

2013 ORDINANCE INDEX

ORDINANCE NO.	DESCRIPTION	ADOPTION DATE
13-01	Rezoning 158 Acres, More or Less, from General Rural Flexible to Industrial in the Town of Trenton. William F. Holst, III.	June 25, 2013
13-02	Rezoning 51.6 Acres from Rural Residential-20 to General Rural Flexible in the Town of Trenton. Jeffery Kessler (owner) & Chris Willgrubs (agent)	June 25, 2013
13-03	Amend Chapter 4, § 4-13 of the Pierce County Code – General Duties of Standing Committees	May 28, 2013
13-04	Rezoning 21.76 Acres from Rural Residential-20 to Industrial in Town of Trenton: Shelly Endres and William & Patricia Schroeder (owners) and Wisconsin Industrial Sand Company (Agent)	July 23, 2013
13-05	Rezoning 2.0 Acres from Light Industrial to Rural Residential-20 in the Town of Trenton: Randall & Bonita Trok	August 27, 2013
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13-07	Ordinance to Revise Chapter 240 of the Pierce County Code - Zoning	September 24, 2013
13-08	Amend Chapter 40, Section 40-4 of the Pierce County Code – Revenue and Finance	October 22, 2013
13-09	Amend Chapter 172, Section 172-15(b) of the Pierce County Code – Parks and Recreation	October 22, 2013
13-10	Ordinance to Amend the Comprehensive Plan of the County of Pierce, Wisconsin to Include the 2013 Pierce County Farmland Preservation Plan	November 12, 2013
13-11	Rezoning 6.79 Acres from General Rural to Commercial in the Town of Isabelle – City of Red Wing	November 12, 2013
13-12	Amend Pierce County Code Chapter 238 Floodplain Zoning & Chapter 240 Zoning Codes	March 25, 2014
13-13	Rezoning 10 Acres from Agriculture-Residential to Industrial in the Town of Diamond Bluff: Steve Burmood (owner) and Wisconsin Industrial Sand Company (agent)	March 25, 2014
13-14	Amend Chapter 172, Section 172-15(B) of the Pierce County Code-Parks & Recreation. ATV Route in Towns of Spring Lake, & Rock Elm, Village of Elmwood on County Rd. P.	April 15, 2014
13-15	Amend Chapter 4, Section 4-42 of the Pierce County Code - Organization & Rules of Procedures. [Procedure to Process Legislation].	April 15, 2014

2013 RESOLUTION INDEX

RESOLUTION NO.	DESCRIPTION	ADOPTION DATE
13-01	Ratify Pierce County's Last Best Offer to AFSCME – Highway for Its 2013 Agreement	April 16, 2013

13-02	Ratify Collective Bargaining Agreement for L.A.W. – Sheriff's Department Employees' Association	April 16, 2013
13-03	Supporting Efforts to Maintain the Tax-Exempt Status of Municipal Bonds	April 16, 2013
13-04	Adopt the Pierce County All Hazards Mitigation Plan	May 28, 2013
13-05	Authorize Land Conservation Director to Apply for Department of Natural Resources Runoff Management Grant	June 25, 2013
13-06	Approving Sale of Land in Trenton	June 25, 2013
13-07	Authorize Application to Department of Corrections for Use of COMPAS Risk/Needs Assessment Tool in Adult Drug Court Program.	July 23, 2013
13-08	Amend Resolution 03-02 to Amend the Pierce County Purchasing Policy.	July 23, 2013
13-09	Authorize Purchase of Glass Fines Separator Screen for the Pierce County Material Recovery Facility and Payment from Solid Waste User Fee Funds.	July 23, 2013
13-10	Resolution Authorizing a Feasibility Study to Consolidate the St. Croix and Pierce County 9-1-1 Centers.	July 23, 2013
13-11	Increase in Hours for Reproductive Health Clerk – Public Health Department.	July 23, 2013
13-12	Amend the Personnel Policy to Include Breastfeeding-Friendly Worksite Policy	September 24, 2013
13-13	Amend the Personnel Policy to Include Breastfeeding-Friendly Worksite Policy	September 24, 2013
13-14	Create Ad Hoc Jail Planning Committee	August 27, 2013
13-15	Authorization for Unbudgeted Expenditure and to Use Jail Assessment Fund to Pay for Professional Consulting Services to More Formally Consider Recommendations of Ad Hoc Committee	September 24, 2013
13-16	To Adopt Court Security Manual	October 22, 2013
13-17	Authorize New Positions for 2014	November 12, 2013
13-18	Claims for Listing Dogs	November 12, 2013
13-19	Care of Soldier's Graves	November 12, 2013
13-20	Amend Fees for Services of County Medical Examiner and Deputy Medical Examiner	November 12, 2013
13-21	Approve 2014 Tax Levy and Budget	November 12, 2013
13-22	To Order Issuance of Deed to Pierce County for Property Subject to Tax Certificate	November 12, 2013
13-23	Memorial to John Richard (Dick) Berggren, Jr.	November 12, 2013
13-24	Disallowance of Claim – Eryn Smith	November 12, 2013
13-25	Resolution to Formally Commit Specific Revenue Sources & Establish Specific Uses of Those Resources in Order to Comply with Government Accounting Standards Board (GASB 54), Fund Balance Reporting & Governmental Fund Type Definitions	November 12, 2013
13-26	Authorize Transfer From Contingency Fund for Replacement County Phone System Project	December 17, 2013

13-27	To Amend Resolution 12-23: Requesting Affiliation of the Pierce County Revolving Loan Fund with the Regional Business Fund, Inc.	December 17, 2013
13-28	Approve Amendment to Pierce County Employees (Wageworks) Plan for Flex Spending Account Carryover for 2014 Plan Year and Beyond	January 28, 2014
13-29	Establish 2014 Salaries & Benefits for Non-Represented Employees	February 25, 2014
13-30	To Order Issuance of Deed to Pierce County for Property Subject to tax Certificate	March 25, 2014
13-31	Ratify Collective Bargaining Agreement for L.A.W. – Community Health	February 25, 2014
13-32	Ratify Collective Bargaining Agreement for Teamsters Human Services Professionals Local 662	February 25, 2014
13-33	Salary Adjustments for Elected Officials Clerk of Court & Sheriff 2015-2018	March 25, 2014
13-34	To Authorize County Email Addresses for County Board Supervisors	March 25, 2014
13-35	Advisory Resolution Concerning Changes to the Wisconsin Well Woman Program	February 25, 2014
13-36	Authorize Pursuing the recommendation of Ad Hoc (Jail) Committee – 50 Bed Jail (With Ability for Future Expansion) & to Remodel Existing Courthouse Annex into a Justice Center.	March 25, 2014
13-37	Authorize Pursuing the recommendation of Ad Hoc (Jail) Committee – 50 Bed Jail (With Ability for Future Expansion) & to Remodel Existing Courthouse Annex into a Justice Center.	February 25, 2014
13-38	Transfer From General Fund for 2013 Register of Probate Budget Deficit	February 25, 2014
13-39	To Further Consider Potential Consolidation of St. Croix and Pierce County 9-1-1 Centers.	April 15, 2014

ORDINANCE 13-01

REZONING 158 ACRES, MORE OR LESS, FROM GENERAL RURAL FLEXIBLE TO INDUSTRIAL IN THE TOWN OF TRENTON. William F. Holst, III.

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

Section 1: The Official Pierce County Zoning Map for the Town of Trenton is amended to change the zoning from General Rural Flexible to Industrial on 158 acres, more or less, described as:

Beginning at the SE corner of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Sec. 33, T25N, R18W, Town of Trenton; thence Westerly 1,320 feet, more or less, along the South line of said NE $\frac{1}{4}$ of the NE $\frac{1}{4}$, thence Northerly 954 feet, more or less, along the West line of said NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ to the current Industrial Zoning Boundary, thence Southeasterly along said Boundary 1,650 feet, more or less, to the Point of Beginning, containing 15 acres, more or less;

and,

Beginning at the SE corner of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Sec. 33, T25N, R18W, Town of Trenton; thence Westerly 1,020 feet, more or less, along the South line of said NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ to the East line of West 300' of said NW $\frac{1}{4}$ of the NE $\frac{1}{4}$; Thence Northerly 610 feet along said East line; thence Westerly parallel to said South line 300 feet, more or less, to the West line of said NW $\frac{1}{4}$ of the NE $\frac{1}{4}$; thence Northerly along said West line 710 feet, more or less, to the NW Corner of said NW $\frac{1}{4}$ of the NE $\frac{1}{4}$; thence Easterly 535.94 feet, along the North line of said NW $\frac{1}{4}$ of the NE $\frac{1}{4}$; thence Northerly 205 feet, more or less, to the current Industrial Zoning Boundary; thence Southeasterly 943 feet, more or less, along said Boundary to the East line of said NW $\frac{1}{4}$ of the NE $\frac{1}{4}$; thence South 963 feet, more or less, along said East line of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ to the Point of Beginning, containing 34 acres, more or less;

and,

The SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Sec. 33, T25N, R18W, Town of Trenton; lying North of County Trunk 'K';

Except the West 300 feet thereof;

Except the South 300 feet thereof as measured parallel to County Trunk 'K';

Except all land within 300 feet of the property line bordering parcel number 030-01123-0200; containing 26 acres, more or less;

and,

The SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Sec. 33, T25N, R18W, Town of Trenton, containing 40 acres, more or less;

and,

The NE ¼ of the SE ¼ and that part of the SE ¼ of the SE ¼ lying North of County Trunk 'K', both in Sec. 33, T25N, R18W, Town of Trenton;

Except CSM, Volume 3, Page 169;

Except that part of Block 43, Plat of Trenton lying North of County Trunk 'K';

Except the Southwest 300 feet thereof as measured parallel to County Trunk 'K';

Except all land within 300 feet of the Northeast line of CSM, Volume 3, Page 169;

Except all land within 300 feet of Block 44, Plat of Trenton, lying North of County Trunk 'K', containing 39 acres, more or less;

and,

All that part of Government Lot 3 of Sec. 33, T25N, R18W, Town of Trenton; lying North of County Trunk 'K';

Except land as described in Volume 219, Page 616;

Except the parcel number 030-01123-0400 in said Gov. lot 3 of Sec. 33 described as commencing at the SE corner of said Section, thence North along the East line 2,066.7 feet; thence West 1,886.1 feet to the centerline of County Trunk K and being Point of Beginning; thence North 38 degrees East 143 feet, Thence North 47 degrees West 102.5 feet, thence South 38 degrees West 138 feet to Centerline County Trunk K; thence South 44 degrees East along Centerline 103 feet to Point of Beginning as described in Volume 110, Page 55 and Volume 119, Page 850;

Except the parcel number 030-01123-0200 being part of Government Lot 3 described as commencing at a point 200 feet more or less East of the Northwest Corner of Said Government Lot; thence running East along North Line Said Government Lot 3, 303 feet to iron monument; thence running Southwesterly 287 feet to Point in Center County Trunk 'K' 380 feet southeasterly of Point of Beginning; thence running Northwesterly along Centerline County Trunk 'K' 380 feet to Point of Beginning;

Except the South 300 feet thereof as measured parallel to County Trunk 'K';

Except all land within 300 feet of the property described in Volume 219 Page 616;

Except all land within 300 feet of the parcel number 030-01123-0400;

Except all land within 300 feet of the parcel number 030-01123-0200, containing 4 acres, more or less.

all in Pierce County, Wisconsin.

Section 2: That this ordinance shall not be codified.

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

Dated this 28th day of May 2013.

Chair, Pierce County Board of Supervisors

Approved as to form and legality:

Attested to by:

Bradley Lawrence, Corporation Counsel

Jamie Feuerhelm, County Clerk

Adopted on: _____

Rezone application was approved by Land Management Committee on April 3, 2013.

ORDINANCE 13-02

**REZONING 51.6 ACRES FROM RURAL RESIDENTIAL-20 TO
GENERAL RURAL FLEXIBLE IN THE TOWN OF TRENTON.**

Jeffery Kessler (owner) & Chris Willgrubs (agent)

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

Section 1: The Official Pierce County Zoning Map for the Town of Trenton is amended to change the zoning from Rural Residential-20 to General Rural Flexible on 51.6 acres located in:

Outlot 2 of Certified Survey Maps recorded in Volume 12, Page 58, as Document Number 503637, located in part of Government Lot 4, Section 3, T24N, R18W, Town of Trenton, being parcel number 030-01034-0100, containing 11.6 acres, more or less;

and,

Parcel number 030-01051-0700 located in Government Lot 2, Section 11, T24N, R18W, Town of Trenton, containing 40 acres, more or less;

all in Pierce County, Wisconsin.

Section 2: That this ordinance shall not be codified.

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

Dated this 28th day of May 2013.

Chair, Pierce County Board of Supervisors

Approved as to form and legality:

Attested to by:

Bradley Lawrence, Corporation Counsel

Jamie Feuerhelm, County Clerk

Adopted on: _____

Rezone application was approved by Land Management Committee on May 2, 2013.

ORDINANCE NO. 13-03
Amend Chapter 4, § 4-13 of the Pierce County Code -
General Duties of Standing Committees

PIERCE COUNTY BOARD OF SUPERVISORS DOES HEREBY ORDAIN AS
FOLLOWS:

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

§ 4-13. General duties of standing committees.

All standing committees shall have the following duties. They shall:

- A. Report to the Board on all major developments within their respective departments at the time the respective annual reports are given.
- B. Ensure that each department complies fully with all directives of the Board and requirements of state and federal law.
- C. Counsel with the department heads, in an advisory capacity, to help effect necessary improvements.
- D. Assist each department in preparing its annual budget.
- E. Ensure that funds are spent for the purpose for which they were appropriated.
- F. Examine major department purchases and contracts.
- G. Perform such other duties as the Board may direct.
- H. Adopt, implement and periodically review policy and procedure for their departments.
- I. Have authority to apply for grants if the match is within the confines of their budgeting guidelines.
- J. File annually with the Department of Administration a list of grants detailing the dollar amounts, county match and obligation by the county after the grant expires.
- K. File all contracts with the Department of Administration within 30 days of execution.
- L. Determine whether to accept gifts or donations pursuant to § 59.52(19) Wis. Stats., whether financial, real or personal property, or otherwise, with a value of \$5,000 or less. Gifts or donations above said amount shall be considered for acceptance by Resolution to the full County Board of Supervisors.

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

Dated this 28th day of May, 2013.

Jeffrey A. Holst, Chair
Pierce County Board of Supervisors

Approved as to form and legality:

Attested to:

Bradley D. Lawrence, Corporation Counsel

Jamie Feuerhelm, County Clerk

Adopted by County Board on May 28, 2013

ORDINANCE 13-04

**REZONING 21.76 ACRES FROM RURAL RESIDENTIAL-20 TO INDUSTRIAL
IN THE TOWN OF TRENTON.**

Shelley Endres and William & Patricia Schroeder (owners) &
Wisconsin Industrial Sand Company (agent)

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

Section 1: The Official Pierce County Zoning Map for the Town of Trenton is amended to change the zoning from Rural Residential-20 to Industrial on 21.76 acres located in:

Lot 1 CSM V1 P251 being part of the W $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 1, T24N, R18W, Town of Trenton, being parcel number 030-01005-0410, containing 10 acres, more or less;

and,

Part of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ commencing from the Northwest corner of the SW $\frac{1}{4}$ of Section 1; Thence South along Westerly line 936.3 feet to Northerly line railroad right-of-way; then Southeasterly along Northerly line Railroad right-of-way 520.3 feet; Thence North 1,255 feet to North line; Thence West 412.25 feet to the Point of Beginning, excluding CSM V6 P168, all in Section 1, T24N, R18W, Town of Trenton, being parcel number 030-01005-0310, containing 8.260 acres, more or less;

and,

Part of Lot 1 CSM V4 P70 located west of the utility easement being part of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 1 and Government Lot 1 of Section 12, all in T24N, R18W, Town of Trenton, being part of parcel number 030-01008-0810, containing 3.5 acres, more or less;

all in Pierce County, Wisconsin.

Section 2: That this ordinance shall not be codified.

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

Dated this 25th day of June 2013.

Chair, Pierce County Board of Supervisors

Approved as to form and legality:

Attested to by:

Bradley Lawrence, Corporation Counsel

Jamie Feuerhelm, County Clerk

Adopted on: _____

Rezone application was approved by Land Management Committee on June 5, 2013.

ORDINANCE 13-05

**REZONING 2.0 ACRES FROM LIGHT INDUSTRIAL TO RURAL RESIDENTIAL-20
IN THE TOWN OF TRENTON. Randall & Bonita Trok.**

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

Section 1: The Official Pierce County Zoning Map for the Town of Trenton is amended to change the zoning from Light Industrial to Rural Residential-20 located in Lot 4 CSM V13 P110 being part of the SE ¼ of the SE ¼ of Section 33, T25N, R18W, Town of Trenton, being parcel number 030-01121-0840, containing 2.0 acres, more or less; all in Pierce County, Wisconsin.

Section 2: That this ordinance shall not be codified.

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

Dated this 23rd day of July 2013.

Chair, Pierce County Board of Supervisors

Approved as to form and legality:

Attested to by:

Bradley Lawrence, Corporation Counsel

Jamie Feuerhelm, County Clerk

Adopted on: _____

Rezone application was approved by Land Management Committee on June 20, 2013.

ORDINANCE 13-06

**REZONING 80.0 ACRES FROM RURAL RESIDENTIAL-12 TO GENERAL RURAL
FLEXIBLE-8 IN THE TOWN OF OAK GROVE. Gerald & Carol Pechacek.**

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 on 80.0 acres located in

the NW ¼ of the NW ¼ of Section 10, T26N, R19W, Town of Oak Grove, being parcel number 020-01024-0500, containing 40.0 acres, more or less;

and,

the SW ¼ of the NW ¼ of Section 10, T26N, R19W, Town of Oak Grove, being parcel number 020-01024-0600, containing 40.0 acres, more or less;

all in Pierce County, Wisconsin.

Section 2: That this ordinance shall not be codified.

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

Dated this 23rd day of July 2013.

Chair, Pierce County Board of Supervisors

Approved as to form and legality:

Attested to by:

Bradley Lawrence, Corporation Counsel

Jamie Feuerhelm, County Clerk

Adopted on: _____

Rezone application was approved by Land Management Committee on June 20, 2013.

ORDINANCE 13-07

**ORDINANCE TO REVISE CHAPTER 240 OF THE PIERCE COUNTY CODE-
ZONING**

PIERCE COUNTY BOARD OF SUPERVISORS DOES HEREBY ORDAIN AS FOLLOWS:

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

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

Dated this 27th day of August, 2013

Jeff Holst, Chair
Pierce County Board of Supervisors

Approved as to form and legality:

Attested to by:

Bradley Lawrence, Corporation Counsel

Jamie Feuerhelm, County Clerk

Adopted: _____

Exhibit A

P	=	Permitted Use
C	=	Conditional Use
Blank Space	=	Not permitted in district

Blank Space = Not permitted in district

[illegible]

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

Notes:

§ 240-37

G. Adult Oriented Entertainment Business

- (1) The following setbacks shall apply:
 - (a) 1320 feet from schools, churches, licensed daycares and parks
 - (b) 500 feet from residential districts
 - (c) 300 feet from offsite residents

§ 240-88. Definitions.

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

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

ACCESSORY BUILDING - See "building, accessory."

ACCESSORY RESIDENCE -

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

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

ACCESSORY STRUCTURE - See "structure, accessory."

ACCESSORY USE - See "use, accessory."

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

ADULT ORIENTED ENTERTAINMENT BUSINESS - any business whose primary business activity is characterized by emphasis on matters depicting, describing, or relating to nudity, sexual conduct, sexual excitement or sadomasochistic abuse, such as an adult bookstore, adult theater, adult massage parlor, adult sauna, adult entertainment center, adult cabaret, adult health/sports club, adult steam room/bathhouse facility.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

FARMERS MARKET - A use which principally involves the retail sale of farm and garden products from local area farmers.

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

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

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

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

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

GENERAL AGRICULTURE - See "agriculture, general."

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

"Nonmetallic mining" or "nonmetallic mining operation" does not include or allow the following activities or uses, by way of illustration, which include, but are not limited to, manufacture of concrete building blocks

or other similar products, asphalt or hot blacktop mixing and production of ready-mix concrete.

Nonmetallic mining does not include the following activities:

- A. Excavations or grading by a person solely for domestic use at his or her residence.
- B. Excavations or grading conducted for highway construction purposes within the highway right-of-way.
- C. Grading conducted for farming, preparing a construction site or restoring land following a flood or natural disaster.
- D. Excavations for the foundation of structures, provided that such excavation does not exceed a volume of material 1.5 times the volume of the polyhedron bounded by the natural grade, the bottom of the footings and the exterior of the foundation walls.
- E. Minor land disturbances such as installation of utilities, walks and driveways, sanitary waste disposal systems or fuel storage tanks.
- F. Any mining operation, the reclamation of which is required in a permit obtained under §§ 293.01 to 293.93, Wis. Stats.
- G. Any activities conducted at a solid or hazardous waste disposal site required to prepare, operate or close a solid waste disposal facility under §§ 289.05 to 289.33, Wis. Stats., or a hazardous waste disposal facility under §§ 291.001 to 291.97, Wis. Stats.; provided, however, that said section applies to activities related to solid or hazardous waste disposal which are conducted at a nonmetallic mining site separate from the solid or hazardous waste disposal facility, such as activities to obtain nonmetallic minerals to be used for lining, capping, covering or constructing berms, dikes or roads.
- H. Any nonmetallic mining site or portion of a site which is subject to permit and reclamation requirements of the Department of Natural Resources under §§ 30.19, 30.195 and 30.20, Wis. Stats.

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

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

NUDITY - the showing of the human male or female genitals or pubic area with less than a fully opaque covering or the depiction of covered male genitals in a discernably turgid state and/or the appearance of bare buttocks, anus or female breast.

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

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

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

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

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

ORCHARD - An establishment located on a lot devoted to the cultivation of fruit trees that includes the sale of goods containing produce primarily grown on-site and items to attract customers and promote the

sale of agricultural products such as baked goods, ice cream, crafts and other retail items identified in the conditional use permit.

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

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

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

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

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

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

PRINCIPAL BUILDING - See "building, principal."

PRINCIPAL STRUCTURE - See "structure, principal."

PRINCIPAL USE - See "use, principal."

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

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

REAR YARD - See "yard, rear."

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

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

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

RECREATION CAMP - See "institutional recreation camp."

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

SEXUAL CONDUCT - acts of masturbation, sexual intercourse, or physical contact with a person's unclothed genitals, pubic area, buttocks, or, if female breast.

SEXUAL EXCITEMENT - the condition of human male or female genitals when in a state of sexual stimulation or arousal.

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

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

SIDE YARD - See "yard, side."

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

TOPSOIL - Soil material (normally the A horizon and upper part of the B horizon of a soil profile) which is acceptable for respreading on the surface of regraded areas to provide a medium which sustains a dense plant growth capable of preventing wind and water erosion of the topsoil and other materials beneath.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

ORDINANCE NO. 13-08
Amend Chapter 40, Section 40-4 of the Pierce County Code –
Revenue and Finance

PIERCE COUNTY BOARD OF SUPERVISORS DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: That Chapter 40, Section 40-4 of the Pierce County Code is hereby revised as follows:

§ 40-4 Treatment of underpayments and overpayments.

- A. Purpose. The purpose of this section shall be to establish in accord with §§ 59.54(24) and 20.905, Wis. Stats., a procedure for dealing with worthless payments to the County, underpayments and overpayments. ~~The ordinance codified in this section is adopted consistent with § 20.905, Wis. Stats.~~
- B. Penalty assessment against ~~underpayments and~~ worthless payments. Should any person make any payments to the County, any County officer, office or department in the form of a postal money order, express money order, bank draft, certified check, personal check, debit or credit card and should such payment be refused as, for example, with respect to a checking account in which insufficient funds have been placed ~~or should such any such payment be for less than \$2 less than the full amount due and owing to the County,~~ the County officer, department or office to which said payment is made shall impose on and collect from the person who issues such a worthless payment ~~or underpayment~~ a penalty assessment of ~~\$20~~ \$35. Said penalty assessment shall be assessed against each individual underpayment or worthless payment.
- C. Procedure for dealing with described underpayments and overpayments. In the event that a person makes a payment to the County for purposes of fees, licenses and similar charges and overpays the County by an amount equivalent to ~~\$2~~ \$5 or less, unless a refund is specifically requested in writing from said person, said overpayment of ~~\$2~~ \$5 or less shall be retained by the County and remitted to the general fund. In the event a person makes a payment for fees, licenses or similar charges which constitutes an underpayment of not more than ~~\$2~~ \$5, collection of said underpayment may be waived by the officer, department or office accepting the same when the administrative cost of collection would exceed the amount of underpayment.

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

Dated this 24th day of September, 2013.

Jeffrey A. Holst, County Board Chairperson

Approved as to form and legality:

Attested to:

Bradley D. Lawrence, Corporation Counsel

Jamie Feuerhelm, County Clerk

Adopted by County Board on _____

**Substitute
ORDINANCE NO. 13-09
Amend Chapter 172, Section 172-15(B) of the Pierce County Code – Parks and
Recreation**

PIERCE COUNTY BOARD OF SUPERVISORS DOES HEREBY ORDAIN AS
FOLLOWS:

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

§ 172-15 All-terrain vehicles and routes.

B. Designation of all-terrain vehicle routes. The following routes are designated all-
terrain vehicle routes in the county.

- (1) In the Town of El Paso, the portion of County Road N from 650th Avenue to
County Road G to 425th Street.
- (2) In the Town of El Paso, from the intersection of County Road N and G to
W4277 County Road G.
- (3) In the Town of Spring Lake, CTH B, ~~from 170th Street proceeding north
approximately 0.8 miles to 850th Avenue.~~ from 770th Avenue and County Road
B, east on County Road B to STH 128 and 770th Avenue.
- (4) In the Village of Spring Valley, CTH B, from a point 1800 feet West of the
intersection of CTH B and Newman Avenue, to the intersection of CTH B and
Newman Avenue, South to the intersection of CTH B and Akers Street, East to
the intersection of CTH B and McKay Avenue.

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

Dated this 24th day of September, 2013.

Jeffrey A. Holst, County Board Chairperson

Approved as to form and legality:

Attested to:

Bradley D. Lawrence, Corporation Counsel

Jamie Feuerhelm, County Clerk

Adopted by County Board on _____

ORDINANCE NO. 13-10
AN ORDINANCE TO AMEND THE COMPREHENSIVE PLAN OF THE
COUNTY OF PIERCE, WISCONSIN TO INCLUDE THE
2013 PIERCE COUNTY FARMLAND PRESERVATION PLAN

PIERCE COUNTY BOARD OF SUPERVISORS DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: PURPOSE

Pierce County previously adopted its Comprehensive Plan in Ordinance 09-02, and its Farmland Preservation Plan in Resolution 82-22. The purpose of this ordinance is for Pierce County to lawfully amend its Comprehensive Plan to include the 2013 Pierce County Farmland Preservation Plan, to enable towns and property owners to continue to participate in programs associated with the Working Lands Initiative (formerly known as the Farmland Preservation Program).

SECTION 2: PIERCE COUNTY LAND MANAGEMENT COMMITTEE AND LAND CONSERVATION COMMITTEE RECOMMENDATION

The 2013 Farmland Preservation Plan was jointly developed by the Land Management Committee and the Land Conservation Committee, and a public hearing to consider adoption held on October 25, 2012, after which the plan was recommended for adoption. The plan was then subject to a thorough legal review to ensure compliance with the State of Wisconsin, Department of Agriculture, Trade and Consumer Protection (DATCP) certification standards. In July, 2013 the plan was submitted to DATCP for certification. DATCP has approved the Pierce County Farmland Preservation Plan for certification. Pursuant to §66.1001(4)(c) Wis. Stats., the 2013 Farmland Preservation Plan must be adopted as part of the comprehensive plan.

SECTION 3: AMEND COUNTY COMPREHENSIVE PLAN

The County Board of Pierce County, Wisconsin, does, by the enactment of this ordinance, formally amend the document entitled “PIERCE COUNTY COMPREHENSIVE PLAN,” to include the 2013 Pierce County Farmland Preservation Plan, a copy of which is attached hereto and incorporated by reference, including all maps, descriptive matter and other matters contained therein.

SECTION 4: EFFECTIVE DATE

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

Dated this 22nd day of October, 2013.

Jeff Holst, County Board Chairperson

Approved as to form and legality:

Attested to:

Bradley D. Lawrence, Corporation Counsel

Jamie Feuerhelm, County Clerk

Adopted by County Board on _____

ORDINANCE 13-11

**REZONING 6.79 ACRES FROM GENERAL RURAL TO COMMERCIAL
IN THE TOWN OF ISABELLE. City of Red Wing.**

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 Commercial on land located in

That part of the NE ¼ of the SW ¼ and that part of the NW ¼ of the SE ¼ of Section 6, T24N, R17W, all in the Town of Isabelle, Pierce County, Wisconsin, described as follows:

Commencing at the West quarter corner of said Section 6; thence South 89 degrees 57 minutes 41 seconds East (oriented with the Pierce County Coordinate System), along the East-West quarter line of said Section 6, a distance of 2,348.00 feet; thence South 00 degrees 02 minutes 19 seconds West, a distance of 337.00 feet to the Point of Beginning of the land to be described; thence South 89 degrees 57 minutes 41 seconds East, a distance of 715.00 feet; thence South 00 degrees 02 minutes 19 seconds West, a distance of 705.00 feet; thence North 89 degrees 57 minutes 41 seconds West, a distance of 200.00 feet; thence North 00 degrees 02 minutes 19 seconds East, a distance of 552.50 feet; thence North 89 degrees 57 minutes 41 seconds West, a distance of 300.00 feet; thence South 00 degrees 02 minutes 19 seconds West, a distance of 355.50 feet; thence North 89 degrees 57 minutes 41 seconds West, a distance of 215.00 feet; thence North 00 degrees 02 minutes 19 seconds East, a distance of 508.00 feet to the Point of Beginning, containing 6.79 acres, more or less.

Section 2: That this ordinance shall not be codified.

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

Dated this 22nd day of October 2013.

Chair, Pierce County Board of Supervisors

Approved as to form and legality:

Attested to by:

Bradley Lawrence, Corporation Counsel

Jamie Feuerhelm, County Clerk

Adopted on: _____

Rezone application was approved by Land Management Committee on October 2, 2013.

ORDINANCE NO. 13-12
Amend Pierce County Code Chapter 238 Floodplain Zoning
& Chapter 240 Zoning Codes.

PIERCE COUNTY BOARD OF SUPERVISORS DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: That Chapter 238, Article II, § 238-20 of the Pierce County Code is hereby revised as follows:

§ 238-20. Public or private campgrounds.

Public or private campgrounds shall be allowed only if they evidence a low flood damage potential. Said requirement shall be determined upon application of the following criteria:

- A. The campground is approved by the Department of Health Services. [Amended 10-25-2011 by Ord. No. 11-10]
- B. A land use permit for the campground is approved by the Zoning Administrator.
- C. The character of the river system and the elevation of the campground is such that a seventy-two hour warning of an impending flood can be given to all campground occupants.
- D. There is an adequate flood warning procedure for the campground that offers the minimum notice required under this section to all persons in the campground. This procedure shall include a written agreement between the campground owner, the municipal emergency government coordinator and the chief law enforcement official which specifies the flood elevation at which evacuation shall occur, personnel responsible for monitoring flood elevations, types of warning systems to be used and the procedures for notifying at-risk parties, and methods and personnel responsible for conducting the evacuation.
- E. The agreement required under Subsection D shall be valid for no more than one calendar year, prior to the end of which period it shall be reviewed by and between the operator and the officials identified in Subsection D and, if necessary, modify in order to remain in full compliance with all applicable regulations, including but not limited to those of the State Department of Health Services. [Amended 10-25-2011 by Ord. No. 11-10]
- F. Only tents and mobile recreational vehicles shall be allowed by the operator to be placed in and used in each such campground.
- G. Tents may not occupy any site in the campground for more than 180 consecutive days, at which time the camping unit must be removed from the floodplain for a minimum of 24 hours.
- H. All tents that remain on site for more than 30 days shall be issued a limited authorization by the campground operator, a written copy of which is kept on file at the campground. Such authorization shall allow placement of a camping unit for a period not to exceed 180 days and shall ensure compliance with all the provisions of this section.

- I. The municipality shall monitor campground usage to assure compliance with the terms of this section.
- J. All structures that do not meet the definition of tents or mobile recreational vehicles, or that remain in place for more than 180 consecutive days, must meet the applicable requirements in either Article III or Article IV for the floodplain district in which the structure is located.
- K. The campground shall have signs clearly posted at all entrances warning of the flood hazard and the procedures for evacuation when a flood warning is issued.
- L. All service facilities, including but not limited to refuse collection, electrical service, natural gas lines, propane tanks, sewage systems and wells shall be properly anchored and placed at or floodproofed to the flood protection elevation.
- M. Camping in a camping unit in a floodplain outside of approved campgrounds under this section is allowed without a permit if the camping unit consists of nothing more than an easily removable tent or if the following criteria are met:
 - (a) The camping unit is a mobile recreational vehicle;
 - (b) The camping unit is on a parcel of land that has less than 4 camping sites and the parcel is not advertised, represented or used as a campground;
 - (c) The camping unit may not occupy the site for a period of more than 180 consecutive days;
 - (d) Support services are consistent with items J and L listed above.

SECTION 2: That Chapter 238, Article III, § 238-24D of the Pierce County Code is hereby revised as follows:

§238-24. Prohibited uses.

- D. Any private or public sewage systems, except portable latrines that are removed prior to flooding and systems associated with recreational areas and Department approved campgrounds that meet applicable provisions of local ordinances and Chapter SPS 383 ~~COMM-83~~ of the Wisconsin Administrative Code.

SECTION 3: That Chapter 238, Article IV, § 238-27H of the Pierce County Code is hereby revised as follows:

§238-27. Standards for development in flood-fringe areas.

- H. Sewage systems. All on-site sewage disposal systems shall be floodproofed, pursuant to Section 238-46, to the flood protection elevation and shall meet the provisions of all local ordinances and Chapter SPS 383 ~~COMM-83~~ of the Wisconsin Administrative Code.

SECTION 4: That Chapter 238, Article VI, § 238-33B of the Pierce County Code is hereby revised as follows:

§238-33. Floodway areas.

- B. No new onsite sewage disposal system or addition to an existing on-site sewage disposal system, except where an addition has been ordered by a government agency to correct a hazard to public health, shall be allowed in a floodway area. Any replacement, repair or maintenance of an existing on-site sewage disposal system in a floodway area shall meet the applicable requirements of all municipal ordinances and Chapter SPS 383 ~~COMM 83~~ of the Wisconsin Administrative Code.

SECTION 5: That Chapter 238, Article VI, § 238-34D of the Pierce County Code is hereby revised as follows:

§238-34. Flood-fringe areas.

- D. All new private sewage systems, or additions to, replacement, repair or maintenance of a private sewage disposal system, shall meet all applicable provisions of all local ordinances and Chapter SPS 383 ~~COMM 83~~ of the Wisconsin Administrative Code.

SECTION 6: That Chapter 238, Article IX, § 238-51 of the Pierce County Code is hereby revised as follows:

§ 238-51. Definitions and word usage.

Human habitation — means a human residence or dwelling.

Yurt — a circular tent-like structure supported on a lattice framework used for human habitation by a family or non-family group.

SECTION 7: That Chapter 240, Article III, § 240-29D of the Pierce County Code is hereby revised as follows:

§240-29. Height requirements.

- D. Industrial and commercial buildings structure heights may be granted exemptions by the Land Management Committee ~~to a height of 60 feet~~, provided that all required setback and yards are increased by not less than one foot for each foot the structure exceeds 35 feet.

SECTION 8: That the revised Ordinance shall become effective upon its adoption and publication as required by law.

Dated this 25TH day of February, 2014.
Adopted: March 25, 2014

ORDINANCE 13-13

**REZONING 10 ACRES FROM AGRICULTURE-RESIDENTIAL TO INDUSTRIAL
IN THE TOWN OF DIAMOND BLUFF. STEVE BURMOOD (owner) and WISCONSIN
INDUSTRIAL SAND COMPANY (agent).**

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

Section 1: The Official Pierce County Zoning Map for the Town of Diamond Bluff is amended to change the zoning from Agriculture-Residential to Industrial on 10.00 acres located in part of the SE ¼ of the NW ¼ of Section 12, T25N, R19W, all in the Town of Diamond Bluff, Pierce County, Wisconsin, described as follows:

Commencing at the southwest corner of said Northwest Quarter of Section 12;
Thence South 89 Degrees 25 Minutes 11 Seconds East, along the south line of said Northwest Quarter, a distance of 1,319.02 feet to the southwest corner of said Southeast Quarter of the Northwest Quarter being the point of beginning;
Thence North 00 Degrees 40 Minutes 42 Seconds East, along the west line of said Southeast Quarter of the Northwest Quarter, a distance of 1,315.05 feet to the northwest corner of said Southeast Quarter of the Northwest Quarter;
Thence South 89 Degrees 15 Minutes 23 Seconds East, along the north line of said Southeast Quarter of the Northwest Quarter, a distance of 331.36 feet;
Thence South 00 Degrees 40 Minutes 42 Seconds West, parallel with said west line, a distance of 1,314.10 feet to the south line of said Northwest Quarter; and
Thence North 89 Degrees 25 Minutes 11 Seconds West, along said south line, a distance of 331.36 feet to the point of beginning.

Section 2: That this ordinance shall not be codified.

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

Dated this 25th day of February 2014.

Adopted: March 25, 2014

Rezone application was approved by Land Management Committee on February 5, 2014.

ORDINANCE NO. 13-14

Amend Chapter 172, Section 172-15(B) of the Pierce County Code – Parks and Recreation

PIERCE COUNTY BOARD OF SUPERVISORS DOES HEREBY ORDAIN AS FOLLOWS:

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

§ 172-15 All-terrain vehicles and routes.

B. Designation of all-terrain vehicle routes. The following routes are designated all-terrain vehicle routes in the county.

- (1) In the Town of El Paso, the portion of County Road N from 650th Avenue to County Road G to 425th Street.
- (2) In the Town of El Paso, from the intersection of County Road N and G to W4277 County Road G.
- (3) In the Town of Spring Lake, CTH B, from 770th Avenue and County Road B, east on County Road B to STH 128 and 770th Avenue.
- (4) In the Village of Spring Valley, CTH B, from a point 1800 feet West of the intersection of CTH B and Newman Avenue, to the intersection of CTH B and Newman Avenue, South to the intersection of CTH B and Akers Street, East to the intersection of CTH B and McKay Avenue.
- (5) In the Town of Spring Lake, on County Road P from 50th Street south to the north Village of Elmwood village limits.

In the Village of Elmwood, on County Road P from the north village limits to the south village limits.

In the Town of Rock Elm, on County Road P from the south Village of Elmwood village limits to 250th Avenue.

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

Dated this 25TH day of March, 2014.

Jeffrey A. Holst, Chair
Pierce County Board of Supervisors

ATTESTED TO BY:

APPROVED AS TO FORM AND LEGALITY BY:

Jamie Feuerhelm, County Clerk

Bradley D. Lawrence, Corp. Counsel

Adopted: April 15, 2014

ORDINANCE NO. 13-15
Amend Chapter 4, Section 4-42 of the Pierce County Code –
Organization and Rules of Procedure

PIERCE COUNTY BOARD OF SUPERVISORS DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: That Chapter 4, Section 4-42(B), (C) and (D) of the Pierce County Code are hereby revised as follows:

§ 4-42 Conduct of business by committees.

~~B. Introduction of legislation. Members or committees of the Board introducing resolutions ordinances shall advise the Administrative Coordinator of the general contents thereof. Thereupon, the Administrative Coordinator shall assign a number to the document, which shall be incorporated for reference purposes as part of the resolution or ordinance and thereupon submit the document to Corporation Counsel for review. If given the legislation five days before the County Goad meeting, Corporation Counsel shall review resolutions and ordinance for correct format. Substantive legal questions should be submitted to the Corporation Counsel's office as early as possible prior to this review. In addition, all resolutions shall be prefaced by a title and the name of the members or committee introducing the same and a short identifying statement of the purpose thereof.~~

Procedure to introduce and process legislation. County Board Supervisors or committees of the Board seeking to introduce resolutions or ordinances shall notify the Corporation Counsel of the need for legislation, and provide supporting documentation in order to allow the Corporation Counsel to draft, revise and approve of the proposed legislation consistent with § 13-4(F). Such notification shall take place not later than ten (10) calendar days in advance of the meeting agenda items deadline, as established by Administration. Substantive legal questions shall be submitted to the Corporation Counsel as early as possible prior to this review. Corporation Counsel shall draft the proposed legislation and provide it to the meeting agenda custodian for placement on the agenda. Failure of the meeting agenda custodian to receive the legislation by the meeting agenda items deadline will require waiting until the next meeting cycle, however, an exception to a late submission of legislation may be made by the chairperson, Administrative Coordinator, or Corporation Counsel in exigent circumstances. Upon the Corporation Counsel providing the meeting agenda custodian with the proposed legislation, a completed request for action form setting forth the request, the background, and the purpose of the legislation, along with any supporting documentation shall be provided by the Supervisor or committee to the meeting agenda custodian by the meeting agenda materials deadline, as established by Administration. The Finance and Personnel Committee shall consider legislation consistent with § 4-21(L). Thereafter, the meeting agenda custodian shall assign the proposed legislation a number, and the proposed legislation shall be considered by the County Board of Supervisors, consistent with this section, and §§ 4-43 and 4-44. Placement of legislation on a meeting agenda by the committee chair shall be consistent with this section, and § 4-

45.

- C. ~~Submission time limit for legislation. Every resolution or ordinance shall be submitted by the department head to the Administrative Coordinator five working days in advance of every meeting, along with sufficient copies for each member of the Board. The Administrative Coordinator will submit copies to the Chairperson and the Corporation Counsel. An exception to a late submission of a resolution can be made by the County Board Chairperson or Administrative Coordinator in an emergency. The Administrative Coordinator shall mail agendas and proposed legislation to all Board members prior to each meeting.~~

Any committee submitting recommendations to the County Board of Supervisors shall have the chairperson of said committee review the background of the legislation and read those sections of the official committee minutes that pertain to this legislation.

- D. ~~Any committee submitting recommendations to the County Board of Supervisors shall have the chairperson of said committee review the background of the legislation and read those sections of the official committee minutes that pertain to this legislation.~~

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

Dated this 25TH day of March, 2014.

Jeffrey A. Holst, Chair
Pierce County Board of Supervisors

ATTESTED TO BY:

APPROVED AS TO FORM AND LEGALITY
BY:

Jamie Feuerhelm, County Clerk

Bradley D. Lawrence, Corp. Counsel

Adopted: April 15, 2014

RESOLUTION NO. 13-01
RATIFY PIERCE COUNTY'S LAST BEST OFFER TO AFSCME – HIGHWAY
FOR ITS' 2013 AGREEMENT

WHEREAS, negotiations were undertaken by and between the County and AFSCME – Highway with regard to their Collective Bargaining Agreement; and

WHEREAS, the Negotiations Committee met with AFSCME – Highway on December 18, 2012 and February 14, 2013 to engage in contract negotiations for total base wages for the period of January 1, 2013 through December 31, 2013; and

WHEREAS, the Negotiations Committee proposed a total base wage increase of \$28,662 to be distributed by applying a 1.25% increase to each wage rate in the wage schedule set forth in the collective bargaining agreement which expired on December 31, 2012, attached hereto as Exhibit A; and

WHEREAS, AFSCME – Highway is not in agreement with said proposal, and has agreed that the parties have reached an impasse in negotiations; and

WHEREAS, if the parties reach impasse, the County has the authority to unilaterally implement its' last best offer, as interest arbitration is no longer available as a means of resolving a dispute over contract terms pursuant to Wis. Stat. 111.70(4)(cm); and

WHEREAS, the Negotiations Committee and the Finance and Personnel Committee, recommend to the full County Board of Supervisors that Pierce County unilaterally implement its' last best offer of a total base wage increase of \$28,662 to be distributed by applying a 1.25% increase to each wage rate in the wage schedule set forth in the collective bargaining agreement which expired on December 31, 2012, attached hereto as Exhibit A.

NOW, THEREFORE BE IT RESOLVED, by the County Board of Supervisors that it hereby goes on record to unilaterally implement its' last best offer of a total base wage increase of \$28,662 to be distributed by applying a 1.25% increase to each wage rate in the wage schedule set forth in the collective bargaining agreement which expired on December 31, 2012, attached hereto as Exhibit "A", to this Resolution.

Dated this 16th day of April, 2013.

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

ATTESTED TO BY:

APPROVED AS TO FORM AND LEGALITY BY:

Jamie Feuerhelm, County Clerk

Bradley D. Lawrence, Corp. Counsel

Adopted _____

Exhibit "A"

**INITIAL PROPOSALS
OF
PIERCE COUNTY
TO
PIERCE COUNTY HIGHWAY DEPARTMENT EMPLOYEES, LOCAL 556
AFSCME, AFL-CIO
FOR A SUCCESSOR TO THE 2011-12 AGREEMENT**

For a January 1, 2013, to December 31, 2013, Agreement

December 18, 2012

TOTAL BASE WAGES: The County proposes a total base wage increase of \$ 28,662* to be distributed by applying a 1.25% increase to each wage rate in the wage schedule set forth in Appendix A of the collective bargaining agreement which expires on December 31, 2012.

**APPENDIX A
2013**

		<u>Hourly</u>	<u>OT</u>
Class I	Shop Foreman	23.86	35.79
Class II	Outside Foreman Partsman Sign Engineering Aid	23.26	34.89
Class III	Excavator Operator Mechanic/Welder Welder/Mechanic Crushing Plant Operator 5-Yard Loader Operator Skilled Bridge Worker Night Mechanic	22.82	34.23
Class IV	Loader Operator Dozer Operator Equipment Mover Cat & Scraper Operator Grader Operator Traveling Parts Man Paver Operator Rollerman Yard Man Truck Spotter Janitor I Sweeper Screed Operator	22.64	33.96
Class V	Night Maintenance Sign Painter Truck Driver Patrolman Bridge Worker/Semi Skilled Janitor II Bridgetender/Winter Patrolman Patrolman/Bridgetender Fill-In	22.44	33.66
Class VI	Student Employees	12.64	18.96

RESOLUTION NO. 13-02
RATIFY COLLECTIVE BARGAINING AGREEMENT FOR
L.A.W. – SHERIFF’S DEPARTMENT EMPLOYEES’ ASSOCIATION

WHEREAS, negotiations were undertaken by and between the County and L.A.W. – Sheriff’s Department Employees’ Association with regard to their Collective Bargaining Agreements; and

WHEREAS, the Negotiations Committee, at its meeting on January 31, 2013, and the Finance and Personnel Committee at its meeting on April 1, 2013, reviewed the tentative, proposed contract settlement offer for the period of January 1, 2013 through December 31, 2013 (a summary of which is attached and incorporated herein as Exhibit A); and

WHEREAS, the L.A.W. – Sheriff’s Department Employees’ Association is in agreement with said proposal; and

WHEREAS, the Negotiations Committee and the Finance and Personnel Committee recommend to the full County Board of Supervisors that it ratify said Collective Bargaining Agreement, a summary of which is attached hereto as Exhibit A, for the period in question.

NOW, THEREFORE BE IT RESOLVED, by the County Board of Supervisors that it hereby goes on record in ratifying the Collective Bargaining Agreement by and between Pierce County and L.A.W. – Sheriff’s Department Employee Association for the term of January 1, 2013 through December 31, 2013 as incorporated in the Settlement Proposal Summary attached as Exhibit A to this Resolution.

Dated this 16th day of April, 2013.

Jeffrey A. Holst, Chairperson
Pierce County Board of Supervisors

ATTESTED TO BY:

APPROVED AS TO FORM AND LEGALITY BY:

Jamie Feuerhelm, County Clerk

Bradley D. Lawrence, Corp. Counsel

Adopted _____

Exhibit "A"

**TENTATIVE SETTLEMENT
OF
PIERCE COUNTY
TO
PIERCE COUNTY SHERIFF'S DEPARTMENT EMPLOYEES' ASSOCIATION
LOCAL 118 OF THE LABOR ASSOCIATION OF WISCONSIN, INC.
FOR A SUCCESSOR TO THE 2011-12 AGREEMENT**

From January 31, 2013, Bargaining Session

All tentative agreements reached between the parties in the December 12, 2012, and January 3, 2013, bargaining sessions (attached) and the following as a "package deal":

6. **ARTICLE 17 – WAGES**

A. Section 17.1 and Exhibit A:

January ~~May~~ 1, 2013: ~~0%~~ 1%
January 1, 2014: ~~1.25%~~ 1% wage freeze

7. **ARTICLE 24 – HEALTH AND WELFARE BENEFITS**

A. **Section 24.1 – Health and Welfare.** Amend Section 24.1 to read:

The County agrees to continue a health insurance plan for each employee who has been employed thirty (30) days or more. The County shall pay 90% in 2013 and 88% in 2014 of the employee's single or family hospital medical-surgical plan premium.

**TENTATIVE AGREEMENTS
BETWEEN
PIERCE COUNTY
AND
PIERCE COUNTY SHERIFF'S DEPARTMENT EMPLOYEES' ASSOCIATION
LOCAL 118 OF THE LABOR ASSOCIATION OF WISCONSIN, INC.
FOR A SUCCESSOR TO THE 2011-12 AGREEMENT**

From December 12, 2012, bargaining session

Co. 1. **ARTICLE 11 – GRIEVANCE PROCEDURE AND ARBITRATION.**

11.6 – Arbitration. Any grievance not resolved as a result of the above listed steps, or any violation of this Agreement, is arbitrable and shall be submitted to arbitration ~~by either party~~ as provided in this Section.

11.6.1. Any grievance, which cannot be settled through the above procedure, may be submitted by ~~either party~~ the Union to final and binding arbitration within ten (10) workdays of receipt of the Finance & Personnel Committee's written reply, as follows:

1. The parties shall attempt to voluntarily agree upon a neutral arbitrator.
2. In the event that they are unable to agree, the parties shall develop a list of three (3) mutually acceptable staff persons from the Wisconsin Employment Relations Commission. Each party shall suggest staff members to the other party until three (3) mutually agreeable arbitrators are selected.
3. In event the parties cannot agree to three (3) staff persons who are mutually agreeable within the ten (10) working days, the ~~parties~~ Union shall request the Commission to appoint ~~one of the~~ an arbitrators ~~from the list of mutually agreeable arbitrators~~ to serve as arbitrator in an individual case.
4. The arbitrator shall render a decision, which shall be final and binding upon both parties.
5. The arbitrator shall not modify, change or alter any provision of this Agreement.

Co.2. **ARTICLE 12 – DISCIPLINE.**

12.2 – Suspension and Discharge. In matters relating to suspension or discharge, the Grievant may elect to appeal the County's decision to either circuit court, as provided under §59.26, or to arbitration as provided for by Article 11, Section 11.6, of the Grievance Procedure. An election of one disciplinary appeal option by the Grievant shall preclude use of the other. If the Grievant chooses to arbitrate a discipline decision, the procedures that apply to all other grievances shall apply and the grievance shall commence at the step set forth in Section 11.6.

Co.3. (As amended)

ARTICLE 12 – DISCIPLINE. Delete Section 12.4.

12.4 – Issuance of Warning Notice/Effective Duration. The warning notice, as herein provided, shall not remain in effect for a period of more than nine (9) months from the date ~~of said complaint~~ it is issued. The warning notice must also be issued within ninety (90) calendar days of ~~said complaint~~ management's knowledge of the event(s) giving rise to the warning.

Co.8. **ARTICLE 33 – DURATION.**

33.1 – Duration. This Agreement shall be in full force and effect from January 1, ~~2011~~2013, through December 31, ~~2012~~2014. If either party desires to open this Agreement for

negotiations on a successor Agreement, it must serve written notice of such intent on or before September 1st of the expiration year of the Agreement.

**TENTATIVE AGREEMENTS
BETWEEN
PIERCE COUNTY
AND
PIERCE COUNTY SHERIFF'S DEPARTMENT EMPLOYEES' ASSOCIATION
LOCAL 118 OF THE LABOR ASSOCIATION OF WISCONSIN, INC.
FOR A SUCCESSOR TO THE 2011-12 AGREEMENT**

From January 3, 2013, Bargaining Session

Co. 4. **ARTICLE 12 – DISCIPLINE.** Amend Section 12.5 to read:

12.5 – Notification Of Discharge. Discharge must be by proper written notice to the employee, with a copy to the Association. Any employee may request a mutual investigation as to their discharge, suspension or warning notice. The parties may mutually agree that an employee may be reinstated with full, partial, or no compensation for time loss. If the parties cannot agree, and the discharge, suspension or warning notice is taken to Arbitration, only the complaints within the last six (6) months against the employee, from the date of the last complaint, will be considered in the discipline given, if any.If a discharge is taken to Arbitration, only those disciplinary actions issued within twelve (12) months from the date of management's knowledge of the events giving rise to the discharge will be considered in the discipline.

Co. 5. **ARTICLE 15 – HOURS OF WORK AND OVERTIME.**

15.4 – Compensatory Time. Add sentence to read:

All accrued compensatory time shall be paid out as overtime in the last pay period of the year. No compensatory time may be carried over from one year to the next.

15.5 – Recreational Patrol Officer. Add sentence to read:

All accrued compensatory time shall be paid out as overtime in the last pay period of the year. No compensatory time may be carried over from one year to the next.

Co. 6. **ARTICLE 17 – WAGES.** Add new section to read:

B. An officer who has received FTO schooling and is approved by the Sheriff to conduct field training as part of a formal training program shall receive \$0.50 per hour

differential for all hours assigned to conduct field service training. The wage rate shall be reduced correspondently by \$0.50 per hour for an employee during the period of time the employee is receiving field service training, except where the reduction would result in a decrease in wages for a current bargaining unit member who is receiving field training pursuant to a promotion, or where the individual receiving field training is outside the bargaining unit.

RESOLUTION NO. 13-03
Supporting Efforts to Maintain the Tax-Exempt
Status of Municipal Bonds

WHEREAS, the tax-exempt status of municipal bonds is nearly a century old and is vital to funding local infrastructure and economic development; and

WHEREAS, any move to change the current tax treatment of local government bonds would lead to higher borrowing costs for local governments; and

WHEREAS, without tax-exempt financing, much-needed infrastructure improvements would likely be delayed; and

WHEREAS, tax-exempt bonds are a critical tool for Wisconsin counties that facilitates the budgeting and financing of long-term investments in the infrastructure and facilities necessary to meet public demand for government services; and

WHEREAS, at a time when infrastructure demands are great, increasing the cost of local government borrowing could have serious impacts on the national, state and local economies; and

WHEREAS, without the tax-exemption, the effectiveness of the bond market would be significantly dampened, creating higher borrowing costs for county governments, less investment in infrastructure, and fewer jobs.

NOW THEREFORE, BE IT RESOLVED, that Pierce County does hereby support maintaining the current tax-exempt status of municipal bonds.

Dated this 16th day of April, 2013.

Jeffrey A. Holst, Chair
Pierce County Board of Supervisors

ATTESTED TO BY:

APPROVED AS TO FORM AND LEGALITY BY:

Jamie Feuerhelm, County Clerk

Bradley D. Lawrence, Corp. Counsel

Adopted _____

RESOLUTION NO. 13-04
ADOPTING THE PIERCE COUNTY ALL HAZARDS
MITIGATION PLAN

WHEREAS, Pierce County recognizes the threat that natural hazards pose to people and property; and

WHEREAS, under taking hazard mitigation actions before disasters occur will reduce the potential for harm to people and property and save taxpayer dollars; and

WHEREAS, an adopted all hazards mitigation plan is required as a condition of future grant funding for mitigation projects; and

WHEREAS, Pierce County participated jointly in the planning process with the other local units of government within the County to prepare an All Hazards Mitigation Plan.

NOW, THEREFORE BE IT RESOLVED, that the Pierce County Board of Supervisors hereby adopts the Pierce County All Hazards Mitigation Plan as an official plan.

BE IT FURTHER RESOLVED, that the Pierce County Emergency Management Department will submit, on behalf of the participating municipalities, the adopted All Hazards Mitigation Plan to Wisconsin Emergency Management and Federal Emergency Management Agency officials for final review and approval. Minor changes made upon advice from Wisconsin Emergency Management and Federal Emergency Management Agency will not require re-adopting this resolution.

Dated this 28th day of May, 2013.

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

ATTESTED TO BY:

APPROVED AS TO FORM AND LEGALITY
BY:

Jamie Feuerhelm, County Clerk

Bradley D. Lawrence, Corp. Counsel

Adopted _____

RESOLUTION NO. 13-05
Authorize Land Conservation Director to Apply for Department of Natural Resources
Runoff Management Grant

WHEREAS, Pierce County is interested in acquiring a grant from the Wisconsin Department of Natural Resources for the purpose of implementing measures to control agricultural or urban stormwater runoff pollution sources (as described in the application and pursuant to ss. 281.65 or 281.66, Wis. Stats., and chs. NR 151, 153 and 155); and

WHEREAS, a cost-sharing grant is required to carry out the project.

NOW, THEREFORE BE IT RESOLVED that the Pierce County Board of Supervisors hereby authorizes the Director of Land Conservation to act on behalf of Pierce County to:

- Submit and sign an application to the State of Wisconsin Department of Natural Resources for any financial aid that may be available;
- Sign a grant agreement between the local government (applicant) and the Department of Natural Resources;
- Submit reimbursement claims along with necessary supporting documentation;
- Submit signed documents;
- Take necessary action to undertake, direct and complete the approved project.

BE IT FURTHER RESOLVED, that Pierce County shall comply with all state and federal laws, regulations and permit requirements pertaining to implementation of this project and to fulfillment of the grant document provisions.

Dated this 28th day of May, 2013.

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

ATTESTED TO BY:

APPROVED AS TO FORM AND LEGALITY
BY:

Jamie Feuerhelm, County Clerk

Bradley D. Lawrence, Corp. Counsel

Adopted _____

RESOLUTION NO. 13-06
Approving Sale of Land in the Town of Trenton

WHEREAS, Pierce County owns land in the N½ of the SW¼ of Section 34, Township 25 North, Range 18 West, Town of Trenton, informally known as being a portion of the Stogdill Pit, for highway department purposes; and

WHEREAS, in Resolution 12-20, adopted on November 13, 2012, the Pierce County Board of Supervisors authorized the sale of the approximately 15 acres 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 December 3, 2012 directed the Highway Department to survey the parcel to sell, and obtain an appraisal of said property; and

WHEREAS, it was subsequently determined that 28 acres was a more appropriate parcel to sell rather than the originally anticipated 15 acres; and

WHEREAS, the Highway Committee, at its meeting on March 21, 2013, and the Finance and Personnel Committee, at its meeting on May 6, 2013, approved and recommended to the Board that the surplus property size be amended from approximately 15 acres to approximately 28 acres; and

WHEREAS, in response to the advertised Request for Bids, one bid was received and the Finance and Personnel Committee, at its meeting on May 6, 2013, approved awarding the bid for the sale of the property to William F. Holst III, who submitted a bid to buy said property for \$455,000.00, and the Committee 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 NORTH ½ OF THE SOUTHWEST ¼ OF SECTION 34, T25N, R18W, TOWN OF TRENTON, PIERCE COUNTY, WISCONSIN, DESCRIBED AS FOLLOWS: BEGINNING AT THE WEST ¼ CORNER OF SAID SECTION 34; THENCE N89°53'45"E 2199.04' ALONG THE NORTH LINE OF SAID SOUTHWEST ¼; THENCE S01°26'00"W 411.17' ALONG THE WEST LINE OF LOT 1, C.S.M. VOL. 11, PAGE 120; THENCE N80°50'50"W 184.93'; THENCE S01°16'08"W 198.84' ALONG THE EAST LINE OF THE NORTHWEST ¼ OF THE NORTHEAST ¼ OF SAID SOUTHWEST ¼ ; THENCE 89°53'46"W 2009.67'; THENCE N00°46'44"E 580.11' ALONG THE WEST LINE OF SAID SOUTHWEST ¼ TO THE POINT OF BEGINNING . THIS PARCEL CONTAINS 28.466 ACRES, BEING 1,239,972 SQUARE FEET, MORE OR LESS. SUBJECT TO ALL EASEMENTS, RESTRICTIONS AND COVENANTS OF RECORD.

NOW, THEREFORE BE IT RESOLVED, that the Pierce County Board of Supervisors approves amending the surplus property from approximately 15 acres to 28.466 acres, and approves the sale of said property described herein to William F. Holst III for \$455,000.00 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.

BE IT FURTHER RESOLVED, that the Board of Supervisors authorizes the appraisal prepared by Richard Dickson and Cindy White for Pierce County with respect to the above described property to be assigned to Hiawatha National Bank.

Dated this 28th day of May, 2013.

Greg Place, First Vice Chairperson
Pierce County Board of Supervisors

ATTESTED TO BY:

APPROVED AS TO FORM AND LEGALITY
BY:

Jamie Feuerhelm, County Clerk

Bradley D. Lawrence, Corp. Counsel

Adopted _____

RESOLUTION NO. 13-07
Authorize Application to Department of Corrections for Use of
COMPAS Risk/Needs Assessment Tool in Adult Drug Court Program

WHEREAS, Pierce County began operating a Drug Court program in approximately September, 2004, which also has a county Drug Court Coordinator position which is supervised by the Department of Human Services;

WHEREAS, the Honorable Joseph D. Boles - Pierce County Circuit Court Judge, and Liesl Nelson - Public Defender, members of the Drug Court Team, and the Human Services Department are interested in obtaining the use of a Risk/Needs assessment tool for use in the Drug Court Program, to improve efficiency and effectiveness of the program and to assist in lowering incarceration costs and reducing recidivism; and

WHEREAS, the COMPAS Risk/Needs assessment tool assesses offenders for the level of safety risk to the community and/or failure to appear in court, as well as personal characteristics that are known to promote criminal behavior; and

WHEREAS, implementing this assessment tool as an evidence-based practice, is an effective measure to assist the Drug Court team in determining those applicants who would gain the most benefit from limited Drug Court resources; and

WHEREAS, COMPAS is currently being offered to Wisconsin Counties under the Department of Corrections licensing umbrella, and there is no direct cost to the County to use COMPAS under the Department Of Corrections licensing umbrella, and the only other costs would be training costs which are being covered by grant resources, and the indirect cost of the Drug Court Coordinator performing the required assessments, estimated to be approximately 2 hours each, and up to 25 per year; and

WHEREAS, the Pierce County Criminal Justice Coordinating Council, at its meeting on April 24, 2013, and the Human Services Board, at its meeting on May 16, 2013, reviewed the proposed application and the policy and procedural manual, and took action to recommend to the County Board of Supervisors, that the application to use the COMPAS Risk/Needs assessment tool be submitted to the Department of Corrections; and

WHEREAS, the Finance & Personnel Committee, at its meeting on June 3, 2013 reviewed the proposed application, the draft procedure and policy manual, and the draft Memorandum of Understanding with the State of Wisconsin Department of Corrections, and recommended that the County Board of Supervisors authorize the submission of an application for use of the COMPAS risk/needs assessment tool for the Pierce County Adult Drug Court Program.

NOW, THEREFORE BE IT RESOLVED that the Pierce County Board of Supervisors hereby authorizes the submission of an application to the State of Wisconsin Department of Corrections for the use of the COMPAS Risk/Needs assessment tool under their licensing umbrella so long as the use of the license shall be at no cost to the County and should there be a change of circumstances initiating costs to the County for use of the COMPAS Risk/Needs assessment tool,

this matter shall be brought back to the Board of Supervisors for further consideration; and that the County Board Chair shall be authorized to sign documents in order to take necessary action to undertake, direct and complete the approved project.

Dated this 25th day of June, 2013.

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

ATTESTED TO BY:

APPROVED AS TO FORM AND LEGALITY
BY:

Jamie Feuerhelm, County Clerk

Bradley D. Lawrence, Corp. Counsel

Adopted _____

RESOLUTION NO. 13-08
Amend Resolution No. 03-02 to Amend the
Pierce County Purchasing Policy

WHEREAS, the County Board adopted Resolution 03-02 on April 15, 2003, which set forth in Section III a county purchasing policy; and

WHEREAS, it is desired that the Resolution be amended to adopt an amended Purchasing Policy, as set forth in the attached Exhibit A; and

WHEREAS, the Finance and Personnel Committee, at its meetings on April 1, 2013 and June 3, 2013, recommended amending the Purchasing Policy, and recommends that the County Board of Supervisors adopted the amended policy set forth in Exhibit A.

NOW THEREFORE BE IT RESOLVED by the Pierce County Board of Supervisors that Section III of Resolution 03-02, more informally known as the Pierce County Purchasing Policy, be amended as set forth in the attached Exhibit A.

Dated this 25th day of June, 2013.

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

ATTESTED TO BY:

APPROVED AS TO FORM AND LEGALITY
BY:

Jamie Feuerhelm, County Clerk

Bradley D. Lawrence, Corp. Counsel

Adopted _____

EXHIBIT A

Purchasing Policy

It is the desire of the County that public work be obtained and purchased at the lowest cost to taxpayers consistent with the quality and delivery that meets the specifications of the County. Managers shall at all times be accountable to show that purchases of public work and any other purchases are made in a manner that best serves this policy and the public interest, and shall disclose any conflict of interest associated with purchases or obtaining competitive quotes in order to eliminate bias. Purchases of public work shall be accomplished by means of the following procedures:

- A. All public work, including any contract for the construction, repair, remodeling or improvement of any public work, building, or furnishing of supplies or material of any kind where the estimated cost of such work will exceed \$25,000 shall be let by contract to the lowest responsible bidder, consistent with state laws regarding bidding, including but not limited to §59.52(29) Wis. Stats.
- B. All public work where the estimated cost of such work is \$2,500 to \$25,000, shall only require competitive quotes. A competitive quote means a solicitation of price for identical or similar work from three (3) or more providers, which includes vendors on state approved vendor lists who have already satisfied legal bidding requirements for state contracts.
- C. All public work where the estimated cost of such work is less than \$2,500 may be directly purchased without competitive quotes or bidding.
- D. The provisions of this policy do not apply to highway contracts which the county highway committee or the county highway commissioner are authorized by law to let or make.
- E. Human Services Purchase of Service contracts that are made pursuant to Section 46.036, Wis. Stats. shall follow that prescribed purchase process in lieu of the requirements of this section.
- F. Pursuant to §779.14((1m)(d) Wis. Stats., the County establishes the following written standards for bond requirements for purchases of public work: less than or equal to \$50,000, no performance or payments bonds are required; greater than \$50,000 up to \$100,000 payment assurances in the form of a payment and performance bond, or in the alternative an escrow account or line of credit from a financial institution shall be required; exceeding \$100,000 shall satisfy statutory performance and payment bond requirements.
- G. All other federal, state and local laws, regulations and requirements regarding public work (e.g. prevailing wages, etc.) shall be complied with.

RESOLUTION NO. 13-09

**Authorize Purchase of Glass Fines Separator Screen for the
Pierce County Material Recovery Facility and Payment From Solid Waste User Fee Funds**

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

WHEREAS, the County has been approached by two private waste haulers who expressed an interest in delivering single stream materials to the County’s MRF; and

WHEREAS, the County’s MRF currently does not have a glass fines separator screen, which would remove glass fines from the fiber stream and provide the ability to process low volumes of single stream materials; and

WHEREAS, the County is authorized to acquire the necessary equipment to be used in the solid waste management system pursuant to Wis. Stat. § 59.70(2)(g); and

WHEREAS, the purchase and installation of a glass fines separator screen would be an unbudgeted expense for 2013; and

WHEREAS, a user fee charge system was implemented by Pierce County Code § 7-20(C) and is used to handle operational costs for the Solid Waste Department; and

WHEREAS, there are sufficient funds in the solid waste user fee budget to cover the cost of purchasing and installing the glass fines separator screen; and

WHEREAS, the Solid Waste Management Board at its meeting on April 17, 2013 and the Finance and Personnel Committee at its meeting on June 3, 2013, recommended that the county purchase and install a glass fines separator screen, in an amount not to exceed \$80,000, the cost of which to be covered by solid waste user fees.

NOW THEREFORE BE IT RESOLVED that the County Board of Supervisors approves the purchase and installation of a glass fines separator screen, in an amount not to exceed \$80,000.00 and that the funds to purchase said equipment shall come from the solid waste user fees.

Dated this 25th day of June, 2013.

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

ATTESTED TO BY:

APPROVED AS TO FORM AND LEGALITY
BY:

Jamie Feuerhelm, County Clerk

Bradley D. Lawrence, Corp. Counsel

Adopted _____

RESOLUTION NO. 13-10
Resolution Authorizing a Feasibility Study to Consolidate the
St. Croix County and Pierce County 9-1-1 Centers

WHEREAS, St. Croix and Pierce Counties process all emergency and non-emergency calls for Police, Fire and EMS through separate, primary 9-1-1 Centers; and

WHEREAS, while each 9-1-1 Center performs certain specialized functions, the overall mission of both organizations is to meet the needs of their citizenry by being the interface between those who need help and those that can provide help; and

WHEREAS, the infrastructure to support each 9-1-1 Center's mission represents a significant investment; and

WHEREAS, many 9-1-1 Centers are being forced to defer necessary upgrades in equipment and technology as a result of their high cost in the face of declining funds; and

WHEREAS, St. Croix County and Pierce County officials have had discussions regarding potentially consolidating their 9-1-1 centers; and

WHEREAS, the potential consolidation of two, primary 9-1-1 Centers requires an in-depth analysis to identify the technological, connectivity, governance, operations, budgetary and facility challenges/efficiencies.

NOW THEREFORE BE IT RESOLVED that the Pierce County Board of Supervisors agrees to fund one-half of the total cost of a 9-1-1 Center consolidation feasibility study, provided the total cost of the study does not exceed \$40,000, with the costs for Pierce County's one-half to come from the Contingency Fund.

BE IT FURTHER RESOLVED that funding for the study is contingent on the St. Croix County Board of Supervisor's adoption of a similar resolution agreeing to pay one-half of the total cost of the study.

Dated this 25th day of June, 2013.

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

ATTESTED TO BY:

APPROVED AS TO FORM AND LEGALITY
BY:

Jamie Feuerhelm, County Clerk

Bradley D. Lawrence, Corp. Counsel

Adopted _____

Resolution 13-11

**INCREASE HOURS FOR REPRODUCTIVE HEALTH CLERK –
PUBLIC HEALTH DEPARTMENT**

WHEREAS, Resolution 11-27, adopted January 24, 2012, increased hours for the position of Home Care Scheduler from 28 hrs/wk to 40 hrs/wk in response to numerous staffing changes that were taking place in the Public Health Department; and

WHEREAS, the position of Home Care Scheduler has recently been vacated due to relocation of the incumbent; and

WHEREAS, review of the Home Care Scheduler position description identifies a portion of the duties of the position which involve the financial activities of the Public Health Department; and

WHEREAS, removing the financial duties from the position of Home Care Scheduler and reassigning them to positions within the Unified Finance Department meets the intent of the creation of the Unified Finance Department; and

WHEREAS, the Public Health Department, the Finance Director and Administrative Coordinator recommend that the financial duties included in the current Home Care Scheduler position description should be transferred to existing financial staff in the department which will result in the position of Reproductive Health Clerk increasing from 35 hrs/wk to 40 hrs/wk and the Home Care Scheduler position decreasing to 28 hrs/wk creating a net staff hours reduction of 7 hrs/wk; and

WHEREAS, on June 13, 2013, the Board of Health took action to approve the staffing plan that reduces the Home Care Scheduler position from 40 hrs/wk to 28 hrs/wk and increases the Reproductive Health Clerk position from 35 hrs/wk to 40 hrs/wk, with funding from the 2013 budget; and

WHEREAS, on July 1, 2013, the Finance & Personnel Committee did accept the recommendation of the Board of Health and recommends that the hours for the position of Reproductive Health Clerk be increased from 35 hrs/wk to 40 hrs/wk.

NOW, THEREFORE BE IT RESOLVED, that the Pierce County Board of Supervisors does authorize the increase in hours for the position of Reproductive Health Clerk from 35 hrs/wk to 40 hrs/wk with funding from the 2013 Public Health Department Budget; and

BE IT FURTHER RESOLVED, that the increase in hours for the Reproductive Health Clerk shall become effective upon adoption of this resolution

DATED this 23rd day of July, 2013.

Jeff Holst, Chairperson
Pierce County Board of Supervisors

Approved as to form and legality:

Attested to by:

Bradley D. Lawrence, Corporation Counsel

Jamie Feuerhelm, County Clerk

Adopted: _____

RESOLUTION NO. 13-12
AMEND THE PERSONNEL POLICY
TO INCLUDE BREASTFEEDING-FRIENDLY WORKSITE POLICY

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

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

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

WHEREAS, the purpose of a code of personnel policies and procedures, as set forth in Article 1, Section A of the Personnel Policy, is to create a guide for the administration of both supervisory and non-supervisory staff; and

WHEREAS, the Patient Protection and Affordable Care Act (“PPACA”), which took effect on March 23, 2010, mandated employers to provide reasonable break time for an employee to express breastmilk for her nursing child for the first year of life and are required to provide a place (other than a bathroom) for mothers to express milk; and

WHEREAS, the Board of Health, at its meeting on July 11, 2013, and the Finance and Personnel Committee, at its meeting on August 5, 2013, reviewed the proposed Breastfeeding-Friendly Worksite Policy, attached hereto as Exhibit A, and recommended that the County Board adopt the policy, and amend the Personnel Policy, adding the policy language in the most appropriate location.

NOW THEREFORE, BE IT RESOLVED, that the Pierce County Board of Supervisors adopts the Breastfeeding-Friendly Worksite Policy, attached hereto as Exhibit A, and recommended that the County Board adopt the policy, and amend the Personnel Policy, adding the policy language in the most appropriate location

Dated this 27th day of August, 2013.

Jeffrey A. Holst, Chairman
Pierce County Board of Supervisors

ATTESTED TO BY:

APPROVED AS TO FORM AND LEGALITY BY:

Jamie Feuerhelm, County Clerk

Bradley D. Lawrence, Corp. Counsel

Adopted _____

EXHIBIT A

Personnel Policy, Article IX. EMPLOYEE BENEFITS

R. Breastfeeding-Friendly Worksite Policy

Pierce County recognizes that breast milk is the optimal food for growth and development of infants, supports the decision for mothers to breastfeed, and is committed to enabling employees (as well as courthouse visitors) to maintain the breastfeeding relationship. In keeping with this philosophy and in compliance with certain provisions of Section 7 of the U.S. Fair Labor Standards Act, Pierce County will take the following appropriate measures to facilitate breastfeeding and expression of milk by mothers of newborns less than one year of age.

1. Employees shall be provided a place to breastfeed or express their milk. Pierce County will provide breastfeeding employees with a private and sanitary place (not a restroom) for expressing their milk during work hours. At minimum, this lactation room will have an electrical outlet, comfortable chair, table, and nearby access to running water. Employees may use their private office area for breastfeeding or milk expression, if they prefer. Courthouse visitors are welcome to use the lactation room when the building is open. The universal lactation symbol will be posted outside the lactation room. Directions to the lactation room will be posted on each floor of the Courthouse and Office Building.
2. Employees shall be provided flexible breaks to accommodate breastfeeding or milk expression. Pierce County will provide reasonable break periods for an employee to express breast milk for her nursing child for one year after the child's birth each time such employee has a need to express milk. Mothers may want to use their paid break periods and/or unpaid lunch periods for breastfeeding or expression of milk. If the designated break periods are not adequate, or the scheduled break periods do not meet the needs of the mother, she should discuss scheduling options with her supervisor.
3. Employees and visitors will be responsible for the following:
 - a. Employees and visitors will be expected to provide their own breast milk pumping and storage equipment.
 - b. Employees and visitors are responsible for cleaning up after themselves to keep the lactation room clean for the next user. This responsibility extends to other areas where milk may be expressed, including private offices of employees.
4. Breastfeeding information. Pierce County Public Health will provide information on breastfeeding to all pregnant and breastfeeding employees as requested.
5. Employee orientation will include information about Pierce County's breastfeeding policy. Pierce County's breastfeeding policy will be communicated to current staff. New employees will be informed about the company policy in the new employee orientation training.
6. Staff is expected to provide support for breastfeeding employees. Realizing the importance of breastfeeding to the infant, the mother, and the County, staff should provide an atmosphere of loving support for breastfeeding employees.

RESOLUTION NO. 13-13
CREATE WAGE SCALE FOR TEMPORARY DEPUTIES

WHEREAS, the County previously set certain wages for temporary employees including in Resolutions 91-35, 94-27, 97-21, 98-06, 98-40 and 99-13; and

WHEREAS, the Board directed that wage increases for temporary employees shall be adjusted comparable to other non-represented employees on an annual basis; and

WHEREAS, temporary sheriff's deputies are compensated based upon the wage scale for temporary employees; and

WHEREAS, wages for temporary deputies are much lower when compared to other local law enforcement agencies; and

WHEREAS, in order to be competitive, the Law Enforcement Committee, at its meeting on June 5, 2013, recommended approving a separate wage scale for temporary deputies as follows:

Position	Wage:
Non-Certified	\$8.60 / hour (and paid pursuant to the temporary employee wage scale)
Certified (Riders / Boat Patrol)	\$16.00 / hour
Certified (Completed Field Training)	\$18.00 / hour

WHEREAS, the Finance and Personnel Committee at its meeting on August 5, 2013 recommended the wage scale as set forth above.

NOW, THEREFORE BE IT RESOLVED, that the Pierce County Board of Supervisors hereby adopts the wage scale for temporary deputies as set forth above, to be effective January 1, 2014, and that future increases shall be comparable to other non-represented employees and submitted with annual budgets.

Dated this 27th day of August, 2013.

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

ATTESTED TO BY:

APPROVED AS TO FORM AND LEGALITY
BY:

Jamie Feuerhelm, County Clerk
Adopted _____

Bradley D. Lawrence, Corp. Counsel

RESOLUTION NO. 13-14
CREATE AD HOC JAIL PLANNING COMMITTEE

WHEREAS, the Finance & Personnel Committee, on December 3, 2012, created an Ad Hoc Committee to research and analyze jail issues and liability concerns in order to identify and consider potential corrective alternatives; and

WHEREAS, the Finance & Personnel Committee, at its meetings on January 3, 2013 and April 1, 2013 authorized retaining the services of Marvin Wilson as jail consultant to assist the Ad Hoc Committee and the Finance & Personnel Committee with regard to this matter, and identified a source of funds to pay for those services; and

WHEREAS, that Ad Hoc Committee submitted its final report to the Finance & Personnel Committee on July 1, 2013, in which it recommends that the County build a new stand alone jail and sheriff's department, and remodel the existing jail and sheriff's department into a justice center; and

WHEREAS, the prior Ad Hoc Committee accomplished the purpose for which it was created and has been dissolved; and

WHEREAS, the Building Committee, at its meeting on July 9, 2013, and the Law Enforcement Committee, at its meeting on July 17, both recommended that the County pursue the option recommended by the Ad Hoc Committee; and

WHEREAS, it is now necessary for the County to consider additional jail planning in more detail, including identifying more specific parameters associated with the option recommended by the prior Ad Hoc Committee, as well as to obtain a more solid estimate of cost for that option.

NOW, THEREFORE BE IT RESOLVED, that the Pierce County Board of Supervisors creates an Ad Hoc Jail Planning Committee pursuant to §4-51 of the Pierce County Code, with the express duties being to retain the services of an engineering/architectural firm to identify more specific parameters associated with the option recommended by the prior Ad Hoc Committee, as well as to obtain a more solid estimate of cost for that option and to report back to the County board, to identify potential site location alternatives for the Board's consideration, and to assist the County as necessary in its research and analysis.

BE IT FURTHER RESOLVED, that the Ad Hoc Committee shall consist of three members of the county board appointed by the county board chairman consistent with §§4-51(C) and 4-12 of the Pierce County Code, and further that said members shall receive compensation for per diems, mileage reimbursement, and expense reimbursement pursuant to county policies.

BE IT FURTHER RESOLVED, that the Ad Hoc Jail Planning Committee shall receive staff support from the Administrative Coordinator, and the County Board further authorizes continuing consulting services be obtained from Marvin Wilson to assist the Ad Hoc Jail Planning Committee and the County in its research and analysis, under the same rates at previously approved.

Dated this 27th day of August, 2013.

Jeffrey A. Holst, Chair
Pierce County Board of Supervisors

ATTESTED TO BY:

APPROVED AS TO FORM AND
LEGALITY BY:

Jamie Feuerhelm, County Clerk

Bradley D. Lawrence, Corp. Counsel

Adopted _____

RESOLUTION NO. 13-15
AUTHORIZATION FOR UNBUDGETED EXPENDITURE AND TO USE JAIL
ASSESSMENT FUND TO PAY FOR PROFESSIONAL CONSULTING SERVICES TO
MORE FORMALLY CONSIDER RECOMMENDATIONS OF AD HOC COMMITTEE

WHEREAS, the County needs to more formally consider the recommendations of the Ad Hoc Committee that the County build a new stand alone jail and sheriff's department, and remodel the existing jail and sheriff's department into a justice center, and desires to retain the services of an engineering/architectural firm to identify more specific parameters associated with, as well as to obtain a more solid estimate of cost for, that option (the project); and

WHEREAS, the Law Enforcement Committee is requesting the authorization for professional services for said project in an amount not to exceed \$50,000.00, and that the jail related costs be paid from the Jail Assessment Fund, and the non-jail related costs which are unbudgeted, be authorized and paid from the Contingency Fund; and

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

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

WHEREAS, the Law Enforcement Committee, at its meeting on July 17, 2013, and the Finance and Personnel Committee, at its meeting on August 5, 2013, recommended proceeding with retaining the services of an engineering/architectural firm as set forth herein and recommended that the jail related costs for the project come from the Jail Assessment Fund, and the non-jail related costs which are unbudgeted be authorized and paid from the Contingency Fund.

NOW THEREFORE, BE IT RESOLVED, that the Pierce County Board of Supervisors hereby authorizes the project as set forth above and in an amount not to exceed \$50,000.00, and that the jail related costs for the project are to be paid from the Jail Assessment Fund, and the non-jail related costs which are unbudgeted be authorized and paid from the Contingency Fund.

Dated this 27th day of August, 2013.

Jeffrey A. Holst, Chair
Pierce County Board of Supervisors

ATTESTED TO BY:

APPROVED AS TO FORM AND LEGALITY BY:

Jamie Feuerhelm, County Clerk

Bradley D. Lawrence, Corp. Counsel

Adopted _____

RESOLUTION NO. 13-16
TO ADOPT COURT SECURITY MANUAL

WHEREAS, the Wisconsin Supreme Court has rule making authority under Wis. Stat. § 751.12 and under its administrative authority over all courts conferred by Article VII, §3 of the Wisconsin Constitution; and

WHEREAS, the Supreme Court adopted SCR Chapter 68 regarding Court Security, Facilities, and Staffing, to promote communication among circuit courts, county officials, court planners, architects and contractors concerning court facilities issues, while recognizing needs and priorities within the constraints established by funding limitations and budget priorities; and

WHEREAS, the Supreme Court Rule 68.05 mandates that each county have a Security and Facilities Committee composed of specific members appointed by the presiding judge for each county, to insure that the court system is proactive, geared toward prevention, not merely reactive, responding to violent, perhaps tragic, incidents; and

WHEREAS, the Security and Facilities Committee is required to develop general court security and facilities policies on various key court activities, and has jurisdiction over a “court facility,” which is defined as the facilities used in the operation of the circuit court including without limitation the courtroom, court chambers, the office and storage area of any court commissioner, court reporter, clerk of circuit court, register in probate, clerk of juvenile court, family court counseling, the jury room, jury assembly areas, judicial staff areas, areas that may affect the security of a court, court staff and the public using a court, areas used for access to a court and any other facilities used in the operation of a court, where court proceedings are conducted or judicial staff is housed; and

WHEREAS, the Pierce County Security and Facilities Committee has developed a Court Security Manual pursuant to SCR 68.05(4), a copy of which is attached hereto as Exhibit A, which includes certain provisions that go beyond the scope of the “court facility” which is under the sole jurisdiction of that Committee, such as the Protest Policy in Section VI, and as such requires approval of the County Board of Supervisors; and

WHEREAS, the Security and Facilities Committee, at its meeting on July 30, 2013, and the Ad Hoc Courthouse Security Workgroup, at its meeting on July 30, 2013, and the Finance & Personnel Committee, at its meeting on September 9, 2013, recommended approval of the Court Security Manual.

NOW, THEREFORE BE IT RESOLVED, by the Pierce County Board of Supervisors that it adopts the Court Security Manual attached hereto as Exhibit A, which shall become effective immediately.

Dated this 24th day of September, 2013.

Jeffrey A. Holst, Chair
Pierce County Board of Supervisors

ATTESTED TO BY:

APPROVED AS TO FORM AND
LEGALITY BY:

Jamie Feuerhelm, County Clerk

Bradley D. Lawrence, Corp. Counsel

Adopted _____

EXHIBIT A

COURT SECURITY MANUAL

Pierce County



The Pierce County Sheriff's Department is the primary agency that provides security for the Pierce County Courthouse

The following phone extensions should be used for security situations:

- **Emergency: 9-1-1**
- **Non-emergency: 715-273-5051**

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Introduction

The intent of the Court Security Manual is to enhance the safety of courthouse personnel, litigants, jurors, and members of the public in the Pierce County Courthouse, by increasing the awareness and knowledge of security issues. It is not intended to replace or change the meaning of any existing rule, policy, or procedure, but rather to provide general guidelines, education and direction.

For court security programs to be successful, it is essential that they be supplemented with what could be labeled "recognized response actions." For every potentially dangerous situation, individuals should know what is required of them. This can be accomplished through:

- Security awareness training.
- Staff meetings.
- Business continuity plans.
- Informational bulletins, security pamphlets and training videos.

Courthouse personnel play an important role in deterring, preventing and detecting problem incidents. A major component of any security program is the realization that individuals must assume a degree of personal responsibility to ensure their own safety and security. In-as-much as they do that, they contribute also to the safety of their fellow employees. All Courthouse personnel are responsible for complying with all county security requirements, policies and procedures.

Proper staffing and staff training are the keys to a secure court facility. Security equipment is not a substitute for alert and observant staff members. Furthermore, alarm systems are only useful if the staff knows how to use them.

The Pierce County Sheriff's Department is the primary agency that provides Courthouse security. This is accomplished by the use of:

- Court Security Officer
- All other law enforcement officers attending court and available in the Sheriff's Department

The following are numbers to be used for security situations:

- **Emergency: 9-1-1**
- **Non-emergency: 715-273-5051**

Note: If a cellular phone is your only option, the number to dial for emergency assistance is **"911"**. Be certain to specifically identify your location, because you may not be connected to the Pierce County Communication Center.

Note: Please be sure to notify your supervisor of any such incident.

I. Inspection of Buildings and Grounds

The security of the Courthouse, the Courthouse grounds, and the Courthouse parking areas are assessed on a regular basis, through various means. All county employees play a vital role in assessing the security of county facilities and grounds on a daily basis, as they carry out their job responsibilities. Be aware of doors left ajar, suspicious containers/packages, unauthorized access, etc and take appropriate action. The court rooms and other vulnerable areas within the Courthouse and Courthouse grounds will be searched on a regular basis for explosives or other dangerous instrumentalities before the commencement of court proceedings each day.

II. Firearms and Other Prohibited Items

- A. Firearms possessed by law enforcement. Possession of firearms by law enforcement officers in the court rooms shall be allowed for officer appearing as witnesses for official business. Any officers wearing plain clothes shall have their badge displayed and plainly visible. Possession of firearms by law enforcement officer in the court room shall be prohibited for officers appearing as litigants or witnesses for personal business or anything other than official business.
- B. Prohibited items. Concealed weapons, weapons that are not concealed, and firearms shall not be brought into the Courthouse.
- C. Notice. Notices shall be provided at the entrances to the Courthouse identifying prohibited items that not allowed in the Courthouse, and warning individuals entering the Courthouse that they are subject to search.

III. Security Procedures for Court Proceedings

Courthouse employees should be aware that the daily business of the court includes cases that warrant their increased awareness. Anyone becoming aware of:

- a. a *potential disruption* to court proceedings, or
- b. if they know that a *particular individual* (litigant, litigant's family, witness, etc.) has been a security problem in the past, or may pose a security risk,
- c. an *incident* occurring in courthouse facilities,
- d. a *threat* made to judicial officers, court staff and their families,

should immediately notify the Court Security Deputy, and complete an Incident Report Form (attached as Appendix A).

The Court Security Deputy shall immediately notify the following individuals: Judge, Court Commissioner, Sheriff, Clerk of Court, Administrative Coordinator and Corporation Counsel, who will be consulted with regard to any necessary precautions that need to be taken. Precautions regarding court proceedings shall be determined at the discretion of the Judge. When circumstances reach a point where there is a heightened need for security, Courthouse employees will be notified by authorities and staff.

Employees shall use duress alarms, or call 911 for disruptions that take place during court proceedings.

All Incident Report Forms arising from courthouse security threats and incidents shall be submitted to the Planning and Policy Advisory Committee in accordance with SCR §68.05(4)(a).

IV. Juror Safety

- A. Photo ID required. Pierce County jurors are required to produce a photo I.D. when appearing for jury duty.
- B. Orientation. Judge and/or court staff should address these points during juror orientation:
 - Discuss general measures to ensure jury security.
 - Establish emergency evacuation routes and types of building alarms.
 - Inform jurors regarding who will direct them in an emergency situation.
 - Discuss how to proceed in the event of an illness or personal emergency.
 - Discuss how to proceed in the event of bad weather or building closures.
- C. Segregation of jury. Jurors should be kept out of public hallways and gathering areas, to keep them separate from litigants, witnesses and the media.
 - County personnel can identify jurors by the name tags that they wear during trials.
 - County employees, (and visitors), are not to discuss any trial while jurors are in the immediate area, (within hearing distance). This could create grounds for a mistrial.
- D. Transportation. For trials where the threat level is great, the judge should consider using personal escorts to accompany jurors to and from their cars, or they should be transported from a remote assembly site where they may park away from the Judicial Center and the media.
- E. Threats. Threats to jurors, witnesses, or litigants should be immediately reported to the judge, and if circumstances require, by dialing 911. As soon

as possible the court security deputy should be notified to insure the safety of the person threatened until other assistance arrives. When reporting the matter, provide them with as much detail as possible so that proper reports can be filed. (incident report and / or threat report)

- F. Separate areas. Separate areas for jurors, witnesses and litigants should be provided whenever possible and/or necessary. These areas should be examined before they are used, by the staff member that allows entry into that area. These areas should be locked when not in use.
- G. Evacuation. A copy of the jury list shall be provided to the bailiff in charge. If jurors need to be evacuated from the Jury Room, court staff will provide assistance. If jurors need to be evacuated during a court session, the bailiff in charge of juror management in the courtroom shall move them to the **Jury Room**. If the jury room is not determined to be a safe location, the jurors shall be moved to the **Sheriff's Department Conference Room**, where they should remain until ordered to return to the court or moved to another safe location. During this time, jurors shall be advised not to discuss the case or speculate on why they were evacuated.

V. Security of Exhibits

- A. Custodian. The Clerk of Circuit Court is the custodian of court records and exhibits, and as such, has primary responsibility for the control and security of these items. The deputy clerk assigned to each court is to follow the Clerk of Courts procedure regarding exhibit management. The Wisconsin Court Records Management Committee's brochure has been used as a guideline; however individual court preferences take precedence. The Clerk of Circuit Court follows SCR 72 on the retention, management and disposition of exhibits after trial.
- B. Security of firearms and other weapons as exhibits. The following rules for handling exhibits will not only ensure a safer environment for all participants, it will also allow attorneys to pursue all methods of prosecution and defense which may be essential to their cases, thus ensuring a fair trial.
 - Treat every firearm as though it is loaded.
 - Always point all firearms away from people.
 - Follow established policies on handling firearms and other weapons.
- C. Security of other sensitive exhibits. Careful attention should be paid to all sensitive exhibits, (e.g., money, drugs, valuables, etc.), since they are particularly susceptible to theft. Follow established policies on handling these types of sensitive exhibits.

VI. Protest policy

It is incumbent upon the County and the Sheriff, in conjunction with the Courts to maintain order, integrity and decorum in the courtroom, the courthouse, and those areas surrounding the courthouse in order to insure that courthouse matters are allowed to proceed without disruption, delay or any inappropriate influence. Those persons wishing to protest or demonstrate for any reason must comply with the following conditions:

- A. Pierce County Administration is the contact agency for person(s) making a request to protest or hold demonstrations on County or Courthouse property. Final approval of a permit for protests or demonstrations shall be determined and issued by the Pierce County Administrative Coordinator. Permits shall be obtained at least forty-eight (48) hours in advance of the scheduled activity.
- B. Such protest or demonstration shall only be allowed to exist outside the courthouse building, and in specifically designated areas as determined by the County, and generally as follows: for one group, East of the central South Courthouse lawn sidewalk; for two groups, one on the East, and one on the West side of the South Courthouse lawn; for more than two groups, as determined by the County.
- C. Such protest or demonstration shall only be held at a distance of not less than twenty-five (25) feet from any courthouse entrance.
- D. Such protest or demonstration shall not impede any pedestrian or vehicular traffic; and
- E. This policy is independent of any municipal code, county ordinance or policy concerning the conduct, licensing, or permitting of any such activity.
- F. The County will intervene in the protest or demonstration when laws or this policy are violated, when others are deprived of their rights, or when County operations are disrupted.

Most protests or demonstrations are peaceful and people not involved should attempt to carry on business as usual. Avoid provoking or obstructing demonstrators.

The rights to peaceably assemble and protest or demonstrate may evoke a reaction by those who have opposing opinions. It is important to simply notify courthouse personnel and make them aware of the protest or demonstration.

If the protest or demonstration becomes a threat to personal safety or occupants of the building, the nearest duress alarm should be activated and appropriate law enforcement personnel notified. Consideration should be given as to whether staff should implement Lockdown guidelines consistent with Pierce County Courthouse Safety Guidelines and Procedures.

VII. Training

Courthouse security training shall be conducted annually, in coordination with the Pierce County Sheriff, for all courthouse employees and staff.

VIII. Security Audits

Periodic security audits (e.g. by the U.S. Marshal, or by random check of the Court Security Deputy, etc.) shall be conducted to make sure that Courthouse security policies and procedures are being implemented and carried out. Audits shall take place at a minimum on an annual basis.

IX. Modification and/or Relocation of Court Facilities and Personnel

Construction, remodeling and security innovations for the courthouse, courtroom and court facilities, and the relocation of court facilities or personnel, shall be in accordance with Wisconsin Supreme Court Rules, including but not limited to SCR §68.03.

Appendix A

Incident Report Form

When a security threat or incident occurs:

- Immediately notify the Court Security Officer
- Save all physical evidence related to the threat or incident for law enforcement
- Complete this report as soon as possible after the incident and submit this report to the Court Security Officer.

Name of Individual Submitting this Report: _____

Department (if Employee): _____

Date: _____

Time: _____

Who made the threat or was the subject of the security incident? _____

Witnesses: _____

Describe the threat or security incident as specifically as possible (attach additional sheets if necessary): _____

RESOLUTION 13-17
Authorize New Positions for 2014

WHEREAS, the Finance and Personnel Committee did review requests for additional personnel in 2014, pursuant to the Pierce County Personnel Policy; and

WHEREAS, the Finance and Personnel Committee recommends that the following positions be approved effective January 1, 2014:

Date	Department/Position	Cost	County Allocation
7/1/13	Public Health Nurse: Increase from FT 35 hr/wk to FT 40 hr/wk (260 hrs annually) (.9 FTE PHN position remains unfilled)	\$ 7,590	\$0 (No additional funds requested)
7/1/13	Nutritionist: Increase from FT 35 hr/wk to FT 40 hr/wk (260 hrs annually) (DATCP retail food inspections)	\$ 10,867	\$ 0 (Increased program revenue to offset cost)
7/1/13	Mental Health Therapist I: Eliminate AODA Counselor II	\$ 12,760	\$12,760
7/1/13	2 Economic Support Specialist I: 40 hrs/wk (Additional services for Affordable Care Act)	\$61,915 \$61,915	\$ 0 \$ 0 (State and Fed Funds)
7/1/13	Social Worker – Court Services: 40 hrs/wk	\$75,311	(Not included in 2014 budget)
7/1/13	Victim Witness Coordinator: Increase from FT 35 hr/wk to FT 40 hr/wk (260 hrs annually)	\$ 6,791	\$ 6,791
	TOTAL	\$237,149	\$19,551

NOW THEREFORE, BE IT RESOLVED that the Pierce County Board of Supervisors does accept the recommendation of the Finance and Personnel Committee to create or increase hours for the above listed positions and approves the funding for the above listed positions to be included in the 2014 budget.

BE IT FURTHER RESOLVED that the above approved positions will sunset if the projected revenue and income is not generated to offset the costs.

DATED this 22nd day of October, 2013.

Jeff Holst, Chairman
Pierce County Board of Supervisors

ATTESTED TO BY:

APPROVED AS TO
FORM AND LEGALITY BY:

Jamie Feuerhelm, County Clerk

Bradley D. Lawrence, Corp. Counsel

ADOPTED:_____

RESOLUTION 13-18
Claims for Listing Dogs

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

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

	<u>MUNICIPALITY</u>	<u># DOGS</u>	<u>\$ CLAIMED</u>
Towns:	Clifton – Judy Clement-Lee	155	77.50
	Diamond Bluff – Mark Place	45	22.50
	Ellsworth - Audrey Murphy	152	76.00
	El Paso – Mary K. Foley	103	51.50
	Gilman – Richelle Bartlett	224	112.00
	Hartland – Cynthia Kern	123	61.50
	Isabelle - Lora Henn	55	27.50
	Maiden Rock – Darla Pittman	69	34.50
	Martell – Noreen Falde	293	146.50
	Oak Grove – Jeremy Boles	176	88.00
	River Falls – Rita Kozak	247	123.50
	Rock Elm – Pamela Reitz	59	29.50
	Salem – Ann Larson-Graham	65	32.50
	Spring Lake – Charles Bricton	80	40.00
	Trenton – Kathryn Fuchs	93	46.50
	Trimbelle – Karen O'Brien	261	130.50
	Union – Barbara Schneider	106	53.00
Villages:	Bay City – Shawn King	85	42.50
	Ellsworth - Peggy Nelson	401	200.50
	Elmwood – Amy Wayne	157	78.50
	Maiden Rock - Shirley Gilles	18	9.00
	Plum City – Michele Burg	86	43.00
	Spring Valley – Rita Goveronski	141	70.50
Cities:	Prescott – Jayne Brand	116	58.00
	River Falls - Julie Bergstrom	417	208.50
	TOTAL	3727	\$1,863.50

DATED this 22nd day of October, 2013.

Submitted by FINANCE &
PERSONNEL COMMITTEE

Jeff Holst, Chairman

APPROVED AS TO
FORM AND LEGALITY BY:

Brad Lawrence
Corporation Counsel

ATTESTED TO BY:

Jamie R. Feuerhelm
County Clerk

Adopted:

RESOLUTION 13-19
Care of Soldiers' Graves

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

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

Cemetery Association	Graves	Amount Claimed
Bay City	98	294.00
Beldenville	45	135.00
Bethel Mission	45	135.00
Bethlehem	16	48.00
Diamond Bluff	68	204.00
Eidsvold Lutheran	16	48.00
Free Home	32	96.00
Gilman Lutheran	75	225.00
Greenwood Valley	5	15.00
Hartland Methodist	9	27.00
Hartland Presbyterian	8	24.00
Maiden Rock	107	321.00
Mann Valley	10	30.00
Maple Grove	229	687.00
Martell Lutheran	26	78.00
Martell Methodist	15	45.00
Mt. Olivet	22	66.00
Mt. Tabor	21	63.00
Oak Ridge	28	84.00
Ono Methodist	29	87.00
Our Lady's	22	66.00
Our Savior's / South Rush River	43	129.00
Pine Glen	186	558.00
Plum City Protestant	56	168.00
Poplar Hill	142	426.00
Rush River	80	240.00
Sacred Heart Elmwood	40	120.00
Sacred Heart-Spring Valley	38	114.00
Salem Lutheran	4	12.00
Spring Lake	61	183.00

Spring Lake Lutheran	24	72.00
St. Bridget's	97	291.00
St. Francis	54	162.00
St. John's Lutheran-Spring Valley	78	234.00
St. John's - Oak Grove	3	9.00
St. John's Catholic-Plum City	85	255.00
St. Joseph's – Prescott	76	228.00
St. Joseph's - El Paso	24	72.00
St. Martin's	30	90.00
St. Mary's - Big River	10	30.00
St. Paul's	44	132.00
Svea	25	75.00
Thurston Hill	18	54.00
Trenton	72	216.00
Trimbelle	44	132.00
TOTAL	2260	6780.00

DATED this 22nd day of October, 2013.

Submitted by FINANCE &
PERSONNEL COMMITTEE

Jeff Holst, Chairman

APPROVED AS TO
FORM AND LEGALITY BY:

Brad Lawrence,
Corporation Counsel

ATTESTED TO BY:

Jamie R. Feuerhelm, County Clerk

Adopted:

RESOLUTION NO. 13-20
AMEND 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 previously set certain fees for services of the Medical Examiner and Deputy Medical Examiner in Resolution 06-35; and

WHEREAS, said fees need to be revised from time to time based upon increased costs to Pierce County in providing these services, and the Medical Examiner recommends that the fees be adjusted; and

WHEREAS, the Law Enforcement Committee, at its meeting on September 4, 2013, and the Finance and Personnel Committee, at its meeting on October 7, 2013, recommended the fees be modified as follows:

	Previous Fee	Proposed Fee
Autopsy Summary Report	-	\$25.00
Autopsy Report Complete	\$50.00	\$75.00
Medical Examiner Report Summary	-	\$25.00
Medical Examiner Report Comprehensive	\$5.00	\$50.00
Toxicology Report	-	\$25.00
Autopsy Photograph Acquisition Fee	-	\$15.00
Copying Fee: Pictures (not on CD)	-	\$2.00 per picture
Copying Fee: Compact Disc / DVD	-	\$7.00 per CD/DVD
Postage and envelopes will be charged based on actual expense		
Cremation Permit	\$100.00	\$150.00*
Disinterment Permit	\$25.00	\$50.00
Death Certificate Processing	\$0.00	\$0.00

*Cremation Permit fee to be split \$100 for County General Fund as is currently done and \$50.00 to be used for training and equipment for the Medical Examiner staff.

NOW, THEREFORE BE IT RESOLVED, that the Pierce County Board of Supervisors hereby adopts the fees as set forth above, and that the fees shall take effect upon adoption of this resolution.

BE IT FURTHER RESOLVED, that 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 22nd day of October, 2013.

Jeffrey A. Holst, County Board Chair

ATTESTED TO BY:

APPROVED AS TO FORM AND LEGALITY BY:

Jamie Feuerhelm, County Clerk

Bradley D. Lawrence, Corporation Counsel

Adopted _____

RESOLUTION 13-21

APPROVE 2014 TAX LEVY AND BUDGET

BE IT RESOLVED, that there be a tax levied upon all taxable property in Pierce County for operation and maintenance for the 2014 budget in the amount of: County Operating Levy \$14,923,733, Debt Service \$1,478,943, County Library \$391,225, County Aid Bridges \$200,000, for a total of \$16,993,901.

BE IT FURTHER RESOLVED, that in accordance with the tax levied in the total of \$16,993,901 the Pierce County Board of Supervisors hereby approves and authorizes the 2014 budget as set forth in the summary page attached hereto as Exhibit "A".

DATED this 22nd day of October, 2013.

Jeff Holst, Chairman Pierce County Board of Supervisors

ATTESTED TO BY:

APPROVED AS TO FORM AND LEGALITY BY:

Jamie Feuerhelm, County Clerk

Bradley D. Lawrence, Corporation Counsel

Adopted: _____

RESOLUTION 13-22
To Order Issuance of Deed to Pierce County
for Property Subject to Tax Certificate

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

File #419 (018-01095-1010) – The West 15 Acres of the NW ¼ of the NE ¼ of Section 35, Township 27 North, Range 17 West, Town of Martell, Pierce County. W5499 690th Ave. (Steven K. Kuhns)

- A tax certificate was issued indicating taxes are unpaid for the years of 2007 - 2009.
- A Notice of Application for Tax Deed was served on owner by the County Treasurer on May 28, 2013 via certified mail as provided for in WI STATS §75.12. Proof of returned certified mail receipt on file with County Treasurer.

File #420 (030-01028-1000) – Lots 1, 7, and 8; Block 7 Original Plat of the Village of Hager City, Town of Trenton. Also the Easterly 60 feet of Lot 6 Block 7, Original Plat, Village of Hager City, being a part of Section 2, T24N, R18W described as follows: Commencing on the East limits of street formerly known as State & Federal Highway in the SW corner of the NW ¼ of the NW ¼ of said Section 2, thence North 707 feet, thence East 70 feet, thence North 134 feet, thence East 230 feet, thence North 110 feet to the POB: Thence North 65 feet; thence West 150 feet to the POB. Subject to an easement for septic system recorded in Volume 310 of Records, Page 595, Doc. #360344. Also an appurtenant, perpetual easement for ingress, egress & utility purposes over the existing driveway located on Lot 9 Block 7 to serve Lot 1, the Easterly 60 feet of Lot 6, Lot 7 & Lot 8, Block 7 Original Plat Village of Hager City, Town of Trenton, Pierce County. W8071 170th Ave. (Gary & Lynne Kells)

- A tax certificate was issued indicating taxes are unpaid for the years of 2006 - 2009.
- A Notice of Application for Tax Deed was attempted on owner by the County Treasurer on April 19, 2013 via certified mail as provided for in WI STATS §75.12. Proof of attempted certified mail receipt on file with County Treasurer.

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

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

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

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

DATED this 22ND day of October, 2013.

Submitted by FINANCE &
PERSONNEL COMMITTEE

Jeff Holst, County Board Chairman

APPROVED AS TO
FORM AND LEGALITY BY:

Brad Lawrence,
Corporation Counsel

ATTESTED TO BY:

Jamie R. Feuerhelm, County Clerk

Adopted:

RESOLUTION NO. 13-23

Memorial to John Berggren, Jr.

WHEREAS, a respected and valued County Board supervisor has departed this life; and

WHEREAS, John Berggren, Jr. was a dedicated member of the Pierce County Board of Supervisors for 12 years; and

WHEREAS, his great relationship with staff and peers had contributed to the success of services for the citizens of Pierce County and the County will enjoy the benefits of his service well beyond his time here;

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

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

IN TESTIMONY WHEREOF, the Pierce County Board of Supervisors have hereunto declared this a memorial to John Berggren Jr., and caused the Great Seal of the County of Pierce to be affixed. Done at the County Seat in the Village of Ellsworth, this 12TH day of November, 2013.

By the Chair:

Attested:

Jeff Holst, Chair
County Board

Jamie R. Feuerhelm
County Clerk

RESOLUTION NO. 13 - 24
DISALLOWANCE OF CLAIM – ERYN SMITH

WHEREAS, a Notice Of Claim and Claim for Damages was received by the Pierce County Board Chairperson on or about September 16, 2013, from Attorneys Jeffrey Montpetit and Susan Holden representing Eryn Smith; and

WHEREAS, said Claim alleges that Ms. Smith's privacy rights have been violated because law enforcement personnel viewed her driver's license information three times with no legitimate permissible law enforcement purpose; and

WHEREAS, said Claim alleges that the Driver's Privacy Protection Act provides penalties for viewing driver's license information without a permissible law enforcement purpose, (18 U.S.C. §2721 et seq.) and that at a minimum, Ms. Smith is entitled by federal law to a minimum of \$2,500 liquidated damages for each occurrence, plus her attorneys' fees, and that she is entitled to at least \$10,000 for each occurrence; and

WHEREAS, the Finance and Personnel Committee took action on November 4, 2013 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 Eryn Smith 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 claimant, Eryn Smith, 6013 Upper 44th Street North, Oakdale, MN 55128, by certified mail, restricted delivery, with return receipt requested, and a copy to the attorney for claimant, Jeffrey Montpetit, at Sieben, Grose, Von Holtum & Carey, AT&T Tower, 901 Marquette Avenue, Suite 500, Minneapolis, MN 55402-3205.

Dated this 12th day of November, 2013.

Jeff Holst, Chairman Pierce County Board of Supervisors

ATTESTED TO BY:

APPROVED AS TO FORM AND LEGALITY BY:

Jamie Feuerhelm, County Clerk

Bradley D. Lawrence, Corp. Counsel

Adopted _____

RESOLUTION NO. 13-25
RESOLUTION TO FORMALLY COMMIT SPECIFIC REVENUE SOURCES AND
ESTABLISH SPECIFIC USES OF THOSE RESOURCES IN ORDER TO COMPLY
WITH GOVERNMENT ACCOUNTING STANDARDS BOARD (GASB) NO. 54, FUND
BALANCE REPORTING AND GOVERNMENTAL FUND TYPE DEFINITIONS

WHEREAS, GASB No. 54 requires specific governance action to be taken in order for fund balance commitments to be presented in the annual audited financial statements; and governments will not be able to report anything other than nonspendable, restricted, and assigned governmental fund balances, unless the body that is their highest level of decision making authority establish committed revenue sources and uses; and

WHEREAS, GASB No. 54 became effective for the period beginning after June 15, 2010; and the County Board passed resolution 11-20 to comply with the Government Accounting Standards Board (GASB) No. 54 initial requirements; and subsequent guidance on the reporting standard identifies a requirement for boards of governance to take additional action to properly document any commitments; and by passing this resolution, the County will be able to continue to report the funds listed below as special revenue funds separately from the general fund (avoid having to combine these funds with the general fund for external financial reporting); and

WHEREAS, the following special revenue funds receive sources of restricted revenue and as a result, qualify as special revenue funds without the additional requirement of formal governance action:

Human Services Fund (restricted intergovernmental grants)
Community Development Grant Fund (restricted intergovernmental grants)
Public Health Fund (restricted intergovernmental grants)
OWI Surcharge Fund (restricted fines and forfeitures)
Sanitary System Grant Program Fund (restricted intergovernmental grants)
Council on Aging Fund (restricted intergovernmental grants)
Jail Assessment Fund (restricted fines and forfeitures)
Snowmobile Trails Fund (restricted intergovernmental grants)
Economic Development Grant Fund (restricted intergovernmental grants)
CDBG Economic Development Fund (restricted intergovernmental grants)

WHEREAS, the following funds do not receive sources of restricted revenue but it is the intent to continue reporting separately from the general fund; and this resolution establishes a commitment of revenue sources generated by these funds to be used for the purposes stated as follows:

County Sales Tax Fund (sales tax revenue committed for property tax relief per
County Ordinance 87-4 / §40-22 Pierce County Code)
Solid Waste Development Fund (public charges for service revenue committed
for supporting the solid waste program)
Family Mediation Fund (public charges for service revenue committed for the
purpose of family mediation programs)

Equipment Replacement Fund (intergovernmental charges for service revenue committed for equipment replacement)

Dog License Fund (license revenue committed for the purposes of animal control programs and animal damage)

WHEREAS, any use of committed resources as identified above for purposes other than the original commitment outlined can be done but will require additional formal governance action to release or change the nature of the original commitment; and any additional revenue received by any of the above funds, which is not otherwise restricted, will inherit the characteristics of the fund's original commitment and therefore, will also be considered committed for purposes of financial reporting; and

NOW, THEREFORE BE IT RESOLVED, that the above funds are properly classified as special revenue funds as outlined by the requirements of GASB No. 54; and the committed revenue sources and related uses are established as a result of this resolution; and this resolution formally documents and clarifies the intent of the County Board upon passing original resolution 11-20; and therefore, consider this resolution and the above requirements retroactively applicable to the original adoption of resolution 11-20; and therefore, the above guidance is applicable to financial reporting years 2013 going forward.

Dated this 12th day of November, 2013.

Jeffrey A. Holst, County Board Chair

ATTESTED TO BY:

APPROVED AS TO FORM AND LEGALITY BY:

Jamie Feuerhelm, County Clerk

Bradley D. Lawrence, Corporation Counsel

Adopted _____

RESOLUTION NO. 13-26
AUTHORIZE TRANSFER FROM CONTINGENCY FUND FOR
REPLACEMENT COUNTY PHONE SYSTEM PROJECT

WHEREAS, the county phone system has reached its end of life and the County is in the process of switching to a voice over internet protocol (VOIP) phone system; and

WHEREAS, in preparation for the phone system project, a total of \$275,000 was placed in the Contingency Fund through the 2012 and 2013 budget process; and

WHEREAS, on March 4, 2013, the Finance and Personnel Committee recommended approval of the transfer of \$70,000 to the Information Services Outlay account for the purpose of upgrading all of the county switches as part of the phone system project; and

WHEREAS, in preparation for completing the phone system project, an additional \$145,900 is requested to be transferred into the Information Services Outlay account; and

WHEREAS, pursuant to §65.90(5)(b) Wis. Stats., the County Board is required to authorize transfers from the Contingency Fund in excess of 10% of the Information Services Department's annual budget; and

WHEREAS, on November 12, 2013 the Information Services Committee additionally recommended the transfer, and on December 2, 2013 the Finance and Personnel Committee reviewed the transfer request and took action to forward to the County Board their recommendation that they approve the transfer from the Contingency Fund into the Information Services Outlay account the additional amount of \$145,900 in order to complete the phone system project.

NOW THEREFORE, BE IT RESOLVED, that the Pierce County Board of Supervisors hereby approves and authorizes the transfer of \$215,900 (\$70,000 + \$145,900) from the Contingency Fund (Fund 102) into the Information Services Outlay account (101-07-51450-822-000) for the phone system project purposes set forth herein.

Dated this ____ day of _____, 2013.

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

ATTESTED TO BY:

APPROVED AS TO FORM AND LEGALITY BY:

Jamie Feuerhelm, County Clerk

Bradley D. Lawrence, Corp. Counsel

Adopted: December 17, 2013

RESOLUTION NO. 13-27

TO AMEND RESOLUTION 12-23; REQUESTING AFFILIATION OF THE PIERCE COUNTY REVOLVING LOAN FUND WITH THE REGIONAL BUSINESS FUND, INC.

WHEREAS, the Board adopted Resolution No. 12-23 on November 13, 2012, requesting affiliation of the Pierce County Revolving Loan Fund with the Regional Business Fund, Inc.; and

WHEREAS, the State oversight agency is no longer the Wisconsin Economic Development Corporation but rather the State of Wisconsin Department of Administration and it is necessary to update the Resolution.

NOW, THEREFORE BE IT RESOLVED by the Pierce County Board of Supervisors that Resolution 12-23 be amended to read as set forth in the attached Exhibit A.

Dated this 17th day of December, 2013.

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

ATTESTED TO BY:

APPROVED AS TO FORM AND LEGALITY
BY:

Jamie Feuerhelm, County Clerk

Bradley D. Lawrence, Corp. Counsel

BDL

Adopted _____

EXHIBIT A

RESOLUTION NO. 12-23

REQUESTING AFFILIATION OF THE PIERCE COUNTY REVOLVING LOAN FUND WITH THE REGIONAL BUSINESS FUND, INC.

WHEREAS, the Pierce County Revolving Loan Fund has served since 1997 to provide capital for business development needs, under the Community Development Block Grant program of the U.S. Department of Housing & Urban Development and the oversight and guidance of the ~~Wisconsin Economic Development Corporation~~ State of Wisconsin Department of Administration and predecessor agencies; and

WHEREAS, the County's loan fund has provided necessary financing to 44 county-based businesses with a total impact of over 430 jobs created and 200 jobs retained, with a principal loss rate of less than two percent of total loan dollars; and

~~**WHEREAS**, the Wisconsin Economic Development Corporation is pursuing an initiative to regionalize local revolving loan funds in order to increase the amount of capital available, and to increase the flexibility of those funds' use to support business development needs; and~~

WHEREAS, regionalization of the County revolving loan fund will relieve County staff responsibilities for financial management, reporting, and legal services while continuing the County's Revolving Loan Fund Committee role in reviewing most local applications for financing under a regional fund structure; and

WHEREAS, in 2006 local revolving loan funds in the counties located immediately north and east of Pierce County successfully regionalized their operations as the Regional Business Fund, Inc.; and

WHEREAS, the Regional Business Fund has successfully operated a diverse revolving loan financing program through the West Central Wisconsin Regional Planning Commission and a Board of Directors representing all participating counties; and

WHEREAS, Pierce County's geography, economic and community relationships, development patterns, economic development partnerships, and regional office jurisdictions of other State and Federal agencies support the affiliation of the County revolving loan fund with the Regional Business Fund, Inc.; and

WHEREAS, the County Revolving Loan Fund Committee has reviewed alternatives for regionalization, including the proposed western Wisconsin regional fund territory ~~suggested by WEDC~~, and has recommended the option of affiliation with the Regional Business Fund, Inc.

NOW, THEREFORE, BE IT RESOLVED, that the Pierce County Board of Supervisors requests that the Pierce County Revolving Loan Fund be allowed to join the Regional Business Fund, Inc. and that the appropriate County staff and contract manager for the Revolving Loan Fund be directed to take all necessary steps to effectuate this transition in an orderly fashion and

that the County Board Chair be authorized to sign such documents as may be necessary to effectuate this transition.

BE IT FURTHER RESOLVED, that copies of this resolution be transmitted to the Regional Business Fund, Inc. staff and Directors; the ~~Wisconsin Economic Development Corporation~~ State of Wisconsin Department of Administration; and Pierce County's State and Federal legislative delegations.

RESOLUTION NO. 13-28
APPROVE AMENDMENT TO PIERCE COUNTY EMPLOYEES (WAGeworks)
PLAN FOR FLEX SPENDING ACCOUNT CARRYOVER
FOR 2014 PLAN YEAR AND BEYOND

WHEREAS, Pierce County has a Medical Care Expense Reimbursement Plan, (Pierce County Employees [Wageworks] Plan), for its employees in conjunction with its flexible benefits plan; and

WHEREAS, Pierce County has contracted with WageWorks, Inc. to act as its agent to furnish reimbursement services for eligible expenses under the health flexible spending account provisions; and

WHEREAS, currently employees are required to request reimbursement of eligible medical expenses incurred during the year before the end of the grace period or they are otherwise forfeited to the county; and

WHEREAS, to reflect changes to the Internal Revenue Code Section 125(i), as amended by the Internal Revenue Service Notice 2013-71, Pierce County has elected to amend the agreement as set forth in the attached **Exhibit A**, summarized as follows: to the extent the Plan contains a “grace period” language, said language for any “grace period” for the health flexible spending account will be voided for Plan years following the Plan year that carry over is adopted, and such language shall be replaced with “carryover” language, providing for an employee to carryover \$500 of any amount remaining unused in a health flexible spending account at of the end of the Plan year to be used during the next Plan year; and

WHEREAS, the Finance & Personnel Committee at its meeting on January 6, 2014 took action to recommend that the County Board approve and adopt the Plan amendment.

NOW, THEREFORE BE IT RESOLVED, that the Pierce County Board of Supervisors hereby authorizes Pierce County to enter into a Plan amendment as set forth above.

BE IT FURTHER RESOLVED, that the Administrative Coordinator and Insurance Coordinator are hereby authorized to sign any and all documents pertaining to the amendment to the agreement.

Dated this 28TH day of January, 2014.

Jeffrey A. Holst, Chair
Pierce County Board of Supervisors

ATTESTED TO BY:

APPROVED AS TO FORM AND LEGALITY BY:

Jamie Feuerhelm, County Clerk

Bradley D. Lawrence, Corp. Counsel

Adopted: January 28, 2014

Exhibit A

PLAN AMENDMENT

ARTICLE I PREAMBLE

- 1.1 **Adoption and effective date of amendment.** The Employer adopts this Amendment to the **PIERCE COUNTY EMPLOYEES** (enter name of plan) ("Plan") to reflect changes to Internal Revenue Code (IRC) Section 125(l), as amended by the Internal Revenue Service (IRS) Notice 2013-71. The employer and Plan sponsor intends this Amendment as good faith compliance with the requirements of this Notice. This Amendment shall be effective on or after the date the Employer elects in Section 2.1 below.
- 1.2 **Election of Carryover.** To the extent that the Plan contains "grace period" language, said language for any "grace period" for the health flexible spending account (health FSA) will be voided for Plan years following the Plan year that carryover is adopted and such language shall be replaced with the "carryover" language outlined below.
- 1.3 **Supersession of Inconsistent provisions.** This Amendment shall supersede the provisions of the Plan to the extent those provisions are inconsistent with the provisions of this Amendment.

ARTICLE II CARRYOVER ELECTION

- 2.1 **Effective Date.** This Amendment is entered into as of the date outlined below and shall be effective for ☐ the 2013 Plan year and beyond or ☒ the 2014 Plan year and beyond.
- 2.2 **Carryover Amount.** The Plan shall provide for a carryover of \$500 of any amount remaining unused in a health FSA as of the end of the Plan year. Such carryover amount may be used to pay or reimburse medical expenses under the health FSA incurred during the entire Plan year to which it is carried over.
- 2.3 **Participant Opt Out.** Notwithstanding the foregoing, any Plan participant shall have the right to opt out of the carryover if such participant has already enrolled in a health care savings account for the following Plan year.

This Amendment has been executed as of the date signed.

Signature: Wanda Kinneman
Wanda Kinneman (Nov 18, 2013)

Email: kinneman@co.pierce.wi.us

Title: Insurance & Safety Coordinator

Company: Pierce County

Resolution 13-29

**ESTABLISH 2014 SALARIES AND BENEFITS
FOR NON-REPRESENTED EMPLOYEES**

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

WHEREAS, part and parcel of said analysis has been consideration of the 2013 BCC Salary Matrix; and

WHEREAS, the Finance and Personnel Committee did meet on January 6, 2014, and recommends salary increases in the amount of 1.25% across the board to the BCC 10-step Salary Matrix system, as and for non-represented employees identified on the current BCC 10-step salary matrix, for the 2014 calendar year, effective January 1, 2014.

NOW THEREFORE BE IT RESOLVED by the Pierce County Board of Supervisors that the BCC salary matrix and salaries of all non-represented employees identified on the matrix be adjusted by 1.25% across the board, calculated upon the basis of the 10-step salary matrix, for the 2014 calendar year, effective January 1, 2014.

BE IT FURTHER RESOLVED that effective January 1, 2014, non-represented employees on the self-funded plan will continue to contribute 10% toward the health insurance premiums.

DATED this 28TH day of January, 2014.

Jeffrey A. Holst, Chair
Pierce County Board of Supervisors

ATTESTED TO BY:

APPROVED AS TO FORM AND LEGALITY BY:

Jamie Feuerhelm, County Clerk

Bradley D. Lawrence, Corp. Counsel

Adopted: February 25, 2014

RESOLUTION 13-30
To Order Issuance of Deed to Pierce County
for Property Subject to Tax Certificate

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

File #421 (004-01062-0900) – Lots 2, 3, and 4 Block A, Enoch Quimby's Addition, Town of Diamond Bluff. Also, **(004-01063-0900)** – Lots 1 and 2 Block C, Lots 1 and 2 Block D except that part sold to Chicago, Burlington and Quincy Railway Company and to the Winona, Alma, and Northern Railway Company. Also vacated Pleasant Street adjacent to Lot 2 Block C and Lot 1 Block D all in Enoch Quimby's Addition to the Town of Diamond Bluff.

- A tax certificate was issued indicating taxes are unpaid for the years of 2008 - 2011.
- A Notice of Application for Tax Deed was served on owner by the County Treasurer on August 15, 2013 via certified mail as provided for in WI STATS §75.12. Proof of returned certified mail receipt on file with County Treasurer.

File #422 (181-01001-0210) – All that part of the Southwest quarter of the Northeast quarter (SW ¼ of NE ¼) of Section Five (5) in Township 27N, Range 15W which lies east of State Highway 29. Subject to other public highway. Village of Spring Valley.

- A tax certificate was issued indicating taxes are unpaid for the years of 2009 - 2010.
- A Notice of Application for Tax Deed was attempted on owner by the County Treasurer on Sept. 18 & 25, 2013 & Oct. 2, 2013 via class 3 publication as provided for in WI STATS §75.12. Proof of publication on file with County Treasurer.

File #423 (181-01002-0100) – That part of the Southwest Quarter of the Northwest Quarter (SW ¼ of NW ¼) of Section Five (5), Township 27N, Range 15W, described as follows: Commencing at a point on the Section line 384 feet north of the quarter post between Sections 5 and 6; thence south on said section line 6 feet; thence east 240 feet; thence in a northeasterly direction 20 feet, more or less, to a point 259 feet east of the place of beginning (said point being the southeast corner of Lot described in Volume 163 Page 533, Pierce county Register of Deeds records); thence west 259 feet to the place of beginning excepting parcel conveyed to the Village of Spring Valley described as: the southerly 384 feet of said SW ¼ of NW ¼ lying north of the north line of Lot One (1), Prospect Hill Addition to the Village of Spring Valley and westerly of a line which is parallel to and eleven (11) feet westerly of the center line of county Road "NN" as now designated and located in said SW ¼ of NW ¼, containing .18 acres more or less and except parcel conveyed to Village of Spring Valley in Volume 65 p 269, document number 244695 recorded September 6, 1973.

Also that part of the Southwest Quarter of the Northwest Quarter (SW ¼ of NW ¼) of Section Five (5) Township 27N, Range 15W, described as follows: Commencing at a point on the section line 34.24 rods (564.96 feet) north of the quarter post between Sections 5 and 6, T27N, R15W; thence north along said section line 56 feet to a point which is 10 feet south of a point on said section line located 38.24 rods (630.96 feet) north of the quarter post between Section 5 and 6, T27N, R15W; thence east 24 rods; thence south 56 feet; thence west 24 rods to the place of beginning, except therefrom the following described parcel: Commencing 547.75 feet north of the southwest corner of the Southwest Quarter of Section 5, T27N, R15W, thence east 275 feet; thence north 66 feet; thence west 275 feet; thence south 66 feet to the place of beginning and except the following described parcel: the north 74.21 feet of the south 620.96 feet of said SW ¼ of NW ¼ lying westerly of a line which is parallel to and 11 feet westerly from the center line of County Road "NN" as now designated and located in said SW ¼ of NW ¼, and except parcel conveyed to Village of Spring Valley in Volume 65 p 269, document number 244695 recorded September 6, 1973. Village of Spring Valley.

- A tax certificate was issued indicating taxes are unpaid for the years of 2010 - 2011.
- A Notice of Application for Tax Deed was attempted on owner by the County Treasurer on Sept. 18 & 25, 2013 & Oct. 2, 2013 via class 3 publication as provided for in WI STATS §75.12. Proof of publication on file with County Treasurer.

File #424 (276-02051-0800) – Lot 1 of Certified Survey Maps Volume 3, Page 196 containing 1.542 Acres being part of SW ¼ of SE ¼ Section 12, Township 27 North, Range 19 West, Pierce County. Also, **(276-02051-0900)** – Lot 2 of Certified Survey Maps Volume 3, Page 196 containing 2.674 Acres being part of SW ¼ of SE ¼ Section 12, Township 27 North, Range 19 West, Pierce County. City of River Falls.

- A tax certificate was issued indicating taxes are unpaid for the years of 2002 - 2009.
- A Notice of Application for Tax Deed was served on owner by the County Treasurer on May 10, 2013 via certified mail as provided for in WI STATS §75.12. Proof of returned certified mail receipt on file with County Treasurer.

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

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

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

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

DATED this 25TH day of February, 2014.
Adopted: March 25, 2014

RESOLUTION NO. 13-31
RATIFY COLLECTIVE BARGAINING AGREEMENT FOR
L.A.W. – COMMUNITY HEALTH

WHEREAS, negotiations were undertaken by and between the County and L.A.W. – Community Health with regard to their Collective Bargaining Agreement; and

WHEREAS, the Negotiations Committee, at its meeting on December 19, 2013 and the Finance and Personnel Committee, at its meeting on February 3, 2014, reviewed the tentative, proposed contract settlement offer for the period of January 1, 2014 through December 31, 2014 (summary attached and incorporated herein as Exhibit A); and

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

WHEREAS, the Negotiations Committee and the Finance and Personnel Committee, recommend to the full County Board of Supervisors that it ratify said Collective Bargaining Agreement, a summary of which is attached hereto as Exhibit A, for the period in question.

NOW, THEREFORE BE IT RESOLVED, by the County Board of Supervisors that it hereby goes on record in ratifying the Collective Bargaining Agreement by and between Pierce County and L.A.W. – Community Health for the term of January 1, 2014 through December 31, 2014 as incorporated in the attached Settlement Proposal Summary attached as Exhibit “A” to this Resolution.

Dated this 25TH day of February, 2014.

Jeffrey A. Holst, Chair
Pierce County Board of Supervisors

ATTESTED TO BY:

APPROVED AS TO FORM AND LEGALITY
BY:

Jamie Feuerhelm, County Clerk

Bradley D. Lawrence, Corp. Counsel

Adopted: February 25, 2014

Exhibit "A"

TENTATIVE AGREEMENT
between
PIERCE COUNTY
AND
PIERCE COUNTY COMMUNITY HEALTH ASSOCIATION
FOR A SUCCESSOR TO THE 2013 AGREEMENT

For a January 1, 2014, to December 31, 2014, Agreement

From December 19, 2013, Bargaining Session

TOTAL BASE WAGES: The County proposes a total base wage increase of \$ 8,970 * to be distributed by applying a **1.25%** increase to each employee's wage rate effective **February 1, 2014.**

The County notifies the Union that it is its intent to maintain the wage schedule utilized in 2013, with a corresponding increase of 1.25% for each step of the wage schedule, and allow employees to continue to progress through the schedule based on years of service.

* This figure includes the cost of normal, full step movement for eligible employees in 2014.

RESOLUTION NO. 13-32
RATIFY COLLECTIVE BARGAINING AGREEMENT FOR
TEAMSTERS HUMAN SERVICES PROFESSIONALS LOCAL 662

WHEREAS, negotiations were undertaken by and between the County and Teamsters Human Services Professionals Local 662 with regard to their Collective Bargaining Agreement; and

WHEREAS, the Negotiations Committee, at its meeting on December 19, 2013 and the Finance and Personnel Committee, at its meeting on February 3, 2014, reviewed the tentative, proposed contract settlement offer for the period of January 1, 2014 through December 31, 2014; and

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

WHEREAS, the Negotiations Committee and the Finance and Personnel Committee, recommend to the full County Board of Supervisors that it ratify said Collective Bargaining Agreement, attached hereto as Exhibit A, for the period in question.

NOW, THEREFORE BE IT RESOLVED, by the County Board of Supervisors that it hereby goes on record in ratifying the Collective Bargaining Agreement by and between Pierce County and Teamsters Human Services Professionals Local 662 for the term of January 1, 2014 through December 31, 2014, attached as Exhibit "A" to this Resolution.

Dated this 25TH day of February, 2014.

Jeffrey A. Holst, Chair
Pierce County Board of Supervisors

ATTESTED TO BY:

APPROVED AS TO FORM AND LEGALITY BY:

Jamie Feuerhelm, County Clerk

Bradley D. Lawrence, Corp. Counsel

Adopted: February 25, 2014

Exhibit "A"

BILATERAL AGREEMENT

Between

PIERCE COUNTY

and

PIERCE COUNTY HUMAN SERVICES

PROFESSIONAL EMPLOYEES

GENERAL TEAMSTERS UNION - LOCAL 662

January 1, 2014 to December 31, 2014

AGREEMENT

THIS AGREEMENT, made and entered into between the PIERCE COUNTY DEPARTMENT OF HUMAN SERVICES, Ellsworth, Wisconsin, hereinafter referred to as the "Employer" or "County" and GENERAL TEAMSTERS UNION, LOCAL 662, affiliated with the International Brotherhood of Teamsters, hereinafter referred to as the "Union."

ARTICLE I – RECOGNITION CLAUSE

Section 1. The Employer recognizes and acknowledges that the Union, its agents, representatives or successors, is the exclusive bargaining agent for all employees of the Employer, including such employees as may be presently or hereinafter represented by the Union, working on jobs in classifications as set forth in the attached Wage Schedule.

ARTICLE II – WAGES

The parties agree to implement a total base wage increase by increasing each wage rate set forth in Appendix A of the collective bargaining agreement which expired on December 31, 2013, by 1.25% effective April 1, 2014.

The schedule attached hereto and marked Exhibit "A" includes this increase.

The County notifies the Union of its intent to maintain the wage schedule attached hereto as Exhibit "A" and to allow employees to continue to progress through the schedule based on years of service through December 31, 2014.

ARTICLE III – DURATION

THIS AGREEMENT shall be in full force and effect from January 1, 2014, to and including December 31, 2014.

Signed this _____ day of _____, 2014.

GENERAL TEAMSTERS UNION
LOCAL 662
Eau Claire, Wisconsin

PIERCE COUNTY
Ellsworth, Wisconsin

By: _____
Date

By: _____
Date

Date

By: _____
Date

Date

By: _____
Date

Document prepared by:
Weld, Riley, Prenz & Ricci, S.C.
P. O. Box 1030
Eau Claire, WI 54702-1030
Tel.: 715-839-7786

F:\doc\COUNTY\PIERCE\Human Services Professional (Teamsters)2014 ltrprof_mtd.rpd

EXHIBIT "A"

WAGE SCHEDULE AND CLASSIFICATIONS

2014	1.25%	<u>Start</u>	<u>6 months</u>	<u>18 months</u>
Mental Health Therapist II	4/1/14	33.71	34.97	36.25
Mental Health Therapist I CSP Clinical Coordinator	4/1/14	31.27	32.45	33.71
Lead Social Worker	4/1/14	30.19	31.40	32.61
Social Worker III Lead AODA Counselor Drug Court Coordinator	4/1/14	28.76	29.96	31.20
Social Worker II AODA Counselor III, Psychiatric Nurse	4/1/14	25.76	26.96	28.76
Social Worker I AODA Counselor II	4/1/14	24.00	25.14	26.35
Human Services Worker	4/1/14	23.48		
AODA Counselor I	4/1/14	23.78	24.71	25.63

RESOLUTION NO. 13-33

SALARY ADJUSTMENTS FOR ELECTED OFFICIALS CLERK OF COURT AND SHERIFF 2015-2018

WHEREAS, on February 3, 2014, the Finance & Personnel Committee did duly consider the existing salaries of the Clerk of Court and Sheriff of Pierce County; and

WHEREAS, the Finance & Personnel Committee recommends that the current 2014 base salary for the Clerk of Court be adjusted to \$58,270 effective 01/05/15 and be adjusted to \$58,416 effective 01/01/16 and be adjusted to \$58,869 effective 01/01/17 and be adjusted to \$59,605 effective 01/01/18, and recommends that the current 2014 base salary for the Sheriff be adjusted 1.25% effective 01/05/15 and 1.25% each year for the years 2016, 2017 and 2018; and

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

NOW, THEREFORE BE IT RESOLVED, by the Pierce County Board of Supervisors that the current 2014 base salary for the Clerk of Court be adjusted to \$58,270 effective 01/05/15 and be adjusted to \$58,416 effective 01/01/16 and be adjusted to \$58,869 effective 01/01/17 and be adjusted to \$59,605 effective 01/01/18, and recommends that the current 2014 base salary for the Sheriff be adjusted 1.25% effective 01/05/15 and 1.25% each year for the years 2016, 2017 and 2018. Thus the following salaries shall be established:

	2014 Salary	2015	2016	2017	2018
Clerk of Court	\$58,124	\$58,270	\$58,416	\$58,869	\$59,605
Sheriff	\$75,275	\$76,216	\$77,169	\$78,133	\$79,110

BE IT FURTHER RESOLVED that in addition to base salary adjustments, as identified above, with respect to elected officials, to the extent that their base salaries will be increased effective 01/05/15 (the first Monday in January 2015) 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 25th day of February, 2014.

Adopted: March 25, 2014

RESOLUTION NO. 13-34
TO AUTHORIZE COUNTY EMAIL ADDRESSES
FOR COUNTY BOARD SUPERVISORS

WHEREAS, there is a desire by some County Board Supervisors to have the County provide county email addresses to all County Board Supervisors for their County Board related communications; and

WHEREAS, a county email address currently costs \$83 per account annually and includes 7 years of archiving; and

WHEREAS, if offered, it would be optional for a County Board Supervisor to have a county email address, and if they choose to have one, each Supervisor would remain their own records custodian; and

WHEREAS, the Information Services Committee considered this matter at its meeting on January 7, 2014 and took action to recommend that the County offer email addresses to currently elected County Board Supervisors, with the cost being paid through the Information Services Department budget; and

WHEREAS, the Finance & Personnel Committee considered this matter at its meeting on February 3, 2014 and recommended that the County Board approve the request.

NOW, THEREFORE BE IT RESOLVED, by the Pierce County Board of Supervisors that it authorizes county email addresses be offered to currently elected County Board Supervisors, with the cost being paid through the Information Services Department budget.

Dated this 25TH day of February, 2014.

Adopted: March 25, 2014

RESOLUTION NO. 13-35
ADVISORY RESOLUTION CONCERNING CHANGES TO THE
WISCONSIN WELL WOMAN PROGRAM

WHEREAS, the Wisconsin Department of Health Services administers the Wisconsin Well Woman Program (WWWP), which provides preventive health screening services, including but not limited to breast cancer/mammograms, cervical cancer/pap tests, and multiple sclerosis testing, to eligible women with little or no health insurance coverage; and

WHEREAS, the WWWP is an effective way of improving the health of the community while minimizing long-term healthcare costs through early detection and prevention techniques; and

WHEREAS, due to increased funding constraints and changes in the national health care delivery system, the WWWP will discontinue all providers effective June 30, 2014. A new provider network consisting of large health systems will be developed; and

WHEREAS, while the Pierce County Board of Health understands the need to reduce healthcare costs, it is concerned with the potential impact to women receiving WWWP services in the county. Of the 32 members currently in the program, only 11 would be eligible for BadgerCare enrollment as a childless adult, leaving the remaining women to obtain insurance via exchanges with significant premiums and out-of-pocket costs. In rural areas such as Pierce County, women will have less choice when selecting a WWWP provider and will be forced to travel further to obtain access to services; and

WHEREAS, the Board does not believe the cost of service by large providers will be appreciatively different than that of current providers and any administrative cost savings that may occur with these changes will come at the expense of high risk, low income women.

NOW THEREFORE BE IT RESOLVED that the County Board of Supervisors hereby urges the Wisconsin Department of Health Services to reconsider the aforementioned changes to the WWWP and to seek alternative ways to achieve cost savings.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to Kitty Rhoades, Secretary Department of Health Services; Gale D. Johnson, Director of the Wisconsin Well Women Program; and Karen McKeown, Administrator and State Health Officer, Division of Public Health.

Dated this 25TH day of February, 2014.

Jeffrey A. Holst, Chair
Pierce County Board of Supervisors

ATTESTED TO BY:

APPROVED AS TO FORM AND LEGALITY BY:

Jamie Feuerhelm, County Clerk

Bradley D. Lawrence, Corp. Counsel

Adopted: February 25, 2014

RESOLUTION NO. 13-36
AUTHORIZE PURSUING THE RECOMMENDATION OF AD HOC (JAIL)
COMMITTEE - 50 BED JAIL (WITH ABILITY FOR FUTURE EXPANSION) AND TO
REMODEL EXISTING COURTHOUSE ANNEX INTO A JUSTICE CENTER

WHEREAS, the first Ad Hoc (Jail) Committee was created by the Finance & Personnel Committee on December 3, 2012, and the Ad Hoc Committee provided its Final Report dated June 27, 2013 concluding and recommending as set forth in **Exhibit A**; and

WHEREAS, the recommendation of the first Ad Hoc (Jail) Committee was supported by the Law Enforcement Committee (at its meeting on July 17, 2013), and the Building Committee (at its meeting on July 9, 2013); and

WHEREAS, the second Ad Hoc Jail Planning Committee was created by the County Board in Resolution 13-14, and thereafter Resolution 13-15 authorized a source of funds for professional consulting services to formally consider the first Ad Hoc (Jail) Committee's recommendations, with the specific mission as follows:

“... with the express duties being to retain the services of an engineering/architectural firm to identify more specific parameters associated with the option recommended by the prior Ad Hoc Committee, as well as to obtain a more solid estimate of cost for that option and to report back to the County board, to identify potential site location alternatives for the Board's consideration, and to assist the County as necessary in its research and analysis.”; and

WHEREAS, the second Ad Hoc Jail Planning Committee hired a consultant, identified alternative site locations, and obtained more solid estimates of costs, and provided a Final Report dated January 15, 2014, concluding and recommending as set forth in **Exhibit B**; and

WHEREAS, the County has significant ongoing liability issues with the current jail, and it is imperative to address that liability and to move this issue toward resolution; and

WHEREAS, some of the future steps in the jail planning process will include, but not be limited to, the following:

- narrowing the alternative site locations,
- obtaining more detailed engineering/architectural plans and specifications, and
- more specifically identifying significant issues (zoning, road access, utility access, etc.)

in order to allow the County to make a final decision on the ultimate site location and design specification of the jail (for which a majority vote is required), in order for the County to obtain financial information and bond for the costs, and in order for the County to bid out the project; and

WHEREAS, in the future when a final decision is made regarding approving bonding for the ultimate costs of the jail project, for the Board to approve a debt issuance without going to a referendum, statutes require that three-fourths of the members-elect (13 or more) approve the debt issuance and therefore it is important that the Board have unity of purpose at the present time so as to make the best use of future time and resources; and

WHEREAS, in order for the above described future steps to be taken, and to further define the direction the County intends to take with the jail issue, it is important to make determinations and provide appropriate direction as to the proposed size and configuration of the jail project.

NOW, THEREFORE BE IT RESOLVED, by the Pierce County Board of Supervisors that it hereby authorizes pursuing the jail project in the size and configuration recommended by the first Ad Hoc (Jail) Committee as set forth in the attached **Exhibit A**, summarized as a stand-alone building with Sheriff's Department and 50 bed jail with room for future jail expansion, and to remodel the existing Courthouse Annex jail space into a Justice Center, and to allow for consideration of construction of a courthouse at the jail/Sheriff's Department site (and any other associated modification that might become necessary).

Dated this 11TH day of March, 2014.

Jeffrey A. Holst, Chair
Pierce County Board of Supervisors

ATTESTED TO BY:

APPROVED AS TO FORM AND LEGALITY BY:

Jamie Feuerhelm, County Clerk

Bradley D. Lawrence, Corp. Counsel

Exhibit A

Option 1 – Build a justice center which would house a jail, sheriff department, and all judicial system spaces including courtrooms, district attorney's office, clerk of court, etc. A proposal to build a justice center was before the County Board at the September 12, 2000, meeting, but the action failed to garner the three fourths majority required to pass. As with any new construction, the building can be designed to address the current deficiencies and built to current jail standards, thereby significantly reducing the liability and risk associated with the existing facility. Jail staff could escort inmates to court proceedings without any contact with the public until entering a courtroom, which is optimum for security. This option would easily meet four of the five decision criteria – space, security, liability and risk, and sustainability. However, the cost associated with this option is steep. Based on the June 2012 needs analysis and pro forma done by the DLR Group (attached as Appendix G), a Justice Center with a 110 bed jail and two courtrooms with 106,500 square feet would cost about \$35 million in construction costs. The construction of this project could be phased to make it more affordable, but at a minimum the jail and sheriff department should both be included in the first phase. Depending on how long it would take to get phase two (the courtrooms and other justice related spaces) going, it could be a long time before the security issue surrounding getting inmate/offenders to court in a secure environment would be addressed. Depending on the design of the facility, there may be additional staff required, which would result in increased operating expenses.

Option 2 – Remodel the existing jail and add on with the additional building footprint within the sidewalks by the current county annex building. The January 21, 2013, report from DLR (attached as Appendix H) addressed a version of this option by remodeling the existing jail with some expansion of the building footprint. The remodel increased the total number of cells from 29 to 38 by adding a total of 22 beds in Huber dorms, but it decreased the number of medium and maximum security cells from 29 to 16. The decrease in medium and maximum security beds will make classification of inmates difficult and will likely increase transportation costs to other county facilities since there would be less space to house inmates in Pierce County. The plan proposes an addition at the south east corner of the jail for a new communication/dispatch area and includes an elevator for transporting inmates to the third floor of the courthouse for court. This plan displaces the Probate office and does not address where that office would relocate and at what cost. According to the jail inspector, who was at the meeting when this plan was presented, the layout was problematic. It is questionable if the Department of Corrections would accept this plan because it may not meet the requirements to be classified as a jail. Instead it might qualify as a holding facility, but the inspector was not sure without further analysis. In addition to the cost to remodel the existing facility and construct an addition to the building, the communications tower at the northwest corner of the building would potentially have to be moved. According to the DLR report, the estimated cost for this version of the option is \$9.2 million and does not address moving the communications tower. This plan improves the

safety and security concerns in that inmates will not have to go through unsecured areas of the courthouse in order to get to court. However, the loss of medium and maximum security cells makes classification more problematic, which is a liability concern. The biggest concern about this option is it does nothing to address the liability and risk concerns, and it has a low level of sustainability in that there would be no way to add onto today's investment at some point in the future. It does not change the current lineal style of cells, which increases risk. This option would need to more fully address courthouse security issues and get added costs in order to be considered. One such security issue is the multiple access points into the courthouse since the courtrooms would remain in the current location.

Option 3 – Build a stand-alone jail and sheriff's department facility on county owned property and remodel the existing jail space into a justice center. This option proposes a new jail and sheriff department building on county owned land. It also proposes to remodel the existing annex into a justice center with courtrooms and court offices in that building. As with option one, new construction can be designed to adequately address the current deficiencies to meet the space, security/safety and liability/risk criteria. Because the courtrooms would not be in the same building as the jail, transport of prisoners would still be needed. However, transport could go from a secure sally port in one building to a secure sally port in another building and both the jail and the justice center could be designed so prisoners are in a totally secure area other than when they are in a courtroom. In order to meet the sustainability criterion, the new building must be designed that enables expansion in the future should additional jail space be needed and secures land adjacent to the new facility and reserved for that purpose. A needs assessment and pro forma on this option has not been addressed, but an initial calculation of needed space and construction costs was done by the committee. Appendix I details the methodology used to calculate that 27,000 square feet are needed for a 50 bed jail at a cost of approximately \$6.8 million. This includes construction costs only. In follow up to this estimate, the committee asked Cedar Corporation of Menomonie, WI to provide a rough estimate of a 27,000 square foot building housing a 50 bed jail and space for the sheriff's department. Cedar Corporation's estimate for construction of the new facility is \$7.85 million and is attached as Appendix J. An estimate of \$2.1 million was done on the remodel of the existing facility by DLR in 2012 as a part of another project (see page 21 of Appendix G), providing at least a ballpark amount for this portion of the project. A rough estimate for the complete project including a stand-alone jail and sheriff's department along with remodel of the existing jail into a justice center is approximately \$10-\$12 million.

Options were measured against each criterion identified above and summarized in the following matrix:

Criterion	Option 1 Justice Center	Option 2 Remodel existing with strategic add on	Option 3 New jail and sheriff department, remodel existing into justice center
Space	Meets	Does not meet	Meets
Security/safety	Meets	Partially meets	Meets
Liability/risk	Meets	Partially meets	Meets
Cost	Does not meet	Meets	Meets
Sustainability	Meets	Does not meet	Meets

VI. Recommendations and Conclusion

Option 1 meets four of the criteria. It will provide for adequate space, can be designed to address the safety/security issues and liability/risk issues identified by stakeholders and documented in inspection reports. It is sustainable because it would address the needs for the next 40 or more years. However, this option comes with a price tag of \$35 million. Under the pro forma submitted by DLR in June 2012, this plan would require 13 additional staff in the new jail facility and 13 additional staff in dispatch (the pro forma calls for separating jail and dispatch positions), increasing the annual operating budget more than \$850,000 for these new positions. While it is not within the committee's charge to address the financial piece, the committee did consider stakeholder feedback and current economic conditions and feels a responsibility to make a recommendation that is not overly burdensome to Pierce County taxpayers. For that reason, this option does not meet the cost criteria. The committee does not recommend this option.

Option 2 meets the cost criterion, partially meets the security/safety and liability/risk criteria, and does not meet the space and sustainability criteria. By providing a secured route from the jail to the court, this option addresses some of the security/safety and associated liability/risk issues. Unfortunately the loss of medium and maximum security cells under this option makes classification more challenging, thus increasing liability/risk in that area. This biggest concern with this option is the failure to meet the sustainability criterion. Although the overall cost of this option falls within a reasonable range of acceptability for the committee, it leaves many of the concerns on the table and provides no answers for the future. There would be no option to expand the current site any further in the future. And the changes would not adequately address the problems the jail has today. Because of the decrease in the number of medium and maximum security cells, this option would likely carry additional transportation costs in the operating budget, although the committee did not attempt to determine what that amount might be. The committee does not recommend this option.

Option 3 meets all the criteria of the committee. The projected 27,000 square footage appears to be adequate for a 50 bed jail and sheriff's department operation, thereby meeting the space criterion. The new construction can be designed to address the safety/security and the

liability/risk concerns that were raised during the committee's meetings with stakeholders and on jail inspection reports. It is critical that this new building be located on a site that would allow for expansion in the future thereby meeting the sustainability criterion. A 50 bed jail is smaller than the 110 bed jail recommended in the DLR needs assessment, so it is possible, maybe even likely, that additional housing space may be added at some point. It is very important to address the planning for any future expansion both in terms of available land and plan design. The only concern with this option is security while transporting inmates to court. While it is preferable to have the transport all take place within the same building, this option would require a brief transport in a vehicle. Remodeling the current jail into a justice center can provide for a secure environment (no contact with the public) from the sally port to the courtroom. The same is true for moving an inmate from their jail cell into a vehicle at the jail facility. The brief transport in the vehicle is the only downside of this option and for the difference in cost between Option 1 and Option 3, the committee believes it is a reasonable tradeoff. This option meets the cost criterion based on the rough numbers from the committee's calculations and the Cedar Corporation's estimate. The rough \$10 million estimate does not address any site preparation or land acquisition costs. The committee recommends the County pursue this option and hire an engineer/architect firm to do a needs assessment and pro forma within the parameters of this option in order to have a solid estimate of cost for this option. The committee also recommends that if this option is pursued, the design of the new facility be such that, as much as practical, it can be operated with the current level of staffing, notwithstanding the separation of the jail and dispatch positions.

After spending many hours over the past six months studying the Pierce County jail and related concerns, the AD Hoc Committee strongly encourages the Finance and Personnel Committee, other related committees, and the County Board to invest in a solution to these issues. A jail is an important investment in the community and reflects the values of its citizens and the community. Jails are a costly function for any county, but there is a bigger cost for running an inadequate facility. The committee believes not only is there a significant liability on all county taxpayers if the current situation is allowed to continue, but also that Pierce County will be better off once this investment is made. The committee recommends pursuing option 3 as outlined above and further recommends the county take action to get more detailed information on costs and possible design options.

This report concludes the work of the Ad Hoc Committee.

Exhibit B

V. Conclusion

The Ad Hoc Jail Planning Committee believes that among the six site location alternatives identified and analyzed, there are good options for an affordable stand-alone jail and Sheriff's Department facility with the potential for future expansion. Building such facility will allow for the remodel of the current jail and Sheriff's Department into a justice center. The Committee strongly encourages the Finance and Personnel Committee, other related committees, and the County Board to invest in a solution to the issues identified by the previous Ad Hoc Committee. That Committee observed that a jail is an important investment in the community and reflects the values of its citizens and the community. Jails are a costly function for any county, but there is a bigger cost for running an inadequate facility. The Ad Hoc Jail Planning Committee concurs with the previous Ad Hoc Committee that not only is there a significant liability on all county taxpayers if the current situation is allowed to continue, but also that Pierce County will be better off once this investment is made.

The Ad Hoc Jail Planning Committee believes that with the submission of this report it has accomplished the directive charged to the Committee and encourages the County Board to narrow the site location alternatives to those they believe to be the strongest options, have further analysis completed on those sites, and begin design development for a new stand-alone jail and Sheriff's Department and Annex remodel.

This report concludes the work of the Ad Hoc Jail Planning Committee.

RESOLUTION NO. 13-37
AMEND PERSONNEL POLICY TO CHANGE RECRUITMENT AND HIRING
PROCESS AND CERTAIN EMPLOYEE BENEFITS

WHEREAS, §4-21 of the Pierce County Code the addresses amendments to the Pierce County Personnel Policy as follows:

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

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

WHEREAS, the purpose of a code of personnel policies and procedures, as set forth in Article 1, Section A of the Personnel Policy, is to create a guide for the effective administration of both supervisory and non-supervisory staff, with the goal of advancing understanding between the County and its employees; and

WHEREAS, on January 6, 2014, the Finance and Personnel Committee approved the revision of the position description for the Personnel Coordinator / Administrative Specialist to a Human Resources Manager, who would be primarily responsible for managing a comprehensive human resource program for the County under the direction of the Administrative Coordinator; and

WHEREAS, it is necessary to amend the Personnel Policy to make the provisions regarding the recruitment and hiring process consistent with the approved Human Resources Manager job description; and

WHEREAS, substantive changes are being made to certain employee benefits, including unpaid leaves of absence provisions and calculation of hours worked in order to become eligible for holiday pay and group health insurance; and

WHEREAS, the Finance and Personnel Committee, at its meeting on February 3, 2014 reviewed the proposed policy revisions and recommends that the County Board amend the Personnel Policy, as set forth in the attached Exhibit A.

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

Dated this 25TH day of February, 2014.

Jeffrey A. Holst, Chair
Pierce County Board of Supervisors

ATTESTED TO BY:

APPROVED AS TO FORM AND LEGALITY BY:

Jamie Feuerhelm, County Clerk

Bradley D. Lawrence, Corp. Counsel

Adopted: February 25, 2014

Exhibit A

- b. Limited Term – These are temporary positions and may be full or part-time. Seasonal employment is included under this classification. These positions typically do not exceed 1,200 hours.
 - 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, in terms of issues of discipline and/or termination, 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.

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

B. Position Vacancy

1. Refill procedure. The department head shall recommend and the administrative coordinator may 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/or 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. Temporary employees shall be paid according to the approved wage schedule. 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 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~~ Human Resources 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."

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 ~~Human Resources Manager, under the direction of 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~~ Human Resources Manager upon approval by the Administrative Coordinator or 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.

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) or determination by Human Resources Manager and Administrative Coordinator that it shall be open until filled;
- f. Place to receive and file application forms, and other information pertinent to the position.
- g. Equal Opportunity/Affirmative Action statement.

When the County determines that a vacancy or new position shall be filled, the County will typically provide notice of the vacancy or new position if it is determined there may be current county employees who would be qualified. The County retains the right to determine whether and when to recruit outside applicants.

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

Current employees who complete an application and who meet minimum qualifications for the position will be given the opportunity to interview for an open job position. All employees who interview for a position will be notified of selection outcome.

All 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 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 employment applications are retained for one year following the date of filing, however,

applicants must notify the ~~Personnel~~ Human Resources 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~~ Human Resources 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~~ Human Resources Office.
- b. Be advised when the completed application must be received by the ~~Personnel~~ Human Resources Office for consideration;
- c. Disclose how they can be reached if selected for an interview;
- ~~d. 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;~~
- ~~e. Be advised that if they have not been notified by the ~~Personnel~~ Human Resources Office within a week from the closing date they are not being considered for the position;~~
- ~~f. d.~~ 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 nondiscrimination 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 screening committee shall consist 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, the Human Resources Manager, and,~~ 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 Human Resources Manager 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;
- 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

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.~~

<u>Non Department Head Management / Professional</u>	<u>1. Human Resources Manager</u> <u>2. Administrative Coordinator or designee</u> <u>3. Department Head</u> <u>4. One other Department staff person</u>
<u>Clerical / Labor</u>	<u>1. Human Resources Manager</u> <u>2. Department Head</u> <u>3. Department Head designee (up to 2)</u>
<u>Law Enforcement (Lieutenant and Chief Deputy)</u>	<u>1. Department Head</u> <u>2. Department Head designee</u> <u>3. Human Resources Manager</u> <u>4. Chair of the Finance and Personnel Committee or that person's designee from the Finance and Personnel Committee</u> <u>5. 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</u>
<u>Law Enforcement (non-Lieutenant and non- Chief Deputy)</u>	<u>1. Human Resources Manager</u> <u>2. Department Head</u> <u>3. Department Head designee</u> <u>4. 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</u>

The department head and Human Resources Manager 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 if offered a position a pre-employment medical screening may be required and the results provided to the ~~Personnel~~ Human Resources 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~~ Human Resources 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.

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, or it is not within 180 days of the last advertisement, the ~~Personnel~~ Human Resources Department shall re-advertise for applicants for the position and the process shall begin again.

It is the responsibility of the ~~Personnel Department~~ Human Resources Manager 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~~ Human Resources 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 may be developed, with respect to an individual candidate, which will solicit the candidate's response. 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 Human Resources 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.~~

<u>Department Administrators</u>	<u>1. Human Resources Manager</u> <u>2. Administrative Coordinator</u> <u>3. Standing Committee Chair</u> <u>4. Another Standing Committee or Finance and Personnel Committee member as determined by the Human Resources Manager</u> <u>5. Outside consultant at discretion of Administrative Coordinator and Human Resources Manager</u>
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The Hiring Board will develop a core set of questions to be asked of each candidate interviewed. The procedures for evaluating candidates for department administrative positions shall be the same as those set forth above. 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~~ Human Resources 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~~ Human Resources Manager shall communicate the offer of employment subject to approval of the appointment by the full body of the County Board of Supervisors pursuant to § 13-1 of the Pierce County Code.

Interview Expenses

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~~ Human Resources 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~~ Human Resources 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~~ Human Resources 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~~ Human Resources Manager to conduct an orientation program with the new employee. The ~~Personnel Coordinator~~ Human Resources Manager 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~~ Human Resources Department.

Exit interviews shall be conducted with an employee who is voluntarily separating from employment in order 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~~ Administrative Coordinator's designee. If the employee is a Department Head, the exit interview shall be conducted by the Chairperson of the Finance and Personnel Committee or, at the option of the Chair, the Administrative Coordinator. 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. Information obtained in the exit interview may be shared with management, the appropriate committee, and the Corporation Counsel.

Article VI PERFORMANCE EVALUATION

For employee groups who were non-represented as of December 31, 2011.

A. Purpose

To provide a formal opportunity and process for review of employee performance.

B. Operation

1. Evaluation to be accomplished by Department Head, Supervisor or Standing Committee usually after six (6) months of employment, and ten and one-half (10 ½) months of employment and, then usually annually thereafter near the employee's anniversary date, except for Department Heads, which are usually done by March 1 of each year. 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 the committee evaluation.
2. Performance evaluations are done to assure good communications between employer and employee.
3. Specific evaluations are to be documented, signed by both parties, and placed in the employee's personnel file in ~~Personnel Coordinator's~~ Human Resources Manager's Office.

2. Are there any alternative remedial measures that could be implemented by the County?

After answering the above-questions, the County Board will either uphold; modify by ordering alternative remedial measures, as applicable; or reverse the decision of the Impartial hearing Officer.

F. 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

For additional information about employee benefits, please contact either your Department Head or Personnel Human Resources Office.

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 unless otherwise stated on a prorated basis but must work at least fourteen (14) hours per week twenty-eight (28) hours per two-week pay period. The proration shall be based on the FTE assigned to the position, and adjusted as appropriate on at least a semi-annual basis dependent on hours worked as compared to full-time employees.

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-Employees Represented as of December 31, 2011.

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

The vacation benefit applies unless otherwise stated to all fulltime employees, as well as regular part-time employees regularly scheduled to work a minimum of 14 hours per week twenty-eight (28) hours per two-week pay period, who are not subject to the County's PTO policy or to any collective bargaining agreement.

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

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

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

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

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

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

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

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

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

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

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

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

B1A. Vacation Donation.

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

1. Program Points

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

2. Recipient Eligibility

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

- (1) Must be working in a regular position that is eligible for benefits and have worked at least 12 months.
- (2) Must be on an approved unpaid leave of absence due to a serious illness/injury of the employee.
- (3) Must have provided medical certification of the illness/injury.
- (4) Must not be receiving worker's compensation benefits.

- (5) Must not be receiving short or long term disability insurance benefits.
- (6) Must have exhausted all available leaves include vacation, sick leave, compensatory time, and holidays.
- (7) Must complete a Request for Vacation Donation Assistance form (available in Administration Office).

3. Donor Eligibility

Potential Donors must meet all of the following criteria:

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

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

4. Notification of Requests for Assistance

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

B2. Sick Leave-Employees Represented as of December 31, 2011.

Unless provided otherwise by a collective bargaining agreement, sick leave shall be provided to all employee groups represented by a union as of December 31, 2011.

The policy will apply to the Community Health bargaining unit upon expiration of the 2011-12 collective bargaining agreement.

1. Use of Sick Leave.

- (1) Sick leave may be used for reasonable medical and dental care that cannot be scheduled during non-working hours. Sick leave may be used in the case of illness of the employee's spouse or children, providing the employee can substantiate the need to the satisfaction of the County. Sick leave may be used in one-half (1/2) hour increments.
- (2) Employees unable to report to work due to illness or injury should contact the appropriate supervisor as soon as reasonably practical and no later than one-half (1/2) hour before the start of assigned work hours.
- (3) Proof of illness may be required to receive payment for any scheduled work day which was missed because of illness or injury. A statement from the employee's attending physician or dentist, giving the nature of the illness, that it had incapacitated the employee, and that the condition has improved sufficiently to permit the employee to return to work shall be presented upon request as proof of illness.

- (4) The use of sick leave for reasons other than personal illness or injury or of the employee's spouse or child (or as permitted otherwise under County policy) may result in discipline, up to and including termination. Sick leave will not be allowed when an injury is due to or incurred while in the employ of others.
- (5) Employees on sick leave shall be paid for the hours they were scheduled to work that day. 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.

Represented employees in the Courthouse and Highway units may utilize the sick leave bank as set forth below.

Sick leave may not be used in the pay period in which it is accrued.

- (6) Sick leave may not be used to supplement Worker's Compensation benefits.

2. Accrual of Sick Leave.

- (1) Full-time employees shall accrue sick leave at the rate of seven (7) hours per month for 35-hour per week employees and eight (8) hours per month for 40-hour per week employees.
- (2) Part-time employees shall accrue sick leave on a pro-rated basis, based on the FTE assigned to the position. Sick leave does not accrue for hours worked in excess of the usual work week.
- (3) Unused sick leave may accumulate, up to a maximum of ninety (90) days (or 630 hours for 7-hour employees, 720 hours for 8-hour employees).
- (4) A sick leave benefit shall apply for all part-time employees regularly scheduled to work a minimum of 28 hours in a two-week pay period.

3. Sick Leave Payout.

- (1) Unused sick leave is forfeited upon termination of employment with the following exceptions:

Full-time employees who terminate in good standing are eligible for payout of accumulated sick leave up to the following maximums:

After 5 years of service	288 hours (36 days) - (8-hour employees)
	252 hours (36 days) - (7-hour employees)
After 10 years of service	384 hours (48 days) - (8-hour employees)
	336 hours (48 days) - (7-hour employees)
After 15 years of service	480 hours (60 days) - (8-hour employees)
	420 hours (60 days) - (7-hour employees)

After 30 of service 576 hours (72 days) - (8-hour employees)
 504 hours (72 days) - (7-hour employees)

- (2) Part-time employees shall be eligible for payout based on a proration of hours worked to that of a full-time employee.

4. Phaseout of Mutual Sick Leave Banks for Represented Courthouse and Highway Employees.

- (1) Effective upon adoption of this policy by the County Board, once an employee's sick leave balance has reached the maximum, the added monthly earned sick leave shall not go into a mutual bank.
- (2) Courthouse and Highway employees who have a "negative" sick leave balance on the effective date of this policy, as a result of prior borrowing from the bargaining unit's mutual sick leave bank, shall have all accrued sick leave applied to their negative balance until repaid in full. Any days off due to illness or injury shall be unpaid, or charged to accumulated vacation, until they attain a "positive" sick leave balance.

* Note: If an employee is on FMLA leave and has exhausted their State FMLA as applicable, the employee shall be required to utilize accrued vacation prior to taking unpaid leave.

- (3) Courthouse and Highway employees who have a "positive" sick leave balance on the effective date of this policy, as a result of prior contributions to the sick leave bank, shall have these hours placed into a personal sick leave bank. The employee may use their personal sick leave bank for their own personal illness or injury once they have exhausted all accrued sick leave balances. There shall be no pay-out of the individual's personal sick leave bank if an employee leaves their employment with the County.

C. Paid Time Off (PTO)

Paid Time Off (PTO) replaces conventional sick leave and vacation with a single time off benefit for employee groups who were non-represented as of December 31, 2011. Project, temporary, limited term employees and employees who were represented as of December 31, 2011, are not eligible for PTO.

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

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

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

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

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

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

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

Retirement. An employee who retires (immediately receives a pension from the Wisconsin Retirement System) has the option of receiving a payout of 1/2 of accumulated PSLB hours to the maximum of 640 hour (full-time) or 320 hours (part-time). The employee also has the option of converting all PSLB hours to a cash equivalent to pay for continuation of health insurance based on the employee's last hourly rate of pay provided the employee participated in the health insurance program for 12 full months prior to retirement. The payout options are also available to the spouse in the case of death or disability of the employee. If there is no spouse, or if the spouse dies any unused benefits revert to the county. Employees and surviving spouses can continue on the health insurance program after the benefit has been used provided the employee or spouse pays the entire premium. Employees who elect the payout option can continue on the health insurance provided the employee pays the premium. An employee who retires on or after June 1, 2003 may elect to transfer up to all remaining PTO hours to his or her PSLB account for the purpose of applying the hours to continuation of health insurance benefits.

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

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

For persons requesting an unpaid leave of absence who are *not* covered by WFML, all PTO and PSLB time shall be exhausted prior to application for an unpaid leave of absence. For persons requesting an unpaid leave under WFML, employees may substitute, but are not required to substitute, PTO and PSLB time for unpaid time off.

PTO time cannot be used in increments of less than one-half hour.

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

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

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

D. Paid Holidays

The County will observe the following 10 paid holidays:

New Year's Day	Veteran's Day
President's Day	Thanksgiving Day
Memorial Day	Day after Thanksgiving
Independence Day	Christmas Eve Day
Labor Day	Christmas Day

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.

Eligibility: All regular full time or part time employees are eligible to receive compensation for the paid holiday benefit. In order to receive holiday pay, employees must work the day before and the day after each holiday with the exception of normal days off or excused paid absences. Part time employees will be compensated on a prorated basis consistent with their annual percentage of full time equivalency with proration to be calculated to the 10th (0.10) place. Employees receiving Worker's Compensation benefits are not eligible for compensation for holidays that fall during their period of disability.

Holiday Pay Rate: Employees who are eligible for holiday pay shall be compensated at their regular rate of pay for their regularly scheduled number of hours.

Work on a Holiday: Any employee who is required to work on any of the above-mentioned holidays shall be scheduled for a different day off in lieu of the holiday and shall receive time and one-half for all hours worked on the holiday.

E. Group Health Insurance Eligibility

All regular full and part-time County employees working ~~28~~ 40 hours or more per two-week pay period, are eligible for group health insurance provided by the County. Part-time County employees who were working at least 28 hours per two-week pay period on December 31, 2013, and who were participating in the group health insurance provided by the County as of December 31, 2013, may continue participating as long as they continue to work at least 28 hours per two-week pay period. To participate in the County group health insurance, employees must enroll within thirty (30) days of beginning employment or have a qualifying event per HIPPA standards.

Health insurance premium contributions shall be prorated for any employee after four (4) days of unpaid leave unless the employee is on approved State or Federal FMLA leave. If an employee is not able to return to work after the expiration of State or Federal FMLA leave, the employee may be eligible for continuation of Group Health Benefits under COBRA. This includes any employee who may be off work due to a work related injury.

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 for eligible employees in accordance with the requirement to pay a percentage of each payment of earnings equal to "one-half of the total actuarially required contribution rate."

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. Unpaid Leaves of Absence (Non-Family and Medical Leave)

1. An unpaid leave of absence occurs when an employee is excused from work in an unpaid status.

2.4. All requests for unpaid leaves of absence must be in writing.

3. An unpaid leave of absence will only be approved when the employee has exhausted all appropriate leave time available.

4.2. Department Head or designee may approve leave of absence for up to 14 calendar days- and forward the approval in writing to the finance/payroll department when the unpaid leave is granted.

5.3. For over 14 calendar days, the Department Head shall submit the employee's request to the Administrative Coordinator for approval in consultation with the Department Head. The In the event of a disagreement, the Finance and Personnel Committee will make the final decision.

~~6.4.~~ The Administrative Coordinator may approve leave of absence requests for Department Heads, in consultation with the Chair of the Department Head's Standing Committee.

~~7.5.~~ ~~Most leaves of absence are unpaid and a~~ Accrual of benefits, including vacation and sick leave, does not occur during a leave of absence of more than four (4) days.

~~8. 6.~~ If an employee is on an unpaid leave of absence, he/she may continue health insurance coverage by paying the monthly premium until his/her return to employment.

~~9. 7.~~ No unpaid leave of absence will be granted to any employee for the purpose of seeking other employment.

~~10. 8.~~ All family and medical leaves shall be granted in accordance with State and Federal laws.

J. Jury and Witness Duty

An employee who responds to a call for a jury duty shall receive his/her minimum regular wages minus the amount of compensation received from such jury duty (minus mileage paid), if the amount thereof is less than the amount he/she would have received while performing his/her regular duties for up to a maximum of ten (10) days per calendar year. The employee must provide prior notice to their supervisor and furnish their supervisor with satisfactory evidence of his/her call to jury duty, the number of days served, and the amount of compensation

In case an employee is required to serve as a witness for the County or is subpoenaed to appear for a matter arising out of the employee's employment with the County, the employee also shall be reimbursed for their regular wages as set forth above.

Employees will return to work if the jury or witness duty requires them to be away from work less than their full work day, unless excused by their supervisor.

K. Commiseration 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 guidelines for commiseration leave.

1. Up to five (5) days off with pay for the death of an employee's child, spouse or registered domestic partner. This includes step-children.
2. Up to three (3) days off with pay for the death of an employee's mother, father, sister, brother, grandparent, grandchildren, brother-in-law, sister-in-law, mother-in-law, father-in-law, or grandparent-in-law. This includes step-parents and step siblings.
3. Regular part-time employees shall receive pro-rated commiseration leave.
4. Payment for such leave shall only be for days lost from the regular schedule of the employee.
5. The employee may be required to furnish proof satisfactory to the County of the death and relationship to the deceased.
6. The County recognizes that this policy may not recognize other individuals whom we care deeply about. In these instances, other forms of paid or unpaid leave may be available for use with supervisory approval.

L. Employment Training; Attending Conferences or Conventions

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

1. Reimbursement for all travel expenses to national conventions will only be authorized if the employee is an officer in the national organization or has been asked to participate in program agenda.
2. National conventions in the state of Wisconsin or to locations within 200 miles of Ellsworth are exempt from Subsection 1.
3. Membership dues to national organizations are prohibited; exception is if affiliation has no state organization.
4. If a requirement of the position and the contractual agreement between the County and University of Wisconsin Board of Regents, Extension Agents shall be reimbursed for participation in national conventions affiliated with program area upon prior approval by Agriculture Extension Education Committee.
5. Prior authorization shall be obtained from standing committee whenever possible, and when standing committee authorization is not possible, by the standing committee chairperson, for all out-of-county travel to seminars, conferences or conventions, and, if approved, the attending employee shall provide a written report summarizing the seminar, conference or convention to the standing committee and Department Head. For out-of-state travel, approval by the Finance or Personnel Committee is required. (See Article XII-Travel Policy)

M. Longevity Pay

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

<u>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

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

2. No pro-rating or partial payments except for those terminating because of death, disability or retirement. Retirement is defined as receiving benefits from WRS.
3. Regular part-time employees shall receive prorated longevity pay. The proration shall be calculated on the first 24 payrolls of the year for that year.

N. Military Leave

Regular employees who are called to active military duty or to Reserve or National Guard training should submit copies of their military orders to the Personnel Human Resources Department as soon as received. Employees will be granted a military leave of absence without pay for the period of military service outlined in the orders, in accordance with applicable laws. Eligibility for reinstatement after military duty is completed is also determined in accordance with applicable laws.

Employees participating in an annual two-week National Guard/Reserve training session shall suffer no loss of pay and benefits. If military pay received is less than county earnings for that period, the county will pay the difference up to the employee's regular rate, if appropriate

arrangement is made in advance through the Department Head and the ~~Personnel~~ Human Resources Department

O. Uniforms and Tools

1. The County shall provide a uniform service of its choice to Recycling Laborers/Drivers, Shop Mechanics and Welders.
2. The County shall reimburse any Highway employee required to wear safety glasses up to a maximum of two hundred (\$200.00) per year toward the purchase of prescription safety glasses upon submission of a receipt.
3. Classified Mechanics and Welders shall receive a tool allowance of one hundred twenty-five dollars (\$125.00) per year.

P. Family and Medical Leave

To grant family, medical and military leaves to qualified employees in accordance with the Wisconsin Family and Medical Leave Law and the federal Family and Medical Leave Act.

Eligible employees may qualify for unpaid leave under Wisconsin's Family and Medical Law (§103.10, Wis. Stats.) and/or the federal Family and Medical Leave Act. When applicable, the leaves shall run concurrently. Employee rights posters for both laws are in the workplace for reference by all employees.

Wisconsin FMLA:

Any employee who has worked for more than 52 weeks (for a minimum of 1,000 paid hours) is eligible for unpaid leave under Wisconsin's Family and Medical Leave Act (§103.10, Wis. Stats.). However, the employee may, but is not required to, substitute definite and quantifiable paid leave benefits for unpaid leaves under the state law (e.g., paid vacation).

The amount of unpaid leave available in a calendar year pursuant to Wisconsin's law is presently as follows:

A. Family Leave

1. Up to a maximum of six (6) weeks per twelve (12) month period for the birth or adoption of a child. The leave must begin no earlier than 16 weeks before estimated birth or placement and no later than 16 weeks after birth date or placement of the child.
2. Up to a maximum of two (2) weeks leave per twelve (12) month period to care for a child, spouse, parent, parent-in-law, domestic partner [as defined in Wis. Stat. § 40.02(1) and § 770.01(1)], or domestic partner's parent who has a serious health condition.

Total maximum time for #1 and #2 is eight (8) weeks per twelve (12) month period.

B. Medical Leave

1. A maximum of two (2) weeks per twelve (12) month period for the employee's serious health condition.

[NOTE: "Serious health condition" means a disabling physical or mental illness, injury, impairment, or condition which requires inpatient care in a hospital, nursing home or hospice, or outpatient care that requires continuing treatment or supervision by a health care provider.]

Federal FMLA:

Any employee who has worked for more than 12 months (for a minimum of 1,250 hours) is eligible for unpaid leave under the Federal Family and Medical Leave Act of 1993. An employee will be required to substitute definite and certain paid leave benefits for unpaid leave.

The federal law provides 12 weeks of unpaid leave during a 12-month period calendar year for any covered purpose, which are:

- a. The birth and first year care of a child or a child who has been placed with the employee for adoption or foster care.
- b. To care for a child, spouse or parent who is suffering from a serious health condition.
- c. For a serious health condition of the employee that makes the employee unable to perform his or her job duties.
- d. Because of a qualifying exigency arising out of the fact that the employee's spouse, child, or parent is on covered active duty or call to covered active duty as a member of the Armed Forces, National Guard, or Reserves.

The federal law also provides for 26 weeks of unpaid leave during a single 12-month period in the case of covered service member caregiver leave because the employee is the spouse, child, parent or next of kin of a covered service member with a serious injury or illness. This 12-month period begins on the first day the eligible employee takes leave for this purpose.

[NOTE: A "serious health condition" is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities. Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.]

Intermittent Leave:

Under some circumstances, employees may take FMLA leave on an intermittent basis. Intermittent leave may be taken in the smallest increment allowed by the employer for any other type of leave.

- a. Federal leave based on a birth or child placement may only be taken intermittently on a reduced leave schedule if the employer agrees;
- b. State family leave for birth/placement or care of a child, spouse, parent or parent-in-law with a serious health condition may be taken as partial absences from employment if scheduled so as not to unduly disrupt the employer's operations.

- c. Federal leave based on a serious health condition of an employee, employee's child, spouse or parent may only be taken intermittently or on a reduced-leave schedule when medically necessary, unless the employer agrees otherwise.
- d. Federal leave due to a qualifying exigency may be taken on an intermittent basis as needed.
- e. State medical leave for self may be taken in non-continuous increments as medically necessary.
- f. Leaves will be granted in hourly increments or less as may be specified in policies or labor agreements. If it is physically impossible for an employee using intermittent leave to commence or end work midway through a shift, the entire time the employee is forced to be absent shall be designated as FMLA leave.
- g. Employees shall make a reasonable effort to schedule medical treatments so they do not unduly disrupt current operations and they shall provide the employer with reasonable advance notice.

Benefits:

An employer is required to maintain group health insurance coverage for an employee on FMLA leave whenever such insurance was provided before the leave was taken and on the same terms as if the employee had continued to work. If applicable, arrangements will need to be made for employees to pay their share of health insurance premiums while on leave. If applicable, in addition to paying their portion of health insurance premiums, employees shall be required to pay the full cost of continuing their [life insurance, disability insurance, etc.] during leave. If an employee fails to return to work for a reason other than the serious health condition of the employee or the employee's immediate family member, or other reason beyond the employee's control, the employee will be required to reimburse the employer for the employee's cost of these benefits while the employee was on unpaid leave.

Notice:

Both state and federal law provide that the employee requesting family and medical leave has an obligation to provide reasonable advance notice to management, when practicable, of the nature and extent of any leave requested. In any event, employees will always have a duty to cooperate with management in arranging and processing leave requests under the state and federal laws to avoid undue disruption of the employer's operations. The employer requests that 30 days advance notice be provided whenever possible.

To receive FMLA leave, an employee must complete an FMLA leave request form. If an employee is unable to do so because the need for leave was not foreseeable, a request may be made verbally. Supervisors are not to discuss medical conditions or leave requests with employees, but are to forward them to ~~Personnel~~ the Human Resources Department. ~~Personnel~~ The Human Resources Department shall evaluate the request and provide a response to the employee approving or denying the request and providing the employee with a "Notice of Eligibility and Rights & Responsibilities (Family and Medical Leave Act)" and a "Designation Notice (Family and Medical Leave Act)" within five (5) business days, absent extenuating circumstances, of the employee's request. If ~~Personnel~~ the Human Resources Department needs additional information to determine whether a leave is being taken for an FMLA-qualifying reason, ~~Personnel~~ Human Resources Department may wait until it has received the requested information from the employee and then notify the employee whether the leave will be

designated as FMLA leave with the "Designation Notice" within five (5) business days, absent extenuating circumstances, after obtaining the information.

The employer may require employees to provide medical certification supporting the need for leave due to a serious health condition, second or third medical opinions (at the employer's expense) and periodic recertification, and periodic reports during FMLA leave regarding the employee's status and intent to return to work. A medical certification form must be presented by the employee within fifteen (15) days of being asked to do so by the employer. A return to work form from a physician will, in most cases, be required in the case of an employee's serious illness, injury, work-related injury (worker's compensation) or illness which has caused a prolonged absence from work, or if the employee's supervisor reasonably determines for the sake of safety that a medical authorization is advisable.

The employer may require an employee seeking FMLA leave due to a qualifying exigency to submit a certification. The employer may require an employee seeking FMLA leave due to a serious injury or illness of a covered service member to submit a certification providing sufficient facts to support the request for leave.

Upon Return to Work:

Upon return from FMLA leave, an employee must be restored to the employee's original job, or to an equivalent job with equivalent pay, benefits, and other terms and conditions of employment. FMLA leaves shall not be counted as absences for disciplinary purposes.

Conform with Existing Laws:

This policy does not provide any greater benefits than those provided by the family and medical leave laws. Any change in the law will impact upon the operation of this policy by modifying its provisions to conform with the law.

Q. Workers Compensation

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

1. Accident/injury reporting

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

2. Accident/injury benefit

- (1) An employee disabled for three (3) days or less does not receive worker's compensation salary benefits but can use sick leave. A time slip with an explanation covering these days must be turned into the supervisor.
- (2) Employees will not be paid for holidays that occur during an absence resulting from a qualified worker's compensation claim.
- (3) Employees will not be able to use vacation and sick leave to supplement a worker's compensation absence and will not accrue sick leave or vacation during the absence. The accruals will cease if the employee is absent for an entire pay period.
- (4) Employees receiving temporary total workers compensation benefits shall have their health insurance premiums paid by the county at the current participation rate for a period not to exceed six (6) months.

3. FMLA shall run concurrent with Worker's Compensation.

R. Breastfeeding-Friendly Worksite Policy

Pierce County recognizes that breast milk is the optimal food for growth and development of infants, supports the decision for mothers to breastfeed, and is committed to enabling employees (as well as courthouse visitors) to maintain the breastfeeding relationship. In keeping with this philosophy and in compliance with certain provisions of Section 7 of the U.S. Fair Labor Standards Act, Pierce County will take the following appropriate measures to facilitate breastfeeding and expression of milk by mothers of newborns less than one year of age.

1. Employees shall be provided a place to breastfeed or express milk. Pierce County will provide breastfeeding employees with a private and sanitary place (not a restroom) for expressing their milk during work hours. At minimum, this lactation room will have an electrical outlet, comfortable chair, table, and nearby access to running water. Employees may use their private office area for breastfeeding or milk expression, if they prefer. Courthouse visitors are welcome to use the lactation room when the building is open. The universal lactation symbol will be posted outside the lactation room. Directions to the lactation room will be posted on each floor of the Courthouse and Office Building.
2. Employees shall be provided flexible breaks to accommodate breastfeeding or milk expression. Pierce County will provide reasonable break periods for an employee to express breast milk for her nursing child for one year after the child's birth each time such employee has a need to express milk. Mothers may want to use their paid break periods and/or unpaid lunch periods for breastfeeding or expression of milk. If the designated break periods are not adequate, or the scheduled break periods do not meet the needs of the mother, she should discuss scheduling options with her supervisor.
3. Employees and visitors will be responsible for the following:
 - a. Employees and visitors will be expected to provide their own breast milk pumping and storage equipment.
 - b. Employees and visitors are responsible for cleaning up after themselves to keep the lactation room clean for the next user. This responsibility extends to other areas where

milk may be expressed, including private offices of employees.

4. Breastfeeding information. Pierce County Public Health will provide information on breastfeeding to all pregnant and breastfeeding employees as requested.
5. Employee orientation will include information about Pierce County's breastfeeding policy. Pierce County's breastfeeding policy will be communicated to current staff. New employees will be informed about the company policy in the new employee orientation training.
6. Staff is expected to provide support for breastfeeding employees. Realizing the importance of breastfeeding to the infant, the mother, and the County, staff should provide an atmosphere of loving support for breastfeeding employees.

Article X. OVERTIME, COMPENSATORY TIME, AND OTHER COMPENSATION

- A. For payroll purposes, the work week shall run from Sunday through Saturday. 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. Paid time off shall not be considered hours worked for purposes of computing overtime. Holiday hours shall be considered hours worked for purposes of computing overtime. Employees who are scheduled or called in to work on a holiday shall be paid one and one-half (1 ½) times their regular rate of pay for all hours worked on the holiday. A non-exempt employee accrues one and one half (1 1/2) times his/her regular rate of pay or is granted compensatory time at one and one half (1 1/2) 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).~~ Overtime work requires the prior approval of the employee's supervisor. Employees may request compensatory time in lieu of overtime. County departments may choose to limit the compensatory time accrual and pay out one and one-half (1 ½) times the straight rate. If approved, employees may accrue up to a maximum of forty (40) hours on the basis of one and one-half hours of compensatory time for each hour of overtime worked. The schedule of the use of compensatory time should be subject to the approval of the employee's supervisor. Compensatory time not used during the year shall be paid out ~~at the end of the year~~ on the last payroll of the year and cannot be carried over from year-to-year.

Law enforcement personnel are subject to special provisions under FLSA.

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. Work outside the normal workday requires prior approval for non-exempt employees. Compensatory time cannot be used beyond five (5) consecutive days at a time.

B. Reporting and Other Call-Out Pay

1. Call-in/reporting time pay: In the event any employee reports or is called in to work and is sent home, he/she shall receive a minimum of two (2) hours pay. In the event an employee is called back to work outside their regular work day, the employee shall be eligible to receive a minimum of two (2) hours pay. If an employee is called back to work on a day in which reporting time pay was already received, he/she shall again be eligible to receive a minimum of two (2) hours pay.
2. Employees in classifications of Mental Health Therapist I or II; CSP Clinical Coordinator; Lead Social Worker; Social Worker I, II or III, AODA Counselor I, II or III, Drug Court Coordinator and Human Services Worker shall be compensated as follows:
 - a. Employees may be on call-out status at the request of the Director. Employees in positions that are not classified as 40-hour per week who are called out during other than working hours shall receive pay at the straight time rate of hours between thirty-five (35) and forty (40) hours per week and pay at time and one-half (1 ½) for hours worked in excess of forty (40) hours per week.
 - b. Employees will be assigned to on-call status as needed on a weekly basis. Employees will be paid one dollar (\$1.00) per hour (\$1.50 per hour on holidays) while assigned to on-call and must have a pager in their possession at all times. They must respond to a page within thirty (30) minutes. The employees and the Union agree that all reasonable overtime assignments must be accepted.

When called out the employee shall be paid for a minimum of two (2) hours. All employees will receive compensatory time for actual time logged for telephone calls taken or made during on-call status.

~~3. Home Care RN's and LPN's shall be paid pursuant to the on-call provisions contained at Article XIX, Section 19.06 of the collective bargaining agreement expiring on December 31, 2012, until such policy provision is otherwise modified.~~

3. On Call. Home Care RN's and LPN's may be assigned on-call duty. They shall be reimbursed as follows:

a. RN's and LPN's shall receive \$10 per day plus pay for time worked on non-holiday Fridays, Mondays, Tuesdays, Wednesdays, and Thursdays after 5:00 p.m. and before 8:00 a.m. for each day with scheduled visits. When no scheduled visits are made, on-call RN's and LPN's shall not receive the \$10 stipend.

b. RN's and LPN's will receive one and a half (1.5) hours plus pay for time worked on Saturdays, Sundays, and Pierce County approved holidays for each day with scheduled visits. When no scheduled visits are made, on-call RN's and LPN's will receive one (1) hour pay on Saturdays, Sundays, and Pierce County approved holidays.

c. LPN's and HHA's will receive one hour of additional pay per each weekend day or holiday worked. Scheduled LPN's and HHA's are not on-call pay eligible.

C. Additional Compensation

1. Highway Foreman shall receive an additional \$2.00 per hour as compensation for their record keeping responsibilities.

Article XI. CONDITIONS OF EMPLOYMENT

A. Hours of Work and Rest Periods

1. The County's normal business hours are 8:00 a.m. to 5:00 p.m., Monday through Friday. Specific work hours, lunch period, and breaks shall be scheduled by Department Heads. All lunch periods and breaks MUST be staggered to allow offices to REMAIN OPEN during normal business hours.

In the Highway Department, the normal work week in the summer may consist of four (4) ten (10) hour days at the Highway Commissioner's discretion.

2. **Policy on Absence Due to Bad Weather Conditions** If an employee does not report to work due to bad weather conditions, the employee may 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

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

The level of discipline imposed will take into consideration the seriousness of the infraction as well as the employee's performance record. When appropriate, discipline should be corrective in nature. It must be recognized, that since each case is different, it is not possible to prescribe a specific penalty for a particular offense. Disciplinary action will typically be taken after an investigation into all relevant facts and circumstances, and after giving the employee an opportunity to respond to any and all allegations.

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 based on any legally-protected class status including age, race, creed, color, religion, disability, marital status, sex, national origin, ancestry, sexual orientation, 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 during working hours. The use of, or the effects of, alcohol or drugs so as to

- 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.

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~~ Human Resources Department with regard to volunteer procedures.

Approved 1-23-07 by Resolution 06-21
Amended 3-27-07 by Resolution 06-28
Amended 12-16-08 by Resolution 08-21
Amended 10-26-10 by Resolution 10-15
Amended 03-22-11 by Resolutions 10-26 and 10-27
Amended 09-27-11 by Resolution 11-11
Amended 02-28-12 by Resolution 11-31
Amended 06-26-12 by Resolution 12-08
Amended 09-24-13 by Resolution 13-12

RESOLUTION NO. 13-38
TRANSFER FROM GENERAL FUND FOR
2013 REGISTER OF PROBATE BUDGET DEFICIT

WHEREAS, in 2013 the Register of Probate budget exceeded its final budgeted amount by \$13,803 due to an unprecedented spike in cases involving children that need protection and services and resulting payments to the guardian ad litem and court appointed attorneys; and

WHEREAS, the Register of Probate tries to keep costs down as much as possible, however has no actual control over the number of CHIPS cases, along with associated guardian ad litem and court appointed attorney fees; and

WHEREAS, the additional costs set forth above were not budgeted for in the Register of Probate budget and as a result a deficit of \$13,803 exists in the 2013 Register of Probate Budget; and

WHEREAS, pursuant to §65.90(5) Wis. Stats., the County Board is required to authorize transfers in excess of 10% of the department budget, or if the transfer is requested from the General Fund rather than the Contingency Fund; and

WHEREAS, on February 3, 2014 and February 5, 2014 the Finance and Personnel Committee and the Law Enforcement Committee respectively reviewed the transfer request and took action to forward to the County Board their recommendation that they approve the transfer from the General Fund into the 2013 Register of Probate Budget the amount of \$13,803 to cover the deficit, and that it be approved on a first reading to close the 2013 books timely and allow the auditors to perform the 2013 audit in April.

NOW THEREFORE, BE IT RESOLVED, that the Pierce County Board of Supervisors hereby approves and authorizes the transfer from the General Fund into the 2013 Register of Probate Budget the amount of \$13,803, to line item 212 Legal Fees, for the purposes set forth herein.

Dated this 25TH day of February, 2014.

Jeffrey A. Holst, Chair
Pierce County Board of Supervisors

ATTESTED TO BY:

APPROVED AS TO FORM AND LEGALITY BY:

Jamie Feuerhelm, County Clerk

Bradley D. Lawrence, Corp. Counsel

Adopted: February 25, 2014

RESOLUTION 13-39

TO FURTHER CONSIDER POTENTIAL CONSOLIDATION OF ST.CROIX AND PIERCE COUNTY 9-1-1 CENTERS

WHEREAS, currently the 9-1-1 call answering and public safety dispatching in St. Croix County and Pierce County are performed separately through their Public Safety Answering Points or PSAP's, also called Dispatch Centers; and

WHEREAS, St. Croix and Pierce County have been engaged in discussions about ways to avoid service duplication, achieve economies, and deliver high quality service through potential collaboration; and

WHEREAS, resolutions were adopted by St. Croix County (Resolution No. 14(2013)) and Pierce County (Resolution 13-10) approving a feasibility study regarding potential consolidation of the St. Croix County and Pierce County 9-1-1 Centers, and to share the costs of said study; and

WHEREAS, the purpose of the feasibility study was to provide an in-depth analysis to identify the technological, connectivity, governance, operations, budgetary and facility challenges and efficiencies of a potential merger; and

WHEREAS, a consultant, PSC Alliance, was retained to conduct the feasibility study and has completed its Final Report dated February 4, 2014; and

WHEREAS, the PSC Alliance Final Report regarding the potential 9-1-1 merger concludes that it is feasible for such a merger to take place, but identifies numerous challenges and obstacles that need to be addressed, overcome and agreed upon between the two Counties in order for there to be a successful 9-1-1 merger; and

WHEREAS, further discussion between both Counties would be necessary to consider the identified challenges and obstacles, to provide more definitive answers as to whether 9-1-1 merger is desirable and in the best interests of both Counties.

NOW THEREFORE BE IT RESOLVED by the Pierce County Board of Supervisors that it desires to further consider potential 9-1-1 merger between St. Croix County and Pierce County, and authorizes the County Board Chair and appropriate staff to meet with St. Croix County officials to discuss the identified challenges and obstacles, to provide more definitive answers as to whether 9-1-1 merger challenges and obstacles can be addressed, overcome, and agreed upon, and whether merger is in the best interests of both Counties, and to identify what action is necessary to take this next step.

BE IT FURTHER RESOLVED that because there is currently no State fiscal incentives to assist PSAP's with the substantial costs associated with consolidation, that Wisconsin legislative officials be contacted and encouraged to pass legislation adopting fiscal incentives to assist PSAP mergers in the future.

DATED this 25TH day of March, 2014.

Adopted: April 15, 2014