

ORDINANCE INDEX

ORDINANCE NO.	DESCRIPTION	ADOPTION DATE
06-01	Amend Chapter 4, Section 7 Of The Pierce County Code: County Board Chairperson And First Vice Chairperson May Also Serve As Chairperson And Vice Chairperson Of The Finance And Personnel Committee	April 18, 2006
06-02	Amend Chapter 4 Section 6 Of The Pierce County Code –To Stagger The 2 Year Terms Of Land Management Committee Citizen Members From Those Of County Board Members	May 23, 2006
06-03	Ordinance Amending Section 184-7 of the Pierce County Code Regarding Retail Food Establishments and Public Accommodations	Not Approved
06-04	Remove Supervision Of The Maintenance Staff Of The Courthouse, Office Building And Fairgrounds In Order To Transfer To Administrative Coordinator	July 25, 2006
06-05	Amend Duties Of Administrative Coordinator To Include Supervision Of Maintenance Supervisor And Groundskeeper	July 25, 2006
06-06	Rezone A Parcel Of Land In The Town Of Trenton From Rural Residential-20 To Commercial: Dodge Rezone	August 22, 2006
06-07	Repeal And Recreate Chapter 239 Of The Pierce County Code - St. Croix Riverway Zoning	August 22, 2006
06-08	Amend Chapter 40 Revenue And Finance, §40-12 Of The Pierce County Code - Short Term Investments	September 26, 2006
06-09	Amend Chapter 4, Board Of Supervisors §4-9 Of The Pierce County Code - Composition Of Standing Committees	September 26, 2006
06-10	Amend Chapter 4, Board Of Supervisors§4-29 Of The Pierce County Code – Parks Committee	September 26, 2006
06-11	Amend Chapter 4, Board Of Supervisors §4-41 Of The Pierce County Code - Conduct Of Business By Committees	September 26, 2006
06-12	Rezone A Parcel Of Land In The Town Of Isabelle From General Rural To Rural Residential-20: Heirs Of William Johnson	October 24, 2006
06-13	Rezone A Parcel Of Land In The Town Of Oak Grove From Rural Residential-12 To General Rural Flexible-8: Liborio & Maria Ramirez	October 24, 2006
06-14	Amend §237-6 Of The Pierce County Code - Applicability Regarding Clarifying Creation Of Buildable Lots In The Land Division Process	October 24, 2006
06-15	Rezone 200.750 Acres Of Land From Exclusive Agriculture To General Rural And 36.250 Acres Of Land From Exclusive Agriculture To Primary Agriculture In The Town Of Salem - Joseph J. Jr. & Lynette F. Traynor	December 19, 2006
06-16	Amend Chapter 40, Board Of Supervisors §4-50 Of The Pierce County Code - Designation, Composition And Termination Of Ad Hoc Committees	November 14, 2006
06-17	Amend Duties Of Administrative Coordinator To Include Supervision Of Emergency Management Director	January 23, 2007
06-18	Amend Chapter 10 Of The Pierce County Code To Include Supervision Of Emergency Management Director By Administrative Coordinator	January 23, 2007

06-19	Amend Chapter 4, Board Of Supervisors; §4-28 Of The Pierce County Code - Law Enforcement Committee To Eliminate Reference To Coroner	January 23, 2007
06-20	Amend Duties Of Administrative Coordinator To Include Supervision Of Medical Examiner	February 27, 2007
06-21	Amend Chapter 7, Section 15 Of The Pierce County Code - Membership Of The Solid Waste Management Board	April 17, 2007

RESOLUTION INDEX

RESOLUTION NO.	DESCRIPTION	ADOPTION DATE
06-01	Commendation to Former County Board Supervisors	April 18, 2006
06-02	Reauthorization of Self-Funded Worker's Compensation	April 18, 2006
06-03	Salary Adjustments For Elected Officials - Clerk of Court, County Clerk, Treasurer, Register of Deeds, and Sheriff 2007-2010	May 23, 2006
06-04	Authorize Sale of County-Owned Property in the Town of El Paso	June 27, 2006
06-05	Amend Resolution 01-32 Fees for Issuing Permits and Making Inspections and Investigations of Certain Types of Establishments	June 27, 2006
06-06	Transfer of Funds from General Fund to County Sheriff's Department Budget to Balance the 2005 Budget	June 27, 2006
06-07	Authorize County Clerk to Enter into Memorandum of Understanding with Local Municipalities to Purchase 'HAVA' Compliant Voting Equipment	May 23, 2006
06-08	Authorization To Use Jail Assessment Fund To Pay For Plumbing Insulation Repairs In The Jail	June 27, 2006
06-09	Create Ad Hoc Committee Regarding Economic And Industrial Development Review	June 27, 2006
06-10	Authorization to Fund 33% of the Cost to Construct Conservation Dam in Nugget Lake County Park with Park Development Funds	September 26, 2006
06-11	Establish 2007 Salaries For Non-Represented Employees and Approve Elements of Bjorklund Compensation Consulting Study Regarding Non-Represented Pay Plan	November 14, 2006
06-12	Authorization To Assess Non-Criminal Fingerprinting Fee To Out-Of-County Residents	November 14, 2006
06-13	2007 Budget Tax Levy	November 14, 2006
06-14	Amend Resolution 06-09 to Extend Termination Date of the Ad Hoc Economic and Industrial Development County Groups Committee	October 24, 2006
06-15	Dog Damage Claims	November 14, 2006
06-16	Claims For Listing Dogs	November 14, 2006

06-17	Care of Soldiers' Graves	November 14, 2006
06-18	Sale of Land in the Town of El Paso	November 14, 2006
06-19	Disallowance of Claim – Wisconsin Bell, Inc.	November 14, 2006
06-20	Amend Paid Time Off (PTO) Policy For Non-Represented Employees	December 19, 2006
06-21	Delete and Recreate the Personnel Policy	January 23, 2007
06-22	Designation of Elder Adult-at-Risk and Adult-at-Risk Agencies	December 19, 2006
06-23	Support For and Authorization of Pierce County To Host 2010 Wisconsin Farm Technology Days	December 19, 2006
06-24	Amend Resolution 04-37: Fees for Issuing Permits and Making Inspections and Investigations of Certain Types of Establishments	February 27, 2007
06-25	Recognize Pierce County Treasurer And Provide Authorization To Act For Pierce County	January 23, 2007
06-26	Certificate of Recognition and Commendation to Former County Treasurer	January 23, 2007
06-27	Certificate of Recognition and Commendation to Former Sheriff	January 23, 2007
06-28	Amend The Personnel Policy To Include An Employee Identification /Access Cards Policy	March 27, 2007
06-29	Commit Pierce County to Participating in Managed Long-Term Care Reform	March 27, 2007
06-30	To Apply for Funding from the Department of Health and Family Services for Development of an Aging and Disability Resource Center (ADRC)	March 27, 2007
06-31	Authorize The Reproductive Health Secretary Position To Increase From .6FTE To Full Time; 1,820 Hours Annually	February 27, 2007
06-32	Accept Land Donation and Purchase Adjoining Access from John and Mary Heisler for the Purpose of Establishing a Public Recreation Area	April 17, 2007
06-33	Amend Vehicle Registration Fees Established in Resolution 01-29	April 17, 2007
06-34	Establish Compensation for Deputy Medical Examiner	April 17, 2007
06-35	Establish Fees for Services of County Medical Examiner and Deputy Medical Examiner	April 17, 2007
06-36	Renumbered to 07-01	April 17, 2007
06-37	Renumbered to 07-02	April 17, 2007

ORDINANCE 06-01

Amend Chapter 4, Section 7 of the Pierce County Code: County Board Chairperson and First Vice Chairperson may also serve as Chairperson and Vice Chairperson of the Finance and Personnel Committee

Pierce County Board of Supervisors does hereby ordain as follows:

SECTION 1: That Chapter 4 Section 4-7 of the Pierce County Code is hereby amended to read as follows:

§4-7 Chairperson to be ex officio member of standing committees.

The County Board Chairperson, in addition to being a member of the Finance and Personnel Committee, shall be an ex officio member of all standing committees of the Board and, in the case of lack of quorum on those committees, shall have the right to vote. The County Board Chairperson shall have authority to appoint temporary members to standing committees in case of lack of quorum. In the absence of the Chairperson, the First Vice Chairperson shall serve in like capacity. The County Board Chairperson and First Vice Chairperson ~~shall~~ may also serve as Chairperson and Vice Chairperson of the Finance and Personnel Committee.

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

Dated this 18th day of April, 2006.

ORDINANCE 06-02

Amend Chapter 4 Section 6 of the Pierce County Code –To Stagger the 2 Year Terms of Land Management Committee Citizen Members from those of County Board Members

Pierce County Board Of Supervisors Does Hereby Ordain As Follows:

SECTION 1: That Chapter 4 Section 4-6 of the Pierce County Code is hereby amended to read as follows:

§4-6 Election of committees.

The following committees are elected at the organizational meeting: Agricultural and Extension Education, Finance and Personnel, Highway, Land Management and Law Enforcement for a term of two years and Human Services Board for a term of three years. Land Management Committee citizen members two year terms shall hereafter be staggered from those of County Board members. Citizen members will be initially elected to a one year term (2006-2007), and thereafter all subsequent terms shall be for two years. All elections remain valid until successors are elected. All other committees shall be appointed pursuant to §4-10.

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

Dated this 23rd day of May, 2006.

ORDINANCE 06-04

**Remove Supervision of the Maintenance Staff of the Courthouse, Office Building and Fairgrounds
in order to Transfer to Administrative Coordinator**

Pierce County Board of Supervisors Does Hereby Ordain as Follows:

SECTION 1: That Chapter 4 Section 4-17 of the Pierce County Code is hereby amended to read as follows:

§4-17 Building Committee

- A. Supervision of upkeep of all county buildings, excluding buildings used by the Highway Department.
- B. ~~Supervision of the maintenance staff~~ Provides policy guidance regarding maintenance and grounds activities of the courthouse, office building and fairgrounds.
- C. Maintain fairgrounds and buildings, including rental rates and rental of storage space.
- D. The duty to analyze on an ongoing basis the building needs of the county and to report to the Board at least two times each year.

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

Dated this 27th day of June, 2006.

ORDINANCE 06-05

Amend Duties of Administrative Coordinator to Include Supervision of Maintenance Supervisor and Groundskeeper

Pierce County Board of Supervisors Does Hereby Ordain as Follows:

SECTION 1: That Chapter 13 Section 13-6 of the Pierce County Code is hereby amended to read as follows:

§ 13-6. General powers and duties.

The duties and powers of the Administrative Coordinator shall be, without limitation because of enumeration, to:

- A. 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. Provide general direction, along with standing committees, of non-elected department heads, with the exception of the Corporation Counsel appointed by the County Board. Under the policy guidance of the Building Committee, supervises and advises the Maintenance Supervisor and Groundskeeper. In collaboration with the Maintenance Supervisor and Groundskeeper, report maintenance and grounds activities to the Building Committee.
- C. Prepare a proposed County budget under the supervision of the Finance and Personnel 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 and Personnel 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 and Personnel Committee and members of the public to present the proposed budget.
 - (3) Prepare a final draft budget as directed by the Finance and Personnel 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 and Personnel Committee and/or County Board consistent with County ordinances and § 65.90, Wis. Stats. Make regular reports to the Finance and Personnel 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) Recommend long-range capital improvements, work and performance standards.
 - (4) When directed by the County Board, Finance and Personnel 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.
 - (5) In consultation with the Building Committee and County Board Chair, 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 and Personnel 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 and Personnel 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.
- (1) Supervise the Administrative Coordinator's clerical staff and activities.
 - (2) Prepare, submit and monitor the Administration's budget.
- 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) Develop 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) Participate in employment recruitment, interview, performance appraisals, discipline, assignment, reward, transfers, complaints and selection (with standing committee or its designee). Review employee separation notices and conducts exit interviews. Recommends procedures to reduce absenteeism and turnover and prepare related reports.
 - (3) Assist department heads, standing committees and the County Board in the investigation and handling of employee-related complaints. Develop and assist in the Human Resource training and remediation techniques for managers, supervisors, and staff. Evaluate and advise on potential work related problems/issues.
 - (4) Participate with the standing committees in conducting performance reviews of all non-elected department heads, and Corporation Counsel.
 - (5) Advise the Finance and Personnel Committee and County Board on the level of workforce size and qualifications necessary to deliver County services.
 - (6) Develop compensation plan through employee wage and salary schedules and report analysis and available data for labor market.
 - (7) Prepare employment needs forecasts.

- (8) Assist department heads or supervising authority in administering appropriate and timely discipline, including termination. Recommendations for discharging non-represented staff will be made to the Personnel Committee.
 - (9) Assist County management in collective-bargaining, arbitration and personnel-related proceedings.
 - (10) Maintain knowledge of legislation, arbitration decisions and collective bargaining agreements to gauge industry trends and practices.
 - (11) Monitor human resource data gathering and draft reports from data. Monitor human resource records maintenance, data communication for compliance with law and requests from County departments and officials. Consult with legal counsel regarding employment practices.
- J. Have the following general duties:
- (1) To 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.
 - (7) To attend and participate in all County Board of Supervisors meetings. Report on County activities to Board of Supervisors on regular basis and as requested. Prepare County Board agenda and resolutions.
 - (8) To serve as the coordinator for external agency investigations.
 - (9) To serve as the County equal opportunity officer.
 - (10) To serve as ADA manager and coordinator.
 - (11) To participate in recruitment of non-elected department heads, with the exception of the Corporation Counsel appointed by the County Board.
 - (12) To monitor operations and actions of all County Board committees, boards and commissions department offices and agencies.
 - (13) To prepare policy analysis reports and recommendations for County Board and committees.
 - (14) To attend and participate in Committee meetings as needed, required and/or requested.
 - (15) To conduct monthly department head meetings.
 - (16) In conjunction with Corporation Counsel and standing committees, to negotiate intergovernmental contracts on behalf of Pierce County.
 - (17) To serve as the County's contact representative.
 - (18) To assist all Departments in grant opportunities and pursue, prepare or develop grants beneficial to the County but outside the scope of a department.

- (19) To coordinate interdepartmental and ad hoc committees as directed by Board of Supervisors and the County Board Chairperson.
- (20) To coordinate and develop risk management programs.
- (21) In consultation with the appropriate department head, standing committee or County Board Chair, to provide information to members of the press, civic and social groups and the general public on County operations and activities.
- (22) To represent the County Board as directed.
- (23) To perform ministerial tasks necessary to perform the duties as Administrative Coordinator.
- (24) To plan, direct and manage the accounting payroll and purchasing function and staff.

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

Dated this 27th day of June, 2006.

ORDINANCE 06-06

**Rezone a Parcel of Land in the Town of Trenton from Rural Residential-20 to Commercial: Dodge
Rezone**

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

SECTION 1: The Official Pierce County Zoning Map for the Town of Trenton be amended to change the zoning from Rural Residential-20 to Commercial for the parcel of land described as: *Lot 9 in Block 6, original plat of Hager, also commencing at the SW corner of lot 9, Block 6, thence South 60 feet, thence East 70 feet, thence South 6 feet, thence East 80 feet, thence North 31 feet, thence West 10 feet, thence North 35 feet, thence West 140 feet to the point of beginning in the NW ¼ of the NW ¼ of Section 2, Township 24 North, Range 18 West, Town of Trenton.*

SECTION 2: That this ordinance shall not be codified.

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

Dated this 25th day of July, 2006.

ORDINANCE 06-07

Repeal and Recreate Chapter 239 of the Pierce County Code - St. Croix Riverway Zoning

Pierce County Board Of Supervisors Does Hereby Ordain As Follows:

SECTION 1: That Chapter 239 of the Pierce County Code is hereby repealed and recreated as shown in the attached Exhibit "A".

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

Dated this 25th day of July, 2006.

EXHIBIT A

ORDINANCE 06-07

Repeal and Recreate Chapter 239 of the Pierce County Code - St. Croix Riverway Zoning

Chapter 239

ST. CROIX RIVERWAY ZONING

ARTICLE I - General Provisions

239-1. Title, Authority and Purpose

A. TITLE

1. This Chapter shall be cited as the "Lower St. Croix Riverway Overlay District" and hereinafter referred to as the "Riverway District."

B. AUTHORITY

1. This Chapter is enacted pursuant to the authority granted by Wisconsin Statute § 30.27 and Wisconsin Administrative Code NR118.
2. The County Zoning Administrator shall administer this chapter pursuant to Wisconsin Statute § 59.69.
3. Any mandatory amendments, repeals or recreations to the statutes pertaining to the subject matter of this chapter are incorporated into this chapter as of the effective date of amendment, repeal or recreation.

C. PURPOSE

1. The purpose of this chapter is to promote the public health, safety, and general welfare by:
 - a. Reducing the adverse effects of overcrowding and poorly planned shoreline and bluff area development.
 - b. Preventing soil erosion and pollution and contamination of surface water and groundwater.
 - c. Providing sufficient space on lots for sanitary facilities
 - d. Minimizing flood damage.
 - e. Maintaining property values.
 - f. Preserving and maintaining the exceptional scenic, cultural, and natural characteristics of the water and related land of the Lower St. Croix Riverway in a manner consistent with the
National Wild and Scenic Rivers Act (P.L. 90-542), the Federal Lower St. Croix River Act of 1972 (P.L. 92-560) and the Wisconsin Lower St. Croix River Act (Wisconsin Statute § 30.27).

239-2. Jurisdiction generally

The geographical jurisdiction shall include all unincorporated lands in Pierce County established and delineated in the Master Plan for the Lower St. Croix National Scenic Riverway. Section 239-5 contains a full legal description of the district boundaries.

239-3. Interpretation

A. COMPLIANCE

1. No development of land or water shall hereafter be implemented and no use, structure or part thereof shall be located, erected, moved, reconstructed, extended, enlarged, converted or structurally altered without full compliance with provisions of this chapter and all other applicable local, State and federal regulations.

B. ABROGATION

1. If any provision of this chapter conflicts with any provision of Chapters 237 (Subdivision) and 240 (Zoning) the more restrictive provision shall apply.
2. This chapter is not intended to repeal, abrogate or impair any existing deed restrictions, covenants or easements. However, where this chapter imposes greater restrictions, the provisions of this chapter shall take precedence.

C. LIBERAL CONSTRUCTION

1. The provisions of this chapter shall be liberally construed in favor of Pierce County and shall not be construed to be a limitation or repeal of any other power now possessed or granted to Pierce County.

D. SEVERABILITY

1. Should any portion of this chapter be declared invalid or unconstitutional for any reason, by a court of competent jurisdiction, the remainder of this chapter shall not be affected.

239-4. Limitation of Action

A. CLAIMS

1. Pursuant to Wisconsin Statutes § 59.69(14), a land owner, occupant or other person affected by this chapter or amendment hereto who claims that this chapter or amendment is invalid because procedures prescribed by the statutes or the chapter were not followed in enacting this chapter or amendment hereto shall commence a court action within six months after enactment of this chapter or amendment or be forever barred.

239-5. LEGAL DESCRIPTION OF BOUNDARIES OF ST. CROIX RIVER DISTRICT.

Legal description of boundaries of the St. Croix River District is as follows:

A. Township 26 North, Range 20 West Section 3--N 1/2 of NE 1/4, government lots 1, 2, 3.

B. Township 27 North, Range 20 West:

Section 1--W 1/4

Section 2--Government lots 1, 2, 3 and 4

Section 11--Government lots 1 and 2 and north 495 feet of Government lot 3

Section 12--W 1/2 NW 1/4, north 495 feet of NW 1/4 SW 1/4

Section 14--Government lots 3 and 4, SE 1/4 SE 1/4

Section 23--Government lots 1, 2, 3 and 4, SW 1/4 NE 1/4 W 1/2 SE 1/4

Section 26--Government lots 1, 2, 3 and 4, E 1/2 SW 1/4

Section 27--Entire section in Wisconsin

Section 34--Entire section in Wisconsin

Section 35--NE 1/4 NW 1/4, W 1/2 NW 1/4, W 1/2 SW 1/4 except that portion lying east of County Highway "F" as presently located

239-6. Management Zones and Boundaries.

A. Rural Residential

The rural residential management zone is mostly single-family residential on large lots in a low density rural environment, with little or no commercial development. Most of the district is wooded, with scattered residential structures. Residential lawns are limited near the river's shore, and the shore area is primarily natural in appearance.

1. The rural residential zone is established in the following areas: The area bounded on the north by the south border of St. Croix County and on the south by the north boundary of Kinnickinnic State Park; and the area bounded on the north by the south boundary of Kinnickinnic State Park and on the south by the north city limits of the City of Prescott as they existed on January 1, 1976.

A. Conservation

The conservation management zone is primarily natural and mostly wooded, with some single family residential uses. Shoreline areas are natural and do not contain residential lawns.

1. The conservation management zone is established in the area bounded on the north by the north boundary of Kinnickinnic State Park and on the south by the south boundary of Kinnickinnic State Park.

ARTICLE II - Definitions

239-6. Definitions.

A. Interpretation

For the purpose of administering and enforcing this ordinance, the terms or words used herein shall be interpreted as follows:

1. Words used in the present tense include the future; in the singular include the plural and in the plural include the singular.
2. The word "shall" is mandatory, not permissive.
3. All distances, unless otherwise specified shall be measured horizontally.
4. All definitions that refer to Wisconsin Statutes shall incorporate any revisions or amendments to statutory language.

B. Definitions

Accessory Structure: A subordinate structure, the use of which is incidental to, customarily found in connection with, and located on the same lot as the principal structure or use of the property. Accessory structures include, but are not limited to, detached garages, sheds, barns, gazebos, swimming pools, hot tubs, fences, retaining walls and detached stairways and lifts; and impervious, pervious or porous driveways, parking lots, sidewalks, patios and decks (both detached and attached).

Accessory Use: A use subordinate to and serving the principal use on the same lot and customarily incidental thereto. It must also be subordinate in area, extent or purpose to the principal building or use served. Accessory uses include, but are not limited to, family daycare, home occupations, and seasonal roadside stands.

Agricultural Use: The use of land for agricultural purposes, including: beekeeping, livestock grazing; orchards; raising of grain, grass or seed crops; raising of fruits, nuts or berries; placing land in federal programs in return for payments in kind; owning land, at least 35 acres of which is enrolled in the conservation reserve program under 16 USC 3831 to 3836; and vegetable raising.

Antenna: Any device or equipment used for the transmission or reception of electromagnetic waves, which may include an omni-directional antenna (rod), a directional antenna (panel) or a parabolic antenna (disc).

Base Zoning District: The underlying zoning district as outlined in Chapter 240 of the Pierce County Code.

Bed and Breakfast Operation: A place of lodging for transient guests that is the owner's personal residence, that is occupied by the owner at the time of rental, and in which the only meal served to guests is breakfast.

Best Management Practices (BMPs): Practices and industry standards designed to minimize environmental damage.

Bluffline: A line along the top of the slope preservation zone. There can be more than one bluffline.

Building Line: A line measured across the width of a lot at that point where the principal structure is placed in accordance with setback provisions.

Camouflage Design: A wireless communication service facility that is disguised, hidden or screened, but remains recognizable as a tower or antenna.

Compliant Building Location: An area on a lot where a building could be located in compliance with all applicable ordinance requirements.

Conditional Use: See "use permitted as a conditional use."

Diameter at Breast Height (DBH): The width of a tree as measured at 4.5 feet above the ground surface.

Disabled: Having a physical or mental impairment that substantially limits one or more major life activities.

Dock, Piers and Wharves: Structures extending into the water to facilitate the launching or mooring of watercraft or for fishing during the open water season.

Earth-tone: Colors that harmonize with the natural surroundings on the site during leaf on conditions.

Expansion: An addition to an existing structure regardless of whether the addition is vertical or horizontal or both.

Filtered View of the St. Croix River: A view in which one can see the river through the vegetation, while any structure remains visually inconspicuous.

Footprint: The land area covered by a structure at ground level, measured on a horizontal plane. The "footprint" of a residence includes attached garages and porches, but excludes decks, patios, carports and roof overhangs.

Foundation: The underlying base of a building or other structure, including but not limited to pillars, footings, and concrete and masonry walls.

Ground Cover: Small plants such as mosses, forbs, ferns, grasses, and undershrubs growing on a forest floor.

Human Habitation: The use of a building or other structure for human occupancy, including but not limited to cooking, eating, bathing and sleeping.

Land Division: Any division of a parcel of land by the owner or the owner's agent, for the purpose of transfer of ownership or building development, which creates one or more parcels or building sites of 20 acres or less.

Landscape Architect: A person who has graduated with a major in landscape architecture from a college accredited by the American Society of Landscape Architects.

Lift: A mechanical device, either temporary or permanent, containing a mobile open top car including hand or guard rails, a track upon which the open top car moves, and a mechanical device to provide power to the open top car.

Lot: A contiguous parcel of land with described boundaries.

Lower St. Croix Riverway or Lower St. Croix National Scenic Riverway: The area described in § NR 118.02 (1).

Management Zones: The Lower St. Croix Riverway management zones established in § NR 118.04.

Mitigation: Action taken to minimize the adverse impacts of development. Mitigation includes, but is not limited to, the installation of vegetative buffers, the removal of nonconforming structures from the shoreland setback area, and the implementation of best management practices for erosion control and storm water management.

Native Vegetation: Those species of vegetation that occurred naturally in pre-settlement Wisconsin. Refer to the Original 1830's Vegetation Map of Wisconsin.

Net Project Area: Developable land area minus slope preservation zones, floodplains, road rights-of-way, and wetlands.

Nonconforming Structure: A building or other structure whose location, dimensions or other physical characteristics do not conform to the standards of this ordinance but which was legally constructed or placed in its current location prior to the enactment of this ordinance or its amendment that made it nonconforming.

Nonconforming Use: Any use that does not conform to the land use restrictions in this ordinance, but which was legally established prior to the enactment of this ordinance or its amendment that made it nonconforming.

Ordinary High Water Mark (OHWM): The point on the bank or shore up to which the presence and action of surface water is so continuous as to leave a distinctive mark such as by erosion, destruction or prevention of terrestrial vegetation, predominance of aquatic vegetation, or other easily recognized characteristic. Where the bank or shore at any particular place is of such character that is difficult or impossible to ascertain where the point of ordinary high water mark is, recourse may be had to the opposite bank of a stream or to other places on the shore of a lake or flowage to determine where a given stage of water is above or below the ordinary high water mark.

Ordinary Maintenance and Repair: Any work done on a nonconforming structure that does not constitute expansion, structural alteration or reconstruction and does not involve the replacement, alteration or improvement of any portion of the structure's foundation.

Overstory: The upper forest canopy layer.

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

Porch: A building walkway with a roof over it, providing access to a building entrance.

Principal Structure: The main building or other structure on a lot that is utilized for the property's principal use. Principal structure includes attached garages and porches.

Professional Engineer: One who is trained, registered, and professionally engaged in a specific branch of engineering in the State of Wisconsin.

Reasonable Accommodation: Allowing a disabled person to deviate from the strict requirements of the county's zoning ordinances if an accommodation is necessary and reasonable, in order not to unlawfully discriminate against the disabled person and to allow them equal housing opportunity.

Reconstruction: The replacement of all, or substantially all, of the components of a structure other than the foundation.

Selection Cut: The removal of selected trees throughout the range of merchantable sizes at regular intervals, either singly or in small groups, leaving a uniformly distributed stocking of desirable tree and shrub size classes.

Setback: The minimum horizontal distance between a structure and the OHWM, bluffline, side and rear lot lines, and roads.

Shelterwood Cut: A partial removal of mature trees leaving trees of desirable species and form to provide shade, seed source and a desirable seedbed for natural regeneration with the final removal of the overstory after adequate regeneration is established.

Single-family Residence: A detached structure used for human habitation for one family.

Slope Preservation Zone: The area riverward from the bluffline where the slope towards the river is 12% or more, as measured horizontally for a distance of not more than 50 feet or less than 25 feet.

Small Regeneration Cut: A harvest of not more than one-third of the contiguous forested ownership within a 10-year period with each opening not exceeding 6 acres in size and not closer than 75 feet at their closest points.

Stealth Design: A wireless communication service facility that models or mimics in size or shape and color something in the surrounding landscape, such as silos in farm settings and trees in forested lands, and is unrecognizable year round as an antenna or antenna mount.

Structural Alteration: The replacement or alteration of one or more of the structural components of any of a nonconforming structure's exterior walls.

Structural Component: Any part of the framework of a building or other structure. The structural components of a building's exterior walls include the vertical studs, top and bottom plates, and window and doorsills and headers. A structural component may be non-load-bearing, such as the framework of a wall at the gable end of a one-story house. Wall coverings, such as siding on the exterior and dry wall on the interior, are not included in the definition of structural component.

Structural Erosion Control Measure: A retaining wall or other man-made structure whose primary function is to control erosion.

Structure: Any man-made object with form, shape and utility that is constructed or otherwise erected, attached to or permanently or temporarily placed, either upon the ground, a river bed, stream bed or lake bed or upon another structure. Structure includes swimming pools, hot tubs, patios, decks and retaining walls, but does not include landscaping or earthwork such as graded areas, filled areas, ditches, berms or earthen terraces. Structure does not include small objects that are easily moved by hand, such as lawn chairs, portable grills, portable picnic tables, bird feeders, birdhouses and birdbaths.

Substandard Lot: A lot with dimensions that do not conform to all of the requirements of this chapter.

Successional Climax Forest: Plant community dominated by native trees representing the culminating stage of natural succession for that specific locality and environment. Also referred to as old growth forest specific to the Lower St. Croix Riverway, including: oak forest, maple, basswood forest, and white-pine forest.

Transmission Services: Electric power lines, telephone and telegraph lines, communication towers, cables, sewage lift stations, sewer and water pipes, and other pipes, conduits and accessory structures that are used to transport power, convey information or transport material between 2 points, other than wireless communication service facilities.

Understory: The layer formed by the crowns of smaller trees beneath the forest canopy.

Use Permitted as a Conditional Use: A use whose nature, character or circumstance is so unique or so dependent upon specific conditions that predetermination of permissibility by right is not practical but which may be permitted on a case by case basis subject to the conditional use permit procedure.

Visually Inconspicuous: Difficult to see, or not readily noticeable, in summer months as viewed from at or near the mid-line of the Lower St. Croix River.

Wetland: An area where water is at, near, or above the land surface long enough to be capable of supporting aquatic or hydrophytic vegetation and which has soils indicative of wet conditions.

Wireless Communication Service Facilities: Hardware that provides wireless communication services including antennas, towers, all associated equipment, and buildings and other structures.

ARTICLE III - Land Uses and Structures

239-7. Land Uses and structures

A. ALLOWED USES AND STRUCTURES

1. The following uses are allowed in the Riverway District without a permit:
 - a. Nonstructural conservancy and open space uses associated with maintaining the value of certain lands
for natural areas, scenic preservation, recreation, wildlife management, water and soil conservation and
other such purposes.
 - b. Nonstructural agricultural and forestry uses, including silviculture in compliance with Wisconsin
Administrative Code Chapter NR 118.06(6).
 - c. Routine pruning of trees and shrubs to improve their health and vigor, provide a filtered view of the Lower
St. Croix River, herein after referred to as "the river," prevent property damage, and removing trees that
pose an imminent safety hazard to persons or structures.
 - d. Docks, piers, and wharves subject to Wisconsin Department of Natural Resources (WDNR) administrative
rule standards and Army Corps of Engineers permit requirements.

B. PERMITTED USES AND STRUCTURES

1. The following uses and structures are allowed in the Riverway District subject to the standards in §§ 239-8 and 239-9 and with a land use permit from the Pierce County Zoning Administrator:
 - a. Single-family residence and accessory uses and structures.
 - b. Filling and grading less than 10,000 square feet outside of the slope preservation zone and greater than 40
feet from the slope preservation zone.
 - c. Signs per §239-9 (B)
 - d. Structural erosion control measures constructed outside of slope preservation zones.
 - e. Rock riprap and other shoreland protection measures per § 239-9 (F)
 - f. Vegetation removal per § 239-9 (G)
 - g. Public parks, areas devoted to natural resource management and interpretation, waysides, rest areas,
information areas, and scenic overlooks.
 - h. Governmental structures used as information centers or for resource management to improve the fish and
wildlife habitat, provided that they meet all other provisions of this chapter.
 - i. Accessory structures.

C. CONDITIONAL USES AND STRUCTURES

1. The following uses and structures are allowed in the Riverway District with a conditional use permit subject to the standards in §§ 239-8 and 239-9 and approval by the Pierce County Board of Adjustment:
 - a. Land divisions.
 - b. Planned Residential and Cluster Developments
 - c. Wireless communication service and other transmission facilities.
 - d. Stairways and lifts.

- e. Filling and grading less than 10,000 square feet in slope preservation zones that do not directly face the river and do not drain directly to the river.
- f. Filling and grading within 40 feet of a slope preservation zone.
- g. Filling and grading 10,000 square feet or more outside of the slope preservation zone.
- h. Structural erosion control measures in slope preservation zones.
- i. Public and private roads serving two or more properties or single-family residences.
- j. Bed and breakfast operations.
- k. Private, non-profit, nature-oriented educational facilities.
- l. Home occupations

D. PROHIBITED USES

- 1. Within the Riverway District, all uses or structures not listed as allowed, permitted, or conditionally permitted uses are prohibited.

ARTICLE IV - Dimensional Standards

239-8. Dimensional Standards

A. MINIMUM LOT SIZE

- 1. The minimum lot size shall be governed by the base-zoning district.
- 2. Minimum net project area for each lot shall be at least one acre.
- 3. If the lot is not served by a public sewer or common system, the lot shall have adequate room for one single-family residence and two POWTS.

B. MINIMUM LOT WIDTH

- 1. In the rural residential management zone, the minimum lot width shall be 200 feet measured at the building line and at the side of the lot nearest the river.
- 2. In the conservation management zone, the minimum lot width shall be 250 feet measured at the building line and at the side of the lot nearest the river.

C. DENSITY STANDARDS

- 1. There may be no more than one principal structure on each parcel.

D. STRUCTURE HEIGHT

- 1. The maximum structure height shall be measured between the average ground elevation and the uppermost point of the structure, excluding chimneys.
 - a. The maximum height for principal and accessory structures in the rural residential management zone shall be 35 feet.
 - b. The maximum height for principal and accessory structures in the conservation management zone shall be 25 feet.
 - c. Wireless communication service and other transmission facilities must meet the height requirements in 239-9 (K) of this ordinance.

E. STRUCTURE SETBACKS

- 1. On structures existing prior to the effective date of this chapter, all setbacks shall be measured on a horizontal plane from the foundation of the structure at the point of the structure that is nearest the Ordinary High Water Mark (OHWM), bluffline, or property line.
 - a. On modifications or additions to existing structures, roof overhangs shall not encroach within the required

setbacks more than three feet, and any cantilevered portions of the structure must meet the required setbacks.

b. On new structures constructed after the effective date of this chapter, all setbacks shall be measured on a horizontal plane from the roof overhang and any cantilevered portions of the structure at the point of the structure that is nearest the OHWM, bluffline, or property line.

c. All structures except docks, piers, wharves, structural erosion control measures, stairways, and lifts shall meet the following:

1) OHWM Setback: At least 200 feet from the OHWM of the Lower St. Croix River.

2) Bluffline Setback: At least 100 feet from the bluffline in the rural residential management zone, and 200 feet from the bluffline in the conservation management zone.

a) Structures that do not meet the setback may be permitted within the bluffline setback area if they are set back at least 40 feet from the bluffline and meet all of the following standards:

i. The structure does not protrude above the bluffline as viewed from at or near the mid-line of

the river or from 250 feet riverward from the OHWM whichever is less.

ii. The structure is not located in a slope preservation zone.

iii. The structure utilizes building materials that are earth tone in color and of a non-reflective

nature, except that windows may be made of ordinary window glass or non-reflective glass, but may not be made of glass designed to reflect more light than ordinary window glass.

iv. The structure is visually inconspicuous.

d. Sideyard Setback: At least 25 feet from all exterior lot lines.

Dimensional Standards Summarized		
	Rural Residential	Conservation
Lot Size, Minimum	Governed by the Base Zoning District	Governed by the Base Zoning District
Net Project Area, Minimum	1 acre + room for 1 single-family residence and 2 POWTS	1 acre + room for 1 single-family residence and 2 POWTS
Lot Density, Maximum	1 single-family residence/lot	1 single-family residence/lot
Lot Width at Building Line, Riverward	200 feet	250 feet
Height, Principal Structure	35 feet	25 feet
Height, Accessory Structure	35 feet	25 feet
OHWM Setback	200 feet	200 feet
Bluffline Setback	100 feet, 40 feet with performance standards	200 feet, 40 feet with performance standards

ARTICLE V - Performance Standards**239-9. Performance Standards****A. STRUCTURE COLOR**

1. All new, expanded, or reconstructed structures shall be earth tone in color.
2. Structures designated as historic buildings on local, State, or national historic registers or located in designated historic districts shall either be earth tone in color or colored appropriate to the period in history for which they are designated.

B. SIGNS

1. Signs are allowed with a land use permit per § 240-62, and if one or more of the following standards are met:
 - a. The sign is approved by State or local government and is necessary for public health or safety.
 - b. The sign indicates areas that are available or not available for public use.
 - c. The sign is not visible from the river and is otherwise lawful.

C. SLOPE PRESERVATION ZONE

1. No structures, except docks, piers, wharves, structural erosion control measures, stairways, and lifts may be placed in slope preservation zones.
2. Slopes greater than 12 percent may not be altered to become less than 12 percent.
3. No filling or grading is allowed in slope preservation zones that directly face and/or drain directly to the river, except the minimum required for installation of items in 1. above.

D. STRUCTURAL EROSION CONTROL

1. Except for rock riprap as allowed per §239-9 (F) structural erosion control measures above the OHWM and within the OHWM setback area and bluffline setback area are allowed with a land use permit if all of the following standards are met:
 - a. The structural erosion control measure is constructed outside of the slope preservation zone.
 - b. The Zoning Administrator determines that structural erosion control measures are necessary to address
significant on-going erosion that nonstructural erosion control measures cannot control.
 - c. The structural erosion control measure is constructed of natural materials and is made as visually
inconspicuous as is reasonable.
 - d. The structural erosion control measure is designed in accordance with USDA Wisconsin Field Office
Technical Guide (WI FOTG) Section IV or any subsequent revisions to USDA standards.
2. Constructing, updating, maintenance or reconstruction of structural erosion control measures in slope preservation zones is allowed by a conditional use permit if all of the following standards are met:
 - a. The Zoning Administrator determines that structural erosion control measures are necessary to address
significant on-going erosion that nonstructural erosion control measures cannot control.
 - b. The structural erosion control measure is constructed of natural materials and is made as visually

inconspicuous as is reasonable.

c. The person seeking to construct the structural erosion control measure submits and has approved by the

Zoning Administrator all of the following items:

- 1) A detailed construction plan with timelines and contact information.
- 2) A vegetation management plan per §239-9 (G)

E. FILLING AND GRADING

1. Filling and grading outside of a slope preservation zone as described in § 237-7 (B)(1)(b) are allowed with a land use permit if all of the following standards are met:
 - a. No filling, grading, or draining of wetlands is allowed.
 - b. No filling and grading activities within 40 feet of a slope preservation zone is allowed.
 - c. Any vegetation that is removed is replaced with native vegetation.
 - d. Filling and grading activities are designed and implemented in a manner to minimize erosion, sedimentation, tree damage, and impairment of fish and wildlife habitat.
 - e. WDNR Storm water Construction Technical Standards are implemented.
2. Filling and grading in the areas described in §239-7 (C)(1)(d) are allowed by conditional use permit if the standards under (1) above are met.

F. ROCK RIPRAP AND SHORELAND PROTECTION

1. Rock riprap within a slope preservation zone and in the OHWM setback area is allowed with a land use permit if the Zoning Administrator determines that riprap is necessary to prevent erosion in flood-prone areas, and if all of the following standards are met:
 - a. Either a State permit is granted for the riprap or statutory criteria or administrative rule standards are met and
a State permit is not required for the riprap.
 - b. The rock riprap is designed in accordance with the WI FOTG Section IV and any subsequent revisions to
USDA standards, or approved by the Land Conservation Department.
 - c. Existing vegetation on the shoreline and in the water is maintained as much as possible, and reasonable,
without disturbance.
 - d. All bare soil on the slope above the riprap shall be stabilized with a native seed mix, native vegetation, or
mulch.
 - e. Deep-rooted native vegetation shall be planted among the riprap to help stabilize it, screen it, and enhance
wildlife habitat.
 - f. The property owner shall be responsible for maintaining the riprap as follows:
 - 1) Upon the first rainfall following installation of the riprap, an inspection shall be made.
 - 2) Thereafter, riprapped areas shall be checked following large storms or floods, especially those that
are near or exceed the storm frequency used in the design. Displaced riprap should be removed
from its downstream location and new riprap placed according to the specifications above.

G. VEGETATION MANAGEMENT

1. Vegetation in the Riverway District shall be managed with the goals of:
 - a. Maintaining the essential character, quality, and density of existing growth.

- b. Screening structures to make them visually inconspicuous.
- c. Preventing disturbance of environmentally sensitive areas such as but not limited to steep slopes, shorelines, and blufftop areas.
- d. Maintaining and restoring historically and ecologically significant plant communities and enhancing diversity.
- e. Maintaining and restoring native ground cover, understory, and overstory vegetation.
- 2. Successional climax forest and pre-settlement oak savanna will be the preferred ecotypes.
- 3. Vegetative screening of structures will take priority over restoration and maintenance of preferred ecotypes.
- 4. Vegetation removal other than that allowed under § 239-7 (A)(2) and (A)(3) is allowed with a land use permit if all of the standards under (5) below are met.
- 5. All of the following vegetation management standards shall apply whenever vegetation is disturbed in the Riverway District:
 - a. Vegetation on lands within the OHWM setback, bluff line setback, and the slope preservation zone shall be
 - left undisturbed, except as provided for elsewhere in this subsection or as provided in §§ 239-9 (D) and (K) b. Vegetation may not be disturbed or removed if it would disrupt the visually inconspicuous character of structures, reduce the quality or diversity of the plant community, or increase the potential for erosion, except as provided elsewhere in this subsection or as provided in §§ 239-9 (D) and (K).
 - c. Lawns within the OHWM setback areas, slope preservation zones, and bluffline setback areas may not be expanded.
 - d. The growth and harvest of non-wood fiber crops, the removal of vegetation in order to allow permitted uses or structures or special exception uses, the removal of State-designated noxious weeds, and the pruning or removal of vegetation to prevent insect infestation or disease that threaten large areas of vegetative cover per Wisconsin Statute § 66.96(2) are allowed.
 - e. Herbicide use shall be limited to direct topical application to cut stems to kill noxious weeds, exotic species, poison ivy, poison oak or poison sumac, or as a prescribed treatment within a forest stewardship management plan.
 - f. Compatible and comparable native species of vegetation shall be used for replacement or new plantings. g. Noxious weeds, non-native invasive species, poison ivy, poison oak, or any other vegetation that is removed shall be replaced with native vegetation.
 - h. The practice of forestry shall be allowed on lands for which a forest stewardship plan has been developed under Wisconsin Statutes Chapter 77, or Wisconsin Administrative Code Chapter NR 46 or 47, and on lands managed under forest stewardship.
 - 1) Forest stewardship plans shall employ best management practices for water quality

protection, erosion control, and generally accepted forest management guidelines and must be approved by a WDNR forester.

a) Generally accepted forest management guidelines are contained in *Wisconsin Forest*

Management Guidelines, PUB-FR-226 2003, available from the WDNR.

2) Forest stewardship plans shall be submitted to the Zoning Administrator to be kept in a property file.

a) Cutting, harvesting or removing timber under this provision on land that is visible from the river

during the time when the leaves are on the deciduous trees may only include the following

practices:

i. Small regeneration cuts with boundaries designed to harmonize with naturally occurring

shapes;

ii. Shelter wood cuts not to exceed the size, shape, spacing or timing of regeneration cuts; or

iii. Selection cuts leaving a residual timber stand of at least 60 square feet basal area.

i. In addition to any other penalties, the penalty for removing vegetation in violation of this chapter shall include replacement of vegetation with native vegetation at the property owner's expense according to the following schedule:

Tree Replacement Schedule	
DBH of Existing Tree Removed	Number of Replacement Trees (2" DBH)
< 6 inches	1
Between 6 - 12 inches	3
Between 12 - 18 inches	4
Between 18 - 24 inches	5
Between 24 - 30 inches	7
Between 30 - 36 inches	10
> 36 inches	The equivalent of 2" DBH trees or greater needed to equal the DBH of the removed trees.

DBH=Diameter at Breast Height

H. POWTS

1. Private on-site wastewater treatment systems shall be constructed in accordance with the requirements of Wisconsin Administrative Code Chapter Comm 83 and Chapter 191, Pierce County Sanitary Ordinance.

J. LAND DIVISIONS

1. Land divisions are allowed by conditional use permit if all of the following standards are met:

a. All lots proposed to be built upon shall meet the minimum lot size requirements per § 239-8, and shall be

suitable for residential development in their existing condition without the need for a variance.

b. All lots are suitable for their proposed use and will not be subject to the potential for flooding, inadequate

drainage, severe erosion, inadequate water supply or inadequate sewage disposal capabilities.

c. Use of lots will not be allowed if there exists unfavorable soil and rock formations, unfavorable topography,

or any other feature that is likely to result in harm to the health, safety or welfare of future residents of the lots

or of the local community.

d. The property owner shall consult with the State Historical Society concerning potential impacts to

archeological sites and provide related documentation to the Zoning Administrator.

1) If the property is found to contain an archeological site, the applicant shall work with the Zoning

Administrator to develop and implement a plan to avoid or mitigate impacts to the archeological site

with assistance from the State Historical Society.

K. Planned Residential and Cluster Developments

1. Planned residential and cluster developments are allowed by conditional use permit if all of the following

standards are met:

a. The proposed clustering provides a better means of preserving scenic views, open space and

shoreline than a traditional single-family residential subdivision.

b. The proposed structures comply with the minimum ordinary high water mark and bluffline setbacks and

height standards as provided in §239-8.

c. Exceptions to the standards in §239-8 (A) and (C) may be allowed provided that the total number of

single family residences may not exceed 50% more than the total number of single family residences

allowed if the development complied with §239-8 (A) and (C).

d. On any lots that abut the river, all of the standards in §239-8 shall be met.

e. If lands are divided, the land division meets the general requirements of §239-9 (J).

L. WIRELESS COMMUNICATION AND OTHER TRANSMISSION FACILITIES

1. Installation, reconstruction, modification and replacement of wireless communication service facilities is allowed by conditional use permit if §240-41 (C) and all of the following standards are met:

a. Construction and maintenance shall be conducted using techniques that minimize the cutting or

pruning of vegetation in order to preserve mature vegetation and provide screening of the facilities.

Erosion control measures shall be used.

b. Wireless communication service facilities shall use building materials, colors, textures, screening and

landscaping that blend the facilities with surrounding natural features or nearby structures and shall be

visually inconspicuous.

c. Wireless communication service facilities shall be of camouflage or stealth design, unless placed on existing structures.

d. Wireless communication service facilities may not exceed a height of 50 feet or not more than 20 feet above the tallest structure or tree canopy within a 300 foot radius of the proposed wireless communication service facilities as measured horizontally, whichever is higher.

e. New or reconstructed wireless communication service facilities may not be placed in slope preservation zones, floodplains or wetlands.

2. Construction, updating, maintenance or reconstruction of transmission services is allowed by conditional use permit if § 240-41 (C) and all of the following standards are met:

a. All new, updated or reconstructed transmission services shall be placed underground when determined

to be technically feasible by the Zoning Administrator. If an applicant seeks to establish that underground placement is technically infeasible, the application shall explain in detail what factors make it infeasible.

b. If underground placement is determined to be technically infeasible, overhead or above ground

transmission services are permitted, but shall be designed to minimize the adverse visual impact on the scenic character of the Riverway District.

c. New, updated or reconstructed transmission services shall be constructed and maintained using

minimally invasive techniques for construction and maintenance, including erosion control.

Existing

transmission facilities shall be maintained using minimally invasive techniques for maintenance, including erosion control.

d. Cutting or clearing of vegetation for transmission service maintenance may be conducted subject to the

following standards:

1) An understory layer of vegetation shall be maintained to prevent erosion and allow succession.

2) Vegetation management shall protect the quality and diversity of the plant community and prevent erosion.

3) Herbicide use shall be limited to direct topical application to cut stems to prevent re-growth.

4) The pruning of normal tree growth for safety reasons or to prevent interference with the

transmission service and removal of noxious weeds is allowed.

M. STAIRWAYS

1. Stairways are allowed by conditional use permit if all of the following standards are met:
 - a. The stairway is required to provide pedestrian access to the river because of steep, rocky, unstable or wet site conditions.
 - b. The tread width of the stairway may not exceed 48 inches.
 - c. Landings are located at a vertical interval of not less than 20 feet and shall not exceed 40 square feet in area.
 - d. Handrails may be permitted in conjunction with stairways and shall be painted or stained the same color as the stairways.
 - e. Canopies or roofs are not allowed on stairways.
 - f. Stairways, handrails and landings shall be anchored and supported above grade with pilings or footings.
 - g. Stairways shall be constructed of unfinished wood or stone, or shall be painted or stained with earth-tone colors.
 - h. Stairways shall be visually inconspicuous and shall be located in the most visually inconspicuous portion of the lot.
 - i. Native vegetation plantings shall be used to form a vegetative canopy to screen the stairway from the river.
 - j. Vegetation shall effectively screen stairways from the river within five years.
 - k. Existing vegetation may be removed within one foot of either side of the stairway route and up to eight feet above the stairway floor.
 - l. Only one stairway may be permitted on a lot that abuts the river.
 - m. A plan shall be submitted to the Zoning Administrator and certified by a registered professional engineer or architect showing that the stairway components are securely anchored to prevent them from shifting and from causing accelerated erosion.

N. LIFTS

1. Lifts are allowed by a conditional use permit if all of the following standards are met:
 - a. The lift is required to provide pedestrian access to the river because of steep, rocky, unstable or wet site conditions.
 - b. No lift shall be designed for the transport of boats or machinery up or down the bluff face.
 - c. The car of the lift may not exceed 4 feet by 6 feet. Cars may have handrails, but no canopies or roofs shall be allowed.
 - d. Lifts shall be located in the most visually inconspicuous portion of the lot. Location of the transporting

- device or power source shall be visually inconspicuous.
- e. All visible parts of the lift shall be painted or finished in earth-tone, non-reflective colors and shall be visually inconspicuous.
- f. Native vegetation plantings shall be used to form a vegetative canopy to screen the lift from the river.
- g. Vegetation shall effectively screen lifts from the river within five years.
- h. Existing vegetation may be removed within one foot on either side of the lift route and up to 8 feet above the lift floor.
- i. Only one lift may be permitted on a lot that abuts the river.
- j. A plan shall be submitted to the Zoning Administrator and certified by a registered professional engineer or architect showing that the lift components are securely anchored to prevent them from shifting and from causing accelerated erosion.

O. PUBLIC AND PRIVATE ROADS

1. Construction, reconstruction or right-of-way maintenance for public roads and private roads serving two or more properties or single-family residences is allowed by a conditional use permit if all of the following standards are met:
 - a. No new road may be constructed in slope preservation zones, in an area 40 feet landward of blufflines, within 200 feet of the river, within 100 feet of tributary watercourses, or in wetlands.
 - b. Route design and construction or reconstruction shall minimize visual impacts by using terrain features to blend the road into the landscape, avoiding cuts and fills as much as feasible.
 - c. New roads shall be visually inconspicuous.
 - d. Reconstruction of existing roads shall be performed in a manner that does not increase visibility of the road from the river.
 - e. Cutting or clearing vegetation for road right-of-way maintenance shall be conducted in accordance with the following standards:
 - 1) Vegetation shall be managed to allow an understory layer to remain in place to prevent erosion and allow succession. Vegetation may not be disturbed in such a way that there would be reduced quality or diversity of the plant community or increased potential for erosion.
 - 2) Herbicide use shall be limited to direct topical application to cut stems to prevent re-growth. The pruning of normal tree growth for safety reasons or to prevent interference with infrastructure and the removal of noxious weeds is allowed.
 - 3) Mowing of a safety zone from the edge of the pavement back 15 feet or to the ditch bottom, whichever is less, and clearing intersection vision triangles is allowed. Other parts of the right-of-way may be

mowed to control noxious weeds and undesirable brush only after July 15 of each year to avoid

impacts to ground-nesting birds.

4) Cutting of trees more than 4 inches in diameter breast height is prohibited, except that trees that pose

a hazard to public health or safety may be removed.

2. Public entities may apply for a one-time special exception permit for long-term maintenance of public road right-of-way, subject to all standards listed in a. above and to periodic monitoring.

P. BED AND BREAKFAST OPERATIONS

1. A bed and breakfast operation is allowed by conditional use permit if all of the following standards are met:
 - a. The bed and breakfast operation provides four or fewer rooms for rent to transient visitors.
 - b. The bed and breakfast operation has sufficient parking spaces on site or on public roads for guests.

Q. NATURE-ORIENTED, EDUCATIONAL NON-PROFIT FACILITIES

1. A nature-oriented, educational non-profit facility is allowed by conditional use permit if all of the following standards are met:
 - a. The facility will not cause environmental pollution or erosion.
 - b. The facility has sufficient parking on site or on public roads for patrons.

R. Home Occupations.

1. A conditional use permit may be issued for the use of a single family residence for a home occupations if all of the following requirements are met:
 - a. The owner or person who rents the residence on a full-time basis conducts the home occupation.
 - b. The home occupation is conducted inside of the residence and is subordinate to the use of the home as a principal residence.
 - c. The home occupation will not cause environmental pollution.
 - d. If the home occupations causes additional persons to visit the residence, sufficient parking is provided on the lot or on public streets.

ARTICLE VI - Nonconforming Uses, Nonconforming Structures, and Substandard Lots

239-10. Nonconforming Uses, Nonconforming Structures and Substandard Lots

A. NONCONFORMING USES

1. These requirements shall take precedence over general zoning requirements for nonconforming uses in the Riverway District.
2. A nonconforming use may not be expanded or enlarged.
3. An increase in the volume, intensity or frequency of use is allowed if the land area or structure used for the nonconforming use are not expanded or enlarged, and if the owner provides a site plan and photographs of the site to the Zoning Administrator to be kept in a property file at the Land Management Department.
4. A change from one nonconforming use to another nonconforming use is not allowed.
5. If a nonconforming use is discontinued for a period of 12 consecutive months, any future use of buildings and premises shall conform to all of the requirements of the Pierce County Zoning Ordinance.

B. NONCONFORMING PRINCIPAL STRUCTURES

1. These requirements shall take precedence over general zoning requirements for nonconforming structures in the Riverway District, except where those requirements are more restrictive, in which case the most restrictive requirements shall apply.

2. Ordinary maintenance and repair of a nonconforming principal structure is allowed.
3. Structural alteration, reconstruction and expansion of a nonconforming principal structure and replacement, improvement or structural alteration of the foundation is allowed by a land use permit if all of the applicable requirements in pars. 4 and 5 below are met.
4. Reconstruction of Nonconforming Principal Structures.
 - a. Nonconforming principal structures located within the OHWM setback area, bluffline setback area or slope preservation zone may be structurally altered or reconstructed and foundations may be replaced, improved or structurally altered if all of the following requirements are met:
 - 1) The lot has an area of at least 7,000 square feet.
 - 2) The altered or reconstructed structure will be visually inconspicuous or will be rendered so through mitigation per §239-10 (E)
 - 3) The structure is altered or reconstructed in the same footprint as the pre-existing structure.
 - 4) The reconstructed structure may not be any taller than the pre-existing nonconforming structure, except that a flat roof may be replaced with a pitched roof, and may not be taller than allowed per §239-8 (D).
 - 5) The color of the structure complies with § 239-9 (A).
 - 6) The property owner submits a mitigation plan per §239-10 (E).
 - a) If a permit is issued for the reconstruction, the mitigation plan shall be approved, or modified and approved, by the Zoning Administrator.
 - b) The mitigation plan shall be incorporated into the permit and the property owner shall be required to implement the mitigation plan as a permit condition.
 - 7) Private on-site wastewater treatment systems are brought into compliance with the requirements of Wisconsin Administrative Code Chapter Comm 83 and the Pierce County Sanitary Ordinance.
 - 8) The foundation of the structure may not be replaced, improved or structurally altered, unless all of the following standards are met:
 - a) It is being done in conjunction with the reconstruction of the structure,
 - b) It is entirely located more than 50 feet from the OHWM, and
 - c) It is not located in a slope preservation zone.
 - 9) An erosion control plan and revegetation plan shall be submitted for approval, or modification and approval, to the Zoning Administrator prior to the issuance of a permit for structural alteration or reconstruction.
 - 10) No filling and grading activities are allowed during the alteration or reconstruction, except for the minimum necessary to accomplish the alteration or reconstruction in compliance with other provisions of this chapter, and as needed to upgrade a private on-site wastewater treatment system, to replace sewer or

water laterals, or to install storm water or erosion control measures.

11) If the structure is located in a slope preservation zone, it may be reconstructed on the existing foundation

only if WDNR storm water technical standards applicable to steeper sloped areas are implemented to control erosion.

5. Expansion of Nonconforming Principal Structures.

a. Nonconforming principal structures located in the OHWM setback area or bluffline setback area may be expanded and the pre-existing foundation may be replaced, repaired or structurally altered in conjunction with the expansion if all of the applicable following requirements are met:

1) Structures located wholly or partially within 50 feet of the OHWM may not be expanded.

2) Structures located wholly or partially within a slope preservation zone may not be expanded.

3) Structures entirely set back more than 50 feet from the OHWM but located wholly or partially less than 75 feet from the ordinary high water mark may be expanded only if there is no compliant building location available on the lot.

4) Structures entirely set back more than 75 feet from the ordinary high water mark may be expanded

regardless of whether a compliant building location exists elsewhere on the lot.

5) The lot has an area of at least 7,000 square feet.

6) The expanded structure will be visually inconspicuous or will be rendered so through mitigation.

7) Any reconstructed portion of the nonconforming structure may only be reconstructed in the same footprint as the pre-existing structure. Notwithstanding the definition of "reconstruction" in NR 118.03(36), the pre-existing foundation of a structure that is more than 50 feet from the ordinary high water mark and is not within a slope preservation zone may be replaced, repaired or structurally altered in conjunction with the expansion of the structure.

8) For structures located wholly or partially within the OHWM setback area, the total footprint of the structure may not exceed 1500 square feet.

9) For structures located wholly or partially within the bluffline setback, but not within the OHWM setback area, the total footprint of the structure may not exceed 2000 square feet and the structure shall comply with all of the following requirements:

a) The structure is set back at least 40 feet from the bluffline.

b) The structure does not protrude above the bluffline as viewed from at or near the mid-line of the

river or from 250 feet riverward from the OHWM whichever is less.

c) The structure is not located within the slope preservation zone.

d) The structure uses earth-tone building materials that are of a non-reflective nature, except that

windows may be made of ordinary glass or non-reflective glass, but may not be made of glass

designed to reflect more light than ordinary window glass.

e) The structure is visually inconspicuous.

- 10) Expansion is on the side of the structure farthest from the river or, if landward expansion is not possible, the expansion is parallel to the OHWM or bluffline.
- 11) The height of the altered or reconstructed structure complies with §239-8 (D).
- 12) The color of the structure complies with § 239-9 (A).
- 13) The property owner submits a mitigation plan per §239-10 (E)
 - a) If a permit is issued for the expansion, the mitigation plan shall be approved, or modified and approved, by the Zoning Administrator.
 - b) The mitigation plan shall be incorporated into the permit and the property owner shall be required to implement the mitigation plan as a permit condition.
- 14) Private on-site wastewater treatment systems are brought into compliance with the requirements of Wisconsin Administrative Code Chapter Comm 83 and the Pierce County Sanitary Ordinance.
- 15) Filling or grading is not allowed as part of the reconstruction or expansion except as necessary to reconstruct or build the expansion in compliance with other provisions of this chapter, upgrade a private on-site wastewater treatment system, replace sewer or water laterals, or install storm water or erosion control measures.

Expansion of Nonconforming Principal Structures Summarized		
Distance from OHWM		
< 50 feet	50 - 75 feet	> 75 feet
No expansion.	Expansion only if no other compliant building location on lot.	Expansion up to a total footprint of 1,500 square feet.

C. NONCONFORMING ACCESSORY STRUCTURES

1. Ordinary maintenance and repair of nonconforming accessory structures is allowed.
2. Nonconforming accessory structures may not be structurally altered, reconstructed or expanded, except that garages and storage sheds may be structurally altered, reconstructed or expanded if all of the following requirements are met where applicable:
 - a. The entire garage or storage shed is not located in a slope preservation zone.
 - b. The entire garage or storage shed is set back more than 75 feet from the OHWM.
 - c. The garage or storage shed is not used for human habitation.
 - d. The total footprint of all nonconforming accessory structures, other than existing driveways, within 75 feet of the OHWM, within a slope preservation zone or within the bluffline setback area may not exceed 500 square feet.
 - e. All parts of the garage or storage shed shall be finished in earth-tone colors and materials that are non-reflective, except that windows may be made of ordinary window glass or non-reflective glass, but may not be made of glass designed to reflect more light than ordinary window glass.
 - f. Mitigation measures are implemented and maintained per §239-10 (E).

g. The structure is visually inconspicuous or will be rendered so through a mitigation plan per §239-10 (E).

D. SUBSTANDARD LOTS

1. Lots of record in the Register Of Deeds office on January 1, 1976 or on the date of the enactment of an amendment to this chapter that makes the lot substandard, which do not meet the requirements of this chapter, may be allowed as building sites provided that the following criteria are met:
 - a. The lot is in separate ownership from abutting lands, or
 - b. The lot by itself or in combination with an adjacent lot or lots under common ownership in an existing subdivision has at least one acre of net project area. Adjacent substandard lots in common ownership may only be sold or developed as separate lots if each of the lots has at least one acre of net project area.
 - c. All structures that are proposed to be constructed or placed on the lot and the proposed use of the lot comply with the requirements of this chapter and any underlying zoning or sanitary code requirements.

E. MITIGATION REQUIREMENTS

1. Expansion or reconstruction of nonconforming principal structures, and the expansion, reconstruction or structural alteration of nonconforming accessory structures shall trigger mitigation requirements to offset the impacts of the proposed project.
2. Mitigation measures shall be roughly proportional to the magnitude of the impacts of the proposed project on scenic resources, water quality, erosion potential and the protection of the shoreland area.
3. Mitigation shall include, but is not limited to, the following:
 - a. Planting trees and shrubs capable of screening the entire structure if existing vegetation is not sufficient to render the structure visually inconspicuous per § 239-9 (G). Additionally:
 - 1) All trees and shrubs shall be native to the area.
 - 2) All trees shall be at least 2 inches Diameter at Breast Height (DBH) and planted no more than 12 feet apart and parallel to the river and the structures they screen. To allow for future growth, these trees may be planted at different locations and staggered between the structures and the river.
 - b. The vegetation in the area within 50 feet of the OHWM shall be preserved or restored through planting of native vegetation per §239-9 (G).
 - 1) Vegetation shall be established or maintained at densities that are adequate to protect water quality, habitat and the natural scenic beauty of the shoreland area.
 - 2) If a nonconforming structure is located in this area, the vegetation shall be planted surrounding the structure, although the owner may create a screened view of the river from the structure and may leave a 15-foot wide mowed area around the structure to protect it from wildfire.

ARTICLE VII - Administration

239-11. Administration

A. LAND USE PERMIT PROCEDURES

1. An application for a land use permit shall be made to the Zoning Administrator upon forms furnished by the County. The following information shall be provided:
 - a. Owner contact information.
 - b. Property information.
 - c. Project information.
 - d. A site development plan, drawn to scale, to include:
 - 1) Dimensions and area of lot.
 - 2) Location of all existing and proposed structures and impervious coverage with distances measured from the lot lines and centerline of all abutting streets or highways.
 - 3) Location of any existing or proposed on-site sewage systems or private water supply systems.
 - 4) Location of the bluffline and OHWM of any abutting navigable waterways.
 - 5) Location and landward limit of all wetlands.
 - 6) Existing and proposed topographic and drainage features and vegetative cover.
 - 7) Location of floodplain and floodway limits on the property as determined from floodplain zoning maps used to delineate floodplain areas.
 - 8) Location of existing or future access roads.
 - 9) Specifications and dimensions for areas of proposed wetland alteration.
 - e. Other relevant information that the Zoning Administrator requests, including but not limited to photos, topographic mapping, elevation drawings, cross-section drawings, specialized engineering plans, storm water management plans, erosion and sediment control plans, vegetation management plans, or additional information per §239-9.
 - f. If additional information is requested, it shall be submitted by the applicant to the Zoning Administrator prior to the issuance of the land use permit.
2. The Zoning Administrator shall approve, approve conditionally, or deny the land use permit within 60 days of submitting a properly completed application, unless additional information is required.

B. CONDITIONAL USE AND VARIANCE PROCEDURES

1. An application for a conditional use permit or variance shall be submitted to the Zoning Administrator upon forms furnished by the County and shall include the following information as outlined in par. 2. below.
2. Conditional use and variance applications shall supply information adequate for the Board of Adjustment to make a decision based on the type of project to be undertaken. The applicant shall submit to the Zoning Administrator sufficient copies of the following information for all applications:
 - a. General information, including but not limited to:
 - 1) Contact information for property owner, agent, and contractor as applicable.
 - 2) Legal description of the property and a general description of the proposed use or development.

- 3) Information on whether or not a private water or sewage system is to be installed or upgraded.
- b. For conditional uses, a detailed written explanation of how the proposed use or development meets the requirements for conditional uses as outlined in §239-9 and §240-76 as applicable, and the following standards:
 - 1) The scenic and recreational qualities of the Riverway District, especially in regard to the view from and use of the river.
 - 2) The maintenance of safe and healthful standards.
 - 3) The prevention and control of water pollution, including storm water runoff and sedimentation.
 - 4) The location of the site with respect to floodplains and floodways, slope preservation zones, and blufflines.
 - 5) The erosion potential of the site based upon degree and direction of slope, soil type, and vegetative cover.
 - 6) Potential impact on terrestrial and aquatic habitat.
 - 7) Location of site with respect to existing or future access roads.
 - 8) Adequacy of proposed wastewater treatment.
 - 9) The compatibility of the project with uses on adjacent land.
 - 10) The use of common corridors for locating proposed facilities within or adjacent to public service facilities such as roads, bridges, and transmission services.
- c. For variances, a detailed written explanation of how the requested variance meets the requirements for variances, and demonstrates pursuant to s. 59.694 (7)(c) or 62.23 (7) (e)7., Stats., that the granting of a variance will not be contrary to the public interest and where, due to special conditions, a literal enforcement of the provisions of the ordinance will result in unnecessary hardship, so that the spirit of the ordinance shall be observed and substantial justice done. Economic considerations alone may not constitute a hardship if a reasonable use for the property exists under the conditions allowed by this ordinance. Conditions may be imposed in the granting of variances to ensure compliance and to protect adjacent properties and the public interest, especially in regard to the view from the river.
- d. A site plan prepared by a registered land surveyor showing the following information:
 - 1) Property location, boundaries, and dimensions.
 - 2) Location of all existing and proposed structures and impervious surfaces with distances measured from the lot lines and centerline of all abutting streets or highways.
 - 3) Contours on an established datum at vertical intervals of not more than two feet.
 - 4) Blufflines, slope preservation zones, OHWM, floodway and flood fringe boundaries, and all applicable setbacks.
 - 5) Adjoining land and water-oriented uses.
 - 6) The location and description of existing and proposed alterations of vegetation, topography, and drainage, including grading limits and vegetation removal and replacement.
- e. A recent aerial photo with property lines drawn in, showing the location of existing and proposed structures, including height and setback dimensions.

- f. A mitigation plan, if required.
- g. Photos of the site taken from the river slightly upstream and downstream of the property, directly offshore, and at or near the mid-line of the St. Croix River.
- h. Other relevant information that the Zoning Administrator requests, including but not limited to elevation drawings, cross-section drawings, specialized engineering plans, storm water management plans, erosion and sediment control plans, vegetation management plans, or additional information per §239-9.
- i. If additional information is requested, it shall be submitted by the applicant to the Zoning Administrator prior to the issuance of a permit or approval of the variance.
- j. Applications for a permit for land divisions, bed and breakfast operations, nature oriented educational, non-profit facilities, and variances shall also include:
 - 1) The location of any proposed private on-site wastewater treatment system.
 - 2) Water supply information, including the location of any proposed wells.
- k. Applications for a permit for filling and grading, structural erosion control measures, and road construction shall also include a plan showing the proposed construction, reconstruction, location and design of the filling or grading, structural erosion control measures, or road construction.
- l. Applications for a permit for transmission services and wireless communication service facilities shall also include:
 - 1) For transmission services a plan showing the location of proposed facilities, and if not placed underground, documentation of why this is technically infeasible, and a plan outlining design and construction methods to minimize adverse visual impacts to the Riverway District.
 - 2) For wireless communication service facilities, a plan showing the location of proposed facilities and an illustration of the methods to be used to meet design requirements for the appropriate stealth, camouflage, and height requirements.
- m. Applications for a permit for stairways and lifts shall also include a plan showing the stairway or lift location, design, dimensions, color, construction materials, erosion control measures and vegetation removal and replacement. The plan shall contain a certification by a registered professional engineer or architect that the stairway or lift components are securely anchored to prevent them from shifting and from causing erosion.

C. REASONABLE ACCOMMODATION FOR DISABLED PERSONS

- 1. Ramps, walkways or decks to provide a disabled person with reasonable access to their property as required by the Federal Americans with Disabilities Act, the Federal Fair Housing Act and the Wisconsin Fair Housing Act are allowed by land use permit, subject to the following standards:
 - a. Only the minimum relaxation of dimensional, density or other standards needed to provide reasonable access

may be approved.

b. No use, structure or other relaxation of standards may be approved that would violate or undermine the stated purposes of this chapter.

D. AMENDMENT PROCEDURES

1. Except as set out below, the procedures in § 240-80 shall apply to any amendment of this chapter:

a. An amendment to this chapter shall not be subject to approval or disapproval or action by any town board.

2. Upon enactment of an amendment to this chapter, the Zoning Administrator shall submit two copies to the WDNR.

3. Applications for text amendments or re-zonings (map amendments) shall include:

a. A survey certified by a professional engineer or registered land surveyor showing:

1) Property location, boundaries, and dimensions.

2) Location of all existing and proposed structures and impervious surfaces with distances measured from

the lot lines and centerline of all abutting streets or highways.

3) Contours on an established datum at vertical intervals of not more than two feet.

4) Blufflines, slope preservation zones, OHWM, floodway and flood fringe boundaries, and all applicable setbacks.

5) Utility and roadway corridors.

6) Adjoining land and water-oriented uses.

7) The location of existing and proposed alterations of vegetation and topography, including grading limits

and vegetation removal and replacement that is proposed.

b. Photos of the site taken from the river slightly upstream and downstream of the property, and directly offshore.

c. Other relevant information that the Zoning Administrator requests. If the Zoning Administrator requests

additional information, it shall be submitted by the applicant to the Zoning Administrator prior to any hearing on the application.

d. The procedures and application requirements in this paragraph do not apply to proposals to change the

management zone boundaries established in NR 118.04. The management zone boundaries in NR 118.04

may only be changed by revision of NR 118.04.

E. PUBLIC HEARING PROCEDURES

1. A public hearing shall be held before any conditional use permit, any variance, or any amendment is approved or denied.

2. In addition to any other notice requirements, notice of all public hearings and a copy of all application materials shall be provided to the following for review and comment at least 30 days prior to the public hearing:

a. Wisconsin Department of Natural Resources (WDNR)

b. West Central Wisconsin Regional Planning Commission

c. The town board of a town within which the affected parcel of land is located.

3. Any plan submitted with an application shall be approved, or modified and approved, and included as part of the permit, variance or amendment application. The Zoning Administrator shall submit a summary of all proceedings, including a copy of any written decision, to the WDNR within five working days after the date of the decision.
4. Where additional information is introduced at any stage of the proceeding by the applicant or where the applicant may wish to review the WDNR's opposition or town's opposition if applicable, the proceeding may be postponed for a reasonable period of time to review the information.
5. A conditional use permit may not be granted if the town board objects to the issuance as a part of the hearing.
 - a. Such objection shall explain where the proposed project is inconsistent with this chapter, Wisconsin Statute § 30.27, Wisconsin Administrative Code Chapter NR 118, or town ordinances.

F. DECISIONS

1. All land use permit decisions shall be in writing and shall include facts and reasons for the decisions.
2. The final disposition of an application for a conditional use permit or variance to the Board of Adjustment shall be in the form of a written decision, made within a reasonable time after the public hearing, signed by the Board of Adjustment chairperson.
 - a. Such decision shall state the specific facts and reasons that are the basis of the Board of Adjustment's determination.
 - b. A copy of such decision shall be mailed to the applicants and the appropriate district office of the WDNR within 10 days after the decision is issued.

G. EXPIRATION

1. Activities authorized by a permit or variance issued under this chapter shall commence within one year from the date of approval and be substantially completed or implemented within two years, after which time the permit or variance expires.
2. Prior to expiration of a permit or variance, applicants can request extensions of up to six months from the Zoning Administrator.
3. The total time granted for extensions shall not exceed one year.

H. COMPLIANCE AND REVOCATION

1. Where the terms or conditions on any permit or variance are violated, the permit or variance may be revoked. The Zoning Administrator may revoke a land use permit. The Board of Adjustment may revoke a conditional use permit or a variance.

ORDINANCE 06-08

Amend Chapter 40 Revenue and Finance, §40-12 of the Pierce County Code - Short Term Investments

Pierce County Board Of Supervisors Does Hereby Ordain As Follows:

SECTION 1: That Chapter 40 Revenue and Finance, §40-12 of the Pierce County Code is hereby amended as follows:

§40-12 Short-Term Investments.

The ~~Bonds and Depositories~~ Finance and Personnel Committee is authorized to supervise the investment of available county funds and the County Treasurer is authorized to invest these funds in short-term investments in accordance with the appropriate Wisconsin statutes.

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

Dated this 22nd day of August, 2006.

SUBSTITUTE ORDINANCE 06-09

Amend Chapter 4, Board of Supervisors §4-9 of the Pierce County Code - Composition of Standing Committees

Pierce County Board Of Supervisors Does Hereby Ordain As Follows:

SECTION 1: That Chapter 4, Board of Supervisors, §4-9(R) of the Pierce County Code is hereby amended as follows:

§4-9(R) Shooting Range: ~~Three~~ Four members of the Board, ~~including the Chair of the Building Committee~~ who are the Board members of the Parks committee, and ~~two~~ one citizen members, ~~one representing a sporting club and one~~ a resident in close proximity to the shooting range.

SECTION 2: That this Ordinance shall become effective January 1, 2007.

SECTION 3: That this Ordinance shall be published as required by law.

Dated this 22nd day of August, 2006.

SUBSTITUTE ORDINANCE 06-10

Amend Chapter 4, Board of Supervisors §4-29 of the Pierce County Code – Parks Committee

Pierce County Board Of Supervisors Does Hereby Ordain As Follows:

SECTION 1: That Chapter 4, Board of Supervisors, §4-29 of the Pierce County Code is hereby amended as follows:

§4-29 Parks Committee. The Parks Committee shall have supervision of all matters relating to the parks and recreational facilities, ~~with the exception of the Pierce County Shooting Range.~~ The Pierce County Shooting Range Committee shall be a subcommittee of the Parks Committee.

SECTION 2: That this Ordinance shall become effective January 1, 2007.

SECTION 3: That this Ordinance shall be published as required by law.

Dated this 22nd day of August, 2006.

SUBSTITUTE ORDINANCE 06-10

Amend Chapter 4, Board of Supervisors §4-29 of the Pierce County Code – Parks Committee

Pierce County Board Of Supervisors Does Hereby Ordain As Follows:

SECTION 1: That Chapter 4, Board of Supervisors, §4-29 of the Pierce County Code is hereby amended as follows:

§4-29 Parks Committee. The Parks Committee shall have supervision of all matters relating to the parks and recreational facilities, ~~with the exception of the Pierce County Shooting Range.~~ The Pierce County Shooting Range Committee shall be a subcommittee of the Parks Committee.

SECTION 2: That this Ordinance shall become effective January 1, 2007.

SECTION 3: That this Ordinance shall be published as required by law.

Dated this 22nd day of August, 2006.

SUBSTITUTE ORDINANCE 06-11

Amend Chapter 4, Board of Supervisors §4-41 of the Pierce County Code - Conduct of Business by Committees

Pierce County Board Of Supervisors Does Hereby Ordain As Follows:

SECTION 1: That Chapter 4, Board of Supervisors, §4-41(A)(6)(b) of the Pierce County Code is hereby amended as follows:

(6)(b) The following committees will meet quarterly, or as needed: Information Services, Park, Emergency Management, Industrial Development, Veterans Service, Agriculture and Extension, Housing and Shooting Range. The Park and Shooting Range committee meetings shall take place on the same day, consecutively. Special meetings would be at the call of the committee chairperson.

SECTION 2: That this Ordinance shall become effective January 1, 2007.

SECTION 3: That this Ordinance shall be published as required by law.

Dated this 22nd day of August, 2006.

ORDINANCE 06-12

Rezone a Parcel of Land in the Town of Isabelle from General Rural to Rural Residential-20: Heirs of William Johnson

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

Section 1: The Official Pierce County Zoning Map for the Town of Isabelle is amended to change the zoning from General Rural to Rural Residential-20 on 25.870 acres located in part of Govt Lots 2 & 3 described as commencing N $\frac{1}{4}$ corner Sec. 8; Thence S89°W along North Line of Govt Lot 2 1322.89 ft to NW corner Govt Lot 2; Thence S66 ft to POB; Thence East 639.07 ft to property owned by City of Red Wing; Thence S78°E 697.95 ft to Southeasterly corner City of Red Wing property; Thence North along east line Govt Lot 2 146.81 ft; Thence East 57.37 ft to Southwesterly R/W Hwy 35; Thence S55°E along R/W 810.74 ft; Thence S 263.29 ft to Railroad R/W; Thence West along Northerly Line Railroad R/W to West line Govt Lot 2; Thence North 700.09 ft to POB, all Sec. 8, T24N, R17W, Town of Isabelle, Pierce County, WI.

Section 2: That this ordinance shall not be codified.

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

Date of First Reading: September 26, 2006.

Date of Second Reading: October 24, 2006.

ORDINANCE 06-13

Rezone a Parcel of Land in the Town of Oak Grove from Rural Residential-12 to General Rural Flexible-8: Liborio & Maria Ramirez

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

Section 1: The Official Pierce County Zoning Map for the Town of Oak Grove is amended to change the zoning from Rural Residential-12 to General Rural Flexible-8 to on 23.190 acres located in all that part of the W ½ of the NW ¼ of Section 9, T26N, R19W, Town of Oak Grove, lying SWly of US Hwy 10, EXCEPT V 246, P 338, EXCEPT V 108, P 129, EXCEPT V 111, P 273, EXCEPT Lot 1 CSM V 2, P 99, EXCEPT Lot 1 CSM, V 2, P 77 and EXCEPT Lot 1 CSM V 10, P 54, Pierce County, WI.

Section 2: That this ordinance shall not be codified.

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

Date of First Reading: September 26, 2006

Date of Second Reading: October 24, 2006

ORDINANCE 06-14

Amend §237-6 of the Pierce County Code - Applicability Regarding Clarifying Creation of Buildable Lots in the Land Division Process

Pierce County Board Of Supervisors does hereby ordain as follows:

SECTION 1: That Chapter 237, Section 237-6, subsections B and C, of the Pierce County Code, are hereby amended to read as follows:

§237-6. Applicability

- B. The creation of at least one but not more than four ~~parcels or building~~ buildable sites of 15 acres or less in size within a period of five years by the same or successive owners shall comply with the requirements of Article II Certified Survey Map Land Divisions, in addition to all other applicable provisions.
- C. The creation of five or more ~~parcels or building~~ buildable sites which are 15 acres or less in size either through a single division or successive divisions by either the same or subsequent owner(s) within a period of five years shall comply with the requirements of Article III, Plats, in addition to all other applicable provisions.

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

DATED this 26th day of September, 2006.

ORDINANCE 06-15

Rezone 200.750 Acres of Land from Exclusive Agriculture to General Rural and 36.250 Acres of Land from Exclusive Agriculture to Primary Agriculture in the Town of Salem - Joseph J. Jr. & Lynette F. Traynor

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

Section 1: The Official Pierce County Zoning Map for the Town of Salem is amended to change the zoning from Exclusive Agriculture to General Rural on 200.750 acres located in part of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$, a strip of land 1 $\frac{1}{2}$ rods wide & 80 rods long on the west side of SE $\frac{1}{4}$ of the NW $\frac{1}{4}$, and NW $\frac{1}{4}$ of the SW $\frac{1}{4}$, of Section 25, and E $\frac{1}{2}$ of the NE $\frac{1}{4}$ and NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 26

AND

To change the zoning from Exclusive Agriculture to Primary Agriculture on 36.250 acres located in the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$, Except the West 1 $\frac{1}{2}$ Rods, & Except the East 250 feet of the South 525 feet of Section 25, all in T25N, R16W, Town of Salem, Pierce County, WI.

Section 2: That this ordinance shall not be codified.

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

Dated this 14th day of November 2006.

ORDINANCE 06-16

**Amend Chapter 40, Board of Supervisors §4-50 of the Pierce County Code - Designation,
Composition and Termination of Ad Hoc Committees**

Pierce County Board of Supervisors does Hereby Ordain as Follows:

SECTION 1: That Chapter 4, Board of Supervisors, §4-50 of the Pierce County Code is hereby amended as follows:

§4-50 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 an ad hoc committee shall provide for composition of the committee. The members of the ad hoc committees shall be appointed pursuant to §4-~~40~~ 12 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 committee 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 become effective upon its adoption and publication as required by law.

DATED this 14th day of November, 2006.

ORDINANCE 06-17

Amend Duties of Administrative Coordinator to Include Supervision of Emergency Management Director

Pierce County Board Of Supervisors Does Hereby Ordain As Follows:

SECTION 1: That Chapter 13 Section 13-6 of the Pierce County Code is hereby amended to read as follows:

§ 13-6. General powers and duties.

The duties and powers of the Administrative Coordinator shall be, without limitation because of enumeration, to:

- A. 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. Provide general direction, along with standing committees, of non-elected department heads, with the exception of the Corporation Counsel appointed by the County Board. Under the policy guidance of the Building Committee, supervises and advises the Maintenance Supervisor and Groundskeeper. In collaboration with the Maintenance Supervisor and Groundskeeper, report maintenance and grounds activities to the Building Committee. Under the policy guidance of the Emergency Management Committee, supervises and advises the Emergency Management Director. In collaboration with the Emergency Management Director, report issues, plans, training, and other related activities to the Emergency Management Committee.
- C. Prepare a proposed County budget under the supervision of the Finance and Personnel 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 and Personnel 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 and Personnel Committee and members of the public to present the proposed budget.
 3. Prepare a final draft budget as directed by the Finance and Personnel 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 and Personnel Committee and/or County Board consistent with County ordinances and § 65.90, Wis. Stats. Make regular reports to the Finance and Personnel 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. Recommend long-range capital improvements, work and performance standards.
 4. When directed by the County Board, Finance and Personnel 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.
 5. In consultation with the Building Committee and County Board Chair, 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 and Personnel 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 and Personnel 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.
1. Supervise the Administrative Coordinator's clerical staff and activities.
 2. Prepare, submit and monitor the Administration's budget.
- 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. Develop 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. Participate in employment recruitment, interview, performance appraisals, discipline, assignment, reward, transfers, complaints and selection (with standing committee or its designee). Review employee separation notices and conducts exit interviews. Recommends procedures to reduce absenteeism and turnover and prepare related reports.
 3. Assist department heads, standing committees and the County Board in the investigation and handling of employee-related complaints. Develop and assist in the Human Resource training and remediation techniques for managers, supervisors, and staff. Evaluate and advise on potential work related problems/issues.
 4. Participate with the standing committees in conducting performance reviews of all non-elected department heads, and Corporation Counsel.
 5. Advise the Finance and Personnel Committee and County Board on the level of workforce size and qualifications necessary to deliver County services.
 6. Develop compensation plan through employee wage and salary schedules and report analysis and

available data for labor market.

7. Prepare employment needs forecasts.
8. Assist department heads or supervising authority in administering appropriate and timely discipline, including termination. Recommendations for discharging nonrepresented staff will be made to the Personnel Committee.
9. Assist County management in collective-bargaining, arbitration and personnel-related proceedings.
10. Maintain knowledge of legislation, arbitration decisions and collective bargaining agreements to gauge industry trends and practices.
11. Monitor human resource data gathering and draft reports from data. Monitor human resource records maintenance, data communication for compliance with law and requests from County departments and officials. Consult with legal counsel regarding employment practices.

J. Have the following general duties:

1. To 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.
7. To attend and participate in all County Board of Supervisors meetings. Report on County activities to Board of Supervisors on regular basis and as requested. Prepare County Board agenda and resolutions.
8. To serve as the coordinator for external agency investigations.
9. To serve as the County equal opportunity officer.
10. To serve as ADA manager and coordinator.
11. To participate in recruitment of non-elected department heads, with the exception of the Corporation Counsel appointed by the County Board.
12. To monitor operations and actions of all County Board committees, boards and commissions department offices and agencies.
13. To prepare policy analysis reports and recommendations for County Board and committees.
14. To attend and participate in Committee meetings as needed, required and/or requested.
15. To conduct monthly department head meetings.
16. In conjunction with Corporation Counsel and standing committees, to negotiate intergovernmental contracts on behalf of Pierce County.
17. To serve as the County's contact representative.
18. To assist all Departments in grant opportunities and pursue, prepare or develop grants beneficial to the County but outside the scope of a department.

19. To coordinate interdepartmental and ad hoc committees as directed by Board of Supervisors and the County Board Chairperson.
20. To coordinate and develop risk management programs.
21. In consultation with the appropriate department head, standing committee or County Board Chair, to provide information to members of the press, civic and social groups and the general public on County operations and activities.
22. To represent the County Board as directed.
23. To perform ministerial tasks necessary to perform the duties as Administrative Coordinator.
24. To plan, direct and manage the accounting payroll and purchasing function and staff.

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

Dated this 19th day of December, 2006.

ORDINANCE 06-18

**Amend Chapter 10 of the Pierce County Code to Include Supervision of Emergency Management
Director by Administrative Coordinator**

Pierce County Board Of Supervisors Does Hereby Ordain As Follows:

SECTION 1: That Chapter 10, Article II, Section 10-4 of the Pierce County Code is hereby amended to read as follows:

§ 10-4. Organization.

- A. Purpose. To ensure that the county and its participating municipalities will be prepared to cope with emergencies resulting from enemy action and with emergencies resulting from natural disasters, a county emergency management organization is created to carry out the purposes in Chapter 166, Wis. Stats.
- B. Definitions. As used in this section, the following terms are defined as follows:
EMERGENCY MANAGEMENT — All those activities and measures designed or undertaken to minimize the effects upon the civilian population caused or which would be caused by enemy action; to deal with the immediate emergency conditions which would be created by such enemy action; and to effectuate emergency repairs to, or the emergency restoration of, vital public utilities and facilities destroyed or damaged by such enemy action.
ENEMY ACTION — Any hostile action taken by a foreign power which threatens the security of the State of Wisconsin.
NATURAL DISASTER — Includes all other extraordinary misfortunes affecting the county, natural or man-made, not included in the term "enemy action."
- C. Emergency Management Director.
1. Appointed. The Director shall hold the office of Emergency Management Director of the county and, in addition to his duties as County Director, he shall have the additional duties and responsibilities of the Municipal Emergency Management Director for each participating municipality as set forth in the Wisconsin statutes.
 2. Employed. The Director shall be nominated by the Emergency Management Committee and confirmed and employed by the County Board. He shall be considered to be an employee of the county and shall be entitled to all of the rights, privileges and benefits that county employees have.
 3. Field director. The field director shall perform various tasks under supervision of the Emergency Management Director.
 4. Federal disaster aid. The County Board authorizes the County Emergency Management Director to execute for and on behalf of the county all applications for the purpose of obtaining federal financial assistance under the Federal Disaster Act.
 5. Duties generally.
 - (a) The Director, in assuming the functions of the County Director, subject to the day to day supervision of the Administrative Coordinator, control and at the direction and policy guidance of the County Emergency Management Committee and under the general supervision of the County Board, shall:
 - [1] Develop and promulgate emergency management plans for the county, consistent with the state plan;
 - [2] Coordinate and assist in the development of municipal emergency management plans within the county and integrate such plans with the county plans;
 - [3] Direct the county emergency management program;
 - [4] Direct county-wide emergency management training programs and exercises;
 - [5] Advise the State Director of all emergency management planning for the county and render such reports as may be required by the State Director;

[6] In case of a state of emergency proclaimed by the Governor, direct the county emergency management activities and coordinate the municipal emergency management activities within the county, subject to the coordinating authority of the State Director; and

[7] Perform such other duties relating to emergency management as may be required by the County Board.

(b) The Director, in assuming the functions of Emergency Management Director, is subject to the control and direction of the respective emergency management organization and shall coordinate the county organization and plan.

- D. Duty of county organization; expenditures. If the Governor, County Board Chairman or the County Director determines that an emergency exists growing out of a natural or man-made disaster, the county organization shall cope with the problems of emergency within the county. Expenditures for such services rendered in participating municipalities shall be considered county expenditures.
- E. Funding. The County Board shall provide funds for operation of the county emergency management program and shall include the cost thereof in the general county tax levy.
- F. County survival plan. The County Board accepts the county survival plan as written and supports the implementation of its various services and directs that all county employees give full cooperation to the implementation of their assigned services.
- G. State emergency operations plan. The state emergency operations plan, as amended by the General Change Order No. 4, is adopted as the official program of the county for emergency management.
- H. Continuity of government. The continuity of government shall be in the following order so as to comply with the Wisconsin statutes:
- (1) Chairman of the Board of Supervisors;
 - (2) Emergency Management Director;
 - (3) County Sheriff;
 - (4) Emergency Management Chairperson; and
 - (5) Administrative Coordinator. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).
- I. Duties of Department of Human Services.
- (1) The County Department of Human Services is designated to participate in the emergency management plan as organized by the County Emergency Director in accordance with policies, procedures and standards of the State Department of Health and Family Services and shall for such purpose have the authority to participate in any emergency management activity, whether it be a case of enemy attack, natural disaster, federal alert or practice or test runs.
 - (2) The Department of Human Services shall establish an approved plan for a line of succession to key agency positions for preservation and protection of essential documents and records and the protection of duplicate records; personal services and other costs related to the continuity of operations of the public assistance programs in an emergency, including disaster preparedness training and the development and establishment of offices essential for the resumption of operations after the emergency.
 - (3) These duties shall include, without limitation by reason of enumeration, feeding and clothing; housing or lodging in private and congregate facilities; registration; locating and reuniting families; care of unaccompanied children, the aged, the handicapped and other groups needing specialized care or service; necessary financial or other assistance; counseling and referral services to families and individuals; aid to welfare institutions under national emergency or post-attack conditions; and all other feasible welfare aid and services to people in need during a civil defense emergency. Such measures include organization, direction and provision of services to be instituted before attack in the event of

strategic or tactical evacuation and after attack in the event of evacuation or of refuge in shelters.

- (4) The Department of Human Services shall perform such other services as may be delegated by the State Department of Health and Family Services.
 - (5) The agency, in performance of emergency management activities, may employ additional administration staff, either full time or part time. Such staff shall be employed under the merit system classification and salary range pursuant to § 49.33(4) to (7), Wis. Stats., and Rule PW-PA 10.
 - (6) The county agency, in the performance of emergency management activities, may also make use of voluntary workers who shall receive no salary but who may be paid necessary and usual out-of-pocket expenses incurred in performing this work, such payment to be made from the administration account of such agency.
- J. Highway equipment use. The County Board authorizes the County Emergency Management Director to direct the use of County Highway Department equipment and facilities in times of emergency resulting from disaster.
- K. Violations and penalties. No person shall willfully obstruct, hinder or delay any member of the emergency management organization in the enforcement of any order, rule, regulation or plan issued pursuant to this section or do any act forbidden by any order, rule, regulation or plan issued pursuant to the authority contained in this section. Any person found to be in violation of any of the provisions of this section shall be subject to a penalty pursuant to § 166.03, Wis. Stats. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

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

Dated this 19th day of December, 2006.

ORDINANCE 06-19

To Amend Chapter 4, Board of Supervisors; §4-28 of the Pierce County Code - Law Enforcement Committee To Eliminate Reference to Coroner

Pierce County Board of Supervisors Does Hereby Ordain as Follows:

SECTION 1: That Chapter 4, Board of Supervisors, §4-28 of the Pierce County Code is hereby amended as follows:

§4-28 Law Enforcement Committee.

The Law Enforcement Committee shall have:

A. Supervision of the Sheriff's Department, District Attorney, Register in Probate, and Circuit Court ~~and Coroner, and shall provide direction and policy guidance to the Medical Examiner, subject to the day to day supervision of the Administrative Coordinator.~~

B. Jurisdiction over all matters relating to justice and law enforcement.

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

Dated this 23rd day of January, 2007.

ORDINANCE 06-20

Amend Duties of Administrative Coordinator to Include Supervision of Medical Examiner

Pierce County Board Of Supervisors Does Hereby Ordain As Follows:

SECTION 1: That Chapter 13 Section 13-6 of the Pierce County Code is hereby amended to read as follows:

§ 13-6. General powers and duties.

The duties and powers of the Administrative Coordinator shall be, without limitation because of enumeration, to:

- A. 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. Provide general direction, along with standing committees, of non-elected department heads, with the exception of the Corporation Counsel appointed by the County Board. Under the policy guidance of the Building Committee, supervises and advises the Maintenance Supervisor and Groundskeeper. In collaboration with the Maintenance Supervisor and Groundskeeper, report maintenance and grounds activities to the Building Committee. Under the policy guidance of the Emergency Management Committee, supervises and advises the Emergency Management Director. In collaboration with the Emergency Management Director, report issues, plans, training, and other related activities to the Emergency Management Committee. Under the policy guidance of the Law Enforcement Committee, supervises and advises the Medical Examiner. In collaboration with the Medical Examiner, report issues, plans, training, and other related activities to the Law Enforcement Committee.
- C. Prepare a proposed County budget under the supervision of the Finance and Personnel 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 and Personnel 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 and Personnel Committee and members of the public to present the proposed budget.
 - (3) Prepare a final draft budget as directed by the Finance and Personnel 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 and Personnel Committee and/or County Board consistent with County ordinances and § 65.90, Wis. Stats. Make regular reports to the Finance and Personnel 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) Recommend long-range capital improvements, work and performance standards.
 - (4) When directed by the County Board, Finance and Personnel 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.
 - (5) In consultation with the Building Committee and County Board Chair, 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 and Personnel 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 and Personnel 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.
- (1) Supervise the Administrative Coordinator's clerical staff and activities.
 - (2) Prepare, submit and monitor the Administration's budget.
- 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) Develop 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) Participate in employment recruitment, interview, performance appraisals, discipline, assignment, reward, transfers, complaints and selection (with standing committee or its designee). Review employee separation notices and conducts exit interviews. Recommends procedures to reduce absenteeism and turnover and prepare related reports.
 - (3) Assist department heads, standing committees and the County Board in the investigation and handling of employee-related complaints. Develop and assist in the Human Resource training and remediation techniques for managers, supervisors, and staff. Evaluate and advise on potential work related problems/issues.
 - (4) Participate with the standing committees in conducting performance reviews of all non-elected department heads, and Corporation Counsel.

- (5) Advise the Finance and Personnel Committee and County Board on the level of workforce size and qualifications necessary to deliver County services.
 - (6) Develop compensation plan through employee wage and salary schedules and report analysis and available data for labor market.
 - (7) Prepare employment needs forecasts.
 - (8) Assist department heads or supervising authority in administering appropriate and timely discipline, including termination. Recommendations for discharging non-represented staff will be made to the Personnel Committee.
 - (9) Assist County management in collective-bargaining, arbitration and personnel-related proceedings.
 - (10) Maintain knowledge of legislation, arbitration decisions and collective bargaining agreements to gauge industry trends and practices.
 - (11) Monitor human resource data gathering and draft reports from data. Monitor human resource records maintenance, data communication for compliance with law and requests from County departments and officials. Consult with legal counsel regarding employment practices.
- J. Have the following general duties:
- (1) To 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.
 - (7) To attend and participate in all County Board of Supervisors meetings. Report on County activities to Board of Supervisors on regular basis and as requested. Prepare County Board agenda and resolutions.
 - (8) To serve as the coordinator for external agency investigations.
 - (9) To serve as the County equal opportunity officer.
 - (10) To serve as ADA manager and coordinator.
 - (11) To participate in recruitment of non-elected department heads, with the exception of the Corporation Counsel appointed by the County Board.
 - (12) To monitor operations and actions of all County Board committees, boards and commissions department offices and agencies.
 - (13) To prepare policy analysis reports and recommendations for County Board and committees.
 - (14) To attend and participate in Committee meetings as needed, required and/or requested.
 - (15) To conduct monthly department head meetings.
 - (16) In conjunction with Corporation Counsel and standing committees, to negotiate intergovernmental contracts on behalf of Pierce County.

- (17) To serve as the County's contact representative.
- (18) To assist all Departments in grant opportunities and pursue, prepare or develop grants beneficial to the County but outside the scope of a department.
- (19) To coordinate interdepartmental and ad hoc committees as directed by Board of Supervisors and the County Board Chairperson.
- (20) To coordinate and develop risk management programs.
- (21) In consultation with the appropriate department head, standing committee or County Board Chair, to provide information to members of the press, civic and social groups and the general public on County operations and activities.
- (22) To represent the County Board as directed.
- (23) To perform ministerial tasks necessary to perform the duties as Administrative Coordinator.
- (24) To plan, direct and manage the accounting payroll and purchasing function and staff.

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

Dated this 23rd day of January, 2007.

ORDINANCE 06-21

Amend Chapter 7, Section 15 of the Pierce County Code - Membership of the Solid Waste Management Board

Pierce County Board Of Supervisors Does Hereby Ordain As Follows:

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

§ 7-15. Membership; terms of office; vacancies; removal. [Amended 3-26-2002 by Ord. No. 01-27]

- 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~~ five are County Board members, including the County Board Chair or Vice Chair, a County Zoning Committee member and ~~two~~ three other members of the County Board. The remaining ~~five~~ four 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. 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 become effective upon its adoption and publication as required by law.

Dated this 27th day of March, 2007.

RESOLUTION 06-01

Commendation to Former County Board Supervisors

WHEREAS, LeRoy Peterson, Scott Mulhern, Rod Rommel, Ron O. Anderson, Dale Hines, and Greg Kerr have served on numerous committees as well as participated in many sessions of the Pierce County Board of Supervisors; and

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

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

DATED this 18th day of April, 2006.

RESOLUTION 06-02

Reauthorization of Self-Funded Worker's Compensation

WHEREAS, the County of Pierce is a qualified political subdivision of the State of Wisconsin; and

WHEREAS, the County of Pierce is required to provide worker's compensation benefits as required by Chapter 102, Wisconsin Statutes; and

WHEREAS, The Wisconsin Worker's Compensation Act (Act) provides that employers covered by the Act either insure their liability with worker's compensation insurance carriers authorized to do business in Wisconsin, or to be exempted (self-insured) from insuring liabilities with a carrier and thereby assuming the responsibility for its own worker's compensation risk and payment; and

WHEREAS, the State and its political subdivisions may self-insure worker's compensation without a special order from the Department of Workforce Development (Department) if they agree to report faithfully all compensable injuries and agree to comply with the Act and rules of the Department; and

WHEREAS, the County of Pierce became self-insured in May 2003; and

WHEREAS, the Finance and Personnel Committee at its April 7, 2006 meeting approved the continuation of the self-insured worker's compensation program, in compliance with Wisconsin Administrative Code DWD 80.60(3); and

NOW, THEREFORE, BE IT RESOLVED that the Pierce County Board of Supervisors does ordain as follows:

- (1) Provide for the continuation of a self-insured worker's compensation program that is currently in effect.
- (2) Authorize the Insurance Coordinator to forward certified copies of this resolution to the Worker's Compensation Division, Wisconsin Department of Workforce Development.

DATED the 18th day of April, 2006.

RESOLUTION 06-03

Salary Adjustments For Elected Officials

Clerk of Court, County Clerk, Treasurer, Register of Deeds, and Sheriff 2007-2010

WHEREAS, on April 7, 2006, the Finance & Personnel Committee did duly consider the existing salaries of the elected officials of Pierce County; and

WHEREAS, the Finance & Personnel Committee recommends that the current 2006 salaries for the Clerk of Court, County Clerk, Treasurer, Register of Deeds and Sheriff be adjusted 2.5%, effective 1/01/07 and 2.5% effective 1/01/08; and further adjusted for Clerk of Court and Sheriff 2.5% effective 1/01/09 and 2.5% effective 1/01/10.

WHEREAS, the Finance & Personnel Committee recommends that the elected officials be offered continued health insurance coverage through the existing County plans under the same terms as non-represented employees.

NOW, THEREFORE BE IT RESOLVED, by the Pierce County Board of Supervisors that the Finance & Personnel Committee recommendation is amended to reflect a 2.5% adjustment effective 1/1/07 and 1% effective 1/01/08; and further adjusted for Clerk of Court and Sheriff 1% effective 1/01/09 and 1% effective 1/01/10. Thus the following salaries shall be established:

	<u>2006</u>	<u>2007</u>	<u>2008</u>	<u>2009</u>	<u>2010</u>
Clerk of Court	\$48,415	\$49,625	\$50,121	\$50,622	\$51,128
County Clerk	\$48,415	\$49,625	\$50,121	N/A	N/A
Register of Deeds	\$48,415	\$49,625	\$50,121	N/A	N/A
Treasurer	\$48,415	\$49,625	\$50,121	N/A	N/A
Sheriff	\$64,575	\$66,189	\$66,851	\$67,520	\$68,195

BE IT FURTHER RESOLVED that in addition to base salary adjustments, as identified above, with respect to elected officials, the extent that their base salaries will be increased effective 1/01/07 and beyond, said officials shall receive the corresponding benefits, based on salary, in accord with the County's existing plan, and shall be offered health insurance coverage under the same terms as non-represented employees.

DATED this 18th day of April 2006.

RESOLUTION 06-04

Authorize Sale of County-Owned Property in the Town of El Paso

WHEREAS, Pierce County owns approximately 3/4 acres of land in Section 5, Township 26 North, Range 16 West, Town of El Paso, currently being used as a storage facility for the Pierce County Highway Department; and

WHEREAS, since the lease on the El Paso quarries are gone, the Highway Department's need for the El Paso Shop is no longer necessary. At its meetings of February 9, 2006 and March 9, 2006, the Highway Committee moved to declare the El Paso Shop land as surplus property and to move forward to sell the property and that the proceeds from the sale come back to the Highway Department; and

WHEREAS, the Finance and Personnel Committee took action on April 20, 2006 to recommend that the County Board authorize the sale of the approximate 3/4 acres of County-owned property.

NOW, THEREFORE BE IT RESOLVED, that the Board of Supervisors authorizes the sale of approximately 3/4 acres of County-owned property as described above, and that the Finance and Personnel Committee is authorized to proceed consistent with §40-19 of the Pierce County Code.

DATED this 23rd day of May, 2006.

RESOLUTION 06-05

Amend Resolution 01-32 Fees for Issuing Permits and Making Inspections and Investigations of Certain Types of Establishments

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

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

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

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

WHEREAS, the Pierce County Board of Health and Finance and Personnel Committee recommend that the fees established in Resolution No. 04-37 be amended as follows:

Category	Annual Fee	Pre-Inspection Fee Existing Facility	Pre-Inspection Fee New Construction
Restaurants			
Pre-Packaged	\$132	\$132	\$225
Additional Area	\$97	\$179	\$260
Simple	\$179		
Moderate	\$255	\$255	\$330
Complex	\$351	\$351	\$400
Temporary	\$100		
Temporary inspect fee	\$25		
Body Art			
Tattoo	\$116	\$116	\$175
Piercing	\$116	\$116	\$175
Combined	\$174	\$174	\$175
Temporary per event	\$100		
Recreation			
Campground			
1-25 Sites	\$132	\$132	\$200
26-50 Sites	\$178	\$178	\$200
51-100 Sites	\$184	\$184	\$200
101 + Sites	\$236	\$236	\$200
Rec/Ed Camp	\$263	\$263	\$200
Swimming Pool			
Year Around	\$210	\$210	\$200
Seasonal	\$184	\$184	\$200
Additional Pool	\$158	\$158	\$200
Lodging			
B & B	\$79	\$158	\$250
Tourist Rooming House: 1-4 rooms	\$103	\$158	\$250
Hotel/Motel: 5-30 Rooms	\$158	\$158	\$250

Hotel/Motel: 31-99 Rooms	\$230	\$237	\$325
Hotel/Motel: 100 + Rooms	\$304	\$315	\$400
Additional Fees:			
Facility Name or Legal Licensee Name Change Only: \$25			
Re-inspection Fee: \$100 Fee Assessed on the 3 rd re-inspection for the same violation.			
Late Fee: \$75 <i>If the annual permit fee is not paid by June 30, the day the permit expires, the department shall require the operator of the establishment to pay a penalty fee, in addition to the annual permit fee, for renewal of the permit.</i>			
Duplicate Fee: \$10			

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

DATED this 23rd day of May, 2006.

RESOLUTION 06-06

Transfer of Funds from General Fund to County Sheriff's Department Budget to Balance the 2005 Budget

WHEREAS, the Finance and Personnel Committee did on May 15, 2006, approve the request to balance the 2005 Sheriff's Department budget deficit of 81,751.00 by covering the overage and to have the funds come out of the General Fund.

NOW THEREFORE, BE IT RESOLVED, that the Pierce County Board of Supervisors do accept the recommendation of the Finance and Personnel Committee and approve the transfer of \$81,751.00 from the General Fund to the Sheriff's Department budget for the purpose expressed above.

DATED this 23rd day of May, 2006.

RESOLUTION 06-07

Authorize County Clerk to Enter into Memorandum of Understanding with Local Municipalities to Purchase `HAVA' Compliant Voting Equipment

WHEREAS, Federal and State mandates require every polling place to have at least one electronic voting device that is Help America Voting Act (HAVA) compliant to meet the needs of the handicapped public; and

WHEREAS, the deadline to have this equipment up and running is September 12, 2006 (Fall Primary); and

WHEREAS, because a number of vendors were not certified by the State of Wisconsin last fall, many, if not all, municipalities did not know how much to budget with regard to this issue; and

WHEREAS, There is Federal grant money available that will cover up to \$6,000.00 per polling place for this equipment, maintenance fees and programming, so there would be no cost to the County; and

WHEREAS, by entering into a Memorandum of Understanding with the municipalities of Pierce County, the County would negotiate and purchase the equipment with the stipulation that the County would not be responsible for any costs or fees beyond \$6,000.00 per polling place. The County will pay for the equipment up front and then be reimbursed by the State with the Federal grant dollars; and

WHEREAS, by entering into a Memorandum of Understanding would allow the County Clerk to join collective forces with Pierce County municipalities, which could lead to cost savings.

WHEREAS, the Finance and Personnel Committee on May 15, 2006 passed a motion to approve allowing the County Clerk to negotiate pricing on the municipalities' behalf for the HAVA compliant voting equipment and to create a fund and/or budget to include pertinent expense and revenue accounts to accommodate the facilitating of HAVA funds and expenditures;

NOW, THEREFORE BE IT RESOLVED by the Board of Supervisors that the County Clerk shall be allowed to enter into a Memorandum of Understanding with local municipalities to purchase HAVA compliant voting equipment to allow the Clerk to negotiate pricing on the municipalities' behalf, and to create a fund and/or budget to include pertinent expense and revenue accounts to accommodate the facilitating of HAVA funds and expenditures.

DATED this 23rd day of May, 2006.

RESOLUTION 06-08

Authorization To Use Jail Assessment Fund To Pay For Plumbing Insulation Repairs In The Jail

WHEREAS, it has been determined that there are plumbing pipes in the jail and other areas, primarily in the ceilings, that are insulated with Chrysotile, a type of asbestos fiber; and

WHEREAS, the areas of the jail containing this insulation include guard corridors which are regularly used by jail personnel in the course of their jail duties; and

WHEREAS, because the insulation problem was recently discovered, the expenses relating to the repair and remediation of the problem were not budgeted for in the 2006 budget; and

WHEREAS, various quotes have been obtained with regard to the insulation repairs and remediation in the jail; and

WHEREAS, the Corporation Counsel has conducted legal research with regard to the jail assessment fund, and concluded that in accordance with §302.46 and 59.25(3)(g) Wis. Stats., the jail assessment fund can be used with respect to the insulation repairs and remediation in the jail only, and further concluded that use of the jail assessment funds requires authorization by the County Board of Supervisors; and

WHEREAS, due to the fact that there is regular activity in the vicinity of the insulation by jail personnel, there is a need to expedite the repair and remediation of the insulation problem in the jail, and therefore in accordance with the County's purchasing policy set forth in Resolution 03-02 an exception was requested of the Finance Director to the usual purchasing procedures requiring that a formal Request for Bid or Request for Proposal process be followed; and

WHEREAS, on May 23, 2006 in accordance with Resolution 03-02 the Finance Director granted an exception to following the usual purchasing procedures; and

WHEREAS, the Building Committee, in its meetings on April 12, 2006 and May 10, 2006, and the Finance and Personnel Committee, in its meeting on June 5, 2006, authorized the needed repairs and remediation in the jail be done, and recommended that the costs for the repairs come from the Jail Assessment Fund, and requested that this resolution be adopted on a first reading;

NOW THEREFORE, BE IT RESOLVED, that the Pierce County Board of Supervisors hereby authorize that the costs for the repairs and remediation to the insulation in the jail come from the Jail Assessment Fund.

DATED this 27th day of June, 2006.

RESOLUTION 06-09

Create Ad Hoc Committee Regarding Economic And Industrial Development Review

WHEREAS, there are approximately five (5) different groups working on industrial or economic development that Pierce County is involved with; and

WHEREAS, analysis is needed to determine whether this number of groups is necessary and is benefiting the County; and

WHEREAS, the County needs to use its limited resources in the most effective way possible; and

NOW THEREFORE, BE IT RESOLVED, that the Pierce County Board of Supervisors hereby creates the Ad Hoc Economic and Industrial Development Review Committee pursuant to §4-50 of the Pierce County Code. The expressed duties of the Ad Hoc Committee are to investigate the issue of potential redundancy of effort and financial resources involving the different groups, and report its findings to the Board by August 31, 2006, at which time this committee shall terminate.

BE IT FURTHER RESOLVED, that the Ad Hoc Committee shall consist of five members of the County Board appointed by the County Board Chairman. Committee members shall receive compensation in the form of per diem, mileage or expense reimbursement pursuant to County Board policies.

BE IT FURTHER RESOLVED that the Finance and Personnel Committee shall be authorized to allocate up to \$1,000.00 from the contingency fund to meet the expenses of such a committee.

DATED this 27th day of June, 2006.

RESOLUTION 06-10

Authorization to Fund 33% of the Cost to Construct Conservation Dam in Nugget Lake County Park with Park Development Funds

WHEREAS, Nugget Lake County Park is a 752 acre multi-use outdoor recreational facility; and

WHEREAS, in 2004, the Parks Department requested that the Land Conservation Department explore the possibility of constructing conservation dams in Nugget Lake County Park. The primary purpose of these dams would be to reduce sedimentation, reduce flooding and provide educational opportunities; and

WHEREAS, two sites were selected and approved for conservation dams. The West dam was started in 2005 and completed in 2006. The East dam is proposed to be constructed this fall and is the topic of this request; and

WHEREAS, Resolution 04-09 allows for the expenditure of Park Development Funds collected through the subdivision process for the acquisition, development, and expansion of land for park or recreational use, and established policies and parameters for the use of said funds; and

WHEREAS, the Parks Committee on July 17, 2006, the Land Management Committee on July 5, 2006, the Land Conservation Committee on June 7, 2006, and the Finance and Personnel Committee on August 21, 2006 have approved the request to fund 33% of the cost to construct the East Nugget Lake County Park conservation dam, with an amount not to exceed \$10,000 and upon the condition that educational interpretive signage be installed; and

WHEREAS, Pierce County has a sum sufficient in the Park Development Fund to fund 33% of the cost to construct a conservation dam in Nugget Lake County Park, not to exceed \$10,000.

NOW THEREFORE, BE IT RESOLVED THAT, the Pierce County Board of Supervisors accepts the recommendations of the above listed Committees and approves the request to fund 33% of the cost to construct the East Nugget Lake County Park conservation dam, with an amount not to exceed \$10,000 and upon the condition that educational interpretive signage be installed.

DATED this 22nd day of August, 2006.

RESOLUTION 06-11

Establish 2007 Salaries For Non-Represented Employees and Approve Elements of Bjorklund Compensation Consulting Study Regarding Non-Represented Pay Plan

WHEREAS, in Resolution 04-34, the County Board did authorize the review and analysis of the non-represented employee pay plan; and

WHEREAS, in Resolution 05-02, the County Board did authorize retaining the services of Bjorklund Compensation Consulting (BCC) to review and update the pay plan system for the non-represented employees, as well as authorized funding for said review; and

WHEREAS, in May, 2005, the County did retain the services of BCC; and

WHEREAS, BCC conducted its review and analysis, and at its meeting on October 28, 2005, the Finance and Personnel Committee moved to receive the preliminary final report of BCC; and

WHEREAS, based upon BCC's review and analysis, the Pierce County Administration Office recommended the County address numerous items including:

1. Determine if the findings section on market salaries is acceptable to the Board;
2. Determine if the recommendation for Exempt/Non-exempt position classification is acceptable to the Board;
3. Determine if the grade and points analysis of positions is acceptable to the Board;
4. Determine what compensation grid/system will be adopted;
5. Determine if the evaluation format presented is acceptable, and if not, what format will work under the committee structure;
6. Determine if Department Heads and/or all non-rep positions should be evaluated on anniversary dates or annually in January/February.

WHEREAS, the numbered items above were addressed by the Finance and Personnel Committee as follows:

1. Yes, acceptable [minutes from December 16, 2005 and August 7, 2006].
2. No, classifications will remain as status quo [minutes from December 16, 2005].
3. Yes, acceptable, with a grade and placement review process available [see minutes from August 7, 2006 and July 10, 2006].
4. BCC's Option #1 (10 Step Plan), [minutes from August 7, 2006 and September 11, 2006].
5. New format proposed by Administrative Coordinator adopted [minutes from February 24, 2006].
6. Department Heads evaluated in January of each year, with other non-represented staff evaluated on their current schedule [minutes April 7, 2006].

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

WHEREAS, the Finance and Personnel Committee did meet on September 11, 2006, and hereby recommends salary increases in the amount of 1%, adjusting the BCC 10 Step Plan (Option #1) baseline grid as set forth in the attached Exhibit A, to be implemented January 1, 2007, for non-represented employees with the exception of the Administrative Coordinator, identified on the BCC Salary Matrix (for the 2007 calendar year).

NOW THEREFORE BE IT RESOLVED by the Pierce County Board of Supervisors that the above identified and numbered items 1 through 6 are approved as recommended by the Finance and Personnel Committee; and

BE IT FURTHER RESOLVED that the BCC 10 Step Plan (Option #1) baseline grid be increased by 1% effective 1/1/07, and all non-represented positions except Administrative Coordinator will be transferred from the DMG Salary Matrix to the BCC Salary Matrix effective 1/1/07.

DATED this 24th day of October 2006.

RESOLUTION 06-12

Authorization To Assess Non-Criminal Fingerprinting Fee To Out-Of-County Residents

WHEREAS, currently Pierce County provides fingerprint cards for individuals who need to have them done for their employment, such as teachers, bankers, etc.; and

WHEREAS, Pierce County has been having many people come from Minnesota to have fingerprint services performed here because Pierce County has not charged a fee for said service; and

WHEREAS, Resolutions 01-14 and 02-11 set forth various other fees for services provided by the Sheriff's Department; and

WHEREAS, at issue in this Resolution is strictly voluntary requests for fingerprinting services for employment reasons, and these requests do not involve any criminal proceedings. Further, this matter does not deal with a license or permit situation, nor does it involve a tax, but merely seeks to allow the County to recoup its expenses associated with providing this service; and

WHEREAS, it is within the County's power to assess a fee for providing non-criminal fingerprinting services, in accordance with §59.03 Wis. Stats.; and

WHEREAS, it is the Sheriff's Recommendation that a fee of \$15.00 be assessed for non-criminal fingerprinting services to out-of-County residents, the basis for which is the approximate per service cost including labor, equipment, utilities, supplies, etc.; and

WHEREAS, this Resolution would be applicable only to out-of-County residents because Pierce County residents are already indirectly paying for this service as part of the tax levy; and

WHEREAS, the Law Enforcement Committee, at its meeting on September 12, 2006 and the Finance and Personnel Committee, at its meeting on October 16, 2006, recommend that a fee be established charging out-of-County residents for non-criminal fingerprinting services;

NOW THEREFORE, BE IT RESOLVED, that the Pierce County Board of Supervisors hereby adopts the policy for charging out-of-County residents for providing non-criminal fingerprinting services, adopts the fee of \$15.00 per request 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 fees, and maintain auditable records, and deposit those fees with the Pierce County Treasurer on a minimum of a monthly basis.

Dated this 24th day of October, 2006.

SUBSTITUTE RESOLUTION 06-13

2007 Budget Tax Levy

BE IT RESOLVED, that there be a tax levied upon all taxable property in Pierce County for operation and maintenance for the 2007 budget in the amount of County Operating Levy: \$12,276,017, Debt Service: \$0, County Library: \$399,688, County Aid Bridges: \$200,000, for a total of \$12,875,705.

DATED this 24th day of October, 2006.

RESOLUTION 06-14

Amend Resolution 06-09 to Extend Termination Date of the Ad Hoc Economic and Industrial Development County Groups Committee

WHEREAS, the Pierce County Board of Supervisors identified the need to review the different groups working on industrial or economic development that Pierce County is involved with, and thus created the Ad Hoc Economic and Industrial Development County Groups Committee by adopting Resolution 06-09 on June 27, 2006; and

WHEREAS, the Ad Hoc Economic and Industrial Development County Groups Committee was established to accomplish the following duties: *"... to investigate the issue of potential redundancy of effort and financial resources involving the different groups, and report its findings to the Board by August 31, 2006, at which time this committee shall terminate."*, and

WHEREAS, the purposes for which the Ad Hoc Economic and Industrial Development County Groups Committee was created have not been fully accomplished, and additional time is needed for the Committee to complete the expressed duties set forth in Resolution 06-09; and,

NOW, THEREFORE BE IT RESOLVED by the Board of Supervisors that the termination date for the Ad Hoc Economic and Industrial Development County Groups Committee shall be extended from August 31, 2006 to January 31, 2007, and that the committee shall submit its final report to the county board by no later than February 1, 2007.

BE IT FURTHER RESOLVED that all other provisions of Resolution 06-09 not modified herein shall remain in full force and effect.

Dated this 24th day of October, 2006.

RESOLUTION 06-15

Dog Damage Claims

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

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

Claimant	Claim	Amount Claimed	Amount Allowed
Jerome Maier	5 ewes @ \$125/each	\$625.00	\$625.00
TOTAL		\$625.00	\$625.00

DATED this 14th day of November, 2006.

RESOLUTION 06-16
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.:

	MUNICIPALITY	# DOGS	\$ CLAIMED
Towns:	Clifton / Judy Clement-Lee	239	119.50
	Diamond Bluff / Mark Place	87	43.50
	Ellsworth / Audrey Murphy	179	89.50
	El Paso / Mary Foley	135	67.50
	Gilman / Town of Gilman	236	118.00
	Hartland / Cynthia Kern	134	67.00
	Isabelle / Lora Henn	56	28.00
	Maiden Rock / Merle Sjostrom	83	41.50
	Martell / Noreen Falde	258	129.00
	Oak Grove / Nolan Morrow	177	88.50
	River Falls / Caroline Hamilton	343	171.50
	Rock Elm / Dennis Churchill	73	36.50
	Salem / Ann Larson-Graham	76	38.00
	Spring Lake / Charles Bricton	116	58.00
	Trenton / Kathryn Fuchs	167	83.50
	Trimbelle / Karen O'Brien	316	158.00
	Union / Gene Weiss	108	54.00
Villages:	Bay City / Kay Beder	85	42.50
	Ellsworth / Peggy Nelson	317	158.50
	Elmwood / Jodi Pulk	158	79.00
	Maiden Rock / Shirley Gilles	12	6.00
	Plum City / Jean McDonough	64	32.00
	Spring Valley / Rita Goveronski	165	82.50
Cities:	Prescott / Jack Davis	140	70.00
	River Falls / Julie Bergstrom	320	160.00
	TOTAL	4,044	2,022.00

DATED this 14th day of November, 2006.

RESOLUTION 06-17
Care of Soldiers' Graves

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

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

Cemetery Association	Graves	Amount Claimed
Bay City	88	264.00
Beldenville	44	132.00
Bethel Mission	32	96.00
Bethlehem	16	48.00
Diamond Bluff	53	159.00
Eidsvold Lutheran	5	15.00
Free Home	25	75.00
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	167	501.00
Martell Lutheran	26	78.00
Martell Methodist	15	45.00
Mt. Olivet	20	60.00
Mt. Tabor	20	60.00
Oak Ridge	19	57.00
Ono Methodist	29	87.00
Our Lady's	22	66.00
Our Savior's / South Rush River	43	129.00
Pine Glen	186	558.00
Plum City Protestant	54	162.00
Poplar Hill	123	369.00
Rush River	80	240.00
Sacred Heart Elmwood	40	120.00
Sacred Heart-Spring Valley	34	102.00
Salem Lutheran	4	12.00
Spring Lake	60	180.00
Spring Lake Lutheran	24	72.00

St. Bridget's	97	291.00
St. Francis	74	222.00
St. John's Lutheran-Spring Valley	78	234.00
St. John's - Oak Grove	2	6.00
St. John's Catholic-Plum City	76	228.00
St. Joseph's - Prescott	76	228.00
St. Joseph's - El Paso	23	69.00
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	69	207.00
Trimbelle	44	132.00
TOTAL	2,047	6,150.00

DATED this 14th day of November, 2006.

RESOLUTION 06-18
Sale of Land in the Town of El Paso

WHEREAS, Pierce County owns land in the NW¼ of the SE¼ of Section 5, Township 26 North, Range 16 West, Town of El Paso, which has been used as a storage facility for the Pierce County Highway Department; and

WHEREAS, in Resolution 06-04, adopted on June 27, 2006, the Pierce County Board of Supervisors authorized the sale of the approximately 2/3 acre of said land, and directed the Finance and Personnel Committee to proceed with the sale consistent with §40-19 of the Pierce County Code; and

WHEREAS, the Finance and Personnel Committee, at its meeting on July 10, 2006, authorized the sale of said property via advertising for sealed written bids with a minimum bid value of \$22,000; and

WHEREAS, in response to the Request for Bids, three bids were received and the Finance and Personnel Committee, at its meeting on October 16, 2006, approved awarding the bid for the sale of the property to the highest bidder, Tony R. Huppert, who submitted a bid to buy said property for \$23,510.00, and recommended the sale of said property subject to the approval of the Pierce County Board of Supervisors, and

WHEREAS, the parcel of property is more specifically described as:

"A parcel of land located in the NW¼ of the SE¼ of Section 5, Township 26 North, Range 16 West, Township of El Paso, Pierce County Wisconsin described as follows: Commencing at the East ¼ corner of said Section 5; thence S73°40'W, true bearing, 1650.6' to the point of beginning; said point of beginning being the centerline of present County Trunk Highway "G"; thence S8°27'E 151.90'; thence S84°33'W 207.95' to the centerline of a town road; thence N8°22'W 129.43' along said centerline of town road; thence N78°21'E 207.75' to the point of beginning; except the Northerly 33' and Westerly 33' for existing roadway easements."

NOW, THEREFORE, BE IT RESOLVED, that the Pierce County Board of Supervisors approves the sale of said property to Tony R. Huppert for \$23,510.00, subject to the receipt of payment no later than sixty (60) days from the date of notification, and payment clearing the County's bank, and execution of all necessary documents, and authorizes the Finance and Personnel Committee to complete the sale, and directs the County Clerk to execute the documents necessary to complete the sale.

Dated this 14th day of November, 2006.

RESOLUTION 06-19

Disallowance of Claim – Wisconsin Bell, Inc.

WHEREAS, a Claim for Damages in the form of a 'Small Claims Summons and Complaint' pursuant to Wisconsin Statutes §893.80(1), was received by the Pierce County Highway Department on October 5, 2006, from an attorney representing Wisconsin Bell, Inc., d/b/a AT&T Wisconsin; and

WHEREAS, said Claim alleges that on December 15, 2004, the Defendant, Pierce County Highway Department, while mowing in the ditch line on Hwy 65, Beldenville, WI., damaged a pole and aerial cable belonging to the Plaintiff, Wisconsin Bell, Inc., and used in its telecommunications business; and

WHEREAS, said Claim alleges that the damage to the Plaintiff's pole and aerial cable was caused by the negligence of the Defendant in failing to use diligence in looking out for the Plaintiff's pole and aerial cable; and

WHEREAS, said Claim alleges that as a direct result of the negligence of Defendant, the Plaintiff has been damaged in that it has incurred costs for labor and services, materials and contractor costs for the repair of the aerial cable and pole totaling \$1,739.58; and

WHEREAS, the Finance and Personnel Committee took action on October 30, 2006 to recommend denial of this claim and pass the Resolution on to the County Board of Supervisors to deny the claim at the first reading of the Resolution; and

NOW, THEREFORE BE IT RESOLVED, by the Board of Supervisors that any and all claims submitted on behalf of Wisconsin Bell, Inc, are hereby denied and no action on this claim may be brought against Pierce County or any of its officers, officials, agents or employees after 6 months from the date of service of these Notices, pursuant to Wis. Stats. §893.80; and

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to the Plaintiff at Wisconsin Bell, Inc., d/b/a AT&T Wisconsin, 2140 Davidson Road, Waukesha, WI 53186, by certified mail with return receipt requested and a copy to the attorney for claimant, Theodore D. Salzer, Till, Salzer & Blank, LTD, 1225 Tower Avenue, Suite 318, Superior, WI 54880.

Dated this 14th day of November, 2006.

RESOLUTION 06-20

Amend Paid Time Off (PTO) Policy For Non-Represented Employees

WHEREAS, effective January 1, 2001, a Paid Time Off (PTO) Policy was implemented for non-represented employees with adoption of Resolution 00-23, and

WHEREAS, the PTO Policy allows employees to accumulate paid time off in each pay period based upon their length of service and number of regular hours worked, and

WHEREAS, it is to the mutual benefit of the employees and the County to provide to the employees an up-to-date record of their PTO accruals and usage, and

WHEREAS, the Administration Department has the capability of providing those PTO balances as an entry on the employee's bi-weekly earnings statements, and

WHEREAS, the implementation and application of the improved record keeping requires that the accrual award is reduced from four decimal places to two decimal places to meet the specifications of the software program; and

WHEREAS, the application of the up-to-date record keeping system also requires that attendance records must be turned in to the payroll department on a bi-weekly basis in synchronization with the submittal of hours worked.

NOW, THEREFORE BE IT RESOLVED that the Paid Time Off (PTO) Policy will be revised as follows:

<u>Earning Time. Add: 80 hour/week</u> <u>Per Pay Period Accrual</u>

7.39

8.31

9.85

11.39

Note; 0-7 means from the beginning of employment to the end of the 7th year; 8-14 means from the beginning of the 8th year to the end of the 14th year, etc. **Accruals will be calculated to two decimal places.**

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

BE IT FURTHER RESOLVED that this resolution shall become effective upon adoption by the County Board.

DATED this 19th day of December, 2006.

RESOLUTION 06-21

Delete and Recreate the Personnel Policy

WHEREAS, the Pierce County Finance and Personnel Committee created the Ad Hoc Policy Update Committee to update the Personnel Policy and other existing policies; and

WHEREAS, the Ad Hoc Policy Update Committee did meet for a period over 1½ years to review and consider the existing personnel policy for potential revisions, and recommends that the Personnel Policy be deleted in its entirety, and replaced with the revised policy, a copy of which is attached as Exhibit A; and

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

WHEREAS, at its meetings on May 15, 2006 and July 10, 2006, the Finance and Personnel Committee did review the recommendations of the Ad Hoc Policy Update Committee and moved to forward the revised policy to the Pierce County Board of Supervisors for approval.

NOW, THEREFORE BE IT RESOLVED that the Pierce County Board of Supervisors does delete the existing Personnel Policy, and approves and recreates the Personnel Policy as recommended by the Ad Hoc Policy Update Committee and the Finance and Personnel Committee, as set forth in the Attached Exhibit A, and said policy shall become effective immediately.

DATED this 19th day of December, 2006.

Article I. INTRODUCTION

A. Background

The purpose of a code of personnel policies and procedures is to create a guide for the administration of personnel. The county work force accounts for the highest percentage of county expenditure necessitating a system of county management to recruit competent personnel, train, motivate, and compensate them for their achievements. The Policy will spell out the responsibilities of supervisory staff so that their leadership results in effective administration and maximum utilization of the work force. This Policy will have an impact on costs, labor relations, record keeping, and evaluation of staff performance.

B. Purpose

The general purpose of the Personnel Policy is to provide a system that will be consistent with the following merit principles:

1. Recruit, select, appoint, and advance employees on the basis of ability, knowledge, skills and performance.
2. Establish pay rates that provide comparable pay for comparable work in the work force market.
3. Recognize good job performance, rewarding excellence and correcting inadequate performance in a fair manner.
4. Assure fair treatment of all applicants and employees in all county positions without regard to political preference, race, color, creed, age, sex, physical disability, national origin, always sustaining their rights as citizens.

C. Political Rights

Since this policy applies to public employees, it seems appropriate to include criteria that both encourages employees of Pierce County to exercise their political rights in the democratic process and safeguards against partisan politics and partisan pressure. The Constitution of the United States guarantees all citizens the rights to free speech and free association so citizen participation in the democratic process cannot be limited because of being a public employee. A Federal Law, The Hatch Act, does protect employees and the public against improper political activity. This Act applies when money coming to Pierce County originates with the Federal Government. The pertinent provisions of the Hatch Act are available from the office of the County Clerk.

D. Employment-Management Relations

The Pierce County Personnel Policy is intended to be consistent with the state law on employment relations. See- Article III. County employees, other than supervisory, confidential, managerial, or executive, have the right to organize, join and participate in any employee organization, freely and without fear of penalty and reprisal, as provided for in the Municipal Employment Relations Act, Section 111.70, Wisconsin Statutes, which includes provisions for the resolution of impasses. Where provisions of duly negotiated employee contracts are in conflict with the Federal Merit System standards, bargaining should be attempted to assure future compliance with those standards.

This Policy shall apply to personnel administration for all employees and departments of the county.

This Policy shall apply to employees not covered by collective bargaining agreements and to employees so covered when specific contracts do not apply to the contrary.

Employment is at will and the employer reserves the right to modify or eliminate the handbook provisions at any time with or without notice.

Article II EQUAL EMPLOYMENT OPPORTUNITY AND AFFIRMATIVE ACTION

A. Purpose and Policy

The American dream of society's becoming just and orderly is made more possible by a practical personnel system free of racial and other forms of discrimination. Individual merit, ability measured by objective, job-related criteria should be the sole determinant in hiring, promotion, and all other aspects of public employment. Equal employment opportunity in the Pierce County system shall be assured by the County Board of Supervisors endorsing and enforcing the following merit principal: "Fair treatment of applicants and employees in all aspects of personnel administration without regard to age, race, creed, color, religion, disability, marital status, sex, national origin, ancestry, sexual orientation, political affiliation, veterans status, arrest or conviction record, or membership in the national guard or any other reserve component of the military forces of the United States or this state." This policy shall be insured by:

1. Recruiting, hiring, and promoting for all positions at every level of county government without regard to the non-merit factors except where age, sex, or physical disability have been clearly demonstrated to constitute an occupational qualification.
2. Imposing only valid requirements for promotion.
3. Administering other personnel actions such as compensation, employee benefits, merit factors contained in the principle.
4. Complying with all applicable State and Federal laws and regulations pertaining to equal employment opportunities.

B. Administration of Policy

In order to comply with the equal employment opportunity policy, Pierce County shall continue to maintain an Affirmative Action Officer (AAO).

The Affirmative Action Officer shall have a background that demonstrates commitment to the equal employment opportunity policy and affirmative action goals. In order to monitor the policy, the Affirmative Action Officer shall have full access to all departmental records, policies, and procedures, rules and regulations, including personnel files, documents, background investigation reports, and other informational documents relating to the recruitment and employment transactions affecting county employees and applicants. In performing the duties of inquiry, strict confidentiality must be maintained until appropriate authorization is created when findings of unequal treatment and discriminatory practices are reported to the Finance and Personnel Committee.

1. Duties of the AAO

It shall be the duty of the Affirmative Action Officer to implement and maintain the Equal Employment Opportunity Policy of Pierce County by

monitoring employment of under-utilized protected classes and discriminatory practices. Having identified such problems, the Affirmative Action Officer shall seek to remedy the imbalances or discriminatory practices. Any employee or applicant feeling aggrieved by the action of any person obligated to administer Equal Employment Opportunity Policy shall refer such matter directly to the Affirmative Action Officer. The Affirmative Action Officer shall investigate all complaints and attempt to resolve the problems through the informal and formal procedures set up as follows:

2. Informal Procedures

Any complainant is first encouraged to discuss the problem with the offender in an attempt to resolve the matter in a mutually positive manner. Should the complainant not wish to discuss the problem with the alleged offender; or, should the attempt at the resolution fail, the complaint may be brought back to the Affirmative Action Officer. The AAO will assist the complainant in exploring the problem and considering alternative means for resolution. The complaint will be held in confidence unless an investigation is requested or action against the person accused is to be taken on behalf of the complainant. In such cases the person complaining must consent to being identified to the alleged offender.

On request of the complainant, the AAO will consult with the immediate Supervisor, or with the department director of the alleged offender, as appropriate. If these officials determine that corrective measures should be taken, they will decide the nature of those measures. Should the complainant or the accused disagree with the appropriateness of these measures, either person may seek redress through the Affirmative Action Grievance Procedures established for represented and non-represented employees. These formal procedures are cited below:

3. Formal Procedures-Affirmative Action Grievance Procedures

Any employee who believes she/he has been treated unfairly due to age, race, creed, color, religion, disability, marital status, arrest or conviction record, or membership in the national guard or any other reserve component of the military forces of the United States or this state, or retaliation based on opposition to a discriminatory practice, may file a grievance. All grievances MUST be filed on the grievance report forms available at the County Clerk's office.

(NOTE: Grievance Report has been attached.)

Step 1: The employee shall present the grievance to the AAO, who shall advise the department director and **Administrative Coordinator** in writing that the grievance has been filed, and make prompt inquiry into the merits of the allegations. Following investigation, the AAO shall advise the department director, **Administrative Coordinator**, and grievant of his/her determination in writing.

If the AAO determines there is no reasonable cause to believe that discrimination occurred, the grievant may, within 10 working days of the date of determination, appeal to the **Finance and Personnel Committee** for review and reconsideration.

If the AAO determines there is reasonable cause to believe that discrimination occurred, she/he shall meet with the department management to attempt resolution of the grievance, and shall recommend steps to be taken to resolve the alleged discrimination.

If resolution is successful, the AAO shall prepare a memorandum of understanding. Copies will be provided to the grievant, department director, case file, and **Administrative Coordinator**. If the resolution attempt is unsuccessful, the grievant may appeal to the **Finance and Personnel Committee**.

Step 2: The Finance and Personnel Committee shall review the case file, interview witnesses, collect relevant data pertaining to the grievance, and prepare a determination on the merits of the grievance. The Finance and Personnel Committee shall review the case file and make a determination on the complaint or shall do so after referring the case back to the AAO, if further investigation is deemed necessary. Note: A Finance and Personnel Committee member who is involved in the complaint as the complainant, as a respondent, or as a witness of either shall not be present during the review of the discussion of the case by the Finance and Personnel Committee.

If the Finance and Personnel Committee believes that there is sufficient evidence supporting the complaint, it shall prepare a recommendation for corrective action along with a timetable for such action. The Finance and Personnel Committee shall send copies of its determination and recommendations by certified mail to the complainant, the respondent(s) and furnish the AAO with a copy. The Finance and Personnel Committee may meet with the respondent department management to attempt resolution.

If the conciliation attempt is successful, a conciliation agreement shall be prepared and signed by the grievant, the respondent, and the AAO. The Finance and Personnel Committee, the department director, the Administrative Coordinator, and each signatory shall receive a copy of the agreement.

If the Finance and Personnel Committee believes there is insufficient evidence to support the grievance, a letter will be sent to the grievant, the respondent, the AAO, the Administrative Coordinator, and the department director dismissing the grievance.

Step 3: If the Finance and Personnel Committee conciliation attempt is unsuccessful, the complainant may seek any other appeal option available to them, and information on options will be given to the complainant by the AAO. The AAO shall maintain records of all complaints and any pertinent information or data. The entire grievance procedure shall be completed within eighty working days of the filing of the grievance.

All documentation associated with a grievance shall be considered private information during the course of an investigation. The status of the grievance, however, is public. After an investigation is completed, all documentation becomes public information in accordance with the Data Privacy Act.

4. Responsibility of County Employees

All employees shall respond promptly to any and all requests by the Affirmative Action Officer for information and for access to data and records for the purpose of enabling the AAO to carry out the responsibilities under this grievance procedure. (The failure of any employee to comply with the requests of the Affirmative Action Officer shall be reported to his/her immediate supervisor and/or to the Finance and Personnel Committee and appropriate Department Committee.)

Article III. ORGANIZATION AND ADMINISTRATION

A. Purpose

In order to establish and maintain a personnel program for the County, this section shall establish a clear understanding of responsibility and authority. Proper organization and delegation of authority are essential to effective and efficient county government administration and management.

B. Responsibility and Authority

The County Board shall:

1. Authorize by resolution any amendments to the Personnel Policy.

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2. Confirm non-elected department head appointments with the exception of the Board of Human Services which has statutory right to make its own appointments, and with the further exception of the Register in Probate, whose appointment and removal is governed by provisions of Section 851.71, Wisconsin Statutes.
3. Appropriate funds for all authorized personnel positions

The Corporation Counsel for Pierce County shall perform those personnel functions provided for in the Corporation Counsel's job description.

Department Heads shall:

1. Enforce the Personnel Policy as it pertains to their respective departments, and keep employees informed of its provisions and any amendments.
2. Recommends to the Administrative Coordinator any amendments to the Personnel Policy, which would improve county operating efficiency or employment relations.
3. Delegate appropriate authority to subordinate supervisory personnel in enforcing the Policy.

Supervisory Personnel may, if delegated by the department head, enforce personnel policies as specified in the Personnel Policy.

Article IV. POSITION ADMINISTRATION

A. Purpose

The Purpose of position administration is to provide an efficient organization for work, which provides maximum economy and efficiency in providing public services.

The classification of positions is one of the most essential tools of personnel management. It is basic to achieving the reality of "equal pay for equal work", internal salary alignment, salary comparability with the labor market, and management of a wide range of personnel actions from selection to performance evaluation to career progression. It provides standard titles and a common language for personnel actions, budgeting, and planning.

Federal Merit System Standards require..."Classification and compensation plans will be maintained on a current basis. To maintain a high quality work force and to assure equitable compensation for comparable work, the compensation plan will take into account the responsibility and difficulty of the work, the compensation needed to compete in the labor market and to stay in proper alignment with other agencies of the government, and other pertinent factors..."

B. Position Establishment

1. Authorization for all new positions is subject to approval of the **Finance and Personnel Committee** and the County Board. **Staffing plan.** Each department shall maintain a current staffing plan that has been approved by the standing committee and the Finance and Personnel committee. The plan shall include positions approved by the county board and positions authorized to be filled under the department's budget. Any request for new positions that are included in the staffing plan shall be forwarded to the county board for approval as part of the annual budget process. All new positions must be approved by the **Finance and Personnel Committee** by August 1st of each year to be included in the next year's budget. The only exception would be an emergency situation. There are three classifications of positions: **Regular**, Limited Term, and Project Status. All classifications may be full or part-time.

- a. Regular – These are positions expected to continue with no set term. They may be full or part-time.
- b. Limited Term – These are temporary positions and may be full or part-time. Seasonal employment is included under this classification.
- c. Project Status – This includes positions created for a special project. The term of employment and benefits available are determined by the project.

2. Employees in Limited Term or Project Status positions have no recourse through the grievance and appeal procedure and do not receive benefits from the County other than FICA, Worker's Compensation, and (depending upon number of hours worked) Wisconsin Retirement.

Article V. RECRUITMENT, SELECTION, AND APPOINTMENT

A. Policy

It is the policy of Pierce County to conduct recruitment and selection in accordance with State and Federal Equal Employment Opportunity laws and regulations. All recruitment and selection procedures shall ensure open competition.

In order to facilitate recruitment, selection, and appointment, the Personnel Coordinator shall furnish department heads and/or standing committee chairs with a "Recruitment, Selection, and Appointment Procedures Checklist".

B. Position Vacancy

per Resolution 03-04 to,

1. Refill procedure. The department head shall recommend and the administrative coordinator shall authorize the refill of any position when a vacancy occurs if the position is part of the approved staffing plan. If the department head and the administrative coordinator determine that it is in the interest of the county not to refill the position, to amend the staffing plan, or to revise the position description, such recommendation shall go to the standing committee, the Finance and Personnel committee, and if necessary, the county board for approval. Questions over refill of a position may be referred to the Finance and Personnel Committee.

2. Temporary employees, fill-in. The department head shall recommend and the administrative coordinator approve the hiring of temporary employees to fill vacancies in an approved staffing plan if the need requires less than 500 hours. The department head shall then hire the temporary employee at a rate approved by resolution of the county board from time to time or as specified in the applicable bargaining unit contract. The administrative coordinator may approve additional funds for the temporary employee if the projected cost exceeds the line item budget for the department.

3. Temporary employees, supplemental. Temporary employees hired to supplement the regular workforce and performing duties not within the bargaining unit classifications are hired to work 500 hours or less. Examples of such temporary employees are fair workers and park workers. Provision for such temporary employees shall be made in staffing plans and annual budgets. The department head has the authority to hire such temporary employees but must notify the personnel office prior to hiring. Temporary employees shall be paid according to the approved wage schedule as amended from time to time by the county board and Finance and Personnel committee." (per Resolution 99-13)

C. Position Description

1. Continuing position – duties must be updated to incorporate any changes.
2. New position – duties must be fully described, including criteria required to qualify for the position.

D. RECRUITMENT

The **Finance and Personnel Committee**, or its designee, develops and conducts an active recruitment program designed to meet current and projected county employee needs. Recruitment shall be conducted in a manner appropriate to the position to be filled.

Position announcements are coordinated by the **Personnel Coordinator** upon approval by the **Finance and Personnel Committee**, and upon receiving a request to fill the approved position from the department head, or standing committee chair for a department head, whenever a position will exceed five hundred (500) hours.

All position announcements shall include the following information:

- a. Position title, classification, and department;
- b. Position description including minimum requirements as described in the position description, all job related;
- c. Preferences (e.g., previous experience, degree) which merit consideration beyond the minimum;
- d. Salary range offered, plus fringe benefits.
- e. Closing date for filing of applications (allow time for receipt of applications, especially professional positions);
- f. Place to receive and file application forms, and other information pertinent to the position.
- g. Equal Opportunity/Affirmative Action statement.

Internal posting is required for union positions as stated in the specific labor agreements. Other positions may be posted for promotional purposes if it is determined there are current county employees who would be qualified.

Position advertising is coordinated by the **Personnel Coordinator** with the department head and/or standing committee chair to ensure that notices are placed in the appropriate newspapers and professional journals to reach qualified individuals.

The value and integrity of, and the checks and balances associated with, advertising position vacancies, promotes getting the most qualified persons to fill position vacancies and outweighs the costs involved to the County in advertising for those vacancies. Therefore, the County should not offer strict promotions to internal candidates only, but rather the County should continue to advertise and also incorporate a system of notifying current employees that they have an opportunity for advancement, by inserting into the Personnel Policy language to the effect that current employees shall have an automatic interview for an open job position if they meet the minimum job requirements for that position

Union positions

All vacant positions must be advertised in at least one issue of all county newspapers using either box ads or simple want ads under the employment or "Help Wanted" section at least seven (7) days prior to the closing date for filing applications.

Any vacancy may be refilled within 180 days of the last advertisement as long as the selection is made from the previously submitted qualified applications.

Administrative (non-union) Positions

All administrative positions must be formally announced at least ten (10) days prior to the closing date for filing applications in one issue of all county newspapers.

Other efforts **for union and administrative (non-union) positions** may include, but are not limited to:

- a. Listing with nearby job information, placement centers, and universities with specialized programs pertinent to the position;
- b. Advertising in regional or national newspapers or professional publications when area coverage may not provide a reasonable number of qualified applicants or the recruiting is for key management positions.
- c. **Placement on the County website.**
- d. **Posted on the Administration Job Opportunities Bulletin Board.**

All applications remain active for one year following the date of filing, however applicants must notify the Personnel Office if they wish to apply for a specific advertised vacancy.

E. Application Procedure

All applications shall be made on the county application form available **on the website or** on request from the Personnel Office either in person, by phone, or by mail. The **County** may require additional information from the applicant relevant to a specific position.

Applicants for specific positions shall:

- a. Receive a job application form to fill out and return to the Personnel Office.
- a. Be advised when the completed application must be received by the Personnel Office for consideration;
- b. Disclose how they can be reached if selected for an interview;
- c. Be advised that they will be notified within a week of the closing date if they are being considered for the position and an interview appointment made;
- d. Be advised that if they have not been notified by the Personnel Office within a week from the closing date they are not being considered for the position;
- e. Be advised that their application is valid only for the position they are applying for.

The **County** may reject, upon exercising reasonable discretion, any application if the applicant:

- a. Does not meet qualification requirements for the particular position;
- b. Submitted false information;
- c. Has an employment record, or references, which indicate or demonstrate unsuitability for the position;
- d. Is subject to a pending criminal charge or has been convicted of any criminal offense, the circumstances of which substantially relate to a particular position (be careful to not discriminate because of arrest or conviction record);
- e. Is considered unable to perform the duties of the position as determined by the Hiring Board upon reasonable discretion while not violating non-discrimination laws;

- f. Presents a conflict of interest;
- g. Is a member of an organization, which advocates the violent overthrow of the government of the United States.

F. Selection and Appointment

The selection process shall be based upon objective appraisals of each certified applicant's capability or potential to perform in the position. The final selection decision must consider affirmative action goals and may consider career opportunities of current employees.

It is the responsibility of the Affirmative Action Officer, or his/her designated representative, and either a member of the **Finance and Personnel Committee** or in the event that no such member is available or has conflict, any other member of the County Board, who is not also a member of the standing committee which supervises the position in question, to screen applications. In doing so these representatives of the County shall act as a screening committee which committee, at the request of the department head, may include an additional person who possesses, with reference to the particular position relevant, subject matter knowledge not necessarily within the field of expertise of or known by the remaining committee members. The **Personnel Coordinator** shall be responsible for choosing **Finance and Personnel Committee** members for the screening process. Initial screening shall be based upon:

- a. Job-related criteria as advertised or posted;
- b. **Current position description.**

The screening committee shall consult with the department head and/or standing committee chairperson about the number of applicants or candidates to be interviewed.

G. Interviews

For Union Positions and Non-Represented Positions Alike.

The interviews will be conducted by a Hiring Board consisting of the department head, a member of the standing committee supervising the position in question, and a member of the **Finance and Personnel Committee** who did not participate in the initial screening process. **With regard to new hires in the Law Enforcement Department, the Hiring Board will also include up to two professional law enforcement agency personnel who are not employed by Pierce County, but who will be voting members in the selection process.**

The department head will develop a core set of interview questions, which are related specifically to the position, in question. The Hiring Board will review and approve the questions so prepared prior to the interviews. All candidates will be requested to answer the same set of questions and will be evaluated upon their responses to these questions. Follow-up questions are permitted for clarification as long as they are job related and will illicit relevant information to the position in question. So far as possible, the Hiring Board shall avoid questions which can be answered "yes" or "no". In addition, all questions shall comply with the Americans with Disability Act criteria and interview questions shall be formulated so as to avoid any potential interpretation of discriminatory intent. At the time of the interview each applicant shall be advised that a pre-employment physical will be required and the results provided to the Personnel Office prior to start date; however the Hiring Board shall not inform applicants that prior to an initial determination to hire they may or shall be required to submit to a physical examination.

Evaluation forms, to be made available by the Personnel Office or department, will be completed by each member of the Hiring Board for each candidate interviewed. A copy of the evaluation questions and the evaluation rating forms shall be filed in the Personnel Department.

When two or more final applicants are determined to be equally qualified, the Hiring Board shall make the final decision with special consideration given to:

- a. Laid-off employees eligible for reinstatement;
- b. Employment opportunities for underutilized groups as identified in the County's Affirmative Action Plan;
- c. Veteran and their widows as defined in Section 45.35(5), Wisconsin Statutes;
- d. Members of protected groups as defined by State and Federal Statutes and Regulations.

With respect to all union positions and non-represented positions alike, it shall be the responsibility of the Hiring Board to continue meeting until such time as it has decided upon a candidate to whom to offer the position. The majority will of the Hiring Board will prevail. In the alternative, should the committee become deadlocked and should no agreement on, at a minimum, a majority basis of the board, be capable of being arrived at, then the board shall declare itself to be deadlocked and conclude that the slate of candidates was unacceptable for the position in question. **In the latter event, the board shall request applications be re-screened or, if no candidates are eligible, the Personnel Department shall re-advertise for applicants for the position and the process shall begin again.**

It is the responsibility of the Personnel Department to verify references and past employment information so as to allow this information to be considered in the final decision making process on the individual to be hired. With the assistance of the Corporation Counsel, the Personnel Department shall develop reference questions whose purpose shall be to solicit information on job performance and ability, attitude toward job, co-workers, supervisors, etc., as well as inquiring about attendance and punctuality. In the event that such an inquiry reveals areas of concern, questions shall be developed, with respect to an individual candidate, which will solicit the candidate's response if asked to interview. These would be in addition to the core questions asked of all candidates.

For Department Administrators

The Hiring Board shall be comprised of the entire standing committee and a member of the **Finance and Personnel Committee** who is not also a member of the standing committee and who did not participate in the initial screening process, **and may include the Administrative Coordinator.**

The Hiring Board will develop a core set of questions to be asked of each candidates interviewed. The procedures for evaluating candidates for department administrative positions shall be the same as those described for union positions and non-represented positions. Hiring decisions shall be made with respect to the pool of candidates interviewed. **The final choice of a candidate shall be a joint decision between the members of the Hiring Board, and at a minimum, the majority voting in favor of a given candidate.**

The Hiring Board shall continue to meet until it decides upon a candidate to whom to offer the position. **If, on the other hand, the board is deadlocked, or a candidate cannot be selected, the board shall request applications be re-screened, or if no candidates are eligible, the Personnel Department shall re-advertise for applicants for the position and the process shall begin again.**

The Hiring Board shall recommend a candidate and a starting salary to the Finance and Personnel Committee. **Upon the approval of the candidate and salary by the Finance and Personnel Committee, the Personnel Coordinator shall communicate the offer of employment.**

Interview Expenses

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Applicants bear all expenses for the initial interview, except for candidates for department administrator positions. The Executive Committee, at its option, may grant up to \$500 to such candidates for traveling in excess of 250 miles to interview.

Confidentiality of Process and Materials

The **Finance and Personnel Committee**, the Personnel Department, each department head and each other committee member participating in the selection process shall exercise every precaution to insure the highest degree of confidentiality in the selection and appointment process. To this effect, it shall be incumbent upon each such person to maintain strict confidentiality with respect to his/her review of application materials, interview materials, and the deliberation of the Hiring Board. **All interview materials are to be returned to the Personnel Department to be retained for a period of one year.** All requests for information pertaining to the selection and appointment process, received by any of the above named person, shall be directed to the Personnel Department which, upon consultation with the Corporation Counsel, shall determine whether or not the requested information is subject to release.

It shall be the standard policy of the County, subject to legal advice on a case-by-case basis to maintain confidentiality with respect to all applications for employment. This general policy shall be subject to the exception with respect to final candidates for appointment to local public offices, as set forth at Sec. 19.36 (7), Wisconsin Statutes.

H. Position Filled

It is the responsibility of **the Personnel Coordinator** to conduct an orientation program with the new employee. **The Personnel Coordinator will complete the Employment and Orientation Agreement and familiarize the new employee with county policy, benefits, and other general county procedures.**

It is the responsibility of the Standing Committee Chair and the County Administrative Coordinator to provide **additional** orientation for department heads. **This** will include county procedures for personnel, purchasing, budgeting, reports, resolutions, meetings, travel expenses, etc as well as introductions to other department heads and department functions. The Committee Chair, with assistance from department personnel, will review current department policies and procedures.

UW-Extension Agents shall be recruited, selected, and appointed according to the UW-Extension Guide and Pierce County Guidelines.

I. Termination of Employment

Within ten (10) days of the last working day of an employee, the department head or office official shall draft and place into the personnel file of that employee, a completed **Pierce County Exit Checklist. All requests for references with regard to former employees shall be directed to the Personnel Department.**

Exit interviews shall be conducted of a departing employee to give the employee the opportunity to express any residual feelings, either positive or negative, that the employee may have about the separation of employment, and to offer suggestions for how the job or work environment might be improved. In order to encourage the best exchange of information (unless the employee chooses to complete an exit interview form), a one-on-one exit interview shall be conducted prior to the last date of employment, by the Administrative Coordinator or the Chairperson of the Standing Committee. If the employee is a Department Head, the exit interview shall be conducted by the Chairperson of the Finance and Personnel Committee. To obtain consistency with the process, exit interviews shall include, but not be limited to,

the use of standard interview questions, approved by the Finance and Personnel Committee. After the exit interview, a written summary shall be prepared, with a copy of the summary provided to the employee's Department Head, and the original summary placed into the employee's personnel file. As circumstances necessitate, information obtained in the exit interview shall be shared with management, the appropriate committee, and the Corporation Counsel.

Article VI PERFORMANCE EVALUATION

A. Purpose

To improve and recognize performance and efficiency and to eliminate and correct inefficiency.

B. Operation

1. Evaluation to be accomplished by Department Head, Supervisor or Standing Committee annually. For standing committee evaluations, each committee member is entitled to participate in the evaluation process. In lieu of attendance at the evaluation, a committee member is encouraged to participate by completing an evaluation form. The committee member evaluations shall be used to compile a committee evaluation, on or about the employee's anniversary date.
2. Assure good communications between employer and employee.
3. Specific evaluations to be documented, signed by both parties, and placed in personnel file in Personnel Coordinator's Office.
4. Refer to the Pierce County Procedures Manual for Performance Evaluation guidelines.

NOTE: DMG is no longer used. Any revision of this section will be left until the Bjorkland Study results have been reviewed.

C. Classification or reclassification Consideration

1. Request for reclassification of a current position or classification of a new position may be initiated by either staff member or a department head. Requests for classification of a new position or reclassification of an existing position must be submitted to the Finance and Personnel Committee by July 1 in any budget year.
2. Reclassification consideration for existing positions requires the employee and the department head to document that there have been substantial changes in existing duties since the most recent review. Duty changes may result from substantial, immediate reassignment of duties from reorganization or from a logical and gradual change of responsibilities over a period of time. To be considered for reclassification, changes resulting from logical and gradual change must have been in effect since at least January 1 preceding the reclassification request so that it is clear that the changes that exist are likely to remain for some period of time. Reclassification shall not be considered for temporary changes.
3. Request for classification or reclassification consideration shall be in writing and include:
 - a. New Position Classification Review Form or an Existing Position Classification Review Form, and

b. A new Comprehensive Position Questionnaire with notes indicating duties, which have changed since the last review. The Questionnaire must be completed and signed by the employee and reviewed and signed by the employee's supervisor, department head, and the **Finance and Personnel Committee** or its designee. At each level or review, the supervisor, department head, and **Finance and Personnel Committee** will verify or comment on the accuracy of responses.

4. Review of Requests

The County will submit the Questionnaire to David M. Griffith & Associates, Ltd. for evaluation. DMG will recommend a grade assignment appropriate for the position and a new or revised position description. DMG may request further information from the County, and may request that other positions affected by the reclassification changes be reviewed as well.

5. Effective Date of Classification Action

The County will take final action on the matter within 30 days of DMG's recommendations. Classification decisions for existing positions normally shall take effect at the start of the pay period immediately following the County's decision in the matter. The employee and the department head will be informed of the decision in writing. Classification decisions for new positions and existing positions will normally take place January 1st of the upcoming year or later, when the position is filled.

Article VII. PAYROLL ADMINISTRATION

- A. The Administration Office is responsible for Payroll Administration.**
- B. Employees are paid bi-weekly with a one week pay lag.**
- C. Direct Deposit is required.**

Article VIII. NON-REPRESENTED EMPLOYEES GRIEVANCE PROCEDURE

A. Purpose

An Effective employee-employer relationship is necessary to carry out the county's responsibilities to its citizens in an efficient and economical manner. For the purpose of maintaining a harmonious employee-employer relationship. It is the desire of the county, when practicable, to adjust concerns informally and both supervisor and employee are expected to make every effort to resolve problems as they arise. However, it is recognized that there will be concerns, which will be resolved only after formal review and appeal. **A grievance is a formal complaint of a regular County employee regarding working conditions, application of discipline, application of the personnel rules and regulations of the County, or alleged discrimination. The grievance procedure shall be applicable to all regular employees not represented by a collective bargaining agent.**

B. Grievance Procedure Steps

Step 1 – The employee shall file a written grievance report, available from the **Administration Office or the** County Clerk's Office, with the department head within five (5) working days of the occurrence of the problem creating the grievance, explaining the nature of the problem and the suggested solution. The department head shall respond in writing to the

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grievance within five (5) working days of receipt. If the grievance remains unresolved, the employee may proceed to Step 2. If a department head wishes to file a grievance report, he/she should proceed directly to Step 2.

Step 2 – The employee shall request in writing a hearing with the **Finance and Personnel Committee** within five (5) working days of Step 1 completion. The **Finance and Personnel Committee** Chair shall schedule the grievance hearing at the next scheduled **Finance and Personnel Committee** meeting and shall notify the employee's department head. The **Finance and Personnel Committee Chairperson shall provide, for informational purposes only, notice to the standing committee chairperson. The Finance and Personnel Committee's** decision shall be binding and recorded in the proceedings of the hearing by the committee secretary.

B. Employee Representation

Each employee shall be afforded an opportunity to be represented at each of the steps in the grievance procedure by counsel of personal choice not exceeding three (3) persons.

C. Additional Appeal Rights Preserved

The processing of a grievance under this procedure shall not be construed as limiting an employee's right to appeal to applicable federal and state agencies nor abrogate any legal means of redress to the courts.

The time limits contained in the grievance procedure shall not be controlling covering appeals of alleged claims of discrimination under the Civil Rights Act or other federal and state statutes governing equal employment opportunity.

Article IX. EMPLOYEE BENEFITS

All minor details regarding employee benefits are not included in this section. See the appropriate union contract or employment agreement for more information.

A. Eligibility

Regular Full-time Employees – Individuals appointed to full-time **regular** positions shall be eligible for employee benefits in this section.

Regular Part-time Employees – Individuals appointed to **regular** positions normally scheduled to work less than full-time shall be eligible for fringe benefits on a pro-rated basis but must work at least fourteen (14) hours per week.

Limited Term Employees – Applicants appointed to limited term positions shall not receive employee benefits or accrue seniority. Limited term employees may not appeal termination of employment, nor may they utilize job promotional procedures contained in the labor agreement, but may apply for vacancies upon the exhaustion of the job posting process by permanent employees.

Project Status – **Employee benefits for individuals appointed to non- regular positions shall be determined by the terms of the project.**

Temporary Employees – Under five hundred (500) hours are not eligible for "usual" County benefits except for the **FICA/Medicare** deductions.

All employees – are covered by the County's Workers Compensation and liability insurance.

B1. Vacations-Represented Employees General Information

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

Vacation is not cumulative from year to year. The employee uses the earned vacation within one year from the anniversary date or it is forfeited. Exceptions to this carry-over may be granted by the Department Head and/or Committee, but in all cases, no more than six (6) days may be carried over, and must be used within 6 months of the following year. No credits for vacation are granted for time worked in excess of the usual workweek. Sick leave cannot be claimed for an illness occurring during an employee's vacation time.

B2. Sick Leave-Represented Employees General Information

Sick leave maybe used for reasonable medical and dental care that cannot be scheduled during non-working hours. When an insufficient sick leave balance remains to cover the absence of the employee, the remainder is charged to accumulated vacation until such time as an unpaid leave is approved. Sick leave does not accrue on hours worked in excess of the usual workweek. The employer may require a medical examination by a physician of the employer's choice to substantiate the need for leave or the fitness to return to work.

C. Paid Time Off (PTO)

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

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

<u>Years of Service</u>	<u>Multiplier</u>
0-7	.09231
8-14	.10385
15-19	.12308
20+	.14231

Note: 0-7 means from the beginning of employment to the end of the 7th year; 8-14 means from the beginning of the 8th yr to the end of the 14 year, etc.

Accumulation. Each employee has a PTO account. As time is earned it is credited to the account. Maximum PTO accumulation is 320 hours for a full-time employee and 240 hours for a part-time employee. Once the maximum is reached any additional hours are forfeited.

Personal Sick Leave Bank. Each employee also has a personal sick leave bank account. Accrued sick leave is placed in the PSLB upon start-up of the program, and thereafter is added to an annual basis. Time placed in PSLB is available for extended illness of greater than 3 days. The employee's PTO account is used to cover illnesses over 3 days or less. However, when an

illness is greater than 3 days, the use of PLSB time will revert to the first day. A physician's statement may be required by the employer to use PSLB time.

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

Termination in Good Standing. An employee who leaves the Pierce County in good standing is paid for all PTO hours remaining in the employees account. In addition, employees are eligible for payout of ½ of accumulated PSLB hours up to the following maximums: 8-10 years of service, 160 hours (80P-T); 11/15 years of service, 320 hours (160 P-T); 16+ years of service, 480 hours (240(P-T). **Amended 1-21-03]**

Retirement. An employee who retires (immediately receives a pension from the Wisconsin Retirement System) has the option of receiving a payout of ½ of accumulated PSLB hours to the maximum of 640 hour (full-time) or 320 hours (part-time) **[Amended 1-21-03]**. The employee also has the option of converting all PSLB hours to a cash equivalent to pay for continuation of health insurance based on the employee's last hourly rate of pay provided the employee participated in the health insurance program for 12 full months prior to retirement. The payout options are also available to the spouse in the case of death or disability of the employee. If there is no spouse, of it the spouse dies any unused benefits revert to the county. Employees and surviving spouses can continue on the health insurance program after the benefit has been used provided the employee or spouse pays the entire premium. Employees who elect the payout option can continue on the health insurance provided the employee pays the premium.

An employee who retires on or after June 1, 2003 may elect to transfer up to all remaining PTO hours to his or her PSLB account for the purpose of applying the hours to continuation of health insurance benefits. **[Amended 8-26-03]**

Use of PTO. PTO and PSLB time may not be given away or loaned. Employees will receive pay deductions for overdrawing accounts and be subject to disciplinary actions.

Employees cannot be paid for time at work and receive PTO time at the same time.

Employees who report to work appearing ill may be sent home on PTO time by the department head or supervisor.

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

All PTO time shall be exhausted prior to application for a leave of absence; all PSLB time shall be exhausted prior to application for unpaid leave for an extended illness. Employees are eligible to substitute PTO and PSLB time for unpaid time off under FMLA.

PTO time cannot be used in increments of less than ½ hour.

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

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

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

Adopted: Resolution 00-23 November 14, 2000

Revised: Resolution 02-32 January 21, 2003

Revised: Resolution 03-12 August 26, 2003

D. Paid Holidays

The following holidays shall be observed countywide:

New Year's Day	Veteran's Day
President's Day	Thanksgiving Day
½ Good Friday	Christmas Eve Day
Memorial Day	Christmas Day
Independence Day	½ New Year's Eve Day
Labor Day	

Non-Represented County employees observe ten (10) paid holidays.

Usually employees do not report to work on these days, but are paid for the workday.

Employees required to work on a holiday are entitled to compensatory time off, with pay. If the holiday falls on a Saturday, the proceeding Friday is considered the holiday. If the holiday falls on a Sunday, the following Monday is considered the holiday.

In order to be eligible for the holiday pay, the employee must have been in pay status on both the regularly scheduled workdays before and after the holiday. Pay status for the holidays is defined as:

1. Having worked
2. Being on sick leave, PTO or PLSB
3. Being on bereavement leave
4. Being on vacation
5. Receiving Worker's Compensation Temporary Total Disability benefits

E. Group Health Insurance Eligibility

All regular full and part-time County employees working 28 hours or more per pay period, are eligible for group health insurance provided by the County. To participate in the County group health insurance, employees must enroll within thirty (30) days of beginning employment or have a qualifying event per HIPAA standards. See Pierce County Resolution 97-52 and 98-36.

F. Continuation of Group Health Benefits

Qualified Employees currently participating in health insurance plans may be eligible to continue health insurance coverage, subject to meeting specified criteria. Please refer to your current health insurance plan booklet.

G. Retirement

The county will contribute to the Wisconsin Retirement Fund and will pay 100% of the employee's share to be credited as is received from the employee.

H. Social Security- FICA/Medicare

The county shall provide social security coverage to employees under the Federal Old Age, Survivors, Disability and Health Insurance System pursuant to Section 40.41 (1), Wisconsin Statutes and shall provide FICA/Medicare pursuant to Federal law.

I. Leaves of Absence

Non Represented Personnel:

1. All requests for leave of absence must be in writing.
2. Department Head or designee may approve leave of absence for up to calendar 14 days.
3. For over calendar 14 days the request must be made to the standing committee. That committee will submit the request to the Finance and Personnel Committee with a recommendation. The Finance and Personnel Committee will make the final decision.
4. Most leaves of absence are unpaid and accrual of benefits does not occur during a leave of absence of more than five (5) days.
5. If a non-represented employee is on a leave-of-absence, he/she may continue coverage by paying the monthly premium until his/her return to employment. Union employees should refer to current labor agreements.
6. No leave of absence will be granted to any employee for the purpose of seeking other employment.
7. All family and medical leaves shall be granted in accordance with State and Federal laws.

J. Jury and Witness Duty

Serving as a juror or testifying as a witness is a civic duty and, as such, is fully supported by the County. An employee who responds to a call for jury duty, or as a witness for his/her employer, or under subpoena involving his/her Employer, is excused from work and receives the regular county wages, which usually would have been paid during the period for witness or jury duty, and the employee returns any jury duty or witness fees, less travel allowance, to the County Treasurer provided such employee:

- A. Gives prior notice thereof to the county;
- B. Furnishes the County with satisfactory evidence of his/her call to jury duty or as a witness under subpoena, the number of days served and the amount of compensation received therefore;

- C. Makes a reasonable effort to report for work during his/her regularly scheduled workday when his/her services are not required for jury duty, or as a witness for his/her employer, or under subpoena involving his/her employer. If the employee's absence is expected to seriously affect operations, the County may request that the employee be excused from jury duty.

K. Bereavement Leave

The County recognizes that a death in the family creates a very difficult time. The County seeks to ensure that the employee is able to attend to family matters. To that end, the County has adopted the following guideline for bereavement leave.

1. Up to five days for the death of mother, father, sister, brother, child or spouse. This includes step-parents, step siblings, and step-children.
2. Up to 3 days for the death of a brother-in-law, sister-in-law, mother-in-law, father-in-law, grandparent, grandparent-in-law or grandchildren.
3. Up to 1 day for the death of fellow employee or to serve as a pallbearer.
4. Regular part-time employees shall receive pro-rated bereavement leave.

L. Employment Training; Attending Conferences or Conventions

Department heads shall determine what training is appropriate for the current department employees.

1. Reimbursement for all travel expenses to national conventions will only be authorized if the employee is an officer in the national organization or has been asked to participate in program agenda.

2. National conventions in the state of Wisconsin or to locations within 200 miles of Ellsworth are exempt from Subsection 1.

3. Membership dues to national organizations are prohibited; exception is if affiliation has no state organization.

As a requirement of the position, extension agents shall be reimbursed for participation in national conventions affiliated with program area upon prior approval by Agriculture Extension Education Committee.

M. Longevity Pay

<u>Non-Union Employees:</u>	<u>Years of Service</u>	<u>Amount of Longevity</u>
	After 3 years by November 30 th	\$60.00
	Each additional year	\$40.00 per resolution 04-34

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

N. Pay Policy for Employees Attending Uniformed Services Training

The county grants leave for Uniformed Services in accordance with applicable law. Regular county employees attending uniformed services guard or reserve training-shall be paid the difference between his military pay and the county daily pay. This will be for ten (10) working days.

O. Family and Medical Leave

Both the state and federal governments have enacted Family and Medical Leave Acts which provide for time-off from work in cases of serious personal or family illness or injury. The state's version of the Family and Medical Leave Act (FMLA) is known as Wisconsin Act 287. The federal FMLA was enacted by presidential action in 1993, and the final implementation regulations were released in 1995. Pierce County is a covered employer and is committed to compliance within the guidelines set forth in the state and federal laws.

Employees are entitled to family and medical leaves (FMLA). Employee benefits, seniority, and job security are protected during the leave. Health insurance benefits are maintained during any period of FMLA leave under the same conditions as if the employee continued to work. Pierce County will honor the most favorable benefit available under either State or Federal law.

Major provision of federal and state family and medical leave laws are:

1. Eligible employees:

- a. Federal FML – Employed for at least 12 months and worked at least 1,250 hours in the preceding 12-month period
- b. State FML – Employed for at least 52 consecutive weeks and worked for at least 1,000 hours in the preceding 52 weeks.

2. Purpose of leave: Federal and state FMLA leaves individually or in combination are for these purposes:

- a. the birth of a child, or the placement of a child for adoption or foster care
- b. a serious health condition of the employee
- c. a serious health condition of the employee's spouse, child, parent, parent's spouse

3. Amount of leave during a calendar year:

- a. Federal FML – 12 weeks during the 12-month period for any one or combination of purposes for the leave
- b. State FML – during the 12-month period:
 - 6 weeks on the birth or adoption of a child,
 - 2 weeks to care for a parent, child or spouse of the employee
 - 2 weeks for the serious health condition of the employee

4. Definitions:

- a. **Serious health condition** is an illness, injury, impairment or physical or mental condition involving incapacity or treatment connected with inpatient care in hospital, hospice or residential medical-care facility; or continuing treatment by health care provider involving (1) incapacity or absence of more than 3 days from work, school or other activities; (2) chronic or long-term condition incurable or so serious if not treated would result in incapacity of more than 3 days; (3) prenatal care
- b. **child** means a biological, adopted, step-child, foster child, or legal ward under 18 years of age, or 18 years of age or older and incapable of self-care because of a physical or mental disability.
- c. **parent** includes the biological parent, adoptive parent, foster parent, step parent or legal guardian of the employee.
- d. **spouse** means the legal husband or wife of the employee as recognized by state law.
- e. **Health care provider** means doctors of medicine or osteopathy authorized to practice medicine or surgery in the State; podiatrists,

dentists, clinical psychologists, optometrists, chiropractors (for manual manipulation of spine to correct subluxation demonstrated by X-ray), nurse practitioners, and nurse-midwives, if authorized to practice under State law.

5. Use of sick leave, vacation, Paid Time Off (PTO) or Personal Sick Leave Bank (PSLB):
 - a. **State and Family Medical Leave or concurrent state and federal FMLA leave:** the employee has the right to designate whether to use accrued paid time or whether to take the time unpaid.
 - b. **Federal Family and Medical Leave** Pierce County requires that available sick leave, vacation, PTO and PSLB be used before the leave becomes unpaid.
6. Maintenance of Health and Life Insurance Benefits during Leave: The County will continue to pay its share of the health and life insurance benefits during the FMLA leave, and that, if the leave is unpaid, the employee will present payment for the employee's share as required by the County. If the employee does not return to work for a reason other than 1) continuation, recurrence or onset of a serious health condition which entitles the employee to FMLA leave, or 2) other circumstances beyond the employees control, the employee may be required to reimburse the County for the employer share of the insurance premiums paid on their behalf during the FMLA leave.
7. Leave Requests are to be made to the supervisor 30 days in advance or made by the employee in advance in a reasonable and practical manner. See *Request Form for Family and Medical Leave*. For leaves taken on the basis of planned medical treatment, employees should seek to schedule the treatment so as to avoid unduly disrupting the operations of the County. The supervisor will forward the FMLA leave request to the Personnel Department for processing.
8. Doctor's Certification is required and the information must provide certification of the condition and the fact that you are unable to perform your job functions, or certification that you are needed to care for a family member. See *Family and Medical Leave Request and Certification Form*. The medical information provided should be presented to the Personnel Department and will be used to determine employee eligibility for FMLA leave. The medical information will be maintained in confidence in accordance with the Americans with Disabilities Act (ADA).
9. Reinstatement Rights: Employees will be restored to the same or equivalent position in all terms and conditions. Under specified and limited circumstances, the employer may refuse to reinstate certain highly paid "key" employees after using the FMLA leave. "Key" employees are defined as exempt, salaried employees who are among the highest paid 10% of all employees. If the employee is determined to be a "key" employee and their restoration could lead to grievous economic harm to the employer, the employer will notify the employee of his/her status as a "key" employee upon the receipt of their leave request. They will also be advised that they will be denied job restoration and provided with the reason for the denial. The "key" employee will be offered a reasonable opportunity to return to work.

Under the provisions of the Fair Labor Standards Act (FLSA) as applied to public employees, overtime and/or compensatory time may be accrued by employees in the non-exempt status. All non-exempt employees are eligible for overtime and/or compensatory time for any time worked in excess of 40 hours in a week. A non-exempt employee accrues one and one half (1 ½) times his/her regular rate of pay or is granted compensatory time at one and one half (1 ½) times his/her regular hours for all time worked in excess of forty (40) hours in a work week. An employee with a regular workweek of less than forty (40) hours accrues pay at a regular rate of pay or compensatory time at a straight rate (one for one) for all hours through forty (40). The determination of whether employees receive compensatory time or overtime shall be at the discretion of the department. NOTE: This last sentence may be in conflict with FLSA Section 7 (o)(2)(A).

The FLSA permits the accrual of up to 240 hours of compensatory time (480 hours for law enforcement personnel) before a payout is necessary. County departments may choose to limit the compensatory time accrual and pay out one and one half-(1 ½) times the straight rate.

Employees determined to be exempt under the executive, administrative, or professional status provisions of the FLSA are not eligible for overtime/compensatory time. They do not accrue work hours beyond the regular workweek in anticipation of additional compensation or leave time. Exempt employees are expected to work whatever hours are necessary beyond the regular workweek to assure that a complete and adequate job is done. However, Department Heads may use discretion in granting time-off to exempt employees in recognition of their work efforts. Extraordinary situations are referred to the **Finance and Personnel Committee** for review.

Department Heads are required to maintain auditable records on compensatory time. No compensatory time may be earned during a working day. Travel time to meetings is not credited to comp time, nor is working at home. Compensatory time cannot be used beyond **five (5) consecutive days** at a time.

ARTICLE XI. CONDITIONS OF EMPLOYMENT

A. Hours of Work and Rest Periods

1. All Non-represented County employees – The **standard** hours of work are 8:00 a.m. to 5:00 p.m. Some employees may have adjusted hours. **Employees shall take one hour for lunch and two fifteen minute breaks during the day. All lunch periods and breaks MUST be staggered to allow offices to REMAIN OPEN during those times.**

2. Policy on Absence Due to Bad Weather Conditions

Time may not be charged to sick leave. Charge lost time to:

1. Accumulated vacation time
2. Comp time
3. Time off without pay
4. Agreement with department head to make up lost time

3. Pierce County Alternative Work Schedule Policy for Non-represented Employees

Purpose: An Alternative Work Schedule (AWS) allows for a base schedule that is different from the standard schedule of 8:00 a.m. to 5:00 p.m. An AWS may include starting earlier, working later, shorter lunch breaks, and working days of varying lengths during the week. The purpose is to afford some flexibility for employees while maintaining office coverage and service to the public. Employees not on an AWS shall work a standard work schedule.

Basic Limitations: The total hours in a work week shall remain the same prior to and after entering into an AWS. AWS days shall not start before 6AM or end after 8:00 PM, and include at least ½ unpaid hour for lunch and one 15-minute paid rest period per 4 hours worked. AWS days shall not exceed 10 hours of work.

Policies: Alternative Work Schedules are set schedules. They may be amended in writing by mutual agreement of the supervisor (standing committee chair for department head) and employee, but are not “come and go as you please” plans. AWS may not work for all positions or departments.

AWS shall not create overtime or comp time situations. AWS shall accommodate mandatory training requirements without creating overtime.

On a holiday week, employees revert to the standard work schedule. It is the responsibility of the employee to be aware of the work schedule during a week in which a holiday occurs, and to make arrangements to alter their schedule, if necessary.

PTO/PSLB will be recorded in place of time scheduled to work on the day the leave was taken.

AWS are mutual and require the consent of both the supervisor (standing committee chair for department head) and employee. Either party may terminate the AWS with 2-week notice, or less if mutually agreed. Denial of a request for an AWS is not subject to a grievance.

Successful implementation of the AWS policy will require cooperation between employees and managers, especially where there are multiple requests for AWS in a department. Management retains the right to reassign job duties to accommodate a request. The reason for the AWS request is not to be considered.

Process: Requests shall be made in writing to the supervisor on forms provided. The supervisor reviews staffing needs and schedules and a final response is due within 30 days.

Copies of AWS agreements shall be kept on file in the Administration Office.

B. Medical Examinations, All Personnel

The county shall pay for physical examinations when they are required for a job. Such payment shall only cover the basic examination required for the position.

C. Fines

Any fines incurred by employees while performing official county business are the responsibility of the employees, with the exception of “overload fines”.

D. Work Rules

Work rules are established not to restrict the rights of employees, but rather to define those rights and to assure attainment of the county's objectives through orderly processes. Except for serious or repeated offenses, disciplinary action taken shall be for the purpose of correcting conduct. Positive prevention of misconduct is the goal, not punishment. It must be recognized, however, that since each case is different, it is not practical to prescribe a specific penalty for a particular offense. There are certain situations, which must result immediately in outright dismissal; others may warrant penalties of lesser severity. Department heads are responsible for the proper and efficient operations of their offices and for the enforcement of all policies. They are authorized to apply such disciplinary measures as may be necessary.

Grounds for disciplinary action shall **include**, but not **be** limited to, the following:

1. Falsification of the job application; falsification of any county records.
2. Excessive or consistent absenteeism or tardiness; failure to give proper notice when unable to report for or continue work as scheduled.
3. **Unauthorized absence, or a leave of absence taken for other than the reason for which it was granted.**
4. **Discrimination against others because of age, race, creed, color, religion, disability, marital status, sex, national origin, ancestry, sexual orientation, political affiliation, veterans status, arrest or conviction record, or membership in the national guard or any other reserve component of the military forces of the United States or this state.**
5. Intoxication or use of alcoholic beverages, narcotics, drugs or any other controlled substance when operating county owned vehicles, or while on duty or on county property. **The use of, or the effects of, alcohol or drugs** so as to interfere with the person's work product, efficiency of performance, relationship with other employees and/or public, or to create a safety hazard. The use of prescription drugs while on duty in accordance with the directives of a physician shall not be subject to discipline.
6. Gambling while on duty.
7. Immoral or otherwise improper conduct which adversely and substantially injures or brings the county into disrepute; being or convicted of a crime in which the circumstances substantially relate to the circumstances of the particular job which the person was hired to perform.
8. Sexual harassment of another employee or the public. Harassment on the basis of sex shall be considered to exist when:
 - a. Submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual's employment.
 - b. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual.
 - c. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.
9. Unprovoked insolence or disrespect on the part of the employee toward other county employees or the public. Abusing, striking, or deliberately causing mental anguish or injury to other employees or the public.
10. Fighting with or provoking a disturbance among fellow employees or actions adversely and substantially affecting morale, performance or efficiency.
11. Failure to provide accurate and complete information when required by supervising authorities or improperly disclosing confidential information.

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12. Disobedience, insubordination, inattentiveness, negligence, or refusal to obey lawful written or verbal assignments, directions, or instructions.

13. Violations of provisions of state or local laws, administrative rules and personnel policies.

14. Stealing or unauthorized use, neglect, or destruction of employer owned or leased property, equipment, or supplies.

15. Fraudulent claims for reimbursement, hours worked.

16. Performance of personal work or services for pay while on duty.

17. Inappropriate telephone use.

It is the intention of the County to set minimum standards for appropriate telephone use as follows (hereinafter informally referred to as the telephone use policy):

A. General telephone use:

1. Employees are to exercise discretion in the duration and number of personal calls made or received during the workday. Excessive personal calls during the workday can interfere with employee productivity and is distracting to others. Personal calls should be limited to circumstances requiring immediate attention, or emergency situations. Personal calls generally should be made on non-work time.
2. County telephones, including County provided cell phones, shall not be used for illegal purposes.
3. All other County policies not in conflict herein shall apply to the use of County telephones, County provided cell phones, or personal cell phones.
4. Violations of the County's telephone policy can lead to discipline, including discharge.
5. Employees shall not use a cell phone (including dialing) while driving, due to safety concerns, except in the case of an emergency, or in the course of official law enforcement duties.

B. County cell phones:

1. Use of County provided cell phones shall be limited to County business, except in the case of an emergency.
2. Employees shall reimburse the County for personal phone charges.
3. Cell phone bills shall be periodically reviewed by management for appropriate use.
4. County provided cell phones are the property of the County and are to be turned in when the employee ceases to be employed with the County.
5. County provided cell phones shall be in silent or off mode during County meetings, unless required.
6. Cell phones are not secure or confidential. Discretion shall be used in the discussion, transmission, or copying of confidential information. See §24-10(6) of the Pierce County Code (Ethics Policy) regarding Disclosure of Privileged and Confidential Information.

C. Personal cell phones:

1. Personal cell phones should be in silent or off mode while in the workplace and County meetings.
2. Confidential work related information shall not be discussed, transmitted, or copied through the use of a personal cell phone, except in the performance of official work-related duties, in which case refer to B.6.
3. The taking of photographs and/or videos is strictly prohibited in the work place.
4. The County is not responsible for loss or damage of personal phones in the work place.

E. Discipline

The purpose of discipline is to correct the job behavior and performance problems of employees. Disciplinary rules and regulations are applied and regulations are applied in an equitable and consistent manner, commensurate with the employee's infraction.

Employees are informed of county work rules and departmental standards of conduct and performance, and have access to all disciplinary actions recorded in their permanent file.

Whenever an employee commits an offense warranting disciplinary action, the Department Head or designee or the Supervising Committee takes action in accord with the following procedures, depending upon the seriousness of the offense committed. Should any conflict arise between a supervising committee and the **Finance and Personnel** Committee over the proper discipline of an employee, the **Finance and Personnel** Committee's action shall take precedence and control.

For a minor offense the employee receives a verbal reprimand, advising that another offense will result in a written reprimand, suspension, or dismissal. If verbal warning is issued and this does not correct the situation within a specified length of time, the supervising authority utilizes a further step in disciplinary procedure. ~~Verbal warnings do not become a part of the permanent personnel files.~~ **Documentation of Verbal Reprimand shall be removed from the employee's permanent personnel file in twelve months if no repetition of offense has occurred.**

The employee may be given a written reprimand, informing him/her of the nature of the offense committed, the corrective actions necessary, a time frame for correction (if appropriate), and the warning that failure to comply will result in suspension or dismissal. A corrective approach is emphasized. Written reprimands ~~become part of the permanent personnel file.~~ **shall be removed from the employee's permanent personnel file in eighteen months if no repetition of offense has occurred.**

More severe offenses are dealt with through suspension or dismissal. In the event that an initial offense or repeated offenses warrant such action, the employee may be suspended from work without pay for a period of time to be determined upon the basis of the seriousness of the offense. On or before the effective date of suspension, the employee receives a written statement setting forth reasons for suspension, effective dates of the suspension, and date the employee should return to work. A corrective approach is emphasized.

The county may discharge an employee for disciplinary reason, in which case they will be provided written notice within three days after the discharge. Department Heads, Supervising Committee, or the Finance and Personnel Committee contemplating discharge are to suspend the employee with pay pending an investigation, except where the procedure is set forth by the Wisconsin Statutes in which case the statutory procedure shall be used.

Persons administering discipline systematically document each incident. The documentation includes the employee's name, date and type of infraction, names and any statement of witnesses, description of action taken, and any other relevant details. Copies of all written disciplinary actions are, placed in the employee's permanent file and provided to the employee. The **Administrative Coordinator** must be made aware immediately of all demotion or suspension action **and receive** written documentation for any disciplinary action.

F. Probation

All non-represented employees serve a probationary period of twelve (12) months. Employees may be discharged during the probationary period on a non-arbitrary basis without recourse through the County's grievance and appeal procedure.

It is the responsibility of the Department Head to monitor the performance of each new employee during the probationary period. The progress of a new Department Head is monitored by the Supervising Committee. When one-half of the probationary period is served, the Department Head (or standing committee for a Department Head) evaluates the performance of the employee and reviews his/her findings with the employee.

Prior to the expiration of the twelve (12) month probation period the new employee is evaluated by the Department Head (or standing committee for a Department Head). The probationary period may be extended upon giving notice to the employee two (2) weeks prior to the expiration of the period. Successful completion of the probationary period grants regular status to the employee. A probationary employee is not entitled to vacation, but upon completion of the probationary period, vacation credits accrue from the start date of employment. Probationary employees are entitled to paid holidays, provided they meet the eligibility requirements for holiday pay. Probationary employees are entitled to use sick leave as accrued.

G. Gifts and Gratuities

Employees are advised that solicitation and acceptance of gifts, gratuities, offers of employment, or other items of value may constitute a violation of Wisconsin Statutes, Chapter 946, and is not permitted. Violation of the Statutes or the intent of this rule may result in criminal prosecution and/or disciplinary action. An employee may accept food, beverages, or incidental hospitality if it is a mere trifle or token of insignificant value or of no pecuniary value and is not offered as an inducement to action or inaction. Employees may also accept food and drink furnished under the same terms and conditions it is available to the public. See also, Pierce County Ethics Code 24-10.

H. Conflict of Interest

Incompatible employment. No employee or official shall engage in or accept any private employment or render any service for a private interest when such employment or service is incompatible with the proper discharge of his or her official duties or which may substantially impair his or her independence of judgment or action in the performance of his or her official duties unless otherwise permitted by law. See also Pierce County Ethics Code 24-10.

I. Nepotism

It is the policy of Pierce County to recruit, select, and appoint the most qualified persons for positions in the county. Therefore, the employment of two or more persons in the same family is not expressly prohibited. However, if such persons in the same family are to be employed in the same department, prior approval must be obtained from the department head and the Finance and Personnel Committee. For purposes of this section, "family" shall be defined as including an employee's spouse, son, daughter, mother, father, siblings, brother-in-law, sister-in-law, son-in-law, daughter-in-law, mother-in-law, father-in-law, aunt, uncle, niece, nephew, stepchild, stepparent, and grandparent.

J. Drug Free Workplace Policy

Pierce County has in accordance with federal regulations adopted a drug free workplace policy. All employees will be required to read and then acknowledge, by signature, that they have read a copy of "Pierce County's Drug Free Workplace Policy".

Pierce County informs and advises all employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the workplace. A "controlled substance" is a substance defined in schedule I through IV of Section 202 of the federal Controlled Substance Act (21 U.S.C. 812) and Section 161.01 (4) Wisconsin Statutes. The workplace is defined as, but not limited to the Courthouse at 411 West Main, the Pierce County Office Building located at 412 West Kinne, the County Highway Offices and Materials Recovery Facility located on Highway 65 in Ellsworth, Wisconsin, and all other locations where the employees are performing work related duties, including: the county or the employee's automobile or vehicle when the employee is engaging in work related activities and is being reimbursed for mileage for those duties.

As a condition of continued employment with Pierce County the employee will:

1. Abide by the terms of the above statement; and
2. Notify their Department Head in writing of any conviction under a criminal drug statute for a violation occurring in the workplace no later than five (5) calendar days after such convictions.

Any employee in violation of the Drug-Free Workplace Policy is advised that the County will take one or more of the following actions within 30 calendar days after receiving notice of conviction:

1. Appropriate disciplinary action, up to and including termination of employment.
2. Requiring the employee to participate in and satisfactorily complete a drug assistance or rehabilitation program approved for such purposes by Pierce County.

The employee is responsible for seeking out and requesting treatment needs and for payment of any services obtained.

K. Policy on Disclosure and Reporting Suspected Unlawful Conduct

Pierce County encourages and expects its employees to immediately disclose to appropriate County Officials any and all information, which an employee reasonably believes to show unlawful conduct by the County, its officers, employees or agents, whenever the employee comes into possession of such information. The purpose of the policy is to allow Pierce County the opportunity to investigate the alleged unlawful conduct, determine the veracity of the information submitted, notify enforcement authorities when appropriate, and take corrective action as required. Pierce County has an affirmative obligation to the general public and its employees to take immediate action when circumstance warrant. Accordingly, the County hereby institutes the following rules under its personnel policies for all employees:

1. If a Pierce County employee has information which he/she reasonably believes to show that the County, its officers, employees or agents are engaged in unlawful conduct or activities, that employee has an affirmative duty to report or disclose that information to Pierce County so corrective measures can be instigated immediately for the County's protections.

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2. The report or disclosure, required under Paragraph 1 above, should be made in writing and submitted in confidence directly to the Pierce County Administrative Coordinator. The original document is to be retained by the reporter.

NOTE: If the Pierce County Administrative Coordinator is the source of the alleged unlawful activity, then a written disclosure should be made directly to the County Board Chair.

3. The Administrative Coordinator shall forward the employee's report to the County Board Chair and to the Executive Committee for confidential review and investigation. The Chair and the Executive Committee shall use their posers as facts and circumstances require to end any unlawful conduct.

4. Comments to the general public or the media about matters under investigation pursuant to this policy should be limited to what would be consistent with the requirements and duties of the employee's position and to what the employee knows of his/her own personal knowledge to be true and actual facts, keeping in mind at all times that a confidential internal investigation may be jeopardized by any comment made to the public before the investigation is completed.

5. Comments to the general public or the media after an investigation is completed under this policy shall be limited to what is reasonably necessary for an employee to meet his/her obligations to the duties of his/her position and should be based upon actual knowledge of the employee and not upon speculation, rumor, or hearsay, keeping in mind at all times that administrative or court actions may be affected by any comment made by an employee.

6. Any Pierce County employee who reports under this policy will be expected to promptly cooperate fully with any and all investigative efforts undertaken by the County. This obligation to cooperate includes communicating with other employees, agents, or officials who are investigating the subject of the report.

Employee reports or disclosures made in good faith by any Pierce County employee under this policy will be protected from any adverse employment action, which could be associated with the disclosure. However, the failure of any employee to abide by the terms and provisions of this policy may result in disciplinary action or discharge from employment.

This policy shall not be construed or implemented in any manner which would impermissible restrict any public employee's protected constitutional right to speak freely as a private citizen on his or her own time about matters of public concern. Pierce County reserves all rights inherent in its authority to apply this policy as it deems necessary to efficiently and effectively conduct this lawful business of County government.

Res.#94-53

Article XII. PIERCE COUNTY TRAVEL POLICY

PIERCE COUNTY TRAVEL POLICY

Effective 1-1-06

This policy is intended to be a guideline for transportation utilization for Pierce County employees. Any question concerning this policy should be directed to the Administrative Coordinator.

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The policy for mileage, meals, and lodging allowances was established by Resolution 79-60. This policy is consistent with Chapter 418 of the Wisconsin Statutes that governs state employees.

GENERAL PROVISIONS

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

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

USE OF COUNTY VEHICLE

1. Use is open to all county employees.
2. Reserve the vehicle through the Administration Office.
3. Longer trips have bumping rights over shorter trips. Trip miles are defined as round trip miles. Trips over 50 miles can be bumped by longer trips up to 24 hours prior to the time the vehicle is needed. Trips less than 50 miles can be bumped up to 2 hours before the vehicles are needed.
4. The vehicle must be refueled at the end of each trip. Instructions will be in the glove compartment along with the refueling card.
5. A gas credit card is available for longer trips for gas purchases only. Please advise the Administration Office if you will need the card at the time of picking up the vehicle.
6. The vehicle may be taken home overnight for a trip that starts the next morning only if your residence is on the way to the destination. The vehicles shall be kept in designated county parking.
7. Promptly report any maintenance problems to the Administration Office.
8. Fill out the vehicle log each trip and return to Administration Office.
9. No Smoking in the vehicle.
10. No unauthorized cell phone use in the vehicle. See Telephone Use policy.

USE OF PRIVATELY OWNED VEHICLES

1. It is the intent of this policy that when employees and officers attend the same conference they shall carpool. Thus, it is the general policy of the County to limit reimbursement for mileage to one (1) vehicle for every three (3) County participants at the same conference. Exceptions to this policy shall include the following:

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1. Where the participants had no advance notice or knowledge of another employee or Officer of the County attending that particular conference;
 2. Where one or more participants will not attend a given conference for the same length of time;
 3. For other reasons approved of by governing committee.
2. Employees using their own vehicles will be reimbursed at established rates by the **State of Wisconsin** and specific labor agreements. The rate for 2006 is \$.385/mile.
 3. Charges for parking, road and bridge tolls are reimbursable.
 4. Charges for repairs, tow service, lubrication, traffic citations, parking tickets, and other traffic violation expenses are the employee's responsibility and are not reimbursable.
 5. The starting point and destination shall be stated daily on the travel expense report. An explanation shall be required for mileage in excess of normal map mileage.
 6. When employees operate their personal vehicles on County business, evidence of insurance coverage shall be provided to the **Administration Office** per the Wisconsin County Mutual Insurance Corporation. The **minimum** limits of coverage the employee shall have are: \$100,000/\$300,000/\$50,000. Evidence of **continued** insurance shall be sent to the **Administration Office** on an annual basis **or upon change of insurance coverage**. 7. In the event that a personal vehicle is used for transportation of an employee or officer to a conference and that employee or officer travels with his/her spouse or family, mileage shall be reimbursable only for the most direct route to and from the conference from the Pierce County Courthouse. Additional, travel while attending the conference for personal reasons shall not be reimbursable.

MEAL EXPENSES

1. Although the claims for meals must represent actual, reasonable, and necessary expenses, receipts are required even though general meal maximums are not exceeded.
2. Meal claims in excess of the amounts set by the County Board must be supported by a valid, itemized receipt and a full written explanation of the reasonableness of such an expense under the particular circumstances. An unusual amount is a cost which is incurred outside the control of the individual (i.e. the mandatory meal costs at a meeting or conference where attendance has been approved by the county).
3. Except as provided below, reimbursement for meals for employees who are on a day shift (8:30 a.m. to 4:30 p.m.) will be allowed on trips which do not necessitate an overnight stay only on the following conditions:
 - a. Breakfast, provided the employees leave home before 6:00 a.m.
 - b. Lunch, provided the employee leaves his/her headquarter city before 10:30 a.m. and returns home after 2:30 p.m.
 - c. Dinner, provided the employee returns home after 7:00 p.m.

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4. No reimbursement shall be made for the cost of alcoholic beverages.
5. The cost of meals, tip, and tax shall be entered as one amount on the travel expense report. Tips are limited to 15% of employee's meal.
6. Meals included in the cost of conference registration fees paid directly cannot be claimed for reimbursement as a separate item. Exceptions must be explained.
7. The approved cost ceilings per meal are **pursuant to State of Wisconsin rates** as follows:

Breakfast	\$ 8.00	including tax and tip
Lunch	\$ 9.00	including tax and tip
Dinner	\$ 17.00	including tax and tip
Total	\$ 34.00	

When an employee utilizes the meal allowance for a full day, they will not be held to the suggested cost per meal as long as the combined total of \$34.00 is not exceeded.

8. No reimbursement will be made for meals inside of Pierce County. However, County Board members may have meals paid for while within the county if circumstances call for a hardship whereby it is not practical to adjourn a meeting. The County Board Chairman will have the authority to grant payment for meal claims.
9. Room service charges are not reimbursable.

HOTEL AND MOTEL EXPENSES

The choice of lodging shall be based on cost with consideration given to accessibility in conducting business:

1. When securing lodging, request a letter of authorization from the Administration Office so you will qualify for state rates and tax exemption. Expenses will then be billed directly to the county.
2. When traveling alone, an employee must stay in a single hotel or motel room at a reasonable rate for the community. Employees of the same sex traveling together should, whenever feasible, share lodging accommodations.
3. When an employee is ordered by his or her appointing authority to attend a specific business function which necessitates staying at a particular lodging accommodation, the employee shall be entitled to reimbursement required to stay at the lodging accommodation.
4. When an employee is ordered to attend a business function that does not specify the particular lodging accommodation, the employee's lodging reimbursement shall be within the established maximums.

Any amount in excess of the maximum must be accompanied by a receipt and an explanation for such expense. Maximums may be exceeded only when it is determined that unavoidable additional expenses would be incurred by trying to adhere to specified maximums (i.e. high

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transportation costs incurred when staying at an economical hotel/motel at the edge of the city instead of staying downtown).

Employees shall observe posted hotel check-out hours in order to avoid a charge for the day of departure. An employee who is required to remain in one location for an extended period of time is expected to find lodging at reasonable weekly and/or monthly rates.

All lodging expenses must be supported by the original machine printed receipts which are furnished by most hotels or motels, or an original handwritten receipt. A photocopy of the receipt, the hotel or motel statement or credit card receipt is not considered an acceptable substitute unless exceptional circumstances can be documented and a written explanation is attached to the travel expense report.

Expenses for lodging at homes of relatives or friends are not reimbursable.

When registering in hotels or motels or signing for any official purpose, county employees shall use their business address and identification and ask for government rates.

A reasonable test of 75 miles will apply to those instances where a traveler claims reimbursement for lodging when a business meeting is attended during normal working hours. Except for extenuating circumstances, a traveler will be expected to travel to and from such meetings during the same day if the distance is less than 75 miles. In the event that extenuating circumstances are present, advance approval should be obtained from the administrative office whose budget will cover the expense of the travel.

Pre-registration charges will only be paid when authorized by standing committee or County Board Chair.

TRAVEL POLICY

Authorized lodging expenses which would not be feasible under HOTEL & MOTEL EXPENSES, Section 1, shall be paid directly by the traveler. Travelers may use a personal credit card to minimize cash outlays. An exception may be made when group travel is involved (i.e., County Board conventions where the costs are to be charged to one budget).

Maximum reimbursement to the employee is limited to the single rate for a single room. If an employee prefers a double room, he or she will pay the difference between the single and double room rate. Employees traveling with a spouse shall, at the time of hotel registration, pay the amount which exceeds the allowable rate, including any applicable tax. The daily rate for hotels or motels pursuant to the State of Wisconsin rates shall not exceed \$62.00 per person per day (including tax). This rate may be exceeded, with prior approval of the Administrative Coordinator, provided that proof of extenuating circumstances can be presented.

MISCELLANEOUS EXPENSES

1. Laundry, Cleaning, and Pressing Charges:

If the employee is away for more than three days, reasonable amounts will be allowed for laundry, cleaning, and pressing service. Only one charge per calendar week is reimbursable for each type of actual and necessary service. Receipts are required.

2. Telephone:

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- a. Employees are encouraged to place telephone calls in advance from their home location. Personal calls are not reimbursable.
- b. Employees must provide an explanation for official long distance calls. When requested, the employee shall be prepared to provide receipts to justify unusual telephone calls.

These policies shall be amended by the County Board, in accordance with increases in cost of living, as they are increased by the State of Wisconsin financial policies and procedures.

TRAVEL 10-24-91 Rev. 8-05-93 Rev. 6-21-94 Rev. 10-26-94 Rev. 6-27-96 Rev. 10-24-97

Rev. 7-12-99 Rev. 7-17-01 Rev. 11-26-02 Rev. 07-29-03 Rev. 10/15/03 Rev. 7/15/04 Rev. 8-16-05

Article XIII VOLUNTEER SERVICES

A. PURPOSE

Pierce County recognizes that people in the community can make great contributions as volunteers. Pierce County also recognizes the potential liability exposure that is commensurate with engaging the services of volunteers. Proactive risk management efforts can control and minimize liability exposures to help ensure that the use of volunteers is a positive experience for both the volunteers and Pierce County.

B. DEFINITION

"Volunteer" is a person recognized and authorized by Pierce County or one of its officials, employees, or agents to perform services for Pierce County without receipt of salary or compensation other than reimbursement for mileage expenses. An individual may not volunteer for Pierce County when the volunteer hours involve the same type of service which the individual is employed to perform for the same agency.

C. POLICY STATEMENT

It is important that Pierce County Employees and Elected Officials who are responsible for volunteer programs familiarize themselves with the concepts of liability, responsibility, and risk management as they apply to volunteer programs. The Department Head or supervisor shall contact the Personnel Department with regard to volunteer procedures.

RESOLUTION 06-22

Designation of Elder Adult-at-Risk and Adult-at-Risk Agencies

WHEREAS, in 1984 the Pierce County Board of Supervisors did designate the Pierce County Aging Unit for the purposes of s.46.90 Wisconsin Statutes as the agency to develop and implement the elder abuse reporting system for Pierce County; and

WHEREAS, 2005 Wisconsin Act 388, enacted May 10, 2006, requires each county board to designate an agency in the county as the elder adult-at-risk agency to serve the population of elder adults-at-risk for the purposes of s.46.90 Wisconsin Statutes; and

WHEREAS, 2005 Wisconsin Act 388, enacted May 10, 2006, also requires each county board to designate an agency in the county as the adult-at-risk agency to serve the population of adults-at-risk for the purposes of s.55.043 Wisconsin Statutes; and

WHEREAS, the elder-adult-at-risk agency and the adult-at-risk agency shall have the following duties with regard to their respective populations:

1. Develop a policy for notifying other investigative agencies, including law enforcement officials in appropriate cases;
2. Establish an abuse reporting system to carry out the purposes of s.46.90 Wisconsin Statutes and s.55.043 Wisconsin Statutes;
3. Enter into a memorandum of understanding regarding the operation of the system with the county department under s.46.215 or 46.22 and with any private or public agency, including a county department under s.51.42 or 51.437, within the county that is participating in the reporting system. The memorandum of understanding shall, at a minimum, identify the agencies that are responsible for the investigation of reports of abuse, financial exploitation, neglect, or self-neglect of elder-adults-at-risk and adults at risk, as well as for the provision of specific direct services;
4. Receive reports of abuse, financial exploitation, neglect, or self-neglect of elder-adults-at-risk and adults at risk;
5. Publicize the existence of the reporting system in the county and provide a publicized telephone number that can be used by persons wishing to report suspected cases of abuse, financial exploitation, neglect, or self-neglect. Also, provide a telephone number that can be used to make reports after the agency's regular business hours.

NOW, THEREFORE, BE IT RESOLVED by the Pierce County Board of Supervisors that they do hereby designate the county Aging Unit as Pierce County's "Elder Adult-at-Risk Agency" pursuant to Chapter 46 of the Wisconsin Statutes, and the Pierce County Department of Human Services as Pierce County's "Adult-at-Risk Agency" pursuant to Chapter 55 of the Wisconsin Statutes.

BE IT FURTHER RESOLVED that the duties of these agencies are as described above.

BE IT FURTHER RESOLVED that this designation shall be effective January 1, 2007.

DATED this 19th day of December, 2006.

RESOLUTION 06-23

Support For and Authorization of Pierce County To Host 2010 Wisconsin Farm Technology Days

WHEREAS, Wisconsin Farm Technology Days (formerly known as Farm Progress Days) is a jointly supported and planned effort by Wisconsin Farm Technology Days, Inc., and a host county's University of Wisconsin Extension Department; and

WHEREAS, Pierce County has never hosted Wisconsin Farm Technology Days; and

WHEREAS, Pierce County could receive significant economic benefit from hosting the event; and

WHEREAS, Wisconsin Farm Technology Days is an excellent way to educate people about Pierce County agriculture, showcase the county, develop volunteerism and leadership roles, and strengthen the economic connection between our agriculture and urban communities; and

WHEREAS, an informational meeting with representation of business, agribusiness, farm businesses, community leaders, and local elected officials have expressed interest and support for the county to host Farm Technology Days in 2010; and

WHEREAS, the Pierce County Agriculture and Extension Education Committee, at its meeting on November 28, 2006, recommended to the Finance and Personnel Committee that an application be prepared for 2010 Farm Technology Days; and

WHEREAS, Farm Technology Days Inc., requires a commitment of Twenty Thousand Dollars (\$20,000) in the 2008 budget to be used as operating capital to support advance activities and functions, from the County for funding the event; and

WHEREAS, Farm Technology Days has been a profitable event since its inception in 1954, is believed to be the largest farm exposition moved to multiple host sites in North America, and it is anticipated that the Twenty Thousand (\$20,000) will be reimbursed to Pierce County at the conclusion of the event; and

WHEREAS, a commitment of Twenty Four Thousand Five Hundred (\$24,500) in the 2009 budget is also required to provide funding for contractual services of a temporary marketing coordinator and secretarial services for a limited period of time prior to, during, and following the three-day event; and

WHEREAS, the Finance and Personnel Committee took action on December 4, 2006 to recommend that the County Board support and authorize Pierce County to host the 2010 Farm Technology Days; and

NOW THEREFORE, BE IT RESOLVED, that the Pierce County Board of Supervisors hereby supports and authorizes the County's application for hosting Farm Technology Days in 2010.

BE IT FURTHER RESOLVED, that the sum of Twenty Thousand (\$20,000) from the 2008 budget be placed in a designated fund to be used prior to and/or during the 2010 Farm Technology Days event to support advance or ongoing activities and functions involved with the event.

BE IT FURTHER RESOLVED that the sum of Twenty Four Thousand Five Hundred (\$24,500) from the 2009 budget be placed in a designated fund to be used for payment for contractual services of a temporary marketing coordinator and secretarial services for a limited period of time in 2009 and 2010 and would not be returned to the general fund.

BE IT FURTHER RESOLVED that the Pierce County Agriculture and Extension Education Committee and Farm Technology Days Executive Secretary will serve as a direct liaison to the Pierce County Board of Supervisors and its standing committees.

BE IT FURTHER RESOLVED that the Pierce County Agriculture and Extension Education Committee and appropriate staff enter into a contract for services, as may be necessary to host Farm Technology Days in 2010.

DATED this 19th day of December, 2006.

RESOLUTION 06-24

Amend Resolution 04-37: Fees for Issuing Permits and Making Inspections and Investigations of Certain Types of Establishments

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

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

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

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

WHEREAS, the Pierce County Board of Health and Finance Committee recommend that the fees established in Resolution No. 04-37 be amended as follows:

Category	Annual Fee	Pre-Inspection Fee Existing Facility	Pre-Inspection Fee New Construction
<u>Restaurants</u>			
Pre-Packaged	\$ 146	\$ 146	\$ 225
Additional Area	\$ 107	\$ 197	\$ 260
Simple`	\$ 197	\$ 281	\$ 330
Moderate	\$ 281		
Complex	\$ 387	\$ 387	\$ 400
Temporary			\$ 110
Temporary inspect fee	\$ 25		
<u>Body Art</u>			
Tattoo	\$ 128	\$ 128	\$ 175
Piercing	\$ 128	\$ 128	\$ 175
Combined	\$ 192	\$ 192	\$ 250
Temporary per event	\$ 128		
<u>Recreation</u>			
Campground; 1-25 Sites	\$ 146	\$ 146	\$ 200
Campground; 26-50 Sites	\$ 196	\$ 196	\$ 250
Campground; 51-99 Sites	\$ 203	\$ 203	\$ 250
Campground; 100 + Sites	\$ 260	\$ 260	\$ 300
Rec/Ed Camp	\$ 290	\$ 290	\$ 350
Swimming Pool; Year Around	\$ 231	\$ 231	\$ 250
Swimming Pool; Seasonal	\$ 203	\$ 203	\$ 250
Additional Pool	\$ 174	\$ 174	\$ 200
<u>Lodging</u>			
B & B	\$ 87	\$ 174	\$ 250
Tourist Rooming House; 1-4 rooms	\$ 114	\$ 174	\$ 250
Hotel/Motel; 5-30 Rooms	\$ 174	\$ 174	\$ 250
Hotel/Motel; 31-99 Rooms	\$ 253	\$ 261	\$ 325

Hotel/Motel; 100 + Rooms	\$ 335	\$ 347	\$ 400
<u>Additional Fees:</u>			
Facility Name or Legal Licensee Name Change Only: \$ 25			
<u>Re-inspection Fee:</u> \$ 100			
<i>Explanation- Fee Assessed on the 3rd re-inspection for the same violation.</i>			
<u>Late Fee:</u> \$ 100			
Explanation – If the annual permit fee is not paid by June 30, the day the permit expires, the department shall require the operator of the establishment to pay a penalty fee, in addition to the annual permit fee, for renewal of the permit.			
<u>Duplicate Fee:</u> \$ 11			

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

Dated this 23rd day of January, 2007.

RESOLUTION 06-25

Recognize Pierce County Treasurer And Provide Authorization To Act For Pierce County

WHEREAS, Paula Knutson won the general election for the Pierce County Treasurer, with said term of office to commence January 2, 2007; and

WHEREAS, Paula Knutson has been acting in said capacity since January 2, 2007, however, various financial institutions with whom Pierce County has a relationship are requesting formal documentation acknowledging and designating Paula Knutson as signatory to official instruments as the Pierce County Treasurer, and to authorize her to act in said capacity; and

WHEREAS, it is the responsibility and obligation of the Pierce County Treasurer, to exercise those duties set forth in §59.25 Wis. Stats. on behalf of Pierce County, and consistent with all laws, statutes, and ordinances, whether, federal, state and local, and under the supervision of the Pierce County Finance and Personnel Committee; and

WHEREAS, Pierce County acknowledged Paula Knutson as the Pierce County Treasurer, and on January 2, 2007 Paula Knutson was administered the oath of office consistent with §59.21 Wis. Stats; and

WHEREAS, Pierce County has a relationship with various financial institutions, as a public depository under Ch. 34 Wis. Stats., or as otherwise is necessary, for the banking and investment needs of Pierce County; and

WHEREAS, Pierce County desires to formally recognize Paula Knutson as the Pierce County Treasurer, with all authority necessary to accomplish the responsibilities and obligations of that office, consistent with the law, in order to meet the best interests of Pierce County; and

WHEREAS, the Finance and Personnel Committee, at its meeting on January 15, 2007, moved to approved this Resolution and recommend its approval to the County Board of Supervisors for adoption on a first reading.

NOW, THEREFORE, BE IT RESOLVED, that the Pierce County Board of Supervisors acknowledges and recognizes Paula Knutson as the Pierce County Treasurer, and authorizes various financial institutions to recognize her actions to act in that capacity, and perform the duties of the Pierce County Treasurer as set forth in §59.25 Wis. Stats., with all authority necessary to accomplish the duties, responsibilities and obligations of that office, consistent with the law, in order to meet the best interests of Pierce County, retroactive to January 2, 2007.

Dated this 23rd day of January, 2007.

Resolution 06-26

Certificate of Recognition and Commendation to Former County Treasurer

WHEREAS, P. Leland Skog was duly elected Pierce County Treasurer on November 8th, 1994 and served for 12 years; and

WHEREAS, this elected officer has given a great deal of his time and effort for the citizens of Pierce County; and

WHEREAS, his dedicated service has contributed positively to the success and future of Pierce County and its citizens.

NOW, THEREFORE BE IT RESOLVED, that the Pierce County Board of Supervisors go on record to commend P. Leland Skog for his 12 years of service as Pierce County Treasurer, with grateful recognition for his years of public service for the advancement of Pierce County.

BE IT FURTHER RESOLVED, that the Pierce County Board of Supervisors offer their very sincere wishes for P. Leland Skog to proceed in his life with a well deserved opportunity to enjoy a healthy and fulfilling continuation of life's endeavors beyond his public service.

DATED this 23rd day of January, 2007.

RESOLUTION 06-27

Certificate of Recognition and Commendation to Former Sheriff

WHEREAS, Everett Muhlhausen was duly elected Pierce County Sheriff on November 7th, 2000 and served for 6 years; and

WHEREAS, this elected officer has given a great deal of his time and effort for the citizens of Pierce County; and

WHEREAS, his dedicated service has contributed positively to the success and the future of Pierce County and its citizens.

NOW, THEREFORE BE IT RESOLVED, that the Pierce County Board of Supervisors go on record to commend Everett Muhlhausen for his 6 years of service as Pierce County Sheriff, with grateful recognition for his years of public service for the advancement of Pierce County.

BE IT FURTHER RESOLVED, that the Pierce County Board of Supervisors offer their very sincere wishes for Everett Muhlhausen to proceed in his life with a well deserved opportunity to enjoy a healthy and fulfilling continuation of life's endeavors beyond his public service.

DATED this 23rd day of January, 2007.

RESOLUTION 06-28

Amend The Personnel Policy To Include An Employee Identification /Access Cards Policy

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

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

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

WHEREAS, the purpose of a code of personnel policies and procedures is to create a guide for the administration of personnel. Further, there is a need for guidelines with respect to the use of identification cards/access cards by Pierce County personnel, officials, and other designated individuals, and therefore it was requested that an identification card/access card policy be drafted, which was forwarded to the Finance and Personnel Committee, and

WHEREAS, the Finance and Personnel Committee, at its meeting on January 22, 2007, reviewed the proposed identification card/access card policy and approved the attached policy, and recommends that the County Board adopt the policy, and amend the Personnel Policy, adding the attached policy language in the most appropriate location, and

NOW, THEREFORE, BE IT RESOLVED that the Pierce County Board of Supervisors adopts the identification card/access card policy effective immediately and instructs that it be added to the personnel policy in the most appropriate location.

DATED this 27th day of February, 2007.

Policy language is as follows:

PIERCE COUNTY EMPLOYEE IDENTIFICATION /ACCESS CARDS POLICY

For the safety and security of the public, Pierce County employees, and County facilities, all County employees and designated individuals are required to wear an appropriate County identification card in accordance with the following procedures. County identification cards help maintain security by identifying authorized personnel at County work sites and residential or commercial properties served by the County and may provide programmed door access, as authorized, to County facilities. ID or ID/Access Cards remain the property of Pierce County and must be presented or surrendered upon request.

ID CARDS: A card that provides identification of a County employee or designated individual while that person is employed or working in a County facility.

ID/ACCESS CARDS: A card that provides identification of an employee or designated individual and also includes the ability to open access door locks on County buildings with proper authorization.

PROCEDURES:

1. Eligibility – The following individuals are eligible to receive a County identification card:
 - a. Elected and appointed County officials;
 - b. Employees officially employed by the County and currently carried on the County payroll;
 - c. Individuals providing volunteer or special services and for whom their department head has requested that they be assigned a County identification card subject to the approval of Administration.
2. Displaying County Identification Cards

- a. All employees and designated individuals must wear county identification cards with the front of the cards on the outside of their clothing when on duty, providing services, or accessing county facilities, except as indicated below. The cards should be worn above the waist level using the supplied lanyard or clip for securing the identification.
- b. Exception to requirement of wearing County identification card:
 - 1. County personnel in uniform with some form of their name and County identification seal (e.g., County seal) visible on their uniform are not required to wear a county identification card. However, they must carry a county identification card and display it upon request. Law enforcement officers on special assignment are exempt from either requirement.
 - 2. Limited situations where safeguarding client confidentiality is advised.
- 3. Maintenance and Control
 - a. The Department of Administration is responsible for the implementation of this policy and its related procedures.
 - b. All identification cards shall be issued using means authorized by Administration.
 - c. Only one County identification card shall be issued to each eligible person and it must not be transferred or loaned to any other individual.
 - d. Upon termination of employment, contract or volunteer services, all County identification cards must be returned to Administration.
 - e. Departments who have retained vendors or contractors to perform services in County facilities must ensure that they display a name badge which identifies who they are and with whom they are employed.
 - f. When County employees encounter individuals in County facilities or work sites without appropriate identification and without identified companion, they should inquire whether the individual needs assistance. Any suspicious or unusual behavior should be immediately reported to management personnel.
- 4. New Card Issuance
 - a. The initial mass distribution of ID/ID Access cards and lanyards will be provided at no charge for all designated employees. A neck lanyard or ID clip will be provided for the initial distribution. Subsequently, each new employee, volunteer, or designated person will have a card issued for a fee charged to the appropriate department as outlined below.
 - b. Other approved devices to display the identification card are the sole responsibility of the employee.
- 5. Replacement of County Identification Cards
 - a. A replacement identification card is required for a name change, transfer to a different department, change to a different, distinguishing color code and/or eligibility type, or for a lost, missing, stolen, or damaged card.
 - b. Employees/individuals must immediately notify their Department Head, Supervisor and the Department of Administration if their County identification card is lost, missing, stolen, or damaged.
 - c. Administration will bill each Department for any replaced ID/ID Access cards and the Department may require reimbursement from the employee.
 - d. An old or damaged County identification card must be returned to the Department of Administration before a replacement card is issued.
 - e. A fee for a replacement ID card may be charged the cardholder if their card is lost, missing, stolen, or damaged.
 - f. A fee for a new or replacement ID/Access card may be charged the cardholder if their card is lost, missing, stolen, or damaged.

- g. A lanyard will be issued or replaced for a fee of \$1.00, ID only cards are \$5 and ID/Access cards are \$10.
 - 6. The County Administrative Coordinator may propose additional procedures necessary for the implementation and enforcement of this policy and its related procedures and may interpret or authorize exceptions when deemed in the best interest of the County.
 - 7. Violations of this policy and its related procedures are subject to disciplinary action.
- Revised: March 27, 2007; Adopted: March 27, 2007.

RESOLUTION 06-29

Commit Pierce County to Participating in Managed Long-Term Care Reform

WHEREAS, Wisconsin's Governor and Secretary of the Department of Health and Family Services have proposed to redesign the delivery of Medicaid-funded Long Term Care services to frail elderly and adults with physical and developmental disabilities into a statewide managed care system designed to maximize the ability of individuals and their families to maintain or improve their health and independence; and

WHEREAS, the redesigned system of care would serve all eligible consumers under a capitated (per person, per month) payment system and would end waiting lists for adults needing long term care services; and

WHEREAS, the redesigned system of care reflects the values of:

- Choice - Provide individuals with better choices of services, supports and providers,
- Access - Improve individuals access to quality services regardless of where they live,
- Quality - Improve quality by focusing on individually identified and supported health and social outcomes, and
- Cost-effective - Create cost effective solutions by managing to achieve quality individualized care needs not simply for cost; and

WHEREAS, the Wisconsin Department of Health and Family Services made planning and implementation grants available to support the achievement of this managed long-term care system; and

WHEREAS, Pierce County is one of nine counties and three private partners comprising the West Central Wisconsin Care Management Collaborative which was awarded a \$250,000 grant in 2006 to plan and implement managed long-term care in the western region of the State of Wisconsin; and

WHEREAS, as a result of the ongoing planning and implementation efforts of the western Wisconsin region, it has become evident that there is a need for regional managed care organization(s) to assume responsibilities for current long-term services provided by county governments and for older people and adults with disabilities waiting for services; and

WHEREAS, a major policy decision for Pierce County is to consider whether it does or does not desire to join with other counties to create a new licensed Care Management Organization and/or Family Care District, and that there is an experienced private not-for-profit entity in the area who could be the Care Management Organization; and

WHEREAS, the Department of Health and Family Services has determined that Pierce County, in order to financially support a regional long-term care, managed care system serving Pierce County residents, is to release up to \$439,855 annual Community Aids funding along with other state and federal funding serving current adults with disabilities needing long term care to the State of Wisconsin; and

WHEREAS, the Department of Health and Family Services has established a process whereby a competitive Request for Proposal for the Care Management Organization will be released when a group of Counties notifies the Department of Health and Family Services that they are ready for the RFP in their area; and

WHEREAS, Dunn, Chippewa, St. Croix and Eau Claire Counties having been working with Pierce County in planning and implementation efforts toward a regional managed care delivery system that is administered by a private managed care organization through a contract with the Department of Health and Family Services; and

WHEREAS, application for annual funding to establish an Aging and Disabilities Resource Center in Pierce County is contingent upon formal action by Pierce County to commit to managed long-term care reform.

NOW, THEREFORE BE IT RESOLVED, that the Pierce County Board of Supervisors hereby elects to not join in the creation of a regional managed care organization or Family Care District, which would bear the financial risk for all long term care covered services; and

BE IT FURTHER RESOLVED, that the Pierce County Board of Supervisors requests that the Wisconsin Department of Health and Family Services issue a Request for Proposal for a Care Management Organization to provide redesigned Long Term Care services for frail elders and adults with physical disabilities and developmental disabilities in our region.

Dated this 27th day of February, 2007.

RESOLUTION 06-30

To Apply for Funding from the Department of Health and Family Services for Development of an Aging and Disability Resource Center (ADRC)

WHEREAS, a significant element of long-term care reform nationally and in Wisconsin has been the development of the Aging and Disabilities Resource Center (ADRC) as a "one-stop" customer service center for information and assistance on issues affecting older people, people with disabilities and their families; and

WHEREAS, the Pierce County Board of Supervisors recognizes the need and its responsibility to assist all elders and persons with disabilities in finding the resources they need to remain in the community as long as possible with consideration given to transferring the responsibility for long-term care services to a managed care organization; and

WHEREAS, the Pierce County Board of Supervisors further recognizes that wise use of personal resources will diminish the demand for public funding; and

WHEREAS, the advantages for county agencies developing an ADRC include the use of limited resources to the best advantage, streamline operations-improving efficiency, cross-training for staff, building on the strengths of each unit and improving overall operational efficiencies; and

WHEREAS, the Department of Human Services, including the County Aging Unit, have re-evaluated current practices for service delivery and have developed a proposal to realign current resources to implement a combined Aging and Disability Resource Unit; and

WHEREAS, representatives from the Council on Aging, Long Term Support Committee, Human Services Board, Public Health Department, University of Wisconsin-River Falls, Human Services and Office on Aging staff, and consumers of long term care services in Pierce County have worked collaboratively to consider the need for an ADRC in Pierce County and have developed planning guidelines for a Pierce County ADRC; and

WHEREAS, the Wisconsin Department of Health and Family Services is providing an opportunity to secure funding and technical support for developing and implementing an Aging and Disability Resource Center in Pierce County;

NOW, THEREFORE BE IT RESOLVED, that the Pierce County Board of Supervisors requests the Wisconsin Department of Health and Family Services to release the application for funding to establish an Aging and Disabilities Resource Center in Pierce County; and

BE IT FURTHER RESOLVED, that the Pierce County Board of Supervisors directs the Pierce County Department of Human Services to submit a proposal to the Wisconsin Department of Health and Family Services for funding, and to take all necessary action to establish an Aging and Disabilities Resource Center for Pierce County.

Dated this 27th day of February, 2007.

RESOLUTION 06-31

Authorize The Reproductive Health Secretary Position To Increase From .6FTE To Full Time; 1,820 Hours Annually

WHEREAS, Resolution 04-19 authorized the creation of a .6 FTE Reproductive Health Secretary in the Public Health Department; and

WHEREAS, Reproductive Health Program growth, new state initiatives, and Medicaid Family Planning Waiver billing have tremendously increased the billing workload over the past several years with only minimal increases in staff hours; and

WHEREAS, since 2003 the Medicaid Family Planning Waiver has become a significant source of revenue for the program creating a surplus in the revenue fund balance; and

WHEREAS, during 2006 the Finance and Personnel Committee authorized a temporary increase in hours for the positions of Reproductive Health Secretary and Reproductive Health Clerk through December 31, 2006 with funds for the increases paid from program generated revenues; and

WHEREAS, on December 18, 2006, the Finance and Personnel Committee authorized the temporary increase in hours for the Reproductive Health Secretary and Reproductive Health Clerk to continue through December 31, 2007 with funding from the program generated revenues; and

WHEREAS, the Finance and Personnel Committee met on February 5, 2007 and reconsidered the status of the Reproductive Health Secretary position and determined that it was in the best interests of the County to increase the .6 FTE position to full time status of 1,820 hours per year and now forwards this recommendation to the County Board.

NOW, THEREFORE BE IT RESOLVED, that the Pierce County Board of Supervisors authorize that the Reproductive Health Secretary position should be increased from .6 FTE to full time 1,820 hours per year; and

BE IT FURTHER RESOLVED that the increase in hours for the position of Reproductive Health Secretary will become effective upon adoption of this resolution.

DATED this 27th day of February, 2007.

RESOLUTION 06-32

Accept Land Donation and Purchase Adjoining Access from John and Mary Heisler for the Purpose of Establishing a Public Recreation Area

WHEREAS, Pierce County supports the preservation of the natural resources of Pierce County; and

WHEREAS, Pierce County provides outdoor recreational opportunities to the citizens of Pierce County; and

WHEREAS, Pierce County has been offered a generous donation of a twenty four acre wooded parcel from John and Mary Heisler; and

WHEREAS, Pierce County recognizes the potential outdoor recreational opportunities that exist on this property due to its location along the Rush River in Martell Township; and,

WHEREAS, Pierce County could provide improved access to the property by purchasing an additional 3.5 acres from the Heisler's for \$14,000; and

WHEREAS, Pierce County has funds for this purchase in the County Park Development Fund; and,

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

THEREFORE, BE IT RESOLVED THAT Pierce County will accept the donation of twenty four acres from John and Mary Heisler and purchase an additional three and one half acres from John and Mary Heisler with funding provided through the Park Development Fund; and

BE IT FURTHER RESOLVED that Pierce County extends a sincere appreciation to John and Mary Heisler for their generous donation to the residents of Pierce County.

Dated this 27th day of March, 2007.

RESOLUTION 06-33

Amend Vehicle Registration Fees Established in Resolution 01-29

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 acts as an agent for the Wisconsin DMV to provide services related to the processing or distribution of original or renewal registrations or certificates of title and has 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; and

WHEREAS, Pierce County, in Resolution 01-29 established fees for processing or distribution of original or renewal registrations or certificates of title; and

WHEREAS, said fees need to be revised from time to time based upon increased costs to Pierce County in providing these services; and

WHEREAS, the Sheriff's Department recommends that fees for providing said services be amended as follows:

	<u>Current Fee</u>	<u>Amended Fee</u>
New license plate fee	\$17.50	\$19.50
Renewal fee	\$10.00	\$10.00
Temporary license plate fee	none	\$ 5.00
Counter fee (assistance in completing registration documentation)	none	\$ 2.00

WHEREAS, the Law Enforcement Committee considered this matter at its meeting on February 13, 2007 and the Finance and Personnel Committee considered this matter at its meeting on March 5, 2007, and both Committees recommend approval of the amended fee schedule set forth above.

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

DATED this 27th day of March, 2007.

RESOLUTION 06-34

Establish Compensation for Deputy Medical Examiner

WHEREAS, Sec. 59.22(1) (a) Wis. Stats. provides that the county board shall establish the total annual compensation, exclusive of reimbursement for out of pocket expenses, for Deputy Medical Examiners; and

WHEREAS no fee schedule currently exists to provide compensation for the Deputy Medical Examiners as the County Board established the position of Medical Examiner effective January 2, 2007; and

WHEREAS the Medical Examiner has proposed that the following fees be established for the Deputy Medical Examiner:

	<u>Previous Coroner Fee</u>	<u>Proposed Fee</u>
Phone report	\$15	\$15.00
Cremation permits	\$25.00 & mileage	\$50.00 & mileage
Trial work period/mentoring	N/A	\$10.00/call & mileage
Scene visits	\$75	\$100.00 & mileage
Scene visits with autopsy or >5 hours	\$100>4 hrs & mileage	\$150.00 & mileage
Court testimony	\$15/hour & mileage	\$15/hour & mileage
Monthly on-call pay	\$1/hour	\$1/hour
Mileage		Per county travel policy

WHEREAS, the Law Enforcement Committee considered this matter at its meeting on March 13, 2007 and the Finance and Personnel Committee considered this matter at its meeting on March 19, 2007, and both Committees recommend approval of the fee schedule set forth above.

NOW THEREFORE BE IT RESOLVED that the Pierce County Board of Supervisors adopt the Deputy Medical Examiner fees as outlined in this resolution and that the compensation shall take effect upon adoption of their resolution and retroactive to January 2, 2007; and

BE IT FURTHER RESOLVED that each month, the Pierce County Medical Examiner shall submit to the Administration Department for payment and auditable accounting of services provided by the Deputy Medical Examiners within the County to issue payment for the same.

Dated this 27th day of March, 2007.

RESOLUTION 06-35

Establish Fees for Services of County Medical Examiner and Deputy Medical Examiner

WHEREAS, Sec. 59.36, Wis. Stats. provides that the county board shall set fees for all services rendered by the Medical Examiner and Deputy Medical Examiner in amounts reasonably related to the actual and necessary costs of providing the service; and

WHEREAS, the County Board established the position of Medical Examiner effective January 2, 2007, and it is therefore necessary to established certain fees with respect to services of the Medical Examiner and Deputy Medical Examiner; and

WHEREAS, it is recommended by the Medical Examiner Sue Dzubay, the Law Enforcement Committee (March 13, 2007), and the Finance and Personnel committee (March 19, 2007), that the following fees for services be established and collected by the County Medical Examiner and Deputy Medical Examiner and paid to Pierce County:

	<u>Previous Fee</u>	<u>Proposed Fee</u>
Cremation Permit	\$ 75.00	\$ 100.00
Disinterment Permit	\$ 25.00	\$ 25.00
Final Autopsy Copy	\$ 50.00	\$ 50.00
Medical Examiner Report	\$ 5.00	\$ 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 their resolution; and

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

Dated this 27th day of March, 2007.