, 2013, reviewed the tentative, proposed contract settlement offers for the period of January 1, 2013 through December 31, 2013 (summaries attached and incorporated herein as Exhibits A, B, C and D); and

WHEREAS, the Teamsters Human Services Professionals Local 662, L.A.W. – Community Health, AFSCME – Courthouse and AFSCME – Human Services Support Staff 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 as Exhibits A, B, C and 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 Teamsters Human Services Professionals Local 662, L.A.W. – Community Health, AFSCME – Courthouse and AFSCME – Human Services Support Staff for the term of January 1, 2013 through December 31, 2013 as incorporated in the attached Settlement Proposal Summaries attached as Exhibits “A”, “B”, “C” and “D” to this Resolution.

Dated this 26th day of February, 2013.

Jeffrey A. Holst,
Pierce County Board of Supervisors Chairperson

ATTESTED TO BY:

APPROVED AS TO FORM AND LEGALITY BY:

Jamie Feuerhelm, County Clerk

Bradley D. Lawrence, Corp. Counsel

Adopted _____

Exhibit "A"

**TENTATIVE AGREEMENT BETWEEN
PIERCE COUNTY
AND THE
PIERCE COUNTY HUMAN SERVICES PROFESSIONAL EMPLOYEES
GENERAL TEAMSTERS UNION - LOCAL 662
FOR A SUCCESSOR TO THE 2011-12 AGREEMENT**

For a January 1, 2013, to December 31, 2013, Agreement.

From December 5, 2012 bargaining session

TOTAL BASE WAGES: The County proposes a total base wage increase of **\$31,025*** to be distributed by applying a **1.25%** increase to each wage rate in the wage schedule set forth in Appendix A of the collective bargaining agreement which expires on December 31, 2012.

The County notifies the Union that it is its intent to maintain the wage schedule set forth in Appendix A of the collective bargaining agreement which expires on December 31, 2012, and to allow employees to continue to progress through the schedule based on years of service.

* This figure includes \$6,000 which is the costing for step movement in 2013.

Exhibit "B"

**TENTATIVE AGREEMENT
BETWEEN
PIERCE COUNTY
AND
PIERCE COUNTY COMMUNITY HEALTH ASSOCIATION
FOR A SUCCESSOR TO THE 2011-12 AGREEMENT**

For a January 1, 2013, to December 31, 2013, Agreement

From December 12, 2012, bargaining session

TOTAL BASE WAGES: The County proposes a total base wage increase of **\$9,226*** to be distributed by applying a **1.25%** increase to each wage rate in the wage schedule set forth in Appendix A of the collective bargaining agreement which expires on December 31, 2012.

The County notifies the Union that it is its intent to maintain the wage schedule set forth in Appendix A of the collective bargaining agreement which expires on December 31, 2012, and to allow employees to continue to progress through the schedule based on years of service.

* This figure includes \$1,770 which is the costing for step movement in 2013.

Exhibit "C"

**INITIAL PROPOSALS
OF
PIERCE COUNTY
TO
PIERCE COUNTY COURTHOUSE EMPLOYEES, LOCAL 556
WISCONSIN COUNSEL OF COMMUNITY AND MUNICIPAL EMPLOYEES
AFSCME, AFL-CIO
FOR A SUCCESSOR TO THE 2011-12 AGREEMENT**

For a January 1, 2013, to December 31, 2013, Agreement

December 18, 2012

TOTAL BASE WAGES: The County proposes a total base wage increase of \$ 23,924* to be distributed by applying a 1.25% increase to each wage rate in the wage schedule set forth in Appendix A of the collective bargaining agreement which expires on December 31, 2012.

The County notifies the Union that it is its intent to maintain the wage schedule set forth in Appendix A of the collective bargaining agreement which expires on December 31, 2012, and to allow employees to continue to progress through the schedule based on years of service.

* This figure includes \$1,300 which is the costing for step movement in 2013.

The County reserves the right to add to, delete from or change these proposals during the course of bargaining.

F:\docs\insurance\Wis. County Mutual-Labor 60021046\Pierce Co. Cols (2013)\Initial proposals.wpd


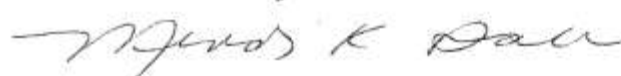

Shawn Nealey 12/18/12





Exhibit "D"

INITIAL PROPOSALS
OF
PIERCE COUNTY
TO
PIERCE COUNTY HUMAN SERVICES (Support Staff)
LOCAL 556, WCCME
AFSCME, AFL-CIO
FOR A SUCCESSOR TO THE 2011-12 AGREEMENT

For a January 1, 2013, to December 31, 2013, Agreement

December 18, 2012

TOTAL BASE WAGES: The County proposes a total base wage increase of ^{17,339 mkt} ~~\$ 15,452~~* to be distributed by applying a **1.25%** increase to each wage rate in the wage schedule set forth in Appendix A of the collective bargaining agreement which expires on December 31, 2012.

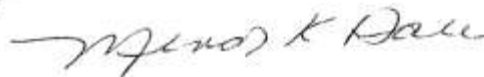
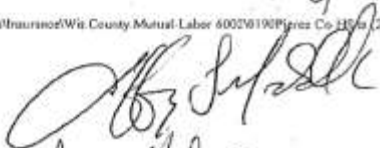
The County notifies the Union that it is its intent to maintain the wage schedule set forth in Appendix A of the collective bargaining agreement which expires on December 31, 2012, and to allow employees to continue to progress through the schedule based on years of service.

* This figure includes \$1,900 which is the costing for step movement in 2013.

The County reserves the right to add to, delete from or change these proposals during the course of bargaining.



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RESOLUTION NO. 12-42
Memorial to Don Rohl

WHEREAS, a respected and valued county board supervisor has departed this life; and

WHEREAS, Don Rohl was a dedicated member of the Pierce County Board of Supervisors for several years; and

WHEREAS, he gave much of his valued time and effort for the people of Pierce County and the community; and

WHEREAS, the Pierce County Board of Supervisors wish to extend their sincere sympathy to the Rohl family.

NOW THEREFORE, BE IT RESOLVED, that this resolution be adopted and spread upon the minutes and a copy to be presented to the bereaved Rohl family.

Dated this 26th day of March, 2013.

Jeffrey A. Holst, Chair
Pierce County Board of Supervisors

ATTESTED TO BY:

APPROVED AS TO FORM AND
LEGALITY BY:

Jamie Feuerhelm
County Clerk

Bradley D. Lawrence
Corporation Counsel

Adopted _____

RESOLUTION NO. 12-43
TRANSFER FROM GENERAL FUND FOR
2012 MEDICAL EXAMINER BUDGET DEFICIT

WHEREAS, in 2012 the Medical Examiner budget exceeded its final budgeted amount by \$11,701 due to a high number of autopsies and additional temporary salaries; and

WHEREAS, the Medical Examiner tries to keep costs down as much as possible, however has no actual control over the number of autopsies that are necessary, along with associated temporary salaries; and

WHEREAS, the additional costs set forth above were not budgeted for in the Medical Examiner account and as a result a deficit of \$11,701 exists in the 2012 Medical Examiner Budget; and

WHEREAS, pursuant to §65.90(5) Wis. Stats., the County Board is required to authorize transfers in excess of 10% of the department budget, or if the transfer is requested from the General Fund rather than the Contingency Fund; and

WHEREAS, on March 4, 2013 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 2012 Medical Examiner's Budget the amount of \$11,701 to cover the deficit, and that it be approved on a first reading to close the 2012 books timely and allow the auditors to perform the 2012 audit in April.

NOW THEREFORE, BE IT RESOLVED, that the Pierce County Board of Supervisors hereby approves and authorizes the transfer from the General Fund into the 2012 Medical Examiner Budget the amount of \$11,701 for the purposes set forth herein.

Dated this 26th day of March, 2013.

Jeffrey A. Holst, Chairman
Pierce County Board of Supervisors

ATTESTED TO BY:

APPROVED AS TO FORM AND LEGALITY BY:

Jamie Feuerhelm, County Clerk

Bradley D. Lawrence, Corp. Counsel

Adopted _____