

ORDINANCE INDEX 2001

ORDINANCE NO.	DESCRIPTION	ADOPTION DATE
01-01	Rezone Parcels from Rural Residential 12 to General Rural Flexible - Oak Grove: D. Buerkley, J. Bieter, J. Imsdahl, J. Bronk	May 22, 2001
01-02	Amend Pierce County Code to Provide For Ad Hoc Committees	April 17, 2001
01-03	Amend Slow No-Wake Ordinance	Not Approved
01-04	Create Chapter 241 of Pierce County Code Ordinance for Non-Metallic Mining Reclamation	June 19, 2001
01-05	Add General Rural Flexible and Agricultural-Residential Districts and Amend Official Hartland Township Zoning Map	June 19, 2001
01-06	Amend Chapter 195 of the Pierce County Code; Shooting Range	June 19, 2001
01-07	Rezone a Parcel of Land in Trimbelle: Pechaceks Rezoning	August 28, 2001
01-08	Repeal Ordinance 01-06; And Amend Chapter 195 of the Pierce County Code Relating to the Pierce County Public Shooting Range	Not Approved
01-09	Rezone a Parcel of Land in Trimbelle: Puhman Rezoning	September 25, 2001
01-10	Rezoning Parcel - General Rural To Rural Residential In Isabelle	September 25, 2001
01-11	Amend Sections 4-1 and 4-2 County Code Redistricting	September 25, 2001
01-12	Amend Section 240-41 of the County Code - Regarding Comm. Towers, Antennas, & Transmitters	September 25, 2001
01-13	Rezone a Parcel of Land in Trimbelle Township: Peterson Rezone	October 23, 2001
01-14	Rezone a Parcel of Land in Ellsworth: Huppert Rezone	November 13, 2001
01-15	Rezone a Parcel of Land in Hartland Township: Snow Rezone	December 18, 2001
01-16	Amend §40-1 of the Pierce County Code: Procedure for Selecting a Working Bank	November 13, 2001
01-17	Repeal and Recreate Art. IV, Chapter 13, P.C.C; Admin. Coordinator	January 29, 2002
01-18	Rezone a Parcel of Land in Trimbelle Township: Thom Rezone	January 29, 2002
01-19	Rezone a Parcel of Land in Trimbelle Township: Halverson Rezone	January 29, 2002
01-20	Amend Chapter 195 Of The P.C.C. Relating To The Shooting Range	January 29, 2002
01-21	Rezone a Parcel of Land in Oak Grove Township: Zwart Rezone	January 29, 2002
01-22	Create Condemnation Commission	February 26, 2002
01-23	Amend Section 101, Article IV, and Section 1-31 of the Pierce County code; Relating to Waste Ordinance; and Persons Authorized to Issue Citations	Not Approved
01-24	Rezone A Parcel of Land in Clifton Township; Olson Rezone	March 26, 2002
01-25	Rezone A Parcel of Land in Oak Grove Township; Johnson Reiland Rezone	March 26, 2002

01-26	Amend Section 4-46 of the County Code - County Brd Comp. & Per Diem	March 26, 2002
01-27	Eliminate Term Limits of Solid Waste Management Board	March 26, 2002
01-28	Amend Ethics Code Related to Political Activities	Not Approved

RESOLUTION INDEX 2001

RESOLUTION NO.	DESCRIPTION	ADOPTION DATE
01-01	Commendation To Volunteers In UW-Extension Programs	April 17, 2001
01-02	Transfer Of Funds From The General Fund For 1999 Deficit In Human Services Fund #212	April 17, 2001
01-03	Authorize Sale Of County Owned Real Estate In Trenton Township	April 17, 2001
01-04	Support Complete Funding Of Probation And Parole Violation Inmates	April 17, 2001
01-05	County Aid Bridge Construction Under Sec. 81.38, Wis. Stats.	April 17, 2001
01-06	Create Additional Position Of Lieutenant – Law Enforcement	April 17, 2001
01-07	Create Housing Committee	April 17, 2001
01-08	Supporting Eau Galle River Protection Planning Grant	June 19, 2001
01-09	To Support A Law To Allow Counties To House Prisoners In Neighboring States	Not Approved
01-10	Pierce County Disaster Proclamation	May 22, 2001
01-11	Setting Fee Schedule For Nonmetallic Mining Reclamation Program	June 19, 2001
01-12	Create The Position Of Jail Nurse	May 22, 2001
01-13	To Show Non-Support For WCHSA Youth Aids Proposal And Call For Adequate, Equitable And Sustained Youth Aids Funding	May 22, 2001
01-14	Establishing Fees For Services Of The Sheriff	July 24, 2001
01-15	Establishing Fees For Services Of The Coroner And Deputy Coroner	July 24, 2001
01-16	Establish Compensation for County Coroner and Deputy Coroner	June 19, 2001
01-17	Transfer Of Funds From The General Fund To Employee Benefit Plan And Trust	June 19, 2001
01-18	Authorize Sale of County-Owned Property in City of Prescott	September 25, 2001
01-19	Authorized Conversion of Pierce County MRF To Commingled System	October 23, 2001
01-20	Support the Mississippi River Regional Planning Commission's Economic Development Planning Efforts and Concurrence with the Comprehensive Development Strategy (CEDS) Report	November 13, 2001
01-21	Care Of Soldier's Graves	November 13, 2001
01-22	2002 Budget	November 13, 2001

01-23	Dog Claims	January 29, 2002
01-24	Claims For Listing Dogs	January 29, 2002
01-25	Salary Adjustment For Family Court Commissioner	December 18, 2001
01-26	Creation Of A Technology Zone	December 18, 2001
01-27	Request Wisconsin Counties Association To Implement A Strategic Planning Process	February 26, 2002
01-28	Authorize Payment Of Wisconsin Retirement Service And Transfer Of Funds For Prior Years Of Service Debt	January 29, 2002
01-29	Establish Vehicle Registration Fees	February 26, 2002
01-30	Ratify Human Services Prof. Emp. Bargaining Agreement	January 29, 2002
01-31	Establish Condemnation Comm. Comp. And Fees	February 26, 2002
01-32	Amend Permit And Inspection Fees	February 26, 2002
01-33	Commendation To Lawrence Weber	January 29, 2002
01-34	Protest Decrease In "Intoxicated Driver Program" Support Funding	February 26, 2002
01-35	Disallowance Of Claim - Hammel	February 26, 2002
01-36	Adopt A 2002 Salary & Benefits Schedule For Non-Reps. Etc.	February 26, 2002
01-37	To Revise The 1998 Non-Reps. Employee Salary Matrix	February 26, 2002
01-38	Transfer Funds From General Fund Into Coroners	March 26, 2002
01-39	Transfer Funds From General Fund Into Family Court Commissioner	March 26, 2002
01-40	Transfer Funds From General Fund Into Jail For Boarding Of Prisoners	March 26, 2002
01-41	Disallowance Of Claim - Trumpeter Development, LLC	March 26, 2002
01-42	Ratify L.A.W. Community Health Association Employees Bargaining Agreement	March 26, 2002
01-43	Prohibiting Carry-On's In The Grand Stand During The County Fair	March 26, 2002
01-44	Declare April 1-7, Public Health Week In Pierce County	March 26, 2002

ORDINANCE NO. 01-01
REZONING A PARCEL OF LAND IN OAK GROVE TOWNSHIP FROM
RURAL RESIDENTIAL-12 TO GENERAL RURAL FLEXIBLE-8

The Board of Supervisors of Pierce County, Wisconsin does Ordain:

SECTION 1: The Official Pierce County Zoning Map for the Town of Oak Grove be amended to change the zoning from Rural Residential-12 to General Rural Flexible-8 for parcels of land described:

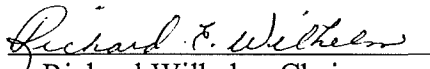
IN THE NE 1/4 OF THE NE 1/4, SECTION 18, T26N, R19W, NE 1/4 OF THE NE 1/4, SEC.18, T26N, R19W, NW 1/4 OF THE NW 1/4 SEC 17, T26N, R19W, PLUS 8 ACRES NE 1/4 OF THE NE 1/4 OF SEC.18 T26N, R19W, & NW 1/4 OF THE NE 1/4 OF SECTION 18, ALL IN THE TOWNSHIP OF OAK GROVE, PIERCE COUNTY, WISCONSIN

SECTION 2: That this Ordinance shall not be codified.

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

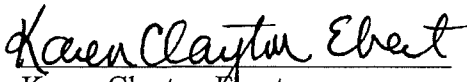
Dated this 17th day of April, 2001.

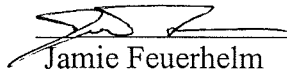
PIERCE COUNTY BOARD


Richard Wilhelm, Chairman

Approved as to form and legality:

Attested to by:


Karen Clayton Ebert
Corporation Counsel


Jamie Feuerhelm
County Clerk

Adopted: 5/22/01

ORDINANCE 01-02

**ORDINANCE AMENDING PIERCE COUNTY CODE TO PROVIDE FOR
AD HOC COMMITTEES**

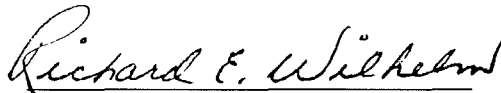
SECTION 1: That § 4-95 be created to provide:

4-95. Designation, composition and termination of Ad Hoc Committees.

- A. Designation. The County Board may provide for Ad Hoc Committees from time to time as the need may arise by resolution. Said resolution shall identify the composition of the committee, compensation, term length and duties.
- B. Composition. A resolution designating Ad Hoc Committee shall provide for composition of the committee. The members of the Ad Hoc Committees shall be appointed pursuant to §4-10 of the Pierce County Code.
- C. Compensation. A resolution designating the Ad Hoc Committee shall provide for any per diem, mileage, or expense reimbursement granted to committee members pursuant to county rules.
- D. Termination. Ad Hoc Committees shall terminate without further action of the County Board when the purpose for which the committee is created has been accomplished. The committee chair or the County Board chair will report to the County Clerk when the Ad Hoc Committee terminates.

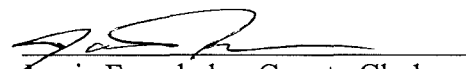
SECTION 2: That this Ordinance shall take effect upon its adoption and publication as required by law.

Dated this 17th day of April, 2001.

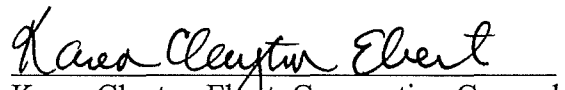


Richard E. Wilhelm, Chairman
Pierce County Board of Supervisors

ATTESTED TO BY:


Jamie Feuerhelm, County Clerk

APPROVED AS TO
FORM AND LEGALITY BY:


Karen Clayton Ebert, Corporation Counsel

Adopted April 17, 2001

Referred to LE

ORDINANCE NO. 01-03
ORDINANCE TO AMEND SLOW NO-WAKE ORDINANCE

PIERCE COUNTY BOARD OF SUPERVISORS DOES HEREBY ORDAIN AS
FOLLOWS:

SECTION. 1: That Chapter 111 be amended as follows:

§111-1 Definitions. The definition set forth in §§30.50 to 30.80, Wis. Stats., are hereby incorporated and used in this chapter as if set out fully therein.

§111-2 Slow-no-wake created.

A. This chapter creates slow no-wake zones as defined in §30.50(12), Wis. Stats., in the Mississippi River boundary waters as defined in §30.50(14), Wis. Stats., in the county at the following locations:

- (1) Southeasterly between mileposts 811.5 and 810.9 of the Mississippi River.
- (2) Southeasterly between mileposts 791.5 and 790.5 of the Mississippi River
- (3) Southwesterly between mileposts 793.5 and 791.6 of the Mississippi River and the entire Wisconsin Back Channel during periods of high water.
- (4) The Wisconsin Back Channel from the Highway 63 crossing northbound for ½ mile.
- (5) Southeasterly between mileposts 789.2 and 788.4 of the Mississippi River.

B. This section means that no person shall operate a motorboat at a speed in excess of the posted notice as established by regulating markers between the subject mileposts in the Mississippi River, Pierce County, Wisconsin. Said area shall be designated and marked "slow -no-wake."

C. "High water" shall be defined as any water level at or above 675 feet above sea level as measured by the Corps of Engineers at Lock and Dam No. 3 at Red Wing, Minnesota.

D. In addition to the above established slow-no-wake zones no person shall operate a motorboat, including personal watercraft, at a speed in excess of slow-no-wake when within 200 feet of any of the following:

- (1) A dock, pier, swim platform, raft, or similar structure
- (2) Any person that is swimming, water-skiing, diving, or otherwise in or on the waters of Pierce County
- (3) The shoreline of any body of water or island
- (4) Any other boat (including personal watercraft)

SECTION 2: That Sec. 111-3 Exemptions be amended to read:

§111-3 Exemptions. Law enforcement officers, emergency medical personnel, and fire fighting personnel operating boats displaying flashing or rotating blue lights and/or while sounding a siren shall be permitted to operate contrary to slow-no-wake regulations when deemed necessary while in performance of their official duty.

SECTION 3: That Sec. 111-4 be created as follows:

§111-4 Failure to stop for law enforcement.


- A. No person operating a motorboat, including personal watercraft, shall fail to stop after being requested or signaled to do so by a law enforcement officer or after being signaled to stop by a law enforcement boat displaying blue flashing or rotating lights.
- B. Owner liability for failure to stop for law enforcement. The owner of a watercraft involved in a violation of the above ordinance for failing to stop for law enforcement shall be liable for the violation unless identification of the operator of the boat at the time of the violation has been positively established and is a person other than the owner of the boat.

SECTION 4: That Sec. 111-3 Violations and penalties be renumbered to 111-5


§111-5. Violations and penalties. Any person violating any provision of this chapter shall forfeit not more than \$50 for the first offense and shall forfeit not more than \$100 upon conviction of the same offense for a second or subsequent time within one year.

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

Dated this 22nd day of May, 2001.


Richard E. Wilhelm, Chairman
Pierce County Board of Supervisors

ATTESTED TO BY:


Jamie Feuerhelm, County Clerk

APPROVED AS TO
FORM AND LEGALITY BY:


Karen Clayton Ebert, Corporation Counsel

Approved by Law Enforcement Committee _____
Date _____

**ORDINANCE NO. 01-04
TO CREATE CHAPTER 241 OF PIERCE COUNTY CODE
ORDINANCE FOR NON-METALLIC MINING RECLAMATION**

The Pierce County Board of Supervisors does hereby ordain as follows

SECTION 1: That Chapter 241 be created to read as follows:

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PART 1 - GENERAL

- SECTION 1 **1.00 Title.** This chapter shall be known as the "Nonmetallic Mining Reclamation Ordinance" for Pierce County, hereinafter referred to as "this chapter."
- SECTION 2 **2.00 Purpose.** The purpose of this chapter is to establish a local program to ensure the effective reclamation of nonmetallic mining sites on which nonmetallic mining takes place in Pierce County after the effective date of this chapter, in compliance with Chapter NR 135, Wisconsin Administrative Code and Subchapter I of Chapter 295, Wisconsin Statutes.
- SECTION 3 **3.00 Statutory Authority.** This ordinance is adopted under authority of Sections 59.51 and 295.13(1), Wisconsin Statutes and Section NR 135.32, Wisconsin Administrative Code.
- SECTION 4 **4.00 Restrictions Adopted Under Other Authority.** The purpose of this chapter is to adopt and implement the uniform statewide standards for nonmetallic mining required by Section 295.12(1)(a), Wisconsin Statutes as amended and contained in NR 135, Wisconsin Administrative Code. It is not intended that this chapter repeal, abrogate, annul, impair or interfere with any existing rules, regulations, ordinances or permits previously adopted or issued pursuant to law.
- SECTION 5 **5.00 Interpretation.** In their interpretation and application, the provisions of this chapter shall be held to be the applicable requirements for nonmetallic mining reclamation and shall not be deemed a limitation or repeal of any other power granted by Wisconsin Statutes outside the reclamation requirements for nonmetallic mining sites required by subchapter I or Chapter 295, Wisconsin Statutes as amended and Chapter NR 135, Wisconsin Administrative Code. Where any terms or requirements of this ordinance may be inconsistent or conflicting, the more restrictive requirements or interpretation shall apply. Where a provision of this ordinance is required by Wisconsin Statutes or by a standard in Chapter NR 135, Wisconsin Administrative Code, and where the provision is unclear, the provision shall be interpreted to be consistent with the Wis. Stats. and the provisions of Chapter NR 135, Wisconsin Administrative Code. Any future amendments, revisions or modifications of the statutes or administrative rules incorporated herein are intended to be made part of this ordinance in order to secure uniform statewide standards for reclamation of nonmetallic mining sites.
- SECTION 6 **6.00 Severability.** Should any portion of this ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected.
- SECTION 7 **7.10 Overall Applicability.** The requirements of this ordinance apply to all operators of nonmetallic mining sites within Pierce County operating on or commencing to operate after August 1, 2001 except as exempted in Section 7.20 and for nonmetallic mining sites located in a city, village or town within Pierce County that has adopted an ordinance pursuant to Section 295.14, Wisconsin Statutes and Section NR 135.32(2), Wisconsin Administrative Code. This chapter does not apply to nonmetallic mining sites where nonmetallic mining permanently ceases and before August 1, 2001. This chapter applies to nonmetallic mining conducted by or on behalf of State of Wisconsin, by or on behalf of a municipality or for the benefit or use of the state or any state agency, board, commission or department, except for the waiver of financial assurance in Subsection 14.40.
- 7.20 Exemptions.** This ordinance does not apply to the following activities:
- (1) Nonmetallic mining at a site or that portion of a site that is subject to permit and reclamation requirements of the Wisconsin Department of Natural Resources under Sections 30.19, 30.195 or 30.20, Wisconsin Statutes and complies with Chapter NR 340, Wisconsin Administrative Code.
 - (2) Excavations subject to the permit and reclamation requirements of Sections 30.30 or 30.31, Wis. Stats.
 - (3) Excavations or grading by a person solely for domestic or farm use at that person's residence or farm.
 - (4) Excavations or grading conducted for the construction, reconstruction, maintenance or repair of a highway, railroad, airport facility, or any other transportation facility where the excavation or grading is entirely within the property boundaries of the transportation facility.
 - (5) Grading conducted for preparing a construction site or restoring land following a flood or natural disaster.
 - (6) Excavations for building construction purposes conducted on the building site.
 - (7) Nonmetallic mining at nonmetallic mining sites that affect less than one acre of total area over the life of the mine.

(8) Any mining operations, the reclamation of which is required in a permit obtained under Chapter 293, Wis. Stats.

(9) Any activities required to prepare, operate or close a solid waste disposal facility under Chapter 289, Wisconsin Statutes or a hazardous waste disposal facility under Chapter 291, Wisconsin Statutes that are conducted on the property where the facility is located, but an applicable nonmetallic mining reclamation ordinance and the standards established in this ordinance apply to activities related to solid waste or hazardous waste disposal that are conducted at a nonmetallic mining site that is not on the property where the solid waste or hazardous waste disposal facility is located, such as activities to obtain nonmetallic minerals to be used for lining, capping, covering or constructing berms, dikes or roads.

(10) (a). Nonmetallic mining conducted to obtain stone, soil, sand or gravel for construction, reconstruction, maintenance or repair of a highway, railroad, airport, or any other transportation facility or part thereof, if the nonmetallic mining is subject to the requirements of the Wisconsin Department of Transportation concerning the restoration of the nonmetallic mining site.

(b) This exemption only applies to a nonmetallic mining operation with limited purpose and duration where the Wisconsin Department of Transportation actively imposes reclamation requirements and the operator reclaims the nonmetallic mining site in accordance with these requirements. The duration of the exemption shall be specific to the length of the Wisconsin Department of Transportation contract for construction of a specific transportation project.

(11) Dredging for navigational purposes, to construct or maintain farm drainage ditches and for the remediation of environmental contamination and the disposal of spoils from these activities.

(12) Removal of material from the bed of Lake Michigan or Lake Superior by a public utility pursuant to a permit under Section 30.21, Wis. Stats.

SECTION 8 **8.00 Administration.** The provisions of this ordinance shall be administered by the Pierce County Land Management Department and Land Conservation Department.

SECTION 9 **9.00 Effective Date.** The provisions of this ordinance shall take effect on June 1, 2001 or as soon thereafter as adopted by law.

SECTION 10 **10.00 Definitions.** Definitions. In this chapter:

(1) "Alternative requirement" means an alternative to the reclamation standards of this ordinance provided through a written authorization granted by Pierce County pursuant to Section 18.

(2) "Applicable reclamation ordinance" means a nonmetallic mining reclamation ordinance, including this chapter, that applies to a particular nonmetallic mining site and complies with the requirements of Chapter NR 135, Wisconsin Administrative Code and Subchapter I of Chapter 295, Wisconsin Statutes unless the Wisconsin Department of Natural Resources is the regulatory authority, as defined in Subsection (19)(c). If the Wisconsin Department of Natural Resources is the regulatory authority, "applicable reclamation ordinance" means the relevant and applicable provisions of Chapter NR 135, Wisconsin Administrative Code.

(3) "Borrow site" means an area outside of a transportation project site from which stone, soil, sand or gravel is excavated for use at the project site, except the term does not include commercial sources.

(4) "Contemporaneous reclamation" means the sequential or progressive reclamation of portions of the nonmetallic mining site affected by mining operations that is performed in advance of final site reclamation, but which may or may not be final reclamation, performed to minimize the area exposed to erosion, at any one time, by nonmetallic mining activities.

(5) "Department" means the Wisconsin Department of Natural Resources.

(6) "Environmental pollution" has the meaning in Section 295.11(2), Wisconsin Statutes.

(7) "Existing mine" means a nonmetallic mine where nonmetallic mining takes place before August 1, 2001.

(8) "Financial assurance" means a commitment of funds or resources by an operator to a regulatory authority that satisfies the requirements in Section 14 and is sufficient to pay for reclamation activities required by this chapter.

(9) "Landowner" means the person who has title to land in fee simple or who holds a land contract for the land. A landowner is not a person who owns nonmetallic mineral rights to land, if a different person possesses title to that land in fee simple or holds a land contract for that land.

(10) "Municipality" means any city, town or village.

(11) "Nonmetallic mineral" means a product, commodity or material consisting principally of naturally occurring, organic or inorganic, non-metallic, non-renewable material. Nonmetallic minerals include, but are not limited to, stone, sand, gravel, asbestos, beryl, diamond, clay, coal, feldspar, peat, talc and topsoil.

(12) "Nonmetallic mining" or "mining" means all of following:

(a) Operations or activities at a nonmetallic mining site for the extraction from the earth of mineral aggregates or nonmetallic minerals for sale or use by the operator. Nonmetallic mining includes use of mining equipment or techniques to remove materials from the in-place nonmetallic mineral deposit, including drilling and blasting, as well as associated activities such as excavation, grading and dredging. Nonmetallic mining does not include removal from the earth of products or commodities that contain only minor or incidental amounts of nonmetallic minerals, such as commercial sod, agricultural crops, ornamental or garden plants, forest products, Christmas trees or plant nursery stock.

(b) Processes carried out at nonmetallic mining sites that are related to the preparation or processing of the mineral aggregates or nonmetallic minerals obtained from the nonmetallic mining site. These processes include, but are not limited to stockpiling of materials, blending mineral aggregates or nonmetallic minerals with other mineral aggregates or nonmetallic minerals, blasting, grading, crushing, screening, scalping and dewatering.

(13) "Nonmetallic mining reclamation" or "reclamation" means the rehabilitation of a nonmetallic mining site to achieve a land use specified in an approved nonmetallic mining reclamation plan, including removal or reuse of nonmetallic mining refuse, grading of the nonmetallic mining site, removal, storage and replacement of topsoil, stabilization of soil conditions, reestablishment of vegetative cover, control of surface water and groundwater, prevention of environmental pollution and if practicable the restoration of plant, fish and wildlife habitat

(14) "Nonmetallic mining refuse" means waste soil, rock and mineral, as well as other natural site material resulting from nonmetallic mining. Nonmetallic mining refuse does not include marketable by-products resulting directly from or displaced by the nonmetallic mining.

(15) "Non metallic mining site" or "site" means all contiguous areas of present or proposed mining, subject to the qualifications in paragraph (b).

(a) Nonmetallic mining sites means the following:

1. The location where nonmetallic mining is proposed or conducted.
2. Storage and processing areas that are in or contiguous to areas excavated for nonmetallic mining.
3. Areas where nonmetallic mining refuse is deposited.
4. Areas affected by activities such as the construction or improvement of private roads or haulage ways for nonmetallic mining.
5. Areas where grading or regrading is necessary.
6. Areas where nonmetallic mining reclamation activities are carried out or structures needed for nonmetallic mining reclamation, such as topsoil stockpile areas, revegetation test plots, or channels for surface water diversion, are located.

(b) "Nonmetallic mine site" does not include any of the following areas:

1. Those portions of sites listed in paragraph (a) not used for nonmetallic mining or purposes related to nonmetallic mining after August 1, 2001.
2. Separate, previously mined areas that are not used for nonmetallic mineral extraction after August 1, 2001 and are not contiguous to mine sites, including separate areas that are connected to active mine sites by public or private roads.
3. Areas previously mined but used after August 1, 2001 for a non-mining activity, such as stockpiles of materials used for an industrial process unrelated to nonmetallic mining.

(16) "Operator" means any person who is engaged in, or who has applied for a permit to engage in, nonmetallic mining, whether individually, jointly or through subsidiaries, agents, employees, contractors or subcontractors.

(17) "Registered geologist" means a person who is registered as a professional geologist pursuant to Sections 443.037 and 443.09, Wisconsin Statutes.

(18) "Registered professional engineer" means a person who is registered as a professional engineer pursuant to Sections 443.04 and 443.09, Wisconsin Statutes.

(19) "Regulatory authority" means the following:

- (a) Pierce County for nonmetallic mine sites located within its jurisdiction, or
- (b) A municipality in which the nonmetallic mining site is located and which has adopted an applicable reclamation ordinance; or
- (c) The Wisconsin Department of Natural Resources, but only if there is no applicable reclamation ordinance enacted by the municipality or the county in which the nonmetallic mining site is located.

(20) "Replacement of topsoil" means the replacement or redistribution of topsoil or topsoil substitute material to all areas where topsoil was actually removed or affected by nonmetallic mining for the purposes of providing adequate vegetative cover and stabilization of soil conditions needed to achieve the approved post-mining land use and as required by the reclamation plan approved pursuant to this chapter.

(21) "Solid waste" means any garbage, refuse, sludge from a waste treatment plant, water supply treatment plant or air pollution control facility and other discarded or salvageable materials, including solid, liquid, semisolid or contained gaseous materials resulting from industrial, commercial, mining and agricultural operations, and from community activities, but does not include solids or dissolved material in domestic sewage, or solid or dissolved materials in irrigation return flows or industrial discharges which are point sources subject to permits under Chapter 283, Wisconsin Statutes or source material, special nuclear material or by-product material, as defined in Section 254.31 (1), Wisconsin Statutes.

(22) "Topsoil" means the surface layer of soil which is generally more fertile than the underlying soil layers, which is the natural medium for plant growth and which can provide the plant growth, soil stability and other attributes necessary to meet the success standards approved in the reclamation plan.

(23) "Topsoil substitute material" means soil or other unconsolidated material either used alone or mixed with other beneficial materials and which can provide the plant growth, site stability and other attributes necessary to meet the success standards approved in the reclamation plan.

(24) (a) "Unreclaimed acre" or "unreclaimed acres" means those unreclaimed areas in which nonmetallic mining has occurred after August 1, 2001 and areas where nonmetallic mining reclamation has been completed but is not yet certified as reclaimed under Subsection 29.30. However the term does not include any areas described in Paragraph (b)

(b) "Unreclaimed acre" or "unreclaimed acres" does not include:

1. Those areas where reclamation has been completed and certified as reclaimed under Subsection 29.30.
2. Those areas previously affected by nonmetallic mining but which are not used for nonmetallic mining after August 1, 2001.
3. Those portions of nonmetallic mining sites which are included in a nonmetallic mining reclamation plan approved pursuant to this chapter but are not yet affected by nonmetallic mining.
4. Areas previously mined but used after August 1, 2001 for a non-mining activity, such as stockpiling of materials used for an industrial activity such as an asphalt plant, concrete batch plant, block and tile operation or other industry that uses products produced from nonmetallic mining.
5. For purposes of fees under Section 27, those areas within a nonmetallic mining site which Pierce County has determined to have been successfully reclaimed on an interim basis in accordance with Subsection 28.30.

PART II – STANDARDS

SECTION 11 **11.00 Standards.** All nonmetallic mining sites subject to this chapter shall be reclaimed in conformance with the standards contained below.

(1) **GENERAL STANDARDS.** (a) **REFUSE AND OTHER SOLID WASTES.** Nonmetallic mining refuse shall be reused in accordance with a reclamation plan. Other solid wastes shall be disposed of in accordance with applicable rules of the Wisconsin Department of Natural Resources adopted pursuant to Chapters 289 and 291, Wisconsin Statutes as amended.

(b) AREA DISTURBED AND CONTEMPORANEOUS RECLAMATION. Nonmetallic mining reclamation shall be conducted, to the extent practicable, to minimize the area disturbed by nonmetallic mining and to provide for nonmetallic mining reclamation of portions of the nonmetallic mining site while nonmetallic mining continues on other portions of the nonmetallic mining site.

(c) PUBLIC HEALTH, SAFETY AND WELFARE. All nonmetallic mining sites shall be reclaimed in a manner so as to comply with federal, state and local regulations governing public health, safety and welfare.

(d) HABITAT RESTORATION. When the land use required by the reclamation plan approved pursuant to this chapter requires plant, fish or wildlife habitat, it shall be restored, to the extent practicable, to a condition at least as suitable as that which existed before the lands were affected by nonmetallic mining operations.

(e) COMPLIANCE WITH ENVIRONMENTAL REGULATIONS. Reclamation of nonmetallic mining sites shall comply with any other applicable federal, state and local laws including those related to environmental protection, zoning and land use control.

(2) SURFACE WATER AND WETLANDS PROTECTION. Nonmetallic mining reclamation shall be conducted and completed in a manner that assures compliance with the Wisconsin Department of Natural Resources' water quality standards for surface waters and wetlands contained in Chapters NR 102 through NR 105, as amended, Wisconsin Administrative Code. Before disturbing the surface of a nonmetallic mining site and removing topsoil, all necessary measures for diversion and drainage of runoff from the site to prevent pollution of waters of the state shall be installed in accordance with the reclamation plans approved pursuant to this chapter. Diverted or channelized runoff resulting from reclamation may not adversely affect neighboring properties.

(3) GROUNDWATER PROTECTION. (a) GROUNDWATER QUANTITY. A nonmetallic mining site shall be reclaimed in a manner that does not cause a permanent lowering of the water table that results in adverse effects on surface waters or a significant reduction in the quantity of groundwater reasonably available for future users of groundwater.

(b) GROUNDWATER QUALITY. Nonmetallic mining reclamation shall be conducted in a manner which does not cause groundwater quality standards in Chapter NR 140, as amended, Wisconsin Administrative Code to be exceeded at a point of standards application defined.

(4) TOPSOIL MANAGEMENT. (a) REMOVAL. Topsoil and topsoil substitute material shall be removed, protected and redistributed to support reclamation and site stabilization. Topsoil shall be managed as specified in the reclamation plan approved pursuant to this chapter in order to achieve reclamation to the approved post-mining land use. Topsoil and topsoil substitute material removal shall be performed, as required by the reclamation plan, prior to any mining activity associated with any specific phase of the mining operation.

(b) VOLUME. The operator shall obtain the volume of soil required to perform final reclamation by removal of on-site topsoil or topsoil substitute material or by obtaining topsoil or substitute material as needed to make up the volume of topsoil as specified in the reclamation plan approved pursuant to this chapter.

(c) STORAGE. Once removed, topsoil or topsoil substitute material shall, as required by the reclamation plan approved pursuant to this chapter, either be used in contemporaneous reclamation or stored in an environmentally acceptable manner. The location of stockpiled topsoil or topsoil substitute material shall be chosen to protect the material from erosion or further disturbance or contamination. Runoff water shall be diverted around all locations in which topsoil or topsoil substitute material is stockpiled.

(5) FINAL GRADING AND SLOPES. (a) All areas affected by mining shall be graded in accordance with the reclamation plan approved pursuant to this chapter to achieve a stable and safe condition consistent with the post mining land use. The reclamation plan may designate areas such as stable slopes and rock faces which do not require final grading.

(b) Final reclaimed slopes covered by top soil or topsoil substitute material may not be steeper than a 3:1 horizontal to vertical incline, unless alternative requirements are approved under Section 18, and stable slopes can be demonstrated based on site-specific engineering analysis.

The engineering analysis shall show that a minimum acceptable slope stability factor is attainable at a steeper slope and that the post-mining land use specified in the reclamation plan is not adversely affected. When the slope occurs at the edge of a body of water, this approved slope shall extend vertically 6 feet below the lowest seasonal water level. A slope no steeper than 3:1 shall be created at a designated location or locations, depending on the size of the water body to allow for a safe exit.

(c) All areas in the nonmetallic mine site where topsoil or topsoil substitute material is to be reapplied shall be graded or otherwise prepared prior to topsoil or topsoil substitute material redistribution to provide the optimum adherence between the topsoil or topsoil substitute material and the underlying material.

(6) TOP SOIL REDISTRIBUTION FOR RECLAMATION. Topsoil or topsoil substitute material shall be redistributed in accordance with the reclamation plan approved pursuant to this chapter in a manner which minimizes compaction and prevents erosion. Topsoil or topsoil substitute material shall be uniformly redistributed except where uniform redistribution is undesirable or impractical. Topsoil or topsoil substitute material redistribution may not be performed during or immediately after a precipitation event until the soils have sufficiently dried.

(7) REVEGETATION AND SITE STABILIZATION. Except for permanent roads or similar surfaces identified in the reclamation plan approved pursuant to this chapter, all surfaces affected by nonmetallic mining shall be reclaimed and stabilized by revegetation or other means. Revegetation and site stabilization shall be in accordance with the approved reclamation plan and shall be performed as soon as practicable after mining activity has permanently ceased in any part of the mine site.

(8) ASSESSING COMPLETION OF SUCCESSFUL RECLAMATION. (a) The criteria for assessing when reclamation is complete and, therefore, when the financial assurance may be released shall be specified in the reclamation plan approved pursuant to this chapter. Criteria to evaluate reclamation success shall be quantifiable.

(b) Compliance with the vegetation success standards in the approved reclamation plan shall be determined by:

1. On-site inspections by Pierce County or its agent;
2. Reports presenting results obtained during reclamation evaluations including summarized data on revegetation, photo-documentation or other evidence that the criteria approved in the reclamation plan to ascertain success have been met; or
3. A combination of inspections and reports.

(c) In those cases where the post mining land use specified in the reclamation plan requires a return of the mining site to a pre-mining condition, the operator shall obtain baseline data on the existing plant community for use in the evaluation of reclamation success pursuant to this section.

(d) Revegetation success may be determined by:

1. Comparison to an appropriate reference area;
2. Comparison to baseline data acquired at the mining site prior to its being affected by mining; or
3. Comparison to an approved alternate technical standard.

(e) Revegetation using a variety of plants indigenous to the area is favored.

(9) INTERMITTENT MINING. Intermittent mining may be conducted provided that the possibility of intermittent cessation of operations is addressed in an operator's reclamation permit, no environmental pollution or erosion of sediments is occurring, and financial assurance for reclamation pursuant to Section 14 is maintained covering all remaining portions of the site that have been affected by nonmetallic mining and that have not been reclaimed.

(10) MAINTENANCE. During the period of the site reclamation, after the operator has stated that reclamation is complete but prior to release of financial assurance, the operator shall perform any maintenance to prevent erosion, sedimentation or environmental pollution, comply with the standards of this subchapter, or to meet the goals specified in the reclamation plan approved pursuant to this chapter.

PART III - PERMITTING

SECTION 12 12.00 Nonmetallic Mining Reclamation Permit Application.

12.10 Required Submittal. All operators of nonmetallic mining sites that operate on or after August 1st, 2001 shall apply for a reclamation permit from Pierce County. All applications for reclamation permits under this section shall be accompanied by the following information:

- (1) A brief description of the general location and nature of the nonmetallic mine.
- (2) A legal description of the property on which the nonmetallic mine is located or proposed, including the parcel identification number and total acres involved.
- (3) The names, addresses and telephone numbers of all persons or organizations who are owners or lessors of the property on which the nonmetallic mining site is located.
- (4) The name, address and telephone number of the person or organization who is the operator.
- (5) A certification by the operator of his or her intent to comply with the statewide nonmetallic mining reclamation standards established by Part II.

12.20 Existing Mines. The operator of any existing nonmetallic mining site in operation on August 1, 2001 may apply for an automatic reclamation permit from Pierce County by providing the information set forth below no later than on August 1, 2001 to Land Management Department or Land Conservation Department.

- (1) The information required under Subsection 12.10 .
- (2) The first year's annual fee, as required by Section 27.
- (3) A certification signed by the operator that he or she will provide Pierce County with a complete reclamation plan required by Section 13 and financial assurance required by Section 14 no later than the times established pursuant to this chapter.

12.30 New Mines. The operator of any nonmetallic mine site that engages in or plans to engage in nonmetallic mining that will begin operations after August 1st, 2001 or which has not applied for an automatic reclamation permit pursuant to Subsection 12.20 shall submit an application that meets the requirements of specified below to Land Management Department or Land Conservation Department prior to beginning operations. This application shall be accompanied by a plan review fee as specified in Section 26.

- (1) The information required by Subsection 12.10.
- (2) The plan review and annual fees required by Sections 26 and 27.
- (3) A reclamation plan conforming to Section 13.
- (4) A certification that the operator will provide, as a condition of the reclamation permit, provide financial assurance as required by Section 14 upon granting of the reclamation permit and before mining begins.
- (5) To avoid duplication, the permit application and submittals required under this subsection may, by reference, incorporate existing plans or materials that meet the requirements of this chapter.

SECTION 13 13.00 Reclamation Plan.

13.10 Reclamation Plan Requirements. All operators of nonmetallic mining sites subject to this chapter shall prepare and submit a reclamation plan that meets the following requirements.

- (1) **PLAN REQUIRED.** An operator who conducts or plans to conduct nonmetallic mining on or after August 1, 2001, shall submit to Pierce County a reclamation plan that meets the requirements of this section and complies with the standards of Part II. To avoid duplication, the reclamation plan may, by reference, incorporate existing plans or materials that meet the requirements of this chapter.
- (2) **SITE INFORMATION.** The reclamation plan shall include information sufficient to describe the existing natural and physical conditions of the site, including, but not limited to:
 - (a) Maps of the nonmetallic mining site including the general location, property boundaries, the aerial extent, geologic composition and depth of the nonmetallic mineral deposit, the distribution, thickness and type of topsoil, the approximate elevation of ground water, the location of surface waters and the existing drainage patterns.
 - (b) Information available to the mine operator on biological resources, plant communities, and wildlife use and adjacent to the proposed or operating mine sites.
 - (c) Existing topography as shown on contour maps of the site at 5 foot intervals.
 - (d) Location of manmade features on or near the site.

(e) For existing mines, a plan view drawing showing the location and extent of land previously affected by nonmetallic mining, including the location of stockpiles, wash ponds and sediment basins.

(3) POST-MINING LAND USE. (a) The reclamation plan shall specify a proposed post-mining land use for the nonmetallic mine site. The proposed post-mining land use shall be consistent with local land use plans and local zoning at the time the plan is submitted, unless a change to the land use plan or zoning is proposed. The proposed post-mining land use shall also be consistent with all applicable local, state, or federal laws in effect at the time the plan is submitted.

(b) Land used for nonmetallic mineral extraction in areas zoned under an exclusive agricultural use ordinance pursuant to Section 91.75, Wisconsin Statutes shall be restored to agricultural use.

(4) RECLAMATION MEASURES. The reclamation plan shall include a description of the proposed reclamation, including methods and procedures to be used and a proposed schedule and sequence for the completion of reclamation activities for various stages of reclamation of the nonmetallic mining site. The following shall be included:

(a) A description of the proposed earthwork and reclamation, including final slope angles, high wall reduction, benching, terracing and other structural slope stabilization measures.

(b) The methods of topsoil or topsoil substitute material removal, storage, stabilization and conservation that will be used during reclamation.

(c) A plan or map which shows anticipated topography of the reclaimed site and any water impoundments or artificial lakes needed to support the anticipated future land use of the site.

(d) A plan or map which shows surface structures, roads and related facilities after the cessation of mining.

(e) The estimated cost of reclamation for each stage of the project or the entire site if reclamation staging is not planned

(f) A revegetation plan which shall include timing and methods of seed bed preparation, rates and kinds of soil amendments, seed application timing, methods and rates, mulching, netting and any other techniques needed to accomplish soil and slope stabilization.

(g) Quantifiable standards for revegetation adequate to show that a sustainable stand of vegetation has been established which will support the approved post-mining land use. Standards for revegetation may be based on the percent vegetative cover, productivity, plant density, diversity or other applicable measures.

(h) A plan and, if necessary, a narrative showing erosion control measures to be employed during reclamation activities. These shall address how reclamation activities will be conducted to minimize erosion and pollution of surface and groundwater.

(i) A description of any areas which will be reclaimed on an interim basis and which will be subsequently disturbed prior to final reclamation. Descriptions shall include an identification of the proposed areas involved, methods of reclamation to comply with the standards in Part II and timing of interim and final reclamation.

(5) The reclamation plan shall contain criteria for assuring successful reclamation in accordance with Section 11(8).

(6) CERTIFICATION OF RECLAMATION PLAN. (a) The operator shall provide a signed certification that will be carried out in accordance with the reclamation plan. The landowner and lessee, if different from the operator, shall also provide signed certification that they concur with the reclamation plan and will allow its implementation, except as provided in paragraph. (b).

(b) For the following situations, the landowner and lessee, if different from the mine operator, are not required to submit a written certification in accordance with paragraph (a). The operator shall provide written evidence that the landowner and lessee, if different from the operator, have been provided with a written copy of the reclamation plan, and that:

1. The mine operator has submitted a reclamation plan for an existing mine in accordance with Subsection 12.20, or

2. The operator has submitted a reclamation plan for a new or reopened mine in accordance with Subsection 12.30 which is located on land for which a lease agreement or memorandum of lease between the landowner and applicant was recorded prior August 1, 2001.

(7) **APPROVAL.** The operator shall keep a copy of the reclamation plan required by this section, once approved by Pierce County under this chapter, at the mine site or, if not practicable, at the operator's nearest office or place of business.

13.20 Existing Mines. The operator of any nonmetallic mining site that submits an automatic permit application in conformance with Subsection 12.20 shall submit the reclamation plan required by Subsection 13.10 by August 1, 2002 for non metallic mining operations in environmentally sensitive areas, and by August 1, 2003 for the remaining nonmetallic mining operations in Pierce County. Environmentally sensitive areas include but are not limited to: lakes, wetlands, shorelands, archeological sites, navigable waters, blufflines, areas with high groundwater, karst topography, fractured bedrock, highly erodible soils and areas included in Appendix C of the Pierce County Land Management Plan, dated 6-25-1996.

13.30 New Mines. The operator of any nonmetallic mining site not in operation that applies for a permit in conformance with Subsection 12.30 shall submit the reclamation plan required by Subsection 13.10 with its application for a reclamation permit.

13.40 Existing Plans and Approvals. To avoid duplication of effort, the reclamation plan required by Subsection 13.10 may, by reference, incorporate existing plans or materials that meet the requirements of this chapter. Previous approvals for nonmetallic mining sites in operation on August 1, 2001 shall satisfy the requirements of Subsection 13.10 if they meet the following requirements:

- (1) The document has been approved by a county or municipality; and
- (2) Pierce County finds that the document designates a post-mining land use and describes reclamation measures that meet the reclamation standards of this chapter.

13.50 Approval of Reclamation Plan. Pierce County shall approve, conditionally approve or deny the reclamation plan submitted under this section in writing in accordance with Subsection 16.30(3) for existing mines and Subsection 16.40 for mines that apply for a reclamation permit in conformance with Subsection 12.30. Conditional approvals of reclamation plans shall be made according to Subsection 16.70 and denials of reclamation plans shall be made pursuant to Section 17. The operator shall keep a copy of the reclamation plan approved under this subsection at the mine site or, if not practicable, at the operator's nearest place of business.

SECTION 14

14.00 Financial Assurance.

14.10 Financial Assurance Requirements. All operators of nonmetallic mining sites in Pierce County shall prepare and submit a proof of financial assurance that meets the following requirements:

- (1) **NOTIFICATION.** The regulatory authority shall provide written notification to the operator of the amount of financial assurance required under Subsection (3).
- (2) **FILING.** Following approval of the nonmetallic mining reclamation permit, and as a condition of the permit, the operator shall file a financial assurance with Pierce County. The financial assurance shall provide that the operator shall faithfully perform all requirements in this chapter, an applicable reclamation ordinance and the reclamation plan. Financial assurance shall be payable exclusively to Pierce County. In cases where one or more other regulatory authorities regulate a nonmetallic mining site, all financial assurance shall be made payable to Pierce County only if it currently has primary regulatory responsibility.
- (3) **AMOUNT AND DURATION OF FINANCIAL ASSURANCE.** The amount of financial assurance shall equal as closely as possible the cost to Pierce County of hiring a contractor to complete either final reclamation or progressive reclamation according to the approved reclamation plan. The amount of financial assurance shall be reviewed periodically by Pierce County to assure it equals outstanding reclamation costs. Any financial assurance filed with Pierce County shall be in an amount equal to the estimated cost for reclaiming all sites the operator has under project permits. The period of the financial assurance is dictated by the period of time required to establish the post mining land use declared and approved of in the reclamation plan. This may extend beyond the permit if required to accomplish successful and complete implementation of the reclamation plan.
- (4) **FORM AND MANAGEMENT.** Financial assurance shall be provided by the operator and shall be by a bond or an alternate financial assurance. Financial assurance shall be payable to Pierce County and released upon successful completion of the reclamation measures specified in the reclamation plan. Alternate financial assurances may include, but are not limited to cash,

certificates of deposits, irrevocable letters of credit, irrevocable trusts, established escrow accounts, demonstration of financial responsibility by meeting net worth requirements, or government securities. Certificates of deposit shall be automatically renewable or other assurances shall be provided before the maturity date. Financial assurance arrangements may include, at the discretion of Pierce County, a blend of different options for financial assurance including a lien on the property on which the nonmetallic mining site occurs or a combination of financial assurance methods.

(5) **MULTIPLE PROJECTS.** Any operator who obtains a permit from Pierce County for 2 or more nonmetallic mining sites may elect, at the time the second or subsequent site is approved, to post a single financial assurance in lieu of separate financial assurance instruments for each nonmetallic mining site. When an operator elects to post a single financial assurance in lieu of separate financial assurances for each mining site, no financial assurances previously posted on individual mining sites shall be released until the new financial assurance has been accepted by Pierce County.

(6) **MULTIPLE JURISDICTIONS.** In cases where more than one regulatory authority has jurisdiction, a cooperative financial security arrangement may be developed and implemented by the regulatory authorities to avoid requiring the permittee to prove financial assurance with more than one regulatory authority for the same nonmetallic mining site. Financial assurance is required for each site and two or more sites of less than one acre by the same operator, except that governmental units are not required to obtain financial assurance.

(7) **CERTIFICATION OF COMPLETION AND RELEASE.** (a) The operator shall notify the regulatory authority, by filing a notice of completion, at the time that he or she determines that the reclamation of any portion of the mining site or the entire site is complete. Pierce County Land Management Department or Land Conservation Department shall inspect the mine site or portion thereof that was the subject of the notice of completion to determine if reclamation has been carried out in accordance with the approved reclamation plan. Pierce County may partially release the financial assurance if it determines that compliance with a portion of the reclamation plan has been achieved and requires no waiting period. After determining that reclamation is complete Pierce County shall issue a certificate of completion and shall release the financial assurance or appropriately reduce the financial assurance in the case of reclamation of a portion of the mining site.

(b) Pierce County shall make a determination of whether or not the certification in paragraph (a) can be made within 60 days that the request is received.

(c) Pierce County may make a determination under this subsection that:

1. Reclamation is not yet complete;
2. It is not possible to assess whether reclamation is complete due to weather conditions, snow cover or other relevant factors;
3. Reclamation is complete in a part of the mine; or
4. Reclamation is fully complete.

(8) **FORFEITURE.** Financial assurance shall be forfeited if any of the following occur:

(a) A permit is revoked under Section 24 and the appeals process has been completed.

(b) An operator ceases mining operations and fails to reclaim the site in accordance with the reclamation plan.

(9) **CANCELLATION.** Financial assurance shall provide that it may not be canceled by the surety or other holder or issuer except after not less than 90 day notice to Pierce County in writing by registered or certified mail. Not less than 30 days prior to the expiration of the 90-day notice of cancellation, the operator shall deliver to Pierce County a replacement proof of financial assurance. In the absence of this replacement financial assurance, all mining shall cease until the time it is delivered and in effect.

(10) **CHANGING METHODS OF FINANCIAL ASSURANCE.** The operator of a nonmetallic mining site may change from one method of financial assurance to another. This may not be done more than once a year unless required by an adjustment imposed pursuant to Subsection (12). The operator shall give Pierce County at least 60 days notice prior to changing methods of financial assurance and may not actually change methods without the written approval of Pierce County.

(11) **BANKRUPTCY NOTIFICATION.** The operator of a nonmetallic mining site shall notify the regulatory authority by certified mail of the commencement of voluntary or involuntary proceeding under bankruptcy code, 11 USC, et seq., naming the operator as debtor, within 10 days of commencement of the proceeding.

(12) **ADJUSTMENT OF FINANCIAL ASSURANCE.** Financial assurance may be adjusted when required by Pierce County. Pierce County may notify the operator in writing that adjustment is necessary and the reasons for it. Pierce County may adjust financial assurance based upon prevailing or projected interest or inflation rates, or the latest cost estimates for reclamation.

(13) **NET WORTH TEST.** (a) Only an operator that meets the definition of "company" in Section 289.41 (1) (b), Wisconsin Statutes may use the net worth method of providing financial assurance.

(c) The operator shall submit information to the regulatory authority in satisfaction of the net worth test requirements of Section. 289.41 (4), Wis. Stats. The criteria in Sections. 289.41 (6) (b), (d), (e), (f), (g), (h) and (i), Wis. Stats., shall apply.

(d) Determinations under the net worth test shall be done in accordance with Section 289.41 (5), Wis. Stats.

(e) In addition, the operator shall submit a legally binding commitment to faithfully perform all compliance and reclamation work at the mine site that is required under this chapter.

14.20 Existing Mines. The operator of any nonmetallic mining site that submits an automatic permit application in conformance with Subsection 12.20 shall submit the financial assurance required by Subsection 14.10 no later than June 1, 2002.

14.30 New Mines. The operator of any nonmetallic mining site that applies for a reclamation permit in conformance with Subsection 12.30 shall submit the proof of financial assurance required by Subsection 14.10 as specified in the reclamation permit issued to it under this chapter.

14.40 Public Nonmetallic Mining. The financial assurance requirements of this section do not apply to nonmetallic mining conducted by the State of Wisconsin, a state agency, board, commission or department, or a municipality

SECTION 15

15.00 Public Notice and Right of Hearing.

15.10 New Mines. Pierce County shall, except as provided in Subsection 15.20, provide public notice and the opportunity for a public informational hearing as set forth below:

(1) **PUBLIC NOTICE.** (a) Except as provided in Subsection 15.20(3) for existing mines, when Pierce County receives an application to issue a reclamation permit, it shall publish a public notice of the application no later than 30 days after receipt of a complete application that satisfies Subsection 12.30.

(b) The notice shall briefly describe the mining and reclamation planned at the nonmetallic mining site. The notice shall be published as a class 2 notice pursuant to Section. 985.07(2), Wisconsin Statutes in the official newspaper of Pierce County. The notice shall mention the opportunity for public hearing pursuant to this section and shall give the locations at which the public may review the application and all supporting materials including the reclamation plan.

(c) Copies of the notice shall be forwarded by Pierce County to the county or applicable local zoning board, the county and applicable local planning organization, the county land conservation officer, and owners of land within 300 feet of the boundaries of the parcel or parcels of land on which the site is located.

(1) **HEARING.** Except as provided in Subsection 15.20(3) for existing mines, Pierce County shall provide for opportunity for a public informational hearing on an application or request to issue a nonmetallic mining reclamation permit as follows:

(a) If it conducts a zoning-related hearing on the nonmetallic mine site, Pierce County shall provide the opportunity at this hearing to present testimony on reclamation-related matters. This opportunity shall fulfill the requirement for public hearing for a nonmetallic mining reclamation permit required by this section. Pierce County shall consider the reclamation-related testimony in the zoning-related hearing in deciding on a permit application pursuant to this chapter.

(b) 1. If there is no opportunity for a zoning-related hearing on the nonmetallic mine site as described in sub. Paragraph .(a), opportunity for public hearing required by this section shall be provided as follows. Any person residing within, owning property within, or whose principal

place of business is within 300 feet of the boundary of the parcel or parcels of land in which the nonmetallic mining site is located or proposed may request a public informational hearing. Pierce County shall hold a public hearing if requested by any of these persons within 30 days of the actual date of public notice under paragraph (1). This public informational hearing shall be held no sooner than 30 days nor later than 60 days after being requested. The hearing shall be conducted as an informational hearing for the purpose of explaining and receiving comment from affected persons on the nature, feasibility and effects of the proposed reclamation.

2. The subject matter and testimony at this informational hearing shall be limited to reclamation of the nonmetallic mine site.

15.20 Existing Mines. (1) No public notice or informational hearing is required for a nonmetallic mining reclamation permit issued pursuant to Subsection 16.20 for an existing mine, except as provided in paragraph (3).

(2) If the regulatory authority accepts a previously approved reclamation plan for that mine as provided in Subsection 16.30(2)(a), no further public notice or informational hearing is required.

(3) If Pierce County requires the submittal of a new reclamation plan, public notice and the opportunity for public informational hearing shall be provided following the receipt of the reclamation plan in accordance Subsection 15.10. In this case, the subject matter and testimony at that hearing, if held, shall be limited to the new reclamation plan.

15.30 Local Transportation-Related Mines. No public notice or informational hearing is required for a nonmetallic mining reclamation permit issued to a local transportation-related mine pursuant to Subsection 16.50.

SECTION 16

16.00 Issuance of a Nonmetallic Mining Reclamation Permit.

16.10 Permit Required. Every operator of a nonmetallic mining site in Pierce County who engages in or plans to engage in nonmetallic mining after September 1st, 2001 shall obtain a reclamation permit issued under this section, except for nonmetallic mining sites that are exempt from this chapter under Subsection 7.20. No person may engage in nonmetallic mining or nonmetallic mining reclamation after September 1st, 2001 without a reclamation permit issued pursuant to this chapter.

16.20 Automatic Permit for Existing Mines. Pierce County shall issue an automatic reclamation permit to the operator of any nonmetallic mining site that submits an application meeting the requirements of Subsection 12.20 according to the following provisions.

(1) The permit shall be issued within 30 days of such application.

(2) Existing mines that are granted a reclamation permit pursuant to this subsection shall, within the deadlines established in Subsection 13.20, submit to Pierce County the following:

(a) A reclamation plan that meets the requirements of Section 13; and

(b) Financial assurance required pursuant to Section 14.

(3) Pierce County may grant a reasonable extension to the deadline in paragraph (2) when it finds extenuating circumstances exist.

16.30 Evaluation of Follow-Up Submittals for Existing Mines. Mines covered by automatic permits issued under Subsection 16.20 shall submit a reclamation plan in accordance with Subsection 13.20 and proof of financial assurance in accordance with Subsection 14.20. Reasonable extensions to these deadlines may be granted in writing by Pierce County where extenuating circumstances exist. These follow-up submittals shall be evaluated as set forth below:

(1) The reclamation plan and financial assurance shall meet the requirements of Subsection 16.20(2).

(2) (a) Pierce County shall accept, as satisfaction of the requirement for submittal of a reclamation plan pursuant to Subsection 16.20(2)(a), submittal of a previously-completed document that includes plans for reclamation so long as:

1. The document has been approved by a county or municipality; and

2. Pierce County finds that the document designates a post-mining land use and describes reclamation measures that meet the reclamation standards of this chapter.

(b) If Pierce County determines that a document with reclamation plans previously approved meets some, but not all of, the requirements of this chapter, it shall request the supplemental information needed to satisfy the reclamation plan requirements of this section. In that case, Pierce County shall determine whether or not to provide public notice and opportunity for public

hearing pursuant to Subsection 15.20(3), depending on the nature and extent of the supplemental information.

(3) Within 30 days of receipt of the reclamation plan and evidence of financial assurance as required under Subsection 16.20(2), Pierce County shall affirm in writing its decision whether to approve these submittals and continue the nonmetallic mining reclamation permit issued pursuant to Subsection 16.20. A reclamation permit with this written affirmation shall satisfy the requirements of this chapter without further action, submittal or approval.

16.40 Permit Issuance for New Mines. Applications for reclamation permits for nonmetallic mining sites not in operation on August 1, 2001 that satisfy Subsection 12.30 shall be issued a reclamation permit or otherwise acted on as provided below.

(1) Unless denied pursuant to Section 17, Pierce County shall approve in writing a request that satisfied the requirements of Subsection 12.30 to issue a nonmetallic mining reclamation permit for a nonmetallic mine where mining has not yet taken place on or after August 1, 2001 or an existing nonmetallic mine where mining is not taking place on or after August 1, 2001.

(2) Pierce County may not issue an approval without prior or concurrent approval of the reclamation plan that meets the requirements of Section 13. The regulatory authority may issue a reclamation permit subject to conditions in Subsection 16.70 is appropriate. The permit decision shall be made no sooner than 30 days nor later than 90 days following receipt of the complete reclamation permit application and reclamation plan pursuant to this subchapter, unless a public hearing is held pursuant to Section 15. If a public hearing is held, the regulatory authority shall issue the reclamation permit, subject to conditions pursuant to Subsection 16.70 if appropriate, or shall deny the permit as provided in Section 17, no later than 60 days after completing the public hearing.

(1) Permits issued pursuant to this subsection shall require compliance with a reclamation plan that has been approved and satisfies the requirements of Section and provision by the applicant of financial assurance required under Section 14 and payable to Pierce County prior to beginning mining.

16.50 Automatic Permit for Local Transportation-Related Mines

(1) Pierce County shall automatically issue an expedited permit under this subsection to any borrow site that:

(a) Will be opened and reclaimed under contract with a municipality within a period not exceeding 36 months;

(b) Is a nonmetallic mine which is intended to provide stone, soil, sand or gravel for the construction, reconstruction, maintenance or repair of a highway, railroad, airport facility or other transportation facility under contract with the municipality;

(c) Is regulated and will be reclaimed under contract with the municipality in accordance with the requirements of the Wisconsin Department of Transportation concerning the restoration of nonmetallic mining sites;

(d) Is not a commercial source;

(e) Will be constructed, operated and reclaimed in accordance with applicable zoning requirements, if any, and

(f) Is not otherwise exempt from the requirements of this chapter under Subsection 7.20(10).

(2) In this subsection, "municipality" has the meaning defined in Section 299.01(8), Wis. Stats.

(3) Automatic permits shall be issued under this subsection in accordance with the following provisions:

(a) The applicant shall notify Pierce County of the terms and conditions of the contract with respect to reclamation of the proposed borrow site.

(b) The applicant shall provide evidence to Pierce County to show that the borrow site and its reclamation will comply with applicable zoning requirements, if any.

(c) Pierce County shall accept the contractual provisions incorporating requirements of the Wisconsin Department of Transportation in lieu of a reclamation plan under Section 13.

(d) Pierce County shall accept the contractual provisions in lieu of the financial assurance requirements in Section 14.

(e) The public notice and hearing provisions of Section 15 do not apply to nonmetallic mining sites that are issued automatic permits under this subsection.

(f) Mines permitted under this subsection shall pay an annual fee to Pierce County as provided in Section 27, but shall not be subject to the plan review fee provided in Section 26.

(g) Pierce County shall issue the automatic permit within 7 days of the receipt of a complete application.

(h) If the borrow site is used to concurrently supply materials for other than the local transportation project, the automatic permitting in this subsection still applies provided the site will be reclaimed under a contractual obligation with the municipality in accordance with the Wisconsin Department of Transportation requirements.

(i) Notwithstanding Section 25, the operator of a borrow site under this subsection is required to submit only the information in an annual report necessary to identify the borrow site and to determine the applicable annual fee.

16.60 Permit Conditions. Any decision under this section may include conditions as provided below.

(1) Pierce County may issue a reclamation permit or approve a reclamation plan subject to general or site-specific conditions if needed to assure compliance with the nonmetallic mining reclamation requirements of this chapter.

(2) One required condition of the issued permit shall be that the new mine obtain financial assurance pursuant to Section 14 prior to beginning mining.

SECTION 17

17.00 Permit Denial. An application for a nonmetallic mining reclamation permit shall be denied as set forth below:

(1) An application to issue a nonmetallic mining reclamation permit shall be denied, within the time frame for permit issuance specified in Section 16, if Pierce County finds any of the following:

(a) The applicant has, after being given an opportunity to make corrections, failed to provide to Pierce County an adequate permit application, reclamation plan, financial assurance or any other submittal required by Chapter NR 135, Wisconsin Administrative Code, or this chapter.

(b) The proposed nonmetallic mining site cannot be reclaimed in compliance with the reclamation standards contained in this chapter, Chapter NR 135, Wisconsin Administrative Code, or Subchapter 1 of Chapter 295, Wisconsin Statutes.

(c) 1. The applicant, or its agent, principal or predecessor has, during the course of nonmetallic mining in Wisconsin within 10 years of the permit application or modification request being considered shown a pattern of serious violations of this chapter or of federal, state or local environmental laws related to nonmetallic mining reclamation.

2. The following may be considered in making this determination of a pattern of serious violations:

a. Results of judicial or administrative proceedings involving the operator or its agent, principal or predecessor.

b. Suspensions or revocations of nonmetallic mining reclamation permits pursuant to this chapter, other reclamation ordinances or Chapter NR 135, Wisconsin Administrative Code

c. Forfeitures of financial assurance.

d. A denial under this subsection shall be in writing and shall contain documentation of reasons for denial.

(2) A decision to deny an application to issue a reclamation permit may be reviewed under Section 22.

SECTION 18

18.00 Alternative Requirements.

18.10 Scope of Alternative Requirements Approvable. An operator of a nonmetallic mining site may request an alternative requirement to any reclamation standard established in Section 11.00. Pierce County may approve an alternative requirement to the reclamation standards established in this chapter if the operator demonstrates and Pierce County finds that all of the following criteria are met:

(1) The nonmetallic mining site, the surrounding property or the mining plan or reclamation plan has a unique characteristic which requires an alternative requirement.

(2) Unnecessary hardship which is peculiar to the nonmetallic mining site or plan will result unless the alternative requirement is approved.

(3) Reclamation in accordance with the proposed alternative requirement will achieve the planned post-mining land use and long term site stability in a manner that will not cause environmental pollution or threaten public health, safety or welfare.

18.20 Procedures.

(1) The operator of a nonmetallic mining site requesting an alternate requirement in Subsection 18.10 shall demonstrate all of the criteria of Subsection 18.10. This shall be submitted in writing to the Pierce County Land Management Department, P.O. Box 647 Courthouse, Ellsworth, WI 54011.

(2) A request for an alternative requirement may be incorporated as part of an application to issue or modify a nonmetallic mining reclamation permit.

18.30 Transmittal of Decision on Request for Alternate Requirement. The decision on a request for alternate reclamation requirements shall be in writing to the applicant and shall include documentation of why the alternate requirement was or was not approved.

18.40 Notice to Department of Natural Resources. Pierce County shall provide notice to the Department of Natural Resources as set forth in this subsection. Written notice shall be given to the Wisconsin Department of Natural Resources at least 10 days prior to any public hearing held under Subsection 18.20 on a request for an alternate requirement under this section. A copy of any written decision on alternative requirements shall be submitted to the Wisconsin Department of Natural Resources within 10 days of issuance.

SECTION 19 **19.00 Permit Duration.**

(1) A nonmetallic mining reclamation permit issued under this chapter shall last through operation and reclamation of the nonmetallic mining site, unless suspended or revoked pursuant to Subsection 31.20.

(2) If the mine operator is not the landowner, the reclamation permit duration shall not exceed the duration of the mine lease is renewed or the permit is transferred to a subsequent lessee pursuant to Subsection 20.

SECTION 20 **20.00 Permit Transfer.** A nonmetallic mining reclamation permit issued under this chapter shall be transferred to a new owner or operator upon satisfaction of the following conditions:

(1) A nonmetallic reclamation mining permit may be transferred to a new operator upon submittal to Pierce County of proof of financial assurance and a certification in writing by the new permit holder that all conditions of the permit will be complied with.

(2) The transfer is not valid until financial assurance has been submitted by the new operator and accepted by Pierce County and Pierce County makes a written finding that all conditions of the permit will be complied with. The previous operator shall maintain financial assurance until the new operator has received approval and provided the financial assurance under this section.

SECTION 21 **21.00 Previously Permitted Sites.** For any nonmetallic mining site which had a reclamation permit previously issued by another regulatory authority pursuant to Chapter NR 135, Wisconsin Administrative Code, that becomes subject to reclamation permitting authority of Pierce County, the terms and conditions previously-issued municipal reclamation permit shall remain in force until modified by Pierce County pursuant to Subsection 23.10.

SECTION 22 **22.00 Review.** Any permitting decision or action made by Pierce County under this chapter may be reviewed as set forth in this section. Notwithstanding Sections 68.001, 68.03 (8) and (9), 68.06 and 68.10 (1)(b), Wisconsin Statutes any person who meets the requirements of Section 227.42(1), Wisconsin Statutes may obtain a contested case hearing under Section 68.11, Wisconsin Statutes on Pierce County's decision to issue, deny or modify a nonmetallic mining reclamation permit.

PART IV - ADMINISTRATION

SECTION 23 **23.00 Permit Modification.**

23.10 A nonmetallic mining reclamation permit issued under this chapter may be modified by Pierce County if it finds that, due to changing conditions, the nonmetallic mining site is no longer in compliance with Chapter NR 135, Wisconsin Administrative Code or this chapter. Such modification shall be by an order modifying the permit in accordance with Section 32. This modifying order may require the operator to amend or submit new application information, reclamation plan, proof of financial assurance or other information needed to ensure compliance with Chapter NR 135, Wisconsin Administrative Code or this chapter.

23.20 At the Operator's Option. If the operator of any nonmetallic mine that holds a reclamation permit issued under this chapter desires to modify such permit or reclamation plan approved under this chapter, it may request such modification by submitting a written application for such modification to Pierce County Land Management Department or Land Conservation Department. The application for permit or plan modification shall be acted on using the standards and procedures of this chapter.

23.30 Required by the Operator. The operator of any nonmetallic mine that holds a reclamation permit issued under this chapter shall request a modification of such permit if changes occur to the area to be mined, the nature of the planned reclamation, or other aspects of mining required by the reclamation plan approved pursuant to this chapter. Such application for permit modification shall be acted on using the standards and procedures of this chapter.

23.40 Review. All actions by Pierce County on permit modifications requested or initiated under this section are subject to review under Section 22.

SECTION 24

24.00 Permit Suspension and Revocation

24.10 Grounds. Pierce County may suspend or revoke a nonmetallic mining reclamation permit issued pursuant to this chapter if it finds the operator has done any of the following:

(1) Failed to submit a satisfactory reclamation plan within the time frames specified in this chapter.

(2) Failed to submit or maintain financial assurance as required by this chapter.

(3) Failed on a repetitive and significant basis to follow the approved reclamation plan.

24.20 Procedures. If Pierce County finds grounds for suspending or revoking a nonmetallic mining reclamation permit set forth in Subsection 24.10, it may issue a special order suspending or revoking such permit as set forth in Subsection 32.20.

24.30 Consequences. (1) If Pierce County makes any of the findings in Subsection 24.10, it may suspend a nonmetallic mining reclamation permit for up to 30 days. During the time of suspension, the operator may not conduct nonmetallic mining at the site, except for reclamation or measures to protect human health and the environment as ordered by the regulatory authority pursuant to Section 32.

(2) If Pierce County makes any of the findings in Subsection 24.10, it may revoke a nonmetallic mining reclamation permit. Upon permit revocation, the operator shall forfeit the financial assurance it has provided pursuant to this chapter to Pierce County. Pierce County may use forfeited financial assurance to reclaim the site to the extent needed to comply with this chapter and the applicable reclamation ordinance.

SECTION 25

25.00 Annual Operator Reporting

25.10 Contents and Deadline. Annual reports that satisfy the requirements of this section shall be submitted by the operators of nonmetallic mining sites.

(1) **CONTENTS.** The annual report required by this section shall include all of the following:

(a) The name and mailing address of the operator.

(b) The location of the nonmetallic mining site, including legal description, tax key number or parcel identification number if available.

(c) The identification number of the applicable nonmetallic mining permit, if assigned by Pierce County.

(d) The acreage currently affected by nonmetallic mining extraction and not yet reclaimed.

(e) The amount of acreage that has been reclaimed to date, on a permanent basis and the amount reclaimed on an interim basis.

(f) A plan, map or diagram accurately showing the acreage described in paragraphs: (e) and (f).

(g) The following certification, signed by the operator:

"I certify that this information is true and accurate, and that the nonmetallic mining site described herein complies with all conditions of the applicable nonmetallic mining reclamation permit and Chapter NR 135, Wisconsin Administrative Code."

(2) **DEADLINE.** The annual report shall cover activities for a calendar year and be submitted within 60 days following the end of the year.

(3) **WHEN REPORTING MAY END.** Annual reports shall be submitted by an operator for all active and intermittent mining sites to Pierce County for each calendar year until nonmetallic mining reclamation at the site is certified as complete pursuant to Subsection 29.30 or at the time of release of financial assurance pursuant to Subsection 14.10(7)

25.20 Inspection in Lieu of Report. Pierce County may, at its discretion, obtain the information required in Subsection 25.10 for a calendar year by written documentation of an inspection it completes during a calendar year, as set forth in this subsection. If Pierce County obtains and documents the required information, the annual report need not be submitted by operator. If Pierce County determines that the operator need not submit an annual report pursuant to this subsection, it shall advise the operator in writing at least 30 days before the end of the applicable calendar year. In that case, Pierce County shall require the operator to submit the certification required in Subsection 25.10(1)(g).

25.30 Retention of Annual Reports. Annual reports submitted under subsection 25.10 or inspection records that replace them under Subsection 25.20 shall be retained by Pierce County for at least 10 years after the calendar year to which they apply. These records, or accurate copies of them, shall be made available to the Wisconsin Department of Natural Resources upon written request or during its inspection or audit activities carried out pursuant to Chapter NR 135, Wisconsin Administrative Code.

SECTION 26

26.00 Plan Review Fees.

26.10 Amount and Applicability. A person who intends to operate a nonmetallic mining site for which a permit application has been submitted under Subsection 12.30 shall submit a non-refundable plan review fee ~~of \$30 per acre~~. No plan review fee may be assessed under this section for any nonmetallic mine site for which an application for an automatic reclamation permit is submitted that meets the requirements of Subsection 12.20 or for any local transportation-related mining receiving an automatic permit under Subsection 16.50. A separate plan review fee shall be paid under this section for any modification to an existing reclamation plan submitted pursuant to Section 23. **The fee will be set by resolution of the Land Management Committee.**

26.20 Relation to Annual Fee. Any reclamation plan review fee or expedited reclamation plan review fee collected under this section shall be added to and collected as part of the first annual fee collected under Section 27.

SECTION 27

27.00 Annual Fees.

27.10 Areas Subject to Fees, Procedures and Deadline. (1) Operators of all nonmetallic mining sites subject to reclamation permits issued under this chapter shall pay annual fees to Pierce County. Fees paid under this section shall include both a share for the Wisconsin Department of Natural Resources under Subsection 27.20 and a share for Pierce County under Subsection 27.30 that equals as closely as possible the costs of examination and approval on nonmetallic mining reclamation plans and the inspection of nonmetallic mining reclamation sites.

(2) Fees paid under this section shall be calculated based on the unreclaimed acres of nonmetallic mining site, as defined below.

(a) "Unreclaimed acre" or "unreclaimed acres" means those unreclaimed areas in which nonmetallic mining has occurred after August 1, 2001 and areas where nonmetallic mining reclamation has been completed but is not yet certified as reclaimed under Subsection 14.10(7). However the term does not include any areas described in Paragraph (b).

(b) "Unreclaimed acre" or unreclaimed acres" does not include:

1. Those areas where reclamation has been completed and certified as reclaimed under Subsection 14.10(7).

2. Those areas previously affected by nonmetallic mining but which are not used for nonmetallic mining after August 1, 2001.

3. Those portions of nonmetallic mining sites which are included in an approved nonmetallic mining reclamation plan but are not yet affected by nonmetallic mining.

4. Areas previously mined but used after August 1, 2001 for a non-mining activity, such as stockpiling of materials used for an industrial activity such as an asphalt plant, concrete batch plant, block and tile operation or other industry that uses products produced from nonmetallic mining.

5. Those areas within a nonmetallic mining site which the regulatory authority has determined to have been successfully reclaimed on an interim basis in accordance with Subsection 29.20 and 29.30.

6. Those areas defined as not included in a nonmetallic mining site under Subsection 10(16)(b).

(3) Fees assessed pursuant to this section shall be based on unreclaimed acres at the end of the year. Such fees apply to a calendar year or any part of a year in which nonmetallic mining takes

place, until final reclamation is certified as complete under Section 29. Fees shall be paid no later than December 31 for the subsequent year.

(4) For new or reopened mines that submit a reclamation permit application under Subsection 12.30, the first year's annual fee shall be based upon the unreclaimed acres which are anticipated at the end of that calendar year.

(5) If reclamation has already occurred on portions of a nonmetallic mining site, the fees for such portions may be submitted with a request that they be held by Pierce County pending certification of completed reclamation pursuant to Subsection 14.10(7). Upon such certification Pierce County shall refund that portion of the annual fee that applies to the reclaimed areas. If Pierce County fails to make a determination under Subsection 14.10(7) within 60 days of the request, it shall refund that portion of the annual fee that applies to the reclaimed areas.

27.20 Wisconsin Department of Natural Resources Share of Fee. (1) Fees paid under this section shall include a share for the Wisconsin Department of Natural Resources equal to the amount specified in Table 1 of NR 135.39, Wisconsin Administrative Code, and set by resolution of the Land Management Committee.

(2) For nonmetallic mining sites at which no nonmetallic mining has taken place during a calendar year, the share for the Wisconsin Department of Natural Resources shall be \$15.00.

(3) Pierce County shall forward fees collected under this subsection to Wisconsin Department of Natural Resources by March 31 of the year for which they were collected.

27.30 Pierce County's Share of Fee. Fees paid under this section shall also include an annual fee due to Pierce County, which shall be a dollar amount established by the Land Management Committee on an unreclaimed acre basis, and equal as closely as possible the County's cost of administering the reclamation program.

27.40 Reduced Fee for Inactive Mines. Any site on which no nonmetallic mining activity has taken place in a calendar year shall be assessed a fee ~~per acre~~ for the following calendar year. The fee shall be set by resolution of Land Management Committee.

27.50 Documentation of Pierce County's Share of fee.

If the annual fee in Subsection 27.30 is greater than that established in Section NR 135.39(4)(c), Wisconsin Administrative Code, Pierce County shall document in writing its estimated program costs and the need for its annual fees established in sub 27.30 on or before June 1, 2001. This documentation shall be available for public inspection at the office of Land Management Department.

27.60 Other Fees Due to Wisconsin Department of Natural Resources.

Any other fees that may apply shall be collected according to the tables in NR 135.39, Wisconsin Administrative Code, as amended.

SECTION 28

28.00 Regulatory Reporting and Documentation.

28.10 Reporting. Pierce County shall send an annual report to the Wisconsin Department of Natural Resources by March 31st of each calendar year. The reports shall include the following information for the previous year's nonmetallic mining reclamation program:

- (1) The total number of nonmetallic mining reclamation permits in effect.
- (2) The number of new permits issued within the jurisdiction of Pierce County.
- (3) The number of acres approved for nonmetallic mining and the number of acres newly approved in the previous year.
- (4) The number of acres being mined.
- (5) The number of acres that have been reclaimed and have had financial assurance released pursuant to Subsection 14.10(7).
- (6) The number of acres that are reclaimed and awaiting release from the financial assurance requirements of this subchapter pursuant to Subsections 29.10 and 29.20.
- (7) The number and nature of alternative requirements granted, permit modifications, violations, public hearings, enforcement actions, penalties that have been assessed and bond or financial assurance forfeitures.

28.20 Documentation. Pierce County shall, to the best of its ability, maintain the information set forth below, and make it available to the Wisconsin Department of Natural Resources for that agency's audit of Pierce County's reclamation program pursuant to Chapter NR 135, Wisconsin Administrative Code:

- (1) Documentation of compliance with Chapter NR 135, Wisconsin Administrative Code and this chapter.

- (2) The procedures employed by Pierce County regarding reclamation plan review, and the issuance and modification of permits.
- (3) The methods for review of annual reports received from operators.
- (4) The method and effectiveness of fee collection.
- (5) Procedures to accurately forward the Wisconsin Department of Natural Resources' portion of collected fees in a timely fashion.
- (6) Methods for conducting on-site compliance inspections and attendant reports, records and enforcement actions.
- (7) Responses to citizen complaints.
- (8) The method of and accuracy in determining the amount of the financial assurance obtained from the operator to guarantee reclamation performance.
- (9) The maintenance and availability of records.
- (10) The number and type of approvals for alternative requirements issued pursuant to Section. 18.
- (11) The method of determining the success of reclamation in meeting the criteria contained in the reclamation plan and subsequently releasing the financial assurance pursuant to Subsection 14.10(7).
- (12) Any changes in local regulations, ordinances, funding and staffing mechanisms or any other factor which might affect the ability to Pierce County to implement its nonmetallic mining reclamation program under this chapter.
- (13) The amount of fees collected in comparison to the amount of money actually expended for nonmetallic mining reclamation program administration.
- (14) Any other performance criterion necessary to ascertain compliance with Chapter NR 135, Wisconsin Administrative Code.

SECTION 29

29.00 Completed Reclamation - Reporting, Certification and Effect

29.10 Reporting. The operator of a nonmetallic mining site may certify completion of reclamation for a portion or all of the nonmetallic mining site pursuant to a reclamation plan prepared and approved pursuant to this chapter and Chapter NR 135, Wisconsin Administrative Code.

29.20 Reporting of Interim Reclamation. The operator of a nonmetallic mining site may report completion of interim reclamation as specified in the reclamation plan for the site prepared and approved pursuant to this chapter and Chapter NR 135, Wisconsin Administrative Code. Reporting of interim reclamation shall be done according to the procedures in Subsection 29.10.

29.30 Certification of Completed Reclamation. Pierce County shall inspect a nonmetallic mining site for which reporting of reclamation or interim reclamation has been submitted pursuant to this subsection within 60 days of receipt, and make a determination in writing in accordance with Subsection 14.10(7)(c). If it is determined that interim or final reclamation is complete, including revegetation as specified in a reclamation plan that conforms with Section 13, Pierce County shall issue the mine operator a written certificate of completion.

29.40 Effect of Completed Reclamation. If reclamation is certified by Pierce County as complete under Subsection 29.30 for part or all of a nonmetallic mining site, then:

- (1) No fee shall be assessed under Section 27 for the area so certified.
- (2) The financial assurance required by Section 14 shall be released or appropriately reduced in the case of completion of reclamation for a portion of the mining site.
- (3) For sites which are reported as interim reclaimed under Subsection 29.20 and so certified under Subsection 29.30, financial assurance for reclaiming the certified area may be reduced if deemed appropriate by the regulatory authority.

SECTION 30

30.00 Permit Termination. When all final reclamation required by a reclamation plan conforming to Section 13 and required by this chapter is certified as complete pursuant to

Subsections 14.10(7) & 29.30, Pierce County shall issue a written statement to the operator of the nonmetallic mining site, thereby terminating the reclamation permit.

PART V - ENFORCEMENT

SECTION 31

31.00 Right of Entry and Inspection. For the purpose of ascertaining compliance with the provisions of Subchapter I of Chapter 295, Wisconsin Statutes Chapter NR 135, Wisconsin

Administrative Code, or this chapter, any authorized officer, agent, employee or representative of Pierce County may inspect any nonmetallic mining site subject to this chapter as provided below:

(1) No person may refuse entry or access onto a nonmetallic mining site of a duly authorized officer, employee or agent of Pierce County or the Wisconsin Department of Natural Resources who presents appropriate credentials to inspect the site for compliance with the nonmetallic mining reclamation permit, this chapter, Chapter NR 135, Wisconsin Administrative Code or subchapter I of Chapter 295, Wis. Stats.

(2) Any person who enters the site under this right of inspection shall obtain training and provide their own safety equipment needed to comply with any federal, state or local laws or regulations controlling persons on the nonmetallic mining site.

SECTION 32

32.00 Orders and Citations.

32.10 Enforcement Orders. Pierce County may issue orders as set forth in Section 295.19(1)(a), Wisconsin Statutes as amended, to enforce Subchapter I of Chapter 295, Wisconsin Statutes, Chapter NR 135, Wisconsin Administrative Code, this chapter, a permit issued pursuant to this chapter or a reclamation plan required by Section 13 and a permit issued under this chapter. A violation of this chapter, an order or permit issued pursuant to this chapter or a reclamation plan required by Section 13 and a permit issued under this chapter shall be considered a violation of Subchapter I of Chapter 295, Wis. Stats., and Chapter NR 135, Wisconsin Administrative Code.

32.20 Special Orders. Pierce County may issue a special order as set forth in Section 295.19(1)(b) and (c) Wisconsin Statutes as amended suspending or revoking a nonmetallic mining reclamation permit pursuant to Section 24 or directing an operator to immediately cease an activity regulated under Subchapter I of Chapter 295, Wisconsin Statutes, Chapter NR 135, Wisconsin Administrative Code or this chapter until the necessary plan approval is obtained.

32.30 Review of Orders. A person holding a reclamation permit who is subject to an order pursuant this section shall have the right to review the order in a contested case hearing under Section 68.11, Wisconsin Statutes notwithstanding the provisions of Sections 68.001, 68.03 (8) and (9), 68.06 and 68.10 (1) (b), Wisconsin Statutes.

32.40 Citations Pierce County may issue a citation under Section 66.0113, Wisconsin Statutes and Section 1-27 Pierce County Code to collect forfeitures to enforce Subchapter I of Chapter 295, Wisconsin Statutes, Chapter NR 135, Wisconsin Administrative Code, this chapter, a permit issued pursuant to this chapter or a reclamation plan required by Section 13 and a permit issued under this chapter. The issuance of a citation under this subsection shall not preclude proceeding under any other ordinance or law relating to the same or any other matter. Proceeding under any other ordinance or law relating to the same or any other matter shall not preclude the issuance of a citation under this subsection.

32.50 Enforcement. Pierce County may submit any order issued under Section 32 to abate violations of this chapter to a district attorney, corporation counsel, municipal attorney or the attorney general for enforcement. The district attorney, corporation counsel, municipal attorney or the attorney general may enforce those orders.

SECTION 33

33.00 Penalties. Any violation of Subchapter I of Chapter 295, Wisconsin Statutes, Chapter NR 135, Wisconsin Administrative Code, this chapter, a permit issued pursuant to this chapter or a reclamation plan required by Section 13 and a permit issued under this chapter may result in forfeitures as provided in Sections 295.19(3), Wisconsin Statutes as follows:

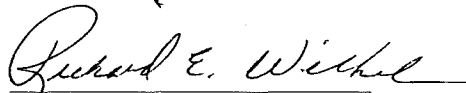
(1) Any person who violates Chapter NR 135, Wisconsin Administrative Code or an order issued under Section 32 may be required to forfeit not less than \$25 nor more than \$1,000 for each violation. Each day of continued violation is a separate offense. While an order issued under Section 32 is suspended, stayed or enjoined, this penalty does not accrue.

(2) Except for the violations referred to in Subsection (1), any person who violates subchapter 1 of Chapter 295, Wisconsin Statutes Chapter NR 135, Wisconsin Administrative Code, any reclamation plan approved pursuant to this chapter or an order issued pursuant to Section 32 shall forfeit not less than \$10 nor more than \$5,000 for each violation. Each day of violation is a separate offense. While an order issued under Section 32 is suspended, stayed or enjoined, this penalty does not accrue.

SECTION 2: That this ordinance shall take effect upon its adoption and publication as required by law.

Dated this 22nd day of May, 2001.

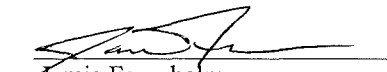
PIERCE COUNTY BOARD


Richard Wilhelm, Chairman

Approved as to form and legality:

Attested to by:


Karen Clayton Ebert
Corporation Counsel


Jamie Feuerhelm
County Clerk

Approved: June 19, 2001

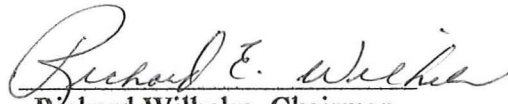
ORDINANCE 01-05

**ADDING GENERAL RURAL FLEXIBLE AND AGRICULTURAL-RESIDENTIAL
DISTRICTS AND AMENDING OFFICIAL HARTLAND TOWNSHIP ZONING MAP**

The Board of Supervisors of Pierce County, Wisconsin does Ordain:

- Section 1: The Official Pierce County Zoning Map for Hartland Township be amended to include the General Rural Flexible and Agricultural-Residential districts and to incorporate changes as shown on the attached map, Attachment A, incorporated herein by reference.
- 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, 2001


Richard Wilhelm, Chairman

Approved as to form and legality:


Corporation Counsel

Attested to by:


County Clerk
Adopted on: _____









Town of Hartland Rezoning

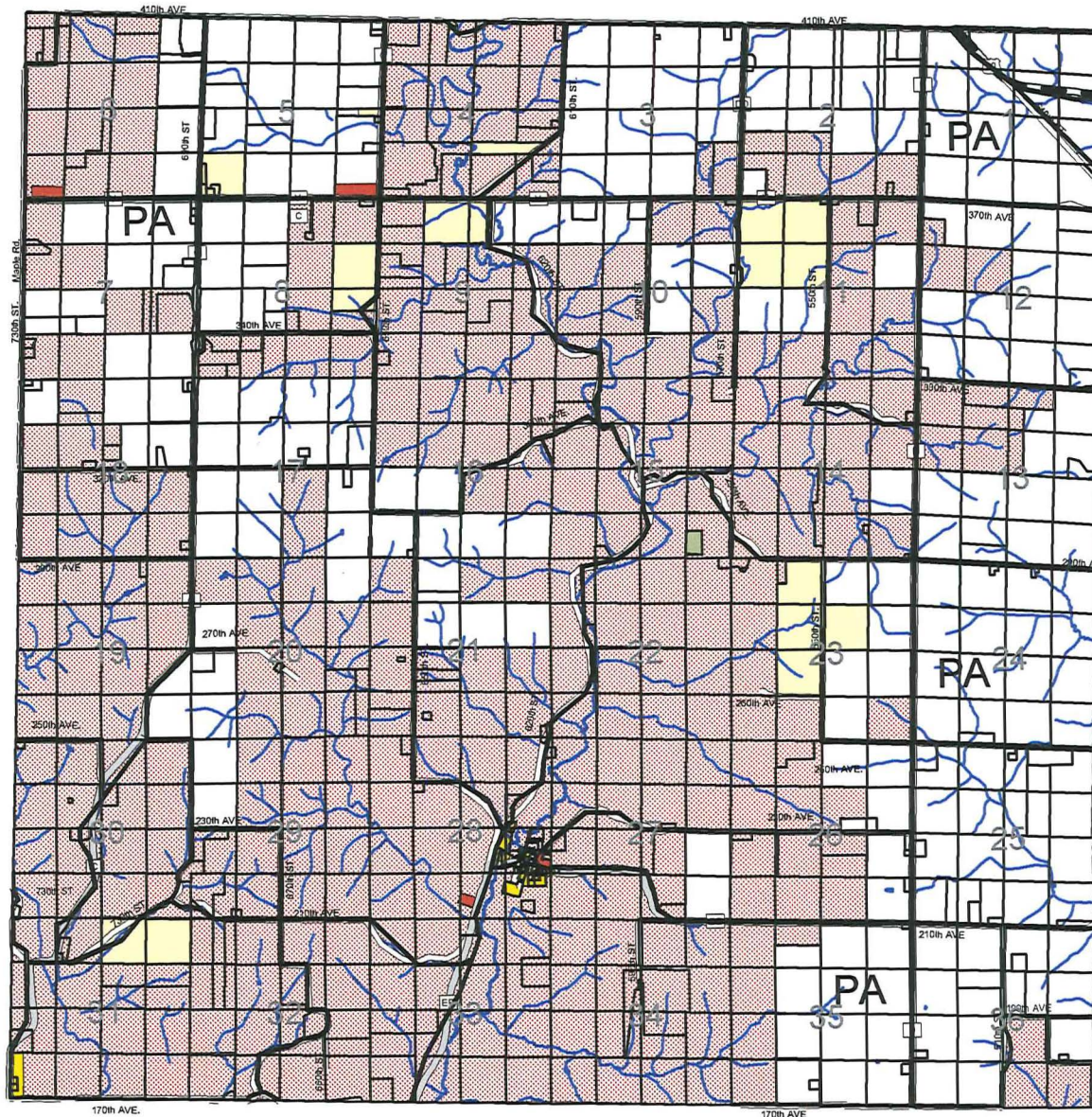
Ordinance 01-05

Attachment A



Legend

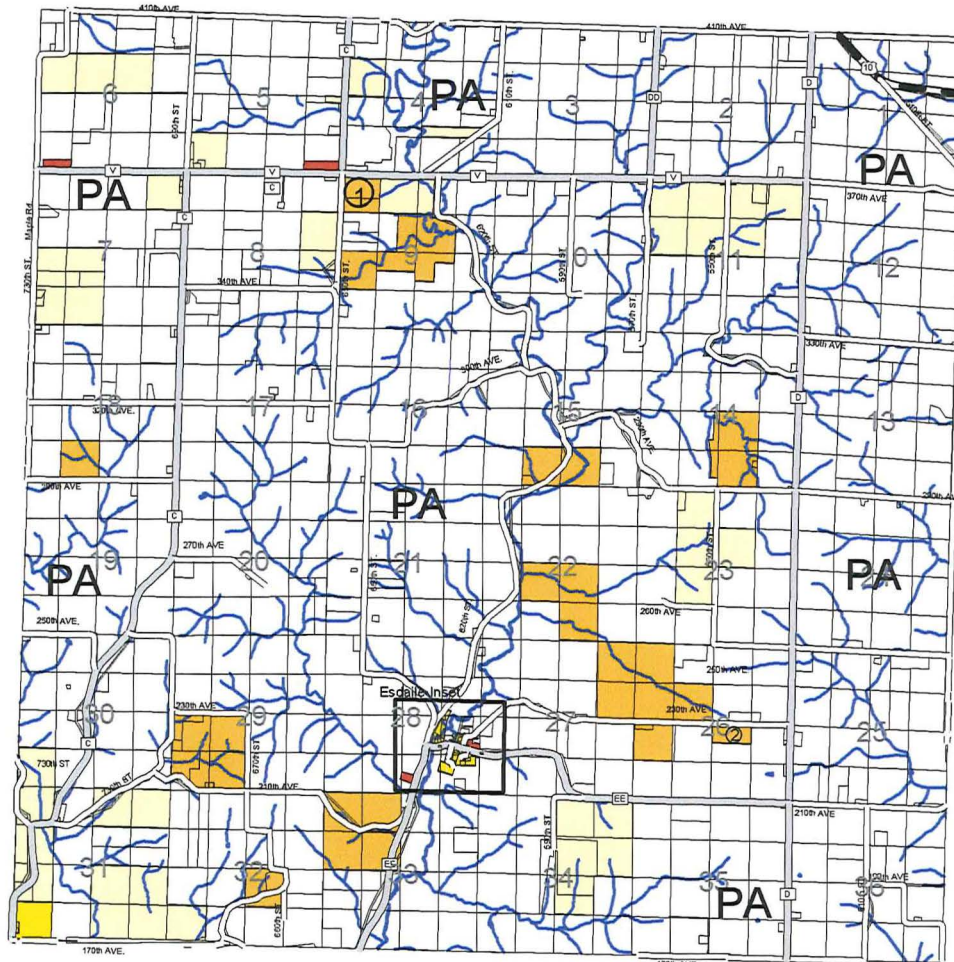
-  Parcels
-  Waterways
-  Primary Agriculture
-  Agriculture Residential
-  General Rural Flexible
-  Rural Residential-20
-  Rural Residential-8
-  Commercial



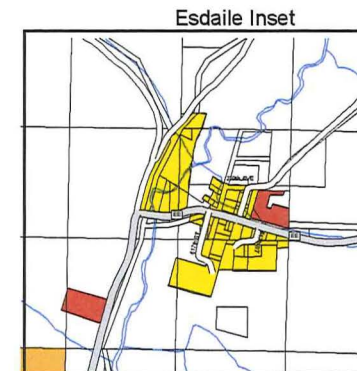
Prepared by the Department of Land Management
4/9/01
4/26/01
5/9/01
Approved Land Management Committee
4/25/01

Zoning Map Town of Hartland Pierce County, Wisconsin

Attachment B



Amendments			
No.	Ordinance	Change	Date
1	99-18	PA to GR	3/28/00
2	00-12	PA to GR	11/14/00



Legend	
PA	Primary Agriculture
GR	General Rural
RR-8	Rural Residential-8
RR-20	Rural Residential-20
Commercial	Commercial

ORDINANCE 01-06

**TO AMEND CHAPTER 195 OF THE PIERCE COUNTY CODE;
SHOOTING RANGE**

THE PIERCE COUNTY BOARD OF SUPERVISORS DOES HEREBY ORDAIN
AS FOLLOWS:

SEC. 1: That Sec. 195-1 of The County Code is hereby amended to read as follows:

Sec. 195-1. Statutory authority. This chapter is adopted ~~under the~~
pursuant to authority granted by §59.51, 59.54(6) and §895.527, Wis.
Stats.

SEC. 2: That Sec. 195-3 of The County Code is hereby amended to read as follows:

Sec. 195-3. Definitions. As used in this chapter, the following terms shall
have the meanings indicated:

~~DUSK—The time when the upper limb of the sun disappears below the
sensible horizon as a result of the diurnal rotation of the earth.~~

SEC. 3: That Sec. 195-6 of The County Code is hereby amended to read as follows:

Sec. 195-6. Permitted uses. Target shooting from range indicators to
officially established target frames backed by berms is a permitted use.
Any and all other uses or practices are prohibited, except as provided in
Sec. 195-7.

SEC. 4: That Sec. 195-7 of The County Code is hereby amended to read as follows:

Sec. 195-7. Prohibited uses. The following uses are prohibited:

- A. Shooting at any moving target, whether clay pigeons or any other
objects. However, this prohibition shall not apply to use of reactive
targets by law enforcement officers as defined in §165.85(2), Wis.
Stats., members of the U.S. Armed Forces or private security persons
as defined at §440.26(1m), §167.31 (4)(a) 4., Wis. Stats.
- B. Discharging a firearm by any person on any area of the Pierce County
Public Shooting Range at any time other than ~~that time from 9:00 a.m.~~
~~to dusk but not later than 8:00 p.m.~~ the hours established pursuant to
Sec. 195-9.
- C. Use of fully automatic weapons operated on fully automatic or burst
mode. However this prohibition shall not apply to the use of fully
automatic weapons on fully automatic or burst mode by law

enforcement officers as defined in §165.85(2), Wis. Stats; members of the U.S. Armed Forces; or private security persons as defined at §440.26(1m), Wis. Stats., who meet all of the requirements of §167.31 (4)(a) 4, Wis. Stats.

SEC. 5: That Sec. 195-9 of The County Code is hereby amended to read as follows:

Sec. 195-9. Hours. It is unlawful for any person to be present upon any area of the Pierce County Public Shooting Range at any time other than ~~9:00 a.m. to dusk, but not later than 8:00 p.m.~~ during regular scheduled hours when the shooting range is open to the public, as posted in accord with Sec. 195-18. This prohibition shall not apply, however to law enforcement officers, as defined in §165.85 (2), Wis. Stats., a member of the U.S. Armed Forces or a private security person as defined in §440.26 (1m) who meets all of the requirements of §167.31 (4)(a) 4, Wis. Stats., nor shall it apply to the shooting range attendant or other agents or employees of the county charged with the performance of official duties or responsibilities relative to its operation.

SEC. 6: That Sec. 195-19 of The County Code is hereby amended to read as follows:

~~Sec. 195-19. Violations and penalties. Any person who violates this chapters shall, upon conviction, be subject to a forfeiture of not more than \$200 together with the costs of prosecution and penalty assessment and, in default of payment of such forfeiture and cots, shall be subject to imprisonment in the county jail until such forfeiture and costs are paid, but not to exceed 30 days.~~

Sec. 195-19. Adoption of regulations and limitations on use of shooting range to be posted.

- A. The Pierce County Shooting Range Committee shall approve of and from time to time amend regulations for use of the shooting range, including but not limited to hours and days of operations.
- B. No person shall enter upon o ruse the shooting range in any manner, which is in conflict with this Ordinance, nor contrary to posted regulations prepared pursuant to the authority of the Pierce County Shooting Range Committee.
- C. The regulations regarding operations between the hours of 11:00 p.m. and 6:00 a.m. shall not apply to law enforcement officers as defined in §165.85(2)(c), a member of the U.S. Armed Forces or a private security person as defined in §440.26(1m) who meets all of the requirements of §167.31(4)(a) 4.

SEC. 7: That Sec. 195-20 of The County Code is hereby created to read as follows:

Sec. 195-20 Violations and penalties. Any person who violates this chapter shall, upon conviction, be subject to a forfeiture of not more than \$200 together with the costs of prosecution and penalty assessment and, in default of payment of such forfeiture and costs, shall be subject to imprisonment in the county jail until such forfeiture and costs are paid, but not exceed 30 days.

SEC. 8: That this Ordinance shall become effective upon its adoption and publication as required by law.

Dated this 19th day of June, 2001.

PIERCE COUNTY BOARD OF SUPERVISORS

Submitted by: _____
Chair, Shooting Range Committee

Richard E. Wilhelm, County Board Chairman

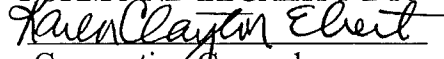
ATTESTED TO BY:



County Clerk

APPROVED AS TO

FORM AND LEGALITY BY:



Corporation Counsel

ORDINANCE 01-07

**REZONING A PARCEL OF LAND IN TRIMBELLE TOWNSHIP FROM PRIMARY
AGRICULTURE TO AGRICULTURE RESIDENTIAL: Pechacek Rezone**

The Board of Supervisors of Pierce County, Wisconsin does Ordain:

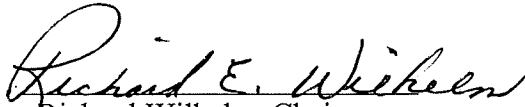
Section 1: The Official Pierce County Zoning Map for the town of Trimbelle be amended to change the zoning from Primary Agriculture to Agriculture Residential for parcel of land described as:

All that part of the NW ¼ of the NE ¼ lying north and east of 480th Ave. Section 28, Township 26 North, Range 18 West, in Trimbelle Township.

Section 2: That this ordinance shall not be codified.

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

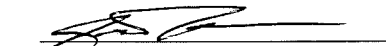
Dated this 24th day of July, 2001


Richard Wilhelm, Chairman

Approved as to form and legality:


Corporation Counsel

Attested to by:


County Clerk

Adopted on: August 28, 2001

ORDINANCE 01-08

**TO REPEAL ORDINANCE 01-06; AND TO AMEND CHAPTER 195
OF THE PIERCE COUNTY CODE RELATING TO
THE PIERCE COUNTY PUBLIC SHOOTING RANGE**

THE PIERCE COUNTY BOARD OF SUPERVISORS DOES HEREBY
ORDAIN AS FOLLOWS:

SEC. 1: That Ordinance 01-06 adopted on June 19, 2001, be and is hereby repealed effective immediately.

SEC. 2: That Sec. 195-1 of the Pierce County Code is hereby amended to read as follows:

Sec. 195-1. Statutory authority. This chapter is adopted ~~under the~~
pursuant to authority granted by ~~§59.51, and 59.54(6),~~ Wis. Stats.

SEC. 3: That Sec. 195-3 of the Pierce County Code is hereby amended to read as follows:

Sec. 195-3. Definitions. As used in this chapter, the following terms shall have the meanings indicated:

~~DUSK—The time when the upper limb of the sun disappears below the
sensible horizon as a result of the diurnal rotation of the earth.~~

SEC. 4: That Sec. 195-6 of the Pierce County Code is hereby amended to read as follows:

~~Sec. 195-6. Permitted uses. Target shooting from range indicators to
officially established target frames backed by berms is a permitted use.
Any and all other uses or practices are prohibited, except as provided in
Sec. 195-7.~~

SEC. 5: That Sec. 195-7 of the Pierce County Code is hereby amended to read as follows:

Sec. 195-7. Prohibited uses. The following uses are prohibited:

- A. Shooting at any moving target, whether clay pigeons or any other
objects. An exception to this prohibition may be allowed for Pierce
County law enforcement personnel as approved by the Shooting Range

Committee, and in accordance with the regulations set by that Committee.

B. Discharging a firearm by any person on any area of the Pierce County Public Shooting Range at any time other than ~~that time from 9:00 a.m. to dusk but not later than 8:00 p.m.~~ the hours established pursuant to Sec. 195-9.

C. Use of fully automatic weapons operated on fully automatic or burst mode. An exception to this prohibition may be allowed for Pierce County law enforcement personnel by the Shooting Range Committee as deemed appropriate by that Committee, and in accordance with regulations set by that Committee.

SEC. 6: That Sec. 195-9 of the Pierce County Code is hereby amended to read as follows:

Sec. 195-9. Hours. It is unlawful for any person to be present upon any area of the Pierce County Public Shooting Range at any time other than ~~9:00 a.m. to dusk, but not later than 8:00 p.m.~~ during regular scheduled hours when the shooting range is open to the public, as posted in accord with Sec. 195-18. An exception to this prohibition may be allowed for Pierce County law enforcement personnel by the Shooting Range Committee as deemed appropriate by that Committee, and in accordance with regulations set by that Committee.

SEC. 7: That Sec. 195-19 of the Pierce County Code is hereby amended to read as follows:

~~Sec. 195-19. Violations and penalties. Any person who violates this chapter shall, upon conviction, be subject to a forfeiture of not more than \$200 together with the costs of prosecution and penalty assessment and, in default of payment of such forfeiture and costs, shall be subject to imprisonment in the county jail until such forfeiture and costs are paid, but not to exceed 30 days.~~

Sec. 195-19. Adoption of regulations and limitations on use of shooting range to be posted.

A. The Pierce County Shooting Range Committee shall approve of and from time to time amend regulations for use of the shooting range, including but not limited to hours and days of operations, and use of automatic weapons by Pierce County law enforcement personnel.

B. No person shall enter upon or use the shooting range in any manner, which is in conflict with this Ordinance, nor contrary to posted regulations prepared pursuant to the authority of the Pierce County Shooting Range Committee.

SEC. 8: That Sec. 195-20 of the Pierce County Code is hereby created to read as follows:

Sec. 195-20 Violations and penalties. Any person who violates this chapter shall, upon conviction, be subject to a forfeiture of not more than \$200 together with the costs of prosecution and penalty assessment and, in default of payment of such forfeiture and costs, shall be subject to imprisonment in the county jail until such forfeiture and costs are paid, but not to exceed 30 days.

SEC. 9: That this Ordinance shall become effective upon its adoption and publication as required by law.

Dated this 24th day of July, 2001.


PIERCE COUNTY BOARD OF SUPERVISORS


Richard E. Wilhelm, County Board Chairman

ATTESTED TO BY:


County Clerk

APPROVED AS TO
FORM AND LEGALITY BY:


Corporation Counsel

ORDINANCE 01-09

**REZONING A PARCEL OF LAND IN TRIMBELLE TOWNSHIP FROM PRIMARY
AGRICULTURE TO AGRICULTURE RESIDENTIAL:**

The Board of Supervisors of Pierce County, Wisconsin does Ordain:

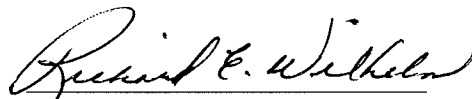
Section 1: The Official Pierce County Zoning Map for Trimbelle Township be amended to change the zoning from Primary Agriculture to Agriculture Residential for parcels of land described as:

The S ½ of the SW ¼ of the NE ¼, Section 18, T26N, R18W, containing 20 acres in Trimbelle Township.

Section 2: That this ordinance shall not be codified.

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

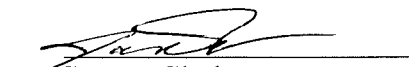
Dated this 28th day of August 2001


Richard Wilhelm, Chairman

Approved as to form and legality:


Corporation Counsel

Attested to by:


County Clerk
Adopted on: 9/25/01

ORDINANCE 01-10

**REZONING A PARCEL OF LAND IN ISABELLE TOWNSHIP FROM GENERAL RURAL
TO RURAL RESIDENTIAL-20:**

The Board of Supervisors of Pierce County, Wisconsin does Ordain:

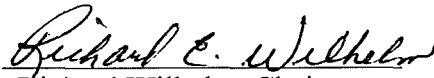
Section 1: The Official Pierce County Zoning Map for Isabelle Township be amended to change the zoning from General Rural to Rural Residential-20 for parcels of land described as:

Part of the W ½ of the SW 1/4, of the NW 1/4 of Section 6, T24N, R17W,
containing 6.8 acres in Isabelle Township.

Section 2: That this ordinance shall not be codified.

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

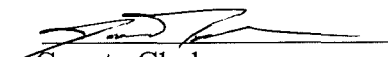
Dated this 28th day of August, 2001


Richard Wilhelm, Chairman

Approved as to form and legality:


Corporation Counsel

Attested to by:


County Clerk
Adopted on: 9 / 25 / 01

ORDINANCE NO. 01-11
ORDINANCE AMENDING SECTIONS 4-1 AND 4-2 OF THE
PIERCE COUNTY CODE - REDISTRICTING

THE COUNTY BOARD OF SUPERVISORS DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: That Sec. 4-1 of the Pierce County Code is deleted and replaced in its entirety with the following:

Sec. 4-1 Creation of Districts. The County Board of Supervisors for Pierce County, Wisconsin, shall consist of 17 supervisors to be elected from supervisory districts which are created, numbered and described as follows:

Description	Unit Population	District Population
District No. 1		2156
City of Prescott (Wards 1 and 2) That Portion of the City of Prescott lying Southerly of a line beginning at a point on the shore of Lake St. Croix on a projection of Oak Street Southeasterly; then Northwesterly to U.S.H. 10 at the junction of Oak and Dakota Streets; then Northerly on U.S.H. 10 to the intersection with Hilton Street; then Easterly on Hilton Street to the intersection with Pearl Street; then Southerly on Pearl Street to the intersection with Albert Street; then Easterly on Albert Street to the intersection with Flora Street; then Southeasterly on Flora Street to the intersection with Walnut Street; then Easterly on Walnut Street to the intersection with Dexter Street; then Northerly on Dexter Street to the intersection with Jewell Street; then Easterly on Jewell Street, and its extension Easterly, to the East line of the City of Prescott.	2156	
District No. 2		2116
Town of Clifton All of the Town of Clifton.	1657	
City of Prescott (Ward 3) That portion of the City of Prescott lying Northerly of a line beginning at a point on the shore of Lake St. Croix on a projection of Oak Street Southeasterly; then Northwesterly to U.S.H. 10 at the junction of Oak and Dakota Streets; then Northerly on U.S.H. 10 to the intersection with Hilton Street; then Easterly on Hilton Street to the intersection with Pearl Street; then Southerly on Pearl Street to the intersection with Albert Street; then Easterly on Albert Street to the intersection with Canton Street; then Northerly on Canton Street to Pine Street; then Easterly on Pine Street to the intersection with Linn Street; then Northerly on Linn Street to the intersection with Orrin Road; then Easterly on Orrin Road to the intersection with Campbell Street; then Northerly on Campbell Street to the North line of the City of Prescott.	459	

Description	Unit Population	District Population 2085
District No. 3		
Town of River Falls (Ward 3) That portion of the Town of River Falls lying Northerly and Westerly of a line beginning at the intersection of 690 th Avenue with the West line of the Town of River Falls; then Easterly on 690 th Avenue to the intersection with 950 th Street; then Northerly on 950 th Street to the intersection with 770 th Avenue; then Northwesterly on 770 th Avenue to the intersection with S.T.H. 29; then Northerly on S.T.H. 29 to the South line of the City of River Falls; then Westerly and Northerly, along the South and West boundaries of the City of River Falls, to the St. Croix county line.	649	
City of River Falls (Wards 3 & 5) That portion of the City of River Falls lying Northerly and Westerly of a line beginning at the intersection of 8 th Street with the St. Croix county line; then Southerly on 8 th Street to the intersection with Lake Street; then Westerly on Lake Street to the intersection with 6 th Street; then Northerly on 6 th Street to the intersection with Maple Street; then Northwesterly on Maple Street to this intersection with 4 th Street; then Southwesterly on 4 th Street to the intersection with Elm Street; then Northwesterly on Elm Street to the intersection with 3 rd Street; then Southwesterly on 3 rd Street to the intersection with Walnut Street; then Northwesterly on Walnut Street to the intersection with S.T.H. 35; then Southwesterly on S.T.H. 35 to the intersection with Cascade Avenue; then Westerly on Cascade Avenue to the intersection with Winter Street; then Northwesterly on Winter Street to the Kinnickinnic River; then Northeasterly up to the Kinnickinnic River and through Lake George to the intersection of a Southerly projection of Fremont Street to the intersection with Maple Street; then Westerly on Maple Street to the West line of the City of River Falls.	1436	
District No. 4		2180
City of River Falls (Wards 4 & 12) That portion of the City of River Falls lying Westerly of a line beginning at the intersection of Maple Street with the Westerly line of the City of River Falls; then Easterly on Maple Street to the intersection with Fremont Street; then Southerly on Fremont Street, and its Southerly projection, to the North shore of Lake George; then Southwesterly through Lake George and down the Kinnickinnic River to Winter Street; then Southeasterly on Winter Street to its intersection with Cascade Avenue; then Easterly on Cascade Avenue to its intersection with S.T.H. 29/35; then Southerly on S.T.H. 29/35 to its intersection with Broadway Street; then Easterly on Broadway Street to its intersection with Sycamore Street; then Southerly on Sycamore Street to its end; then Westerly to S.T.H. 29/35 at its intersection with West Johnson Street; then Westerly on West Johnson Street to its intersection with Foster Street; then Southwesterly on Foster Street to its intersection with Meadowbrook Lane; then Northwesterly on Meadowbrook Lane to its intersection with River Ridge Road; then Westerly and Southerly on River Ridge Road to the South line of the City of River Falls.	2180	

Description	Unit Population	District Population
District No. 5		
City of River Falls (Wards 8 & 11) That portion of the City of River Falls lying Southerly of a line beginning on River Ridge Road at its intersection with the South line of the City of River Falls; then Northerly and Easterly to its intersection with Meadowbrook Lane; then Southeasterly on Meadowbrook Lane to its intersection with Foster Street; then Northeaster on Foster Street to its intersection with West Johnson Street; then Easterly on West Johnson Street to its intersection with S.T.H. 29/35; then continuing Westerly to the South end of Sycamore Street; then Northerly on Sycamore Street to its intersection with Broadway Street; then Westerly on Broadway Street to its intersection with S.T.H. 29/35; then Northerly on S.T.H. 29/35 to its intersection with the South Fork Kinnickinnic River; then Easterly up the South Fork Kinnickinnic River to its intersection with the Southerly projection of an alley which begins on S.T.H. 29 between Crescent and Birch Street; then Northerly on said alley and its Southerly projection to its intersection with S.T.H. 29; then Easterly on S.T.H. 29 to its intersection with Wasson Lane; then Southerly on Wasson Lane to the South line of the City of River Falls.	2205	2205
District No. 6		
City of River Falls (Wards 9 & 10) That portion of the City of River Falls beginning on S.T.H. 29 (Cascade Avenue) at its intersection with S.T.H. 35 (South Main Street); then Northeasterly on S.T.H. 35 (South Main Street) to its intersection with Walnut Street; then Southwesterly on Walnut Street to its intersection with 3 rd Street; then Northeasterly on 3 rd Street to its intersection with Elm Street; then Southeasterly on Elm Street to its intersection with 4 th Street; then Northeasterly on 4 th Street to its intersection with Maple Street; then Southeasterly on Maple Street to its intersection with 6 th Street; then Southerly on 6 th Street to its intersection with S.T.H. 29; then Southeasterly on S.T.H. 29 to its intersection with an alley to the South, located between Crescent and Birch Streets to the North; then Southerly on said alley and its projection Southerly to its intersection with the South Fork Kinnickinnic River; then Westerly down the South Fork Kinnickinnic River to its intersection with S.T.H. 35 (South Main Street); then Northerly on S.T.H. 35 to its intersection with S.T.H. 29 (Cascade Avenue), the point of beginning.	2236	2236
District No. 7		
City of River Falls (Wards 6 & 7) That portion of the City of River Falls lying Easterly of a line beginning at the intersection of Wasson Street with the South line of the City of River Falls; then Northerly on Wasson Street to its intersection with S.T.H. 29; then Northwesterly on S.T.H. 29 to its intersection with 6 th Street; then Northerly on 6 th Street to its intersection with Lake Street; then Easterly on Lake Street to its intersection with 8 th Street; then Northerly on 8 th Street to the St. Croix county line.	2185	2185

Description	Unit Population	District Population
District No. 8		2146
Town of River Falls (Wards 1 & 2) All that portion of the Town of River Falls lying Easterly of a line beginning at the intersection of 690 th Avenue with the West line of the Town of River Falls; then Easterly on 690 th Avenue to its intersection with 950 th Street; then Northerly on 950 th Street to its intersection with 770 th Avenue; then Northwesterly on 770 th Avenue to its intersection with S.T.H. 29/35; then Northerly on S.T.H. 29 to the South line of the City of River Falls; then Easterly on the South line of the City of River Falls to the Southeast corner of the City of River Falls; then Northerly on the East line of the City of River Falls to the St. Croix county line.	1655	
Town of Martell (Ward 2) that portion of the Town of Martell lying Westerly of a line beginning at the intersection of C.T.H. Y with the St. Croix county line; then Southerly on C.T.H. Y to its intersection with S.T.H. 29; then Westerly on S.T.H. 29 to its intersection with 620 th Street; then Southerly on 620 th Street to its intesection with C.T.H. J; then Southwesterly on C.T.H. J to the South line of the Town of Martell.	491	
District No. 9		2074
Village of Spring Valley (Ward 1,2) All of the Village of Spring Valley.	1187	
Town of Gilman All of the Town of Gilman.	772	
Town of Spring Lake (Ward 2) That portion of the Town of Spring Lake lying North and West of a line beginning at the intersection of the West town line and 770 th Avenue; then Easterly on 770 th Avenue to the intersection with 170 th Street; then Southeasterly on 170 th Street to the intersection with 770 th Avenue; then Northeasterly on 770 th Avenue, across the "Burma" bridge; to the intersection with C.T.H. B; then Easterly on C.T.H. B to the intersection with S.T.H. 128; then Northerly on S.T.H. 128 to the St. Croix county line.	115	
District No. 10		2117
Town of Rock Elm All of the Town of Rock Elm.	504	
Town of El Paso (Ward 2) That portion of the Town of El Paso lying Easterly of the Rush River.	337	
Village of Elmwood All of the Village of Elmwood.	841	
Town of Spring Lake (Ward 1) All that portion of the Town of Spring Lake lying South and East of a line beginning at the intersection of the West town line and 770 th Avenue; then Easterly on 770 th Avenue to the intersection with 170 th Street; then Southeasterly on 170 th Street to the intersection with 770 th Avenue;	435	

Description	Unit Population	District Population
(continued) then Northeasterly on 770 th Avenue, across the "Burma" bridge, to the intersection with C.T.H. B; then Easterly on C.T.H. B to the intersection with S.T.H. 128; then Northerly on S.T.H. 128 to the St. Croix county line.		2142
District No. 11	579	
Town of Martell		
(Ward 1) All that portion of the Town of Martell lying Easterly of a line beginning at the intersection of C.T.H. Y with the St. Croix county line; then Southerly on C.T.H. Y to the intersection with S.T.H. 29; then West on S.T.H. 29 to the intersection with 620 th Street; then Southerly on 620 th Street to the intersection with C.T.H. J; then Southwesterly on C.T.H. J to the South line of the Town of Martell.	865	
Town of Ellsworth		
(Ward 1) All that portion of the Town of Ellsworth lying Northerly and Easterly of the Village of Ellsworth, and East of C.T.H. C.	698	
Village of Ellsworth		
(Ward 3) That portion of the Village of Ellsworth lying Westerly of S.T.H. 65 and Northerly of U.S.H. 10.		
District No. 12		2211
Village of Ellsworth	2211	
(Wards 1,2 & 4) All that portion of the Village of Ellsworth lying East and South of a line beginning at the intersection of S.T.H. 65 with the North line of the Village of Ellsworth; then Southerly on S.T.H. 65 to the intersection with U.S.H. 10; then Westerly on U.S.H. 10 to the West line of the Village of Ellsworth.		
District No. 13		2205
Town of Oak Grove	495	
(Ward 2) That portion of the Town of Oak Grove lying Easterly of a line beginning at the intersection of C.T.H. QQ with the Clifton Town line; then Southerly on C.T.H. QQ to the intersection with S.T.H. 35; then Southeasterly on S.T.H. 35 to the intersection with 1050 th Street, then South on 1050 th Street to 430 th Avenue; then Westerly on 430 th Avenue to 1080 th Street; then Southerly on 1080 th Street to the Diamond Bluff town line.		
Town of Trimbelle		
All of the Town of Trimbelle.	1511	
Town of Ellsworth	199	
(Ward 2) That portion of the Town of Ellsworth lying Southerly of the Village of Ellsworth and West of C.T.H. C.		
District No. 14		2193
Town of Hartland	814	
All of the Town of Hartland.		
Town of Isabelle		
All of the Town of Isabelle.	315	
Village of Bay City.	465	
All of the Village of Bay City.		

Description	Unit Population	District Population
Town of Salem (Ward 1) All that portion of the Town of Salem lying Westerly of the Rush River.	246	
Town of El Paso (Ward 1) All that portion of the Town of El Paso lying Westerly of the Rush River.	353	
District No. 15		2176
Town of Oak Grove (Ward 1) All that portion of the Town of Oak Grove lying Westerly of a line beginning at the intersection of C.T.H. QQ with the Clifton town line; then Southerly on C.T.H. QQ to the intersection with S.T.H. 35; then Southeasterly on S.T.H. 35 to the intersection with 1050 th Street; then South on 1050 th Street to 430 th Avenue; then Westerly on 430 th Avenue to 1080 th Street; then Southerly on 1080 th Street to the Diamond Bluff town line; and also lying East of the East line of the City of Prescott and its extension North to the Clifton town line.	1027	
City of Prescott (Ward 4) That portion of the City of Prescott beginning at the intersection of U.S.H. 10 with the East line of the City of Prescott; then Westerly on U.S.H. 10 to the intersection with Campbell Street; then Southerly on Campbell Street to the intersection with Orrin Road; then Westerly on Orrin Road to the intersection with Linn Street; then Southerly on Linn Street to the intersection with Pine Street; then Westerly on Pine Street to the intersection with Canton Street; then Southerly on Canton Street to the intersection with Flora Street; then Southeasterly on Flora Street to the intersection with Walnut Street; then Easterly on Walnut Street to the intersection with Dexter Street; then North on Dexter Street to the intersection with Jewell Street; then Easterly on Jewell Street and its extension Easterly, to the intersection with the East line of the City of Prescott; then North, along said East line, to the point of beginning.	1149	
District No. 16		2216
Town of Diamond Bluff All of the Town of Diamond Bluff.	479	
Town of Trenton All of the Town of Trenton.	1737	

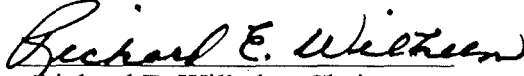
Description	Unit Population	District Population
District No. 17		2161
Village of Plum City All of the Village of Plum City.	574	
Town of Union All of the Town of Union.	618	
Town of Maiden Rock All of the Town of Maiden Rock.	589	
Village of Maiden Rock All of the Village of Maiden Rock.	121	
Town of Salem (Ward 2) All that portion of the Town of Salem lying Easterly of the Rush River.	259	

SECTION 2: That Sec. 4-2 of the Pierce County Code be amended to read as follows:


- A. Norm: $36,804 \div 17 = 2165$
 (1) Least populous district (9) is 4.20% below norm.
 (2) Most populous district (6) is 3.28% above norm.
- B. Average deviation: $29.8 \div 17 = 1.75\%$
- C. Range of deviation: $4.20 + 3.28 = 7.68\%$
- D. Ratio between most and least populous districts: $2236 \div 2014 = 1.08$
- E. Simple majority measure(9, 3, 2, 10, 8, 11, 1, 17, 15): $19,173 \div 36,804 = 52.09\%$

SECTION 3: That this Ordinance shall become effective upon its adoption and publication as required by law.

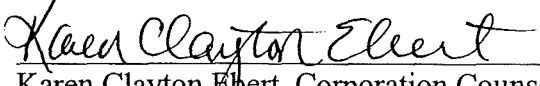
Dated this 25th day of September, 2001.


 Richard E. Wilhelm, Chairman
 Pierce County Board of Supervisors

ATTESTED TO BY:


 Jamie Feuerhelm, County Clerk

APPROVED AS TO
 FORM AND LEGALITY BY:


 Karen Clayton Ebert, Corporation Counsel

Adopted 9/25/01

ORDINANCE NO. 01-12
TO AMEND SECTION 240-41 OF THE PIERCE COUNTY CODE – ZONING
ORDINANCE PROVISION REGARDING COMMUNICATION TOWERS,
ANTENNAS AND TRANSMITTERS

PIERCE COUNTY BOARD OF SUPERVISORS DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: That Chapter 240-41 of the Pierce County Code be amended to read as follows:

C. ~~Communication towers, antennas and transmitters~~ Wireless Communication Service Facilities (WCSF).

(1) Applicability.

A land use permit shall not be required for WCSF communication towers ~~which~~ that are stealth facilities or do not exceed 35 feet in height. A land use permit shall be required for ~~commercial communication towers~~ WCSF greater than 35 feet but less than 70 feet in height. A conditional use permit shall be required for all WCSF communication towers 70 feet or greater in height.

(2) Prohibitions.

(a) No WCSF shall be over 195 feet in height.

(b) No WCSF greater than 70 feet in height shall be erected within 1320 feet of an existing off-site residence. The owner of an impacted residence may waive this requirement. If waived, documentation should be submitted with the conditional use permit application.

(c) Only stealth or camouflaged WCSF may be visible from the St. Croix National Scenic Riverway. Towers which are neither stealth nor camouflaged shall not be visible from the surface of the St. Croix River, when the river stage is 675 feet at Prescott.

(d) No advertising or identification signs shall be placed on WCSF unless required by law.

(3)2—Procedure Application. To avoid the needless proliferation of communication towers, the application for any new commercial WCSF communication tower shall be accompanied by the following in addition to information required in § 240-76:

(a) A map showing a proposed grid for the location of any future WCSF in Pierce County.

(b) A statement from the owner/operator that such WCSF will be constructed to accommodate at least two additional antennas and that such additional facilities will be made available to commercial users at competitive rates, if applicable. This requirement may be waived by the Land Management Committee.

- (c) A plan for abandonment of the WCSF, together with such surety as the Committee may require to cover the cost of abandonment should the owner default. The issuer of any surety must provide verification that they are able to conduct business in the State of Wisconsin.
- (d) Ancillary uses and structures associated with the tower, such as receivers, transmitters, other equipment, sheds, buildings, guy wires, lighting and fences, shall be included in the application.
- (e) To avoid the needless proliferation of WCSF, no new tower shall be permitted unless the applicant demonstrates that no existing tower or structure can accommodate the applicants proposed antenna. Supporting evidence may consist of any of the following:
 - 1) No existing towers or structures are located within the geographic area required to meet the applicant's engineering requirements.
 - 2) Existing towers or structures are not of sufficient height or do not have space available to meet the applicant's engineering requirements.
 - 3) Existing towers or structures do not have sufficient structural strength to support the applicant's proposed antenna and related equipment.
 - 4) The applicants proposed system would cause electromagnetic interference with the system on the existing tower or structure, or the system of the existing tower or structure would cause interference with the applicant's proposed system.
 - 5) The fees, cost, or contractual provisions required the owner to share an existing tower or structure or to adapt an existing tower or structure for sharing exceed the cost of new tower development.
 - 6) The applicant demonstrates that there are other limiting factors that render existing towers or structures unsuitable.

(4)3 Other requirements.

- (a) Lighting or painting of WCSF towers shall conform to all FAA standards. Flashing or strobe-type lights shall only be installed if required by FAA regulations and if specified in the application. Strobe lights shall not be used during hours of darkness.
- ~~(4) — Ancillary uses and structures associated with the tower, such as receivers, transmitters, other equipment, sheds, buildings, guy wires, lighting and fences, shall be included in the application.~~
- (b) 5 There shall be no change in the height of the WCSF tower, lighting or lighting intensity, facility use or other changes in a WCSF tower or related structure unless a new land use permit or modification to the conditional use permit is obtained
- (c) 6 Setbacks from all property lines for all towers except noncommercial WCSF towers less than 100 feet shall be a minimum of 50 feet plus the height of the tower. ~~For noncommercial WCSF towers less than 100 feet~~

~~the setback from all property lines shall be the height of the tower plus 10% of the height of the tower. All guy wires, supports or structures associated with a WCSF tower shall be at least 50 feet from any adjoining property line. The height of WCSF tower shall include all antennas and other equipment.~~

- (d) WCSF providers are responsible for correcting any electrical interference problems caused by their equipment or facilities.
- (e) All towers and antennas must be insured against personal injury, wrongful death, and property damage claims.
- (f) The monopole is the preferred tower structure if stealth facilities are not utilized. Use of guy or lattice towers may only be justified if specific structural requirements exist.
- (g) A tower shall be located on a parcel of land so as to have the least impact on adjoining properties and any negative impacts of the tower shall be confined as much as possible to the property on which the tower is located.
- (h) The tower location shall provide the maximum amount of screening for off-site views of the facility. The county reserves the right to require creative design measures to camouflage facilities by integrating them with existing buildings and among other existing uses. Existing on-site vegetation shall be preserved to the greatest extent practicable.
- (i) If the County has reason to believe that an existing WCSF is a safety risk, it may require that a registered engineer perform an inspection and that a copy of the inspection results be provided within sixty days.
- (j) Owners/providers/permittees shall submit annually on or before January 31 of each year the annual fee and a telecommunications facility annual information report, on a County form. The report shall include the WCSF owner's name, address(s), phone number(s), contact person(s), legal description of the location of the WCSF, tower height, current occupancy, and other information deemed necessary by the Zoning Administrator. Failure to provide this information shall result in a civil forfeiture of \$200.00 per day until the report is received.

D. Wind Electrical Generation Towers

(1) Applicability.

Wind electrical generation towers are any structures designed to support a generator which utilizes wind power to produce electricity and any associated generation equipment.

(2) Prohibitions.

The placement of wind electrical generation towers is prohibited in residential zoning districts.

(3) Procedure.

All wind electrical generation towers shall require a conditional use permit prior to being erected.

(4) Other Requirements.

(a) All wind electrical generation towers shall be subject to a setback from all property lines of a minimum of fifty feet plus the maximum height of the tower including any associated generation equipment.

(b) A wind electrical generation tower shall be located on a parcel of land so as to have the least impact on adjoining properties and any negative impacts of the tower shall be confined as much as possible to the property on which the tower is located.

(c) If two or more Wind Electrical Generation Facilities are to be located on a parcel they must be located a minimum of 1320 feet from any existing off-site residences. The owner of an impacted residence may waive this requirement. If waived, documentation should be submitted with the conditional use permit application.

C. Filling and Grading is re-lettered to E.

D. Utility Facilities is re-lettered to F.

~~(7) Towers and antennas exceeding 200 feet in height shall be subject to the following:~~

~~(a) Security. The base of towers or antennas at the point of entry into the earth shall be enclosed within security fencing. Any security lighting shall utilize fixtures whose hood, lens or combination thereof allows no direct beams of light to spill onto adjoining properties or to be cast skyward.~~

~~(b) Access. The service drive providing access to the facility shall be the minimum necessary to provide maneuverability for service or emergency vehicles.~~

SECTION 2: That Sec. 240.88 of the Pierce County Code is amended to read as follows:

240-88. Definitions. Add following definitions:

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.

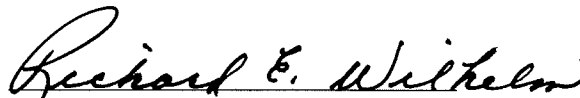
WIND ELECTRICAL GENERATION TOWER -- Any structure designed to support a generator which utilizes wind power to produce electricity, and any associated generation equipment.

WIRELESS COMMUNICATION SERVICE FACILITY OR FACILITIES (WCSF)

-- All equipment buildings and structures with which a wireless communication service carrier or provider broadcasts and receives the radio frequency waves which carry its services and all locations of said equipment, buildings and structures.

SECTION 3: That this Ordinance shall become effective upon its adoption and publication as required by law.

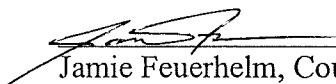
Dated this 25th day of September, 2001.



Richard E. Wilhelm, Chairman
Pierce County Board of Supervisors

ATTESTED TO BY:

APPROVED AS TO
FORM AND LEGALITY BY:



Jamie Feuerhelm, County Clerk

Karen Clayton Ebert, Corporation Counsel

Adopted on 9/25/01

ORDINANCE 01-13

**REZONING A PARCEL OF LAND IN TRIMBELLE TOWNSHIP FROM PRIMARY
AGRICULTURE TO AGRICULTURE RESIDENTIAL: Peterson Rezone**

The Board of Supervisors of Pierce County, Wisconsin does Ordain:

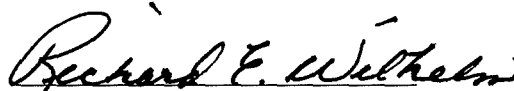
Section 1: The Official Pierce County Zoning Map for the town of Trimbelle be amended to change the zoning from Primary Agriculture to Agriculture Residential for a parcel of land described as:

Part of the NW ¼ of the NE ¼ of Section 28, Township 26 North, Range 18 West, in Trimbelle Township. See attached map. .

Section 2: That this ordinance shall not be codified.

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


Dated this 25th day of September, 2001


Richard Wilhelm, Chairman

Approved as to form and legality:


Corporation Counsel

Attested to by:

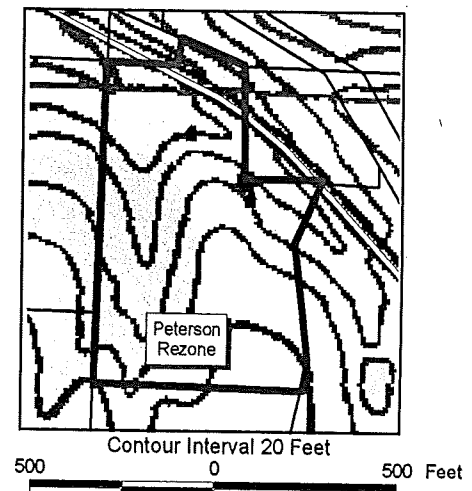
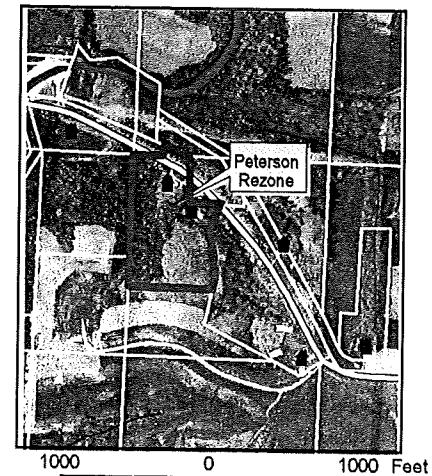
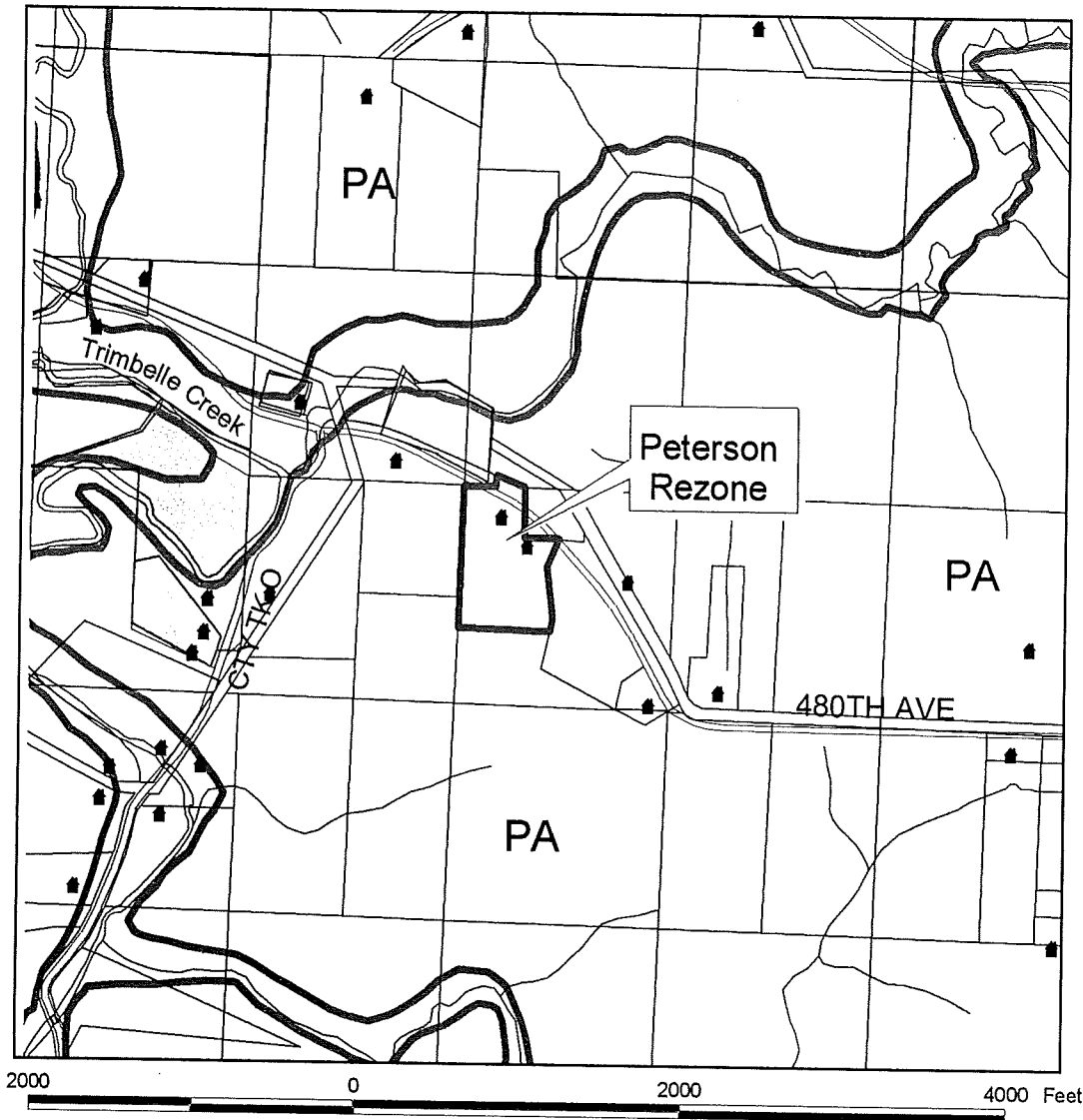

County Clerk
Adopted on: 10/23/01

September 11, 2001
 Land Management Committee
 J. Peterson-Rezone

Town of Trimbelle

Legend

■	Dwellings
□	Parcels
—	Waterways
▭	Floodplain
PA	Primary Agriculture
□	Agriculture Residential
□	General Rural



ORDINANCE 01-14

**REZONING A PARCEL OF LAND IN ELLSWORTH TOWNSHIP FROM PRIMARY
AGRICULTURE TO LIGHT INDUSTRIAL: Huppert Rezone**

The Board of Supervisors of Pierce County, Wisconsin does Ordain:

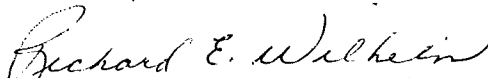
Section 1: The Official Pierce County Zoning Map for the town of Ellsworth be amended to change the zoning from Primary Agriculture to Light Industrial for parcel of land described as:

Part of the S $\frac{1}{2}$ of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$, part of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ and part of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$, Section 21, T26N, R17W, Ellsworth Township, Pierce County, Wisconsin.

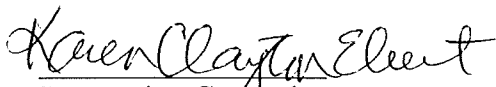
Section 2: That this ordinance shall not be codified.

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

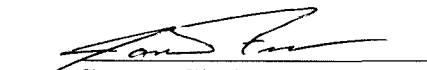
Dated this 23rd day of October, 2001


Richard Wilhelm, Chairman

Approved as to form and legality:


Corporation Counsel

Attested to by:


County Clerk
Adopted on: 11/13/01

SUBSTITUTE
ORDINANCE 01-15

REZONING A PARCEL OF LAND IN HARTLAND TOWNSHIP FROM COMMERCIAL TO
LIGHT INDUSTRIAL: Snow Rezone

The Board of Supervisors of Pierce County, Wisconsin does Ordain:

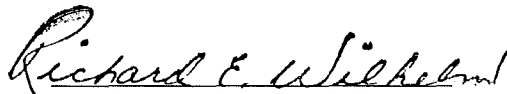
Section 1: The Official Pierce County Zoning Map for the town of Hartland be amended to change the zoning from Commercial to Light Industrial for parcel of land described as:

Part of the SW 1/4 of the SW 1/4, Section 6, T25N, R17W, containing approximately 10 acres, Hartland Township, Pierce County, Wisconsin. See attached map.

Section 2: That this ordinance shall not be codified.

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

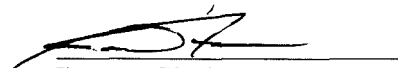
Dated this 23rd day of October, 2001


Richard Wilhelm, Chairman

Approved as to form and legality:

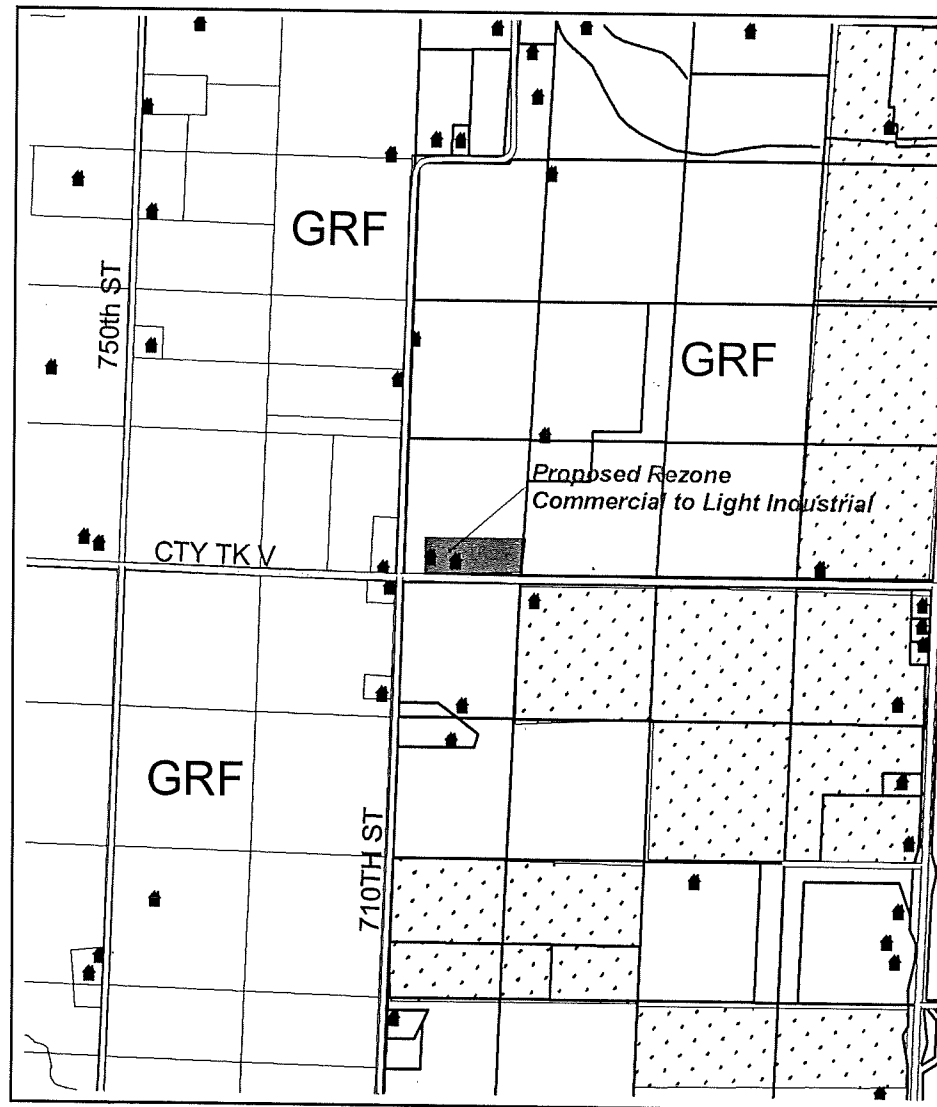

Corporation Counsel

Attested to by:


County Clerk
Adopted on: 12/18/01

October 9, 2001
Land Management Committee Meeting
Snow Rezone

Town of Hartland



Legend

	Dwellings
	Parcels
	Waterways
	Primary Agriculture
	General Rural Flexible
	Commercial

2000 0 2000 4000 Feet

Prepared by the Department of Land Management
10/3/01

SUBSTITUTE
ORDINANCE 01-16
TO AMEND §40-1 OF THE PIERCE COUNTY CODE;
PROCEDURE FOR SELECTING WORKING BANK FOR
CHECKING ACCOUNT



Whereas, Section 40-1 of the Pierce County Code provides that the Treasurer shall follow a procedure to solicit bids from banks in Pierce County to provide services for the County's checking account;

Whereas, the same bank in Pierce County has been the successful bidder for more than ten years, and no other bank in the county is able to provide check imaging services with no additional cost; and

Whereas, Section 59.61(2), Wisconsin Statutes, provides that the County Board or one of its committees shall designate one or more credit unions, banks, savings and loans, etc., organized and doing business under state and federal law and located in Wisconsin, as county depositories, one or more of which shall be designated as the active working bank. There is no requirement for competitive bidding; and

Whereas, the County will benefit from having a committee of the board designate a working bank for checking accounts and making changes as needed from time to time.

NOW, THEREFORE, THE PIERCE COUNTY BOARD OF SUPERVISORS DOES HEREBY ORDAIN AS FOLLOWS:

That Section 40-1, Pierce County Code, be amended to read as follows:

§40-1. Procedure for selecting working bank for checking accounts.

~~The following procedure shall be used each year to select the one working bank in which the County Treasurer shall have active checking accounts for all general county funds and for the public assistance payroll:~~

Step	Date	Activity
------	------	----------

1	September 1	The County Treasurer shall notify all banks in Pierce County that they may submit a written bid specifying the conditions under which the bank is willing to be the working bank for the county checking account.
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2	No later than October 1	Bids are due in the office of County Treasurer.
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3	No later than	The Finance Committee of the County Board of Supervisors shall
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~~November 1~~ open the bids and select the one bid that in the opinion of the Finance Committee will provide the best checking services to the county at the most favorable cost. A resolution containing this recommendation will be forwarded to the County Board of Supervisors.

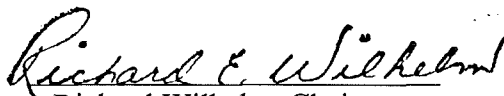
4. ~~No later than~~ The County Board of Supervisors shall adopt a resolution to
~~December 1~~ designate a working bank for the county active checking account.

5. ~~January 1~~ Working banks shall be designated for a period of two years. If banks made identical bids, then the Finance Committee shall determine the sequence of succession for all banks that qualify. A written contract specifying the conditions under which the working bank will handle the county checking account shall be signed by the president of that bank and the Chairman of the Pierce County Board of Supervisors.

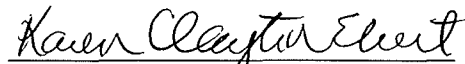
The Finance Committee shall designate the one working bank in which the Treasurer shall have active checking accounts for all general county funds and for the public assistance payroll. The Finance Committee may, from time to time, solicit proposals from all qualified banks located within Pierce County, in order that the County may receive the best checking services at the most favorable cost. *When the Finance Committee selects a new bank, a resolution with its recommendation will be forwarded to the County Board of Supervisors for approval.* A written contract specifying the conditions under which the working bank will handle the county checking account shall be signed by the president of the bank and the Chairperson of the Pierce County Board of Supervisors or the Administrative Coordinator.

Dated this 23rd day of October, 2001.

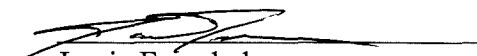
PIERCE COUNTY BOARD


Richard Wilhelm, Chairman

Approved as to form
and legality:


Karen Clayton Ebert
Corporation Counsel

Attested to by:


Jamie Feuerhelm
County Clerk

Approved: Nov 13, 2001

ORDINANCE 01-17

To Repeal and Recreate Article IV, Chapter 13, Pierce County Code; Administrative Coordinator.

THE PIERCE COUNTY BOARD OF SUPERVISORS DOES HEREBY
ORDAIN AS FOLLOWS:

SEC. 1: That Article IV, Chapter 13 of the County Code is hereby repealed and recreated as follows:

13-5. Statutory authority; creation of position.

Pursuant to §59.18 and §59.19, Wis. Stats., there is created the position of Administrative Coordinator, to be filled by appointment of the County Board upon recommendation of the Personnel Committee from among qualified applicants. The County Board from time to time shall establish the salary and benefits of the Administrative Coordinator, and he/she shall serve at the pleasure of the County Board. It is the intent of the County Board that by creation of the office the county shall avail itself of the administrative home rule authority afforded to it under §59.03(1), Wis. Stats.

13-6. General powers and duties.

The Administrative Coordinator shall be the chief administrative officer of the county. The Administrative Coordinator shall take care that every county ordinance and state or federal law is observed, enforced and administered within Pierce County if the ordinance or law is subject to enforcement by the Administrative Coordinator or any other person supervised by the Administrative Coordinator. The duties and powers of the Administrative Coordinator shall be, without limitation because of enumeration, to:

- A. Direct and coordinate all administrative and management functions of the county government not otherwise vested by law in boards or commissions, or in other elected officers.
- B. Appoint, pursuant to county policies and County Board approval, and supervise the heads of all departments of the county except those elected by the people and except where the statutes provide that the appointment shall be made by elected officers; but the Administrative Coordinator shall also supervise all department heads where the law provides that the appointment shall be made by a board or commission, by the chairperson of the County Board or by the County Board. Notwithstanding any statutory provision that a board or commission supervises the administration of a department, the

Administrative Coordinator shall supervise the administration of the department and the board or commission shall perform any advisory or policy-making function authorized by statute.

- C. Prepare a proposed county budget under the supervision of the Finance Committee and in compliance with §65.90, Wis. Stats. implement the budget as adopted by the County Board. In developing the budget the Administrative Coordinator shall:
 - (1) Meet with the Finance Committee in a timely manner each fiscal year to establish the format, target funding levels and procedures for the upcoming budget process.
 - (2) Furnish department heads with appropriate budget development instructions, forms and assistance in making budget requests. Attend meetings to review department budget requests, and schedule and arrange hearings and meetings with department heads, the Finance Committee and members of the public to present the proposed budget.
 - (3) Prepare a final draft budget as directed by the Finance Committee and submit the same to the County Board, including a proposed program of capital expenditures and borrowing.
 - (4) Monitor implementation of the adopted county budget to assure that all expenditures of county funds are made in compliance with the allocations in the budget, state law and county policies. Review all requests for transfer within the adopted budget or for modifications of allocations in the budget and make recommendations to the Finance Committee and/or County Board consistent with county ordinances and §65.90, Wis. Stats. Make regular reports to the Finance Committee and the County Board on the financial condition of the county, financial trends, and long-term financial needs of the county.
- D. Authorize payment of orders. The Administrative Coordinator may, between meetings of the Finance Committee, on behalf of the County Board, approve of the settlement of accounts and the payment of bills and purchase orders.
- E. Purchasing. Establish and manage a centralized system of purchasing to procure supplies at the most advantageous cost.
- F. Property management. Subject to the supervision and approval of the County Board and committees thereof:
 - (1) Be responsible for the maintenance, preservation and care of all personal property of the county over which the county has authority, maintain and

inventory and record the property and provide for maintenance of the property to preserve its value to the county.

- (2) Develop, in cooperation with departments and officials, a long-range plan for management of county property together with recommendations for construction of facilities needed to deliver county services.
 - (3) When directed by the County Board, Finance Committee or other committee, cause plans and architectural specifications for county capital projects authorized by the County Board to be prepared and coordinate county monitoring of construction progress.
 - (4) Allocate space to county departments and agencies.
- G. Insurance administration. Be primarily responsible for assuring that insurance coverage is solicited and maintained by the county in such amounts as are available and affordable and are adequate to protect the county from financial loss and/or subject to Finance Committee approval, for coordinating a system of self-insurance adequate to meet the county's risk needs in one or more areas of exposure. The Administrative Coordinator shall:
- (1) Serve as custodian of all insurance policies held by the county, filing duplicates thereof with any appropriate department head or agency.
 - (2) Under the supervision of the Finance Committee, procure, through bidding or other means as deemed proper by the Committee, insurance coverage for property, casualty, employee health, life, and other insurance risks. The Administrative Coordinator shall continuously evaluate the county's coverage and recommend county policies that will protect the county from unreasonable risk of loss.
 - (3) Oversee and administer self-insurance programs maintained by the county.
 - (4) Process all insurance claims and refer them to the Corporation Counsel and committees of the County Board as appropriate.
- H. Appoint such assistants, staff and technical staff to his or her office as are, from time to time, authorized by the County Board and approved by the Personnel Committee.
- I. Human Resources Management. Pursuant to county policies, ordinances, state and federal law, the Administrative Coordinator shall implement and manage a comprehensive human resources (personnel) program for Pierce County, including:

- (1) Supervise and direct county practices for recruitment, hiring, promotion, training, discipline, transfer, performance review and terminations, and recommend policies and procedures to the County Board regarding the same.
- (2) Conduct performance reviews of all non-elected department heads, except Corporation Counsel. In doing evaluations the Administrative Coordinator shall seek input from the standing committee or its chairperson.
- (3) Advise the Personnel Committee and County Board on the level of workforce size and qualifications necessary to deliver county services.
- (4) Administer appropriate and timely discipline, including termination. Recommendations for discharging nonrepresented staff will be made to the Personnel Committee.
- (5) Represent county management in collective bargaining, arbitration and personnel related proceedings.

J. Have the following general powers:

- (1) To direct and coordinate the operations of all county departments, except where the County Board has directed otherwise, and conduct regular department head meetings.
- (2) To supervise, with the assistance of the Corporation Counsel, the codification of all county ordinances.
- (3) To make recommendations from time to time as deemed appropriate to the County Board for reorganization of county departments, assignment of responsibilities to agencies as to the merger, consolidation or abolition of county agencies, positions and programs and report these recommendations to the County Board.
- (4) To monitor developments in state, federal and other relevant laws and governmental affairs and advise the County Board, its committees and all department heads on recommended policy positions to advance which will improve county administration and operations. The Administrative Coordinator shall represent the county before governmental agencies as requested by the County Board.
- (5) To recommend resolutions, ordinances, or regulations to the County Board to promote improved county services in the public interest and provide all requested information, data and reports requested by the County Board to the extent such information is available.

- (6) To generally represent the county in business transactions, negotiations and administrative proceedings when so directed by the County Board.

13-7. Accountability and supervision.

The Administrative Coordinator shall at all times be fully accountable to the County Board in the management of his or her responsibilities under this article. The Administrative Coordinator may be required to appear before any County Board or committee meeting to provide an accounting of his or her actions or decisions in a matter entrusted to him or her. The Finance Committee shall have oversight over the Administrative Coordinator.

13-8. Auditor responsibilities.

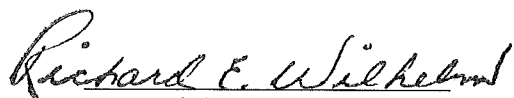
- A. In accord with §59.47(2), Wis. Stats., the Administrative Coordinator shall act as the County Auditor.
- B. Pursuant to §59.47(3), Wis. Stats., the Administrative Coordinator shall keep such books of account necessary to properly perform the duties of the office and shall direct the keeping of all accounts of the county in all of its offices, departments and institutions in such form as will assist him/her in fulfilling responsibilities under this article to the county.
- C. An official bond in such amount as is designated by the County Board shall be filed on behalf of the Administrative Coordinator and shall be a qualification for the office.

13-9. Vacancy.

- A. In the event of a vacancy in the office of Administrative Coordinator, the County Board shall designate a temporary coordinator to serve until the successor to the Administrative Coordinator is appointed and qualified.
- B. A vacancy in the office shall be created by death, resignation, removal or conviction of a felony of the Administrative Coordinator.

SEC. 2: That this ordinance shall be effective upon its adoption and publication as required by law.

Dated: December 18, 2001.



Richard Wilhelm
County Board Chairperson

Approved as to
Form & Legality:



Karen Clayton Ebert
Corporation Counsel

Attested:



Jamie Feuerhelm
County Clerk

ORDINANCE 01-18

**REZONING A PARCEL OF LAND IN TRIMBELLE TOWNSHIP FROM PRIMARY
AGRICULTURE AND AGRICULTURE RESIDENTIAL TO GENERAL RURAL:
Thom Rezone**

The Board of Supervisors of Pierce County, Wisconsin does Ordain:

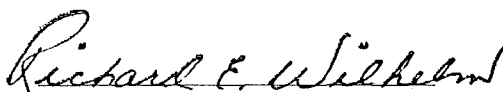
Section 1: The Official Pierce County Zoning Map for the Town of Trimbelle be amended to change the zoning from Primary Agriculture and Agriculture Residential to General Rural for a parcel of land described as:

All of the west ½ of the NW ¼ of Section 22, lying south of the southerly right of way of U.S. highway 10 and all of the NE ¼ of the NE ¼ of Section 21 lying south of the southerly right of way of U.S. highway 10, Township 26 North, Range 18 West, Town of Trimbelle, Pierce County, Wisconsin. Containing approximately 95 acres. See attached map.

Section 2: That this ordinance shall not be codified.

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


Dated this 18th day of December, 2001


Richard Wilhelm, Chairman

Approved as to form and legality:

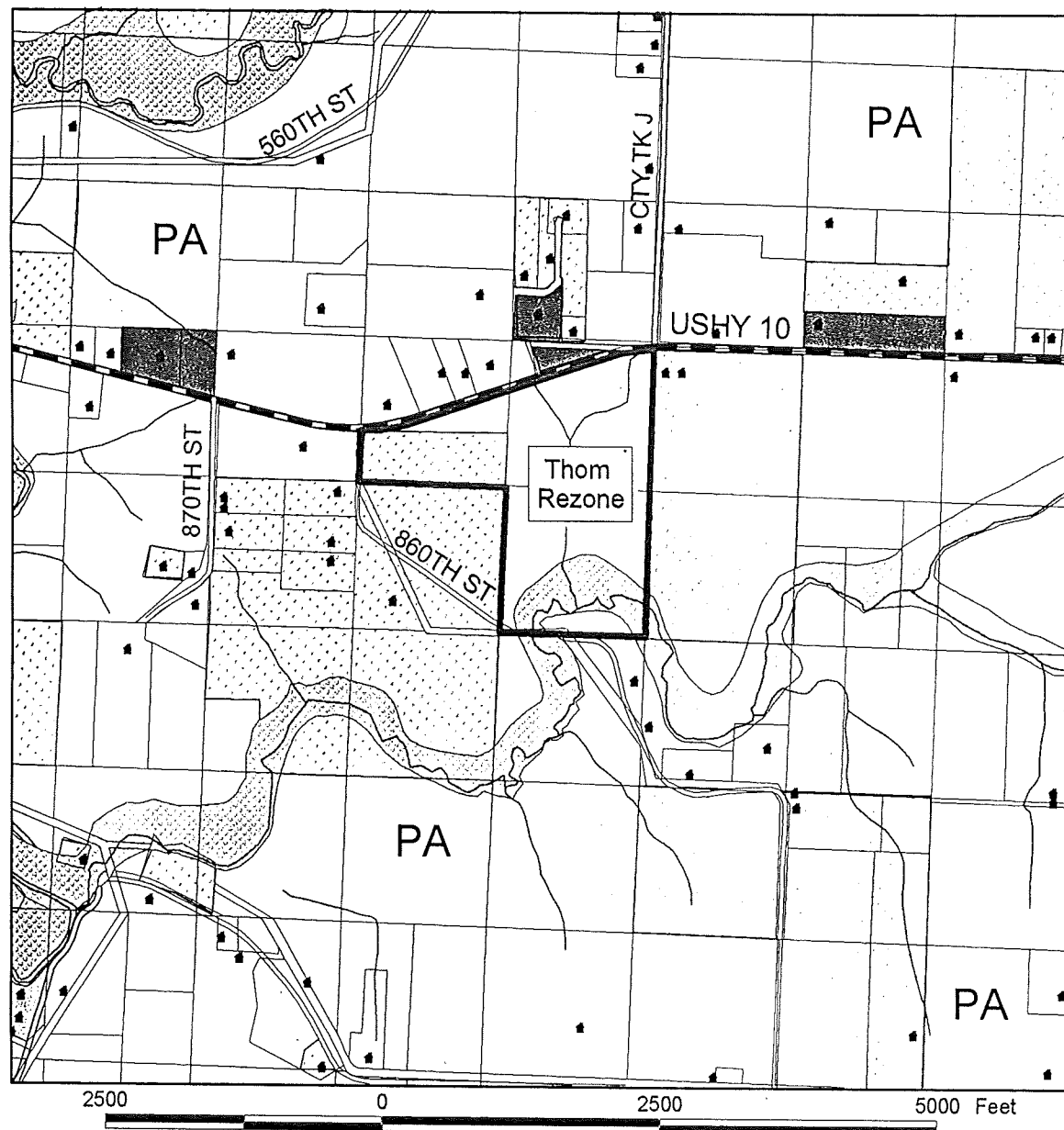

Corporation Counsel

Attested to by:


County Clerk
Adopted on: 1-29-02

November 14, 2001
Land Management Committee
Thom Rezone
Primary Agriculture & Agriculture Residential to General Rural

Town of Trimbelle



Legend

- Dwellings
- Parcels
- △ Waterways
- Floodplain
- PA Primary Agriculture
- Agriculture Residential
- General Rural
- Commercial

ORDINANCE 01-19

**REZONING A PARCEL OF LAND IN TRIMBELLE TOWNSHIP FROM PRIMARY
AGRICULTURE TO AGRICULTURE RESIDENTIAL:
Halverson Rezone**

The Board of Supervisors of Pierce County, Wisconsin does Ordain:

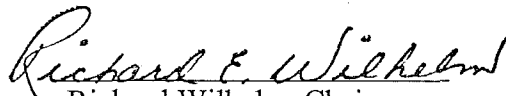
Section 1: The Official Pierce County Zoning Map for the Town of Trimbelle be amended to change the zoning from Primary Agriculture to Agriculture Residential for a parcel of land described as:

Part of the W ½ of the N1/2 of the NW ¼ of the SE ¼ containing 8.25 acres and part of the S ½ of the SW ¼ of the NE ¼ containing 14.87 acres all in Section 34, T26N, R18W, Trimbelle Township, Pierce County, Wisconsin. See attached map.

Section 2: That this ordinance shall not be codified.

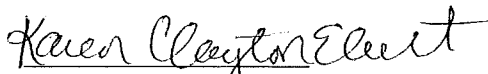
Section 3: That this ordinance shall take effect upon passage.

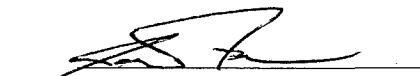
Dated this 18th day of December, 2001


Richard Wilhelm, Chairman

Approved as to form and legality:

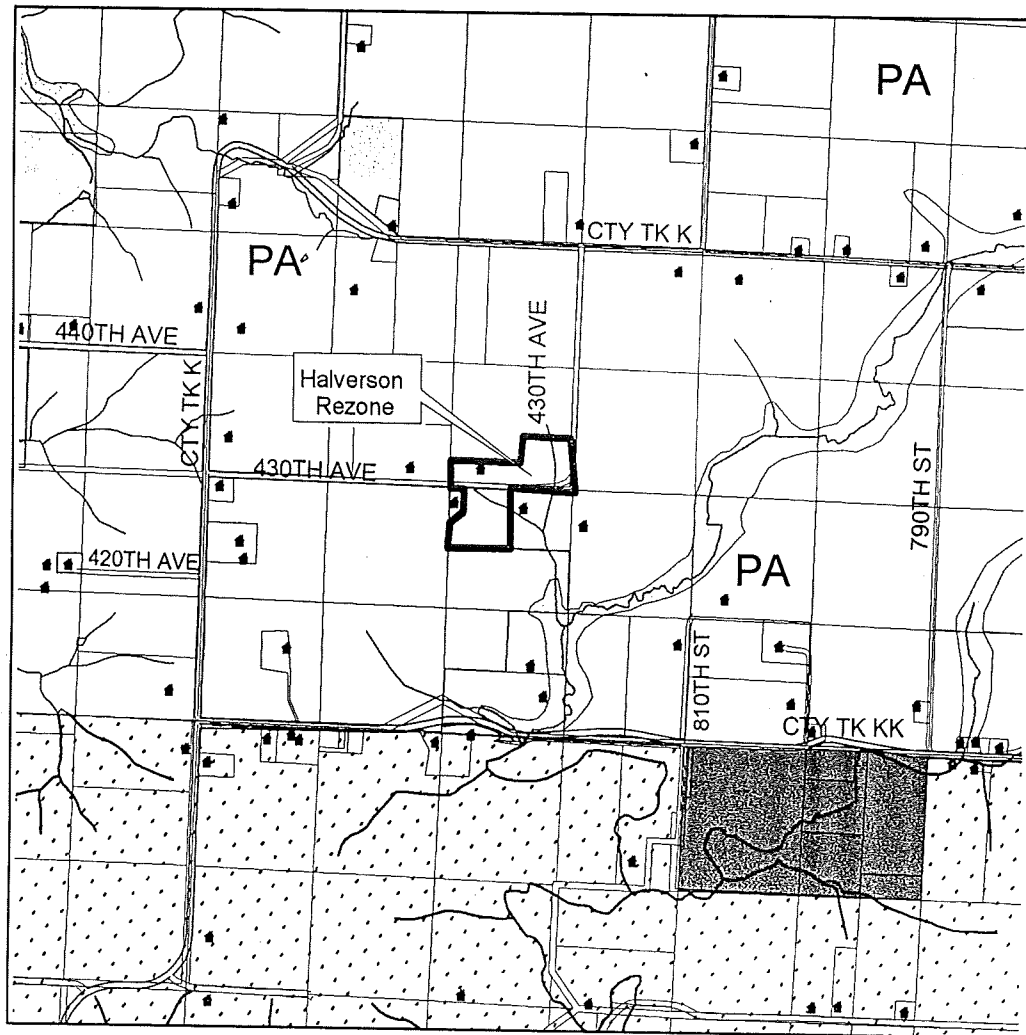
Attested to by:


Corporation Counsel


County Clerk
Adopted on: 1-29-02

November 14, 2001
 Land Management Committee
 Halverson Rezone
 Primary Agriculture to Agriculture Residential

Town of Trimbelle



2500 0 2500 5000 Feet

Legend

•	Dwellings
□	Parcels
~	Waterways
□	Floodplain
PA	Primary Agriculture
□	Agriculture Residential
□	General Rural
□	General Rural Flexible
■	Industrial

Prepared by the Department of Land Management
 10/25/01

ORDINANCE 01-20

**TO AMEND CHAPTER 195
OF THE PIERCE COUNTY CODE RELATING TO
THE PIERCE COUNTY PUBLIC SHOOTING RANGE**

THE PIERCE COUNTY BOARD OF SUPERVISORS DOES HEREBY
ORDAIN AS FOLLOWS:

SEC. 1: That Sec. 195-1 of the Pierce County Code is hereby amended to read as follows:

Sec. 195-1. Statutory authority. This chapter is adopted ~~under the~~ pursuant to authority granted by §59.51, and 59.54(6), Wis. Stats.

SEC. 2: That Sec. 195-7 of the Pierce County Code is hereby amended to read as follows:

Sec. 195-7. Prohibited uses. The following uses are prohibited:

- A. Shooting at any moving target, whether clay pigeons or any other objects.
- B. Discharging a firearm by any person on any area of the Pierce County Public Shooting Range at any time other than that time from 9:00 a.m. to dusk, but not later than 8:00 p.m., except for Pierce County law enforcement personnel, who may use the shooting range for low light training until 9:00 p.m. four (4) nights per year.
- C. Use of fully automatic weapons operated on fully automatic or burst mode.

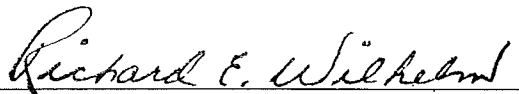
SEC. 3: That Sec. 195-9 of the Pierce County Code is hereby amended to read as follows:

Sec. 195-9. Hours. It is unlawful for any person to be present upon any area of the Pierce County Public Shooting Range at any time other than 9:00 a.m. to dusk, but not later than 8:00 p.m., except for Pierce County law enforcement personnel, who may use the shooting range until 9:00 p.m. four (4) nights per year.

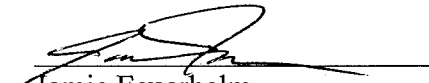
SEC. 4: That this Ordinance shall become effective upon its adoption and publication as required by law.

Dated this 18th day of December, 2001.

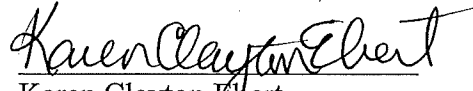
PIERCE COUNTY BOARD OF SUPERVISORS


Richard E. Wilhelm, County Board Chairman

ATTESTED TO BY:


Jamie Feuerhelm
County Clerk

APPROVED AS TO
FORM AND LEGALITY BY:


Karen Clayton Ebert
Corporation Counsel

Adopted on: 1-29-02

ORDINANCE 01-21

**REZONING A PARCEL OF LAND IN OAK GROVE TOWNSHIP FROM RURAL
RESIDENTIAL-12 TO GENERAL RURAL FLEXIBLE-8: Zwart Rezone**

The Board of Supervisors of Pierce County, Wisconsin does Ordain:

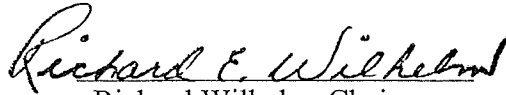
Section 1: The Official Pierce County Zoning Map for the town of Oak Grove be amended to change the zoning from Rural Residential-12 to General Rural Flexible-8 for a 20.33 acre parcel of land described as:

A parcel located in the NW 1/4 of the SW 1/4 and the SW 1/4 of the SW 1/4 in Section 18, Township 26 North, Range 19 West, Oak Grove Township.

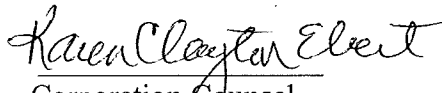
Section 2: That this ordinance shall not be codified.

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

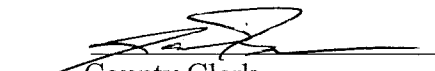
Dated this 18th day of December 2001


Richard Wilhelm, Chairman

Approved as to form and legality:


Corporation Counsel

Attested to by:


County Clerk
Adopted on: 1-29-02

ORDINANCE NO. 01-22
CREATE CONDEMNATION COMMISSION

THE PIERCE COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS
FOLLOWS:

SECTION 1: That Chapter 7 of the Pierce County Code shall be amended to add the following:

Article VI: Condemnation Commission

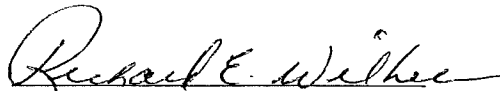
- 7-21 Establishment. Pursuant to Wis. Stats. §32.08, a Condemnation Commission is created.
- 7-22 Appointments. The Condemnation Commission shall consist of 6 commissioners. The Pierce County Circuit Court Judge shall appoint the commissioners for 3-year terms. However, the first appointments shall be made for staggered terms of 1, 2, and 3 years as determined by the Judge. Not more than one-third of the commission shall be attorneys at law, licensed for active practice in this state. Commissioners may be removed at the judge's pleasure. All appointments and removals shall be filed with the Pierce County Clerk of Court.
- 7-23 Residency. Each commissioner shall be a resident of Pierce County or a resident of an adjoining county in the same judicial circuit.
- 7-24 Chairperson. The commissioners shall annually elect one of their members as chairperson. The chairperson shall select and notify the commissioners that are to preside at condemnation hearings. Three commissioners shall preside at each hearing.
- 7-25 Compensation. The commissioners shall be compensated for actual service performed at an hourly rate as established by resolution of the Pierce County Board of Supervisors. The chairperson shall also be compensated at the hourly rate for selecting and notifying the commissioners that are to preside at a hearing in addition to any necessary out-of-pocket expenses in connection with the hearing. All commissioners are entitled to receive mileage reimbursement pursuant to the County travel policy. Such compensation and expenses shall be paid by the condemnor on order approved by the circuit court judge.

SECTION 2: That this ordinance shall take effect upon its adoption and publication as required by law.

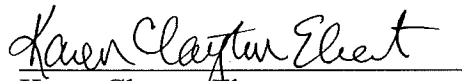
Dated this 29th day of January 2002.

**ORDINANCE 01-11
CREATE CONDEMNATION COMMISSION**


PIERCE COUNTY BOARD


Richard Wilhelm, Chairman

Approved as to form
and legality:


Karen Clayton Ebert
Corporation Counsel

Attested to by:


Jamie Feuerhelm
County Clerk

Adopted: Feb 26, 2002

ORDINANCE 01-24

**REZONING A PARCEL OF LAND IN CLIFTON TOWNSHIP FROM RURAL
RESIDENTIAL-8 TO GENERAL RURAL FLEXIBLE-8: Olson Rezone**

The Board of Supervisors of Pierce County, Wisconsin does Ordain:

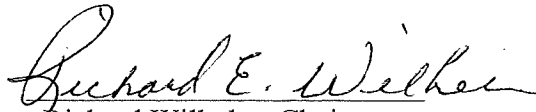
Section 1: The Official Pierce County Zoning Map for the town of Clifton be amended to change the zoning from Rural Residential-8 to General Rural Flexible-8 for a 12.13 acre parcel of land described as:

A parcel located in the SE 1/4 of the SW 1/4 in Section 6, Township 27 North, Range 19 West, Clifton Township.

Section 2: That this ordinance shall not be codified.

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

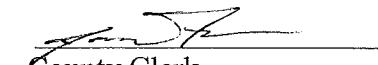
Dated this 26th day of February 2002


Richard Wilhelm, Chairman

Approved as to form and legality:


Corporation Counsel

Attested to by:


County Clerk
Adopted on: 3-26-02

ORDINANCE 01-25

**REZONING A PARCEL OF LAND IN OAK GROVE TOWNSHIP FROM RURAL
RESIDENTIAL-12 TO PLANNED RESIDENTIAL DEVELOPMENT: Johnson Reiland
Rezone**

The Board of Supervisors of Pierce County, Wisconsin does Ordain:

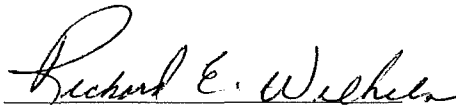
Section 1: The Official Pierce County Zoning Map for the town of Oak Grove be amended to change the zoning from Rural Residential-12 to Planned Residential Development for 600 acres of land described as:

A parcel located in the SE 1/4 of the NE 1/4, All SE 1/4, GOVT Lot 2, ex RR R/W in Sec.33, and the N 1/2 of Sec. 34, excluding the SE 1/4 of the NE 1/4, and two 15 acre parcels described in exhibit A of quit claim deed recorded in Vol. 336, Pages 422 to 424, and Outlots A and B recorded in Vol. 6, page 52, and CSM Lots 11 through 23 recorded in Vol. 6 pages 55 through 58 and CSM Lots 28 through 33 recorded in Vol.6 pages 60 and 61; and the W 1/2 of the SW 1/4 and the SE 1/4 of the SW 1/4, all in Sec. 34, Township 26 North, Range 19 West, Oak Grove Township.

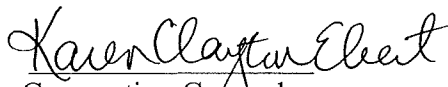
Section 2: That this ordinance shall not be codified.

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

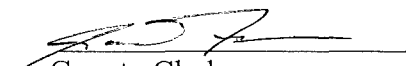
Dated this 26th day of February 2002


Richard Wilhelm, Chairman

Approved as to form and legality:


Corporation Counsel

Attested to by:


County Clerk
Adopted on: 3-26-02

ORDINANCE 01-26
Amending Section 4-46 Pierce County Code;
County Board Compensation and Per Diem

THE PIERCE COUNTY BOARD OF SUPERVISORS DOES HEREBY ORDAIN AS FOLLOWS:

Section 1: That Section 4-46 of the Pierce County Code be amended to read as follows:

4-46. Compensation and per diem.

A. Mileage, meal and lodging allowances for Pierce County shall be established by the following procedure:

- (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 which go in effect for state employees each July 1 shall not apply to Pierce County Board members or employees until the following January 1 which is the beginning of the Pierce County fiscal year.
- (3) It shall be the responsibility of the ~~County Clerk~~ 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.

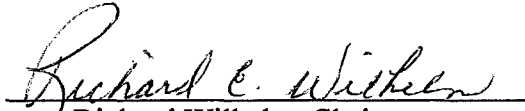
B. All members of the Board shall be compensated per diem in accordance with the following requirements:

- (1) Base salary of County Board Chair is \$300.00 per month.
- (2) Per diems for all County Board Supervisors shall be established at \$35.00 per meeting. If a meeting lasts over 4 hours it shall be \$50.00. If a supervisor attends two consecutive meetings on the same day, the per diem is \$50.00. If a supervisor is required to attend a third meeting that day, the meeting will be \$20.00 or no more than \$70.00 for any one day. If a supervisor attends two non-consecutive meetings in a day the meeting shall be paid at \$35.00 each, but no more than \$70.00 any given day.

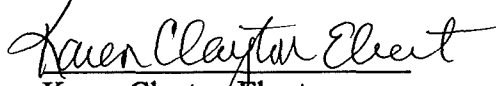
- (3) Per diems for County Board meetings, whether regularly scheduled or special, shall be \$50.00 per meeting. Supervisors representing the County attending meetings shall be compensated at the rate of \$70.00 per day.
- (4) Attendance at meetings and conferences shall require prior authorization by 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.
- (6) Citizens that are appointed to committees are entitled to mileage and out-of-pocket expenses.

Section 2: This ordinance shall become effective upon its adoption and publication as required by law.

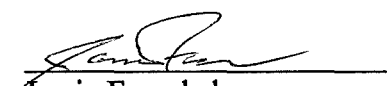
Dated this 26th day of March 2002.


Richard Wilhelm, Chairperson
Pierce County Board of Supervisors

Approved as to form and legality:


Karen Clayton Ebert
Corporation Counsel

Attested to by:


Jamie Feuerhelm
County Clerk

Adopted: March 26, 2002

**ORDINANCE NO. 01-27
TO ELIMINATE TERM LIMITS OF
SOLID WASTE MANAGEMENT BOARD**

THE PIERCE COUNTY BOARD OF SUPERVISORS DOES HEREBY
ORDAIN AS FOLLOWS:

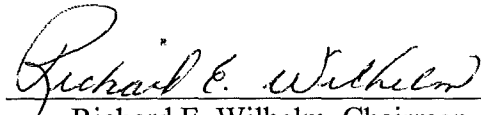
SECTION 1: That Section 7-15 of the Pierce County Code is hereby amended to read as follows:

Section 7-15. Membership, terms of office; vacancies; removal.

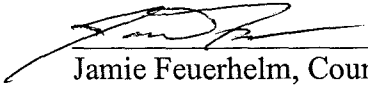
- A. The membership of the SWMB shall be appointed by the Pierce County Board Chair subject to the confirmation of the County Board of Supervisors. It shall consist of nine members, of whom four are County Board members, including the County Board Chair or Vice Chair, a County Zoning Committee member and two other members of the County Board. The remaining five members shall be citizen members residing in the county who are appointed based on public interest and technical knowledge in the area of solid waste management.
- B. The county extension resource agent shall serve as an education and resource advisory.
- C. Except as hereafter provided, the terms of office of each member of the SWMB shall be for three years expiring on April 30. The terms of those initially appointed shall be as follows:
 - (1) One-third shall be appointed for a term of three years.
 - (2) One third shall be appointed for a term of two years; and
 - (3) One third shall be appointed for a term of one year.
- D. ~~Reappointments to the SWMB are limited to two additional terms after the initial appointment.~~ Vacancies for any unexpired term shall be filled in the same manner as the original appointments.
- E. Any member of the Solid Waste Management Board may be removed from that Board by a two-thirds vote of the County Board of Supervisors.

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

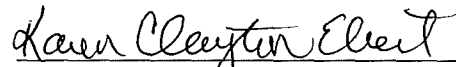
Dated this 26th day of March, 2002.


Richard E. Wilhelm, Chairman
Pierce County Board

ATTESTED TO BY:


Jamie Feuerhelm, County Clerk

APPROVED AS TO
FORM AND LEGALITY BY:


Karen Clayton Ebert, Corporation Counsel

Adopted: March 26, 2002

**ORDINANCE 01-28
AMENDING ETHICS CODE RELATED TO POLITICAL ACTIVITIES**

THE PIERCE COUNTY BOARD OF SUPERVISORS DOES HEREBY
ORDAIN AS FOLLOWS:

SECTION 1: That Section 24-8 of the Pierce County Code is hereby amended to read as follows:

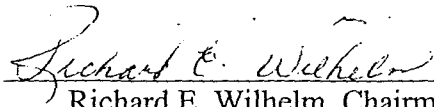
Section 24-8. Political Activities.

All employees, including elected officials, have the right to freely express their views as citizens and cast their votes, subject to the following:

- A. No employee or elected official shall directly or indirectly use or seek to use his/her authority or the influence of his/her position to control or modify the political action of another person. No employee shall run for the office of County Supervisor unless granted a leave of absence during the campaign.
- B. No employee or elected official during his/her hours of duty shall, except as provided by law, engage in political activities, including:
 - (1) Campaign for any candidate or political party.
 - (2) Make campaign speeches or engage in other activities to elect a candidate.
 - (3) Collect contributions or sell tickets to political fund-raising functions.
 - (4) Distribute campaign material in any election.
 - (5) Organize or manage political meetings.
 - (6) Circulate nominating petitions.
 - (7) Display political badges, buttons or stickers in any county buildings or wear such items during working hours.
- C. No employee or elected official shall at any time use any county-owned or county-leased equipment for any political activity.
- D. No employee shall be removed, discharged, reduced in pay or position or otherwise discriminated against because of the employee's political opinions or affiliations, except as provided for in this section.
- E. Employees whose principal employment is in a federal-grant-aided program are subject to prohibitions in the Federal Hatch Political Activities Act, as amended, 5 U.S.C. §§1501 to 1508.

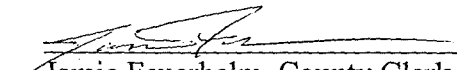
SECTION 2: That this Ordinance shall be effective upon its adoption and publication as required by law.

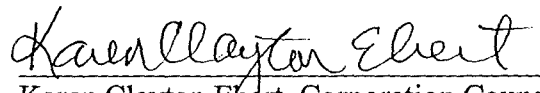
Dated this 26th day of March, 2002.


Richard E. Wilhelm, Chairman
Pierce County Board

ATTESTED TO BY:

APPROVED AS TO
FORM AND LEGALITY BY:


Jamie Feuerhelm, County Clerk


Karen Clayton Ebert, Corporation Counsel

Adopted: Not adopted
sent back to Personnel Com.

RESOLUTION 01-01

COMMENDATION TO VOLUNTEERS IN UW-EXTENSION PROGRAMS

WHEREAS, education is a vital element contributing to the advancement of our culture and our future as a nation; and

WHEREAS, the educational outreach program of the University of Wisconsin-Extension Service relies heavily on adult and youth volunteer assistance; and

WHEREAS, volunteers contribute valuable time, experience and other resources in working with Extension Agents to conduct educational programs for Pierce County residents including youth, homemakers, farmers, business owners, rural and urban residents, community leaders and others; and

WHEREAS, the value of volunteers is demonstrated by hundreds of hours of effort they have contributed to increase the knowledge and skills of Pierce County residents; and


WHEREAS, the long term benefit of volunteer assistance will be to improve our quality of life, our health and welfare, and our environment for the future; and

WHEREAS, the week of April 22-28 has been identified as Volunteer Awareness Week for volunteers from all areas of life.

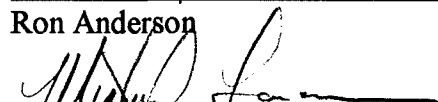
SO NOW THEREFORE, BE IT RESOLVED, that the Pierce County Board of Supervisors officially recognize and commend the volunteers for the great amount of time, energy, effort and skill they contribute to Extension education programs.

DATED this 17th day of April, 2001.

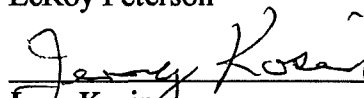
PIERCE COUNTY AGRICULTURE AND EXTENSION EDUCATION COMMITTEE

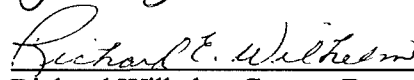

Tom Bengtson


Ron Anderson


Mike Larson

LeRoy Peterson


Jerry Kosin


Richard Wilhelm, County Board Chair

ATTESTED TO BY:


County Clerk

APPROVED AS TO
FORM AND LEGALITY BY:


Corporation Counsel

Adopted: April 17, 2001

Resolution 01-02

TRANSFER OF FUNDS FROM THE GENERAL FUND FOR
1999 DEFICIT IN HUMAN SERVICES FUND #212

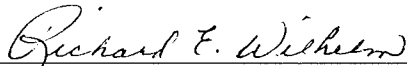
WHEREAS, the Finance Committee has been requested to recommend to the County Board of Supervisors that \$230,679 be transferred into Fund #212 to offset the 1999 deficit.

WHEREAS, the Finance Committee did on March 28, 2001, authorize transfer of the sum of \$230,679 from the General Fund into Fund #212, subject to County Board approval, and correspondingly recommends the same to the full County Board.

NOW, THEREFORE, BE IT RESOLVED by the Pierce County Board of Supervisors that the sum of \$230,679 be transferred from the General Fund into Fund #212 for the purpose expressed above.

DATED this 17th day of April, 2001.

PIERCE COUNTY BOARD



Richard E. Wilhelm, Chairman

ATTESTED TO BY:



Jamie R. Feuerhelm, County Clerk

APPROVED AS TO
FORM AND LEGALITY BY:



Karen Ebert, Corporation Counsel

Adopted: April 17, 2001

**RESOLUTION 01-03
AUTHORIZING SALE OF COUNTY OWNED REAL ESTATE
IN TRENTON TOWNSHIP**

WHEREAS, Pierce County owns approximately 160 acres in Trenton Township where the Highway Department operates the County's gravel pit; and

WHEREAS, an adjacent property owner requested of the Highway Department that he be able to purchase approximately .5 acres located within the SW1/4 of the SW1/4, Section 34, Township 25 North, Range 18 West, to add to his parcel to comply with the requirement of 2 acres minimum lot size for lot splits required by the Pierce County Subdivision Ordinance; and

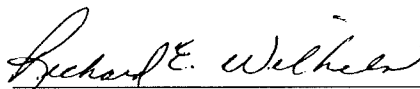
WHEREAS, the Pierce County Highway Committee determined that a sale of .5 acres at the site would not affect the department's operations and that the .5 acres could be sold if it was advantageous to Pierce County; and

WHEREAS, the Finance Committee recommends that the County Board approve the sale and authorize Finance Committee to work out the details with the advice of Corporation Counsel; and

NOW, THEREFORE BE IT RESOLVED that the Pierce County Board of Supervisors approves the sale of the property and hereby delegates to the Finance Committee to work out the details to obtain the best result for the County.

Dated the 17th day of April, 2001.

PIERCE COUNTY BOARD


Richard Wilhelm, Chairman

Approved as to form and legality:

Attested to by:


Karen Ebert, Corporation Counsel


Jamie Feuerhelm, County Clerk

Adopted: April 17, 2001

RESOLUTION 01-04

**RESOLUTION SUPPORTING COMPLETE FUNDING OF
PROBATION AND PAROLE VIOLATION INMATES**

WHEREAS, regulations adopted by the State Legislature requires the County to incarcerate inmates for a longer period of time; and

WHEREAS, inmates released on probation and parole are being monitored for a longer time, causing their return to jail for violations of said probation or parole; and

WHEREAS, the above inmates cause an overcrowding of county jails; and the rate of daily cost of housing said inmates is not covered in total by the State, causing an additional fundamental burden on the County Jail Budget; and

WHEREAS, this should be reimbursed at the full cost of housing inmates for state probation and parole violations and not be an unfunded mandate required to be paid by county taxpayers.

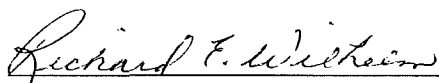
NOW, THEREFORE, BE IT RESOLVED that the Pierce County Board of Supervisors does hereby request the Governor and the Wisconsin Legislature to provide sufficient funding to support the implementation of state policies when they result in additional cost to county taxpayers for housing probation and parole violation inmates in county jails.

BE IT FURTHER RESOLVED by the Pierce County Board of Supervisors that the state funding shall cover both the capital costs associated with the increased use of county jails and the staffing costs incurred by a jail facility in order to safely support increased jail population.

BE IT FURTHER RESOLVED by the Pierce County Board of Supervisors that the County Clerk be directed to send a copy of this resolution to all Wisconsin Counties, Governor Scott McCallum, the Secretary of the Department of Administration, the Secretary of the Department of Corrections, and Legislators representing constituents of Pierce County.

DATED this 17th day of April 2001.

PIERCE COUNTY BOARD



Richard Wilhelm, Chair

ATTESTED TO BY:


County Clerk

APPROVED AS TO
FORM AND LEGALITY BY:


Corporation Counsel

Adopted: April 17, 2001

RESOLUTION 01-05

COUNTY AID BRIDGE CONSTRUCTION
UNDER SECTION 81.38 OF THE STATUTES

TO THE HONORABLE BOARD OF SUPERVISORS
FOR PIERCE COUNTY, WISCONSIN

LADIES AND GENTLEMEN;

WHEREAS, the various towns hereinafter named have filed petitions for County Aid in the construction of Bridges under Section 81.38 of the Statutes, said petitions are hereby granted, and the county's share is appropriated as follows:

Town	Job No.	Bridge	Amount of County Aid Granted	Amount Raised by Local Units
Ellsworth	330.0364	490th Ave. 125' E. of 10	436.98	379.61
Ellsworth	330.0365	490th Ave. 1,360' E. of 10	645.75	170.85
Ellsworth	330.0366	490th Ave. 3,300' E. of 10	408.29	408.30
Ellsworth	330.0367	490th Ave. 4,018' E. of 10	516.76	299.83
Ellsworth	330.0382	450th Ave. 1,312' E. of 10	817.91	817.92
Ellsworth	330.0383	450th Ave., 3,200' E. of 10	671.71	750.00
Ellsworth	330.0384	450th Ave., 3,900' E. of 10	273.17	750.00
Ellsworth	330.0385	450th Ave., 4,850' E. of 10	653.01	750.00
Ellsworth	330.0386	450th Ave., 6,700' E. of 10	413.39	750.00
El Paso	330.0604	610th Ave., .1 mi E of "BB"	408.29	408.30
El Paso	330.0605	610th Ave., .35 mi E of "BB"	498.99	317.60
El Paso	330.0606	610th Ave., .4 mi E of "BB"	408.29	408.30
Gilman		770th Ave., Bridge B-47-0162 (7884-01-70)	8,794.94	8,794.94
Gilman		770th Ave., Bridge B-47-0113 (7884-01-00)	2,287.05	2,287.05
Hartland	330.0861	Hartland/Isabelle 170th Ave.	1,383.32	1,383.33
Hartland	330.0864	730th St. @ 210th Ave.	1,034.81	1,034.81
Hartland	330.0866	670th St. 700' N. of 170th Ave.	1,792.45	1,792.46
Hartland	330.0867	670th St. 1,200' N. of 170th Ave.	1,471.92	1,471.93
Hartland	330.0868	670th St. 1,650' N. of 170th Ave.	1,370.02	1,370.03
Hartland	330.0869	670th St. 2,000' N. of 170th Ave.	1,581.11	1,581.12
Martell	330.1262	690th St. 3,930' S of 770th Ave.	2,041.93	2,041.94
Martell	330.1263	690th St. 2,730' S of 770th Ave.	1,918.00	1,918.01
Martell	330.1264	690th St. 50' S of 770th Ave.	1,632.88	1,632.88
Martell	330.1265	690th St. 750' N of 770th Ave.	1,407.90	1,407.90
Martell	330.1266	690th St. 200' N of 780th Ave.	8,508.57	8,508.57
Martell	330.1267	690th St. 950' N of 780th Ave.	11,720.38	11,720.39
Martell	330.1268	690th St. 3,800' N of 780th Ave.	962.74	962.75
Martell	330.1269	780th Ave. 75' E of 690th St.	10,039.07	10,039.08
Oak Grove	330.1411	570th Ave., 3,220' E of 1200th St.	6,196.31	6,196.31
Oak Grove	330.1412	570th Ave., 20' E of 1170th St.	1,279.75	1,279.75
River Falls	330.1516	Culvert Replacement 710th Ave., .25 mi E of "O"	3,176.64	3,176.64
Rock Elm	330.1634	490th Ave., 1,950' W of "S"	524.45	750.00
Rock Elm	330.1635	450th Ave., 25' E of 130th St.	923.30	923.31
Rock Elm	330.1636	490th Ave., 2,600' E of "CC"	1,557.62	1,557.62
Rock Elm	330.1637	150th St. 2 mi N of 530th Ave.	2,365.86	2,365.87
Rock Elm	330.1638	490th Ave., .7 mi E of "CC"	1,085.80	1,085.80

RESOLUTION 01-05

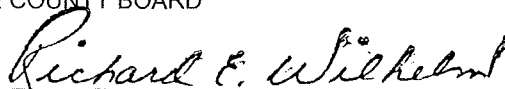
COUNTY AID BRIDGE CONSTRUCTION
UNDER SECTION 81.38 OF THE STATUTES

Salem	330.1739	370th Ave., 800' W of 450th.	98.38	98.39
Salem	330.1741	370th Ave., .3 mi E of 490th	765.29	765.29
Salem	330.1742	230th Ave., Widen Box Culvert	8,631.84	8,631.85
Salem	330.1744	230th Ave., Pipe #1 Project	2,476.91	2,476.92
Salem	330.1745	230th Ave., Pipe #2 Project	4,942.83	4,942.84
Salem	330.1746	230th Ave., Pipe #3 Project	1,341.63	1,341.63
Spring Lake		Bridge Replacement 850th Ave. .1 mi W of 870th Ave.	43,172.17	43,172.18
Spring Lake		45th St., .1 mi N of 50th St.	979.00	979.00
Spring Lake		110th St. Approx. 1 mi W of CTH "P"	307.00	750.00
Trimbelle	330.2215	840th St. 350' S of 480th Ave.	2,593.91	2,593.92
Trimbelle	330.2216	740th St. 2,900' S of STH 65	1,241.55	1,241.56
Union	330.2322	210th Ave., 2,830' E of CTH "U"	2,492.36	2,492.36
Union	330.2323	210th Ave., 4,300' E of CTH "U"	1,037.10	1,037.10
Totals			151,289.33	152,016.24

The County Board does hereby levy a tax to meet said appropriations on all of the property in the county which is taxable for such purpose.

WARNING: It is directed that provision of this levy shall be made in the county budget, but that this levy shall not be duplicated.

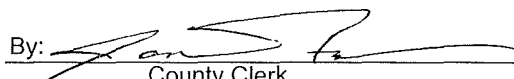
DATED this 17th day of April, 2001
PIERCE COUNTY BOARD


Richard Wilhelm, Chairman

PIERCE COUNTY HIGHWAY DEPARTMENT


Steve Schoeder, Chairman

ATTESTED TO:

By: 
County Clerk

APPROVED AS TO FORM AND LEGALITY:

By: 
Corporation Counsel

Adopted April 17, 2001

Resolution 01-06
RESOLUTION TO CREATE ADDITIONAL POSITION OF
LIEUTENANT – LAW ENFORCEMENT

WHEREAS, the Law Enforcement Committee did meet on March 13, 2001, to consider a request for the creation of the position of Lieutenant, a position to supervise county Investigators and criminal investigations, and

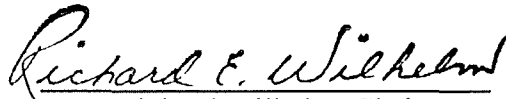
WHEREAS, the Law Enforcement Committee did recommend to the Personnel Committee that the position of Lieutenant of Investigations be created, and

WHEREAS, on March 28, 2001, the Personnel did consider the request from the Law Enforcement Committee to create the position of Lieutenant of Investigations and approved the creation of same, and

WHEREAS, on April 12, 2001, the Finance Committee did consider a request to fund the position of Lieutenant of Investigations and did approve the funding of the position of Lieutenant of Investigations in the Law Enforcement Department at a cost of approximately \$5,300 per month for salary and fringe benefits.

NOW THEREFORE BE IT RESOLVED that the Pierce County Board of Supervisors approve creation of the position of Lieutenant of Investigations in the Law Enforcement Department, effective upon adoption of this resolution.

DATED this 17th day of April, 2001.

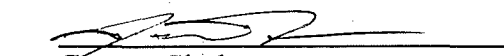


Richard Wilhelm, Chair
Pierce County Board of Supervisors

Approved as to form
and legality:


Corporation Counsel

Attested to by:


County Clerk

Adopted April 17, 2001

RESOLUTION NO. 01-07
RESOLUTION TO CREATE HOUSING COMMITTEE

WHEREAS, the Pierce County Code provides for creation of ad hoc committees by resolution of the County Board; and

WHEREAS, Pierce County has been awarded a grant through the Wisconsin Community Development Block Grant Housing Program for small cities; and

WHEREAS, the money awarded is to be used to fund housing rehabilitation and home buyer assistance for low and moderate income citizens; and

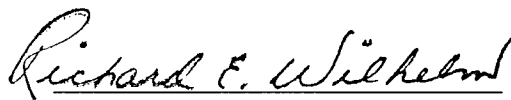
WHEREAS, the program requires that the County appoint a Housing Committee to review the applications for funding; and

NOW, THEREFORE BE IT RESOLVED the County Board of Supervisors hereby creates a Housing Committee consisting of two County Board members and three citizen members: one each from the Village of Elmwood, Village of Maiden Rock and City of River Falls. The citizen members shall be appointed to serve a three-year term.

BE IT FURTHER RESOLVED that the members appointed will receive per diem and mileage as set by county rules.

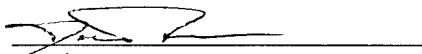
BE IT FURTHER RESOLVED that the duties of the Housing Committee shall be to review applications presented and otherwise assist in administration of the CDBG Housing Program as required by law.

Dated this 17th day of April, 2001.



Richard E. Wilhelm, Chairman
Pierce County Board of Supervisors

ATTESTED TO BY:


Jamie Feuerhelm, County Clerk

APPROVED AS TO
FORM AND LEGALITY BY:


Karen Clayton Ebert, Corporation Counsel

Adopted April 17, 2001

Amended on the floor: Paragraph 5: delete "Village" of Maiden Rock and insert "Town" of Maiden Rock.

Resolution 01-08

RESOLUTION SUPPORTING EAU GALLE RIVER AND PLUM CREEK
PROTECTION PLANNING GRANT

WHEREAS, the Eau Galle and Plum Creeks are an important resource used by the public for recreation and enjoyment of natural beauty; and

WHEREAS, the Eau Galle and Plum Creeks are threatened by the effects of polluted runoff from barnyards and feedlots, streambank grazing, and flooding; and

WHEREAS, the counties of St. Croix, Dunn, Pepin and Pierce share their concern for maintaining the quality of the Eau Galle and Plum Creeks; and

WHEREAS, the St. Croix, Dunn, Pepin and Pierce County Land Conservation Departments wish to join together to address the resource concerns of these areas by implementing a program to assist landowners in carrying out important conservation practices to preserve these valuable natural resources; and

WHEREAS, the Wisconsin Department of Natural Resources has available grant funds for the purpose of river protection through the River Protection Grant Program; and

WHEREAS, the counties of St. Croix, Dunn, Pepin and Pierce are qualified to carry out the responsibilities of the river protection project described in the state grant application; and

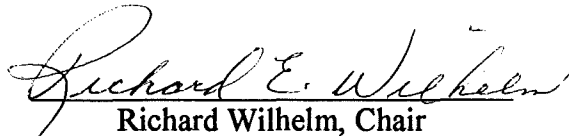
WHEREAS, the Pierce County Land Conservation Department requests approval to seek the funding and assistance available to conduct the river protection project for Eau Galle and Plum Creeks as described in the grant application.

THEREFORE BE IT RESOLVED THAT the Pierce County Board of Supervisors authorizes the Land Conservation Department to seek the funds and assistance available from the Wisconsin Department of Natural Resources under the River Protection Grant Program on behalf of itself and St. Croix, Dunn and Pepin Counties; and

BE IT FURTHER RESOLVED that the Pierce County Board of Supervisors authorizes the Land Conservation Director to act on behalf of Pierce County to submit an application to the State of Wisconsin for financial aid for river protection purposes, to sign documents, and take necessary action to undertake, direct, and complete an approved river protection grant project for the Eau Galle and Plum Creek waterways; and

BE IT FURTHER RESOLVED that Pierce County Land Conservation Department will meet its obligations under this grant including a 25% commitment to project costs, an amount not to exceed \$750, the funds for which are in the 2001 budget.

DATED this 22nd day of May, 2001



Richard Wilhelm, Chair

ATTESTED TO BY:


County Clerk

APPROVED AS TO

FORM AND LEGALITY BY:


Corporation Counsel

Adopted: 6/19/01

**RESOLUTION NO. 01-09
TO SUPPORT A LAW TO ALLOW COUNTIES TO
HOUSE PRISONERS IN NEIGHBORING STATES**

WHEREAS Pierce County has a shortage of jail space to incarcerate persons at the rate required under current laws; and

WHEREAS, other counties within Wisconsin have a similar shortage of jail space; and

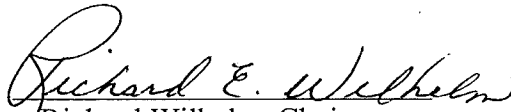
WHEREAS, the county boards and sheriffs of Wisconsin counties do not have authority under current law to contract with counties in neighboring states that may have space for housing prisoners; and

WHEREAS, Pierce County urges the Legislature to enact a law to allow counties to enter into agreements to house prisoners in neighboring states; and


NOW THEREFORE BE IT RESOLVED THAT The Board of Supervisors of Pierce County urges the Legislature to enact a law immediately to allow counties to enter into agreements to house prisoners in neighboring states.

Dated this 22nd day of May, 2001.

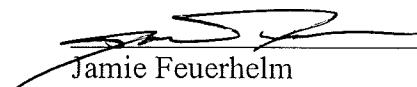
PIERCE COUNTY BOARD


Richard Wilhelm, Chairman

Approved as to form
and legality:


Karen Clayton Ebert
Corporation Counsel

Attested to by:


Jamie Feuerhelm
County Clerk

Approved: _____

**RESOLUTION 01-10
PIERCE COUNTY DISASTER PROCLAMATION**

WHEREAS, a disaster, namely flooding and excessive rain has struck the County of Pierce; and

WHEREAS, because of such emergency conditions, the County Board of Supervisors is unable to meet with promptness; and

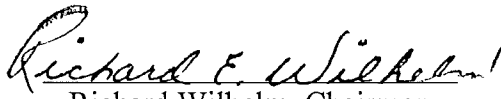
WHEREAS, the disaster has caused the cities, villages and towns within the county to expend or commit all of its available resources; and

WHEREAS, the cities, villages and towns in Pierce County are asking for county assistance and request the county to advise the State of Wisconsin of emergency conditions; and

NOW, THEREFORE, pursuant to State Statute 166, as Chairperson of the Pierce County Board of Supervisors, I do hereby declare a state of emergency to exist in certain areas of Pierce County.

Dated this 2nd day of May, 2001.

PIERCE COUNTY BOARD


Richard Wilhelm, Chairman

Ratified by Resolution No. 01-10 of the County Board of Supervisors on the 22nd day of May, 2001 by a vote of 17 for, 0 against.

RESOLUTION NO. 01-11
RESOLUTION SETTING FEE SCHEDULE FOR NONMETALLIC MINING
RECLAMATION PROGRAM

WHEREAS, Pierce County has enacted an Ordinance For Reclamation of Nonmetallic Mines within the County; and

WHEREAS, the reclamation program has been mandated by Chapter 295, Wisconsin Statutes and NR 135, Wisconsin Administrative Code to ensure uniform reclamation standards are implemented statewide; and

WHEREAS, the Legislature intended that the reclamation program be self-funded through fees on active mining operations; and

WHEREAS, the fees set are intended to cover the actual cost to the County of administering the program, in addition to the amount required to be passed on to the Department of Natural Resources for its statewide oversight of the program; and

WHEREAS, the Land Management Committee had a public hearing on the proposed fee schedule on February 14, 2001.

NOW, THEREFORE, the County Board hereby adopts the following fee schedule:

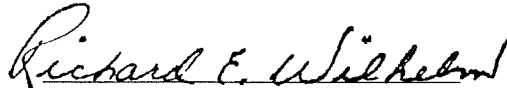
1. Plan Review Fee. An application for permit shall be accompanied by a fee of \$30.00 per acre rounded to the nearest whole acre that will be impacted by mining in the initial stage of the project. This is a nonrefundable plan review fee.
2. Annual Permit Fee. Each successive year, on or before the anniversary date of issuance, a fee of \$30.00 per acre shall be submitted for each acre proposed to be disturbed rounded to the nearest whole acre that will be impacted by mining. After the first permit fees shall be double the application fees.
3. DNR Fee. In addition to the fees listed above, the operator shall submit a fee to Pierce County which shall be paid to the DNR as follows:

<u>Mine Size In Unreclaimed Acres</u> <u>(Rounded to Nearest Acre)</u>	<u>Annual Fee</u>
1 to 5 acres	\$ 30
6 to 10 acres	\$ 60
11 to 15 acres	\$ 90
16 to 25 acres	\$120
26 to 50 acres	\$140
51 acres or larger	\$150
Inactive mines	\$ 15

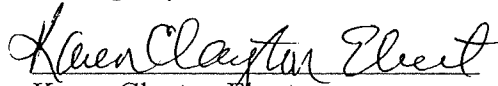
4. Inactive Mine Fee. A site on which nonmetallic mining activity has not taken place in a calendar year will pay a fee of \$100.00 per site for the following calendar year. Of this fee, \$15.00 will be paid over to the Wisconsin DNR.

Dated this 22nd day of May, 2001.

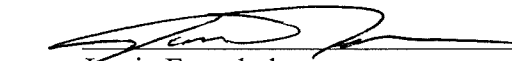
PIERCE COUNTY BOARD


Richard Wilhelm, Chairman

Approved as to form
and legality:


Karen Clayton Ebert
Corporation Counsel

Attested to by:


Jamie Feuerhelm
County Clerk

Approved: June 19, 2001

Resolution 01-12

TO CREATE THE POSITION OF JAIL NURSE

WHEREAS, Pierce County believes that health care should be provided by minimum standards in the jail setting; and

WHEREAS, Pierce County believes that early assessment, referral and health plans can prevent acute crisis situations; and

WHEREAS, continuity of care is essential for optimal health care; and

WHEREAS, these health care needs of the jail inmates requires that Pierce County provide for the staffing and operation of a Jail Health Program on the jail premises; and

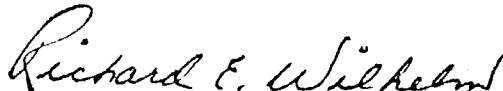
WHEREAS, the number of jail inmates has continued to increase, in conjunction with the an increased need for jail medical services for inmates; and

WHEREAS, the existing level of health care needs of the jail inmates exceeds the amount of time available with current Public Health staffing.

NOW THEREFORE, BE IT RESOLVED that the Pierce County Board of Supervisors authorizes the creation of the position of Jail Nurse (RN) to provide for the staffing and operation of a Jail Health Program in the Pierce County Jail; and

BE IT FURTHER RESOLVED, that the Jail Nurse position will be created at .6 FTE at the current cost of approximately \$2,447 per month with funds available in the 2001 budget.

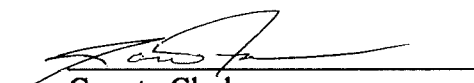
DATED this 22nd day of May 2001.


Richard Wilhelm, Chair

APPROVED AS TO FORM
AND LEGALITY:

ATTESTED TO BY:


Corporation Counsel


County Clerk

Resolution 01-13
To Show Non-Support for WCHSA Youth Aids Proposal and Call for
Adequate, Equitable and Sustained Youth Aids Funding

WHEREAS, Youth Aids funding was created in 1982 to provide each county with an annual allocation of state funds from which a county would pay for juvenile justice related costs; and

WHEREAS, these funds in 1982 covered 92% of county juvenile programming costs and in 1999 covered 41% of these costs; and

WHEREAS, the Legislative Audit Bureau's 1999 Youth Aids Audit recognized and highlighted the dramatic increase in out-of-home placement and juvenile justice costs that have been absorbed by counties; and

WHEREAS, the Wisconsin County Human Services Association (WCHSA), in an attempt to address this issue, has adopted a proposal recommending that the State fund 20% of a county's annual out-of-home placement costs out of State GPR, that the county reinvest that 20% into community-based juvenile justice programs, and that the county evaluate and document the success or failure of those programs; and

WHEREAS, Pierce County views this proposal as being inequitable to those counties that have already been successful in implementing strategies to reduce their dependence on out-of-home care; and

WHEREAS, Pierce County, even after successfully reducing the number of out-of-home cases continues to have Youth Aids costs that are far above the State Youth Aids allocation; and

WHEREAS, State Youth Aids allocation to Pierce County provided for only 32 percent of total Youth Aid expenditures made by the County in 1999 and even after implementing community-based efforts that have substantially reduced the County's out-of-home placements, State Youth Aids provided for only 44 percent of expenditures in the year 2000; and

WHEREAS, adequate, equitable, and sustained State Youth Aids funding is necessary in order for counties to continue to provide effective community-based programming, and

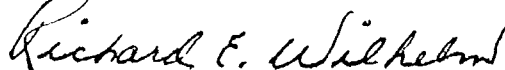
WHEREAS, the Pierce County Human Services Board carefully considered this matter at its meeting on May 17, 2001, and recommends that the County go on record opposing the current proposal.

NOW, THEREFORE BE IT RESOLVED, by the Board of Supervisors of Pierce County that the Board go on record acknowledging the work of the Wisconsin County Human Services Association in its efforts to push for an increase in funding, but opposing the WCHSA Youth Aids Proposal as presented, and demand that the State provide adequate, equitable, and sustained funding to counties for Youth Aids Programming.

BE IT FURTHER RESOLVED, that copies of this resolution be furnished to State Senator Sheila Harsdorf, Representatives Mark Pettis, Joe Plouff, and Kitty Rhoades, the Wisconsin Counties Association, the State of Wisconsin County Boards, and to the Governor of the State of Wisconsin.

Dated this 22nd day of May, 2001.

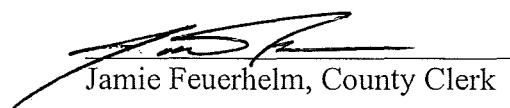
PIERCE COUNTY BOARD


Richard Wilhelm, Chairman

Approved as to form
and legality:


Karen Ebert, Corporation Counsel

Attested to by:


Jamie Feuerhelm, County Clerk

Approved: May 22, 2001

RESOLUTION NO. 01-14

RESOLUTION TO ESTABLISH FEES FOR SERVICES OF SHERIFF

WHEREAS, Sec. 814.70 Wis. Stats., requires the Sheriff to collect fees for certain process as set out in the statute;

WHEREAS, Sec. 814.705(1), Wis. Stats., authorizes the County Board to establish fees at a higher rate than what the legislature sets; and

WHEREAS, the Sheriff's Department recommends the following fees for services be established and collected by the Sheriff and paid to Pierce County:

Civil Process

Successful Attempt	\$26.00 plus mileage
Unsuccessful Attempt	\$13.00 (flat fee - no mileage)

Mileage	29 cents per mile (successful attempts only)
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Miscellaneous Officer Services

per Court Order e.g. eviction	\$26.00 per hour straight time
	\$39.00 per hour overtime
	or combination

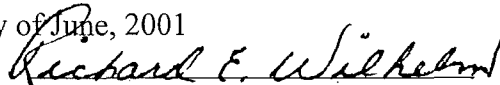
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WHEREAS, the Law Enforcement Committee and the Finance Committee recommend the fees be established.

NOW THEREFORE BE IT RESOLVED that the Pierce County Board of Supervisors adopt the fees as outlined in this resolution and that the fees shall take effect upon adoption of this resolution; and

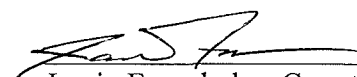
BE IT FURTHER RESOLVED that the Pierce County Sheriff shall collect the established fees, maintain auditable records, and deposit those fees with the Pierce County Treasurer on a monthly basis.

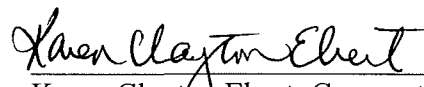
DATED this 19th day of June, 2001


Richard E. Wilhelm, Chairman
Pierce County Board of Supervisors

ATTESTED TO BY:

APPROVED AS TO
FORM AND LEGALITY BY:


Jamie Feuerhelm, County Clerk


Karen Clayton Ebert, Corporation Counsel

Adopted July 24, 2001

Resolution 01-15

RESOLUTION TO ESTABLISH FEES FOR SERVICES OF THE COUNTY
CORONER AND DEPUTY CORONER

WHEREAS, Sec. 59.36, Wis. Stats., authorizes the County Board to set fees for all services rendered by the County Coroner and County Deputy Coroner in amounts reasonably related to the actual and necessary costs of providing the services; and

WHEREAS, from time to time Pierce County has established certain fees with respect to services of the County Coroner and County Deputy Coroner; and

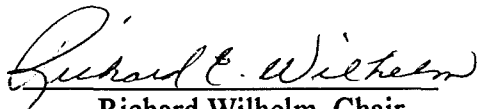
WHEREAS, upon the recommendations of Coroner Sue Dzubay, the Law Enforcement Committee and the Finance Committee, the following fees for services be established and collected by the County Coroner and Deputy Coroner and paid to Pierce County:

Cremation Permit	Current	\$ 40.00	Proposed	\$ 75.00
Disinterment Permit	Current	\$ 25.00	Proposed	\$ 25.00
Final Autopsy Copy	Current	\$ 50.00	Proposed	\$ 50.00
Special Toxicology Report	Current	\$ 25.00	Proposed	\$ 25.00
Coroner Report	Current	\$ 5.00	Proposed	\$ 5.00

NOW THEREFORE BE IT RESOLVED that the Pierce County Board of Supervisors adopt the fees as outlined in this resolution and that the fees shall take effect upon adoption of this resolution; and


BE IT FURTHER RESOLVED that the Pierce County Coroner shall collect the established fees, maintain auditable records, and deposit those fees with the Pierce County Treasurer on a monthly basis.

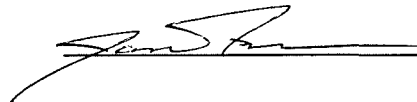
DATED this 19th day of June, 2001


Richard Wilhelm, Chair
Pierce County Board of Supervisors

Approved as to Form
And Legality:

Attested to by:


Karen Clayton Elbert
Corporation Counsel
Adopted: July 24, 2001



Resolution 01-16
RESOLUTION TO ESTABLISH COMPENSATION FOR THE
COUNTY CORONER AND COUNTY DEPUTY CORONER

WHEREAS, in Pierce County the position of County Coroner is an elected constitutional officer; and

WHEREAS, Section 59.22(1)(a), Wisconsin Statutes, provides that the county board shall establish the total annual compensation, exclusive of reimbursement for out of pocket expenses, for elected officials paid from the county treasury; and

WHEREAS, Resolution 98-08 provides a stipend for the County Coroner in the amount of \$1,500 annually,

WHEREAS, no fee schedule exists to provide compensation for the Deputy Coroner nor for certain services provided by the Coroner; and

WHEREAS, the Coroner has proposed the following fees be established:


Phone Report*	\$ 15 per call received
Cremation/Disinterment Permitting, plus mileage	\$ 25 per permit/viewing
Scene Visits, plus mileage	\$ 75 under 4 hours
	\$100 over 4 hours
Court Testimony, plus mileage	\$ 15/hour, 1 hour minimum
Monthly on-call pay*	\$ 1/hour for hours over 96/mth
Mileage	Per County Travel Policy

* Deputy Coroner only

NOW THEREFORE BE IT RESOLVED that the Pierce County Board of Supervisors adopt the fees as outlined in this resolution and that the compensation shall take effect upon adoption of this resolution; and

BE IT FURTHER RESOLVED that each month, the County Coroner will submit to the Administration Department for payment an auditable accounting of services provided by the County Coroner and Deputy County Coroner with the County to issue payment for the same.

DATED this 19th day of June, 2001.


Richard Wilhelm, Chair
Pierce County Board of Supervisors

Approved as to form
and legality:


Corporation Counsel

Attested to by:


County Clerk

Adopted: 6/19/01

Resolution 01-17

TRANSFER OF FUNDS FROM THE GENERAL FUND TO
EMPLOYEE BENEFIT PLAN AND TRUST

WHEREAS, on July 26, 1995, the Finance Committee established the Atrium Benefit Plan and Trust for Health Insurance Claims effective January 1996, and

WHEREAS, an employer who self-funds is able to establish their own reserves except for minimal risk and surplus charges in the stop loss premiums. Aside from the expense of administrative service fees, that portion of self-funded dollars is retained by Pierce County, and

WHEREAS, the Finance Committee and Administrative Coordinator reviewed audit reports from the past five years and determined that it would be in the best interest of Pierce County to authorize a transfer of funds into the Atrium Benefit Plan and Trust to build the reserves in the fund, and

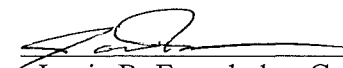
SO NOW THEREFORE, BE IT RESOLVED that the Pierce County Board of Supervisors authorizes a transfer of \$200,000 from the General Fund to the Atrium Employee Benefit Plan and Trust account.

DATED this 19th day of June, 2001.

PIERCE COUNTY BOARD


Richard E. Wilhelm, Chairman

ATTESTED TO BY:


Jamie R. Feuerhelm, County Clerk

APPROVED AS TO
FORM AND LEGALITY BY:


Karen Ebert, Corporation Counsel

Adopted: 6/19/01

RESOLUTION 01-18
AUTHORIZING SALE OF COUNTY OWNED PROPERTY
IN CITY OF PRESCOTT

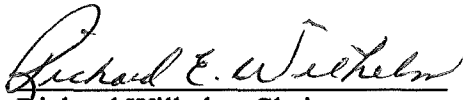
Whereas, Pierce County owns property in Section 15, Township 26 North, Range 20 West, City of Prescott, County of Pierce, described as Lot 2 CSM – Vol. 3, Page 168, currently used by the Pierce County Highway Department for it Prescott Highway Maintenance Shop; and

Whereas, the Highway Committee has authorized the purchase of another parcel of property on which to relocate the highway shop; and

Whereas, Section 59.52(6), Wisconsin Statutes, provides for disposal of county owned property by the County Board and Section 4-20 of the Pierce County Code delegates authority to the Finance Committee to set the terms and conditions for disposal of county owned property upon approval of the County Board;

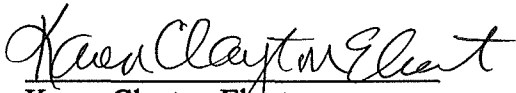
NOW, THEREFORE, BE IT RESOLVED, that the Pierce County Board of Supervisors determines that the above property is excess property and delegates to the Finance Committee responsibility to dispose of the property contingent upon purchase of another site for the highway shop.

Dated the 28th day of August, 2001


Richard Wilhelm, Chairman

Approved as to form and legality:

Attested to by:


Karen Clayton Ebert
Corporation Counsel


Jamie Feuerhelm
County Clerk

Approved: 9/25/01

RESOLUTION 01-19
AUTHORIZING CONVERSION OF PIERCE COUNTY MRF
TO COMMINGLED SYSTEM

Whereas, Pierce County operates a Material Recovery Facility ("MRF") to process recycled materials for the benefit of the county and its residents; and

Whereas, the current MRF operation relies on source-separated materials and the trend in recycling is to process commingled materials for easier consumer use; and

Whereas, the Solid Waste Management Board studied the conversion of MRF to allow the process of commingling and determined that conversion would increase citizen participation in recycling and would result in more materials recovered; and

Whereas, the Solid Waste Management Board and Finance Committee have recommended approval of expanding the MRF building and purchase of equipment at an estimated cost of \$975,000, and further recommend that the County apply the solid waste user fees to pay for the project;

NOW, THEREFORE, BE IT RESOLVED, the County Board approves conversion of the Pierce County Materials Recovery Facility to receive commingled materials and directs the Solid Waste Management Board to proceed with the project.

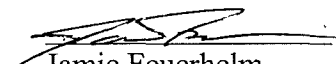
BE IT FURTHER RESOLVED, the County Board of Supervisors authorizes transfer to \$975,000 from the General Fund to the MRF Building Fund for the project and designates that the user fees shall be used to reimburse the General Fund.

Dated this 25th day of September, 2001.


PIERCE COUNTY BOARD


Richard Wilhelm, Chairman

ATTESTED TO BY:


Jamie Feuerhelm
County Clerk

APPROVED AS TO
FORM AND LEGALITY:


Karen Clayton Ebert
Corporation Counsel

Resolution 01-20

SUPPORT THE MISSISSIPPI RIVER REGIONAL PLANNING COMMISSION'S ECONOMIC DEVELOPMENT PLANNING EFFORTS AND CONCURRENCE WITH THE COMPREHENSIVE DEVELOPMENT STRATEGY (CEDS) REPORT

WHEREAS, the CEDS Report is prepared to maintain a perspective of evolving potentials and constraints affecting economic development in the County and the nine county region, and

WHEREAS, this CEDS Report maintains the County's eligibility and communities and businesses within the county eligible for funding from the U.S. Department of Commerce – Economic Development Administration for public works grants, business loans, and technical assistance research grants that lead to business expansion and job creation in the nine county region, and

WHEREAS, the process used in preparing this CEDS Report involving economic research, regional commission meetings, county and community survey work, and telephone interviews on economic development issues and projects leads to an increased level of understanding and cooperation between units of government and improves opportunities for economic development, and

WHEREAS, this report also serves as an economic database to assist development investment decisions and delivery of public and private services and products, and

WHEREAS, the Pierce County Board of Supervisors actively supports and currently participates in the Economic Development District activities of the Mississippi River Regional Planning Commission (MRRPC), and

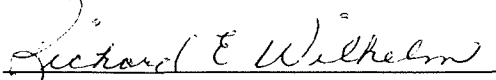
WHEREAS, as a result of the participation and cooperative efforts of the nine participating MRRPC counties the Commission is eligible for Economic Development Planning Funds from the U.S. Department of Commerce – Economic Development Administration, which benefit the entire nine county region.

NOW THEREFORE BE IT RESOLVED, that the Pierce County Board of Supervisors hereby concur with the 2000 Comprehensive Economic Development Strategy (CEDS) Report and supports the Mississippi River Regional Planning Commission's application to the Economic Development Administration for planning funds,

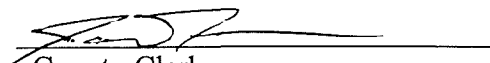
BE IT FURTHER RESOLVED, that a copy of this resolution be transmitted to the office of the Mississippi River Regional Planning Commission to document Pierce County's desire to cooperate with the other counties in the Mississippi River Regional Planning Commission.

DATED this 23rd day of October, 2001.

PIERCE COUNTY BOARD

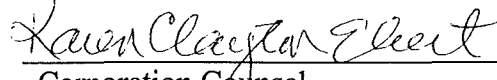

Richard E. Wilhelm, Chairman

ATTESTED TO BY:


County Clerk

Adopted: 11/13/01

APPROVED AS TO
FORM AND LEGALITY BY:


Corporation Counsel

RESOLUTION 01-21
CARE OF SOLDIER'S GRAVES

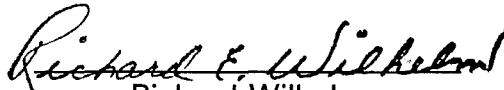
WHEREAS, the Finance Committee has audited the claims for care of Soldier's Graves and found them to be justified claims against Pierce County.

THEREFORE, BE IT RESOLVED, that the County Clerk be authorized to pay the below schedule of claims, pursuant to §45.185, Wis. Stats.:

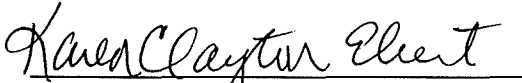
<u>CEMETERY</u> <u>ASSOCIATION</u>	<u>NUMBER</u> <u>OF GRAVES</u>	<u>AMOUNT</u> <u>CLAIMED</u>
Bay City	67	\$201.00
Beldenville	41	123.00
Bethel Mission	32	96.00
Bethlehem	14	42.00
Diamond Bluff	53	159.00
Eidsvold Lutheran	5	15.00
Free Home	21	63.00
Gilman Lutheran	53	159.00
Greenwood Valley	5	15.00
Hartland Methodist	9	27.00
Hartland Presbyterian	8	24.00
Maiden Rock	76	228.00
Mann Valley	10	30.00
Maple Grove	133	399.00
Martell Lutheran	26	78.00
Martell Methodist	11	33.00
Mt. Olivet	20	60.00
Mt. Tabor	20	60.00
Oak Ridge	19	57.00
Ono Methodist	28	84.00
Our Lady's	22	66.00
Our Savior's	15	45.00
Pine Glen	186	558.00
Plum City Protestant	44	132.00
Poplar Hill	108	324.00
Rush River	61	183.00
Sacred Heart Elmwood	36	108.00
Sacred Heart-Spring Valley	6	18.00
Salem Lutheran	4	12.00
South Rush River	27	81.00
Spring Lake Lutheran	24	72.00
Spring Lake	54	162.00
St. Bridget's	97	291.00
St. Francis	74	222.00
St. John's Lutheran-Spring Valley	72	216.00
St. John's-Oak Grove	2	6.00
St. John's Catholic-Plum City	62	186.00
St. Joseph's-Prescott	76	228.00
St. Joseph's-El Paso	13	39.00
St. Martin's	30	90.00
St. Mary's-Big River	10	30.00
St. Paul's	44	132.00
Svea	19	57.00
Thurston Hill	18	54.00
Trenton	54	162.00
Trimbelle	44	132.00
TOTAL	1,853	\$5,559.00

DATED this 13th day of November, 2001.

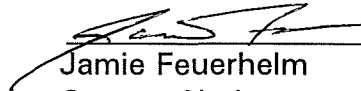
Submitted by the FINANCE COMMITTEE


Richard Wilhelm
County Board Chair

Approved as to form and legality:


Karen Clayton Ebert
Corporation Counsel

Attested to by:


Jamie Feuerhelm
County Clerk

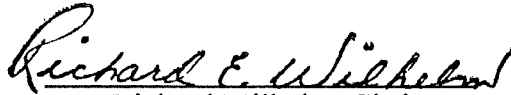
Adopted on: 11/13/01

Resolution 01-22

2002 BUDGET

BE IT RESOLVED, that there be a tax levied upon all taxable property in Pierce County for operation and maintenance for the 2002 budget in the amount of County Operating Levy: \$10,689,404, Debt Service: \$99,918, County Library: \$335,609, County Aid Bridges : \$120,000 for a total of \$11,244,931.

DATED this 13th day of November, 2001.


Richard Wilhelm, Chair
Pierce County Board of Supervisors

Approved as to form and legality:

Attested to by:


Corporation Counsel


County Clerk

Adopted: Nov 13, 2001

**RESOLUTION 01-23
DOG CLAIMS**

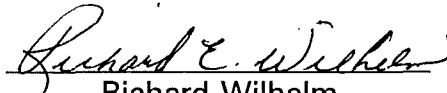
WHEREAS, the Finance Committee has audited the dog damage claims against Pierce County,

THEREFORE, BE IT RESOLVED, that the County Clerk be authorized to pay the below schedule of claims, pursuant to §174.11 (4), Wis. Stats.:


Claimant	Claim	Amount Claimed	Amount Allowed
Harvey H. Roen	Super Jumbo Cornish Chickens (99)	891.00	507.00
James Brummel	Organically fed Laying Hens (11)	1717.58	300.00
TOTALS		\$2608.58	\$807.00

DATED this 18th day of December, 2001.

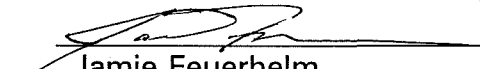
Submitted by FINANCE COMMITTEE


Richard Wilhelm
County Board Chair

APPROVED AS TO FORM
AND LEGALITY BY:


Karen Clayton Ebert
Corporation Counsel

ATTESTED BY:


Jamie Feuerhelm
County Clerk

Adopted: January 29, 2002

RESOLUTION 01-24
CLAIMS FOR LISTING DOGS

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

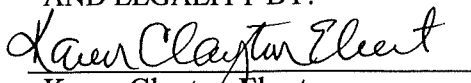
THEREFORE, BE IT RESOLVED, that the County Clerk be authorized to pay the schedule of claims, pursuant to §174.06(3), Wis. Stats.:

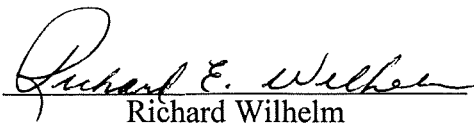
<u>Municipality</u>	<u>Number of Dogs</u>	<u>Amount Claimed</u>
Townships		
Diamond Bluff - Linda Kinneman	138	69.00
Ellsworth - Audrey Murphy	199	99.50
El Paso - Mary Foley	131	65.50
Gilman - Marie Cebulla	207	103.50
Hartland - Kim Webster	172	86.00
Isabelle - Lora Henn	49	24.50
Maiden Rock - Merle Sjostrom	60	30.00
Martell - Carol Sather	275	137.50
Oak Grove - Nolan Morrow	149	74.50
River Falls - Caroline Hamilton	427	213.50
Rock Elm - Dennis Churchill	100	50.00
Salem - Ann Larson-Graham	75	37.50
Spring Lake - Roxann Peterson	139	69.50
Trenton - Kathryn Fuchs	173	86.50
Trimbelle - John Barnes	264	132.00
Union - Gene Weiss	112	56.00
Villages		
Bay City - Kay Beder	55	27.50
Ellsworth - Peggy Nelson	262	131.00
Elmwood - Delores Wilson	173	86.50
Maiden Rock - Shirley Gilles	13	6.50
Plum City - Jean McDonough	60	30.00
Spring Valley - Judy Helgeson	93	46.50
Cities		
Prescott - Bill Ohmdahl	237	119.50
River Falls - Julie Bergstrom	<u>142</u>	<u>71.00</u>
TOTALS	3,705	\$1,853.50

DATED this 18th day of December, 2001.


Submitted by FINANCE COMMITTEE

APPROVED AS TO FORM
AND LEGALITY BY:


Karen Clayton Ebert
Corporation Counsel


Richard Wilhelm
County Board Chair

ATTESTED BY:


Jamie Feuerhelm
County Clerk

Adopted: January 29, 2002

Resolution 01-25

2002 SALARY ADJUSTMENT FOR FAMILY COURT COMMISSIONER

WHEREAS, on November 14, 2001, the Personnel Committee did duly consider the existing salary of the appointed office of Family Court Commissioner; and

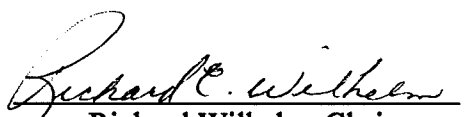
WHEREAS, the Personnel Committee recommends the current salary of the Family Court Commissioner be adjusted from \$11,775 per year to \$19,000 per year, effective 1/1/02.

NOW, THEREFORE BE IT RESOLVED, by the Pierce County Board of Supervisors that effective 1/1/02 the salary for the Family Court Commissioner be established at \$19,000.

BE IT FURTHER RESOLVED that the total sum of the salary increase not to exceed \$7,225 be included in the 2002 budget for the Family Court Commissioner.

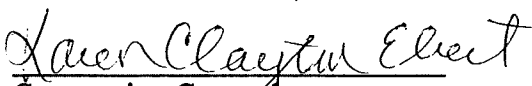
BE IT FURTHER RESOLVED that in addition to base salary adjustment, as identified above, with respect to the Family Court Commissioner, the extent that this base salary will be increased 1/01/02, the Family Court Commissioner shall receive the corresponding benefits, based upon base salary, in accord with the County's existing plan.

DATED this 18th day of December, 2001.


Richard Wilhelm, Chair
Pierce County Board of Supervisors

Approved as to form and legality:

Attested to by:


Corporation Counsel


County Clerk

Adopted: December 18, 2001

RESOLUTION 01-26

**A Resolution Support the Creation of a Technology Zone
Comprised of Pierce, Polk, and St. Croix Counties**

WHEREAS, high-technology companies are coveted by state and local economic development organizations; and

WHEREAS, new state legislation allows for the creation of eight (8) technology zones and one (1) agricultural development zone in Wisconsin; and

WHEREAS, certain tax credits are available to high-technology companies which expand, relocate, or establish operations in a technology zone; and

WHEREAS, each technology zone is limited to five (5) million dollars in tax credits; and

WHEREAS, the tax credits will apply to high-technology companies that make a capital investment such as the expansion of an existing facility, construction of a new facility, the purchase of new equipment, or retain, create, or significantly upgrade jobs; and

WHEREAS, the Wisconsin Department of Commerce is authorized to certify eligible businesses for the tax credits based on their ability to create jobs and investment in related industries; and

WHEREAS, the border counties of Pierce, Polk, and St. Croix represent strong relocation options for companies seeking the benefits of a major metropolitan market without experiencing the high taxes and congestion normally associated with a metropolitan area.

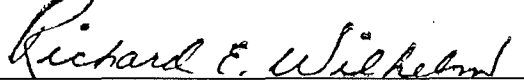
THEREFORE, BE IT RESOLVED, that the Pierce County Board of Supervisors does support and endorse the creation of a technology zone comprised of Pierce, Polk, and St. Croix Counties; and

BE IT FURTHER RESOLVED, that the Pierce County Board Chair and Clerk are hereby authorized to sign all the necessary documents on behalf of the County and to take the necessary steps under a Memorandum of Understanding with Polk and St. Croix Counties to prepare and file an application for a three (3) county technology zone.

Offered by the Industrial Development Committee on December 3, 2001.

DATED this 18th day of December 2001.

PIERCE COUNTY BOARD



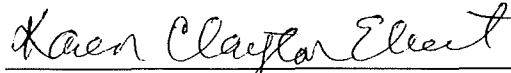
Richard Wilhelm, Chair

ATTESTED TO BY:



County Clerk

APPROVED AS TO
FORM AND LEGALITY BY:



Corporation Counsel

Adopted: December 18, 2001

Resolution 01-27

**RESOLUTION REQUESTING THE WISCONSIN COUNTIES ASSOCIATION TO
IMPLEMENT A STRATEGIC PLANNING PROCESS**

WHEREAS, Pierce County is a member of the Wisconsin Counties Association (WCA);
and

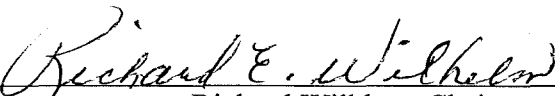
WHEREAS, the WCA was created for the furtherance of better county government and
the protection of county interests; and

WHEREAS, the Pierce County Board of Supervisors is concerned about the direction
and effectiveness of the WCA in furthering better county government and protecting county
interests.

THEREFORE, be it resolved that the Pierce County Board of Supervisors requests
the Wisconsin Counties Association to implement a strategic planning process with the goals of
aligning itself with all member counties and establishing a more positive relationship with the
Wisconsin legislature.

FURTHER, be it resolved that the County Clerk is directed to forward a copy of this
resolution to the chair of each county board in Wisconsin and the Wisconsin Counties
Association.

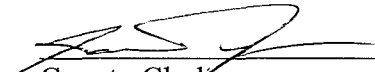
DATED this 29th day of January, 2002.


Richard Wilhem, Chair
Pierce County Board of Supervisors

Approved as to
legality and form:

Attested to:


Corporation Counsel


County Clerk

Adopted: Feb 26, 2002

Resolution 01-28
Authorizing Payment to Wisconsin Retirement Service and Transfer of Funds
For Prior Years of Service Debt

Whereas, The Wisconsin Retirement Service (WRS) pension plan for public employees began in 1973 and extends benefits to county employees who began service prior to the inception of the program, and

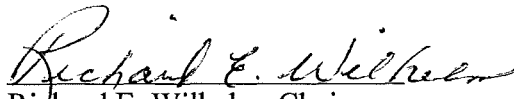
Whereas, WRS loaned money to Wisconsin municipal employers, including Pierce County, to pay part of the benefits for prior years of service, with the county paying a 1.5% payroll tax annually in addition an 8% annual interest rate, and

Whereas, Pierce County's debt obligation to the Wisconsin Retirement System on December 31, 2001 was \$2,779,559.58, less \$631,792.00 budgeted in payments for 2002, leaving a net remaining obligation of \$2,147,767.58, and

Whereas, the Pierce County Finance Committee at its meeting on December 28, 2001 recommended that the county transfer funds necessary to retire the WRS debt.

Now, therefore be it resolved, that the Pierce County Board of Supervisors authorizes transfer of \$377,721.07 in unused 2001 judicial center design funds, and payment of \$1,770,046.51 from the General Fund, for a total remaining payment to the Wisconsin Retirement System of \$2,147,767.58 to retire the debt for prior years of service benefits.


Dated this 29th day of January 2002.


Richard E. Wilhelm, Chairman

Approved as to form and legality:


Karen Ebert
Corporation Counsel

Attested to by:


Jamie Feuerhelm
County Clerk

Adopted: 1/29/02

RESOLUTION NO. 01-29
RESOLUTION TO ESTABLISH VEHICLE REGISTRATION FEES

WHEREAS, §341.21 (2), Wis. Stats., authorizes the Department of Transportation, Division of Motor Vehicles (DMV), to contract for services relating to the processing or distribution of original or renewal registrations or certificates of title; and

WHEREAS, the Pierce County Sheriff's Department entered into a contract with the Wisconsin DMV to provide services related to the processing or distribution of original or renewal registrations or certificates of title and entered into a contract with Tri Vin for software and equipment as an approved vendor for these services; and

WHEREAS, §341.21(2)(a), Wis. Stats., authorizes the Sheriff's Department to charge fees for the services related to processing or distribution of an original or renewal registration or certificate of title; and

WHEREAS, the Sheriff's Department incurs costs in providing these services, to-wit: \$8.25 per license plate and \$5.00 per renewal transaction; and

WHEREAS, the Sheriff's Department recommends the following fees be collected for such services:

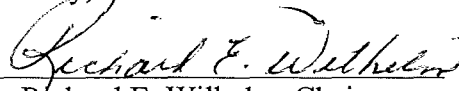
- | | | |
|----|-----------------------|---------|
| 1. | New license plate fee | \$17.50 |
| 2. | Renewal fee | \$10.00 |

WHEREAS, the Law Enforcement Committee and the Finance Committee recommend that these fees be established, retroactive to implementation of the program; and

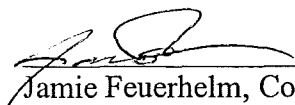
NOW THEREFORE BE IT RESOLVED that the Pierce County Board of Supervisors adopts the fees as outlined in this Resolution and that the fees take effect as of October 1, 2001; and

BE IT FURTHER RESOLVED that the Pierce County Sheriff shall collect these fees, maintain auditable records, pay out its costs to Tri Vin and deposit the balance of the fees with the Pierce County Treasurer on a monthly basis.

Dated this 23rd day of January, 2002.

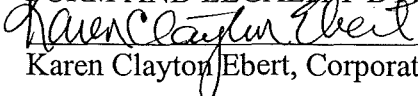

Richard E. Wilhelm, Chairman
Pierce County Board of Supervisors

ATTESTED TO BY:


Jamie Feuerhelm, County Clerk

APPROVED AS TO

FORM AND LEGALITY BY:


Karen Clayton Ebert, Corporation Counsel

Adopted Feb 26, 2002

Resolution 01-30

TO RATIFY PIERCE COUNTY TEAMSTERS LOCAL 662 –
HUMAN SERVICES PROFESSIONAL EMPLOYEES
BARGAINING AGREEMENT

WHEREAS, negotiations were undertaken by and between the County and Teamsters Local 662 – Human Services Professional employees, with respect to the Pierce County Teamsters Collective Bargaining Agreement; and


WHEREAS, on January 17, 2002, the Personnel Committee reviewed the tentative, proposed contract for the period extending from January 1, 2002 through December 31, 2004; and

WHEREAS, the Teamsters Local 662 is in agreement with said proposal; and

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

NOW, THEREFORE BE IT RESOLVED by the Pierce County Board of Supervisors that it hereby goes on record in ratifying the Collective Bargaining Agreement by and between Pierce County and its Human Services Professional staff for the term of January 1, 2002 through December 31, 2004 as incorporating the attached Settlement Proposal, Exhibit "A" to this Resolution.

DATED this 29th day of January 2002.


Richard Wilhelm, Chair
Pierce County Board of Supervisors

Approved as to form and legality:

Attested to by:


Corporation Counsel


County Clerk

Adopted: 1/29/02

SETTLEMENT OFFER
between
PIERCE COUNTY
And
HUMAN SERVICES PROFESSIONAL EMPLOYEES
General Teamsters Union – Local 662
For 2002 Agreement
Reached November 27, 2001

1. **ARTICLE 15 – HOURS OF WORK, Section 5, paragraph 2 is amended:**
When called out the employee shall be paid for a minimum of two (2) hours at a rate set forth in Sections 2, 3, 4 and 5 of this Article. ~~One hour of compensatory time will be granted to employees providing juvenile custody and protective services on-call for each week of on-call duty as compensation for telephone calls taken/made when on-call.~~ **All employees will receive compensatory time for actual time logged for telephone calls taken or made during on-call status.**
2. **ARTICLE 15 – HOURS OF WORK**
Section 5: Employees will be assigned to on-call status as needed on a weekly basis. ~~The on-call period shall run from 5 p.m. to 7 a.m. on work days continuous on weekends and holidays.~~
3. **ARTICLE 15 – HOURS OF WORK, Add:**
Section 6: The County and the Union agree to initiate a 40 hour workweek for Long Term Support Social Workers during the term of the 2002 – 2004 contract, subject to agreement on implementation.
4. **ARTICLE 18 – WAGES**
Create Section 1: There shall be a one week payroll lag. Payment of wages will be by Direct Deposit.
5. **ARTICLE 18 – WAGES**
Create paragraph 1 as Section 2.
6. **ARTICLE 19 – FUNERAL LEAVE**
The County will pay five (5) days for time lost from work by an employee with seniority in the event of a death of spouse and children, three (3) days of time lost from work by an employee with seniority in the event of a death of, and the attendance at the funeral of, the employee's mother, father, sister, or brother, and up to three (3) days for mother-in-law, father-in-law, brother-in-law, sister-in-law, grandparents and grandchildren. **Add: The County will pay for one-half (1/2) day for the funeral of a co-worker from the Department of Human Services.** The leave shall include the day of the funeral, but in no event will more than three (3) days be paid and those shall be the days lost from work

and not while an employee is not required to report to work. Such claims may be requested to be substantiated.

7. **ARTICLE 25 – HEALTH AND WELFARE BENEFITS, Section 1:**
The County shall pay ninety-five (95%) of the employee's single or family hospital medical-surgical plan. Effective 1/01/02, the County will pay 94% of the plan, effective 1/01/03, the County will pay 93% of the plan, and effective 1/01/04 the County will pay 92% of the plan.
8. **ARTICLE 25 – HEALTH AND WELFARE BENEFITS**
Section 1. Paragraph 2: Delete (Care review and State mandated levels for nervous, mental, drug and alcohol dependency benefits.)
9. **ARTICLE 25 – HEALTH AND WELFARE BENEFITS Section 1.**
Paragraph 3: ~~Effective January, 1992~~ The deductible shall increase to be \$100.00 (single coverage) and \$200.00 (family coverage).
10. **ARTICLE 25 – HEALTH AND WELFARE BENEFITS**
Section 1. Paragraph 4 - 6: Delete (Pre-existing conditions provision is contained in the Plan document)
11. **ARTICLE 25 – HEALTH AND WELFARE BENEFITS**
Section 4, paragraph 1: ~~Revise: A co-pay plan which would become effective January 1, 2000. The plan calls for employee payment of \$8 co-pay for~~ formulary prescriptions and \$25 co-pay for non-formulary prescriptions (if formulary is not available or patient does not tolerate the formulary prescription, the \$8 co-pay will apply to non-formulary), \$10 for a doctor's office visit and \$25 for an emergency room visit.
12. **ARTICLE 27 – LONGEVITY PAY PROGRAM**
Delete and recreate as:
Section 1. The following Longevity Pay Program is established to provide recognition of an employee's length of employment with the County.
 - a. Employees completing five (5), ten (10), fifteen (15) years of service with the County shall respectively receive one percent (1%), two percent (2%) and three percent (3%) of their regular wages as an annual bonus.
 - b. Years of service shall be based on the employee's anniversary date and the longevity pay shall start on the employee's anniversary date. Partial longevity payments will not be made to employees who terminate during the year except to employees or to the beneficiaries of those employees who have discontinued employment because of retirement, disability or death.
 - c. Longevity pay shall be paid each year to eligible employees on the first payroll after the first of December.Section 2. In addition to any longevity payments, employees completing ten(10), fifteen (15) and twenty (20) years of service with the County in the

same position shall respectively receive \$50.00, \$100.00 and \$200.00 as an annual bonus. In the event of an involuntary transfer of the employee to another position within the bargaining unit, the employee shall be entitled to receive the incentive pay as though he/she were still in the same position. Years of service shall be based upon the employee's anniversary date. All payments to be made with longevity payments.

13. **ARTICLE 31 – TERMINATION**

Section 1: THIS AGREEMENT shall be in full force and effect from January 1, 1999 TO AND INCLUDING December 31, 2001 January 1, 2002 TO AND INCLUDING December 31, 2004.

14. **ARTICLE 31 – TERMINATION**

Section 2: ...either party may serve upon the other a notice at least ninety (90) days prior to December 31, 2001- 2004, or December 31 of any subsequent contract year....

15. **ARTICLE 31 - TERMINATION**

Section 3: Revisions agreed upon or ordered shall be effective as of January 1, 1999, 2002, or January 1 of any subsequent contract year.

16. **ARTICLE 32 – PRINTING**

Section 2: Signed this _____ day of _____, 2000 02. As of January 1, 1999-2002.

17. **EXHIBIT "A" WAGE SCHEDULE AND CLASSIFICATIONS:**

Signed this _____ day of _____, 2000. 2002. As of January 1, 1999- 2002.

18. **EXHIBIT "A" WAGE SCHEDULE AND CLASSIFICATIONS:**

Delete and move to Exhibit "B" and create as #11: * Human Services Worker (for prospective social workers who are not certified), with a salary of \$60 less than the Social Worker I start rate. The employee cannot continue in this classification more than six months with one additional six-month extension at the discretion of the Director. Upon promotion to Social Worker I, the employee shall be placed at the Social Worker I start rate for six months.

19. **EXHIBIT "B", #10, recreate: A Chemical Dependency Counselor I will become a CD Counselor II upon obtaining an appropriate bachelor's degree, or, effective 1/01/02, after five (5) years of service and certification as CADC III. All CD Counselor Is who have an appropriate bachelor's degree shall move to the now CD Counselor II pay rate effective January 1, 2000. All CD Counselor IIs as of January 1, 2000 who do not have the appropriate degree shall be placed in the CD Counselor I pay range until they obtain the appropriate degree. Upon meeting the requirements the CD I will move to the CDII 18-month rate.**

20. **EXHIBIT "A" WAGE SCHEDULE AND CLASSIFICATIONS:** Adjust all 7/01/01 wages by 3.5%, effective 1/1/02, 1/1/03, and 1/1/04, across the board.

PIERCE COUNTY

By: Mark Silverstein

Date: 1-17-02

TEAMSTERS LOCAL 662

By: KAREN P. [Signature]

Date: 1-16-02

RESOLUTION NO. 01-31
ESTABLISH CONDEMNATION COMMISSION COMPENSATION AND FEES

WHEREAS, pursuant to Wis. Stats. §32.08, the Pierce County Board of Supervisors adopted Ordinance No. 01-22 thereby creating the Condemnation Commission; and

WHEREAS, Wis. Stats. 32.08(4) authorizes the Commissioners to be compensated for actual service at an hourly rate and also authorizes the Commissioners to be reimbursed for mileage at rates set by the County Board of Supervisors; and

WHEREAS, said fees are not paid from the county treasury, but are paid by the persons using the commission on order of the court; and

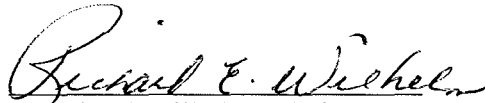
WHEREAS, the Finance Committee recommends that the following compensation and fees be established for the Condemnation Commission:

\$25.00 per hour for actual service performed by the Condemnation Chairperson,
\$20.00 per hour for actual service performed by all other Commissioners,
Mileage reimbursement per County travel policy, and
Chairperson's necessary out-of-pocket expenses in connection with the hearing.

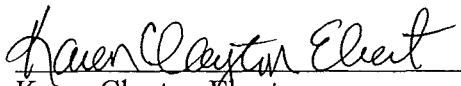
NOW, THEREFORE BE IT RESOLVED that the Pierce County Board of Supervisors adopts the compensation and fee schedule as outlined in this Resolution and that this compensation and fee schedule shall be effective January 1, 2002.

Dated this 29th day of January, 2002.

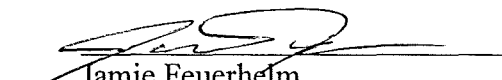
PIERCE COUNTY BOARD


Richard Wilhelm, Chairman

Approved as to form
and legality:


Karen Clayton Ebert
Corporation Counsel

Attested to by:


Jamie Feuerhelm
County Clerk

Adopted: Feb 26, 2002

RESOLUTION NO. 01-32
AMENDING RESOLUTION 99-32:
FEEES 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 and Family Services; and

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

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

WHEREAS, the Pierce County Board of Health and Finance Committee recommend that the fees established in Resolution 99-32 be amended as follows:

Category	Annual Fee	Pre-inspection fee Existing Facility	Pre-inspection fee New Construction
<u>Restaurants</u>			
Pre-Packaged	\$65	\$125	\$225
Low	\$160	\$160	\$260
Moderate	\$230	\$230	\$330
High Complexity	\$300	\$300	\$400
Temporary	\$77		
<u>Body Art</u>			
Tattoo	\$100	\$75	\$175
Piercing	\$100	\$75	\$175
Combined	\$150	\$75	\$175
Temporary per event	\$100		
<u>Recreation</u>			
Campground			
1-25 sites	\$125	\$100	\$200
Campground			
26-50 sites	\$150	\$100	\$200
Campground			
51-100 sites	\$175	\$100	\$200

Campground 101+ sites	\$200	\$100	\$200
Rec/Ed Camp	\$250	\$100	\$200
Swimming Pool/Yr around	\$200	\$100	\$200
Swimming Pool/seasonal	\$165	\$100	\$200
Additional Pool	\$100	\$100	\$200

Lodging

B & B (Annual)	\$65	\$150	\$250
Tourist Rooming House 1-4 rooms	\$85	\$150	\$250
Hotel/Motel 5-30 rooms	\$150	\$150	\$250
Hotel/Motel 31-99 rooms	\$200	\$225	\$325
Hotel/Motel 100+ rooms	\$250	\$300	\$400

Additional Fees:

Facility Name or Legal Licensee Name Change Only \$25

Re-inspection Fee \$50

Explanation – Fee assessed on the 3rd re-inspection for the same violation.

Late Fee \$75

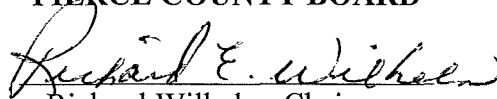
Explanation – If the annual permit fee is not paid within 15 days of the permit renewal period, the department shall require the operator of the establishment to pay a penalty fee, in addition to the annual permit fee, for renewal of the permit.

Duplicate Fee \$10


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

Dated this 29th day of January, 2002.

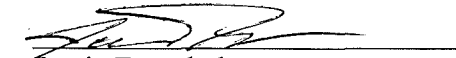
PIERCE COUNTY BOARD


Richard Wilhelm, Chairman

Approved as to form
and legality:


Karen Clayton Ebert
Corporation Counsel

Attested to by:


Jamie Feuerhelm
County Clerk

Adopted: Feb 26, 2002

Resolution 01-33

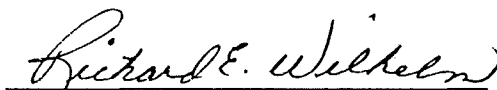
COMMENDATION TO LAWRENCE WEBER

WHEREAS, Lawrence Weber served for many years on the County Board of Supervisors; and

WHEREAS, Lawrence Weber gave much of his time and effort for citizens of Pierce County; and

SO NOW, THEREFORE BE IT RESOLVED that the Pierce County Board of Supervisors go on record commending Mr. Weber for his many years of dedicated service to Pierce.

DATED this 29th day of January 2002.



Richard Wilhelm, Chair
Pierce County Board of Supervisors

Approved by:


Corporation Counsel

Attested to by:


County Clerk

Adopted: 1-29-02



Resolution 01-34
TO PROTEST STATE DECREASE IN
INTOXICATED DRIVER PROGRAM SUPPLEMENTAL FUNDING

WHEREAS, the State of Wisconsin has made Intoxicated Driver Program ("IDP") Supplemental funds available to the counties since 1995;

WHEREAS, the Wisconsin Department of Health and Family Services is responsible to administer and disburse these funds to counties that earn them, based on established criteria;

WHEREAS, Pierce County DHS provided the IDP to eligible citizens of the State of Wisconsin throughout 2001, in accordance with applicable State laws, policies and Administrative rules; and

WHEREAS, Pierce County DHS applied for IDP Supplemental funds in July 2001, in the amount of \$143,000; and

WHEREAS, Pierce County DHS was approved by the Department of Health and Family Services, Bureau of Substance Abuse, to receive \$103,188 in IDP supplemental funds for year 2001; and

WHEREAS, Pierce County relies on IDP supplemental funds to provide services to individuals convicted of OWI's and in need of alcohol assessment and/or treatment. Professional assessment and treatment of intoxicated drivers results in safer highways for all citizens; and

WHEREAS, Wisconsin failed to meet established compliance criteria in the reduction of tobacco sales to minors by merchants, as authorized by section 1926 of the Public Health Service Act, otherwise known as the Synar Amendment; and

WHEREAS, Wisconsin DHFS is withholding the 2001 IDP Supplemental funds from Pierce County in effort to reallocate the funds to be used to support a corrective plan to bring Wisconsin into compliance with the Synar Amendment; and

WHEREAS, County Departments of Human Service have no role or authority in the sale of tobacco products to minors. County Departments of Human Services should not be held financially liable for the consequences of excessive tobacco sales to youth,


WHEREAS, the Pierce County Board of Human Services has carefully considered the matter at its meeting on January 17, 2002 and recommends that the County go on record opposing the current proposal.

NOW THEREFORE, THE PIERCE COUNTY BOARD OF SUPERVISORS go on record opposing the state's actions and requests the Wisconsin DHFS release the total amount of IDP supplemental funds allocated by the Wisconsin State Legislature and earned in good faith by Pierce County without further delay.

BE IT FURTHER RESOLVED, that copies of this resolution be furnished to State Senator Sheila Harsdorf, Representatives Mark Pettis, Joe Plouff, and Kitty Rhoades, the Wisconsin Counties Association, the State of Wisconsin County Boards, Wisconsin Mother's Against Driving Drunk (MADD), Wisconsin's Major Newspapers, and to the Governor of the State of Wisconsin.

DATED this 26th day of February, 2002


Resolution 01-34


Richard E. Wilhelm, Chair

Approved as to Form and
Legality:


Corporation Counsel

Attested to by:


County Clerk

Approved: Feb 26, 2002

RESOLUTION 01-35
DISALLOWANCE OF CLAIM – HAMMEL

WHEREAS, a Notice of Injury Pursuant to Section 893.80(1)(a), dated December 26, 2001, was received in the Office of the County Clerk, Pierce County, on December 27, 2001; and

WHEREAS, said notice advises that Dennis Hammel may make a claim against Pierce County and/or the Pierce County Land Conservation Committee, its agents and employees, for damages sustained as a result of an incident occurring on September 2, 2001; and

WHEREAS, Hammel alleges that the Pierce County Land Conservation Department worked on a sediment project on farm land owned by Hammel; that the work done was in breach of an agreement between the parties and based upon misrepresentations as to what the project would entail and the quality of the soil/sediment to the detriment of Hammel; and

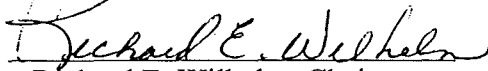
WHEREAS the notice of claim further alleges that Hammel has been damaged by the actions of Pierce County and/or the Land Conservation Department's actions; and

WHEREAS, after review of this matter, Finance Committee recommends that the claim be denied.

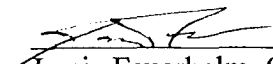
NOW THEREFORE, BE IT RESOLVED by the Pierce County Board of Supervisors that the claim submitted by Dennis Hammel is hereby denied and that no action on this claim may be brought against Pierce County or any of its officers, officials, agents or employees after six months from the date of service of this notice pursuant to Wisconsin Statutes §893.80.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to Dennis Hammel, W10316 State Road 35, Pepin, Wisconsin 54759, by registered mail with a return receipt requested, as notice of disallowance.

Dated this 26th day of February, 2002.


Richard E. Wilhelm, Chairman
Pierce County Board of Supervisors

ATTESTED TO BY:



Jamie Feuerhelm, County Clerk
Adopted Feb 26, 2002

APPROVED AS TO
FORM AND LEGALITY BY:



Karen Clayton Ebert, Corporation Counsel

FILE COPY

Resolution 01-36

TO ADOPT 2002 SALARY AND BENEFITS SCHEDULE FOR
NON-REPRESENTED EMPLOYEES, FULL-TIME PROJECT EMPLOYEES
AND ELECTED OFFICIALS

WHEREAS, the Personnel Committee has duly considered the existing salaries and benefits for non-represented employees, full-time project employees and elected officials of Pierce County; and

WHEREAS, part and parcel of said analysis has been consideration of the 2001 DMG Salary Matrix; and

WHEREAS, the Personnel Committee did meet on February 15, 2002, and hereby recommends salary increases, subject to the 15-step salary matrix system, as and for non-represented employees identified on the DMG Salary Matrix for the 2002 calendar year; and

WHEREAS, the Personnel Committee did further recommend a salary adjustment for full-time project employees.

NOW THEREFORE, BE IT RESOLVED by the Pierce County Board of Supervisors that the DMG Salary Matrix be adjusted by 3.5% effective 1/01/02, calculated upon the basis of the 15-step salary matrix and the salaries of all non-represented employees identified on the Matrix be adjusted; and

BE IT FURTHER RESOLVED, that all full-time project employees receive a 3.5% increase in base salary effective 1/01/02, and

BE IT FURTHER RESOLVED that in addition to base salary adjustments, as identified above, with respect to non-represented employees and full-time project employees, to the extent that their base salaries are to be increased, effective 1/01/02, said employees shall receive the corresponding benefits, based on base salary, in accord with the County's existing plan.

BE IT FURTHER RESOLVED that the following amendment be implemented for non-represented employees, full-time project employees and elected officials who are health insurance plan participants:

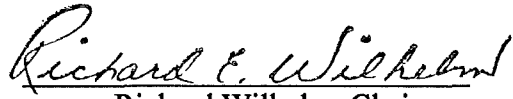
- Effective 1/01/02, non-represented employees, and full-time project employees on the self-funded plan will pay \$8 co-pay for formulary prescriptions and \$25 co-pay for non-formulary prescriptions (if formulary is not available or patient does not tolerate the formulary prescription, the \$8 co-pay will apply to non-formulary), and
- Effective 1/01/02, non-represented employees, elected officials and full-time project employees will contribute 6% toward the health insurance premiums, and

BE IT FURTHER RESOLVED that effective as soon as practicable direct deposit will be required of all nonrepresented employees, full-time project employees and elected officials, and

BE IT FURTHER RESOLVED that effective during the year 2002 all non-represented employees and full-time project employees will be transferred to a payroll lag of one week.

DATED this 26th day of February, 2002.

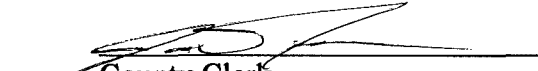
Resolution 01-36


Richard Wilhelm, Chair
Pierce County Board of Supervisors

Approved as to form and legality:

Attested to by:


Corporation Counsel


County Clerk

Adopted: Feb 26, 2002

Resolution 01-37

TO AMEND RESOLUTION 98-23: TO REVISE THE 1998 NON-REPRESENTED
EMPLOYEES SALARY MATRIX AND PROVIDE SALARY ADJUSTMENTS
FOR EMPLOYEES WHO HAVE REACHED STEP 10 OF THE SALARY MATRIX

WHEREAS, Resolution 98-23 provided for a compensation system for employees who had reached Step 10 of their salary Grade in the DMG Salary Matrix by creating five additional salary Steps, and

WHEREAS, with a satisfactory performance evaluation non-represented employees would advance from Step 10 through Step 12 in consecutive years, and

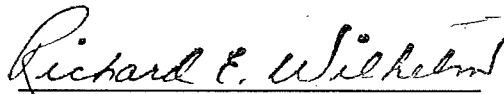
WHEREAS, advancement to Step 13 through Step 15 would follow on alternate years, and

WHEREAS, on February 15th the Personnel Committee reviewed the procedure for advancement through the salary Steps and recommends that Steps 11 through Step 15 would all be granted in consecutive years.

NOW THEREFORE, BE IT RESOLVED that the Pierce County Board of Supervisors accept the recommendation of the Personnel Committee regarding the procedure for advancement through all Steps of the salary matrix, and

BE IT FURTHER RESOLVED that this procedure for advancement through the Steps become effective 1/01/02.

DATED this 26th day of February, 2002.




Richard Wilhelm, Chair
Pierce County Board of Supervisors

Approved as to form and legality:

Attested to by:



Corporation Counsel

County Clerk

Adopted: Feb 26, 2002

Resolution 01-38

RESOLUTION TO AUTHORIZE TRANSFER OF FUNDS
FROM GENERAL FUND INTO CORONER

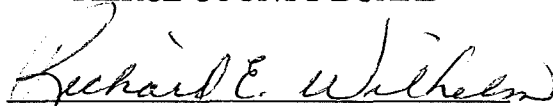
WHEREAS, the Finance Committee has been requested to recommend to the County Board of Supervisors that \$7,346 be transferred into account 101-05-51270 to offset the 2001 deficit.

WHEREAS, the Finance Committee did on February 27, 2002, authorize transfer of the sum of \$7,346 from the General Fund into account 101-05-51270, subject to County Board approval, and correspondingly recommends the same to the full County Board.

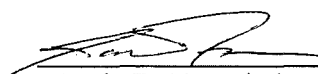
NOW, THEREFORE, BE IT RESOLVED by the Pierce County Board of Supervisors that the sum of \$7,346 into account 101-05-51270 be transferred from the General Fund for the purpose expressed above.

DATED this 26th day of March, 2002.

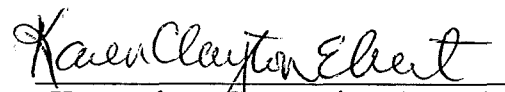
PIERCE COUNTY BOARD


Richard E. Wilhelm, Chairman

ATTESTED TO BY:


Jamie R. Feuerhelm, County Clerk

APPROVED AS TO
FORM AND LEGALITY BY:


Karen Ebert, Corporation Counsel

Adopted: March 26, 2002

Resolution 01-39

RESOLUTION TO AUTHORIZE TRANSFER OF FUNDS
FROM GENERAL FUND INTO FAMILY COURT COMMISSIONER

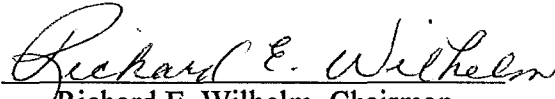
WHEREAS, the Finance Committee has been requested to recommend to the County Board of Supervisors that \$2,773 be transferred into account 101-04-51240 to offset the 2001 deficit.

WHEREAS, the Finance Committee did on February 27, 2002, authorize transfer of the sum of \$2,773 from the General Fund into account 101-04-51240, subject to County Board approval, and correspondingly recommends the same to the full County Board.

NOW, THEREFORE, BE IT RESOLVED by the Pierce County Board of Supervisors that the sum of \$2,773 into account 101-04-51240 be transferred from the General Fund for the purpose expressed above.

DATED this 26th day of March, 2002.

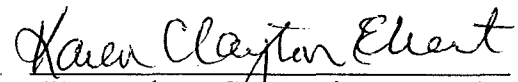
PIERCE COUNTY BOARD


Richard E. Wilhelm, Chairman

ATTESTED TO BY:


Jamie R. Feuerhelm, County Clerk

APPROVED AS TO
FORM AND LEGALITY BY:


Karen Ebert, Corporation Counsel

Adopted: March 26, 2002

Resolution 01-40

RESOLUTION TO AUTHORIZE TRANSFER OF FUNDS
FROM GENERAL FUND INTO JAIL FOR BOARDING OF PRISONERS

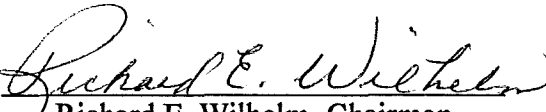
WHEREAS, the Finance Committee has been requested to recommend to the County Board of Supervisors that \$114,480 be transferred into account 101-16-52700-294 Boarding of Prisoners to offset the 2001 deficit.

WHEREAS, the Finance Committee did on February 27, 2002, authorize transfer of the sum of \$114,480 from the General Fund into account 101-16-52700-294 Boarding of Prisoners, subject to County Board approval, and correspondingly recommends the same to the full County Board.

NOW, THEREFORE, BE IT RESOLVED by the Pierce County Board of Supervisors that the sum of \$114,480 into account 101-16-52700-294 Boarding of Prisoners be transferred from the General Fund for the purpose expressed above.

DATED this 26th day of March, 2002.

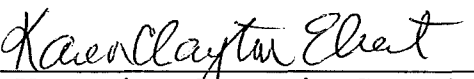
PIERCE COUNTY BOARD


Richard E. Wilhelm, Chairman

ATTESTED TO BY:


Jamie R. Feuerhelm, County Clerk

APPROVED AS TO
FORM AND LEGALITY BY:


Karen Ebert, Corporation Counsel

Adopted: March 26, 2002

RESOLUTION 01-41
DISALLOWANCE OF CLAIM – TRUMPETER DEVELOPMENT, LLC

WHEREAS, a Notice of claim pursuant to Wis. Stat. §893.80(1) was received in the office of the Pierce County Clerk on March 11, 2002, from an attorney representing Trumpeter Development, LLC, a Wisconsin Limited Liability Company;

WHEREAS, Said claim alleges that the Pierce County Land Management Committee acted intentionally and improperly in denying Claimant's certified survey maps after Claimant refused to dedicate park lands to the County as agreed;

WHEREAS, Claimant alleges violation of the State and Federal Constitutions for the alleged temporary taking of 40 parcels of real property by the Land Management Committee and seeks just compensation;

WHEREAS, Claimant demands just compensation from the LMC and each of the individuals comprising the committee, for the alleged taking in the amount of \$878,883.56 together with interest on said sum from February 24, 1999, until paid at the rate of ten percent per annum;

WHEREAS, Claimant alleges that the alleged tortious actions of the Committee served to damage the reputation, and the marketing of other lands belonging to Claimant comprising the balance of the Trumpeter Valley Development, and for such alleged actions, claimant demands damages from the County, the Committee and each of the individuals on the Committee in the amount of \$1,000,000.00 pursuant to 42 U.S.C. §1983;

WHEREAS, Claimant alleges that the individual members of the LMC knowingly and intentionally sought to deprive the Claimant of its land, and to damage the property of the Claimant and that punitive damages, pursuant to 42 U.S.C. §1983 are demanded from each individual in the amount of \$2,000,000.00;

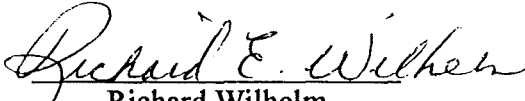
WHEREAS, Claimant also seeks reimbursement for costs, expenses and attorneys fees in the amount of \$200,000.00;

WHEREAS, Finance Committee took action on March 15, 2002, to recommend denial of the claim and pass a resolution on to the County Board of Supervisors to deny the claim at the first reading of the resolution;

NOW, THEREFORE BE IT RESOLVED, by the Board of Supervisors that the claim submitted on behalf of Trumpeter Development, LLC, is hereby denied and no action on this claim may be brought against Pierce County or any of its officers, officials, agents, or employees after six months from the date of service of this notice, pursuant to Wisconsin Statutes §893.80; and


BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to John A. Kassner,, Brennan, Steil, Basting & MacDougall, S.C., Attorneys for Claimant, by certified mail with return receipt requested, at 22 E. Mifflin Street, Suite 400, P.O. Box, Madison, Wisconsin 53701-0990.


Dated: March 26, 2002.


Richard Wilhelm
Chair of County Board

Attest:

Approved as to Form and
Content:


Jamie Feuerhelm
County Clerk


Karen Clayton Ebert
Corporation Counsel

Adopted March 26, 2002

To Ans Dept 4/1/02

Resolution 01-42

TO RATIFY PIERCE COUNTY LABOR ASSOCIATION OF WISCONSIN (LAW)
COMMUNITY HEALTH ASSOCIATION EMPLOYEES
BARGAINING AGREEMENT

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

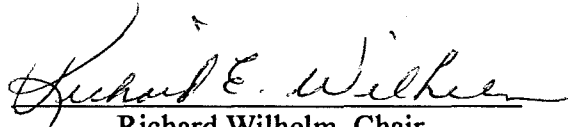
WHEREAS, on March 15, 2002, the Personnel Committee reviewed the tentative, proposed contract for the period extending from January 1, 2002 through December 31, 2004; and

WHEREAS, the L.A.W Local is in agreement with said proposal; and

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

NOW, THEREFORE BE IT RESOLVED by the Pierce County Board of Supervisors that it hereby goes on record in ratifying the Collective Bargaining Agreement by and between Pierce County and its Community Health Association staff for the term of January 1, 2002 through December 31, 2004 as incorporating the attached Settlement Proposal, Exhibit "A" to this Resolution.

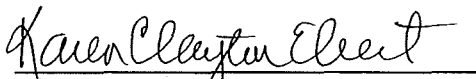
DATED this 26th day of March 2002.



Richard Wilhelm, Chair
Pierce County Board of Supervisors

Approved as to form and legality:

Attested to by:


Corporation Counsel
County Clerk

Adopted: March 26, 2002

SETTLEMENT OFFER
between
PIERCE COUNTY
and
COMMUNITY HEALTH ASSOCIATION
Labor Association of Wisconsin, Inc. (L.A.W.)
for
2002 Agreement
January 24, 2002

1. **ARTICLE IV – ASSOCIATION SECURITY, Section 4.03:** Revise first sentence: The Employer agrees that on the ~~second~~ **first** paycheck of every month... Revise fourth sentence: New employees shall be required to begin paying dues or Fair Share on the ~~second~~ **first** paycheck in the month following completion of their probationary period.
2. **ARTICLE IV – ASSOCIATION SECURITY, Section 4.06: Dues deduction.** Amend second paragraph, first sentence: The Employer agrees to deduct the appropriate amount from the ~~second~~ **first** paycheck....
3. **ARTICLE VIII – GRIEVANCE PROCEDURE AND ARBITRATION, Section 8.03:** Grievances shall be submitted in writing, on forms supplied by the Association, by the employee and/or representatives, to the ~~supervisor~~ **Director**. ~~If the complaint or grievance is not settled within five (5) work days, it shall be presented to the Director, who~~ **The Director who** shall meet with the grievant and Association within ten (10) work days and shall render his/her written decision to the Association within five (5) work days following said meeting.
4. **ARTICLE VIII – GRIEVANCE PROCEDURE AND ARBITRATION, Section 8.04:** Any grievance remaining shall then be presented to the Administrative Coordinator who shall meet with the grievant and the Union. The Administrative Coordinator shall render a written decision within five (5) working days of said meeting.
5. **ARTICLE VIII – GRIEVANCE PROCEDURE AND ARBITRATION, Section 8.05:** Recreate: Any grievance remaining shall then be taken up by the Association within five (5) working days after receipt of the written decision of the Administrative Coordinator, meeting in session with the Personnel Committee on a mutually agreeable date and time. The Personnel Committee shall render its written decision to the union within five (5) working days following said meeting.
6. **ARTICLE VIII – GRIEVANCE PROCEDURE AND ARBITRATION, Section 8.05 – 8.09:** Renumber as 8.06 – 8.10.

7. **ARTICLE XI – PROBATION, Section 11.02:** Upon completion of the probationary period, service credits shall be allowed retroactively to the original date of hire towards the accumulation of seniority, vacation sick leave and any other benefits based upon length of service with the County. **Employees will be allowed to use accumulated, prorated sick leave after 6 months at the rate not to exceed 1 day per month for months 7 – 12. During months 7 – 12 any unused day(s) shall accumulate to the next month.**
8. **ARTICLE XX – HOURS OF WORK/OVERTIME, Section 20.05 – Comp Time:** For Public Health, Environmental Health, Nutrition, Birth to Three, Jail Nurse and Family Planning staff, hours between thirty-five and forty (35 and 40) shall be considered compensatory time. Hours worked over forty (40) hours per week, with the approval of the Director, shall be compensated at one and one-half (1 ½) times hours. Comp time shall be taken at a mutually agreeable time and is not to accumulate to over twenty-eight (28) hours.
9. **ARTICLE XX – HOURS OF WORK/OVERTIME, Section 20.06–20.08:** Delete in its entirety and insert Sideletter of Agreement dated December 21, 1999.
10. **ARTICLE XX – HOURS OF WORK/OVERTIME, Section 20.06: Recreate:** Home Care RN's and LPN's may be assigned on-call duty. When Home Care RN's and LPN's are not required to carry a pager during assigned on-call duty, they shall be reimbursed as follows:
 1. RN's and LPN's shall receive \$10 per day plus pay for time worked on non-holiday Fridays, Mondays, Tuesdays, Wednesdays, and Thursday after 5:00 p.m. and before 8:00 a.m. for each day with scheduled visits. When no scheduled visits are made during these days RN's and LPN's shall not received the \$10 stipend.
 2. RN's and LPN's will receive one and a half (1.5) hours plus pay for time worked on Saturdays, Sundays, and Pierce County approved holidays for each day with scheduled visits. When no scheduled visits are made, on-call RN's and LPN's will receive one (1) hour pay on Saturdays, Sundays, and Pierce County approved holidays.
 3. LPN's and HHA's will receive one hour of additional pay per each weekend day or holiday worked.
11. **ARTICLE XX – HOURS OF WORK/OVERTIME, Section 20.09: Renumber as 20.07.**
12. **ARTICLE XXII – PART TIME EMPLOYEES, Section 22.01, paragraph 1:** Part time employees who work fourteen (14) hours per week will be entitled to pro rata benefits, including vacation, holidays, sick leave, longevity (from date of hire on a calendar year basis), incentive and insurances based upon full-time

equivalency. All part time employees hired prior to July 1, 1994, shall have vacation based on years of service.

13. **ARTICLE XXIII – PENSION AND INSURANCE, Section 23.01:** The County agrees to continue present health insurance plan, or a plan substantially equivalent, for each employee who has been employed thirty (30) days or more. The County shall pay ninety-five percent (95%) of the employees' single or family hospital medical-surgical plan, including major medical amendment. Effective 1/01/02, the County will pay ninety-four percent (94%) of the plan, effective 1/01/03, the County will pay ninety-three percent (93%) of the plan, and effective 1/01/04, the County will pay ninety-two percent (92%) of the plan.
14. **ARTICLE XXIII, Section 23.01, paragraph 2, a, b, paragraph 3 (Pre-existing Condition), c, (Care Review Procedure), paragraph 5, (State Mandated nervous, mental, drug and alcohol dependency treatment.):** Delete.
15. **ARTICLE XXIII – PENSION AND INSURANCE: Section 23.01, c. paragraph 5: Renumber and recreate: Section 23.02: Implement** Deductible will be \$100.00 (single coverage) and \$200.00 (family coverage).
16. **ARTICLE XXIII – PENSION AND INSURANCE, Section 23.02 through 23.06: Renumber as 23.03 through 23.07.**
17. **ARTICLE XXIII – PENSION AND INSURANCE, Section 23.07 (new number):** Employees shall pay \$8 toward any formulary prescription and \$25 for non-formulary prescriptions, (If formulary is not available or the patient does not tolerate the formulary, the \$8 co-pay would apply to the non-formulary prescription.), \$10 toward any doctor's visit, and \$25 toward any emergency room visit. Payments to emergency room visits shall be waived if the employee is hospitalized. These payments shall be required after the deductible. ~~The provision shall become effective on January 1, 2000.~~
18. **ARTICLE XXV - HOLIDAYS, Section 25.01.** Delete paragraph 1. Renumber paragraph 2 as Section 25.01.
19. **ARTICLE XXVI - SICK LEAVE, Section 26.02.** Revise the first sentence: In order to qualify for such sick leave an employee must report that he/she is sick not later than one-half (1/2) hour after the earliest time for which he/she is to report for work.
20. **ARTICLE XXVII - PAYDAY:** Create Section 27.02. There shall be a two week payroll lag for all employees. Create Section 27.03: Employees will be paid by direct deposit.

21. **ARTICLE XXXIX – LONGEVITY PAY PROGRAM, Section 29.01:** Delete in its entirety and recreate:

Section 29.01. The following Longevity Pay Program is established to provide recognition of an employee's length of employment with the County.

- a. Employees completing five (5), ten (10), fifteen (15) years of service with the County shall respectively receive one percent (1%), two percent (2%) and three percent (3%) of their regular wages as an annual bonus.
- b. Years of service shall be based on the employee's anniversary date and the longevity payments shall start on the employee's anniversary date. Partial longevity payments will not be made to employees who terminate during the year except to employees or the beneficiaries of those employees who have discontinued employment because of retirement, disability or death.
- c. Longevity pay shall be paid each year to eligible employees on the first payroll after the first of December.

Section 2: In addition to any longevity payments, employees completing ten (10), fifteen (15) and twenty (20) years of service with the County in the same position shall respectively receive \$50.00, \$100.00 and \$200.00 as an annual bonus. In the event of an involuntary transfer of the employee to another position within the bargaining unit, the employee shall be entitled to receive the incentive pay as though he/she were still in the same position. Years of service shall be based upon the employee's anniversary date. All payments to be made with longevity payments.

As a part of the longevity pay agreement the Association agrees to withdraw Grievance A2001-28 with prejudice.

22. **ARTICLE XXX – FUNERAL LEAVE, Section 30.01.** The County will pay three ~~(3)~~ five (5) days for time lost from work by any employee in the event of a death of the employee's children and spouse and three (3) days for employee's mother, father, sister, brother. The County will pay up to three (3) days for mother-in-law, father-in-law, brother-in-law, sister-in-law, grandparents, or grandchildren. The County will compensate an employee for up to one-half (½) day for the funeral of a co-worker from the Public Health department.
24. **ARTICLE XXXI – LEAVE OF ABSENCE, Section 31.05.** Employees on an unpaid leave of absence shall make arrangements with the ~~County Clerk~~ **Administration Department** to pay health insurance premiums for any full month they are on a leave of absence. If an employee is on a leave of absence as a result of a job-related injury, the County will pay the health insurance premiums for the employee.
25. **ARTICLE XXXI – LEAVE OF ABSENCE, Section 31.07.** Amend: Any employee seeking public office may be granted a leave of absence ~~at the discretion of the Director~~ **with the approval of the Personnel Committee.** The period of

time for such leaves shall be ~~subject to negotiations between the Association and the County~~ one term of office.

26. **ARTICLE XXXV – DURATION:** This Agreement shall be in full force and effect from January 1, 1999, 2002, through December 31, 2001 2004.
27. **APPENDIX A, 2001 WAGE RATES, II:** Create Jail Nurse.
28. **APPENDIX A, 2001 WAGE RATES:** Adjust all classifications by 3.5% on 1/01/02, 1/01/03, and 1/01/04, across the board.
29. **SIDELETTER, page 23:** Delete.
30. **SIDELETTER, page 24:** Delete. Included in ARTICLE VIII - GRIEVANCE PROCEDURE AND ARBITRATION, Section 8.09.
31. **SIDELETTER, Page 25:** Delete. (The terms of this sideletter expired 1/01/01.
32. **ADDENDUM regarding use of pagers.** Delete. (This language has been entered into the contract as Section 20.06.)
33. **ATTACHMENT “A”, Care Review (dated January 21, 1991):** Delete.
(CareReview was the preadmission/precertification program offered by a previous plan administrator, Corporate Benefit Services of American, Inc.)
34. **ATTACHMENT “B”, Care Review (dated January 29, 1991):** Delete.
(CareReview was the preadmission/precertification program offered by a previous plan administrator, Corporate Benefit Services of American, Inc.)

PIERCE COUNTY

L.A.W – COMMUNITY HEALTH

By: Mark Schneider

By: Allen Butts

Date: 3/12/02

Date: 3.12.02

Resolution 01-43
PROHIBITING CARRY-ONS IN THE GRANDSTAND
DURING THE PIERCE COUNTY FAIR

Whereas, the Fair Committee has authority to plan a fair and see to its administration, pursuant to Section 4-19A of the Pierce County Code;

Whereas, the issues of carry on coolers and the drinking of beer in the grandstand area during the fair events have been discussed at recent Fair Committee meetings;

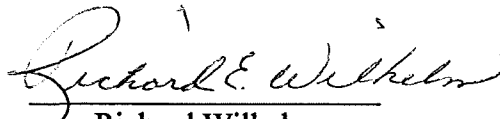
Whereas, the Ellsworth Funsters, Inc., sponsor an event in the grandstand during the fair and have indicated that they support a prohibition of carry on coolers, containing alcoholic or nonalcoholic beverages during the event, and believe it will be financially advantageous if the seats previously taken by coolers can be filled with spectators;

Whereas, the County's liability insurance does not cover the additional liability that could be incurred by allowing the sale or consumption of alcohol in the grandstands during a fair event;

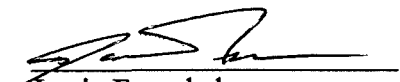
Whereas, the Fair Committee took action at their March 6, 2002 meeting to recommend to the Pierce County Board of Supervisors that this resolution be passed to prohibit carry-on containers, with alcoholic or nonalcoholic beverages, in the grandstand area during the fair events;

NOW THEREFORE BE IT RESOLVED by the Board of Supervisors that carry-on coolers with alcoholic or nonalcoholic beverages are hereby prohibited in the grandstand area during the Pierce County Fair.

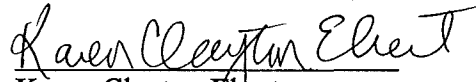
Dated: March 26, 2002.


Richard Wilhelm
County Board Chair

Attest:


Jamie Feuerhelm
County Clerk

Approved as to Form
And Content:


Karen Clayton Ebert
Corporation Counsel

Adopted on March 26, 2002

Resolution No: 01-44
DECLARE APRIL 1-7, 2002 AS
PUBLIC HEALTH WEEK IN PIERCE COUNTY

WHEREAS, healthy people in healthy communities are Pierce County's greatest resource;
and

WHEREAS, over the past 50 years public health in the United States has achieved significant increases in life expectancy and the incidence of injury, disability and disease; and

WHEREAS, advances in public health have added 25 years of increased life expectancy in the United States during the 20th Century, and public health succeeds by identifying and addressing patterns of disease, illness and injury in populations and ensuring healthy living and working conditions; and

WHEREAS, through the use of population-based strategies for disease and injury prevention, public health has contributed to the decline in illness and injury, including heart disease and stroke, tobacco-related diseases, infectious disease, and motor vehicle and workplace injuries; and

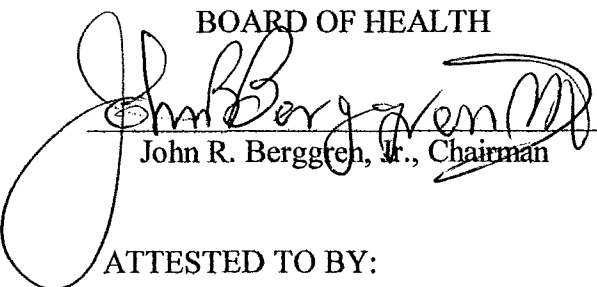
WHEREAS, Public Health Week provides the opportunity to learn about public health success stories in the United States, including the elimination of polio, reduction in childhood blood lead levels, decline in tooth decay due to fluoridated community water supplies, and continued frontline efforts to develop methods to immunize populations against infectious disease, maintain good nutrition and food standards and provide good prenatal care for everyone, and primary and preventive measures vital to healthy communities; and

WHEREAS, public health will continue to be an important part of preserving and improving the health of Pierce County citizens in the new millennium, and in an effort to preserve and enhance the health of all Pierce County citizens, we should rely on public health professionals to provide these services in their various areas of expertise,

NOW, THEREFORE BE IT RESOLVED, that the Pierce County Board of Supervisors hereby proclaims the week of April 1-7, 2002, as "PUBLIC HEALTH WEEK" in Pierce County and urges all citizens to join us in recognizing the valuable contributions of our public health professionals.

DATED this 26th day of March, 2002

BOARD OF HEALTH

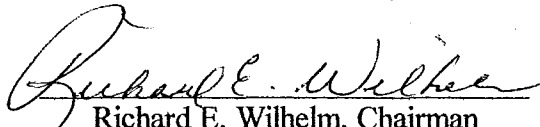

John R. Berggren, Jr., Chairman

ATTESTED TO BY:

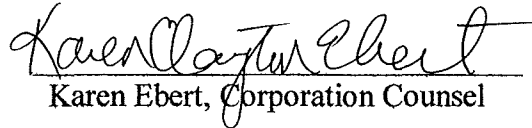

Jamie R. Feuerhelm, County Clerk

Adopted: March 26, 2002

PIERCE COUNTY BOARD


Richard E. Wilhelm, Chairman

APPROVED AS TO
FORM AND LEGALITY BY:


Karen Ebert, Corporation Counsel