

2017 – 2018

PROCEEDINGS OF THE

**COUNTY BOARD OF SUPERVISORS
OF
PEPIN COUNTY, WISCONSIN**



MEETINGS

APRIL 19, 2017

JUNE 21, 2017

JULY 19, 2017

AUGUST 16, 2017

SEPTEMBER 20, 2017

OCTOBER 18, 2017

NOVEMBER 14, 2017

DECEMBER 20, 2017

FEBRUARY 21, 2018

MARCH 21, 2018

Compiled by

Audrey Bauer

Pepin County Clerk

INDEX

PEPIN COUNTY BOARD OF SUPERVISORS MEETING

April 19, 2017

<u>RESOLUTIONS</u>	<u>PAGE</u>
9-17 Amendment No. 24 to the Pepin County Employee Handbook	2
10-17 Pepin County Elected Office Deputy Positions Job Classifications and Wages and 2017 Budget Modification	5
11-17 2017 Budget Modification–Wage Increase for Law Enforcement Association Union	7
12-17 2017 Budget Modification-Project Defibrillator	8
13-17 2017 Budget Modification-State of Wisconsin Traffic Enforcement Grant	9
 <u>ORDINANCES</u>	
-- Amendment No. 113 to Pepin County Ordinance 179-Chapter 7.07 – All Terrain/ Utility Task Vehicle Routes (ATV/UTV) (not passed)	10
 <u>REPORTS</u>	
County Board Committee Reports	2
 <u>ANNUAL REPORTS</u>	
Land Conservation 2016 Annual Report	2
 <u>APPOINTMENTS</u>	
Human Services Board	10
-Dorothy Peters – April 2020	
Pepin County Housing Authority	10
-Paul Gustafson – June 2021	
Pepin County Board of Supervisors	10
-Irene Wolf – Effective May 1	
Pepin County Aging & Disability Resource Center	11
-Irene Wolf – Effective May 1	
 <u>RESIGNATION</u>	
Resignation of Dorothy Peters from the County Board effective April 30, 2017	10
 <u>DISCUSSIONS AND ACTIONS</u>	
• Establish Quorum	1
• Approval of the Agenda	1
• Public Comments on Agenda Items	1
• Consent Agenda	1
• Communications	11
• Future Agenda Items and Meeting Date: <i>Wednesday, May 17, 2017 at 7:00 p.m.</i>	11

NO MAY 2017 MEETING

June 21, 2017

<u>RESOLUTIONS</u>	<u>PAGE</u>
14-17 Order Issuance of Deed to Pepin County on Properties Subject to Tax Certificate	13
15-17 Adoption of Pepin County Logo and 2017 Budget Modification	18
16-17 Adopting the Pepin County Multi-Hazards Mitigation Plan 2017-2022	19
17-17 Resolution to Purchase Sit to Stand Desks for the Economic Support Specialists and 2017 Budget Modification for Purchase	20
18-17 Resolution to Extend Limited Term Employee Social Worker Position within the Department of Human Services	21
19-17 Resolution to Increase Department of Human Services Social Work Position from .8 to 1.0 FTE	22
20-17 Resolution to Create a Disability Benefit Specialist Position within the Aging and Disability Resource Center of Buffalo and Pepin Counties	24
21-17 Temporary Work from Home Assignment Policy	25
22-17 Temporary Alternative Work Schedules	27
23-17 Pepin County Board of Canvassers Pay Increase	29
 <u>REPORTS</u>	
County Board Committee Reports	12
 <u>ANNUAL REPORTS</u>	
County Treasurer 2016 Annual Report	12
Highway Department 2016 Annual Report	13
Personnel Department 2016 Annual Report	13
Land Management/Recycling/Solid Waste/Economic Dev./Tourism 2016 Annual Report	13
 <u>APPOINTMENTS</u>	
Veteran's Service Committee	30
-Tim Bignell – December 31, 2018	
Board of Adjustment	30
-Mary Ann Svoboda – June 30, 2020	
Pepin County Board of Supervisors	30
No action taken	
 <u>RESIGNATIONS</u>	
Resignation of Jeffrey Fregine from the Pepin County Board of Supervisors, District 2, Effective May 31, 2017	30
 <u>DISCUSSIONS AND ACTIONS</u>	
• Establish Quorum	12
• Approval of the Agenda	12
• Public Comments on Agenda Items	12
• Consent Agenda	12
• Communications	30
Acknowledge Jeffrey Fregine for his time as a County Board Supervisor	
• Future Agenda Items and Meeting Date: <i>Wednesday, July 19, 2017 at 7:00 p.m.</i>	31

July 19, 2017

<u>RESOLUTIONS</u>	<u>PAGE</u>
24-17 Authorizing the Pepin County Health Officer To Act as the 340B Covered Entity Authorizing Official	33
25-17 2017 Budget Modification – Health Department Grant Agreements	35
26-17 2017 Budget Modification – LEPC Equipment Grant	36
27-17 Resolution to Create a Disaster Relief Bank Account with Signatory Authorization - Security Financial Bank	37

REPORTS

County Board Committee Reports	33
--------------------------------	----

ANNUAL REPORTS

UW-Extension 2016 Annual Report	33
Judge Office 2016 Annual Report	33
Board of Health 2016 Annual Report (Health Department)	33
Human Services 2016 Annual Report	33
Register of Deeds 2016 Annual Report	33

APPOINTMENTS

Pepin County Board of Supervisors -Jean Dougherty – August 1, 2017	38
---	----

DISCUSSIONS AND ACTIONS

• Establish Quorum	32
• Approval of the Agenda	32
• Public Comments on Agenda Items	32
• Consent Agenda	32
• Discuss and Amend April 19, 2017, County Board meeting minutes under Resolutions 10-17 and 13-17	33
• Update/action on the 2017-18 Mission Statement and action items as developed By the Pepin County Strategic Planning Coordinating Committee	33
• Communications	38
• Future Agenda Items and Meeting Date: <i>Wednesday, August 16, 2017 at 7:00 p.m.</i>	38

August 16, 2017

<u>RESOLUTIONS</u>	<u>PAGE</u>
28-17 Resolution to Adopt Pepin County Emergency Response Plan	41
29-17 Establishing an Employee Assistance Plan	42
30-17 Establishing Fill-In Van Driver Wage	43
31-17 Budget Modification – ADRC Disability Benefit Specialist Position	45
32-17 Appointment of Pepin County Interim Highway Commissioner	46
33-17 Pepin County Highway Commissioner Position and Wage Scale Modification	48

--	Failed Resolution in Support of a Countywide Moratorium on the Construction and Expansion of Industrial-sized Concentrated Animal Feeding Operations in Pepin County	46
----	--	----

REPORTS

County Board Committee Reports	40
Economic Development Update	40
2018 Budget Timeline and Goals	40

ANNUAL REPORTS

Veterans Service Office 2016 Annual Report	40
Clerk of Circuit Court 2016 Annual Report	40
Highway Department 2016 Annual Report	40
County Clerk 2016 Annual Report	40

APPOINTMENTS

None

DISCUSSIONS AND ACTIONS

• Establish Quorum	39
• Approval of the Agenda	39
• Public Comments on Agenda Items	39
• Consent Agenda	39
• Communications	49
• Future Agenda Items and Meeting Date: <i>Wednesday, September 20, 2017 at 7:00 p.m.</i>	49

September 20, 2017

<u>RESOLUTIONS</u>	<u>PAGE</u>
34-17 Pepin County Board Per Diem Rate	51
35-17 Existing Employer Option Selection Resolution Wisconsin Public Employers' Group Health Insurance Program	53

REPORTS

County Board Committee Reports	50
Update on 2018 Budget Process	51

ANNUAL REPORTS

Sheriff's Department 2016 Annual Report	50
Durand Community Library 2016 Annual Report and 2018 Proposed Budget	51
Pepin Public Library 2016 Annual Report and 2018 Proposed Budget	51

APPOINTMENTS

None.

COMMUNICATIONS

None.

DISCUSSION AND ACTIONS

- Establish Quorum 50
- Approval of Agenda 50
- Public Comments on Agenda Items 50
- Consent Agenda 50
- Future Agenda Items and Meeting Date: *Wednesday, October 18, 2017 at 7:00 p.m.* 54

October 18, 2017

RESOLUTIONS **PAGE**

- | | | |
|-------|---|----|
| 36-17 | Resolution to Extend Limited Term Employee (LTE) Social Worker Within the Department of Human Services | 57 |
| 37-17 | Outstanding Checks to Be Cancelled | 58 |
| 38-17 | Appointment of Pepin County Highway Commissioner | 59 |
| 39-17 | 2017 Budget Modification – Fund Balance Transfer | 60 |
| 40-17 | Authorizing Engagement Letter for Opioid Manufacturing Lawsuit | 61 |
| 41-17 | To Rescind Resolution No. 35-17 Wisconsin Department of Employee Trust Funds Existing Employer Option Selection Resolution | 64 |
| -- | Initial Resolution Authorizing Not to Exceed \$6,500,000.00 General Obligation Bonds or Promissory Notes for County Projects (No action taken). | 64 |

ORDINANCES

- | | |
|---|----|
| Amendment to Pepin County Ordinance 179-Chapter 13- Manure Storage and Management | 65 |
|---|----|

REPORTS

- | | |
|--|----|
| County Board Committee Reports | 55 |
| Full Presentation of Communication Project | 56 |
| Public Comments on Communication Project | 56 |
| Update on 2018 Budget | 56 |

BUSINESS ITEMS

- | | |
|--|----|
| Approval of Highway Commissioner Vehicle Trade In/Purchase | 56 |
|--|----|

APPOINTMENTS

- | | |
|--|----|
| County Board Supervisor for District 4 to fill out the remainder of term and appointment to standing committees – Tessa King, term ending April 2018 | 65 |
| Board of Health Committee, Citizen member, Lacey Richardson, term ending April 2019 | 65 |

RESIGNATIONS

- | | |
|---|----|
| Resignation of Andrew King from the Pepin County Board of Supervisors, District 4, Effective September 30, 2017 | 65 |
|---|----|

DISCUSSION AND ACTIONS

- Establish Quorum 55
- Approval of Agenda 55
- Public Comments on Agenda Items 55
- Consent Agenda 55
- Future Agenda Items and Meeting Date: *Wednesday, November 14, 2018 at 9:30 a.m. at the Durand City Hall* 65

November 14, 2017

<u>RESOLUTIONS</u>	<u>PAGE</u>
42-17 Approving Non-Union (Non-Elected) Wages/Salaries for 2018	67
43-17 Authorizing \$190,000.00 Security Financial Bank Loan	68
44-17 Amendment No. 25 to Pepin County Employee Handbook	69
45-17 Establishing the 2017 Pepin County Tax Levy and Adopting the 2018 Pepin County Budget	72

REPORTS

County Board Committee Reports	67
--------------------------------	----

APPOINTMENTS

None.

DISCUSSION AND ACTIONS

- Establish Quorum 66
- Approval of Agenda 66
- Public Comments on Agenda Items 66
- Consent Agenda 67
- Public Hearing on the Pepin County 2018 Proposed Budget 67
- Adjournment of the Public Hearing on the 2018 Proposed Budget 67
- Communications: None 73
- Future Agenda Items and Next Meeting Date: *Wednesday, December 20, 2017 at 7:00 p.m.* 73

December 20, 2017

<u>RESOLUTIONS</u>	<u>PAGE</u>
46-17 Social Worker Wage Scale Modification	75
47-17 Resolution to Become a Member of the Child Abuse and Neglect (CAN) Reporting Partnership and to Create and Fill an Operation Manager Position and Salary Scale	77
48-17 2017 Budget Modification – Health Department, Health Care Education and Training Stipend	79
49-17 2018 Budget Modification – Criminal Justice Services (CJS) Program	81

50-17	2018 Budget Modification – Criminal Justice Coordinating Council (CJCC)	82
51-17	Initial Resolution Authorizing Not to Exceed \$6,000,000 General Obligation Bonds Or Promissory Notes for County Projects	83

ORDINANCES

Amendment No. 113 to the Pepin County Ordinance 179, Chapter 13 – Manure Storage	85
--	----

REPORTS

West Cap presentation from Executive Director Peter Kilde	74
County Board Committee Reports	75
Opioids Engagement Letter Update	75

DISCUSSION AND ACTIONS

• Establish Quorum	74
• Approval of the Agenda	74
• Public Comments on Agenda Items	74
• Consent Agenda	74
• Communications – None.	95
• Future Agenda Items and Next Meeting Date: <i>Wednesday, January 17, 2018 at 7:00 p.m.</i>	95

NO JANUARY 2018 MEETING

February 21, 2018

<u>RESOLUTIONS</u>	<u>PAGE</u>
01-18 Approval of Pepin County Strategic Plan Implementation	97
02-18 Resolution – To Create and Fill a Land Conservation & Planning Director Position, Salary Scale and 2018 Budget Modification	98
03-18 Establishing Total Annual Compensation for County Elected Officials Pursuant to Wis. Stat. § 59.22	100
04-18 2018 Budget Modification – Land Mobile Radio System Project Consultant Contract	101
05-18 2018 Budget Modification – Carryforward Funding for Completion of 2017 Capital Projects	103

ORDINANCE

Amendment No. 114 to Pepin County Ordinance 179, Chapter 20 – Floodplain Zoning Code	104
--	-----

REPORTS

County Board Committee Reports	96
Pepin County Strategic Plan Summary Report	97
Raising of America Documentary and Early Years Partnership	97

PUBLIC HEARING

Pepin County Floodplain Ordinance	97
-----------------------------------	----

COMMUNICATIONS

Resignation of Mary Fayerweather from the Indianhead Library Advisory Council 139

DISCUSSION AND ACTIONS

- Establish Quorum 96
- Approval of the Agenda 96
- Public Comments 96
- Consent Agenda 96
- Future Agenda Items and Adjournment: *Wednesday, March 21, 2018 at 7:00 p.m.* 139

March 21, 2018

RESOLUTIONS

	<u>PAGE</u>
06-18 Resolution Providing for the Sale of \$5,000,000 General Obligation County Project Bonds	141
07-18 Reauthorization of Self Insurance	142
-- Abatement of Human Health Hazard – Stephen Seipel Property (Tabled)	143

ORDINANCES

Ordinance No. 182 Imposing a Moratorium on Expansion and Creation of Large-Scale Livestock Facilities, Pepin County, Wisconsin	144
--	-----

REPORTS

County Board Committee Reports	140
Recognition of out-going County Board Members	140

APPOINTMENTS

Veteran Service Citizen member, re-appoint Mark Chilson, term ending 12/31/2020	148
Board of Health Citizen member, re-appoint Steve Johnson, DDS, term ending 04/2021	148
Aging Advisory Committee members appointed: Irene Wolf, Jane Whiteside, Robert Shutes, Rita McDonnell and Birdie Gilbertson	148
Indianhead Library Advisory Council, Anne Anderson appointed to fill remaining term ending 12/2018	148

DISCUSSION AND ACTIONS

- Establish Quorum 140
- Approval of the Agenda 140
- Public Comments 140
- Consent Agenda 140
- Future Agenda Items and Next Meeting Date: *Wednesday, April 17, 2018 at 9:30 a.m.* 148

PEPIN COUNTY BOARD OF SUPERVISORS MEETING MINUTES - Amended

APRIL 19, 2017

CALL TO ORDER

The Pepin County Board of Supervisors meeting was called to order at 7:00 p.m. on Wednesday, April 19, 2017, by Chair Dwight Jelle. The meeting was held in the County Board Room of the Pepin County Government Center. This meeting was properly noticed per Section 19.84 of the Wisconsin State Statutes, and complies with Sections 19.81 – 19.90, *Open Meeting Law*.

ESTABLISH QUORUM - ROLL CALL

District # 1	Larry Dekan	present	District # 7	Bill Ingram	present
District # 2	Jeffrey Fregine	present	District # 8	Tom Milliren	present
District # 3	James J. Kraft	present	District # 9	Dwight Jelle	present
District # 4	Andrew King	present	District # 10	Bruce A. Peterson	present
District # 5	Gerald M. Bauer	present	District # 11	Dorothy Thompson	present
District # 6	Frank E. Milliren	present	District # 12	Steven L. Anderson	present

All twelve members of the County Board were present.

PLEDGE OF ALLEGIANCE

The Board honored the flag by reciting the Pledge of Allegiance.

APPROVAL OF THE AGENDA

County Board members approved the presented agenda.

PUBLIC COMMENTS ON AGENDA ITEMS

Public comments on agenda items was opened to the public. Tim Bignell asking the Board for a full time Veteran Service Officer. Karl Zacharias, the current Veteran Service Officer is very busy and has heard only good things about Karl, but he feels the need for a Veteran Service officer is needed full time.

Brian Winnekins from the WRDN Radio Station, informed the Board of a trip that he has planned to Washington D.C. on May 1st. Interviews are set up with different Congressmen, Senators, and FCC Chair Pai to discuss the Communication issues of Pepin County and would like to present letters to them from Town Chairmen, Fire Officials and others. Letters are needed to explain about Pepin County Communication/Emergency issues.

Concerned people presented their views on the All-Terrain/Utility task Vehicle Routes Ordinance that is on the agenda to be voted on at this meeting. Sally Baecker-concerned townsperson expressed her concerns against this Ordinance. Darrell Komro from the Back Country ATV/UTV club expressed his thoughts why it should be passed. Victor Kosimar, President of the ATV club expressed his thoughts why it should be passed. And Evan Mercer, Town of Waterville Supervisor expressed his thoughts that it should be passed also.

CONSENT AGENDA

Approval of the March 15, 2017, County Board Minutes

Motion by Supervisor Peterson, seconded by Supervisor Thompson, to pass the consent agenda item.

Motion carried by voice vote with no negative votes.

REPORTS

a. County Board Committee Reports

The following County Board Committees gave their reports: Highway, Health, Land Conservation/UW Extension and Community Resources Committee, Human Services, Law Enforcement and Executive Committee. Also, Gerald Bauer and James Kraft attended the Mississippi River Regional Planning Commission meeting.

b. 2016 Annual Report from Land Conservation

Chase Cummings presented the 2016 Annual Report for Pepin County Land Conservation. Chase presented an informational packet and showed a slide show during his presentation.

BUSINESS ITEMS:

RESOLUTIONS:

RESOLUTION NO. 9-17

AMENDMENT NO. 24 TO PEPIN COUNTY EMPLOYEE HANDBOOK

WHEREAS, the Pepin County Executive Committee recommends the following changes to the Employee Handbook:

3.2.12 TRAVEL, LODGING AND MEAL POLICY

The County recognizes the importance of attendance at meetings, trainings, conferences and conventions for all employees to stay up-to-date of changes and developments in their field. With prior approval, as designated below, employees may be allowed to attend meetings, trainings, conferences and conventions that provide a direct benefit to enhancing services to Pepin County and will be reimbursed for transportation, lodging, conference fees, and meals as per the subsections below.

The following approvals shall occur prior to a trip that will have reimbursable expenses:

- Department Heads must give prior approval for all conferences or training events for staff.
- The direct Oversight Committee must give approval for all conferences and training for Department Heads that require an overnight stay.
- As a general rule, conferences and training shall occur within state or 200 miles of Durand.
- Any conferences or training out of state beyond 200 road miles of the city of Durand will require the approval of the direct Oversight Committee and the Executive committee.
- Any request that does not have a direct benefit to Pepin County will need Oversight Committee and Executive approval. (reimbursement for such request that is for the professional benefit of the employee, but not necessarily specifically related to their specific job function will be considered on a case by case basis and some or all the costs may not be reimbursed by the County)

The following shall be the policy of the County regarding travel, lodging, meals and related expenses:

1. AUTOMOBILE TRANSPORTATION.

- (a) Mileage allowance for use of privately owned vehicles on County business shall be compensated to the driver of the vehicle at the rate set by the County Board.
- (b) Charges for parking, road and bridge tolls and like expenses are reimbursable.

- (c) Charges for repairs, tow service, citations, lubrication, parking tickets and other traffic violations are the employee's responsibility and are not reimbursable.
- (d) The starting point and destination shall be stated daily on the travel expense report. An explanation shall be required for mileage in excess of normal map mileage. The starting point for trips would normally be an employee's Pepin County main worksite location, unless actual mileage from an alternate starting point and to/from your destination is less, then only actual mileage driven will be paid.
- (e) Personal use of County owned vehicles is not allowed.

2. MEAL EXPENSES.

- (a) The cost ceilings per meal shall be in accordance with the amounts approved by resolution of the County Board.
- (b) Claims for meals must represent actual, reasonable and necessary expenses.
- (c) Receipts are required for meals over \$5. Meal claims in excess of the amounts set by the County Board are not allowed.
- (d) Reimbursement for meals for employees on trips which do not necessitate an overnight stay only on the following conditions:
 - Breakfast, provided the employee leaves home before 6:00 a.m.
 - Lunch, provided the employee leaves before 10:30 a.m. and returns after 2:30 p.m.
 - Dinner, provided the employee leaves before 4:30 p.m. and returns after 7:00 p.m.
- (e) No reimbursement shall be made for the cost of alcoholic beverages.
- (f) The cost of meals, tip and tax shall be entered as one amount on the travel expense report.

3. HOTEL AND MOTEL EXPENSES.

- (a) The choice of lodging shall be based on cost with consideration given to accessibility in conducting business. Maximum reimbursement to the traveler is limited to the single rate or a single room.
- (b) The daily rate for hotels or motels is set by County Board resolution. When traveling alone, an employee shall stay in a single hotel or motel room at a reasonable rate for the community. It is encouraged to find innovative ways to save on travel by using web resources such as Priceline.com.
- (c) Prior approval of the Administrative Coordinator is necessary before exceeding the maximum. Maximums may be exceeded only when it is determined that unavoidable additional expenses would be incurred by trying to adhere to the maximums (i.e., high transportation costs incurred when staying at an economical hotel/motel at the edge of the city instead of staying downtown.)
- (d) Employees shall observe posted hotel checkout hours in order to avoid a charge for the day of departure. An employee who is required to remain in one location for an extended period of time is expected to find lodging at reasonable weekly and/or monthly rates.

- (e) All lodging expenses shall be supported by the original receipts from hotel/motel.
- (f) Expenses for lodging at homes of relatives or friends are not reimbursable.
- (g) When registering in hotels or motels, County employees shall ask for government discounts.
- (h) A reasonableness test will be applied to those instances where a travel claims reimbursement for lodging when a business meeting is attended during normal working hours and requires traveling of only a relatively short distance. Except for extenuating circumstances, a traveler will be expected to travel to and from such meetings during the same day.

4. EXPENSE REIMBURSEMENT

- (a) Employees will book and pay for work-related lodging expenses using the county credit card or county check. Employees are encouraged to pay for all other work-related expenses using the county credit card and in instances where that cannot be done; employees would pay and submit an expense.
- (b) Reimbursement for approved expenses incurred for travel, lodging, meals and related items should be requested on an employee travel expense report form. If necessary and with sufficient notice, a request for an expense advance can be requested to be submitted by a department head and approved by the Administrative Coordinator. The request must be supported by estimated expense documentation, and an employee travel expense report form will need to be submitted with all appropriate receipts after the expenses are incurred.

5. MISCELLANEOUS EXPENSE.

- (a) Laundry, Cleaning and Pressing Charges. If the employee is away for more than 3 days, reasonable amounts will be allowed for laundry, cleaning and pressing service. Only one charge per calendar week is reimbursable for each type of actual and necessary service. Receipts are required.
- (b) Telephone.
 - i. Employees are encouraged to place telephone calls in advance from home. Personal calls are not reimbursable.
 - ii. When requested, employees shall provide an explanation for official long distance calls.

NOW THEREFORE BE IT RESOLVED that the Employee Handbook be amended per changes stated above, to be effective upon adoption.

RECOMMENDED BY THE PEPIN COUNTY EXECUTIVE COMMITTEE:

	COMMITTEE MEMBERS VOTE
	<u> 5 </u> <u> 0 </u> <u> 0 </u> <u> 0 </u>
/s/ Dwight Jelle, Chair	In favor Oppose Absent Abstain

FISCAL IMPACT REVIEWED – Changes are policy and procedure related only for efficiency purposes and should have no direct fiscal impact.

/s/ Pamela DeWitt	<u> X </u> <u> </u>
Finance Director	Recommend Not Recommended

COUNTY BOARD ACTION:

 X ADOPTED

 DEFEATED by the Pepin County Board of Supervisors on this 19th day of April 2017

 TABLED In favor 12 Oppose 0 Absent 0 Abstain 0

/s/ Audrey Bauer
County Clerk

/s/ Dwight Jelle
County Board Chair

Micci Weiss, Personnel Director informed the Board of one small change under the Expense Reimbursement to add under section a.- or County check to the end of the 1st sentence since the last presentation. Should read as follows, “Employees will book and pay for work related lodging expenses using the county credit card or county check”.

Motion made by Supervisor Thompson, seconded by Supervisor Anderson to adopt Resolution 09-17 with the changes as presented, titled “Amendment No.24 to Pepin County Handbook – Travel, Lodging and Meal Policy”. Motion carried by voice vote. All in favor with no negative votes. Motion carried.

RESOLUTION NO. 10-17

PEPIN COUNTY ELECTED OFFICE DEPUTY POSITIONS JOB CLASSIFICATIONS AND WAGES AND 2017 BUDGET MODIFICATION

WHEREAS, the Personnel Committee, at their December 2014 meeting, requested that the Department Directors form a Job Description Workgroup to categorize support staff positions based on specific job duties and requirements, and

WHEREAS, the group analyzed job duties for the Pepin County support staff positions, and

WHEREAS, the elected office deputy positions were removed from the support staff review process to be reviewed separately at a later time, and

WHEREAS, the final recommended wage scale classifications have been reviewed and approved by the Executive Committee, and

WHEREAS the additional expense for the cost impact of the changes recommended was not provided for in the 2017 Budget.

NOW, THEREFORE BE IT RESOLVED, that the Pepin County Board of Supervisors approve the recommendations of the Executive Committee and approve the wage scale change as follows effective with the first pay period beginning following the adoption of this resolution:

Current:

	Start	6mo	1 yr	18 mo	2yr	4yr	6yr
DEPUTY -(Clerk of Court, Reg of Deeds, County Clerk)	13.70	14.42	15.18	15.98	16.82	17.71	18.64

Change to:

	Start	6mo	1 yr	18 mo	2yr	4yr	6yr
DEPUTY -(Clerk of Court, Reg of Deeds, County Clerk, Fill in Deputies)	15.50	15.81	16.13	16.93	17.78	18.67	19.60

BE IT FURTHER RESOLVED, that the current employees in the Deputy Clerk of Court and Deputy Clerk/Elections positions will be placed on the wage scale at the 6 yr step based on hours worked to date. The current employees in the Deputy Register of Deeds position and Fill In Deputy positions will be placed on the wage scale at the 4 yr step due to hours worked to date with hours for future step increases accruing retroactive to January 1, 2017:

	Start	6mo 1000 hr.	1 yr + 1000 hr.	18 mo + 1000 hr.	2yr + 1000 hr.	4yr + 4000 hr.	6yr + 4000 hr
DEPUTY -(Clerk of Court, Reg of Deeds, County Clerk, Fill In Deputies)	15.50	15.81	16.13	16.93	17.78	18.67	19.60

BE IT FURTHER RESOLVED, that the Pepin County Board of Supervisors authorizes the 2017 Budget to be modified as follows:

<u>Account Number</u>	<u>Account Description</u>	<u>Current Budget</u>	<u>Increase(Decrease)</u>	<u>Amended Budget</u>
<i>General Fund:</i>				
100-00-51420-000	Clerk	\$ 80,086	\$ 549	\$ 80,635
100-00-51440-000	Elections	\$ 25,372		\$ 25,921
100-00-51211-000	Clerk of Court	\$ 153,023	\$ 549	\$ 154,677
100-00-51710-000	Register of Deeds	\$ 124,071	\$ 1,654	\$ 124,123
100-00-59100-390	Contingency Fund	\$ 71,052	(\$ 2,804)	\$ 68,248

RECOMMENDED BY THE PEPIN COUNTY EXECUTIVE COMMITTEE:

COMMITTEE MEMBERS VOTE
 ___5___ ___0___ ___0___ ___0___
 In favor Oppose Absent Abstain

 /s/ Dwight Jelle, Chair

FISCAL IMPACT REVIEWED – As noted above in 2017. Annual impact would be \$3, 475.

 /s/ Pamela DeWitt
 Finance Director
 ___X___
 Recommend Not Recommended

COUNTY BOARD ACTION:

___X___ ADOPTED
 _____ DEFEATED by the Pepin County Board of Supervisors on this 19th day of April, 2017
 _____ TABLED In favor ___11___ Oppose ___1___ Absent ___0___ Abstain ___0___

 /s/ Audrey Bauer
 County Clerk

 /s/ Dwight Jelle
 County Board Chair

Micci Weiss, Personnel Director, informed the Board that the Deputy positions wages needed to be looked at. With comparing to other Counties surrounding ours needed to be updated. Elected officials agreed and came up with these figures to include part time and full time positions and taking into consideration number of hours worked.

Motion was made by Supervisor Anderson, seconded by Supervisor Tom Milliren, to adopt Resolution 10-17, titled “Pepin County Elected Office Deputy Positions job classification and wage and 2017 Budget Modification”. Roll call vote taken. **all in favor with no negative votes. Motion carried.** Eleven voted in favor, with one negative vote by Gerald M Bauer. Motion carried.

**RESOLUTION NO. 11-17
2017 BUDGET MODIFICATION – WAGE INCREASE FOR LAW ENFORCEMENT
ASSOCIATION UNION**

WHEREAS, per resolution 49-16 the county board approved a 1.5% wage increase for 2017 wages as per the Ratified Settlement agreement with the Pepin County Law Enforcement Association Union Employees, and

WHEREAS, the 2017 Budget included a 1.25% increase wage for employees, and

WHEREAS, the additional wage increase and associated fringe benefits related expenses not were provided for in the original 2017 budget.

NOW THEREFORE BE IT RESOLVED that the Pepin County Board of Supervisors authorizes the 2017 Budget to be modified as follows:

<u>Account Number</u>	<u>Account Description</u>	<u>Current Budget</u>	<u>Increase(Decrease)</u>	<u>Amended Budget</u>
	<i>General Fund:</i>			
	Expenditures:			
100-00-52120-000	Sheriff - Deputy	\$ 1,158,698	\$ 965	\$ 1,159,663
100-00-59100-000	Contingency Fund	\$ 71,052	(\$ 965)	\$ 70,087

RECOMMENDED BY THE PEPIN COUNTY EXECUTIVE COMMITTEE:

COMMITTEE MEMBERS VOTE

_____	5	0	0	0
/s/ Dwight Jelle, Chair	In favor	Oppose	Absent	Abstain

FISCAL IMPACT REVIEWED – As noted above.

/s/ Pamela DeWitt	X	_____
Finance Director	Recommend	Not Recommended

COUNTY BOARD ACTION:

 X ADOPTED
 DEFEATED by the Pepin County Board of Supervisors on this 19th day of April, 2017
 TABLED In favor 12 Oppose 0 Absent 0 Abstain 0

/s/ Audrey Bauer	/s/ Dwight Jelle
County Clerk	County Board Chair

Pam Dewitt, Financial Director, presented to modify the wage increase for the 2017 wages per Ratified Settlement agreement for the Law Enforcement Association Union Employees. This increase of additional wage increase and benefits were not provided for in the original 2017 budget.

Motion was made by Supervisor Peterson, seconded by Supervisor Fregine to adopt Resolution 11-17, titled “2017 Budget Modification- Wage increase for Law Enforcement Association Union”. Roll call vote taken. All in favor with no negative votes. Motion carried.

**RESOLUTION NO. 12-17
2017 BUDGET MODIFICATION-PROJECT DEFIBRILLATOR**

WHEREAS, the Pepin County Sheriff’s Office has seven portable defibrillators and the Durand City Police Department two portable defibrillators, and

WHEREAS, those nine defibrillators are out of support from the manufacture due to age and cannot be repaired in the event they fail, and

WHEREAS, the Pepin County Sheriff’s Office and City of Durand Police Department have each used the current portable defibrillators on numerous occasions, and directly saved a life, and

WHEREAS, the Pepin County Sheriff’s Office put together a fund-raising program to raise funds to replace the nine portable defibrillators to bring community awareness to the importance of having the portable defibrillators in the squad cars, and

WHEREAS, the fund raising included local newspaper articles, radio and television interviews, social media campaign, and mailings requesting funds for replacement, and

WHEREAS, a total of \$28,537.57 was donated to the Project Defibrillator Replacement for purchasing replacements of the nine portable defibrillators and equipment associated with storage and use of them, and

WHEREAS, neither the 2017 project Defibrillator revenues nor the expense was budgeted for in the 2017 budget.

NOW THEREFORE BE IT RESOLVED that the Pepin County Board of Supervisors authorizes the 2017 Budget to be modified as follows:

<u>Account Number</u>	<u>Account Description</u>	<u>Current Budget</u>	<u>Increase(Decrease)</u>	<u>Amended Budget</u>
	<i>General Fund:</i>			
	<i>Revenues:</i>			
100-00-48505-000	S/A- Sheriff Office- Project Donations	\$ 0	\$ 28,538	\$ 28,538
	<i>Expenditures:</i>			
100-00-55120-000	Sheriff – Deputy	\$ 1,133,185	\$ 28,538	\$ 1,161,723

RECOMMENDED BY THE PEPIN COUNTY LAW ENFORCEMENT/EMERGENCY MANAGEMENT COMMITTEE:

_____	COMMITTEE MEMBERS VOTE
/s/ Steven Anderson, Chair	<u> 5 </u> <u> 0 </u> <u> 0 </u> <u> 0 </u> In favor Oppose Absent Abstain

FISCAL IMPACT REVIEWED – As noted above.

/s/ Pamela DeWitt	<u> X </u> _____
Finance Director	Recommend Not Recommended

COUNTY BOARD ACTION:

 X ADOPTED
 _____ DEFEATED by the Pepin County Board of Supervisors on this 19th day of April, 2017
 _____ TABLED In favor 12 Oppose 0 Absent 0 Abstain 0

/s/ Audrey Bauer	/s/ Dwight Jelle
County Clerk	County Board Chair

Sheriff Joel Wener presented a budget modification for the purchase of nine defibrillators for the community. With all community support, \$28,538.00 has been raised. Any extra money after the purchase of the nine defibrillators, Sheriff Werner made a recommendation to purchase needed supplies that would be used along with the defibrillators and if possible an extra defibrillator for the Pepin County Government building.

Motion was made by Supervisor Peterson, seconded by Supervisor Kraft, to approve Resolution 12-17, titled "2017 Modification- Project Defibrillator". Roll call vote taken. All in favor with no negative votes. Motion carried.

RESOLUTION NO. 13-17

2017 BUDGET MODIFICATION-STATE OF WISCONSIN TRAFFIC ENFORCEMENT GRANT

WHEREAS, the Pepin County Sheriff’s Office has been selected in 2017 to receive funding for the 2017 traffic safety enforcement grant, and

WHEREAS, the current year traffic safety Enforcement Grant in the amount of \$4,000 has been awarded for the mobilization of traffic safety, and must be used for traffic safety equipment to promote or protect in the execution of traffic safety, and

WHEREAS, the 2017 Traffic Safety Enforcement Grant funding must be used by June 30th, 2017, and

WHEREAS, the 2017 Traffic Safety Enforcement Grant money will be used for a Watch Guard in Car camera, at a cost of \$4,895, and

WHEREAS, the Pepin County Law Enforcement Committee recommends accepting the grant to be used according to the grant requirements and specifically as noted above, and

WHEREAS, neither the 2017 Traffic Safety Enforcement Grant revenue nor its related expenses were provided for in the original 2017 budget.

NOW THEREFORE BE IT RESOLVED that the Pepin County Board of Supervisors authorizes the 2017 Budget to be modified as follows:

<u>Account Number</u>	<u>Account Description</u>	<u>Current Budget</u>	<u>Increase(Decrease)</u>	<u>Amended Budget</u>
<i>General Fund:</i>				
<i>Revenues:</i>				
100-00-43527-000	S/A- Sheriff Office Grants	\$ 0	\$ 4,000	\$ 4,000
<i>Expenditures:</i>				
100-00-52120-000	Sheriff - Deputy	\$ 1,128,290	\$ 4,895	\$ 1,133,185
100-00-59100-000	Contingency Fund	\$ 71,947	(\$ 895)	\$ 71,052

RECOMMENDED BY THE PEPIN COUNTY LAW ENFORCEMENT/EMERGENCY MANAGEMENT COMMITTEE:

/s/ Steven Anderson, Chair

COMMITTEE MEMBERS VOTE

 5 0 0 0
In favor Oppose Absent Abstain

FISCAL IMPACT REVIEWED – As noted above.

/s/ Pamela DeWitt
Finance Director

 X _____
Recommend Not Recommended

COUNTY BOARD ACTION:

 X ADOPTED

 DEFEATED by the Pepin County Board of Supervisors on this 19th day of April, 2017

 TABLED In favor 12 Oppose 0 Absent 0 Abstain 0

/s/ Audrey Bauer
County Clerk

/s/ Dwight Jelle
County Board Chair

Sheriff Joel Wener presented this modification to the Board. Every year the sheriff's office participates in a different Seat and OWI program with the State. After submitting our numbers to the state, the County was entered in a drawing and picked for a \$4000.00 equipment grant. This grant money needs to be used for traffic safety and made in the USA. A piece equipment that would qualify would be a camera. Cost of the camera for a Squad car would be \$4895.00 so a modification would be needed for the difference of \$895.00.

Motion was made by Supervisor Ingram, seconded by Supervisor Fregine, to approve Resolution 13-17, titled "2017 Budget Modification- State of Wisconsin Traffic Enforcement Grant". Roll call vote taken. All in favor with no negative votes. Motion carried.

Amendment No. 113 to Pepin County Ordinance 179-Chapter 7.07 – All Terrain/ Utility Task Vehicle Routes (ATV/UTV)

The Board discussed this amendment. The Highway committee started working on this in mid-summer of 2016. A public hearing was held on April 3, 2017 to hear the public's views. Numerous people attended the meetings to state their opinions.

Motion was made by Supervisor Ingram, seconded by Supervisor T. Milliren, to approve Amendment No. 113 to Pepin County Ordinance 179-Chapter 7.07- All Terrain/Utility Task Vehicle Routes. Hand vote was taken, All in favor-Supervisors Larry Dekan, Jeffrey Fregine , Andrew King, Frank Milliren, Bill Ingram and Tom Milliren. Negative votes included Supervisors James Kraft, Gerald M Bauer, Bruce Peterson, Dorothy Thompson, Steve Anderson, and Dwight Jelle. Tie vote, motion failed.

APPOINTMENTS

Reappointment of Dorothy Peters to the Human Services Board

Motion was made by Supervisor Bauer to reappoint Dorothy Peters to the Human Services Board for a two-year term ending 2019. Seconded by Supervisor Ingram. All in favor, motion carried.

Appointment of Paul Gustafson to the Pepin County Housing Authority

Motion was made by Supervisor Thompson to appoint Paul Gustafson to the Pepin County Housing Authority, term ending June 30, 2021. Seconded by Supervisor Anderson. All in favor, motion carried.

Resignation of Dorothy Thompson from the County Board effective April 30, 2017

The County Board accepted the resignation of Dorothy Thompson to step down from the Pepin County Board of Supervisors effective April 30, 2017. Dorothy will be out of State for three months so will be unable to attend the monthly meetings, and recommend to the Board to appoint Irene Wolf to continue Dorothy's term.

Appointment of Irene Wolf to the Pepin County Board and appointments to standing committees effective May 1, 2017

Motion was made by Supervisor Thompson, seconded by Supervisor Anderson to appoint Irene Wolf to be the County Board of Supervisor and the standing committees for Human Services and Land Conservation effective May 1, 2017. All in favor, motion carried.

Appointment of Irene Wolf to the Pepin County Aging & Disability Resource Center (ADRC) effective May 1, 2017

Irene had been a citizen appointed to the ADRC in the past. This appointment would be as a County Board member.

Motion made by Supervisor Ingram, seconded by Supervisor Peterson, to appoint Irene Wolf to the Pepin County Aging & Disability Resource Center effective May 1st, 2017. All in favor, motion carried.

COMMUNICATION

Pam Dewitt, Financial Director, Supervisor Ingram and Supervisor Jelle attended the Legislative WCA regional meeting.

Human Services is having a volunteer services Banquet on April 28th. Volunteers are needed to help this if anyone available. Contact Cammi if you want more information.

FUTURE AGENDA ITEMS AND MEETING DATE

Agenda items include: to be determined later

Next meeting date set for May 17, 2017 at 7:00 pm.

ADJOURNMENT

County Board Chair Jelle adjourned the meeting at 9:23 pm

Submitted by,

Audrey Bauer, Pepin County Clerk

Approved by the County Board of Supervisors on June 21, 2017

/s/ Dwight Jelle, Chair

County Board of Supervisors

PEPIN COUNTY BOARD OF SUPERVISORS MEETING MINUTES

JUNE 21, 2017

CALL TO ORDER

The Pepin County Board of Supervisors meeting was called to order at 7:00 p.m. on Wednesday, June 21, 2017, by Chair Dwight Jelle. The meeting was held in the County Board Room of the Pepin County Government Center. This meeting was properly noticed per Section 19.84 of the Wisconsin State Statutes, and complies with Sections 19.81 – 19.90, *Open Meeting Law*.

ESTABLISH QUORUM - ROLL CALL

District # 1	Larry Dekan	present	District # 7	Bill Ingram	present
District # 2	Vacant		District # 8	Tom Milliren	present
District # 3	James J. Kraft	present	District # 9	Dwight Jelle	present
District # 4	Andrew King	present	District # 10	Bruce A. Peterson	absent
District # 5	Gerald M. Bauer	present	District # 11	Irene Wolf	present
District # 6	Frank E. Milliren	present	District # 12	Steven L. Anderson	present

Ten members of the County Board were present at time of roll call. Supervisor Peterson arrived at 7:17 pm.

PLEDGE OF ALLEGIANCE

The Board honored the flag by reciting the Pledge of Allegiance.

APPROVAL OF THE AGENDA

Chair Jelle removed the resolution “Authorizing the Pepin County Health Officer to Act as the 340B Covered Entity Authorizing Official” due to Heidi Stewart, Health Director not being to explain this complicated resolution, and noted the Highway Department 2016 Annual report was also removed. He also removed the appointment of a County Board Supervisor for District 2, as no candidate for the position has been located.

The County Board members approved the proposed agenda.

PUBLIC COMMENTS ON AGENDA ITEMS

No public comments.

CONSENT AGENDA

Approval of the April 19, County Board Minutes

Motion by Supervisor Peterson, seconded by Supervisor Bauer, to approve the consent agenda item. Motion made by voice vote with no negative votes. Motion carried.

REPORTS

County Board Committee Reports

The following County Board Committees gave their reports: Highway, Health, Land Conservation/UW Extension and Community Resources Committee, Human Services, Law Enforcement and Executive Committee.

County Treasurer 2016 Annual Report

Nancy Richardson, County Treasurer, presented her 2016 Annual Report for her office to the Board.

Highway Department 2016 Annual Report

This item on the agenda was removed. No report presented.

Personnel Department 2016 Annual Report

Micci Weiss, Personnel Director, presented her 2016 Annual Report to the Board.

Land Management/Recycling/Solid Waste/Economic Development and Tourism 2016 Annual Report

Maria Nelson, Director, presented the 2016 Annual Reports for Pepin County Land Management Department and Pepin County Recycling/Solid Waste, Economic Development & Tourism to the Board.

BUSINESS ITEMS

RESOLUTIONS

Authorizing the Pepin County Health Officer to act as the 340B covered entity Authorizing Official

This Resolution was pulled from the agenda at the beginning of the meeting due to the absence of Heidi Stewart, Health Director. No action taken. Will be presented at the next County Board meeting in July.

RESOLUTION NO. 14-17

ORDER ISSUANCE OF DEED TO PEPIN COUNTY ON PROPERTIES SUBJECT TO TAX CERTIFICATE

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

TOWN OF ALBANY

LAWRENCE BERG

Description Parcel 002-00088-0000	Year of Tax	Year of Sale	Cert. Date	Cert. Number	Cert. Amount
PRT OF NE ¼ OF NE ¼ SEC. 5-25-11	2013	2014	9-3-2014	#2	2.17
	2014	2015	9-1-2015	#1	2.06

RICKY & DEBRA WEST

Description Parcel 002-00727-0000	Year of Tax	Year of Sale	Cert. Date	Cert. Number	Cert. Amount
PRT OF SW ¼ OF NW ¼ SEC. 36-25-11	2012	2013	9-3-2013	#12	104.26
	2013	2014	9-3-2014	#7	317.42
	2014	2015	9-1-2015	#8	291.36

TOWN OF DURAND

BRIAN FAHNEL

Description Parcel 004-00184-0000	Year of Tax	Year of Sale	Cert. Date	Cert. Number	Cert. Amount
PRT OF E ½ OF E ¼ OF SE ¼ OF SE ¼ SEC. 14-25-23	2012	2013	9-3-2013	#15	42.29
	2013	2014	9-3-2014	#10	40.69
	2014	2015	9-1-2015	#9	48.01

TOWN OF FRANKFORT

ANTHONY NELSON

Description Parcel 006-00246-0004	Year of Tax	Year of Sale	Cert. Date	Cert. Number	Cert. Amount
PRT OF G.L.9 LYING W OF HWY SEC. 14-24-14	2014	2015	9-1-2015	#23	85.92

RANDY NELSON

Description Parcel 006-00043-0002	Year of Tax	Year of Sale	Cert. Date	Cert. Number	Cert. Amount
PRT OF SW 1/4 OF SW SEC. 2-24-14	2009	2010	9-1-2010	#17	1,221.34
	2010	2011	9-6-2011	#27	1,297.85
	2011	2012	9-4-2012	#20	1,305.80
	2012	2013	9-3-2013	#24	1,246.90
	2013	2014	9-3-2014	#16	90.19
	2014	2015	9-1-2015	#17	180.44

Description Parcel 006-00046-0000	Year of Tax	Year of Sale	Cert. Date	Cert. Number	Cert. Amount
PRT OF S 1/2 G.L.3 LYING W OF HWY SEC. 2-24-14	2009	2010	9-1-2010	#18	2,023.05
	2010	2011	9-6-2011	#29	5,163.72
	2011	2012	9-4-2012	#21	5,194.50
	2012	2013	9-3-2013	#25	4,955.50
	2013	2014	9-3-2014	#17	185.75
	2014	2015	9-1-2015	#19	371.61

Description Parcel 006-00246-0000	Year of Tax	Year of Sale	Cert. Date	Cert. Number	Cert. Amount
PRT OF GOV LOT 9 SEC. 11-24-14	2014	2015	9-1-2015	#20	214.81

Description Parcel 006-00246-0002	Year of Tax	Year of Sale	Cert. Date	Cert. Number	Cert. Amount
PRT OF G.L.9 SEC. 11-24-14	2012	2013	9-3-2013	#39	1,433.08
	2013	2014	9-3-2014	#19	277.62
	2014	2015	9-1-2015	#22	468.27

Description Parcel 006-00043-0001	Year of Tax	Year of Sale	Cert. Date	Cert. Number	Cert. Amount
PRT OF SW 1/4 OF SW 1/4 SEC. 2-24-14	2014	2015	9-1-2015	#16	37.55

TOWN OF LIMA**BRIAN FAHNEL**

Description Parcel 008-00497-0000	Year of Tax	Year of Sale	Cert. Date	Cert. Number	Cert. Amount
PRT OF SE ¼ OF NW ¼ SEC. 22-25-12	2011	2012	9-4-2012	#48	272.31
	2012	2013	9-3-2013	#62	688.79
	2013	2014	9-3-2014	#37	677.70
	2014	2015	9-1-2015	#32	654.00

TOWN OF PEPIN**ROBERT JOHNSON**

Description Parcel 010-00063-0000	Year of Tax	Year of Sale	Cert. Date	Cert. Number	Cert. Amount
PRT OF NW ¼ OF NE ¼ SEC. 28-24-15	2014	2015	9-1-2015	#38	819.35

TOWN OF WATERVILLE**DAVID L BAUER**

Description Parcel 014-00658-0000	Year of Tax	Year of Sale	Cert. Date	Cert. Number	Cert. Amount
L.5 BLK.10 VILLAGE OF ARKANSAW	2011	2012	9-4-2012	#115	283.32
	2012	2013	9-3-2013	#115	998.99
	2013	2014	9-3-2014	#93	897.98
	2014	2015	9-1-2015	#90	861.25

DURAND AUTO SALVAGE & RECYCLING, INC

Description Parcel 014-00942-0000	Year of Tax	Year of Sale	Cert. Date	Cert. Number	Cert. Amount
PRT OF SW ¼ OF SE ¼ SEC. 20-25-13	2011	2012	9-4-2012	#120	94.86
	2012	2013	9-3-2013	#122	671.89
	2013	2014	9-3-2014	#97	678.46
	2014	2015	9-1-2015	#95	643.85

BRIAN FAHNEL

Description Parcel 014-00939-0000	Year of Tax	Year of Sale	Cert. Date	Cert. Number	Cert. Amount
PRT OF SW ¼ OF SE ¼ SEC. 20-23-13	2012	2013	9-3-2013	#121	682.51
	2013	2014	9-3-2014	#96	674.54
	2014	2015	9-1-2015	#94	633.83

BRIAN FAHNEL

Description Parcel 014-00944-0000	Year of Tax	Year of Sale	Cert. Date	Cert. Number	Cert. Amount
PRT OF GOV. LOT 1 SEC. 20-25-13	2012	2013	9-3-2013	#123	420.57
	2013	2014	9-3-2014	#98	426.03
	2014	2015	9-1-2015	#96	402.77

NELSON FAMILY TRUST

Description Parcel 014-00646-0000	Year of Tax	Year of Sale	Cert. Date	Cert. Number	Cert. Amount
PRT OF L 4 BLK 8 VILLAGE OF ARKANSAW	2014	2015	9-1-2015	#89	1327.96

STEVEN SEIPEL

Description Parcel 014-00639-0000	Year of Tax	Year of Sale	Cert. Date	Cert. Number	Cert. Amount
LOT 1 & 2, BLK 7 VILLAGE OF ARKANSAW	2007	2008	9-2-2008	#136	599.59
	2008	2009	9-2-2009	#146	575.88
	2009	2010	9-1-2010	#148	582.21
	2010	2011	9-6-2011	#139	628.87
	2011	2012	9-4-2012	#113	643.37
	2012	2013	9-3-2013	#112	621.05
	2013	2014	9-3-2014	#90	626.00
	2014	2015	9-1-2015	#87	607.76

LARRY & LAURA WRYCZA

Description Parcel 014-00149-0000	Year of Tax	Year of Sale	Cert. Date	Cert. Number	Cert. Amount
PRT OF NE 1/4 OF SE 1/4 BNG E 8 RDS OF S 10 RDS SEC 9-25-14	2013	2014	9-3-2014	#82	640.43
	2014	2015	9-1-2015	#79	684.29

VILLAGE OF PEPIN**CONNIE ANN KRYER**

Description Parcel 171-00475-0021	Year of Tax	Year of Sale	Cert. Date	Cert. Number	Cert. Amount
UNIT 21 & GARAGE UNIT 119 PEPIN SHORES CONDOMINIUMS	2014	2015	9-1-2015	#137	3,072.09

SALLY C ROGERS

Description Parcel 171-00152-0000	Year of Tax	Year of Sale	Cert. Date	Cert. Number	Cert. Amount
N ½ OF LOT 3, 4 & S 10' OF LOT 5, BLK 18	2014	2015	9-1-2015	#121	1,056.92

CITY OF DURAND**WILLIAM E ANDERSON**

Description Parcel 216-0071-0000	Year of Tax	Year of Sale	Cert. Date	Cert. Number	Cert. Amount
PRT OF LOT 101 CITY OF DURAND	2014	2015	9-1-2015	#168	1,877.63

ALEX & NICOLE PROCK

Description Parcel 216-00381-0000	Year of Tax	Year of Sale	Cert. Date	Cert. Number	Cert. Amount
PRT OF LOT 9 & 10 BLK 2 R 6 E OF BASE	2014	2015	9-1-2015	#155	876.41

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

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

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

NOW THEREFORE BE IT RESOLVED, that the Pepin County Board of Supervisors hereby grants authorization to the County Clerk of Pepin County to issue Tax Deeds in favor of the County after approval by the Pepin County Executive Committee and the Pepin County Treasurer.

RECOMMENDED BY THE PEPIN COUNTY EXECUTIVE COMMITTEE:

_____ 5 0 0 0
/s/ Dwight Jelle, Chair In Favor Oppose Absent Abstain

FISCAL IMPACT REVIEWED – Process to recoup taxes owed and return properties to the tax role.

 X _____
/s/ Pamela DeWitt Recommend Not Recommend
Finance Director

COUNTY BOARD ACTION:

 X ADOPTED
_____ DEFEATED by the Pepin County Board of Supervisors on the 21st day of June, 2017
_____ TABLED In favor 11 Oppose 0 Absent 0 Abstain 0

 / s A u d r e y B a u e / s D w i g h t J e
County Clerk County Board Chair

Treasurer Nancy Richardson presented this resolution to the Board. The resolution lists properties that may be entitled to be taken as tax deeds on or after September 1st, two years after issuance of tax certification, if all the procedures are followed. Approving this action would grant authorization to the County Clerk of Pepin County to issue Tax Deeds in favor of the County after approval by the Pepin County Executive Committee and the Pepin County Treasurer. Motion was made by Supervisor Peterson, seconded by Supervisor T. Milliren, to adopt Resolution 14- 17, titled “Order Issuance of deed to Pepin County on Properties subject to Tax Certification”. Voice vote was taken, all in favor, motion carried.

**RESOLUTION NO. 15-17
ADOPTION OF PEPIN COUNTY LOGO AND 2017 BUDGET MODIFICATION**

WHEREAS, the official Pepin County Logo was previously adopted October 21, 1992, and

WHEREAS, a Strategic Planning Coordinating Committee comprised of Pepin County Board Supervisors, Department Heads and Constitutional Officers, has coordinated Strategic Planning and Visioning processes for Pepin County, and

WHEREAS, the Pepin County Board adopted a Vision Statement on February 15, 2017, and

WHEREAS, the Strategic Planning Coordinating Committee recommends updating the official Pepin County Logo by replacing the previously adopted logo, and

WHEREAS, minimal costs will be incurred to update the logo and display it in prominent locations within and on Pepin County owned property and correspondence, and

WHEREAS, the additional expenses were not included in the adopted 2017 Budget.

NOW IT THEREFORE BE IT RESOLVED, that the following Pepin County Logo be adopted by the Pepin County Board of Supervisors as the official county logo which shall be used by all offices and departments of the County Government:



NOW THEREFORE BE IT FURTHER RESOLVED that the Pepin County Board of Supervisors authorize the 2017 Budget to be modified as follows:

<u>Account Number</u>	<u>Account Description</u>	<u>Current Budget</u>	<u>Increase(Decrease)</u>	<u>Amended Budget</u>
	<i>General Fund:</i>			
	Expenditures:			
100-00-51110-000	County Board	\$ 50,213	\$ 3,000	\$ 53,213
100-00-59100-000	Contingency Fund	\$67,283	(\$ 3,000)	\$ 64,283

RECOMMENDED BY THE PEPIN COUNTY EXECUTIVE COMMITTEE:

/s/ Dwight Jelle, Chair

COMMITTEE MEMBERS VOTE
 ___5___ ___0___ ___0___ ___0___
 In favor Oppose Absent Abstain

FISCAL IMPACT REVIEWED – The estimated costs to be incurred in the during the roll out of the new logo are reflected within the Budget Modification.

/s/ Pamela DeWitt
Finance Director

 X _____
Recommend Not Recommended

COUNTY BOARD ACTION:

 X ADOPTED
_____ DEFEATED by the Pepin County Board of Supervisors on this 21st day of June, 2017
_____ TABLED In favor 11 Oppose 0 Absent 0 Abstain 0

/s/ Audrey Bauer
County Clerk

/s/ Dwight Jelle
County Board Chair

Micci Weiss, Personnel Director, presented the Pepin County Logo to the County Board. Previously the County Board adopted a Vision Statement and thought that this would be a good time to present an updated Logo for Pepin County. Terry Mesch had designed the previous Logo and was fine with the updated logo. New Logo signs would be placed on the wall in the County Board room and in the entry way by the County Clerk’s office. Supplies such as business cards, stationary, and name tags would be changed as needed. The Executive Committee agreed with a budget of \$3,000.00 for this update but the cost shouldn’t come close to this amount.

Motion was made by Supervisor Anderson and seconded by Supervisor King, to adopt Resolution 15-17, titled “Adoption of Pepin County Logo and 2017 Budget Modification”. Roll call vote was taken., all in favor with no negative votes. Motion carried.

RESOLUTION NO. 16-17

ADOPTING THE PEPIN COUNTY MULTI-HAZARDS MITIGATION PLAN 2017-2022

WHEREAS, Pepin County recognizes the threat that natural and man-made hazards pose to people and property; and

WHEREAS, undertaking 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 plan is required as a condition of future grant funding for mitigation projects; and

WHEREAS, Pepin County has participated jointly in the planning process with other local units of government within the County to prepare a multi-hazards mitigation plan; and

WHEREAS, public participation in the plan update process was encouraged, and

NOW, THEREFORE BE IT RESOLVED that Pepin County, hereby adopts the Pepin County Multi-Hazards Mitigation Plan 2017-2022 as an official plan.

RECOMMENDED BY THE PEPIN COUNTY Law Enforcement Committee

/s/ Steve Anderson, Chair

COMMITTEE MEMBERS VOTE
 3 1 0 0
In favor Oppose Absent Abstain

FISCAL IMPACT: *Required for future grant funding*

/s/ Pamela DeWitt

Finance Director

 X
Recommend

Not Recommended

COUNTY BOARD ACTION:

 X **ADOPTED**

 DEFEATED by the Pepin County Board of Supervisors on this 21st day of June, 2016

 TABLED In favor 11 Oppose 0 Absent 0 Abstain 0

(District 2 – Vacant)

/s/ Audrey Bauer

County Clerk

/s/ Dwight Jelle

County Board Chair

Maria Nelson, Zoning Director, presented this resolution to the Board. This plan is about 150 pages, it has been approved by the State and FEMA. Once this resolution is adopted Pepin County would be eligible for grants if a disaster would occur.

Motion made by Supervisor Anderson, seconded by Supervisor Peterson, to adopt Resolution 16-17, titled “Adopting the Pepin County Multi-Hazards Mitigation Plan 2017-2022”. Voice vote taken, all in favor, motion carried.

RESOLUTION NO. 17-17

RESOLUTION TO PURCHASE SIT TO STAND DESKS FOR THE ECONOMIC SUPPORT SPECIALISTS AND 2017 BUDGET MODIFICATION FOR PURCHASE

WHEREAS, the Western Region Economic Assistance (WREA) Consortium has determined it best for the well-being of the Economic Support Specialists to have the ability to either sit or stand during working hours and to have the ability to move between the two positions, and

WHEREAS, the WREA Leadership Team has requested and approved the purchase of sit to stand desks for each of the four Economic Support Specialists employed by Pepin County Department of Human Services, and

WHEREAS, La Crosse County, WREA Lead Agency, has authorized the reimbursement to Pepin County, of \$500 per Economic Support Specialist, from the 2017 WREA approved Budget, if such desks were purchased, and

WHEREAS, the Pepin County Department of Human Services was not aware of the need to purchase sit to stand desks when the 2017 Budget was being created, and

WHEREAS, the 2017 Budget authorized the purchase of an individual desk for \$1700, the Pepin County Department of Human Services leadership is requesting to instead use the funds allocated to that desk in conjunction with the \$2000 authorized by WREA to purchase sit to stand desks for the four Economic Support Specialists.

NOW THEREFORE BE IT RESOLVED that the Pepin County Board of Supervisors authorizes purchase of four sit to stand desks and authorizes the 2017 Budget to be modified as follows:

<u>Account Number</u>	<u>Account Description</u>	<u>Current Budget</u>	<u>Increase (Decrease)</u>	<u>Amended Budget</u>
	Human Services Fund			
211-00-43561-103	IM (Income Maintenance) Contract WREA	\$309,320	\$2,000	\$311,320
211-00-54403-000	IM (Income Maintenance) Expense - WREA	\$320,848	\$2,000	\$322,848

RECOMMENDED BY THE PEPIN COUNTY HUMAN SERVICES COMMITTEE:

COMMITTEE MEMBERS VOTE

 4 0 3 0
In favor Oppose Absent Abstain

/s/ Andrew King, Chair

FISCAL IMPACT REVIEWED — The net financial impact resulting from this resolution is zero as the equipment purchases utilize currently budgeted funds plus the additional expense which is to be paid in its entirety by WREA.

/s/ Pamela DeWitt

Finance Director

 X _____
Recommend Not Recommended

COUNTY BOARD ACTION:

 X ADOPTED

_____ DEFEATED

_____ TABLED

by the Pepin County Board of Supervisors on this 21st day of June 2017

In favor 11 Opposed 0 Absent 0 Abstain
(District 2 – Vacant)

/s/ Audrey Bauer

County Clerk

/s/ Dwight Jelle

County Board Chair

Paula Winter, Human Services Director, presented this resolution to the Board. The Western Region Economic Assistance (WREA) Consortium determined that it is best to have the Economic Support Specialist be able to sit or stand as needed during working hours. The request is made to purchase four Sit to Stand desks using the Consortium reimbursement of 500.00 per Specialist along with the budget amount.

Motion was made by Supervisor King, seconded by Supervisor Anderson, to adopt Resolution 17-17, titled “Resolution to purchase sit to stand desks for the Economic Support Specialists and 2017 Budget Modification for purchase”. Roll call vote was taken, all in favor, motion carried.

RESOLUTION NO. 18-17

RESOLUTION TO EXTEND LIMITED TERM EMPLOYEE (LTE) SOCIAL WORKER POSITION WITHIN THE DEPARTMENT OF HUMAN SERVICES

WHEREAS, Pepin County Department of Human Services is one of the four county partners (Chippewa, Monroe, Pepin, and Taylor Counties) which are designing a child protection and Access and Screening partnership called the (CAN) Child Abuse and Neglect Reporting Partnership, and

WHEREAS, Pepin County Board Authorized Resolution #35-16 titled, “Resolution to create a limited term employee (LTE) Social Worker Position within the Department of Human Services and a Budget Modification”, on October 19, 2016, and

WHEREAS, Resolution #35-16 authorized the LTE position through June 30, 2017 with the intent that the CAN Reporting Partnership would be implemented by June 30, 2017, and

WHEREAS, the CAN Reporting Partnership requires legislative approval to authorize counties to share ACCESS and Screening services which is in process with 2017 Assembly Bill 290, and

WHEREAS, The Department of Human Services needs to extend the LTE position until 2017 Assembly Bill 290 has passed and funding is available to continue the LTE position within the departments 2017 budget, and

NOW, THEREFORE BE IT RESOLVED, that Pepin County Board of Supervisors hereby grants authorization to continue the limited term employee social work position in the Department of Human Services through September 30, 2017.

RECOMMENDED BY THE PEPIN COUNTY HUMAN SERVICES COMMITTEE:

COMMITTEE MEMBERS VOTE

/s/ Andrew King, Chair

 4 0 3 0
In favor Oppose Absent Abstain

FISCAL IMPACT REVIEWED – The continuation will place an additional fiscal burden of \$12,000 on Pepin County Department of Human Services. However, in the 2017 Budget for this account code there is \$36,000 for contracted Adult Protection Services. These services are still being performed inhouse and the majority of these services will not be contracted out as planned, so those allocated funds will cover the salaries and fringe expense necessary to continue the LTE position for the additional months.

/s/ Pamela DeWitt
Finance Director

 X _____
Recommend Not Recommended

COUNTY BOARD ACTION:

 X ADOPTED
____ DEFEATED
____ TABLED

by the Pepin County Board of Supervisors on this 21st day of June 2017
In favor 11 Oppose 0 Absent 0 Abstain 0
(District 2 – Vacant)

/s/ Audrey Bauer
County Clerk

/s/ Dwight Jelle
County Board Chair

Paula Winter, Human Services Director, presented this resolution to the Board. Pepin County is one of the four Counties that are in the Child Abuse and Neglect Reporting Partnership which requires legislative approval to authorize Counties to share Access and Screening services. The need is to extend the LTE Social worker position through September 30, 2017 due to the requirement of legislative approval. Assembly Bill 290 is in the process of being passed which than the funding will become available to continue the LTE position.

Motion was made by Supervisor Anderson, seconded by Supervisor King, to adopt the Resolution 18-17, titled “Resolution to extend Limited Term Employee (LTE) Social Worker position within the Department of Human Services”. Voice vote was taken, all in favor, motion carried.

RESOLUTION NO. 19-17
RESOLUTION TO INCREASE DEPARTMENT OF HUMAN SERVICES SOCIAL
WORK POSITION FROM .8 TO 1.0 FTE

WHEREAS, the Pepin County Human Services Committee recommended to the Pepin County Board of Supervisors to authorized the Department of Human Services to create a fill a .8 FTE Children with Disabilities Social Work Position (Resolution 22-15) with the position/FTE status evaluated after the Comprehensive Community Services (CCS) Program was implemented and need for additional hours established based on caseload, and

WHEREAS, the Comprehensive Community Services (CCS) Program has been operating in Pepin County as a member of the Western Region Recovery and Wellness Consortium (WRRWC) since 2015 and continued to increase in cases requiring additional case management/social work time to provide service facilitate for its consumers, and

WHEREAS, the Pepin County Department of Human Services has a vacancy in the .8 FTE Children with Disabilities Social Work Position and requests the authorization to fill the vacant position with a 1.0 FTE position and has the funding available within the salary and benefits accounts of the 2017 approved budget, and

NOW, THEREFORE BE IT RESOLVED, that the Board of Supervisors, County of Pepin, authorizes the increase from .8 FTE to 1.0 FTE position of Children with Disability Social Work Position within the Department of Human Services.

RECOMMENDED BY THE PEPIN COUNTY HUMAN SERVICES COMMITTEE:

COMMITTEE MEMBERS VOTE

_____ 4 0 3 0
/s/ Andrew King, Chair In favor Oppose Absent Abstain

FISCAL IMPACT REVIEWED — The net financial impact from this resolution will be zero as the .8 FTE position is currently filled with a Social Worker III and the 1.0 FTE position would be filled with a Social Worker I or Social Worker II in addition to vacancies earlier in 2017. The annualized impact between a 0.8 and 1.0 FTE position is approximately \$10,000 but will be managed within the department with no additional levy being required resulting from this change.

/s/ Pamela DeWitt X _____
Finance Director Recommend Not Recommended

COUNTY BOARD ACTION

X **ADOPTED**
_____ **DEFEATED** by the Pepin County Board of Supervisors on this 21st day of June, 2017
_____ **TABLED** In favor 11 Oppose 0 Absent 0 Abstain 0
(District 2 – Vacant)

/s/ Audrey Bauer /s/ Dwight Jelle
County Clerk County Board Chair

Paula Winter, Human Services Director, presented this resolution to the Board. The position is presently vacant at this time and with the work load a full-term employee is needed. The full-time position has the funding available within the salary and benefits accounts of the 2017 approved budget.

Motion made by Supervisor King, seconded by Supervisor Kraft, to adopt Resolution 19-17, titled

“Resolution to increase department of Human Services Social Work position from .8 to 1.0 FTE”.
 Voice vote taken, all in favor, motion carried.

RESOLUTION NO. 20-17

**RESOLUTION TO CREATE A DISABILITY BENEFIT SPECIALIST (DBS) POSITION
 WITHIN THE AGING AND DISABILITY RESOURCE CENTER (ADRC) OF BUFFALO AND
 PEPIN COUNTIES**

WHEREAS, the ADRC of Buffalo and Pepin Counties have four full time equivalency (FTE) positions shared between the two counties which include (2) two Information and Assistance Specialist, (1) Disability Benefit Specialist, and (1) ADRC Director with each of the positions mandated through the Department of Health Services contract with the counties, and

WHEREAS, during the planning of the two county ADRC it was identified that each Buffalo and Pepin County would benefit from authorizing the creation of each position thus allowing either county to fill a vacant position, and

WHEREAS, Pepin County does not have a Disability Benefit Specialist Position or salary structure, and

WHEREAS, the Disability Benefit Position performs case management assessment and financial counseling activities designated to encourage and assist disabled persons to obtain and keep governmental benefits and to help in obtaining other needed legal and consumer services, which is a necessary service for Pepin County residents, and

WHEREAS, the position is fully funded by the ADRC contract with the Department of Health Services, and

NOW, THEREFORE BE IT RESOLVED, that the Pepin County Board of Supervisors hereby grants authorization to establish a Disability Benefit Position in the Aging and Disability Resource Center, in the Pepin County Department of Human Services, authorize one DBS position to be filled in the ADRC either in Buffalo or Pepin County and adopt the salary scale as follows:

SALARY SCALE:

TITLE	Start	Six Months	One Year	Eighteen Months	Two Years	Four Years	Six Years
DHS Social Worker I /DBS/I & A Specialist	\$16.70	\$17.58	\$18.51	\$19.48	\$20.51	\$21.59	\$22.73

RECOMMENDED BY THE PEPIN COUNTY HUMAN SERVICES COMMITTEE:

COMMITTEE MEMBERS VOTE

 /s/ Andrew King, Chair

 4 0 3 0
 In favor Oppose Absent Abstain

FISCAL IMPACT REVIEWED – None at this time as this resolution is only establishing a position to have all ADRC positions available in both counties and creating a pay scale for the position. No budget impact would occur unless the position were to be filled as a Pepin County employee. The current position opening is posted as a Buffalo County employee. If it were to be filled as a Pepin County

- Working from home is not intended to permit staff to work at other jobs, provide dependent care during work hours, or run their own business.
- Pepin County will not be responsible for operating costs, home maintenance, or any other incidental costs associated with the use of the employee's residence.
- Employees must comply with all Pepin County policies and procedures concerning the handling of Protected Health Information (HIPPA), as well as use of computers, internet and email.
- Employees will be required and responsible for maintaining a safe working environment.
- Pepin County will not be liable for damages to the employee's property resulting from working from home.
- Employees will not meet with clients and or visitors from their home while conducting County business.
- Employees will sign an inventory of all office property and agrees to take appropriate action to protect the items from damage or theft. All equipment provided by Pepin County will remain the property of Pepin County.
- Injuries sustained by the employee while at his or her work from home location and in conjunction with his or her regular work duties are normally covered under Pepin County's Worker's Compensation policy.
- Employees must follow all confidentiality and ethics agreements along with following all applicable computer, network and telecommunications laws, rules and permissions.
- Any work-related document that is generated on any employee's home computer/device is a public record.

NOW THEREFORE BE IT RESOLVED that the Temporary Work from home assignment policy be adopted as a one year trial period, to be effective upon adoption.

RECOMMENDED BY THE PEPIN COUNTY EXECUTIVE COMMITTEE:

COMMITTEE MEMBERS VOTE

/s/ Dwight Jelle, Chair

___5___ ___0___ ___0___ ___0___
In favor Oppose Absent Abstain

FISCAL IMPACT REVIEWED – Temporary work from home assignments approved should not have a negative fiscal impact on any department.

/s/ Pamela DeWitt
Finance Director

___X___ _____
Recommend Not Recommended

COUNTY BOARD ACTION:

___X___ ADOPTED
____ DEFEATED
____ TABLED

by the Pepin County Board of Supervisors on this 21st day of June, 2017
In favor ___11___ Oppose ___0___ Absent ___0___ Abstain ___0___
(District 2 – Vacant)

/s/ Audrey Bauer
County Clerk

/s/ Dwight Jelle
County Board Chair

Micci Weiss, Personnel Director, presented this policy to the County Board. This policy would be put in place on a one - year trial basis. Department heads approval is required prior to working from home and is a temporary assignment.

Motion was made by Supervisor Anderson, seconded by Supervisor Peterson, to adopt the Resolution 21-17, titled "Temporary Work from Home Assignment Policy". Voice vote taken, all in favor, motion carried.

RESOLUTION NO. 22-17
TEMPORARY ALTERNATIVE WORK SCHEDULES

WHEREAS, the Pepin County Executive Committee recommends the following policy be put in place on a 1 year trial basis:

Alternative Working Schedule-i.e. Flex Schedule Policy

To enhance the ability of Pepin County to fulfill its responsibilities, to render services to the public and to enhance employee morale alternative working arrangements may be granted. In certain instances, it may be advantageous for a department to offer an employee alternative, regular work hours which differ from the normal established workplace hours of operation. The determination that a position may or may not be appropriate for Alternative Working Schedule (AWS) will be determined on a case-by-case basis.

An Alternative Working Schedule (AWS) shall be initiated by an employee or Department Head request. The request will be considered for approval by the Department Head, Administrative Coordinator and Personnel Director. In the event a Department Head is requesting an Alternative Working Schedule, approval from direct Oversight Committee is also required.

Departments shall maintain normal working hours of operation. Alternative working hours are allowed as approved by departments within the 6:00 a.m. through 6:00 p.m. time frame. Alternative Work Schedules will not create overtime/comp time or create the inability to use accrued vacation hours.

In all instances, the employee requesting the repeating alteration of regularly scheduled hours of work (more than one week) must complete an Alternative Work Schedule Request form. The only week days allowed to take a day or half day off are Tuesday, Wednesday, and Thursday. An Alternative Work Schedule will not reduce the number of days worked in a week (i.e. 4 days at 10 hours a day).

Alternative Working Schedule will be reviewed at least annually during the employee performance evaluation. Alternative Working Schedules are subject to review due to performance issues or department needs/issues. Pepin County reserves the right to rescind all Alternative Working Schedules at any time.

Prior to an Alternative Work Schedule being granted the AWS Request form shall:

- Be completed by the employee in advance of any schedule change and fully document the specific reasons for the requested alteration of scheduled work hours, and the specific schedule of work hours requested.
- Be submitted to the Department Head by the employee for review and approval.
- Be submitted to the Administrative Coordinator by the Department Head for approval.
- Be submitted to the Personnel Director for review, monitoring for compliance to wage and hour regulations. If the requesting employee is a Department Head, the Personnel Director shall submit the request to the corresponding oversight committee for approval.

A copy of the form shall be returned to the Department Head to be shared with the employee of the approval or denial with a copy retained in the personnel office.

The Department Head shall monitor the AWS to assure the needs of the department are met.

NOW THEREFORE BE IT RESOLVED that the Alternative Work Schedules policy be adopted as a one year trial period, to be effective upon adoption.

RECOMMENDED BY THE PEPIN COUNTY EXECUTIVE COMMITTEE:

_____ /s/ Dwight Jelle, Chair	COMMITTEE MEMBERS VOTE ___5___ ___0___ ___0___ ___0___ In favor Oppose Absent Abstain
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FISCAL IMPACT REVIEWED – AWS’s approved should not have a negative fiscal impact on any department.

/s/ Pamela DeWitt Finance Director	___X___ _____ Recommend Not Recommended
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COUNTY BOARD ACTION:

___X___ ADOPTED _____ DEFEATED _____ TABLED	by the Pepin County Board of Supervisors on this 21st day of June, 2017 In favor ___11___ Oppose ___0___ Absent ___0___ Abstain ___0___ (District 2 – Vacant)
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/s/ Audrey Bauer County Clerk	/s/ Dwight Jelle County Board Chair
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Micci Weiss, Personnel Director, presented this policy to the County Board. This policy would be put in place on a one-year trial basis. The request will be considered for approval by the Department Head, Administrative Coordinator and Personnel Director. For Department Heads request, approval from their direct Oversight Committee is needed. Putting this policy into effect, this should allow Pepin County to attract and retain people.

Motion was made by Supervisor King and seconded by Supervisor Kraft to adopt Resolution 22-17, titled “Temporary Alternative Work Schedules”. Voice voted, all in favor, motion carried.

RESOLUTION NO. 23-17
PEPIN COUNTY BOARD OF CANVASSERS PAY INCREASE

WHEREAS, the purpose of the County Board of Canvassers is to certify the results of the elections and make the official determination of election or primary winners, a vital role in the election process, and

WHEREAS, the Pepin County Clerk, as per Wis. Stats. § 7.60(2), appoints two qualified electors of the County to constitute the County Board of Canvassers to serve 2-year terms which commence on January 1 of each odd-numbered year, and

WHEREAS, during Recounts the County Board of Canvassers will require the assistance of tabulators who work at the Canvass Board's direction, and

WHEREAS, the last time compensation for the Board of Canvassers was set was in May 2011 for \$8.00 per hour and a \$20.00 minimum, and no specific compensation was set for Tabulators, and

WHEREAS, the recommended increase to the Board of Canvassers pay is \$40.00 up to first four hours and \$10.00 for each hour after that, and recommended Tabulator pay is \$36.00 up to first four hours and \$9.00 for each hour after that

NOW, THEREFORE BE IT RESOLVED, that the Pepin County Board of Supervisors approve the recommendations of the Executive Committee and approve the pay increase for the Pepin County Board of Canvassers and set pay for Tabulators.

BE IT FURTHER RESOLVED, that the pay increase for the Pepin County Board of Canvassers and Tabulator pay be approved to be effective January 1, 2018.

RECOMMENDED BY THE PEPIN COUNTY EXECUTIVE COMMITTEE:

	COMMITTEE MEMBERS VOTE
	<u> 4 </u> <u> 0 </u> <u> 0 </u> <u> 1 </u> In favor Oppose Absent Abstain
/s/ Dwight Jelle, Chair	

FISCAL IMPACT: Current Annual Budget is \$400.00/year of which is enough, seems to remain unspent each year to absorb the approximately \$80.00 increase in need in expense per year.

/s/ Pamela DeWitt	X	
Finance Director	Recommended	Not Recommended

COUNTY BOARD ACTION:

<u> X </u> ADOPTED	
<u> </u> DEFEATED	by the Pepin County Board of Supervisors on this <u>21st</u> day of <u>June</u> 2017.
<u> </u> TABLED	In favor <u> 10 </u> Oppose <u> 0 </u> Absent <u> 0 </u> Abstain <u> 1 </u>

(District 2 – Vacant)

/s/ Audrey Bauer	/s/ Dwight Jelle
County Clerk	County Board Chair

County Clerk Audrey Bauer presented the resolution to increase the pay for the Board of Canvassers. The current pay for the Board of Canvassers is \$8.00 per hour and a minimum of \$20.00 and no set amount for the tabulators since May of 2011. Audrey recommended to the Board increasing the Board of Canvassers pay to \$40.00 up to the first four hours and \$10.00 for each hour after that and tabulators pay of \$25.00 up to the first four hours and \$9.00 for each hour after that.

Motion was made by Supervisor Peterson, second by Supervisor Anderson, to adopt Resolution 23-17, titled "Pepin County Board of Canvassers Pay Increase". Voice voted with one abstained- Dwight Jelle. Motion carried.

After more discussion by the Board about the Tabulator's pay they agreed that the amount should be higher.

Motion was made by Supervisor Ingram to amend the pay of the tabulators from \$25.00 to \$36.00 up to the first four hours. Supervisor Kraft seconded the motion to amend the adopted Resolution 23-17, titled Pepin County Board of Canvassers Pay Increase. Voice voted, with one abstained- Dwight Jelle. Motion carried.

APPOINTMENTS

Appointment of Tim Bignell to the Veteran's Service Commission with a term ending December 31, 2018.

Tim Bignell will be filling the position of a member that had passed.

Motion made by Supervisor Bauer to appoint Tim Bignell to the Veteran's Service Commission, seconded by Supervisor Ingram. Voice voted, all in favor, motion carried.

Resignation of Jeffrey Fregine from the Pepin County Board of Supervisors, District 2, effective May 31, 2017

Chair Jelle announced that Jeffrey Fregine has resigned from the Board of Supervisors for District 2. He had accepted a different position at his current work, and no longer has the time to devote to County Government. A new Supervisor is being sought for appointment from the Lima township.

Appointment of County Board of Supervisors for District 2 to fill out the remainder of term and appointments to standing committee effective July 1, 2017.

This appointment agenda item was removed from the agenda at the beginning of the meeting.

Reappointment of Mary Ann Svoboda to the Board of Adjustment term ending June 30, 2020

Motion made by Supervisor Anderson, seconded by Supervisor Peterson, to reappoint Mary Ann Svoboda to the Board of Adjustments term ending June 30, 2020. Voice voted, all in favor, motion carried.

COMMUNICATION

Acknowledge of Jeffrey Fregine for his time as a County Board of Supervisor

Chair Jelle acknowledged Jeffrey Fregine for his time and service, making it to almost 2 years. We really appreciated his work as a Supervisor for Pepin County.

Pepin County Employee Appreciate Dinner – A tentative date of July 18th at noon put on by the Board of Supervisors. Will need help from the Supervisors, more details later.

FUTURE AGENDA ITEMS AND MEETING DATE

Next meeting date set for July 19, 2017 at 7:00 pm.

ADJOURNMENT

County Board Chair Jelle adjourned the meeting at 8:45 pm

Submitted by Audrey Bauer, Pepin County Clerk

Approved by the County Board of Supervisors on July 19, 2017

/s/ Dwight Jelle, Chair

Pepin County Board of Supervisors

PEPIN COUNTY BOARD OF SUPERVISORS MEETING MINUTES

July 19, 2017

CALL TO ORDER

The Pepin County Board of Supervisors meeting was called to order at 7:00 p.m. on Wednesday, July 19, 2017, by Chair Dwight Jelle. The meeting was held in the County Board Room of the Pepin County Government Center. This meeting was properly noticed per Section 19.84 of the Wisconsin State Statutes, and complies with Sections 19.81 – 19.90, *Open Meeting Law*.

ESTABLISH QUORUM - ROLL CALL

District #1	Larry Dekan	present	District # 7	Bill Ingram	present
District #2	Vacant		District #8	Tom Milliren	present
District #3	James J. Kraft	present	District #9	Dwight Jelle	present
District #4	Andrew King	present	District #10	Bruce A. Peterson	present
District #5	Gerald M. Bauer	present	District #11	Irene Wolf	present
District #6	Frank E. Milliren	present	District #12	Steven L. Anderson	present

Eleven members of the County Board were present at time of the roll call. District #2 vacant.

PLEDGE OF ALLEGIANCE

The Board honored the flag by reciting the Pledge of Allegiance.

APPROVAL OF THE AGENDA

Chair Jelle asked if the agenda needs to be changed in any way. No changes made.
The County Board Supervisors approved the proposed agenda.

PUBLIC COMMENTS ON AGENDA ITEMS

Brian Winnekins from WRDN radio, informed the County Board of a major merge of AgStar Financial Services with Badgerland Financial and 1st Farm Credit Services, to become Compeer Financial. Brian Winnekins wanted the Department Heads and County Board Supervisors to know of the merge and the opportunities of the expansion of giving and donations to area communities. Applications are available for opportunities for other non-profits, county government, city government, businesses, school districts, etc. For information contact Compeer Financial in the old Badgerland location in Mondovi.

CONSENT AGENDA

Approval of the June 21, 2017, County Board Minutes

Supervisor Wolf noted to change the roll call Supervisor name for District 11 from Dorothy Thompson to Irene Wolf. Motion made by Supervisor Anderson to approve the consented agenda as corrected. Seconded by Supervisor Peterson.
Motion made by voice vote with no negative votes. Motion carried.

REPORTS

County Board Committee Reports

The following County Board Committees gave their reports: Highway, Health, Land Conservation/UW Extension and Community Resources Committee, Human Services, Law Enforcement and Executive Committee.

UW-Extension 2016 Annual Report

Mary Wood, UW-Extension, Family Living Agent, presented her 2016 Annual Report for her office to the County Board.

Judge Office 2016 Annual Report

Judge Duvall presented his 2016 Annual Report for the Judge's office to the County Board.

Board of Health 2016 Annual Report (Health Department)

Heidi Stewart, Health Director, presented her 2016 Annual Report to the County Board.

Human Services 2016 Annual Report

Paula Winter, Human Services Director, presented her 2016 Annual Report to the County Board.

Register of Deeds 2016 Annual Report

Monica J. Bauer, Register of Deeds, presented her 2016 Annual Report to the County Board.

BUSINESS ITEMS

Discuss and Amend April 19, 2017, County Board meeting minutes under Resolutions 10-17 and 13-17

Audrey Bauer, County Clerk, informed the County Board that her Deputy had noticed the April 19th County Board minutes needed to be amended. Resolution 10-17, had one negative vote that wasn't stated in the minutes and Resolution 13-17, no motion or vote was documented. Should read, "Motion was made by Supervisor Ingram, seconded by Supervisor Fregine to approve Resolution 13-17, titled 2017 Budget Modification- State of Wisconsin Traffic Enforcement Grant. Roll call vote taken. All in favor, with no negative votes. Motion carried."

Motion made by Supervisor Peterson, seconded by Supervisor Ingram, to amend the April 19, 2017 County Board minutes as presented. Voice vote was taken, all in favor, motion carried.

Update/action on the 2017-18 Mission Statement and action items as developed by the Pepin County Strategic Planning Coordinating Committee.

Chair Jelle informed the County Board that this item should have been removed from the agenda. It needs to be brought back to the Executive Committee next month. No action taken.

RESOLUTION NO. 24-17

AUTHORIZING THE PEPIN COUNTY HEALTH OFFICER TO ACT AS THE 340B COVERED ENTITY AUTHORIZING OFFICIAL

WHEREAS, the Pepin County Health Department is a 340B covered entity, under the Health Resources and Services Administration (HRSA) 340B drug pricing program, which enables the Health Department to qualify for discount drug program pricing; and

**RESOLUTION NO. 25-17
2017 BUDGET MODIFICATION - HEALTH DEPARTMENT GRANT
AGREEMENTS**

WHEREAS, the Pepin County Board of Supervisors approved the 2017 Health Department Budget based on grant and contract information available in the Fall of 2016; and

WHEREAS, the Health Department is continually seeking additional resources to support projects, programs and training opportunities related to the Community Health Improvement Process, non-funded mandates and other public health priorities; and

WHEREAS, final grant and contract funding levels varied from the estimated amounts approved in the budget and Prevention Grant was allocated at a higher level than expected and the Car Seat grant funding will not be available in 2017; and

WHEREAS, the Preparedness contract allocation varies from the expected and has been awarded at the amount of \$21,917 plus \$500 additional for WPHA-WALHDAB and Governor's Conferences, which totals \$22,417; and

WHEREAS, the Wisconsin Department of Health has awarded additional Ebola Grant funding for 01/01/17 thru 06/30/17 for staff and partner training assessment, planning and exercises in the amount of \$10,125.

NOW THEREFORE BE IT RESOLVED that the County Board of Supervisors authorizes the 2017 Health Department Budget to be modified as follows:

<u>ACCOUNT NUMBER</u>	<u>ACCOUNT DESCRIPTION</u>	<u>PRESENT BUDGET</u>	<u>INCREASE/ (DECREASE)</u>	<u>AMENDED BUDGET</u>
HEALTH DEPT. FUND:				
230-00-43544-000	S/A Car Seats	1,500	(1,500)	-
230-00-43555-000	S/A Prevention	2,615	1,161	3,776
230-00-43539-000	S/A Preparedness	27,078	(4,661)	22,417
230-00-43560-000	S/A Ebola	-	10,125	10,125
	Total Revenues	31,193	5,125	36,318
230-00-54124-000	Car Seat Grant	1,500	(1,500)	-
230-00-54117-000	Maternal Child Health Grant	21,023	(1,552)	19,471
230-00-54113-000	Prevention Grant	2,596	1,180	3,776
230-00-54128-000	Preparedness Grant	25,545	(3,128)	22,417
230-00-54112-000	Ebola Grant	-	10,125	10,125
	Total Expenses	50,664	5,125	55,789

RECOMMENDED BY THE PEPIN COUNTY BOARD OF HEALTH:

/s/ Gerald M. Bauer, Chair

COMMITTEE MEMBERS VOTE
 5 0 2 0
 In favor Oppose Absent Abstain

FISCAL IMPACT REVIEWED – Entire impact as noted above.

/s/ Pamela DeWitt
Finance Director

 X _____
Recommend Not Recommended

COUNTY BOARD ACTION:

 X ADOPTED
 DEFEATED
 TABLED

by the Pepin County Board of Supervisors on this 19th day of July, 2017
In favor 11 Oppose 0 Absent 0 Abstain 0
(District 2 – Vacant)

/s/ Audrey Bauer
County Clerk

/s/ Dwight Jelle
County Board Chair

Heidi Stewart, Health Director, informed the County Board about this agreement. She stated that the estimated amounts approved for the 2017 budget were estimates and actual amounts awarded and are higher or have changed from amounts expected. This resolution is to make a budget modification to match the awarded funds.

Motion made by Supervisor Ingram, seconded by Supervisor Anderson, to adopt Resolution 25-17, titled “2017 Budget Modification-Health Department Grant Agreements”. Roll call vote was taken, all in favor with no negative votes. Motion carried.

RESOLUTION NO. 26-17
2017 BUDGET MODIFICATION – LEPC Equipment Grant

WHEREAS, the State of Wisconsin is providing Pepin County Emergency Management Department with a grant of up to \$6,000 to cover 80% of the expense associated with replacement equipment to enhance response capabilities related to hazardous material spills, emergencies, and disasters; and

WHEREAS, Pepin County’s past emergency management exercises have indicated that there is a need for emergency alerting and notification software to inform residents and visitors of emergency situations and protective actions; and

WHEREAS, the \$2,000 was originally budgeted for equipment in 2017 is insufficient to purchase the software and equipment to provide emergency notification services throughout Pepin County; and

WHEREAS, the State of Wisconsin has awarded Pepin County a grant and will provide reimbursement for the purchase that will be deposited into the S/A SARA Grant account to offset the expense of purchasing the equipment; and

WHEREAS, the additional 2017 S/A SARA Grant Revenue, nor the additional expenses as described within were provided for in the original 2017 budget.

NOW THEREFORE BE IT RESOLVED that the Pepin County Board of Supervisors authorizes the 2017 Budget to be modified as follows:

<u>Account Number</u>	<u>Account Description</u>	<u>Current Budget</u>	<u>Increase(Decrease)</u>	<u>Amended Budget</u>
<i>General Fund:</i>				
100-00-43526-000	S/A Sara Grant	\$ 7,000	\$ 3,000	\$ 10,000
100-00-52611-000	Local Emergency Planning	\$ 8,131	\$ 3,000	\$ 11,131

RECOMMENDED BY THE PEPIN COUNTY LAW ENFORCEMENT COMMITTEE
COMMITTEE MEMBERS VOTE

/s/ Steve Anderson, Chair

 4 0 0 0
In favor Oppose Absent Abstain

FISCAL IMPACT: As noted above

/s/ Pamela DeWitt
Finance Director

 X _____
Recommend Not Recommended

COUNTY BOARD ACTION:

 X ADOPTED
_____ DEFEATED
_____ TABLED

by the Pepin County Board of Supervisors on this 19th day of July, 2017
In favor 11 Oppose 0 Absent 0 Abstain 0
(District 2 – Vacant)

/s/ Audrey Bauer
County Clerk

/s/ Dwight Jelle
County Board Chair

Maria Nelson, Emergency Director, presented the information about this resolution. Pepin County Emergency Management Department originally budgeted \$2,000.00 for equipment in 2017. An additional grant of \$6,000.00 was awarded to provide reimbursement for the purchase of software and equipment to provide emergency notification services throughout Pepin County. A modification of the 2017 budget under the Sara Grant and Local Emergency Planning is needed to include additional grant funding.

Motion made by Supervisor Ingram, seconded by Supervisor King, to adopt Resolution 26-17, titled “2017 Budget Modification-Local Emergency Planning and Community Equipment Grant (LEPC)”. Roll call vote was taken, all in favor with no negative votes. Motion carried.

**RESOLUTION NO. 27-17
RESOLUTION TO CREATE A DISASTER RELIEF BANK ACCOUNT WITH
SIGNATORY AUTHORIZATION – Security Financial Bank**

WHEREAS, Pepin County is proactively setting up a disaster recovery relief fund to be utilized in the event there is a natural disaster or emergency that causes an influx of donations; and

WHEREAS, the Pepin County Treasurer would like to designate authorized persons by position and titles and be allowed to update signature cards with the County Board Chair directed to sign related updated depository resolutions for persons in those positions if change in persons would occur in accordance with this resolution guidelines; and

WHEREAS, the position titles of authorized persons on the accounts are the County Board Chair, and the County Treasurer, or the Deputy Treasurer and the account requires two signatures for a disbursement from the account.

NOW THEREFORE BE IT RESOLVED the Pepin County Board of Supervisors hereby approves the County Board Chair to sign the depository resolution Attachment A for the referenced account and approves the authorized persons in the positions as noted within.

RECOMMENDED BY THE PEPIN COUNTY EXECUTIVE COMMITTEE:

COMMITTEE MEMBERS VOTE

/s/ Gerald Bauer, Vice Chair

 4 0 1 0
In favor Oppose Absent Abstain

FISCAL IMPACT: No direct impact at this time.

/s/ Pamela DeWitt
Finance Director

 X _____
Recommend Not Recommend

COUNTY BOARD ACTION:

 X ADOPTED
_____ DEFEATED by the Pepin County Board of Supervisors on this 19th day of July, 2017
_____ TABLED In favor 11 Oppose 0 Absent 0 Abstain 0
(District 2 – Vacant)

/s/ Audrey Bauer
County Clerk

/s/ Dwight Jelle
County Board Chair

Maria Nelson, Emergency Director, informed the County Board about creating a Disaster Relief Bank Account for funds to be utilized in an event there is a natural disaster or emergency for donations to be deposited into. Authorized persons on the account are the County Board Chair and the County Treasurer or the Deputy Treasurer and the account requires two signatures for the disbursement from the account.

Motion made by Supervisor Anderson, seconded by Supervisor T. Milliren, to adopt the Resolution 27-17, titled “Resolution to create a Disaster Relief Bank Account with Signatory Authorization – Security Financial Bank”. Voice vote taken, all in favor with no negative votes. Motion carried.

Appointments

Appointment of Jean Dougherty to the County Board of Supervisor for District 2 to fill out the remainder of term and appointments to standing committees effective August 1, 2017.

Chair Dwight Jelle recommended Jean Dougherty to be the County Board of Supervisor for District 2 to replace Jeffrey Fregine. She would also be a member of the two committees that Jeffrey Fregine was on, the Law Enforcement and Highway Committees.

Motion was made by Supervisor Ingram to appoint Jean Dougherty as District 2 County Board of Supervisor and the standing committees to fill out the remainder to the term, beginning August 1, 2017. Seconded by Supervisor Peterson. Voice vote was taken, all in favor with no negative votes. Motion carried.

Communications

Supervisor Ingram informed the Board that September 17th is Constitution Day- do something at the school? Education on County Government?

FUTURE AGENDA ITEMS AND MEETING DATE

- **Report on Economic Development in the County**

Next meeting date set for August 16, 2017 at 7:00 p.m.

(Resolutions and Ordinances are on file for public inspection in the County Clerk’s office.)

Submitted by Audrey Bauer, Pepin County Clerk

Approved by the County Board of Supervisors on August 16, 2017

/s/ Dwight Jelle, Chair
Pepin County Board of Supervisors

PEPIN COUNTY BOARD OF SUPERVISORS MEETING MINUTES

August 16, 2017

CALL TO ORDER

The Pepin County Board of Supervisors meeting was called to order at 7:00 p.m. on Wednesday, August 16, 2017, by Chair Dwight Jelle. The meeting was held in the County Board Room of the Pepin County Government Center. This meeting was properly noticed per Section 19.84 of the Wisconsin State Statutes, and complies with Sections 19.81 – 19.90, *Open Meeting Law*.

ESTABLISH QUORUM - ROLL CALL

District #1	Larry Dekan	present	District # 7	Bill Ingram	present
District #2	Jean Dougherty	present	District #8	Tom Milliren	present
District #3	James J. Kraft	present	District #9	Dwight Jelle	present
District #4	Andrew King	present	District #10	Bruce A. Peterson	present
District #5	Gerald M. Bauer	present	District #11	Irene Wolf	present
District #6	Frank E. Milliren	present	District #12	Steven L. Anderson	present

All the Pepin County Board of Supervisor were present at the time of the roll call.

PLEDGE OF ALLEGIANCE

The Board honored the flag by reciting the Pledge of Allegiance.

APPROVAL OF THE AGENDA

Chair Jelle informed the Board that the two Business items, Update/action on the 2017/18 Mission Statement and action items as developed by the Pepin County Strategic Planning Coordinating Committee and Law Enforcement Communication Project update were to be removed from the agenda. They will be discussed at the next month's County Board meeting in September.

The County Board Supervisors approved the proposed agenda.

PUBLIC COMMENTS ON AGENDA ITEMS

Helen Kees, resident of Pepin County from the Neighborhood Ladies, discussed her concerns about the water issues in Pepin County. She would support the Resolution that is on this meeting's agenda, titled Resolution in support of a Countywide Moratorium on Construction and Expansion of Industrial - sized Concentrated Animal Feeding operations in Pepin County.

Brian Winnekins from the WRDN radio station introduced Rosangela Taylor, the new editor of the Courier Wedge newspaper to the County Board.

CONSENT AGENDA

Approval of the July 19, 2017, County Board Minutes

Motion was made by Supervisor Anderson, seconded by Supervisor Peterson, to approve the July 19, 2017 County Board minutes. Voice vote taken, all in favor, motion carried.

REPORTS

County Board Committee Reports

The following County Board Committees gave their reports: Highway, Health, Land Conservation/UW Extension and Community Resources Committee, Human Services, Law Enforcement and Executive Committee.

Economic Development Update

Economic Development Director Maria Nelson, informed the County Board about the Economic Development updates and goals within Pepin County. Goals in the Comprehensive Plan included attract and retain businesses that strengthen and diversify the local economy, encourage revitalization of main streets and the enforcement of standards, support and promote agricultural and forestry industries within the rural portion of the county, enhance tourism as an important aspect of the area economy and minimize land use conflicts.

Veterans Service Office 2016 Annual Report

Karl Zacharias, Veterans Service Officer, presented his 2016 Annual Report for the Veterans Service Office to the County Board.

Clerk of Circuit Court 2016 Annual Report

Audrey Lieffring, Clerk of Circuit Court, presented her 2016 Annual Report for the Clerk of Circuit Court Department to the County Board.

Highway Department 2016 Annual Report

John Hanz, Highway Commissioner, presented his 2016 Annual Report for the Highway Department to the County Board.

County Clerk 2016 Annual Report

Audrey Bauer, County Clerk, presented her 2016 Annual Report for the County Clerk's Department to the County Board.

2018 Budget Timeline and Goals

Financial Director Pam DeWitt presented the 2018 Budget timeline and goals calendar. She discussed the process for each department to prepare for the upcoming 2018 budget. In September, the different departments should be presenting their proposed budget at their committee meetings. Some issues for 2018 will include the Sheriff's department losing income of approximately \$145,000.00 from the loss of the Pierce County inmates that were housed at the Pepin County jail, new Judge next August, wages for staff, loss of school nurse contract and bonding or incurring debt for Communication projects and highway projects. At the October Executive committee meeting the committee will compile the budget figures to present it to November's County Board for approval.

One goal for each Department Head is to try to achieve a target of a 4% decrease in their budgets to offset the loss of revenue for 2018.

BUSINESS ITEMS

RESOLUTION NO. 28-17

RESOLUTION TO ADOPT PEPIN COUNTY EMERGENCY RESPONSE PLAN

WHEREAS, Wisconsin Statute 323.14(1)(a) requires that each county board shall develop and adopt an emergency management plan and program that is compatible with the state plan of emergency management; and

WHEREAS, pursuant to Wis. Stat., s. 323.13(1)(b), the adjutant general of the department of military affairs, subject to approval by the governor, shall develop and adopt a state plan of emergency management; and

WHEREAS, the 2015 Wisconsin Emergency Response Plan contains content and new planning elements prompted by several key directives and initiatives, including the following:

- Presidential Policy Directive/PPD-8 (March 2011)
- Comprehensive Preparedness Guide/CPG 101, Version 2 (November 2010), Developing and Maintaining Emergency Operations Plans
- Wisconsin Threat and Hazard Identification and Risk Assessment (Updated December 2014); and

WHEREAS, the 2015 Wisconsin Emergency Response Plan provides greater consistency of format and style between the Plan sections through the elimination of redundancies across the Plan and strategies to improve readability of the Plan; and

WHEREAS, the existing Pepin County Emergency Operations Plan has been modified and restructured for consistent alignment with the 2015 Wisconsin Emergency Response Plan based on the capabilities of emergency response agencies within Pepin County.

NOW, THEREFORE, BE IT RESOLVED, that the Pepin County Board hereby adopts the Pepin County Emergency Response Plan as the official program of the Pepin County Emergency Management.

RECOMMENDED BY THE PEPIN COUNTY LAW ENFORCEMENT COMMITTEE:

	COMMITTEE MEMBERS VOTE
	<u> 3 </u> <u> 0 </u> <u> 2 </u> <u> 0 </u> In favor Oppose Absent Abstain
/s/ Steve Anderson, Chair	

FISCAL IMPACT REVIEWED – Must adopt plan for continued eligibility to receive grant funding.

	<u> X </u> <u> </u>
/s/ Pamela DeWitt Finance Director	Recommend Not Recommended

COUNTY BOARD ACTION:

<u> X </u> ADOPTED	by the Pepin County Board of Supervisors on this 16 th day of August, 2017
<u> </u> DEFEATED	
<u> </u> TABLED	
	In favor <u> 12 </u> Oppose <u> 0 </u> Absent <u> 0 </u> Abstain <u> 0 </u>

<u>/s/ Audrey Bauer</u> County Clerk	<u>/s/ Dwight Jelle</u> County Board Chair
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Emergency Government Director, Maria Nelson, presented this Resolution to the County Board. Maria has been working on this plan for three years. She took our current plan, used it as a template along with the State plan and updated it to follow the State rules. This guides the County to respond to an Emergency if needed and is required by the State. A copy of this plan will be available to be viewed at the Emergency Management office and on the website if adopted.

Motion made by Supervisor Anderson, seconded by Supervisor T. Milliren, to adopt Resolution 28-17, titled “Resolution to adopt the Pepin County Emergency Response Plan”. Voice vote, all in favor. Motion carried.

**RESOLUTION NO. 29 - 17
ESTABLISHING AN EMPLOYEE ASSISTANCE PLAN**

WHEREAS, Pepin County recommends the addition of an Employee Assistance Plan to the current benefits offered to Pepin County employees, and

WHEREAS, an Employee Assistance Plan will provide Coaching sessions, Mandated EAP sessions, Crisis response services, conflict mediation, management consultation, newsletters, 24-hour call center, training sessions, and

WHEREAS, an agreement between REALiving and Pepin County for a 3-year agreement will include these services and waived fees for the first 6 months, and

WHEREAS, this agreement would be established on September 1, 2017 without incurring budget modifications for the current year due to the waived fees, and

WHEREAS, the fees for this agreement will be initially established at \$4.42 per employee, per month, and

WHEREAS, the Executive Committee recommends establishing an Employee Assistance Plan and contracting with REALiving.

NOW, THEREFORE BE IT RESOLVED, that Pepin County will contract for an Employee Assistance Plan effective September 1, 2017.

RECOMMENDED BY THE PEPIN COUNTY EXECUTIVE COMMITTEE:

COMMITTEE MEMBERS VOTE

/s/ Dwight Jelle, Chair

___4___ ___0___ ___1___ ___0___
In favor Oppose Absent Abstain

FISCAL IMPACT REVIEWED – No additional cost will be incurred in 2017 unless the contract is terminated within the first 6 months. If contract is continued, the 2018 budget will need to include approximately \$4,600 in expenses and the annual expense in following years will be approximately \$5,518 depending on employee totals and cost adjustments possible per contract.

WHEREAS, any current Fill-In Van Driver making less than \$11.50 per hour will be compensated at the new hourly rate of pay and any Fill-In Van Driver making more than \$11.50 per hour will not be penalized for the new hourly rate of pay, and

WHEREAS, the Human Services Committee has recommended eliminating the wage schedule for Fill-In Van Drivers and instead establishing the hourly rate of pay for the Fill-In Van Driver position at \$11.50 per hour in 2017 with cost of living wage advances as authorized by the Pepin County Board in subsequent years, and

WHEREAS, the Executive Committee also recommends establishing the hourly rate of pay for the Fill-In Van Driver position at \$11.50 per hour.

NOW, THEREFORE BE IT RESOLVED, that the rate of pay for the Fill-In Van Driver position be established at the \$11.50 per hour effective September 1, 2017.

**RECOMMENDED BY THE PEPIN COUNTY HUMAN SERVICES COMMITTEE:
COMMITTEE MEMBERS VOTE**

_____ 6 0 1 0
/s/ Andrew King, Chair In Favor Oppose Absent Abstain

FISCAL IMPACT REVIEWED — No fiscal impact for 2017 is projected due to driver turnover in current year resulting in expense currently below budget. Thus, 2017 year-end expense should also remain within budget. Currently and in past years, rider fees have exceeded budgeted amounts. The trend is likely to continue and will be budgeted accordingly in 2018 which should offset additional expense in 2018 caused by adjusting pay rate.

/s/ Pamela DeWitt X
Finance Director Recommend Not Recommended

COUNTY BOARD ACTION:

X ADOPTED
_____ DEFEATED by the Pepin County Board of Supervisors on this 16th day of August 2017
_____ TABLED In favor 12 Oppose 0 Absent 0 Abstain 0

/s/ Audrey Bauer /s/ Dwight Jelle
County Clerk County Board Chair

Human Services Accounting Specialist, Marla Gilman, presented to the County Board information on how Human Services Department is currently having trouble finding someone to fill this position. Micci Weiss, Personnel Director, and Cami Catt-DeWyre, Aging Program Manager, have discussed the compensation for Van Drivers. One of the issues is the wage scale is low and raises slowly. The Human Services Committee has recommended eliminating the wage schedule for fill-in Van Drivers and instead establishing the hour rate of pay for Fill-In Van Driver position at \$11.50 per hour in 2017 with the cost of living wage advances as authorized by the Pepin County Board in subsequent years. Discussion was made that the pay should be higher because it's a position with no benefits and not a consistent number of hours. But the

concerns were a higher pay would cause hostility with the staff at the meal site. Motion made by Supervisor Ingram to raise the pay per hour to \$15.00 per hour. No second, motion failed. Motion made by Supervisor King, seconded by Supervisor Jelle, to adopt Resolution 30-17, titled "Establishing a Fill In Van Driver wage". Changing from a wage schedule to an hourly rate position of \$11.50 per hour. A voice vote taken, all in favor. Motion carried.

**RESOLUTION NO. 31-17
BUDGET MODIFICATION - ADRC DISABILITY BENEFIT SPECIALIST POSITION**

WHEREAS, Resolution 20-17 adopted by the Pepin County Board of Supervisors on July 19th 2017 created the Disability Benefit Specialist position and wage structure for the Aging and Disability Resource Center (ADRC) of Buffalo and Pepin Counties employees if employed by Pepin County, and

WHEREAS, a Pepin County employee has been hired to fill this position, and

WHEREAS, the resulting additional revenue and expense are not included in the adopted 2017 Budget.

NOW THEREFORE BE IT RESOLVED that the Pepin County Board of Supervisors authorizes the 2017 Budget to be modified as follows:

<u>Account Number</u>	<u>Account Description</u>	<u>Current Budget</u>	<u>Increase(Decrease)</u>	<u>Amended Budget</u>
	Human Services Fund			
211-00-43561-109	ADRC Contract	\$120,343	\$37,810	\$158,153
211-00-54409-000	ADRC Expense	\$120,342	\$37,810	\$158,152

**RECOMMENDED BY THE PEPIN COUNTY HUMAN SERVICES COMMITTEE:
COMMITTEE MEMBERS VOTE**

_____	___5___	___0___	___2___	___0___
/s/ Andrew King, Chair	In Favor	Oppose	Absent	Abstain

FISCAL IMPACT REVIEWED — Net impact to the county as noted above appears neutral as the additional position expense is entirely funded by the ADRC Grant revenues. However, adding the position will result in a minimal amount of department overhead expense reimbursement being received from an external source.

_____	_____X_____	_____
/s/ Pamela DeWitt Finance Director	Recommend	Not Recommended

COUNTY BOARD ACTION:

 X ADOPTED

 DEFEATED by the Pepin County Board of Supervisors on this 16th day of August 2017

 TABLED In Favor 12 Oppose 0 Absent 0 Abstain 0

/s/ Audrey Bauer
County Clerk

/s/ Dwight Jelle
County Board Chair

Accounting Specialist, Marla Gilman, presented to the County Board the need for this Budget Modification. An employee from Pepin County was hired for the Pepin and Buffalo ADRC Benefit Specialist Position, the budget modification is needed only to adjust the budget for the additional cost of this employee. The cost is paid by a ADRC grant from the State, with no extra cost to Pepin County. Motion made by Supervisor Peterson, seconded by Supervisor King, to adopt Resolution 31-17, titled “2017 Budget Modification-Aging and Disability Resource Center(ADRC) Benefit Specialist Position”. Roll call vote taken, all in favor, with no negative votes. Motion carried.

Resolution in Support of a Countywide Moratorium on the Construction and Expansion of Industrial-sized Concentrated Animal Feeding Operations in Pepin County

Health Director, Heidi Stewart, presented this Resolution in support of a Countywide Moratorium. At the Board of Health Committee meeting in August, Daniel Richardson, former Board of Health Committee citizen, brought forward a Statewide Moratorium on Concentrated Animal Feeding Operation. After discussion about this, the Health Committee decided to change it from a Statewide to a Countywide Moratorium and was passed at the Committee level. The County Board discussed the need for a plan to protect our water in Pepin County.

Supervisor Ingram made a motion to adopt Resolution 32-17, titled “Resolution to Support of a Countywide Moratorium on the Construction and Expansion of Industrial-sized Concentrated Animal Feeding Operations in Pepin County”. Seconded by Supervisor Kraft. More discussion took place. A voice vote was taken, in favor-4- Supervisors Ingram, Kraft, Bauer and F. Milliren. Negative votes-8-Supervisors Dekan, Dougherty, King, T. Milliren, Peterson, Wolf, Anderson, and Jelle. Motion failed.

The County Board members agreed to continue to discuss this further and to take it back to the Board of Health Committee and the THINKWater committee to create a Resolution to support a Moratorium that would support our County needs in water protection.

RESOLUTION NO. 32-17

APPOINTMENT OF PEPIN COUNTY INTERIM HIGHWAY COMMISSIONER

WHEREAS, John Hanz resigned as Pepin County Highway Commissioner effective August 31, 2017, and

WHEREAS, the Pepin County Highway Committee recommends Brent Bauer to be appointed as Pepin County Interim Highway Commissioner by the Pepin County Board of Supervisors per Section 1.11 of the Pepin County Code of Ordinances, and

WHEREAS, the Pepin County Highway Committee recommends paying Brent Bauer an additional \$7.50 per hour while serving in this position, and

WHEREAS, Wisconsin State Statutes Section 83.01(1)(a) requires the county board to elect a county highway commissioner in order to participate in state allotments for highways.

NOW THEREFORE BE IT RESOLVED the Pepin County Board of Supervisors hereby appoints Brent Bauer as Pepin County Interim Highway Commissioner effective September 1, 2017 and receive an additional \$7.50 per hour while serving in this position.

RECOMMENDED BY THE PEPIN COUNTY HIGHWAY COMMITTEE:

	COMMITTEE MEMBERS VOTE
	<u> 4 </u> <u> 0 </u> <u> 1 </u> <u> 0 </u>
/s/ Bruce Peterson, Chair	In favor Oppose Absent Abstain

RECOMMENDED BY THE PEPIN COUNTY EXECUTIVE COMMITTEE:

	COMMITTEE MEMBERS VOTE
	<u> 4 </u> <u> 0 </u> <u> 1 </u> <u> 0 </u>
/s/ Dwight Jelle, Chair	In favor Oppose Absent Abstain

FISCAL IMPACT REVIEWED – Additional wage and fringe expense incurred in 2017 for the Interim position will be offset by Highway Commissioner wage and fringes not paid while position remains open during the hiring process.

	<u> X </u> <u> </u>
Finance Director	Recommend Not Recommended

COUNTY BOARD ACTION:

<u> X </u> ADOPTED	
<u> </u> DEFEATED	by the Pepin County Board of Supervisors on this 16 day of August, 2017
<u> </u> TABLED	In favor <u> 12 </u> Oppose <u> 0 </u> Absent <u> 0 </u> Abstain <u> 0 </u>

/s/ Audrey Bauer
County Clerk

/s/ Dwight Jelle
County Board Chair

Personnel Director, Micci Weiss, presented a Resolution to appoint a Pepin County Interim Highway Commissioner. Our current Highway Commissioner, John Hanz, resigned effective August 31, 2017. The Highway Committee recommends the County Board appoint Brent Bauer as the Pepin County Interim Highway Commissioner to stay in compliance with the Wisconsin State Statutes, with additional \$7.50 per hour while serving in this position effective September 1, 2017.

Motion made by Supervisor Peterson, seconded by Supervisor T. Milliren, to adopt Resolution 32-17 titled "Appointment of Pepin County Interim Highway Commissioner". Appointed was Brent Bauer effective September 1, 2017 with additional \$7.50 per hour while serving as Pepin County Interim Commissioner. Voice vote was taken, all in favor with no negative votes.

Motion carried.

RESOLUTION NO. 33-17
PEPIN COUNTY HIGHWAY COMMISSIONER POSITION AND WAGE SCALE
MODIFICATION

WHEREAS, the Highway Committee analyzed the job duties of the Highway Commissioner, and
WHEREAS, the Highway Committee compared Highway Commissioner wages gathered from other Wisconsin counties noting a need for an increase in the wage scale, and

WHEREAS, the final recommended wage scale classifications have been reviewed and approved by the Executive Committee.

NOW, THEREFORE BE IT RESOLVED, that the Pepin County Board of Supervisors approve the recommendations of the Executive Committee and approve the wage scale change as follows effective September 1, 2017:

Current:

	Start	6mo	1 yr	18 mo	2yr	4yr	6yr
HIGHWAY COMMISSIONER	\$52,828. 28	\$55,610. 23	\$58,513. 94	\$61,619. 11	\$64,870. 72	\$68,288. 81	\$73,118. 94

Change to:

	Start	6mo	1 yr	18 mo	2yr	4yr	6yr
HIGHWAY COMMISSIONER	\$59,560. 66	\$62,696. 13	\$65,992. 95	\$69,466. 54	\$73,125. 10	\$76,973. 79	\$81,026. 99

RECOMMENDED BY THE PEPIN COUNTY HIGHWAY COMMITTEE:

COMMITTEE MEMBERS VOTE
 ___4___ ___0___ ___1___ ___0___
 In favor Oppose Absent Abstain

 /s/ Bruce Peterson, Chair

RECOMMENDED BY THE PEPIN COUNTY EXECUTIVE COMMITTEE:

COMMITTEE MEMBERS VOTE
 ___4___ ___0___ ___1___ ___0___
 In favor Oppose Absent Abstain

 /s/ Dwight Jelle, Chair

FISCAL IMPACT REVIEWED – The future annual impact of this change is approximately \$9,100 per year with salary and fringes. The impact to the 2017 Budget year is dependent upon the timing of the hiring process, but would be proportional to the amount of time the position was filled during the 2017 calendar year.

 /s/ Pamela DeWitt
 Finance Director

___X___ _____
 Recommend Not Recommended

COUNTY BOARD ACTION:

 X ADOPTED

 DEFEATED by the Pepin County Board of Supervisors on this 16th day of August, 2017

 TABLED In favor 12 Oppose 0 Absent 0 Abstain 0

/s/ Audrey Bauer
County Clerk

/s/ Dwight Jelle
County Board Chair

Personnel Director Micci Weiss presented and discussed the duties of the Highway Commissioner and compared the wages from other Wisconsin counties noting a need to increase the wage scale. The Executive Committee approved the presented wage scale. After discussion of the County Board, a motion was made by Supervisor Peterson, seconded by Supervisor Anderson, to adopt Resolution 33-17, titled “Pepin County Highway Commissioner Position and Wage Scale Modification”. Roll call vote was taken. All in favor with no negative vote. Motion carried.

Communications

- Reminder to all the County Board Supervisors, that when replying to an email from a staff member, that you don’t pick “Reply to All” when responding to an email that you received.
- Supervisor Dwight Jelle attended the Resolution Committee meeting with the Wisconsin County Association. He learned the process of how the WCA supports the Resolutions, how the lobbyist support and push them forward.
- September 24-26, 2017, Wisconsin County Association meeting is being held. Resolutions will be presented for discussion and possible action taken.

FUTURE AGENDA ITEMS AND MEETING DATE

Next meeting date set for September 20, 2017 at 7:00 p.m.

Meeting adjourned by Chair Jelle at 9:27 p.m.

(Resolutions and Ordinances are on file for public inspection in the County Clerk’s office.)

Submitted by Audrey Bauer, Pepin County Clerk

Approved by the County Board of Supervisors on September 20, 2017

/s/ Dwight Jelle, Chair
Pepin County Board of Supervisors

PEPIN COUNTY BOARD OF SUPERVISORS MEETING MINUTES

September 20, 2017

CALL TO ORDER

The Pepin County Board of Supervisors meeting was called to order at 7:00 p.m. on Wednesday, September 20, 2017 by Chair Dwight Jelle. The meeting was held in the County Board Room of the Pepin County Government Center. This meeting was properly noticed per Section 19.84 of the Wisconsin State Statutes, and complies with Sections 19.81 – 19.90, *Open Meeting Law*.

ESTABLISH QUORUM - ROLL CALL

District #1	Larry Dekan	present	District # 7	Bill Ingram	absent
District #2	Jean Dougherty	present	District #8	Tom Milliren	present
District #3	James J. Kraft	present	District #9	Dwight Jelle	present
District #4	Andrew King	present	District #10	Bruce A. Peterson	absent
District #5	Gerald M. Bauer	present	District #11	Irene Wolf	present
District #6	Frank E. Milliren	present	District #12	Steven L. Anderson	present

The Pepin County Board of Supervisor had 10 members present and 2 members absent for the September 20, 2017 meeting.

PLEDGE OF ALLEGIANCE

The Board honored the flag by reciting the Pledge of Allegiance.

APPROVAL OF THE AGENDA

Chair Jelle informed the Board that the Business item -Law Enforcement Communication Project update is to be removed from this agenda. A full update would be presented at the October County Board meeting.

The County Board Supervisors approved the proposed agenda.

PUBLIC COMMENTS ON AGENDA ITEMS

David Linderud, member of the Durand Sportsman Club, commented on the bike trail maintenance project. Thanking the Highway crew that worked on maintaining the bike trail, he also wanted to thank County staff that helped get the DNR trail maintenance grant. He informed that people outside of the area enjoy the bike trail along with the locals. Greg Heit had called the Chair, thanking the County for a good job on the bike trail also.

CONSENT AGENDA

Approval of the August 16, 2017, County Board Minutes

Motion was made by Supervisor Anderson, seconded by Supervisor T. Milliren, to approve the August 16, 2017 County Board minutes. Voice vote taken, all in favor, motion carried.

REPORTS

County Board Committee Reports

The following County Board Committees gave their reports: Highway, Health, Land Conservation/UW Extension and Community Resources Committee, Human Services, Law Enforcement and Executive Committee.

Sheriff's Department 2016 Annual Report

Sheriff Joel Werner presented his 2016 Annual Report for the Sheriff's Department to the County Board.

Update on 2018 Budget Process

Departments have been trying to cut their budgets by 4%. A large number of projects will be addressed in the coming months including is an initial debt resolution not to exceed certain dollar amount and Personnel Department will be talking about the health insurance costs and deadlines. The budget will be finalized by Finance Director, Pam DeWitt.

BUSINESS ITEMS

Durand Community Library 2016 Annual Report and 2018 Proposed Budget

Patty Blount, Director of the Durand Community Library, presented the 2016 Annual report and the 2018 Proposed Budget to the County Board.

Pepin Public Library 2016 Annual Report and 2018 Proposed Budget

Christy Rundquist, Director of the Pepin Public Library, presented the 2016 Annual report and the 2018 Proposed Budget to the County Board.

RESOLUTIONS

**RESOLUTION NO. 34-17
PEPIN COUNTY BOARD PER DIEM RATE**

WHEREAS, Section 59.10 (4)(f) of the Wisconsin State Statutes authorizes the county board, at its annual meeting, by a two-thirds vote of all the members, to fix the compensation of the board members to be next elected and may also provide additional compensation for the chairperson, and

WHEREAS, Resolution Number 39-2007 established compensation for the county board as board member attendance at committee meetings of a duration of up to four hours be reimbursed at the rate of \$40.00; attendance at committee meetings of a duration of more than four hours, attendance at more than one committee meeting in the same day, and attendance at County Board meetings be reimbursed at the rate of \$60.00; with these rates being effective in the 2008-2009 term (beginning April 15, 2008), and

WHEREAS, the board per diem rates have remained unchanged since April 2008, and

WHEREAS, the recommended change to the County Board Per Diem Rates are board member attendance at committee meeting of a duration of up to four hours be reimbursed at the rate of \$40.00; attendance at committee meetings of a during of more than four hours and attendance at County Board meetings be reimbursed at the rate of \$60.00; with these rates being effective in the 2018-2019 term (beginning April 15, 2018).

NOW, THEREFORE BE IT RESOLVED, that the Pepin County Board of Supervisors approve the recommendations of the Executive Committee and approve the Per Diem Rate change for the Pepin County Board of Supervisors.

RECOMMENDED BY THE PEPIN COUNTY EXECUTIVE COMMITTEE:

	COMMITTEE MEMBERS VOTE			
	5	_0_	_0_	_0_
/s/ Dwight Jelle, Chair	In favor	Oppose	Absent	Abstain

FISCAL IMPACT REVIEWED – In 2016 we had 13 second meeting payments which would have generated a maximum of an additional \$520 in expense per above. In 2017 through July, we had 5 second meeting payments which would total an additional \$200 in expense per above.

/s/ Pamela DeWitt
Finance Director

 X
Recommended

Not Recommended

COUNTY BOARD ACTION:

 X ADOPTED

 DEFEATED by the Pepin County Board of Supervisors on this 20th day of Sept, 2017

 TABLED In favor 10 Oppose 0 Absent 2 Abstain 0

/s/ Audrey Bauer

County Clerk

/s/ Dwight Jelle

County Board Chair

Micci Weiss, Personnel Director, informed that there was a recommendation to look at the per diem rate for the County Board Supervisor. Since April 2008, the per diem rate set for members attending committee meetings up to four hours is \$40.00, and attendance at committee meetings of more than four hours, attendance at more than one committee meeting in the same day, and attendance at the County Board meeting be reimbursed at the rate of \$60.00. The resolution that was presented at this meeting is to request a per diem up to four hours be set at the rate of \$40.00, and committee meetings for more than four hours and attendance at the County Board meetings set at the rate of \$60.00 effective in the 2018-2019 term, beginning April 15, 2018.

Motion was made by Supervisor Anderson, seconded by Supervisor T Milliren, to approve Resolution 34-17, titled "Pepin County Board of Per Diem Rate". Voice vote was taken, with no negative votes. Motion carried.

Micci Weiss, Personnel Director, presented information about the Wisconsin Public Employer's Group Health Insurance program for 2018. She presented different health plans with different deductibles and prices for the Board to compare. Passing this resolution would allow the Employees to have an affordable Health Insurance with a high deductible which needed to be adopted by October 1, 2017. At the next Executive Committee meeting, the Committee may examine this closer and suggest to the County Board to either rescind this resolution or to continue with these options. Motion was made by Supervisor Anderson, seconded Supervisor Dougherty, to adopt Resolution 35-17, titled "Existing Employer Option Selection Resolution Wisconsin Public Employers' Group Health Insurance Program". Voice vote was taken, with no negative votes. Motion carried.

FUTURE AGENDA ITEMS AND MEETING DATE

Next meeting date set for October 18, 2017 at 7:00 p.m.
Meeting adjourned by Chair, Jelle at 8:10 p.m.

(Resolutions and Ordinances are on file for public inspection in the County Clerk's office.)

Submitted by Audrey Bauer, Pepin County Clerk

Approved by the County Board of Supervisors on October 18, 2017

/s/ Dwight Jelle, Chair

Pepin County Board of Supervisors

PEPIN COUNTY BOARD OF SUPERVISORS MEETING MINUTES

October 18, 2017

CALL TO ORDER

The Pepin County Board of Supervisors meeting was called to order at 7:00 p.m. on Wednesday, October 18, 2017 by Chair Dwight Jelle. The meeting was held in the County Board Room of the Pepin County Government Center. This meeting was properly noticed per Section 19.84 of the Wisconsin State Statutes, and complies with Sections 19.81 – 19.90, *Open Meeting Law*.

ESTABLISH QUORUM - ROLL CALL

District #1	Larry Dekan	absent	District # 7	Bill Ingram	present
District #2	Jean Dougherty	present	District #8	Tom Milliren	present
District #3	James J. Kraft	present	District #9	Dwight Jelle	present
District #4		vacant	District #10	Bruce A. Peterson	present
District #5	Gerald M. Bauer	present	District #11	Irene Wolf	present
District #6	Frank E. Milliren	present	District #12	Steven L. Anderson	present

The Pepin County Board of Supervisor had ten members present and one member absent and one vacant position for the October 18, 2017 meeting.

PLEDGE OF ALLEGIANCE

The Board honored the flag by reciting the Pledge of Allegiance.

APPROVAL OF THE AGENDA

Chair Jelle informed the Board that under the Business item -Resolution 2017 Budget Modification-Care of Veteran's Graves is to be deleted. A Budget modification is not needed. The County Board Supervisors approved the proposed agenda.

PUBLIC COMMENTS ON AGENDA ITEMS

Brian Winnekins, from the WRDN, presented updates on the rule changes for amber broadcasting. A FM translator has been applied for and has been approved by the FCC, which means the County will have FM service during the evening hours. This will help from an emergency standpoint.

Chair Jelle stated that other Public comments will be allowed after the presentation by Sheriff Joel, and the radio consultant on the communication project and again after the architect presents his information about the building improvements.

CONSENT AGENDA

Approval of the September 20, 2017 County Board Minutes

Motion was made by Supervisor Anderson, seconded by Supervisor Peterson, to approve the September 20, 2017 County Board minutes. Voice vote taken, all in favor, motion carried.

REPORTS

County Board Committee Reports

The following County Board Committees gave their reports: Highway, Health, Land Conservation/UW Extension and Community Resources Committee, Human Services, Law Enforcement and Executive Committee.

Full Presentation of Communication project

Sheriff Joel Werner presented a detailed presentation of the Pepin County communication project. Radio consultant, Gary Therkelson, from Therkelson & Associates was hired by the County to do a study on Pepin County's emergency communication coverage. Therkelson's study showed that we have inadequate communication coverage. He informed everyone that our current system is running on 1960's technology. Only two towers currently being used, with support ending in 2018 for our current equipment. Sheriff Joel Werner informed everyone how the present system is not supporting the needs of Pepin County and what needs to be done to efficiently support and improve emergency service delivery in Pepin County. The project goal is to improve public safety service delivery with system improvements and additions that will improve coverage, capacity and reliability for staff and volunteers who rely on the County radio system through the incremental construction of an improved public safety radio network. Implemented over a timeline set by the Pepin County Board with Phase 1 to start in 2018.

Phase 1 would consist of replacing and upgrading the existing sites and adding a Lake City site. Replacing radio equipment and adding vehicle repeaters. Cost for Phase 1 would approximately cost \$3,122,322.00.

Phase 2 consists of expanding system coverage by adding a Pepin site. This would also allow to microwave between the different towers and add receivers and repeaters. Cost for Phase 2 is estimated at \$630,857.00.

Phase 3 would be expanding the system coverage by adding sites at Lima, Albany and connecting the remaining sites with microwave or fiber optic cable. Adding simulcast controllers and converting both channels to simulcast operations. The Executive Committee has approved funds not to exceed 4 million dollars for phase 1 of the project.

Public Comments on Communication project

Numerous people commented on the communication project. Some concerns include of why people weren't informed of this problem earlier and how this would affect their taxes. Emergency volunteers voiced their concerns on communication problems in the Stockholm, Pepin and Lima area. Unable to communicate when a call comes in or to respond to any calls at all. Safety is an issue that is concerning to many that attended this meeting.

Update on 2018 Budget

Financial Director Pam DeWitt informed the County Board Supervisors that the Oversight committees had tried to achieve a target of a 4% reduction in levy dollars to help balance the budget for 2018 which a lot of Departments were able to achieve. The 2018 budget was discussed at the last Executive Committee meeting in detail of what changes and additions are needed to make the budget balance. The notice of the Public Hearing of the proposed budget will be published in the Courier Wedge, showing the mill rate decrease by 1.6%. At the November 14th County Board meeting the public hearing of the proposed budget will take place and then it will be presented for County Board approval.

BUSINESS ITEMS:

Approval of Highway Commissioner Vehicle Trade in / Purchase

Kris Quandt, Highway Commissioner, presented a request to the County Board Supervisors regarding the need to trade in the current Highway Commissioner's vehicle. Previously, the Highway vehicles are traded every third year as a work vehicle, so it is time for replacement. The vehicle for trade is a 2014

Ford Crew Cab Pickup. At the Executive Committee meeting, they did recommend trading for the 2018 Chevy Silverado 1500 4WD Crew Cab LT at a cost of \$8,600.00. Funds will be come out of the equipment fund and not from the General Fund.

Motion made Supervisor Peterson, seconded by Supervisor T. Milliren, to approve the trade in of the 2014 Ford Crew Cab Pickup for a 2018 Chevy Silverado 1500 4WD Crew Cab LT at a cost of trade of \$8,600.00 that will come out the of equipment fund at the Highway Department and not from the General Fund. Roll call vote was taken, ten in favor with one absent and one vacant. Motion carried.

Resolutions:

RESOLUTION NO. 36-17

RESOLUTION TO EXTEND LIMITED TERM EMPLOYEE (LTE) SOCIAL WORKER WITHIN THE DEPARTMENT OF HUMAN SERVICES

WHEREAS, Pepin County Department of Human Services in one of the four county partners (Chippewa, Monroe, Pepin and Taylor Counties) which are designing a child protection and Access Screening Partnership called the (CAN) Child Abuse and Neglect Reporting Partnership, and

WHEREAS, Pepin County Board Authorized Resolution #35-16 and #18-17 titled, “Resolution to create (and extend) a limited term employee (LTE) Social Work Position within the Department of Human Services and Budget Modification”, on October 19, 2016 and June 21, 2017, and

WHEREAS, Resolution #18-17authorized the position through September 30, 2017 with the intent that the CAN Reporting Partnership would be implemented by September 30, 2017, and

WHEREAS, the CAN Reporting Partnership requires legislative approval to authorize counties to share ACCESS and Screening services which is in progress with 2017 Senate Bill 226 and WI 2018 Budget Bill and,

WHEREAS, the Department of Human Services has funding available within its 2017 and 2018 budget.

NOW, THEREFORE BE IT RESOLVED, that Pepin County Board of Supervisors hereby grants authorization to continue the limited term employee social work position in the Department of Human Services through May 31, 2018.

RECOMMENDED BY THE PEPIN COUNTY HUMAN SERVICES COMMITTEE:

COMMITTEE MEMBERS VOTE

	<u> 7 </u>	<u> 0 </u>	<u> 1 </u>	<u> 0 </u>
/s/ Andrew King, Chair	In Favor	Oppose	Absent	Abstain

FISCAL IMPACT REVIEWED — No additional budget impact

	<u> X </u>	
/s/ Pamela DeWitt Finance Director	Recommend	Not Recommended

COUNTY BOARD ACTION:

 X ADOPTED
 DEFEATED by the Pepin County Board of Supervisors on this 18th day of October, 2017
 TABLED In favor 10 Oppose 0 Absent 1 Abstain 0

/s/ Audrey Bauer
County Clerk

/s/ Dwight Jelle
County Board Chair

Treasurer Nancy Richardson, informed the board that this Resolution is to write off the old checks from 2013 & 2014 that are still outstanding. Letters and even calls were made to contact these people. Since the Executive Committee meeting, we had removed check #82268 and in the process of automatically depositing the funds to the payee. Motion made by Supervisor Ingram, seconded by Supervisor Peterson, to approve Resolution 37-17 titled, "Outstanding checks to be Cancelled". Voice vote was taken with no negative votes. Motion carried.

RESOLUTION NO. 38-17
APPOINTMENT OF PEPIN COUNTY HIGHWAY COMMISSIONER

WHEREAS, John Hanz resigned as Pepin County Highway Commissioner effective August 31, 2017, and

WHEREAS, the Pepin County Highway Committee and Executive Committee have jointly conducted interviews and selected a candidate they recommend to be appointed as Pepin County Highway commissioner, and

WHEREAS, the Pepin County Highway Committee also recommends Brent Bauer return to his foreman position and that the additional pay per hour for those duties ends as of the election of new highway commissioner, and

WHEREAS, Wisconsin State Statutes Section 83.01(1)(a) requires the county board to elect a county highway commissioner in order to participate in state allotments for highways.

NOW THEREFORE BE IT RESOLVED the Pepin County Board of Supervisors hereby elects Kris G. Quandt as Pepin County Highway Commissioner effective October 18, 2017.

RECOMMENDED BY THE PEPIN COUNTY HIGHWAY COMMITTEE:

_____ COMMITTEE MEMBERS VOTE
 4 0 1 0
/s/ Bruce Peterson, Chair In favor Oppose Absent Abstain

RECOMMENDED BY THE PEPIN COUNTY EXECUTIVE COMMITTEE:

_____ COMMITTEE MEMBERS VOTE
 5 0 0 0
/s/ Dwight Jelle, Chair In favor Oppose Absent Abstain

FISCAL IMPACT REVIEWED – Required to elect commissioner to participate in state allotments. Fiscal impacts of this position have been reviewed in other resolutions adopted related to this position.

/s/ Pamela Dewitt
Finance Director

 X _____
Recommend Not Recommended

COUNTY BOARD ACTION:

 X ADOPTED
_____ DEFEATED
_____ TABLED

by the Pepin County Board of Supervisors on this 18 day of October 2017
In favor 10 Oppose 0 Absent 1 Abstain 0

/s/ Audrey Bauer
County Clerk

/s/ Dwight Jelle
County Board Chair

Motion was made by Supervisor Dougherty, seconded by Supervisor Kraft, to elect Kris G. Quandt as Pepin County Highway Commissioner effective October 18, 2017. Resolution 38-17, titled "Appointment of Pepin County Highway Commissioner". Voice vote was taken with no negative votes. Motion carried.

RESOLUTION NO. 39-17
2017 BUDGET MODIFICATION – FUND BALANCE TRANSFER

WHEREAS, Resolution No. 1-2001 established a Pepin County fund balance policy which calls for transfer of excess funds in the special revenue funds to the general fund, and

WHEREAS, the fund balance policy and the Pepin County Finance Director’s 2016 calculation of excess funds is attached, and

WHEREAS, the transfer of excess funds was not provided for in the original 2017 Budget.

NOW THEREFORE BE IT RESOLVED that the Pepin County Board of Supervisors authorizes the 2017 Budget to be modified as follows:

<u>Account Number</u>	<u>Account Description</u>	<u>Current Budget</u>	<u>Increase(Decrease)</u>	<u>Amended Budget</u>
<i>General Fund:</i>				
100-00-49200-000	Transfers from Other Funds	\$ 3,842	\$ 184,872	\$ 188,714
100-00-49300-000	Surplus Applied	230,000	(184,872)	45,128
<i>Human Services Dept. Fund:</i>				
211-00-49300-000	Surplus Applied	0	127,238	127,238
211-00-59200-390	Transfers to Other Funds	0	127,238	127,238
<i>Health Dept. Fund:</i>				
230-00-49300-000	Surplus Applied	0	57,634	57,634
	Transfers to Other Funds	0	57,634	57,634

RECOMMENDED BY THE PEPIN COUNTY EXECUTIVE COMMITTEE:

COMMITTEE MEMBERS VOTE
 5 0 0 0
In favor Oppose Absent Abstain

/s/ Dwight Jelle, Chair

FISCAL IMPACT REVIEWED – Resolution initiated by Finance Director per Fund Balance policy.

/s/ Pamela DeWitt
Finance Director

 X _____
Recommend Not Recommended

COUNTY BOARD ACTION:

 X ADOPTED

 DEFEATED by the Pepin County Board of Supervisors on this 18th day of October 2017.

 TABLED In favor 10 Oppose 0 Absent 1 Abstain 0

/s/ Audrey Bauer
County Clerk

/s/ Dwight Jelle
County Board Chair

Financial Director, Pam DeWitt, informed the board that Pepin County has a fund balance policy which calls for the transfer of excess funds in a special revenue funds to the general fund. This budget modification is needed to transfer these funds to the general fund. By authorizing this resolution, we will modify the 2017 Budget from the Human Services Department Fund and the Health Department Fund totaling \$184,872.00 to be transferred to the General Fund. Motion made by Supervisor Anderson, seconded by Supervisor F. Milliren, to approve the Resolution 39-17 titled, "2017 Budget Modification-Fund Balance Transfer". Roll call vote was taken, ten in favor with one absent and one vacant. Motion carried.

RESOLUTION NO. 40-17

AUTHORIZING ENGAGEMENT LETTER FOR OPIOID MANUFACTURER LAWSUIT

TO THE HONORABLE BOARD OF SUPERVISORS OF PEPIN COUNTY, WISCONSIN, MEMBERS,

WHEREAS, Pepin County ("County") is concerned with the recent rapid rise in troubles among County residents, and visitors in relation to problems arising out of the use, abuse and overuse of opioid medications, which according to certain studies, impacts millions of people across the country; and

WHEREAS, issues and concerns surrounding opioid use, abuse and overuse by citizens, residents and visitors are not unique to County and are, in fact, issues and concerns shared by all other counties in Wisconsin and, for that matter, states and counties across the country, as has been well documented through various reports and publications, and is commonly referred to as the Opioid Epidemic ("Opioid Epidemic"); and

WHEREAS, the societal costs in the United States associated with the Opioid Epidemic are staggering and, according to the Centers for Disease Control and Prevention, amount to over \$75 billion annually; and

WHEREAS, the National Institute for Health has identified the manufacturers of certain of the opioid medications as being directly responsible for the rapid rise of the Opioid Epidemic by virtue of their aggressive and, according to some, unlawful and unethical marketing practices; and

WHEREAS, certain of the opioid manufacturers have faced civil and criminal liability for their actions that relate directly to the rise of the Opioid Epidemic; and

WHEREAS, County has spent significant funds in unexpected and unbudgeted time and resources in its programs and services related to the Opioid Epidemic; and

WHEREAS, County is responsible for a multitude of programs and services, all of which require County to expend resources generated through state and federal aid, property tax levy, fees and other permissible revenue sources; and

WHEREAS, County’s provision of programs and services becomes more and more difficult every year because the costs associated with providing the Opioid Epidemic programs and services continue to rise, yet County’s ability to generate revenue is limited by strict levy limit caps and stagnant or declining state and federal aid to County; and

WHEREAS, all sums that County expends in addressing, combatting and otherwise dealing with the Opioid Epidemic are sums that cannot be used for other critical programs and services that County provides to County citizens, residents and visitors; and

WHEREAS, County has been informed that numerous counties and states across the country have filed or intend to file lawsuits against certain of the opioid manufacturers in an effort to force the persons and entities responsible for the Opioid Epidemic to assume financial responsibility for the costs associated with addressing, combatting and otherwise dealing with the Opioid Epidemic; and

WHEREAS, County has engaged in discussions with representatives of the law firms of von Briesen & Roper, s.c., Crueger Dickinson LLC and Simmons Hanly Conroy LLC (the “Law Firms”) related to the potential for County to pursue certain legal claims against certain opioid manufacturers; and

WHEREAS, County has been informed that the Law Firms have the requisite skill, experience and wherewithal to prosecute legal claims against certain of the opioid manufacturers on behalf of public entities seeking to hold them responsible for the Opioid Epidemic; and

WHEREAS, the Law Firms have proposed that County engage the Law Firms to prosecute the aforementioned claims on a contingent fee basis whereby the Law Firms would not be compensated unless County receives a financial benefit as a result of the proposed claims and the Law Firms would advance all claim-related costs and expenses associated with the claims; and

WHEREAS, all of the costs and expenses associated with the claims against certain of the opioid manufacturers would be borne by the Law Firms; and

WHEREAS, the Law Firms have prepared an engagement letter, which is submitted as part of this Resolution (“Engagement Letter”) specifying the terms and conditions under which the Law Firms would provide legal services to County and otherwise consistent with the terms of this Resolution; and

WHEREAS, County is informed that the Wisconsin Counties Association has engaged in extensive discussions with the Law Firms and has expressed a desire to assist the Law Firms, County and other counties in the prosecution of claims against certain of the opioid manufacturers; and

WHEREAS, County would participate in the prosecution of the claim(s) contemplated in this Resolution and the Engagement Letter by providing information and materials to the Law Firms and, as appropriate, the Wisconsin Counties Association as needed; and

WHEREAS, County believes it to be in the best interest of County, its citizens, residents, visitors and taxpayers to join with other counties in and outside Wisconsin in pursuit of claims against certain of the opioid manufacturers, all upon the terms and conditions set forth in the Engagement Letter; and

WHEREAS, by pursuing the claims against certain of the opioid manufacturers, County is attempting to hold those persons and entities that had a significant role in the creation of the Opioid Epidemic responsible for the financial costs assumed by County and other public agencies across the country in dealing with the Opioid Epidemic.

NOW, THEREFORE, BE IT RESOLVED:

County authorizes, and agrees to be bound by, the Engagement Letter and hereby directs the appropriate officer of the County to execute the Engagement Letter on behalf of the County; and

BE IT FURTHER RESOLVED:

County shall endeavor to faithfully perform all actions required of County in relation to the claims contemplated herein and in the Engagement Letter and hereby directs all County personnel to cooperate with and assist the Law Firms in relation thereto.

The County Clerk shall forward a copy of this Resolution, together with the signed Engagement Letter, to the Wisconsin Counties Association, 22 E. Mifflin Street, Suite 900, Madison, Wisconsin, 53703.

Respectfully submitted this 11th day of December, 2017

RECOMMENDED BY THE PEPIN COUNTY EXECUTIVE COMMITTEE:

COMMITTEE MEMBERS VOTE

	<u> 5 </u>	<u> 0 </u>	<u> 0 </u>	<u> 0 </u>
/s/ Dwight Jelle, Chair	In favor	Oppose	Absent	Abstain

FISCAL IMPACT REVIEWED – The County will not incur any legal costs as this will be handled on a contingency basis. Staff time may be required for data gathering as needed.

	<u> X </u>	<u> </u>
/s/ Pamela DeWitt Finance Director	Recommend	Not Recommended

COUNTY BOARD ACTION:

<u> X </u>	ADOPTED	by the Pepin County Board of Supervisors on this 18 day of October, 2017 In favor <u> 8 </u> Oppose <u> 2 </u> Absent <u> 1 </u> Abstain <u> 0 </u> <i>(District 4 – Vacant)</i>
<u> </u>	DEFEATED	
<u> </u>	TABLED	

/s/ Audrey Bauer County Clerk	/s/ Dwight Jelle County Board Chair

Chair, Dwight Jelle, reported on the recent WCA conference that he attended. Three law firms, von Briesen & Roper, s.c., Crueger Dickinson LLC and Simmons Hanly Conroy LLC, related to the potential for the County to pursue certain legal claims against certain opioid manufacturers. This resolution allows us to enter a contract with those law firms to hold those persons and entities that had a significant role in the creation of the Opioid Epidemic responsible for the financial costs assumed by the County and other public agencies across the country in dealing with the Opioid Epidemic. Discussion among the board about the wording of the engagement letter was concerning to some of the board.

Motion made by Supervisor Anderson, seconded by Supervisor Dougherty, to approve Resolution 40-17 titled, “Authorizing Engagement Letter for Opioid Manufacturer Lawsuit,” pending the approval of our Corp Council.

Voice vote was taken, eight in favor, two opposed by Supervisor Kraft and Supervisor Ingram, with one absent and one vacant. Motion carried.

Initial Resolution Authorizing Not to Exceed \$6,500,000.00 General Obligation Bonds or Promissory Notes for County Projects

A capital expenditure is needed with the financing of the building improvement project and the communications facilities and equipment project was discussed among the County Board. Some members thought that the public should be more involved in these projects. One proposal made by Supervisor Kraft is to table this and put out for the public to be more involved and to further investigate. He also questioned adding additional half percent on top of our current Pepin County sales tax to generate funds as an option. The proposal made by Supervisor Kraft, was seconded by Supervisor Bauer. Other comments included in this discussion regarding the communication project mentioned that several public meetings have taken place in the past on these topics and how an update is needed seriously for the safety of our community and emergency service. Financial Director Pam DeWitt informed the Board that the amount according to the State statutes that Pepin County could borrow is 29.3 million. We currently have less than \$500,000.00 in debt. After discussion, the consented agreement of the board, was to table and continue to work towards a solution.
No action taken.

RESOLUTION NO. 41-17

TO RESCIND RESOLUTION NO 35-17 WISCONSIN DEPARTMENT OF EMPLOYEE TRUST FUNDS EXISTING EMPLOYER OPTION SELECTION RESOLUTION

WHEREAS, Pepin County Resolution No. 35-17 established the option to change to the selected High Deductible Health Plan option for employees enrolled in the Wisconsin Public Employers Group Health Insurance for 2018, and

WHEREAS, the Pepin County Executive Committee now recommends the previous selection of a Deductible HMO-standard PPO Health plan option remain in place for 2018, and

NOW THEREFORE BE IT RESOLVED, the Pepin County Board of Supervisors hereby rescinds Resolution No. 35-17.

RECOMMENDED BY THE PEPIN COUNTY EXECUTIVE COMMITTEE:

COMMITTEE MEMBERS VOTE

/s/ Dwight Jelle, Chair
FISCAL IMPACT REVIEWED – n/a

 5 0 0 0
In favor Oppose Absent Abstain

/s/ Pamela DeWitt
Finance Director

 X _____
Recommend Not Recommended

COUNTY BOARD ACTION:

 X ADOPTED
____ DEFEATED
____ TABLED

by the Pepin County Board of Supervisors on this 18 day of October, 2017
In favor 10 Oppose 0 Absent 1 Abstain 0

/s/ Audrey Bauer
County Clerk

/s/ Dwight Jelle
County Board Chair

Personnel Director, Micci Weiss, informed the need to rescind Resolution 35-17 that established the option to change to a selected High Deductible Health Plan option for employees enrolled in the Wisconsin Public Employers Group Health Insurance for 2018. The Executive Committee now recommends the previous selection of a Deductible HMO-standard PPO Health Plan option to remain in place for 2018 so this previous Resolution #35-17 will need to be rescinded. Motion was made by Supervisor T. Milliren, seconded by Supervisor Ingram, to approve Resolution 41-17 titled, "To Rescind Resolution No. 35-17 Wisconsin Department of Employee Trust Funds Existing Employer Option Selection Resolution". Voice vote taken, all in favor. Motion carried.

Ordinances:

Amendment to Pepin County Ordinance 179-Chapter 13- Manure Storage and Management

After the public hearing discussion that was held earlier, Chair Jelle agreed with the public that we need to table this amendment and clean up some of the wording and bring it back at a future meeting. No action taken.

APPOINTMENTS:

Resignation of Andrew King from the Pepin County Board of Supervisors, District 4, effective September 30, 2017

Andy King presented a resignation letter to the Pepin County Board of Supervisor ending September 30, 2017. Tessa King is interested in taking over the remainder of Andy's term.

Appointment of County Board of Supervisor for District 4 to fill out the remainder of term and appointments to standing committees

Suggestion from Chair Jelle to appoint Tessa King, as a Supervisor. Motion was made by Supervisor Peterson, seconded by Supervisor Wolf to appoint Tessa King as a Supervisor, with her term ending April 2018. Voice vote taken, all in favor. Motion carried.

Appointment of Citizen member to the Board of Health Committee, term ending, April 2019

Chair Jelle recommends to the County Board, the appointment of Lacey Richardson as a Citizen member of the Board of Health Committee, with her term ending April of 2019.

Motion made by Supervisor Jelle, seconded by Supervisor Anderson to appoint Lacey Richardson as a citizen member to the Board of Health Committee. Voice vote taken, all in favor. Motion carried.

FUTURE AGENDA ITEMS AND MEETING DATE

- **Revisit the Communication and bonding issue**
- **Manure Handling Ordinance**

Meeting in November will be November 14th at 9:30 a.m. at the Durand City Hall with a full agenda.

Meeting adjourned by Chair Jelle at 9:45 p.m.

(Resolutions and Ordinances are on file for public inspection in the County Clerk's office.)

Submitted by Audrey Bauer, Pepin County Clerk

Approved by the County Board of Supervisors on November 14, 2017

/s/ Dwight Jelle, Chair

Pepin County Board of Supervisors

PEPIN COUNTY BOARD OF SUPERVISORS MEETING MINUTES

November 14, 2017

CALL TO ORDER

The Pepin County Board of Supervisors meeting was called to order at 9:30 a.m. on Tuesday, November 14, 2017 by Chair Dwight Jelle. The meeting was held at the Council Chambers, Durand City Hall located at 104 East Main Street, Durand, WI. This meeting was properly noticed per Section 19.84 of the Wisconsin State Statutes, and complies with Sections 19.81 – 19.90, *Open Meeting Law*.

ESTABLISH QUORUM - ROLL CALL

District #1	Larry Dekan	present	District # 7	Bill Ingram	present
District #2	Jean Dougherty	present	District #8	Tom Milliren	present
District #3	James J. Kraft	present	District #9	Dwight Jelle	present
District #4	Tessa King	present	District #10	Bruce A. Peterson	present
District #5	Gerald M. Bauer	present	District #11	Irene Wolf	present
District #6	Frank E. Milliren	present	District #12	Steven L. Anderson	present

The Pepin County Supervisors were all present for the November 14, 2017 County Board meeting.

A minute of silence was observed for the recent loss of a co-worker, Pat Poeschel.

PLEDGE OF ALLEGIANCE

The Board honored the flag by reciting the Pledge of Allegiance.

APPROVAL OF THE AGENDA

Chair Jelle informed the removal of the Resolution on the agenda titled, Request to carryover additional vacation hours for the Health Officer/Director of the Pepin County Budget. The Executive Committee needs to recommend this before it can be presented to the County Board for approval.

James Kraft stated that at the last meeting, a motion and seconded was on the floor, but wasn't acted upon, making a point of order. There was discussion among the County Board members to determine if a motion and seconded was made at the last meeting. A decision was made to re-listen to the tape and get corp council's advice.

PUBLIC COMMENTS ON AGENDA ITEMS

Helen Kees, from Town of Durand, commented on a Board of Health meeting, where there was a motion made and passed unanimously but before it would be considered and approved by the County Board, the Dairy Business Association (DBA) attorney would review and approve it. The DBA is made up of a private funded lobbyist group that is made up large livestock organization. She asked the County Board to direction the Board of Health to review the moratorium by the County's attorney. Chair Jelle, informed the Board to remember the conflict of interest rules, and to abstain on voting when needed.

CONSENT AGENDA

Approval of the October 18, 2017 County Board Minutes

Motion was made by Supervisor Anderson, seconded by Supervisor T. Milliren, to approve the Consent Agenda that would include the minutes as published, as no one can find a recorded or written record that any kind of motion was made. Voice vote taken, with one negative vote by James Kraft and one abstained vote by Jean Dougherty. Motion carried.

Public Hearing on the Pepin County 2018 Proposed Budget

Motion by Supervisor Peterson, seconded by T. Milliren, to go into the Public Hearing of the Pepin County Proposed 2018 Budget. Motion carried by voice vote with no negative votes. Chair Jelle opened the public hearing at 9:48 a.m. by asking for public input. Hearing none, Financial Director Pam DeWitt presented the proposed 2018 Budget summary as published in the official newspaper, the Courier Wedge to the County Board Supervisors. She explained in detail the budget and asked the County Board Supervisors for any questions that they may have.

Pepin County equalized values increased by 1.59% to \$596,779.500.00. The proposed levy is \$4,087,211.00, an increase of 0.12% from 2017. The mill rate for this levy is \$6.85, a decrease of 1.44% from 2017.

Adjournment of the Public Hearing on the 2018 Proposed Budget

Following the presentation and discussion of the 2018 proposed budget, Supervisor Anderson made a motion to adjourn the Public Hearing on the proposed 2018 Budget, seconded by Supervisor T, Milliren. Motion carried by voice vote with no negative votes. The public hearing was adjourned at 10:45 a.m.

REPORTS

County Board Committee Reports

The following County Board Committees gave their reports: Highway, Health, Land Conservation/UW Extension and Community Resources Committee, Human Services, Law Enforcement and Executive Committee.

Resolutions:

RESOLUTION NO. 42-17

APPROVING NON-UNION (NON-ELECTED) WAGES/SALARIES FOR 2018

WHEREAS, the Pepin County Executive Committee has reviewed non-union employees' wages and department head salaries (excluding elected officials) and recommends that all non-union employees and department heads (excluding elected officials) receive a 1.9% wage/salary increase effective January 1, 2018.

NOW THEREFORE BE IT RESOLVED that the Pepin County Board of Supervisors does hereby approve a 1.9% wage/salary increase for all non-union (non-elected) positions effective January 1, 2018.

RECOMMENDED BY THE PEPIN COUNTY EXECUTIVE COMMITTEE:

COMMITTEE MEMBERS VOTE

/s/ Dwight Jelle, Chair

___5___ ___0___ ___0___ ___0___
In favor Oppose Absent Abstain

FISCAL IMPACT REVIEWED – Total additional wage and fringes expense which is included in the 2018 budget is approximately \$69,000.

/s/ Pamela DeWitt
Finance Director

 X _____
Recommend Not Recommended

COUNTY BOARD ACTION:

 X ADOPTED
_____ DEFEATED by the Pepin County Board of Supervisors on this 14th day of November, 2017
_____ TABLED In favor 11 Oppose 1 Absent 0 Abstain 0

/s/ Audrey Bauer
County Clerk

/s/ Dwight Jelle
County Board Chair

Chair Jelle gave an overview of this Resolution. The Pepin County Executive Committee recommends the approval of this salary increase to all non-union employees and department heads excluding elected officials receive a 1.9% wage/salary increase effective January 1, 2018. Motion made by Supervisor Peterson, seconded by Supervisor Anderson, to approve Resolution 42-17 titled, “Approving Non-Union (Non-Elected) Wages/Salaries for 2018”. Roll call vote was taken with 11 voting yes, with one negative vote by James Kraft. Motion carried.

RESOLUTION NO. 43-17
AUTHORIZING \$190,000.00 SECURITY FINANCIAL BANK LOAN

WHEREAS, Pepin County, Wisconsin (“County”) is presently in need of funds up to a maximum aggregate amount of one hundred and ninety thousand dollars (\$190,000.00) for the purposes of financing the capital equipment in the 2018 Budget year and for no other purpose, and

WHEREAS, the County Board of Supervisors deems it necessary and in the best interest of the County that, pursuant to the provisions of Section 67.12(12), Wisconsin Statutes, the sum of up to one hundred and ninety thousand dollars (\$190,000.00) be borrowed for such purposes from time to time upon the terms and conditions hereinafter set forth.

NOW, THEREFORE BE IT RESOLVED, that for the purposes hereinabove set forth the County, by its Chairperson of the County Board and County Clerk, pursuant to Section 67.12(12), Wisconsin Statutes, borrow from Security Financial Bank, Durand, Wisconsin (“Lender”), from time to time, in one or more advances, a maximum aggregate amount of \$190,000.00 or if less, the aggregate principal amount of all advances as may be required to meet the above-stated purposes.

BE IT FURTHER RESOLVED that each such advance be requested in writing by the County Clerk or County Finance Director which request may be conclusively relied upon by the lender.

BE IT FURTHER RESOLVED that there shall be raised and there is levied upon all taxable property within the County, a direct annual tax for the purpose of paying interest and principal on the loan as they become due.

BE IT FURTHER RESOLVED that to evidence such indebtedness, said Chairperson of the County Board and County Clerk shall make, execute and deliver to the Lender for and on behalf of the County the promissory note of the County to be dated December 15, 2017 in said principal amount with interest at the rate of three percent (3.0%) per annum and payable as follows:

In 2018 two equal quarterly payments of principal and interest plus additional interest due based on the timing of the draws, and

In 2019, 2020, 2021 and 2022 equal quarterly payments of principal and interest, and

In 2023, the remaining two quarterly payments of principal and interest.

RECOMMENDED BY THE PEPIN COUNTY EXECUTIVE COMMITTEE:

COMMITTEE MEMBERS VOTE

/s/ Dwight Jelle, Chair

 5 0 0 0
In favor Oppose Absent Abstain

FISCAL IMPACT REVIEWED: Included in the 2018 Budget which was compiled by the Finance Director.

/s/ Pamela DeWitt
Finance Director

 X _____
Recommend Not Recommended

COUNTY BOARD ACTION:

 X ADOPTED

_____ DEFEATED by the Pepin County Board of Supervisors on this 14th day of November 2017

_____ TABLED In favor 11 Oppose 1 Absent 0 Abstain 0

/s/ Audrey Bauer
County Clerk

/s/ Dwight Jelle
County Board Chair

Chair Dwight Jelle, informed the County Board members that this Resolution is to fund capital credit during 2018.

Motion made by Supervisor T. Milliren, seconded by Supervisor F. Milliren, to approve Resolution 43-17 titled, "Authorizing \$190,000.00 Security Financial Bank Loan". Roll call vote was taken with 11 voting yes, with one negative vote by Bill Ingram. Motion carried.

Approval of County Aid Bridge Petitions

No action taken, no petitions for 2018 budget.

**RESOLUTION NO. 44-17
AMENDMENT NO. 25 TO
PEPIN COUNTY EMPLOYEE HANDBOOK**

WHEREAS, the Pepin County Executive Committee recommends the following changes to the Employee Handbook:

4.4 HEALTH INSURANCE AND COBRA

1. HEALTH INSURANCE

The County Board may change the Health Insurance carrier, plan, and/or the elements of insurance plan design, including deductibles, co-pays and co-insurance, at its discretion.

- (a) Effective, for the premiums **in the new plan year beginning with** ~~for~~ January 2017 Health Insurance coverage, deductions to be made in December 2016 **of the prior year**; ~~the~~ County will pay the dollar amounts shown on the following table for its employees' group health insurance premiums. The County will pay 100% of the premium of the lowest cost qualified HMO Plan available in Pepin County, in the case of 2 spouses who both are current employees of the County. The County will pay 100% of a plan that is less than the rates listed below.

<u>Employee Group</u>	<u>Single Policy</u>	<u>Family Policy</u>
Working less than 600 hours annually (1,200 hours annually for employees hired after 7/1/11)	Not Eligible	Not Eligible
Working > 600 hours to < 4/5's annually (1,200 hours annually for employees hired after 7/1/11)	prorated % of full-time	prorated % of full-time
Working four-fifths to < full-time annually	90% of full-time	90% of full-time
Working full-time annually	\$633.00	\$1,560.00

- (b) The County will pay 100% of the premium for loss of time policy for employees with single or no medical-surgical plan. The County will pay 80% of the premium for a loss of time policy for employees with a family medical-surgical plan.
- (c) An employee who is on a leave of absence may continue health and loss of time insurance policies by paying the premiums themselves. Arrangements for insurance continuation shall be made with the Finance/Personnel Office.
- (d) An employee who is on family or medical leave as defined by § 103.10, Wis. Stats., or the federal FMLA, shall only be required to pay the employee share of the health insurance premium, if any, while on such leave. However, if the employee fails to return from leave or terminates employment within 30 days of return from such leave, they will be required to reimburse the County for the employer's share contributed while on such leave.
- (e) It's Your Choice for health insurance will be held annually in the fall. Covered employees will be eligible to switch from their current plan to any of the plans being offered.
- (f) Effective January 1, 2005 employees who are eligible for any health insurance coverage at County expense may receive a cash payment in lieu of coverage if they:
- i. Provide proof of other health insurance coverage for themselves and their dependents; and
 - ii. Waive coverage under the Pepin County Group Health Insurance Plan.
 - iii. The employee, who effectively waives coverage, shall be entitled to payment from the County pursuant to the following schedule:
 - iv. Employees working at least 1560 hours annually \$1,898.00. Part-time employees, signing up for payment after May 23, 2001, working less than 1560 hours annually are not eligible for any payment, except for employees working over 1,000 hours per year that have health insurance coverage under the Pepin County Group Health

Insurance Plan and elect to go off of the Plan. The waiver for those employees shall be prorated based on their hours of work.

- v. No one may initially receive the payments detailed below unless the County Finance Director has determined that by such waiving of health coverage does not jeopardize the County’s ability to continue to be eligible.
- vi. An employee, to effectively waive coverage, must execute a Waiver form.

An employee who waives coverage for a portion of a year, such as a new employee hired after January 1 of any year or a retiring employee or terminating employee whose employment ends before the end of a calendar year, shall be entitled to a pro rata amount of the scheduled amounts set forth in Paragraph 2 above based on the number of full months employed during the year. For example, an employee is hired on September 1, - that employee would be eligible for 1/3 of the scheduled payments pursuant to Paragraph 2 above.

4.11 Voluntary Benefits

All eligible employees of the County, as defined in section 4.1 of this handbook, may voluntarily participate in the voluntary benefit programs offered as approved by the Executive Committee, subject to the rules, regulations and requirements of the plan. The Executive Committee may approve a minimal cost sharing of these benefits as approved in the budget process.

RECOMMENDED BY THE PEPIN COUNTY EXECUTIVE COMMITTEE:

COMMITTEE MEMBERS VOTE

/s/ Dwight Jelle, Chair

___5___ ___0___ ___0___ ___0___
In favor Oppose Absent Abstain

FISCAL IMPACT REVIEWED – Resolution reflects what was included in the 2018 budget at a total cost to the county for per each type of plan equal to prior year expense.

/s/ Pamela DeWitt
Finance Director

___X___ _____
Recommend Not Recommended

COUNTY BOARD ACTION:

___X___ ADOPTED
_____ DEFEATED by the Pepin County Board of Supervisors on this 14th day of November, 2017
_____ TABLED In favor ___12___ Oppose ___0___ Absent ___0___ Abstain ___0___

/s/ Audrey Bauer
County Clerk

/s/ Dwight Jelle
County Board Chair

Personnel Director Michelle Weiss presented the information on the proposed amendment to the Employee Handbook. The changes consist of cleaning up the wording to exclude dollar amounts, adding voluntary benefits that do not cost the County and give the employee options to purchase dental, vision, short-term disability and voluntary life insurances. The Executive Committee recommended the approval of this Amendment.

Motion made by Supervisor Peterson, seconded Supervisor Dougherty, to approve Resolution 44-17 titled, "Amendment No.25 to Pepin County Employee Handbook- Section 4.4 Health Insurance and Cobra & adding section 4.11 Volunteer Benefits". Roll call vote was taken, all in favor. Motion carried.

**RESOLUTION NO. 45-17
ESTABLISHING THE 2017 PEPIN COUNTY TAX LEVY
AND ADOPTING THE 2018 PEPIN COUNTY BUDGET**

WHEREAS, the Pepin County Finance Director has reviewed, with the County Board, the 2018 Pepin County Budget at a public hearing today.

NOW, THEREFORE, BE IT RESOLVED that the Pepin County Board of Supervisors, assembled in annual session, does hereby levy and assess upon all the taxable property in Pepin County, the sum of \$4,087,211 as county taxes for the year 2017, with the \$4,087,211 to be apportioned by the County Clerk as provided by law and in accordance with the 2017 County Apportionment Report published by the Wisconsin Department of Revenue.

BE IT FURTHER RESOLVED that the Pepin County Board of Supervisors does hereby adopt the 2018 Pepin County Budget as presented at the public hearing.

RECOMMENDED BY THE PEPIN COUNTY EXECUTIVE COMMITTEE:

COMMITTEE MEMBERS VOTE

/s/ Dwight Jelle, Chair

___5___ ___0___ ___0___ ___0___
In favor Oppose Absent Abstain

FISCAL IMPACT REVIEWED: 2018 Budget was compiled by the Finance Director.

/s/ Pamela DeWitt
Finance Director

___X___ _____
Recommend Not Recommended

COUNTY BOARD ACTION:

___X___ ADOPTED
_____ DEFEATED by the Pepin County Board of Supervisors on this 14th day of November 2017
_____ TABLED In favor ___10___ Oppose ___2___ Absent ___0___ Abstain ___0___

/s/ Audrey Bauer
County Clerk

/s/ Dwight Jelle
County Board Chair

After discussion among the County Board Supervisors about adopting the 2018 Pepin County Budget, motion was made by Supervisor Kraft, seconded by Supervisor T. Milliren, to adopt Resolution 45-17 titled, "Establishing the 2017 Pepin County Tax Levy and Adopting the 2018 Pepin County Budget". Roll call vote was taken. Ten voted in favor, with 2 negative votes by Supervisor Bauer and Supervisor Ingram. Motion carried.

Communication: none

Future agenda items and next meeting date - (December 20, 2017)

Next meeting will be on December 20, 2017 at 7:00 p.m. at the County Board of the Government Center.

Adjournment

Meeting adjourned by Chair Jelle at 11:24 a.m.

(Resolutions and Ordinances are on file for public inspection in the County Clerk's office.)

Submitted by Audrey Bauer, Pepin County Clerk

Approved by the County Board of Supervisors on December 20, 2017

/s/ Dwight Jelle, Chair

Pepin County Board of Supervisors

PEPIN COUNTY BOARD OF SUPERVISORS MEETING MINUTES

DECEMBER 20, 2017

CALL TO ORDER

The Pepin County Board of Supervisors meeting was called to order at 7:00 P.M. on Wednesday, December 20, 2017 by Chair Dwight Jelle. The meeting was held at the County Board Room at the Pepin County Government Center, 740 7th Ave W, Durand, WI. This meeting was properly noticed per Section 19.84 of the Wisconsin State Statutes, and complies with Sections 19.81 – 19.90, *Open Meeting Law*.

ESTABLISH QUORUM - ROLL CALL

District #1	Larry Dekan	present	District # 7	Bill Ingram	present
District #2	Jean Dougherty	present	District #8	Tom Milliren	present
District #3	James J. Kraft	present	District #9	Dwight Jelle	present
District #4	Tessa King	present	District #10	Bruce A. Peterson	absent
District #5	Gerald M. Bauer	present	District #11	Irene Wolf	present
District #6	Frank E. Milliren	present	District #12	Steven L. Anderson	present

The Pepin County Board of Supervisor had eleven members present and one excused member- Bruce Peterson absent for the December 20, 2017 meeting

PLEDGE OF ALLEGIANCE

The Board honored the flag by reciting the Pledge of Allegiance.

APPROVAL OF THE AGENDA

Chair Jelle made the following changes to the agenda; the removal under Reports, Strategic Planning Summary Report, this will be discussed at the January or February County Board meeting.

Under Business, Resolutions, remove Review and Approve of the County Integrated Aging and Disability Resource Center(ADRC) Chart and Resolution to Approve Strategic Plan Implementation from the agenda. There were no objections to the changes.

PUBLIC COMMENTS ON AGENDA ITEMS

Public comments on both agenda items, Amendment of the Pepin County Ordinance, Manure Storage and Management and the Resolution authorizing not to exceed 6 million general obligation bonds will be held at the time of discussion on the agenda to allow the public to speak. No comments from the public about any other topics.

CONSENT AGENDA

Approval of the November 14, 2017 County Board Minutes

Motion was made by Supervisor Anderson, seconded by Supervisor Dougherty, to approve the Consent agenda as presented. Voice vote taken, all in favor. Motion carried.

REPORTS

West Cap presentation from Executive Director Peter Kilde

Peter Kilde, West Cap Executive Director, updated what West Cap has been doing in Pepin County. He explained how they offer different programs to help prevent poverty in the County. After discussion, West Cap is asking the County for financial support of \$1,000.00 as previously done in

the past. This support helps with paying vouchers and conveys to our funders in Madison and Milwaukee, the message that the County understands and values the work that West Cap does.

County Board Committee Reports

The following County Board Committees gave their reports: Highway, Health, Land Conservation/UW Extension and Community Resources Committee, Human Services, Law Enforcement and Executive Committee.

Opioids Engagement Letter Update

The Opioid Lawsuit Resolution was passed last month against the industry with the condition that we have our Corp Council review the contract. Financial Director Pam DeWitt informed that Fred Morris from Weld Riley did review the engagement letter and stated that the Engagement Letter is a suitable proposal for handling Pepin County's involvement in the Opioid Manufacturer lawsuit. The signed Engagement letter will be sent to the required government offices.

Resolutions:

RESOLUTION NO. 46-17 SOCIAL WORKER WAGE SCALE MODIFICATION

WHEREAS, Pepin County Human Services Committee has studied the impact of vacant positions and the cost of turnover in the Social Work positions and have determined that one of the factors that has impacted turnover and the application of trained Social Work individuals is the current Social Worker wage scale; and

WHEREAS, Pepin County Human Services Committee has requested a study of Social Work wage scales in close proximity and comparable counties and determined that Pepin County offers the lowest start wage with a significant spread between Pepin's start wage and the neighboring counties; and

WHEREAS, Pepin County current wage scale is a three-step system and the Pepin County Human Services Committee is recommending the wage scale to change from Social Worker I, II, III to a two-step system of Social Worker and Lead Social Worker, to assist in the criteria to determine Social Worker level of wage; and

WHEREAS, Pepin County Human Services Committee defines a Social Worker Lead as a case manager that has six years of experience in a county human services department and has expertise in a program area, and has the skillset needed to be the assigned lead of a social services program area; and

WHEREAS, Pepin County Human Services has two main Social Service Programs of Children and Families and Children and Adults with long term needs (mental health/substance abuse/Children's disabilities/Adult Protection), and a maximum of two Lead Social Work Positions will be appointed within the department; and

WHEREAS, the current Pepin County Social Worker wage scale is as following:

Paula Winter, Human Services Director, and Micci Weiss, Personnel Director, informed the County Board of the need for the Social Worker Wage Scale modification. A study was done of comparable counties and showed that Pepin County's starting wage is the lowest in the neighboring counties. At the December Executive Committee meeting, the Committee approved a wage scale change to better match with the schedule step up recalculated scale that was done by Personnel Director Micci Weiss. This change in the Resolution was approved at the Executive Committee and is now being presented to the County Board for approval. Motion was made by Supervisor Ingram, seconded by Supervisor Kraft, to adopt Resolution 46-17, titled "Social Worker Wage Scale Modification". Motion carried by voice vote with no negative votes. Motion carried.

RESOLUTION # 47-17

RESOLUTION TO BECOME A MEMBER OF THE CHILD ABUSE AND NEGLECT (CAN) REPORTING PARTNERSHIP AND TO CREATE AND FILL AN OPERATION MANAGER POSITION AND SALARY SCALE

WHEREAS, pursuant to Wis. Stats. 48.01, certain duties and responsibilities related to the administration of child abuse and neglect services are delegated to counties; and

WHEREAS, pursuant to Wis. Stats. 48.981 (3), the Wisconsin State Department of Children and Families (DCF) Services shall develop and implement a comprehensive strategy to involve counties in the delivery of Child Welfare Services, including receipt of reports alleging child abuse and neglect services and promote responsible stewardship of human and fiscal resources in the provisions of such services; and

WHEREAS, it is the intent of the Pepin County Department of Human Services to join up to three counties in the CAN Reporting Partnership, which may include Chippewa, Monroe and Taylor Counties; and

WHEREAS, Monroe County is designated Lead County for the partnership and a 66.301 Governance is the model of Governance that counties will use to contract for partnership activities and responsibilities; and

WHEREAS, each of the four counties will participate in the partnership by designating staff to the operations; and

WHEREAS, the Child Abuse and Neglect Reporting Partnership leadership team has requested that Pepin County create and fill an Operation Manager Position; and

WHEREAS, Pepin County Human Services Committee has requested the creation and filling of an Operation Manager Position within the Department of Human Services; and

WHEREAS, the vision of the CAN Reporting Partnership is to provide consistent, timely, and the highest-level services within the four-county partnership, high quality, and

WHEREAS, the mission of the CAN Reporting Partnership will be to strive to provide a consistent response to screening decisions, deeper level of staff coverage, feasible funding formula, skilled supervisor oversight, and an infrastructure that allows for future expansion; and

WHEREAS, the intent of this Resolution is to authorize the Pepin County Administrative Coordinator and the Human Services Director to enter into all contracts or other documents necessary to create, form, authorize, and/or operate the partnership of which Pepin County will be a member; and

WHEREAS, this Resolution shall be interpreted liberally in favor of authorizing the Administrative Coordinator and Human Services Director to take all actions necessary to effectuate the intent of this Resolution.

NOW, THEREFORE, BE IT RESOLVED, that Pepin County Board of Supervisors does hereby declare its intent to join the CAN Reporting Partnership for Child Protection Access and Screening and authorizes the Administrative Coordinator and Human Services Director to enter into all contracts or other documents necessary to create, form, authorize the CAN Reporting Partnership; and

NOW, THEREFORE, BE IT RESOLVED, that the Pepin County Board of Supervisors does hereby authorize the creation of an Operation Manager Position in the Department of Human Services specifically to manage the operations of The Child Protection and Neglect Reporting Partnership on behalf of the partnership and in accordance with the Governance and adopt the salary scale as follows:

Salary Scale							
Title	Start	Six Months	One Year	Eighteen Months	Two Years	Four Years	Six Years
Operational Manager	\$53,870	\$54,536	\$55,221	\$55,906	\$56,611	\$59,449	\$62,425

BE IT FURTHER RESOLVED, that the Pepin County Administrative Coordinator and Director of Human Services are authorized to take any other actions necessary to effectuate the intent of this resolution.

RECOMMENDED BY THE PEPIN COUNTY HUMAN SERVICES COMMITTEE:
COMMITTEE MEMBER VOTE

	<u>5</u>	<u>0</u>	<u>2</u>	<u>0</u>
<u>/s/ Dwight Jelle, Chair</u>	In favor	Oppose	Absent	Abstain

RECOMMENDED BY THE PEPIN COUNTY EXECUTIVE COMMITTEE:

	<u>5</u>	<u>0</u>	<u>0</u>	<u>0</u>
<u>/s/ Dwight Jelle, Chair</u>	In favor	Oppose	Absent	Abstain

FISCAL IMPACT REVIEWED: No additional fiscal impact to the Human Services 2018 Budget will occur. The staff costs (wages as noted above plus fringes) for this position offset by the income from the partnership to help support this position are included in the 2018 Budget.

<u>/s/ Pamela DeWitt</u>	<u>X</u>	_____
Finance Director	Recommended	Not Recommended

COUNTY BOARD ACTION:

 X ADOPTED by the Pepin County Board of Supervisors on this 20th day of
 DEFEATED December 2017
 TABLED In favor 11 Opposed 0 Absent 1 Abstain 0

/s/ Audrey Bauer
County Clerk

/s/ Dwight Jelle
County Board Chair

Human Service Director Paula Winter, presented information about to becoming a member CAN reporting Partnership with three other Counties. This would allow the County the County to access and screen reports on child abuse and neglect and enter into a partnership with up to three other counties. This would create a position of Operation Manager within the Department of the Human Services. This resolution would authorize the Pepin County Administrative Coordinator and the Human Services Director to join the CAN reporting partnership for Child Protection Access and screening and enter into all contracts necessary to create and form authorize the CAN Reporting Partnership. Motion was made by Supervisor Ingram and seconded by Supervisor Kraft to adopt Resolution 47-17 titled, “Resolution to become a member of the Child Abuse and Neglect (CAN) Reporting Partnership and to Create and fill an Operation Manager Position and Salary Scale”. Motion carried by voice vote with no negative votes. Motion carried.

RESOLUTION NO. 48-17
2017 BUDGET MODIFICATION – HEALTH DEPARTMENT
Health Care Education and Training Stipend

WHEREAS, the Health Department is continually seeking additional resources to support projects, programs and services; and

WHEREAS, the Pepin County Health Department has a partnership with Health Care Education and Training (HCET) for education, training, technical assistance, program development and other services; and

WHEREAS, HCET works to support programming and clinic sustainability efforts in Indiana, Wisconsin, Minnesota, Michigan, Illinois and Ohio to ensure access to high quality, comprehensive and evidence-based sexual and reproductive health care; and

WHEREAS, HCET is offering the Pepin County Health Department a funding stipend up to \$30,000 for the enhancement of the Family Planning and Reproductive Health program, including, but not limited to, the new Health Department clinical space; and

WHEREAS, the HCET stipend is dedicated to the Family Planning and Reproductive Health program of the Health Department, the funds will be treated as a continuing appropriation until spent in entirety.

NOW, THEREFORE, BE IT RESOLVED that the County Board of Supervisors authorizes the 2017 Health Department Budget to be modified as follows:

<u>ACCOUNT NUMBER</u>	<u>ACCOUNT DESCRIPTION</u>	<u>PRESENT BUDGET</u>	<u>INCREASE/ (DECREASE)</u>	<u>AMENDED BUDGET</u>
HEALTH DEPT. FUND:				
230-00-43554-000	HCET Stipend	-	30,000	30,000
	Total Revenues	-	30,000	30,000
230-00-54126-000	HCET Stipend	-	30,000	30,000
	Total Expenses	-	30,000	30,000

RECOMMENDED BY THE PEPIN COUNTY BOARD OF HEALTH:

/s/ Gerald M. Bauer, Chair

COMMITTEE MEMBERS VOTE			
<u>6</u>	<u>0</u>	<u>1</u>	<u>0</u>
In favor	Oppose	Absent	Abstain

FISCAL IMPACT REVIEWED – Entire impact as noted above.

/s/ Pamela DeWitt
Finance Director

 X _____
Recommend Not Recommended

COUNTY BOARD ACTION:

 X ADOPTED
 _____ DEFEATED
 _____ TABLED

by the Pepin County Board of Supervisors on this 20th day of
 December, 2017

In favor 11 Oppose 0 Absent 1 Abstain 0

/s/ Audrey Bauer
County Clerk

/s/ Dwight Jelle
County Board Chair

Pam DeWitt presented information about the funding that Director, Heidi Stewart of the Health Department applied for from the Health Care Education and Training stipend. The Health Department was offered a funding stipend up to \$30,000.00 to help cover the cost in the support of her health department clinic space.

Motion made by Supervisor Anderson, seconded by Supervisor Kraft, to adopt Resolution 48-17 titled, “2017 Budget Modification-Health Department Health Care Education and Training Stipend”. Roll call vote was taken, with 11 voting yes, with one member absent. Motion carried.

RESOLUTION NO. 50-17
2018 BUDGET MODIFICATION – CRIMINAL JUSTICE COORDINATING COUNCIL
(CJCC)

WHEREAS, by Resolution No. 1-15 Pepin County established the Buffalo Pepin Criminal Justice Coordinating Council (CJCC) jointly with Buffalo County to “establish and foster innovative, effective corrections programs for adult offenders and to effectively qualify for state and federal and private grants to fund such program”; and

WHEREAS, in 2016 the CJCC applied for and received a Treatment Alternatives and Diversion (TAD) Grant in the amount of \$111,964.00 to establish the Community Justice Services (CJS) program to “conduct a universal assessment of all nonviolent adult offenders using a validated risk assessment instrument to inform setting risk based conditions of pretrial release, to determine eligibility for pre-charging and post-charging diversion, and provide risk based alternatives to incarceration at sentencing addressing substance abuse risks and needs”; and

WHEREAS, by Resolution No. 40-16 adopted on November 15, 2016 Pepin County accepted the TAD grant with “a CJCC county allocation intended to be used to support the CJS program”; and

WHEREAS, the TAD Grant is renewable for 5 years in the amount of \$111,964.00 per year. It requires a 25% cash match. The Pepin County contribution to that cash match is limited to the \$5,000 CJCC funding intended to be redirected in full to CJS program. Buffalo County similarly approved the TAD Grant and funds the CJS project at the level of \$5,000 per year. The balance of the cash match is provided by the CJS program from offender fees. Both counties provide some in kind support, primarily office space; and

WHEREAS, the CJS program has begun operation with two staff and has already served over 50 felony drug and alcohol offenders. However, the sustainability of the CJS grant proposal submitted in 2016 and resulting current program design was based on assuming the ongoing annual commitment of \$5,000 per county to the CJCC for use in the CJS program; and

WHEREAS, Buffalo County has included its \$5,000 funding in its adopted 2018 budget, but Pepin County’s 2018 budget did not include the \$5,000 funding necessary to fulfill Pepin County’s portion of the TAD grant cash match. Without this funding CJS will not be able meet its cash match requirements of the TAD program.

NOW, THEREFORE, BE IT RESOLVED that the Pepin County Board of Supervisors authorizes the 2018 Budget to be modified as follows:

<u>Account Number</u>	<u>Account Description</u>	<u>Current Budget</u>	<u>Increase(Decrease)</u>	<u>Amended Budget</u>
	<i>General Fund:</i>			
100-00-51218-000	CJCC	\$ 0	\$ 5,000	\$ 5,000
100-00-59100-000	Contingency Fund	\$ 41,700	\$ (5,000)	\$ 36,700

RECOMMENDED BY THE PEPIN COUNTY LAW ENFORCEMENT COMMITTEE:

	<u> 5 </u>	<u> 0 </u>	<u> 0 </u>	<u> 0 </u>
<u>/s/ Steve Anderson, Chair</u>	In Favor	Oppose	Absent	Abstain

FISCAL IMPACT REVIEWED – Additional Debt will increase the total levy as debt service is an allowable increase to base levy.

/s/ Pamela DeWitt
Finance Director

 X
Recommend Not Recommended

COUNTY BOARD ACTION:

 X ADOPTED
 DEFEATED by the Pepin County Board of Supervisors on this 20th day of December, 2017
 TABLED In favor 10 Oppose 0 Absent 1 Abstain 1

/s/ Audrey Bauer
County Clerk

/s/ Dwight Jelle
County Board Chair

Chair Jelle discussed the need for an upgrade of the Communication systems and updating of the County Building projects. Comments were opened to the public. Durand Fire Chief Jamey King voiced this concern of the need for an updated Emergency Communication system for Pepin County. Discussion of what amount would be enough to cover both the Communication project and Building projects. After many meetings, the approximate amounts that would be for the Emergency Communication system project improvement is \$3.5 million and the County Building project is \$2.5 million for a total of \$6 million.

Motion was made by Supervisor Ingram to lower the bond amount to 4 million, putting 100% to the Communication project and next month deal with the building project. There was discussion on this motion, Supervisor Kraft had concerns about making every effort to extend communication coverage out of Albany and Lima area. Other comments included the extra cost of separating the two bonds. Motion on the floor to lower the bond amount to 4 million was seconded by Supervisor Kraft. After discussion by the Board, Supervisor Kraft stated that he would like to rescind his second to the motion.

Motion made by Supervisor Dougherty, seconded by Supervisor T. Milliren, to approve the Resolution 51-17 titled, “Initial Resolution Authorizing Not to Exceed \$6,000,000.00 General Obligation Bonds or Promissory Notes for County Projects.” Motion was made by Supervisor Ingram to amend the motion on the floor, to change the second paragraph dividing the 6 million to state the 3.5 million for the Communication system and maximum 2.5 million for the Building Project. Seconded by Supervisor Kraft. Discussion was that if restrictions were put on the amounts for each project, that could cause limits of how the funds are used.

Roll call vote was taken on the amendment. Eleven voted no with one member absent. Motion defeated.

Roll call vote was taken on the motion to approve Resolution 51-17 titled, “Initial Resolution Authorizing Not to Exceed \$6,000,000.00 General Obligation Bonds or Promissory Notes for County Projects” as presented. Roll call vote was taken with 10 yes votes, one abstained vote by Supervisor Bauer due to a monetary conflict of interest, and one member absent. Motion carried.

Ordinances:

**AMENDMENT NO. 113 TO PEPIN COUNTY ORDINANCE 179
CHAPTER 13 – MANURE STORAGE**

BE IT OBTAINED BY THE COUNTY BOARD OF SUPERVISORS OF PEPIN COUNTY:

**13 STATUTORY AUTHORIZATION, FINDINGS OF FACT, STATEMENT OF PURPOSE
AND TITLE**

CHAPTER 13 - MANURE STORAGE (Ord. No. 179. Am.#50, 03-17-04, Am. #113, 12-20-2017

13.01	Authority
13.02	Title
13.03	Findings and Declaration of Policy
13.04	Purpose
13.05	Interpretation
13.06	Severability Clause
13.07	Applicability
13.08	Effective Date
13.09	Definitions
13.10	Activities Subject to Regulation
13.11	Standards
13.12	Application For and Issuance of Permits
13.13	Screening and Siting Requirements
13.14	Administration
13.15	Violations
13.16	Appeals

13.01 - AUTHORITY.

This ordinance is adopted under authority granted by §§59.02, 59.03, 59.69, 59.70 and 92.15, 92.16, Wis. Stats. and §§ ATCP 50.56 and NR 151.05, Wis. Admin. Code.

13.02 - TITLE.

This ordinance shall be known as, referred to, and may be cited as the "Pepin County Manure Storage Ordinance" and is hereinafter referred to as the "ordinance".

13.03 - FINDINGS AND DECLARATION OF POLICY.

The Pepin County Board of Supervisors finds that storage of manure in storage facilities, and management of manure including land application not meeting technical standards is a threat to cause pollution of the surface and ground waters of Pepin County, and may result in harm to the health of county residents and transients; to livestock, aquatic life and other animals and plants; and to the property tax base of Pepin County.

The Pepin County Board of Supervisors also finds that the technical standards developed by the United States Department of Agriculture Natural Resources Conservation Service (NRCS), and performance standards, prohibitions and conservation practices codified by Wisconsin Department of Agriculture, Trade, and Consumer Protection (DATCP) and Department of Natural Resources (DNR), as applied by the Land Conservation Committee (LCC), provide effective, practical, and environmentally safe methods of storing and utilizing manure.

The Pepin County Board of Supervisors further finds that screening and siting requirements may lessen the negative visual impact of a manure storage facility on an existing residential property owner. The Pepin County Board of Supervisors seeks to promote and protect the aesthetics as part of the general welfare that is furthered by the adoption of this ordinance.

13.04 - PURPOSE.

The purpose of this ordinance is to regulate the location, design, construction, installation, alteration, abandonment, and use of manure storage facilities, in order to prevent water pollution and thereby protect the health of Pepin County residents and transients; prevent the spread of disease; and promote the prosperity and general welfare of the citizens of Pepin County. It is also intended to provide for the administration and enforcement of the ordinance and to provide penalties for its violation.

13.05 - INTERPRETATION.

In their interpretation and application, the provisions of this ordinance shall be held to be minimum requirements and shall be liberally construed in favor of Pepin County, and shall not be deemed a limitation or repeal of any other power granted by the Wisconsin Statutes.

13.06 - SEVERABILITY CLAUSE.

If any section, provision, or portion of this ordinance is ruled invalid by a court, the remainder of the ordinance shall not for that reason be rendered ineffective.

13.07 - APPLICABILITY.

This ordinance applies to the unincorporated areas of Pepin County.

13.08 - EFFECTIVE DATE.

This ordinance shall become effective upon its adoption by the full Pepin County Board of Supervisors and required publication.

13.09 - DEFINITIONS.

- (1) **ABANDONED STORAGE FACILITY** means any manure storage facility, permitted under this code, where manure has not been added or removed for a period of 24 months.
- (2) **ADEQUATE SCREENING** the installation of vegetative or structural measures intended to minimize invasive views from up to 6 feet above the highest point of the planned manure storage structure. Screening shall be more than 50 percent opaque and at the required height listed above within 5 years of the completion of the manure storage structure.
- (3) **APPLICANT** means any person who applies for a permit under this ordinance.
- (4) **COUNTY CONSERVATIONIST** means the department head for the Pepin County Land Conservation Department.

- (5) **DIRECT CONDUIT TO GROUNDWATER** means wells, sinkholes, swallets, fractured bedrock at the surface, mine shafts, non-metallic mines, tile inlets discharging to groundwater, quarries, or depressional groundwater recharge areas over shallow fractured bedrock.
- (6) **FEEDLOT** means a lot or building or combination of lots or buildings intended for the confined feeding, breeding, raising, or holding of animals, specifically designed as a confinement area in which manure may accumulate, or where the concentration of animals is such that a vegetative cover cannot be maintained within the enclosure. For purposes of these parts, open lots used for the feeding and rearing of poultry shall be considered to be animal feedlots. Pastures shall not be considered animal feedlots under these parts. New animal feedlots are those that are established after the effective date of this Ordinance.
- (6) **KARST FEATURE** means an area or surficial geologic feature subject to bedrock dissolution so that it is likely to provide a conduit to groundwater, and may include caves, enlarged fractures, mine features, exposed bedrock surfaces, sinkholes, springs, seeps or swallets.
- (7) **LAND CONSERVATION DEPARTMENT**, referred to as the "LCD", means the county staff assigned the responsibility of enforcing and providing technical assistance for this ordinance.
- (8) **LAND CONSERVATION COMMITTEE**, referred to as the "LCC", formally referred to as Land Conservation / UW-Extension and Community Resources Committee, means the committee of the Pepin County Board assigned the responsibility of supervising the functions and activities of the Pepin County Land Conservation Department.
- (9) **MANURE** means excreta from livestock, poultry and other materials, such as bedding, rain or other water, soil, hair, feathers, and other debris normally included in manure handling operations.
- (10) **MANURE STORAGE FACILITY** means one or more impoundments made by constructing an embankment, excavating a pit or dugout, or fabricating a structure specifically for the purpose of temporarily storing manure and related wastes. A facility includes stationary equipment and piping used to load and unload a manure storage structure if the equipment is specifically designed for that purpose and is an integral part of the facility, and specifically includes components to transfer waste from milking centers, runoff from barnyards, and leachate and contaminated runoff to feed storage. For the purposes of this ordinance, a storage area intended to hold an accumulation of manure within an area excavated, or diked for the purpose of storing the manure, no matter how small that accumulation may be or how long the manure is to be stored there, shall be considered a storage facility. For the purpose of this ordinance, a feedlot or enclosure used for holding livestock is not considered a manure storage facility, except where there is a storage facility constructed below the livestock enclosure.
- (11) **NUTRIENT MANAGEMENT PLAN** means a written plan detailing the amount, form, placement, and timing of the application of plant nutrients, including manure. The plan must meet NRCS Standard 590, comply with §§ ATCP 50.04(3) and NR 151.07, Wis. Admin. Code, and must be written or approved by a person certified to do nutrient management planning.
- (12) **PERMIT** means the signed, written statement issued by the Pepin County Land Conservation Department under this ordinance authorizing the applicant to construct, install, substantially alter, or close a manure storage facility and to use or dispose of waste from the facility.
- (13) **PERMITTEE** means any person to whom a permit is issued under this ordinance.

- (14) **PERSON** means any individual, corporation, partnership, joint venture, agency, unincorporated association, municipal corporation, county, or state agency within Wisconsin, the federal government, or any combination thereof.
- (15) **RURAL SUBDIVISION** means 5 or more parcels of 1.5 acres each or less in size created by a division or by successive divisions of a parcel within a period of 5 years by the owner or subsequent owners.
- (16) **SUBSTANTIALLY ALTERED** means a change initiated by an owner or operator that results in a relocation of a structure or facility or significant changes to the size, depth or configuration of a structure or facility including:
- (a) Replacement of a liner in a manure storage structure.
 - (b) An increase in the volumetric capacity or area of a structure or facility by greater than 20 percent.
 - (c) A change in a structure or facility related to a change in livestock management from one species of livestock to another such as cattle to poultry.
- (17) **SUSCEPTIBLE TO GROUNDWATER CONTAMINATION** means any one of the following:
- (a) An area within 250 feet of a private well.
 - (b) An area within 1,000 feet of a municipal well.
 - (c) An area within 300 feet up-slope or 100 feet down-slope of direct conduit to groundwater, including but not limited to karst features.
 - (d) A channel that flows to a direct conduit to groundwater, including but not limited to karst features.
 - (e) An area where the soil depth to groundwater or bedrock is less than 2 feet.
 - (f) An area where the soil does not exhibit one of the following characteristics:
 - 1. At least a 2 foot soil layer with 40 percent fines or greater above groundwater and bedrock.
 - 2. At least a 3 foot soil layer with 20 percent fines or greater above groundwater and bedrock.
 - 3. At least a 5 foot soil layer with 10 percent fines or greater above groundwater and bedrock.
- [See Wisc. Admin. Code § NR 151.002(32) for definition of percent fine] (Wisc. Admin. Code § NR 151.015)
- (18) **TECHNICAL GUIDE** means the USDA Natural Resources Conservation Service Field Office Technical Guide, as amended from time to time.
- (19) **WASTE TRANSFER SYSTEM** means waste transfer system as that term is defined in Wisc. Admin. Code § ATCP 50.93(1).
- (20) **WATER QUALITY MANAGEMENT AREA** means any of the following:
- (a) The area within 1,000 feet of the ordinary high water mark of a navigable lake, pond or flowage other than a glacial pothole lake.
 - (b) The area within 300 feet of the ordinary high water mark of a navigable river or stream.

- (c) An area that is susceptible to groundwater contamination, or has the potential to be a direct conduit for contamination to reach groundwater.

NOTE: The water quality management area setback distance shall be measured from the ordinary high water mark to the outside edge of the constructed area. For example purposes only, the toe of the slope of the manure storage embankment is a restrictive feature in the construction area.

13.10 - ACTIVITIES SUBJECT TO REGULATION.

- (1) **GENERAL REQUIREMENT.** Any person who designs, constructs, installs or substantially alters a manure storage facility; or who employs another person to do the same, on land subject to this ordinance, shall be subject to the provisions of this ordinance. The requirements of this ordinance are in addition to any other permits or requirements that may apply to construction or abandonment of manure storage facilities.
- (2) **CLOSURE REQUIREMENT.** An abandoned manure storage facility must be closed and restored to a safe and sanitary condition in compliance with NRCS Technical Standard 360 within 2 years of the time the storage facility is declared abandoned. The owner or operator may retain the facility for a longer period of time by demonstrating to the LCD that all of the following conditions are met:
 - (a) The facility is designed, constructed and maintained in accordance with Wisc. Admin. Code § NR 151.05.
 - (b) The facility is designed to store manure for a period of time longer than 24 months.
 - (c) Retention of this facility is warranted based on anticipated future use.
- (3) **FAILING AND LEAKING EXISTING SYSTEMS.** Manure storage facilities that pose an imminent threat to public health or fish and aquatic life or are causing a violation of groundwater standards shall be upgraded, replaced or closed in accordance with this section.
- (4) **COMPLIANCE WITH PERMIT REQUIREMENTS.** A person is in compliance with this ordinance if he or she follows the procedures of this ordinance, receives a permit from the LCD before beginning activities subject to regulation under this ordinance, and complies with the requirements of the permit.

13.11 - STANDARDS.

Compliance with this ordinance shall be through standards, specifications, and policies adopted by the LCC. Standards and specifications are minimums. The following components of the Technical Guide and applicable laws, rules and regulations will be used, applied, and enforced when a storage facility is to be designed, constructed, installed, moved, reconstructed, enlarged, removed, abandoned, or substantially altered:

- (1) **STANDARDS FOR MANURE STORAGE FACILITIES.** The standards for design and construction of manure storage facilities is standard 313 (waste storage facility) and 634 (manure transfer) in the Technical Guide.
- (2) **STANDARDS FOR MANURE MANAGEMENT AND UTILIZATION.** The standard for management and utilization of manure is standard 590 (nutrient management) in the Technical Guide.
- (3) **STANDARDS FOR MANURE STORAGE FACILITY CLOSURE.** The standard for removing a manure storage facility and restoring the area to a safe and sanitary condition is standard 360 (Closure of Waste Impoundments) in the Technical Guide.

- (4) STANDARDS FOR NONPOINT SOURCE WATER POLLUTION ABATEMENT. If applicable, the provisions found in Wis. Stat. § 281.65(4)(g)(5).
- (5) SUBSEQUENT MODIFICATION OF STANDARDS. The standards of the Technical Guide are adopted and by reference made a part of this ordinance as if fully set forth. Any future amendment, revision or modification of the Technical Guide standards are incorporated herein and made a part of this ordinance. Standards are available for review at the LCD office.

NOTE: A permittee is required to comply with this ordinance and standards that are in place at the time the permit is issued. Subsequent changes to this ordinance or its standards do not apply unless there is new construction, or a substantial alteration to the existing manure storage facility, as referenced in § 13.12 hereof.

13.12 - APPLICATION FOR AND ISSUANCE OF PERMITS.

- (1) PERMIT REQUIRED. No person may undertake an activity subject to this ordinance without obtaining a permit from the LCD prior to beginning the proposed activity. A permit from the LCD is required for the following activities:
 - (a) Construction or substantial alteration of a manure storage facility, and or waste transfer systems connected to a manure storage facility.
 - (b) To meet the requirements of §§13.10(2) and 13.10(3) hereof for proper closure and restoration of a facility declared inactive or posing an imminent threat to public health, fish and aquatic life, or groundwater.
 - (c) To close any facility that is no longer used for storage.
- (2) EXEMPTION FROM PERMIT REQUIREMENT. Manure storage facilities existing prior to October 1, 2002, are exempt from the requirements of this §13.12, except where the facility is substantially altered. Emergency repairs such as repairing a broken pipe or equipment, leaking dikes, or the removal of obstructions from transfer pipes may be performed without a permit. If repairs will substantially alter the original design and construction of the facility, the LCD must be notified within 2 work days of the emergency for a determination by the LCD on whether a permit will be required for any additional alteration or repair to the facility.
- (3) FEE. All fees under this ordinance are established pursuant to a Fee Schedule duly adopted by the LCC. Copies of the current fee schedule are kept on file in the LCD. Any permit fee is payable upon submission of a permit application. Permit fees are nonrefundable. Permit fees will double if a facility begins construction or closure prior to issuance of a permit.
- (4) SOILS INVESTIGATION. Any soil investigations that are conducted for the purpose of constructing a manure storage facility shall be done with a NRCS Soil Scientist, DATCP Environmental Engineering Specialist, or LCD staff trained in soil investigations on site. The applicant and/or their engineer is responsible for a proper soils investigation and soil investigation logs.
- (5) MANURE STORAGE FACILITY PLAN. Each application for a permit under this section shall include a manure storage facility plan meeting NRCS 313 and 634 standards. At a minimum, the plan shall include:
 - (a) The number and kinds of animals for which storage is provided, duration of storage, daily gallons and/or cubic feet produced, bedding type, manure handling practices.
 - (b) A plan view of the facility and its location in relation to buildings, homes, property lines, roads, wells, karst features, public or private drainage ditches and creeks, flowages, rivers, streams, lakes, wetlands and floodplains within one thousand (1,000) feet of the

- proposed facility or system. The sketch shall be drawn to scale and should include a north arrow, a temporary bench mark and the date the map was prepared.
- (c) Engineer design drawings of the manure storage facility or transfer system to include: (1) Specific design components shall comply with Technical Standard 313 and 634. (2) A recoverable benchmark(s) including elevation(s) expressed in feet and tenths. (3) The scale of the drawings no smaller than one inch equals one hundred feet. (4) The date the engineering design drawings were prepared.
 - (d) The structural details, including dimensions, cross sections showing elevations, concrete thickness and quantity, reinforcing type and specifications.
 - (e) Make and model of prequalified structure, if used. Concrete quantity not included in prequalified structure.
 - (f) Agitation access layout, grading plan to keep clean water from entering structure, seeding specifications, and tile and drainfill layout, if needed.
 - (g) The construction and material specifications including but not limited to, applicable specifications for earthen fill, excavation, concrete, reinforcing steel, timber, and pipes.
 - (h) The soil test pit locations and soil descriptions to follow Technical Standards found in NRCS 313.
 - (i) The elevation of a high groundwater level or bedrock, including but not limited to karst features, if encountered in the soil profile and the date of any such determination.
 - (j) Provisions for adequate drainage and control of runoff to prevent pollution of surface water and groundwater.
 - (k) A time schedule for construction of the facility.
 - (l) A description of the method to be used in transferring manure into and from the facility.
 - (m) A description of the location and type of fences, warning signs and safety features needed to meet the technical standards.
 - (n) Certification by a registered Professional Engineer (PE), Department of Agriculture Trade and Consumer Protection (DATCP), Land Conservation Department (LCD), or Natural Resources Conservation Service (NRCS) certified Agricultural Engineering Practitioner that the plans meet the requirements of the ordinance.
 - (o) A written operation, maintenance, and safety plan for the facility.
 - (p) A nutrient management plan meeting the NRCS 590 standard.
- (6) NUTRIENT MANAGEMENT PLAN. As part of an application for a permit, a landowner must develop an annual nutrient management plan that complies with NRCS Technical Standard 590, and §§ ATCP 50.04 and NR151.07, Wis. Admin. Code. Annual updates to the nutrient management plan shall be submitted to the LCD by April 1 each year for as long as the permitted storage facility continues to be used.
- (7) CLOSURE PLAN. Each application for a closure permit under this ordinance shall include a closure plan prepared in accordance with Technical Standard 360 that specifies the following:
- (a) A general location map drawing of the manure storage facility in relation to buildings, homes, property lines, roads, wells, karst features, public or private drainage ditches and creeks, flowages, rivers, streams, lakes, wetlands and floodplains within one thousand (1,000) feet of the existing facility. Also include the scale of the drawing, a north arrow, and the date the map was prepared.
 - (b) A description of the type and size of the waste storage facility and an estimate of the amount of waste in the facility.

- (c) A description of where and how the waste and soil saturated with manure will be land applied in accordance with Technical Standard 590.
 - (d) A description of where the liner, if any, will be disposed of.
 - (e) A description of how the transfer system will be removed or permanently plugged.
 - (f) A description of how the excavated area will be filled in and where the clean fill will come from.
 - (g) A plan view showing the final grade, the area to be reseeded, and how runoff will be diverted away from the site.
 - (h) A detailed description of the intended use, if the Applicant proposes to convert the manure storage facility to another use. Conversions to other uses will be allowed only when the Applicant has demonstrated that the conversion will not result in the degradation of ground and/or surface waters, or be a threat to public health, safety or general welfare.
 - (i) Certification by a registered Professional Engineer (PE), Department of Agriculture Trade and Consumer Protection (DATCP), Land Conservation Department (LCD), or Natural Resources Conservation Service (NRCS) certified Agricultural Engineering Practitioner that the plans meet the requirements of the ordinance.
- (8) **REVIEW OF APPLICATION.** The LCD shall receive and review all permit applications. Permit applications must be received on forms approved by the LCD. The LCD shall determine if the proposed facility meets required standards set forth in this ordinance. Within 45 calendar days after receiving the completed application and fee, the LCD shall inform the applicant in writing whether the permit application is approved or disapproved. If additional information is required, the LCD shall so notify the permit applicant. The Land Conservation Department has 30 calendar days from the receipt of the additional information in which to approve or disapprove the application. If the applicant receives no response within 30 calendar days of application, the application will be considered approved and the applicant may proceed as if a permit had been issued.
- (9) **PERMIT CONDITIONS.** All permits issued under this ordinance shall be issued subject to the following conditions and requirements:
- (a) Manure storage facility design, construction, management, and utilization activities shall be carried out in accordance with the LCD approved manure facility plans and applicable standards specified in §13.11 of this chapter.
 - (b) The permittee shall obtain required permit prior to commencing construction activities and shall give 7 calendar days notice to the LCD before starting any construction activity authorized by the permit. Note: DNR and other permits may be needed for construction site erosion control and storm water management, floodplain and shoreland construction, and livestock facilities with 1,000 or more animal units. Local town zoning restrictions and permits may also be needed.
 - (c) Approval in writing must be obtained from the County Conservationist prior to any modifications to the approved manure facility plan.
 - (d) Within 30 days of completion, the facility must be certified as meeting standards, including as-built plans and design changes. The certification must be made by a registered PE, or by a DATCP, LCD, or NRCS certified Engineering Practitioner. This certification must be made before the storage facility is put into service.
 - (e) Manure storage facility removal or abandonment shall be carried out in accordance with the facility abandonment plan and applicable standards. The plan shall be certified as

meeting the requirements of this ordinance by a registered PE, or by a DATCP, LCD, or NRCS certified Engineering Practitioner.

- (f) The LCD staff may conduct on site observations during and after construction.
- (g) Activities authorized by permit must be completed within 18 months from the date of issuance after which such permit shall be void. Extensions of up to one year may be granted by the County Conservationist upon written request from the permittee.
- (h) A landowner or permittee must develop an annual nutrient management plan that complies with NRCS Technical Standard 590, and, §§ ATCP 50.04 and NR151.07 Wis. Admin. Code. Annual updates to the nutrient management plan shall be submitted to the LCD by April 1 each year for as long as the permitted storage facility continues to be used.

(10) PERMIT REVOCATION. The LCD may revoke any permit issued under this ordinance if the holder of the permit has misrepresented any material in the permit application or plans referenced in this ordinance, or if the holder of the permit violates any of the conditions of the permit.

13.13 - SCREENING AND SITING REQUIREMENTS.

(1) SCREENING. Screening is required to minimize visual impacts of manure storage facilities to existing residential property owners and rural subdivisions; but not to render such facilities "invisible" from adjoining properties. The placement of adequate screening will be required if:

- (a) An off-site residence exists within 500 feet of the proposed storage facility. Note: The owner of an impacted residence may waive this requirement in writing. If waived, documentation should be submitted with the site plan.
- (b) An existing Rural Subdivision is located within 1,000 feet of the proposed storage facility.

(2) SITING REQUIREMENTS. The following siting requirements shall apply to the extent they are not inconsistent with Wisc. Admin. Code §§ ATCP 51.12(2),(3),(4), and 51.18(6):

- (a) New or expanding manure storage facilities shall not be located within a Water Quality Management Area (WQMA) or within the 100-year floodplain.
- (b) New or expanding manure storage facilities shall be set back a minimum of 300 feet from lot lines. An existing storage facility located within 300 feet from a lot line may expand, but shall not further encroach upon a lot line.
- (c) The LCC may grant an exemption to, or modify, one or more siting requirements for a proposed manure storage facility if requested by the applicant or the department, provided that:
 - 1. Unique property limitations exist and placement in adherence with siting requirement would not be reasonable and or possible; or
 - 2. Adherence to siting requirements would increase the likelihood of future nuisance complaints; or
 - 3. The request is for the protection of water quality.

Note: Setback distances shall be measured from the restrictive feature to the outside edge of the constructed area. For example purposes only, the toe of the outside slope of the manure storage embankment is a restrictive feature in the constructed area.

13.14 - ADMINISTRATION.

(1) DELEGATION OF AUTHORITY. Pepin County hereby designates the County Conservationist to enforce this ordinance.

- (2) **ADMINISTRATIVE DUTIES.** In the administration of this ordinance, the County Conservationist or that person's representative shall:
 - (a) Keep an accurate record of all permit applications, manure facility plans, nutrient management plans, permits issued, inspections made, and other official actions.
 - (b) Review permit applications and issue permits in accordance with this ordinance.
 - (c) Investigate complaints relating to compliance with the ordinance.
 - (d) Monitor permitted activities for compliance with this chapter.
 - (e) Conduct reviews of the nutrient management plans and their implementation.
 - (f) Provide technical services to the extent resources are available.
 - (g) Perform other duties as specified in this ordinance.
- (3) **OBSERVATION AUTHORITY.** Pursuant to Wis. Stat. §92.07(14), the LCC and its agents, are authorized to enter upon lands affected by this ordinance to examine and request records to insure compliance. If the applicant or permittee refuses permission to enter the land, then the LCC or its designee shall enter under its legal authority in accordance with Wis. Stat. § 66.0119. Refusal to grant permission shall be grounds for permit denial or revocation.
- (4) **ENFORCEMENT AUTHORITY.** The County Conservationist is authorized to post an order stopping work upon land which has had a permit revoked or on land in violation of this ordinance. Notice is given by both posting upon the land where the violation occurs, one or more copies of a poster stating the violation, and by mailing a copy of the order by certified mail to the person whose activity is in violation of this ordinance. The order shall specify that the activity must cease immediately and be brought into compliance within 5 working days.

Any permit revocation or order stopping work shall remain in effect unless retracted by the LCC, the County Conservationist, or by a court of general jurisdiction; or until the activity is brought into compliance with the ordinance. The LCD is authorized to refer any violation of this ordinance to the Corporation Counsel or County District Attorney for commencement of further legal proceedings seeking penalties and other appropriate relief in enforcement of the ordinance.

13.15 - VIOLATIONS.

- (1) **PENALTIES.** Any person who violates, neglects, or refuses to comply with or resists the enforcement of any of the provisions of this ordinance shall be subjected to a forfeiture of not less than \$200.00 plus cost of prosecution for each violation. Any unlawful violation includes failure to comply with any standard of this ordinance or with any condition or qualification attached to the permit. Each day that a violation exists shall be a separate offense.
- (2) **ENFORCEMENT OF INJUNCTION.** As a substitute for or as an addition to forfeiture actions, Pepin County may seek enforcement of any part of this ordinance by citation, injunction, or any other legal or equitable remedy available to it.

13.16 - APPEALS.

- (1) **AUTHORITY.** Under authority of Wis. Stat. Ch. 68, the LCC is authorized to hear and decide appeals where it is alleged that there is an error in any order, requirement, decision or determination by the County Conservationist in administering this ordinance.
- (2) **PROCEDURE.** Any appeal shall be made by written request, mailed or delivered to the Pepin County Land Conservation Committee, 740 7th Avenue West, P.O. Box 39 Durand, WI 54736. The request shall state the ground or grounds upon which it is contended that the decision should be modified or reversed. The LCC shall, as soon as reasonable, but no later than its next regular meeting, review the determination under appeal.

(3) WHO MAY APPEAL. Appeals may be taken by any person having a substantial interest, which is adversely affected by the order, requirement, decision, or determination made by the County Conservationist, the LCD, or the LCC.

RECOMMENDED BY THE PEPIN COUNTY DEPARTMENT LAND CONSERVATION/UW-EXTENSION AND COMMUNITY RESOURCES COMMITTEE:

		COMMITTEE MEMBERS VOTE			
<u>/s/ Tom Milliren</u>	<u>12/11/2017</u>	<u>3</u>	<u>0</u>	<u>2</u>	<u>0</u>
Chair	Date	In favor	Oppose	Absent	Abstain

COUNTY BOARD ACTION:

 x ADOPTED
 DEFEATED by the Pepin County Board of Supervisors on this 20th day of Dec. 2017
 TABLED In favor 11 Oppose 0 Absent 1 Abstain 0

/s/ Audrey Bauer
County Clerk

/s/ Dwight Jelle
County Board Chair

Published Date: January 18, 2018

Land Conservationist Chase Cummings presented the changes made to the Amendment of the Manure Storage and Management since the last meeting in October. Comments were opened to the public for discussion. Helen Kees, speaking on behalf of the Neighborhood Ladies stated to the Board her thoughts about the presented Amendment. The title of this Amendment is in title only, no management is noted in the amendment. She asked to table this Ordinance and direct manure management to be truly incorporated into it or to change the title. Motion was made by Supervisor T. Milliren, seconded by Supervisor Jelle, to adopt “Amendment 113 to Pepin County Ordinance 179, Chapter 13- Manure Storage and Management” with the removal of “Management” from the title. Voice vote was taken, 11 voting yes, with one absent member. Motion carried.

Communication: none

Future agenda items and next meeting date – January 17, 2018

Adjournment

Meeting adjourned by Chair Jelle at 9:00 p.m.

(Resolutions and Ordinances are on file for public inspection in the County Clerk’s office.)

Submitted by Audrey Bauer, Pepin County Clerk

Approved by the County Board of Supervisors on February 21, 2018

/s/ Dwight Jelle, Chair
Pepin County Board of Supervisors

PEPIN COUNTY BOARD OF SUPERVISORS MEETING MINUTES

FEBRUARY 21, 2018

CALL TO ORDER

The Pepin County Board of Supervisors meeting was called to order at 7:00 P.M. on Wednesday, February 21, 2018 by Chair Dwight Jelle. The meeting was held at the County Board Room at the Pepin County Government Center, 740 7th Ave W, Durand, WI. This meeting was properly noticed per Section 19.84 of the Wisconsin State Statutes, and complies with Sections 19.81 – 19.90, *Open Meeting Law*.

ESTABLISH QUORUM - ROLL CALL

District #1	Larry Dekan	present	District # 7	Bill Ingram	absent
District #2	Jean Dougherty	present	District #8	Tom Milliren	present
District #3	James J. Kraft	present	District #9	Dwight Jelle	present
District #4	Tessa King	present	District #10	Bruce A. Peterson	absent
District #5	Gerald M. Bauer	absent	District #11	Irene Wolf	present
District #6	Frank E. Milliren	present	District #12	Steven L. Anderson	present

The Pepin County Board of Supervisor had nine members present and three absent – Gerald M Bauer, Bill Ingram and Bruce Peterson.

Others attended included Tom Clark, Michelle Staff and Andy Rensink

PLEDGE OF ALLEGIANCE

The Board honored the flag by reciting the Pledge of Allegiance.

APPROVAL OF THE AGENDA

No changes needed to the Agenda.

PUBLIC COMMENTS

Tom Clark, candidate for the Buffalo-Pepin Counties Circuit Court Judge. Tom Clark introduced himself to the County Board, stating why he would be a good candidate for this position.

CONSENT AGENDA

Approval of the December 20, 2017 County Board Minutes

Motion was made by Supervisor Anderson, seconded by Supervisor T. Milliren, to approve the Consent agenda as presented. Voice vote taken, all in favor. Motion carried.

REPORTS

County Board Committee Reports

The following County Board Committees gave their reports: Highway, Health, Land Conservation/UW Extension and Community Resources Committee, Human Services, Law Enforcement and Executive Committee.

Pepin County Strategic Plan Summary Report

Mary Wood from the Strategic Planning Committee presented the Strategic Plan Summary Report to the County Board. She informed the County Board that the Strategic Planning Committee has completed its work and as a final stage, has identified Strategic Priorities and Action steps which correspond to the Pepin County Vision Statement. The Pepin County Strategic Plan Implementation Resolution will be presented to the County Board for the adoption later at this meeting.

Raising of America documentary and Early Years Partnership

Mary Wood from the UW-Ext, Family Living Agent presented information on Raising of America documentary and Early Years Partnership to the County Board. A short documentary was shown to the County Board about the need for a public engagement campaign that explores how a strong start for all our kids can lead to a healthier, safer, better educated America.

PUBLIC HEARING-Pepin County Floodplain Ordinance

The Public Hearing took place after the Reports section of the meeting. The Public Hearing minutes can be found under Public Hearing minutes for Pepin County Floodplain Ordinance.

BUSINESS ITEMS

RESOLUTIONS:

RESOLUTION NO. 1-18

APPROVAL OF PEPIN COUNTY STRATEGIC PLAN IMPLEMENTATION

WHEREAS, a Strategic Planning Coordinating Committee, comprised of Pepin County Board Supervisors, Department Heads and Constitutional Officers, has coordinated Strategic Planning processes for Pepin County, and

WHEREAS, the Strategic Planning Coordinating Committee has completed its work, and as a final stage, has identified Strategic Priorities and Action Steps which correspond to the Pepin County Vision Statement, and

WHEREAS, the Pepin County Vision Statement was adopted in February 2017 by the Pepin County Board of Supervisors through Resolution 05-17, and a new Pepin County Logo was adopted in June 2017 through Resolution 15-17, and

WHEREAS, the Strategic Planning, Strategic Prioritization and Action Step processes have been reviewed and revised based on input from the Pepin County Board Supervisors, Department Heads and Constitutional Officers, Employees, and

NOW IT THEREFORE BE IT RESOLVED, that Implementation of the Pepin County Strategic Plan be approved by the Pepin County Board of Supervisors:

FISCAL IMPACT REVIEWED – No direct financial impact. However, action steps needed to achieve strategic priorities may individually cause costs to be incurred. Each individual action step that cannot be achieved within the 2018 budgeted departmental funding will be discussed and addressed with future Budget Modifications as needed.

/s/ Pamela DeWitt
Finance Director

 X
Recommend Not Recommended

COUNTY BOARD ACTION:

 X ADOPTED
 DEFEATED by the Pepin County Board of Supervisors on this 21st day of February, 2018
 TABLED In favor 9 Oppose 0 Absent 3 Abstain 0

/s/ Audrey Bauer
County Clerk

/s/ Dwight Jelle
County Board Chair

Motion made by Supervisor F. Milliren, seconded by Supervisor T. Milliren, to approve Resolution 01-18 titled, “Approval Pepin County Strategic Plan Implementation”. Motion carried by voice vote with no negative votes.

RESOLUTION NO. 2-18
RESOLUTION –TO CREATE AND FILL A LAND CONSERVATION & PLANNING DIRECTOR POSITION, SALARY SCALE AND 2018 BUDGET MODIFICATION

WHEREAS, the Pepin County Land Conservation Department provides services to all county citizens and visitors related to the county’s natural resources, and

WHEREAS, the Pepin County Land Management Department provides services to all county citizens and visitors related to the county’s natural resources, emergency management and economic development, and

WHEREAS, combining the Land Conservation and Land Management Departments and their services will aid in creating opportunities for increased efficiencies and improved effectiveness in the services provided by both departments and aid in the retention of current county staff, and

WHEREAS, the related expense for 2018 Land Conservation & Planning Department management structure and department combination were not provided for in the original adopted 2018 Pepin County Budget.

THEREFORE, BE IT RESOLVED, that the combined department be titled Land Conservation & Planning Department, and

BE IT FURTHER RESOLVED, the creation of a Land Conservation & Planning Director position will provide direct supervision to the Land Conservation & Planning Department, and

BE IT FURTHER RESOLVED, the current County Conservationist will serve as the Land Conservation & Planning Director position, and

BE IT FURTHER RESOLVED, that the Pepin County Board of Supervisors does hereby authorize the creation of a Land Conservation & Planning Director Position in the Land Conservation & Planning Department specifically to direct the operations of the former Land Conservation and Land Management Departments and place the County Conservationist at the eighteen month step at the employee’s existing benefits level and adopt the salary scale as follows:

opportunities for increased efficiencies and improved effectiveness in service. This combined department would be titled Land Conservation & Planning Department and the current County Conservationist will serve as the Land Conservation and Planning Director.

Motion made by Supervisor Anderson, seconded by Supervisor T. Milliren, to adopt Resolution 02-18 titled, “To Create and fill a Land Conservation & Planning Director Position, Salary Scale and 2018 Budget Modification”. Roll call vote was taken, with 9 voting yes, with 3 members absent. Motion carried.

**RESOLUTION NO. 3-18
ESTABLISHING TOTAL ANNUAL COMPENSATION FOR
COUNTY ELECTED OFFICIALS PURSUANT TO WIS. STAT. § 59.22**

WHEREAS, pursuant to Wis. Stat. § 59.22(1), the Board must establish the total annual compensation for services to be paid to county elected officials (other than supervisors and circuit judges) prior to the earliest time for filing nomination papers for the county elective office; and

WHEREAS, the Board desires to establish the total annual compensation for county elected officials, which is separate and distinct from the fringe benefits offered by the County to elected officials, and which fringe benefits are subject to increase or decrease during the officer’s term at the discretion of the Board and in accordance with state and federal law; and

WHEREAS, as part of the County’s fringe benefit program, county elected officials may participate in the Wisconsin Retirement System in accordance with state law; and

WHEREAS, as part of the County’s fringe benefit program, county elected officials may elect to receive health insurance coverage under the same terms and conditions as the health insurance coverage offered to non-represented managerial county employees who are not law enforcement managerial employees or non-represented managerial employees described in Wis. Stat. §111.70(1)(mm)2;

NOW, THEREFORE, BE IT RESOLVED by the Pepin County Board of Supervisors, that the total annual compensation for county elected officers under Wis. Stat. § 59.22(1) shall be as follows, effective on the first day of a term of office that begins after the date of this Resolution:

Elected Official:	Total Annual Compensation:			
	2019	2020-2%	2021-2%	2022-2%
County Sheriff	\$ 74,100.00	\$ 75,582.00	\$ 77,093.64	\$ 78,635.51
Clerk of Court	\$ 56,550.00	\$ 57,681.00	\$ 58,834.62	\$ 60,011.31
County Coroner	\$75 Under 1 hour Set rate without increase through 2022			
	\$175 Over 1 hour Set rate without increase through 2022			
	\$75 Cremation Permit Set rate without increase through 2022			

BE IT FURTHER RESOLVED that the aforementioned county elected official is entitled to participate in the Wisconsin Retirement System in accordance with law and the County shall pay only the county’s share of contributions required by law; and

BE IT FURTHER RESOLVED that the aforementioned county elected official is entitled to participate in the County’s health insurance program subject to the terms and conditions of the

program, which may be modified from time to time, under the same terms and conditions as the health insurance coverage offered to non-represented managerial county employees who are not law enforcement managerial employees or non-represented managerial employees described in Wis. Stat. §111.70(1)(mm)2.

RECOMMENDED BY THE PEPIN COUNTY EXECUTIVE COMMITTEE:

/s/ Dwight Jelle
Dwight Jelle, Chair

COMMITTEE MEMBERS VOTE
5 0 0 0
In favor Oppose Absent Abstain

FISCAL IMPACT REVIEWED – No impact on 2018 budget. Fiscal impact will be factored into 2019 budget process.

/s/ Pamela DeWitt
Finance Director

X _____
Recommend Not Recommended

COUNTY BOARD ACTION:

 X ADOPTED
_____ DEFEATED by the Pepin County Board of Supervisors on this 21st day of February, 2018
_____ TABLED In favor 9 Oppose 0 Absent 3 Abstain 0

/s/ Audrey Bauer
County Clerk

/s/ Dwight Jelle
County Board Chair

Personnel Director Micci Weiss informed the County Board that the Board must establish the total annual compensation for services to be paid to county elected officials prior to the filing of nomination papers for the County elective offices for County Sheriff, Clerk of Court and County Coroner. Research was done by Micci Weiss comparing the local counties in the area to establish a rate for each of the position.

Motion made by Supervisor T. Milliren, seconded by Supervisor King, to adopt Resolution 03-18 titled, “Establishing Total Annual Compensation for County Elected Officials Pursuant to WI Stat. § 59.22”. Motion carried with voice vote with no negative votes. Motion carried.

**RESOLUTION NO. 4-18
2018 BUDGET MODIFICATION – LAND MOBILE RADIO SYSTEM PROJECT
CONSULTANT CONTRACT**

WHEREAS the Pepin County Sheriff’s Office Land Mobile Radio System is an aging system and all emergency services located within this County, use the system to communicate, and

WHEREAS the Pepin County Board of Supervisors approved a bonding resolution to upgrade the Pepin County Sheriff’s Office Land Mobile Radio System, and

WHEREAS a consultant will provide knowledgeable information to help with the detailed design, engineering, and procurement of the Land Mobile Radio system upgrade project, and

WHEREAS the Law Enforcement Committee recommends accepting the quote from G.J. Therkelsen and Associates, Inc. to provide Pepin County professional, regarding the detailed design, engineering and procurement services for the civil, backhaul and land mobile radio aspects

of the proposed Pepin County two-way land mobile radio systems project Phase 1, with \$20,233 at the execution of the agreement, and

WHEREAS this expense was not included in the 2018 Pepin County Sheriff’s budget.

NOW, THEREFORE, BE IT RESOLVED that the Pepin County Board of Supervisors authorizes the 2018 Budget to be modified as follows:

<u>Account Number</u>	<u>Account Description</u>	<u>Current Budget</u>	<u>Increase (Decrease)</u>	<u>Amended Budget</u>
<i>General Fund:</i>				
Expenditures:				
100-00-52120-000	Sheriff-Correction/Communications	\$1,028,097	\$ 20,233	\$1,048,330
100-00-59100-000	Contingency Fund	\$ 28,571	(\$ 20,233)	\$ 8,338

RECOMMENDED BY THE PEPIN COUNTY LAW ENFORCEMENT COMMITTEE:

<u>/s/ Steven Anderson</u> Steven Anderson, Chair	<u>5</u> In Favor	<u>0</u> Oppose	<u>0</u> Absent	<u>0</u> Abstain
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FISCAL IMPACT REVIEWED – Impact is as noted above. Upon debt issuance and finalizing proposed budget modification for this project, this expense will be rolled into the entire proposed project. However, to move forward with the consultant and execution of the agreement at this time a down payment is due prior to the debt issuance for the entire project.

<u>/s/ Pamela DeWitt</u> Pamela DeWitt, Finance Director	<u>X</u> Recommend	<u> </u> Not Recommend
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COUNTY BOARD ACTION:

 X ADOPTED
 DEFEATED by the Pepin County Board of Supervisors on the 21st day of February, 2018
 TABLED In favor 9 Oppose 0 Absent 3 Abstain 0

<u>/s/ Audrey Bauer</u> County Clerk	<u>/s/ Dwight Jelle</u> County Board Chair
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This budget modification and contract hires the consultant to do the final design and engineering for the communication radios and towers. The resolution would authorize the obligated to pay the Consultant a 10% down at this time. A draft contract was presented to the County Board. Approving this Resolution is giving Sheriff Werner and Chair Jelle the authority to finish the legal obligation of the Contract and possibly have Corp Council look at it before signing.

Motion made by Supervisor Anderson, seconded by Supervisor Dougherty, to adopt Resolution 04-18 titled, 2018 Budget Modification-Land Mobile Radio System Project Consultant Contract". Roll call vote was taken, 9 votes yes, with 3 members absent. Motion carried.

**RESOLUTION NO. 5-18
2018 BUDGET MODIFICATION – CARRYFORWARD FUNDING
FOR COMPLETION OF 2017 CAPITAL PROJECTS**

WHEREAS the 2017 Pepin County adopted budget included projects for General Facility Assessment and building improvements, furniture upgrade/replacements and remodeling the joint finance office which totaled \$230,000, and

WHEREAS the approved funding for the project was included in a loan from which proceeds were received in 2017, and

WHEREAS the projects were not entirely completed and paid in 2017, and

WHEREAS the remaining vendor invoices and final item purchases totaling \$40,000 to complete the projects will need to be paid in 2018.

NOW, THEREFORE, BE IT RESOLVED that the Pepin County Board of Supervisors authorizes the 2018 Budget to be modified as follows:

<u>Account Number</u>	<u>Account Description</u>	<u>Current Budget</u>	<u>Increase(Decrease)</u>	<u>Amended Budget</u>
	<i>General Fund:</i>			
	Revenues:			
100-00-49300-000	Surplus Applied	\$ 181,983	\$ 40,000	\$ 221,983
	Expenditures:			
100-00-51950-811	Equipment Replacement Fund	\$ 53,718	\$ 40,000	\$ 93,718

RECOMMENDED BY THE PEPIN COUNTY EXECUTIVE COMMITTEE:

COMMITTEE MEMBERS VOTE

/s/ Dwight Jelle
Dwight Jelle, Chair

5 0 0 0
In favor Oppose Absent Abstain

FISCAL IMPACT REVIEWED – as noted above.

/s/ Pamela DeWitt
Finance Director

X _____
Recommend Not Recommended

COUNTY BOARD ACTION:

 X ADOPTED

_____ DEFEATED by the Pepin County Board of Supervisors on this 21st day of February, 2018

_____ TABLED In favor 9 Oppose 0 Absent 3 Abstain 0

/s/ Audrey Bauer
County Clerk

/s/ Dwight Jelle
County Board Chair

Financial Director Pam DeWitt informed that there were a few vendor invoices and final item purchases totaling \$40,000.00 to complete the projects that will need to be paid in 2018 as 2017 Capital projects.

Motion made by Supervisor T. Milliren, seconded by Supervisor Wolf, to adopt Resolution 05-18 titled, "2018 Budget Modification-Carryforward funding for Completion of 2017 Capital Projects". Roll call vote was taken, 9 voted yes, with 3 members absent. Motion carried.

ORDINANCE:

**AMENDMENT NO. 114 TO PEPIN COUNTY ORDINANCE 179
CHAPTER 20 – FLOODPLAIN ZONING CODE**

BE IT OBTAINED BY THE COUNTY BOARD OF SUPERVISORS OF PEPIN COUNTY:

TABLE OF CONTENTS

20.01 STATUTORY AUTHORIZATION, FINDING OF FACT, STATEMENT OF PURPOSE, TITLE AND GENERAL PROVISIONS
20.02 GENERAL STANDARDS APPLICABLE TO ALL FLOODPLAIN
20.03 FLOODWAY DISTRICT (FW)
20.04 FLOODFRINGE DISTRICT (FF)
20.05 GENERAL FLOODPLAIN DISTRICT (GFP)
20.06 NONCONFORMING USES
20.07 ADMINISTRATION
20.08 AMENDMENTS
20.09 ENFORCEMENT AND PENALTIES
20.10 DEFINITIONS

20.01 STATUTORY AUTHORIZATION, FINDING OF FACT, STATEMENT OF PURPOSE, TITLE AND GENERAL PROVISIONS

(1) STATUTORY AUTHORIZATION

This ordinance is adopted pursuant to the authorization in s. 59.69, s. 59.692, and s. 59.694; and the requirements in s. 87.30, Stats.

(2) FINDING OF FACT

Uncontrolled development and use of the floodplains and rivers of this municipality would impair the public health, safety, convenience, general welfare and tax base.

(3) STATEMENT OF PURPOSE

This ordinance is intended to regulate floodplain development to:

- a) Protect life, health and property;
- b) Minimize expenditures of public funds for flood control projects;
- c) Minimize rescue and relief efforts undertaken at the expense of the taxpayers;
- d) Minimize business interruptions and other economic disruptions;
- e) Minimize damage to public facilities in the floodplain;
- f) Minimize the occurrence of future flood blight areas in the floodplain;
- g) Discourage the victimization of unwary land and homebuyers;
- h) Prevent increases in flood heights that could increase flood damage and result in conflicts between property owners; and

- i) Allow development in the floodplain that meets the requirements of this ordinance, unless there is any practicable alternative to locate the activity, use or structure outside of the floodplain.

(4) TITLE

This ordinance shall be known as the Floodplain Zoning Ordinance for Pepin County, Wisconsin.

(5) GENERAL PROVISIONS

a) AREAS TO BE REGULATED

This ordinance regulates all areas that would be covered by the regional flood or base flood as shown on the Flood Insurance Rate Map (FIRM) or other maps approved by DNR. Base flood elevations are derived from the flood profiles in the Flood Insurance Study (FIS) and are shown as AE, A1-30, and AH Zones on the FIRM. Other regulatory zones are displayed as A and AO zones. Regional Flood Elevations (RFE) may be derived from other studies. If more than one map or revision is referenced, the most restrictive information shall apply.

b) OFFICIAL MAPS & REVISIONS

The boundaries of all floodplain districts are designated as A, AE, AH, AO or A1-30 on the maps based on the Flood Insurance Study (FIS) listed below. Any change to the base flood elevations (BFE) or any changes to the boundaries of the floodplain or floodway in the FIS or on the Flood Insurance Rate Map (FIRM) must be reviewed and approved by the DNR and FEMA through the Letter of Map Change process (see s. 20.08 Amendments) before it is effective. No changes to RFE's on non-FEMA maps shall be effective until approved by the DNR. These maps and revisions are on file in the office of the Pepin County Land Management Office. If more than one map or revision is referenced, the most restrictive information shall apply.

1) OFFICIAL MAPS: Based on the Flood Insurance Study:

Flood Insurance Rate Map (FIRM), panel number 55091C0040D, 55091C0045D, 55091C0061D, 55091C0062D, 55091C0063D, 55091C0064D, 55091C0068D, 55091C0070D, 55091C0090D, 55091C0095D, 55091C0115D, 55091C0120D, 55091C0140D, 55091C0145D, 55091C0160D, 55091C0180D, 55091C0185D, 55091C0190D, 55091C0195D, 55091C0201D, 55091C0210D, 55091C0230D, 55091C0235D, 55091C0285D, 55091C0305D, 55091C0310D, 55091C0315D, 55091C0320D, 55091C0330D, 55091C0335D, 55091C0340D.

Effective date August 19, 2010, with corresponding profiles that are based on the Flood Insurance Study (FIS) 55091CV000A effective date August 19, 2010.

Approved by: The DNR and FEMA

2) OFFICIAL MAPS: Based on other studies. Any maps referenced in this section must be approved by the DNR and be more restrictive than those based on the FIS at the site of the proposed development.

- a) Bogus Creek No. 2 Hydraulic Shadow for 100-year flood with dam failure map, profile and floodway data table as prepared by Carol E. C. Drungil, Ph.D., P.E. Hydraulic Engineer, Natural Resource Conservation

Service dated June 2001/revised February 2002 and as approved by the Wisconsin Department of Natural Resources February 11, 2002. (Ord. No. 179, Am. #36, § 2, 5-15-02)

Approved by: The DNR and FEMA

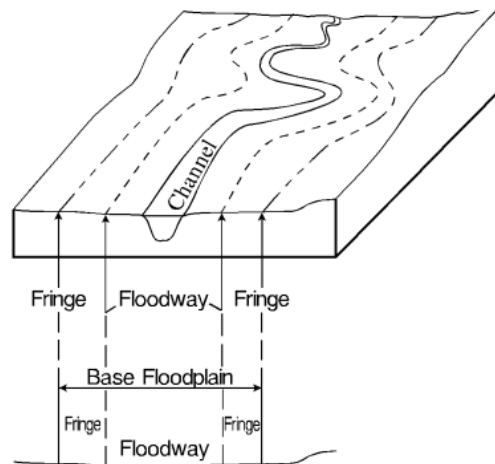
- b) Bogus Creek No. 1 Hydraulic Shadow for 100-year flood with dam failure map, profile and floodway data table as prepared by Gregory M. Wolfe, P.E. Cedar Corporation dated February 2003 and as approved by the Wisconsin Department of Natural Resources on May 4, 2004.
- c) Lost Creek, Structure No. 3 Hydraulic Shadow for 100-year flood with dam failure map, profile and floodway data table as prepared by Gregory M. Wolfe, P.E. Cedar Corporation dated December 2002 and as approved by the Wisconsin Department of Natural Resources May 4, 2004.
- d) Lost Creek, Structure No. 4 Hydraulic Shadow for 100-year flood with dam failure map, profile and floodway data table as prepared by Gregory M. Wolfe, P.E. Cedar Corporation dated February 2004 and as approved by the Wisconsin Department of Natural Resources May 4, 2004.
- e) Lost Creek Structure No. 5 Hydraulic Shadow for 100-year flood with dam failure map, profile and floodway data table as prepared by Gregory M. Wolfe, P.E. Cedar Corporation dated March 2005 and as approved by the Wisconsin Department of Natural Resources on April 28, 2006.
- f) Little Plum Creek Structure No. 12 Hydraulic Shadow for 100-year flood with dam failure map, profile and floodway data table as prepared by Gregory M. Wolfe, P.E. Cedar Corporation dated February 2004 and as approved by the Wisconsin Department of Natural Resources May 4, 2004.

c) ESTABLISHMENT OF FLOODPLAIN ZONING DISTRICTS

The regional floodplain areas are divided into three districts as follows:

- 1) The Floodway District (FW), is the channel of a river or stream and those portions of the floodplain adjoining the channel required to carry the regional floodwaters and are contained within AE Zones as shown on the FIRM.
- 2) The Floodfringe District (FF) is that portion between the regional flood limits and the floodway and displayed as AE Zones on the FIRM.
- 3) The General Floodplain District (GFP) (labeled Base Floodplain in Figure 1) is those areas that may be covered by floodwater during the regional flood and does not have a BFE or floodway boundary determined, including A, AH and AO zones on the FIRM.

Figure 1: Floodplain Zoning Districts



d) **LOCATING FLOODPLAIN BOUNDARIES**

Discrepancies between boundaries on the official floodplain zoning map and actual field conditions shall be resolved using the criteria in subd (1) or (2) below. If a significant difference exists, the map shall be amended according to s. 20.08 Amendments. The zoning administrator can rely on a boundary derived from a profile elevation to grant or deny a land use permit, whether or not a map amendment is required. The zoning administrator shall be responsible for documenting actual pre-development field conditions and the basis upon which the district boundary was determined and for initiating any map amendments required under this section. Disputes between the zoning administrator and an applicant over the district boundary line shall be settled according to s. 20.07(3)(c) and the criteria in (1) and (2) below. Where the flood profiles are based on established base flood elevations from a FIRM, FEMA must approve any map amendment or revision pursuant to s. 20.08 Amendments.

- 1) If flood profiles exist, the map scale and the profile elevations shall determine the district boundary. The regional or base flood elevations shall govern if there are any discrepancies.
- 2) Where flood profiles do not exist for projects, the location of the boundary shall be determined by the map scale.

e) **REMOVAL OF LANDS FROM FLOODPLAIN**

Compliance with the provisions of this ordinance shall not be grounds for removing land from the floodplain unless it is filled at least two feet above the regional or base flood elevation, the fill is contiguous to land outside the floodplain, and the map is amended pursuant to s. 20.08 Amendments.

f) **COMPLIANCE**

Any development or use within the areas regulated by this ordinance shall be in compliance with the terms of this ordinance, and other applicable local, state, and federal regulations.

g) **MUNICIPALITIES AND STATE AGENCIES REGULATED**

Unless specifically exempted by law, all cities, villages, towns, and counties are required to comply with this ordinance and obtain all necessary permits. State agencies are required to comply if s. 13.48(13), Stats., applies. The construction, reconstruction, maintenance and repair of state highways and bridges by the Wisconsin Department of Transportation is exempt when s. 30.2022, Stats., applies.

h) **ABROGATION AND GREATER RESTRICTIONS**

- 1) This ordinance supersedes all the provisions of any municipal zoning ordinance enacted under s. 59.69, 59.692 or 59.694 for counties; or s. 87.30, Stats., which relate to floodplains. A more restrictive ordinance shall continue in full force and effect to the extent of the greater restrictions, but not otherwise.

- 2) This ordinance is not intended to repeal, abrogate or impair any existing deed restrictions, covenants or easements. If this ordinance imposes greater restrictions, the provisions of this ordinance shall prevail.

i) INTERPRETATION

In their interpretation and application, the provisions of this ordinance are the minimum requirements liberally construed in favor of the governing body and are not a limitation on or repeal of any other powers granted by the Wisconsin Statutes. If a provision of this ordinance, required by ch. NR 116, Wis. Adm. Code, is unclear, the provision shall be interpreted in light of the standards in effect on the date of the adoption of this ordinance or in effect on the date of the most recent text amendment to this ordinance.

j) WARNING AND DISCLAIMER OF LIABILITY

The flood protection standards in this ordinance are based on engineering experience and research. Larger floods may occur or the flood height may be increased by man-made or natural causes. This ordinance does not imply or guarantee that non-floodplain areas or permitted floodplain uses will be free from flooding and flood damages. This ordinance does not create liability on the part of, or a cause of action against, the municipality or any officer or employee thereof for any flood damage that may result from reliance on this ordinance.

k) SEVERABILITY

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

l) ANNEXED AREAS FOR CITIES AND VILLAGES

The Pepin County floodplain zoning provisions in effect on the date of annexation shall remain in effect and shall be enforced by the municipality for all annexed areas until the municipality adopts and enforces an ordinance which meets the requirements of ch. NR 116, Wis. Adm. Code and 44 CFR59-72, National Flood Insurance Program (NFIP). These annexed lands are described on the municipality's official zoning map. County floodplain ordinance are incorporated by reference for the purpose of administering this section and are on file in the office of the municipal zoning administrator. All plats or maps of annexation shall show the regional flood elevation and floodway location.

20.02 GENERAL STANDARDS APPLICABLE TO ALL FLOODPLAIN DISTRICTS

The community shall review all permit applications to determine whether proposed building sites will be reasonably safe from flooding. If a proposed building site is in a flood-prone area, all new construction and substantial improvements shall be designed and anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads; be constructed with flood-resistant materials; be constructed to minimize flood damages and to ensure that utility and mechanical equipment is designed and/or located so as to prevent water from entering or accumulating within the equipment during conditions of flooding.

Subdivisions shall be reviewed for compliance with the above standards. All subdivision proposals (including manufactured home parks) shall include regional flood elevation and floodway data for any development that meets the subdivision definition of this ordinance and all other requirements in s. 20.07(1)(b). Adequate drainage shall be provided to reduce exposure to flood hazards and all public utilities and facilities, such as sewer, gas, electrical, and water systems are located and constructed to minimize or eliminate flood damages.

(1) HYDRAULIC AND HYDROLOGIC ANALYSES

- a) No floodplain development shall:
 - 1) Obstruct flow, defined as development which blocks the conveyance of floodwaters by itself or with other development, causing any increase in the regional flood height; or
 - 2) Cause any increase in the regional flood height due to floodplain storage area lost.
- b) The zoning administrator shall deny permits if it is determined the proposed development will obstruct flow or cause any increase in the regional flood height, based on the officially adopted FIRM or other adopted map, unless the provisions of s. 20.08 Amendments are met.

(2) WATERCOURSE ALTERATIONS

No land use permit to alter or relocate a watercourse in a mapped floodplain shall be issued until the local official has notified in writing all adjacent municipalities, the Department and FEMA regional offices, and required the applicant to secure all necessary state and federal permits. The standards of s. 20.02(1) must be met and the flood carrying capacity of any altered or relocated watercourse shall be maintained. As soon as is practicable, but not later than six months after the date of the watercourse alteration or relocation and pursuant to s. 20.08 Amendments, the community shall apply for a Letter of Map Revision (LOMR) from FEMA. Any such alterations must be reviewed and approved by FEMA and the DNR through the LOMC process.

(3) CHAPTER 30, 31, WIS. STATS., DEVELOPMENT

Development which requires a permit from the Department, under chs. 30 and 31, Stats., such as docks, piers, wharves, bridges, culverts, dams and navigational aids, may be allowed if the necessary permits are obtained and amendments to the floodplain zoning ordinance are made according to s. 20.08 Amendments.

(4) PUBLIC OR PRIVATE CAMPGROUNDS

Public or private campgrounds shall have a low flood damage potential and shall meet the following provisions:

- a) The campground is approved by the Department of Health Services;
- b) A land use permit for the campground is issued by the zoning administrator;
- c) The character of the river system and the campground elevation are such that a 72-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 the methods and personnel responsible for conducting the evacuation;

- e) This agreement shall be for no more than one calendar year, at which time the agreement shall be reviewed and updated - by the officials identified in sub. (d) - to remain in compliance with all applicable regulations, including those of the state Department of Health Services and all other applicable regulations;
- f) Only camping units that are fully licensed, if required, and ready for highway use are allowed;
- g) The camping units shall 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 camping units 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 the limited authorizations issued by the campground operator to assure compliance with the terms of this section;
- j) All camping units that remain in place for more than 180 consecutive days must meet the applicable requirements in either s. 20.03, 20.04 or 20.05 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; and
- l) All service facilities, including but not limited to refuse collection, electrical service, gas lines, propane tanks, sewage systems and wells shall be properly anchored and placed at or floodproofed to the flood protection elevation.

20.03 FLOODWAY DISTRICT (FW)

(1) APPLICABILITY

This section applies to all floodway areas on the floodplain zoning maps and those identified pursuant to s. 20.05(4)

(2) PERMITTED USES

The following open space uses are allowed in the Floodway District and the floodway areas of the General Floodplain District, if:

- they are not prohibited by any other ordinance;
- they meet the standards in s. 20.03(3) and 20.03(4); and
- all permits or certificates have been issued according to s. 20.07(1).

- a) Agricultural uses, such as: farming, outdoor plant nurseries, horticulture, viticulture and wild crop harvesting.
- b) Nonstructural industrial and commercial uses, such as loading areas, parking areas and airport landing strips.
- c) Nonstructural recreational uses, such as golf courses, tennis courts, archery ranges, picnic grounds, boat ramps, swimming areas, parks, wildlife and nature preserves, game farms, fish hatcheries, shooting, trap and skeet activities, hunting and fishing areas and hiking and horseback riding trails, subject to the fill limitations of s. 20.03(3)(d)
- d) Uses or structures accessory to open space uses, or classified as historic structures that comply with s. 20.03(3) and 20.03(4).
- e) Extraction of sand, gravel or other materials that comply with s. 20.03(3)(d)
- f) Functionally water-dependent uses, such as docks, piers or wharves, dams, flowage areas, culverts, navigational aids and river crossings of transmission lines, and pipelines that comply with chs. 30 and 31, Stats.
- g) Public utilities, streets and bridges that comply with s. 20.03(3).

(3) STANDARDS FOR DEVELOPMENTS IN THE FLOODWAY

a) GENERAL

- 1) Any development in the floodway shall comply with s. 20.02 and have a low flood damage potential.
- 2) Applicants shall provide the following data to determine the effects of the proposal according to s. 20.02(1) and 20.07(1)(b)(4).
 - a. A cross-section elevation view of the proposal, perpendicular to the watercourse, showing if the proposed development will obstruct flow; or
 - b. An analysis calculating the effects of this proposal on regional flood height.
- 3) The zoning administrator shall deny the permit application if the project will cause any increase in the flood elevations upstream or downstream, based on the data submitted for subd. (b) above.

b) STRUCTURES.

Structures accessory to permanent open space uses or functionally dependent on a waterfront location may be allowed by permit if the structures comply with the following criteria:

- 1) Not designed for human habitation, does not have a high flood damage potential and is constructed to minimize flood damage;
- 2) Shall have a minimum of two openings on different walls having a total net area not less than one square inch for every square foot of enclosed area, and the bottom of all such openings being no higher than one foot above grade. The openings shall be equipped with screens, louvers, or

other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

- 3) Must be anchored to resist flotation, collapse, and lateral movement;
- 4) Mechanical and utility equipment must be elevated or flood proofed to or above the flood protection elevation; and
- 5) It must not obstruct flow of flood waters or cause any increase in flood levels during the occurrence of the regional flood.

c) **PUBLIC UTILITIES, STREETS AND BRIDGES**

Public utilities, streets and bridges may be allowed by permit, if:

- 1) Adequate floodproofing measures are provided to the flood protection elevation; and
- 2) Construction meets the development standards of s. 20.02(1).

d) **FILLS OR DEPOSITION OF MATERIALS**

Fills or deposition of materials may be allowed by permit, if:

- 1) The requirements of s. 20.02(1) are met;
- 2) No material is deposited in navigable waters unless a permit is issued by the Department pursuant to ch. 30, Stats., and a permit pursuant to s. 404 of the Federal Water Pollution Control Act, Amendments of 1972, 33 U.S.C. 1344 has been issued, if applicable, and all other requirements have been met;
- 3) The fill or other materials will be protected against erosion by riprap, vegetative cover, sheet piling or bulkheading; and
- 4) The fill is not classified as a solid or hazardous material.

(4) **PROHIBITED USES**

All uses not listed as permitted uses in s. 20.03(2) are prohibited, including the following uses:

- a) Habitable structures, structures with high flood damage potential, or those not associated with permanent open-space uses;
- b) Storing materials that are buoyant, flammable, explosive, injurious to property, water quality, or human, animal, plant, fish or other aquatic life;
- c) Uses not in harmony with or detrimental to uses permitted in the adjoining districts;
- 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 the applicable provisions of local ordinances and ch. SPS 383, Wis. Adm. Code;
- e) Any public or private wells which are used to obtain potable water, except those for recreational areas that meet the requirements of local ordinances and chs. NR 811 and NR 812, Wis. Adm. Code;
- f) Any solid or hazardous waste disposal sites;
- g) Any wastewater treatment ponds or facilities, except those permitted under s. NR 110.15(3)(b), Wis. Adm. Code; and

- h) Any sanitary sewer or water supply lines, except those to service existing or proposed development located outside the floodway which complies with the regulations for the floodplain area occupied.

20.04 FLOODFRINGE DISTRICT (FF)

(1) APPLICABILITY

This section applies to all floodfringe areas shown on the floodplain zoning maps and those identified pursuant to s. 20.05(4).

(2) PERMITTED USES

Any structure, land use, or development is allowed in the Floodfringe District if the standards in s. 20.04(3) are met, the use is not prohibited by this or any other ordinance or regulation and all permits or certificates specified in s. 20.07(1) have been issued.

(3) STANDARDS FOR DEVELOPMENT IN THE FLOODFRINGE

S. 20.02(1) shall apply in addition to the following requirements according to the use requested. Any existing structure in the floodfringe must meet the requirements of s. 20.06 Nonconforming Uses;

a) RESIDENTIAL USES

Any structure, including a manufactured home, which is to be newly constructed or moved into the floodfringe, shall meet or exceed the following standards. Any existing structure in the floodfringe must meet the requirements of s. 20.06 Nonconforming Uses;

- 1) The elevation of the lowest floor shall be at or above the flood protection elevation on fill unless the requirements of s 20.04(3)(a)(2) can be met. The fill shall be one foot or more above the regional flood elevation extending at least 15 feet beyond the limits of the structure.
- 2) The basement or crawlway floor may be placed at the regional flood elevation if it is dry floodproofed to the flood protection elevation. No basement or crawlway floor is allowed below the regional flood elevation;
- 3) Contiguous dryland access shall be provided from a structure to land outside of the floodplain, except as provided in subd. (4).
- 4) In developments where existing street or sewer line elevations make compliance with subd. (3) impractical, the municipality may permit new development and substantial improvements where roads are below the regional flood elevation, if:
 - a. The municipality has written assurance from police, fire and emergency services that rescue and relief will be provided to the structure(s) by wheeled vehicles during a regional flood event; or
 - b. The municipality has a DNR-approved emergency evacuation plan.

b) ACCESSORY STRUCTURES OR USES

Accessory structures shall be constructed on fill with the lowest floor at or above the regional flood elevation.

c) COMMERCIAL USES

Any commercial structure which is erected, altered or moved into the floodfringe shall meet the requirements of s. 20.04(3)(a). Subject to the requirements of s. 20.04(3)(e), storage yards, surface parking lots and other such uses may be placed

at lower elevations if an adequate warning system exists to protect life and property.

d) **MANUFACTURING AND INDUSTRIAL USES**

Any manufacturing or industrial structure which is erected, altered or moved into the floodfringe shall have the lowest floor elevated to or above the flood protection elevation or meet the floodproofing standards in s. 20.07(5). Subject to the requirements of s. 20.04(3)(e), storage yards, surface parking lots and other such uses may be placed at lower elevations if an adequate warning system exists to protect life and property.

e) **STORAGE OF MATERIALS**

Materials that are buoyant, flammable, explosive, or injurious to property, water quality or human, animal, plant, fish or aquatic life shall be stored at or above the flood protection elevation or floodproofed in compliance with s. 20.07(5). Adequate measures shall be taken to ensure that such materials will not enter the water body during flooding.

f) **PUBLIC UTILITIES, STREETS AND BRIDGES**

All utilities, streets and bridges shall be designed to be compatible with comprehensive floodplain development plans; and

- 1) When failure of public utilities, streets and bridges would endanger public health or safety, or where such facilities are deemed essential, construction or repair of such facilities shall only be permitted if they are designed to comply with s. 20.07(5).
- 2) Minor roads or non-essential utilities may be constructed at lower elevations if they are designed to withstand flood forces to the regional flood elevation.

g) **SEWAGE SYSTEMS**

All sewage disposal systems shall be designed to minimize or eliminate infiltration of flood water into the system, pursuant to s. 20.07(5)(c), to the flood protection elevation and meet the provisions of all local ordinances and ch. SPS 383, Wis. Adm. Code.

h) **WELLS**

All wells shall be designed to minimize or eliminate infiltration of flood waters into the system, pursuant to s. 20.07(5)(c), to the flood protection elevation and shall meet the provisions of chs. NR 811 and NR 812, Wis. Adm. Code.

i) **SOLID WASTE DISPOSAL SITES**

Disposal of solid or hazardous waste is prohibited in floodfringe areas.

j) **DEPOSITION OF MATERIALS**

Any deposited material must meet all the provisions of this ordinance.

k) **MANUFACTURED HOMES**

- 1) Owners or operators of all manufactured home parks and subdivisions shall provide adequate surface drainage to minimize flood damage, and

prepare, secure approval and file an evacuation plan, indicating vehicular access and escape routes, with local emergency management authorities.

- 2) In existing manufactured home parks, all new homes, replacement homes on existing pads, and substantially improved homes shall:
 - a. have the lowest floor elevated to the flood protection elevation; and
 - b. be anchored so they do not float, collapse or move laterally during a flood
 - 3) Outside of existing manufactured home parks, including new manufactured home parks and all single units outside of existing parks, all new, replacement and substantially improved manufactured homes shall meet the residential development standards for the floodfringe in s. 20.04(3)(a).
- 1) **MOBILE RECREATIONAL VEHICLES**
All mobile recreational vehicles that are on site for 180 consecutive days or more or are not fully licensed and ready for highway use shall meet the elevation and anchoring requirements in s. 20.04(3) (k)(2) and (3). A mobile recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick-disconnect utilities and security devices and has no permanently attached additions.

20.05 GENERAL FLOODPLAIN DISTRICT (GFP)

(1) APPLICABILITY

The provisions for this district shall apply to all floodplains mapped as A, AO or AH zones.

(2) PERMITTED USES

Pursuant to s. 20.05(4), it shall be determined whether the proposed use is located within the floodway or floodfringe.

Those uses permitted in the Floodway [s. 20.03(2)] and Floodfringe [s. 20.04(2)] Districts are allowed within the General Floodplain District, according to the standards of s. 20.05(3), provided that all permits or certificates required under s. 20.07(1) have been issued.

(3) STANDARDS FOR DEVELOPMENT IN THE GENERAL FLOODPLAIN DISTRICT

S. 20.03 applies to floodway areas, s. 20.04 applies to floodfringe areas. The rest of this ordinance applies to either district.

- a) In AO/AH Zones the structure's lowest floor must meet one of the conditions listed below whichever is higher:
 - 1) at or above the flood protection elevation; or
 - 2) two (2) feet above the highest adjacent grade around the structure; or
 - 3) the depth as shown on the FIRM
- b) In AO/AH zones, provide plans showing adequate drainage paths to guide floodwaters around structures.

(4) DETERMINING FLOODWAY AND FLOODFRINGE LIMITS

Upon receiving an application for development within the general floodplain district, the zoning administrator shall:

- a) Require the applicant to submit two copies of an aerial photograph or a plan which shows the proposed development with respect to the general floodplain district limits, stream channel, and existing floodplain developments, along with a legal description of the property, fill limits and elevations, building floor elevations and flood proofing measures; and the flood zone as shown on the FIRM.
- b) Require the applicant to furnish any of the following information deemed necessary by the Department to evaluate the effects of the proposal upon flood height and flood flows, regional flood elevation and to determine floodway boundaries.
 - 1) A Hydrologic and Hydraulic Study as specified in s. 20.07(1)(b)(4).
 - 2) Plan (surface view) showing elevations or contours of the ground; pertinent structure, fill or storage elevations; size, location and layout of all proposed and existing structures on the site; location and elevations of streets, water supply, and sanitary facilities; soil types and other pertinent information;
 - 3) Specifications for building construction and materials, floodproofing, filling, dredging, channel improvement, storage, water supply and sanitary facilities.

20.06 NONCONFORMING USES

(1) GENERAL

a) APPLICABILITY

If these standards conform with s.87.30, Stats. and ch. NR 116.15, Wis. Adm. Code and 44 CFR 59-72, they shall apply to all modifications or additions to any nonconforming use or structure and to the use of any structure or premises which was lawful before the passage of this ordinance or any amendment thereto.

- b) The existing lawful use of a structure or its accessory use which is not in conformity with the provisions of this ordinance may continue subject to the following conditions:
 - 1) No modifications or additions to a nonconforming use or structure shall be permitted unless they comply with this ordinance. The words "modification" and "addition" include, but are not limited to, any alteration, addition, modification, structural repair, rebuilding or replacement of any such existing use, structure or accessory structure or use. Maintenance is not considered a modification; this includes painting, decorating, paneling and other nonstructural components and the maintenance, repair or replacement of existing private sewage or water supply systems or connections to public utilities. Any costs associated with the repair of a damaged structure are not considered maintenance.

The construction of a deck that does not exceed 200 square feet and that is adjacent to the exterior wall of a principal structure is not an extension, modification or addition. The roof of the structure may extend over a portion of the deck in order to provide safe ingress and egress to the principal structure.

- 2) If a nonconforming use or the use of a nonconforming structure is discontinued for 12 consecutive months, it is no longer permitted and any future use of the property, and any structure or building thereon, shall conform to the applicable requirements of this ordinance;
- 3) The municipality shall keep a record which lists all nonconforming uses and nonconforming structures, their present equalized assessed value, the cost of all modifications or additions which have been permitted, and the percentage of the structure's total current value those modifications represent;
- 4) No modification or addition to any nonconforming structure or any structure with a nonconforming use, which over the life of the structure would equal or exceed 50% of its present equalized assessed value, shall be allowed unless the entire structure is permanently changed to a conforming structure with a conforming use in compliance with the applicable requirements of this ordinance. Contiguous dry land access must be provided for residential and commercial uses in compliance with s. 20.04(3)(a). The costs of elevating the lowest floor of a nonconforming building or a building with a nonconforming use to the flood protection elevation are excluded from the 50% provisions of this paragraph;
- 5) No maintenance to any nonconforming structure or any structure with a nonconforming use, the cost of which would equal or exceed 50% of its present equalized assessed value, shall be allowed unless the entire structure is permanently changed to a conforming structure with a conforming use in compliance with the applicable requirements of this ordinance. Contiguous dry land access must be provided for residential and commercial uses in compliance with s. 20.04(3)(a).
- 6) If on a per event basis the total value of the work being done under (4) and (5) equals or exceeds 50% of the present equalized assessed value the work shall not be permitted unless the entire structure is permanently changed to a conforming structure with a conforming use in compliance with the applicable requirements of this ordinance. Contiguous dry land access must be provided for residential and commercial uses in compliance with s. 20.04(3)(a).
- 7) Except as provided in subd. (8), if any nonconforming structure or any structure with a nonconforming use is destroyed or is substantially damaged, it cannot be replaced, reconstructed or rebuilt unless the use and the structure meet the current ordinance requirements. A structure is considered substantially damaged if the total cost to restore the structure to

its pre-damaged condition equals or exceeds 50% of the structure's present equalized assessed value.

- 8) For nonconforming buildings that are substantially damaged or destroyed by a nonflood disaster, the repair or reconstruction of any such nonconforming building shall be permitted in order to restore it to the size and use in effect prior to the damage event, provided that the minimum federal code requirements below are met and all required permits have been granted prior to the start of construction.
 - a. Residential Structures
 - i. Shall have the lowest floor, including basement, elevated to or above the base flood elevation using fill, pilings, columns, posts or perimeter walls. Perimeter walls must meet the requirements of s. 20.07(5)(b).
 - ii. Shall be anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy and shall be constructed with methods and materials resistant to flood damage.
 - iii. Shall be constructed with electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities that are designed and/or elevated so as to prevent water from entering or accumulating within the components during conditions of flooding.
 - iv. In A Zones, obtain, review and utilize any flood data available from a federal, state or other source.
 - v. In AO Zones with no elevations specified, shall have the lowest floor, including basement, meet the standards in s. 20.05(3)(a).
 - vi. in AO Zones, shall have adequate drainage paths around structures on slopes to guide floodwaters around and away from the structure.
 - b. Nonresidential Structures
 - i. Shall meet the requirements of s. 20.06(1)(b)(8)a i-vi.
 - ii. Shall either have the lowest floor, including basement, elevated to or above the regional flood elevation; or, together with attendant utility and sanitary facilities, shall meet the standards in s. 20.07(5)(a) or (b).
 - iii. In AO Zones with no elevations specified, shall have the lowest floor, including basement, meet the standards in s. 20.05(3)(a).
 - c. A nonconforming historic structure may be altered if the alteration will not preclude the structure's continued designation as a historic

structure, the alteration will comply with s. 20.03(3)(a), flood resistant materials are used, and construction practices and floodproofing methods that comply with s. 20.07(5) are used. Repair or rehabilitation of historic structures shall be exempt from the development standards of s. 20.06(1)(b)(8)a if it is determined that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and is the minimum necessary to preserve the historic character and design of the structure.

(2) FLOODWAY DISTRICT

- a) No modification or addition shall be allowed to any nonconforming structure or any structure with a nonconforming use in the Floodway District, unless such modification or addition:
 - 1) Has been granted a permit or variance which meets all ordinance requirements;
 - 2) Meets the requirements of s. 20.06(1);
 - 3) Shall not increase the obstruction to flood flows or regional flood height;
 - 4) Any addition to the existing structure shall be floodproofed, pursuant to s. 20.07(5), by means other than the use of fill, to the flood protection elevation; and
 - 5) If any part of the foundation below the flood protection elevation is enclosed, the following standards shall apply:
 - a. The enclosed area shall be designed by a registered architect or engineer to allow for the efficient entry and exit of flood waters without human intervention. A minimum of two openings must be provided with a minimum net area of at least one square inch for every one square foot of the enclosed area. The lowest part of the opening can be no more than 12 inches above the adjacent grade;
 - b. The parts of the foundation located below the flood protection elevation must be constructed of flood-resistant materials;
 - c. Mechanical and utility equipment must be elevated or floodproofed to or above the flood protection elevation; and
 - d. The use must be limited to parking, building access or limited storage.
- b) No new on-site 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 the Floodway District. 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, s. 20.07(5)(c) and ch. SPS 383, Wis. Adm. Code.
- c) No new well or modification to an existing well used to obtain potable water shall be allowed in the Floodway District. Any replacement, repair or maintenance of an existing well in the Floodway District shall meet the applicable requirements

of all municipal ordinances, s. 20.07(5)(c) and chs. NR 811 and NR 812, Wis. Adm. Code.

(3) FLOODFRINGE DISTRICT

- a) No modification or addition shall be allowed to any nonconforming structure or any structure with a nonconforming use unless such modification or addition has been granted a permit or variance by the municipality, and meets the requirements of s. 20.04(3) except where s. 20.06(3)(b) is applicable.
- b) Where compliance with the provisions of subd.(a) would result in unnecessary hardship and only where the structure will not be used for human habitation or be associated with a high flood damage potential, the Board of Adjustment/Appeals, using the procedures established in s. 20.07(3), may grant a variance from those provisions of subd. (a) for modifications or additions using the criteria listed below. Modifications or additions which are protected to elevations lower than the flood protection elevation may be permitted if:
 - 1) No floor is allowed below the regional flood elevation for residential or commercial structures;
 - 2) Human lives are not endangered;
 - 3) Public facilities, such as water or sewer, shall not be installed;
 - 4) Flood depths shall not exceed two feet;
 - 5) Flood velocities shall not exceed two feet per second; and
 - 6) The structure shall not be used for storage of materials as described in s. 20.04(3)(e).
- c) All new private sewage disposal systems, or addition to, replacement, repair or maintenance of a private sewage disposal system shall meet all the applicable provisions of all local ordinances, s. 20.07(5)(c) and ch. SPS 383, Wis. Adm. Code.
- d) All new wells, or addition to, replacement, repair or maintenance of a well shall meet the applicable provisions of this ordinance, s. 20.07(5)(c) and ch. NR 811 and NR 812, Wis. Adm. Code.

20.07 ADMINISTRATION

Where a zoning administrator, planning agency or a board of adjustment/appeals has already been appointed to administer a zoning ordinance adopted under ss. 59.69, 59.692 or 62.23(7), Stats., these officials shall also administer this ordinance.

(1) ZONING ADMINISTRATOR

a) DUTIES AND POWERS

The zoning administrator is authorized to administer this ordinance and shall have the following duties and powers:

- 1) Advise applicants of the ordinance provisions, assist in preparing permit applications and appeals, and assure that the regional flood elevation for the proposed development is shown on all permit applications.
- 2) Issue permits and inspect properties for compliance with provisions of this ordinance and issue certificates of compliance where appropriate.

- 3) Inspect and assess all damaged floodplain structures to determine if substantial damage to the structures has occurred.
- 4) Keep records of all official actions such as:
 - a. All permits issued, inspections made, and work approved;
 - b. Documentation of certified lowest floor and regional flood elevations;
 - c. Floodproofing certificates.
 - d. Water surface profiles, floodplain zoning maps and ordinances, nonconforming uses and structures including changes, appeals, variances and amendments.
 - e. All substantial damage assessment reports for floodplain structures.
 - f. List of nonconforming structures and uses.
- 5) Submit copies of the following items to the Department Regional office:
 - a. Within 10 days of the decision, a copy of any decisions on variances, appeals for map or text interpretations, and map or text amendments;
 - b. Copies of case-by-case analyses and other required information including an annual summary of floodplain zoning actions taken.
 - c. Copies of substantial damage assessments performed and all related correspondence concerning the assessments.
- 6) Investigate, prepare reports, and report violations of this ordinance to the municipal zoning agency and attorney for prosecution. Copies of the reports shall also be sent to the Department Regional office.
- 7) Submit copies of amendments to the FEMA Regional office.

b) LAND USE PERMIT

A land use permit shall be obtained before any new development; repair, modification or addition to an existing structure; or change in the use of a building or structure, including sewer and water facilities, may be initiated. Application to the zoning administrator shall include:

1) GENERAL INFORMATION

- a. Name and address of the applicant, property owner and contractor;
- b. Legal description, proposed use, and whether it is new construction or a modification;

2) EXPIRATION

All permits issued under the authority of this ordinance shall expire no more than 180 days after issuance. The permit may be extended for a maximum of 180 days for good and sufficient cause.

3) SITE DEVELOPMENT PLAN

A site plan drawn to scale shall be submitted with the permit application form and shall contain:

- a. Location, dimensions, area and elevation of the lot;
- b. Location of the ordinary highwater mark of any abutting navigable waterways;

- c. Location of any structures with distances measured from the lot lines and street center lines;
- d. Location of any existing or proposed on-site sewage systems or private water supply systems;
- e. Location and elevation of existing or future access roads;
- f. Location of floodplain and floodway limits as determined from the official floodplain zoning maps;
- g. The elevation of the lowest floor of proposed buildings and any fill using the vertical datum from the adopted study – either National Geodetic Vertical Datum (NGVD) or North American Vertical Datum (NAVD);
- h. Data sufficient to determine the regional flood elevation in NGVD or NAVD at the location of the development and to determine whether or not the requirements of s.20.03 or 20.04 are met; and
- i. Data to determine if the proposed development will cause an obstruction to flow or an increase in regional flood height or discharge according to s. 20.02(1). This may include any of the information noted in s. 20.03(3)(a).

4) HYDRAULIC AND HYDROLOGIC STUDIES TO ANALYZE DEVELOPMENT

All hydraulic and hydrologic studies shall be completed under the direct supervision of a professional engineer registered in the State. The study contractor shall be responsible for the technical adequacy of the study. All studies shall be reviewed and approved by the Department.

- a. Zone A floodplains:
 - i. Hydrology
 - The appropriate method shall be based on the standards in ch. NR 116.07(3), Wis. Admin. Code, Hydrologic Analysis: Determination of Regional Flood Discharge.
 - ii. Hydraulic modeling
 - The regional flood elevation shall be based on the standards in ch. NR 116.07(4), Wis. Admin. Code, Hydraulic Analysis: Determination of Regional Flood Elevation and the following:
 - a) determination of the required limits of the hydraulic model shall be based on detailed study information for downstream structures (dam, bridge, culvert) to determine adequate starting WSEL for the study.
 - b) channel sections must be surveyed.
 - c) minimum four foot contour data in the overbanks shall be used for the development of cross section overbank and floodplain mapping.
 - d) a maximum distance of 500 feet between cross sections is allowed in developed areas with additional

intermediate cross sections required at transitions in channel bottom slope including a survey of the channel at each location.

- e) the most current version of HEC_RAS shall be used.
- f) a survey of bridge and culvert openings and the top of road is required at each structure.
- g) additional cross sections are required at the downstream and upstream limits of the proposed development and any necessary intermediate locations based on the length of the reach if greater than 500 feet.
- h) standard accepted engineering practices shall be used when assigning parameters for the base model such as flow, Manning's N values, expansion and contraction coefficients or effective flow limits. The base model shall be calibrated to past flooding data such as high water marks to determine the reasonableness of the model results. If no historical data is available, adequate justification shall be provided for any parameters outside standard accepted engineering practices.
- i) the model must extend past the upstream limit of the difference in the existing and proposed flood profiles in order to provide a tie-in to existing studies. The height difference between the proposed flood profile and the existing study profiles shall be no more than 0.00 feet.

iii. Mapping

A work map of the reach studied shall be provided, showing all cross section locations, floodway/floodplain limits based on best available topographic data, geographic limits of the proposed development and whether the proposed development is located in the floodway.

- a) If the proposed development is located outside of the floodway, then it is determined to have no impact on the regional flood elevation.
- b) If any part of the proposed development is in the floodway, it must be added to the base model to show the difference between existing and proposed conditions. The study must ensure that all coefficients remain the same as in the existing model, unless adequate justification based on standard accepted engineering practices is provided.

b. Zone AE Floodplains

i. Hydrology

If the proposed hydrology will change the existing study, the appropriate method to be used shall be based on ch. NR 116.07(3), Wis. Admin. Code, Hydrologic Analysis: Determination of Regional Flood Discharge.

ii. Hydraulic model

The regional flood elevation shall be based on the standards in ch. NR 116.07(4), Wis. Admin. Code, Hydraulic Analysis: Determination of Regional Flood Elevation and the following:

a) **Duplicate Effective Model**

The effective model shall be reproduced to ensure correct transference of the model data and to allow integration of the revised data to provide a continuous FIS model upstream and downstream of the revised reach. If data from the effective model is available, models shall be generated that duplicate the FIS profiles and the elevations shown in the Floodway Data Table in the FIS report to within 0.1 foot.

b) **Corrected Effective Model.**

The Corrected Effective Model shall not include any man-made physical changes since the effective model date, but shall import the model into the most current version of HEC-RAS for Department review.

c) **Existing (Pre-Project Conditions) Model.**

The Existing Model shall be required to support conclusions about the actual impacts of the project associated with the Revised (Post-Project) Model or to establish more up-to-date models on which to base the Revised (Post-Project) Model.

d) **Revised (Post-Project Conditions) Model.**

The Revised (Post-Project Conditions) Model shall incorporate the Existing Model and any proposed changes to the topography caused by the proposed development. This model shall reflect proposed conditions.

e) All changes to the Duplicate Effective Model and subsequent models must be supported by certified topographic information, bridge plans, construction plans and survey notes.

f) Changes to the hydraulic models shall be limited to the stream reach for which the revision is being requested. Cross sections upstream and downstream of the revised reach shall be identical to those in the effective model and result in water surface elevations and topwidths computed by the revised models matching those in the effective models upstream and downstream of the

revised reach as required. The Effective Model shall not be truncated.

iii. Mapping

Maps and associated engineering data shall be submitted to the Department for review which meet the following conditions:

- a) Consistency between the revised hydraulic models, the revised floodplain and floodway delineations, the revised flood profiles, topographic work map, annotated FIRMs and/or Flood Boundary Floodway Maps (FBFMs), construction plans, bridge plans.
- b) Certified topographic map of suitable scale, contour interval, and a planimetric map showing the applicable items. If a digital version of the map is available, it may be submitted in order that the FIRM may be more easily revised.
- c) Annotated FIRM panel showing the revised 1% and 0.2% annual chance floodplains and floodway boundaries.
- d) If an annotated FIRM and/or FBFM and digital mapping data (GIS or CADD) are used then all supporting documentation or metadata must be included with the data submission along with the Universal Transverse Mercator (UTM) projection and State Plane Coordinate System in accordance with FEMA mapping specifications.
- e) The revised floodplain boundaries shall tie into the effective floodplain boundaries.
- f) All cross sections from the effective model shall be labeled in accordance with the effective map and a cross section lookup table shall be included to relate to the model input numbering scheme.
- g) Both the current and proposed floodways shall be shown on the map.
- h) The stream centerline, or profile baseline used to measure stream distances in the model shall be visible on the map.

c) CERTIFICATE OF COMPLIANCE

No land shall be occupied or used, and no building which is hereafter constructed, altered, added to, modified, repaired, rebuilt or replaced shall be occupied until a certificate of compliance is issued by the zoning administrator, except where no permit is required, subject to the following provisions:

- 1) The certificate of compliance shall show that the building or premises or part thereof, and the proposed use, conform to the provisions of this ordinance;
- 2) Application for such certificate shall be concurrent with the application for a permit;
- 3) If all ordinance provisions are met, the certificate of compliance shall be issued within 10 days after written notification that the permitted work is completed;
- 4) The applicant shall submit a certification signed by a registered professional engineer, architect or land surveyor that the fill, lowest floor and floodproofing elevations are in compliance with the permit issued. Floodproofing measures also require certification by a registered professional engineer or architect that the requirements of s. 20.07(5) are met.

d) OTHER PERMITS

Prior to obtaining a floodplain development permit the applicant must secure all necessary permits from federal, state, and local agencies, including but not limited to those required by the U.S. Army Corps of Engineers under s. 404 of the Federal Water Pollution Control Act, Amendments of 1972, 33 U.S.C. 1344.

(2) ZONING AGENCY

- a) The Committee responsible for oversight of zoning activities shall:
 - 1) oversee the functions of the office of the zoning administrator; and
 - 2) review and advise the governing body on all proposed amendments to this ordinance, maps and text.
- b) The Law Enforcement/Emergency Management Committee shall not:
 - 1) grant variances to the terms of the ordinance in place of action by the Board of Adjustment/Appeals; or
 - 2) amend the text or zoning maps in place of official action by the governing body.

(3) BOARD OF ADJUSTMENT

The Board of Adjustment, created under s. 59.694, Stats. is hereby authorized or shall be appointed to act for the purposes of this ordinance. The Board shall exercise the powers conferred by Wisconsin Statutes and adopt rules for the conduct of business. The zoning administrator shall not be the secretary of the Board.

a) POWERS AND DUTIES

The Board of Adjustment shall:

- 1) Appeals - Hear and decide appeals where it is alleged there is an error in any order, requirement, decision or determination made by an administrative official in the enforcement or administration of this ordinance;
- 2) Boundary Disputes - Hear and decide disputes concerning the district boundaries shown on the official floodplain zoning map; and

- 3) Variances - Hear and decide, upon appeal, variances from the ordinance standards.

b) APPEALS TO THE BOARD

- 1) Appeals to the board may be taken by any person aggrieved, or by any officer or department of the municipality affected by any decision of the zoning administrator or other administrative officer. Such appeal shall be taken within 30 days unless otherwise provided by the rules of the board, by filing with the official whose decision is in question, and with the board, a notice of appeal specifying the reasons for the appeal. The official whose decision is in question shall transmit to the board all records regarding the matter appealed.

2) NOTICE AND HEARING FOR APPEALS INCLUDING VARIANCES

- a. Notice - The board shall:
 - i. a. Fix a reasonable time for the hearing;
 - ii. b. Publish adequate notice pursuant to Wisconsin Statutes, specifying the date, time, place and subject of the hearing; and
 - iii. c. Assure that notice shall be mailed to the parties in interest and the Department Regional office at least 10 days in advance of the hearing.
- b. Hearing - Any party may appear in person or by agent. The board shall:
 - i. a. Resolve boundary disputes according to s. 20.07(3)(c);
 - ii. b. Decide variance applications according to s. 20.07(3)(d); and
 - iii. c. Decide appeals of permit denials according to s. 20.07(4).

3) DECISION: The final decision regarding the appeal or variance application shall:

- a. Be made within a reasonable time;
- b. Be sent to the Department Regional office within 10 days of the decision;
- c. Be a written determination signed by the Chair or secretary of the Board;
- d. State the specific facts which are the basis for the Board's decision;
- e. Either affirm, reverse, vary or modify the order, requirement, decision or determination appealed, in whole or in part, dismiss the appeal for lack of jurisdiction or grant or deny the variance application; and

- f. Include the reasons for granting an appeal, describing the hardship demonstrated by the applicant in the case of a variance, clearly stated in the recorded minutes of the Board proceedings.

c) **BOUNDARY DISPUTES**

The following procedure shall be used by the Board in hearing disputes concerning floodplain district boundaries:

- 1) If a floodplain district boundary is established by approximate or detailed floodplain studies, the flood elevations or profiles shall prevail in locating the boundary. If none exist, other evidence may be examined;
- 2) The person contesting the boundary location shall be given a reasonable opportunity to present arguments and technical evidence to the Board; and
- 3) If the boundary is incorrectly mapped, the Board should inform the zoning committee or the person contesting the boundary location to petition the governing body for a map amendment according to s. 20.08 Amendments.

d) **VARIANCE**

- 1) The Board may, upon appeal, grant a variance from the standards of this ordinance if an applicant convincingly demonstrates that:
 - a. Literal enforcement of the ordinance will cause unnecessary hardship;
 - b. The hardship is due to adoption of the floodplain ordinance and unique property conditions, not common to adjacent lots or premises. In such case the ordinance or map must be amended;
 - c. The variance is not contrary to the public interest; and
 - d. The variance is consistent with the purpose of this ordinance in s. 20.01(3).
- 2) In addition to the criteria in subd. (1), to qualify for a variance under FEMA regulations, the following criteria must be met:
 - a. The variance shall not cause any increase in the regional flood elevation;
 - b. Variances can only be granted for lots that are less than one-half acre and are contiguous to existing structures constructed below the RFE; and
 - c. Variances shall only be granted upon a showing of good and sufficient cause, shall be the minimum relief necessary, shall not cause increased risks to public safety or nuisances, shall not increase costs for rescue and relief efforts and shall not be contrary to the purpose of the ordinance.
- 3) A variance shall not:
 - a. Grant, extend or increase any use prohibited in the zoning district;
 - b. Be granted for a hardship based solely on an economic gain or loss;
 - c. Be granted for a hardship which is self-created.
 - d. Damage the rights or property values of other persons in the area;

- e. Allow actions without the amendments to this ordinance or map(s) required in s. 20.08 Amendments; and
 - f. Allow any alteration of an historic structure, including its use, which would preclude its continued designation as an historic structure.
- 4) When a floodplain variance is granted the Board shall notify the applicant in writing that it may increase risks to life and property and flood insurance premiums could increase up to \$25.00 per \$100.00 of coverage. A copy shall be maintained with the variance record.

(4) TO REVIEW APPEALS OF PERMIT DENIALS

- a) The Zoning Agency [s. 20.07(2)] or Board shall review all data related to the appeal. This may include:
 - 1) Permit application data listed in s. 20.07(1)(b);
 - 2) Floodway/floodfringe determination data in s. 20.05(4);
 - 3) Data listed in s. 20.03(3)(a)(2) where the applicant has not submitted this information to the zoning administrator; and
 - 4) Other data submitted with the application, or submitted to the Board with the appeal.
- b) For appeals of all denied permits the Board shall:
 - 1) Follow the procedures of s. 20.07(3);
 - 2) Consider zoning agency recommendations; and
 - 3) Either uphold the denial or grant the appeal.
- c) For appeals concerning increases in regional flood elevation the Board shall:
 - 1) Uphold the denial where the Board agrees with the data showing an increase in flood elevation. Increases may only be allowed after amending the flood profile and map and all appropriate legal arrangements are made with all adversely affected property owners as per the requirements of s. 20.08 Amendments; and
 - 2) Grant the appeal where the Board agrees that the data properly demonstrates that the project does not cause an increase provided no other reasons for denial exist.

(5) FLOODPROOFING STANDARDS FOR NONCOMFORMING STRUCTURES OR USES

- a) No permit or variance shall be issued for a non-residential structure designed to be watertight below the regional flood elevation until the applicant submits a plan certified by a registered professional engineer or architect that the floodproofing measures will protect the structure or development to the flood protection elevation and submits a FEMA Floodproofing Certificate.
- b) For a structure designed to allow the entry of floodwaters, no permit or variance shall be issued until the applicant submits a plan either:
 - 1) certified by a registered professional engineer or architect; or
 - 2) meets or exceeds the following standards:

- a) a minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding;
 - b) the bottom of all openings shall be no higher than one foot above grade; and
 - c) openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.
- c) Floodproofing measures shall be designed, as appropriate, to:
- 1) Withstand flood pressures, depths, velocities, uplift and impact forces and other regional flood factors;
 - 2) Protect structures to the flood protection elevation;
 - 3) Anchor structures to foundations to resist flotation and lateral movement;
 - 4) Minimize or eliminate infiltration of flood waters; and
 - 5) Minimize or eliminate discharges into flood waters.

(6) PUBLIC INFORMATION

- a) Place marks on structures to show the depth of inundation during the regional flood.
- b) All maps, engineering data and regulations shall be available and widely distributed.
- c) Real estate transfers should show what floodplain district any real property is in.

20.08 AMENDMENTS

Obstructions or increases may only be permitted if amendments are made to this ordinance, the official floodplain zoning maps, floodway lines and water surface profiles, in accordance with s. 20.08(1).

- a) In AE Zones with a mapped floodway, no obstructions or increases shall be permitted unless the applicant receives a Conditional Letter of Map Revision from FEMA and amendments are made to this ordinance, the official floodplain zoning maps, floodway lines and water surface profiles, in accordance with s. 20.08(1). Any such alterations must be reviewed and approved by FEMA and the DNR.
- b) In A Zones increases equal to or greater than 1.0 foot may only be permitted if the applicant receives a Conditional Letter of Map Revision from FEMA and amendments are made to this ordinance, the official floodplain maps, floodway lines, and water surface profiles, in accordance with s. 20.08(1).

(1) GENERAL

The governing body shall change or supplement the floodplain zoning district boundaries and this ordinance in the manner outlined in s. 20.08(2) below. Actions which require an amendment to the ordinance and/ or submittal of a Letter of Map Change (LOMC) include, but are not limited to, the following:

- a) Any fill or floodway encroachment that obstructs flow causing any increase in the regional flood height;
- b) Any change to the floodplain boundaries and/or watercourse alterations on the FIRM;

- c) Any changes to any other officially adopted floodplain maps listed in s. 20.01(5)(b)(2);
- d) Any floodplain fill which raises the elevation of the filled area to a height at or above the flood protection elevation and is contiguous to land lying outside the floodplain;
- e) Correction of discrepancies between the water surface profiles and floodplain maps;
- f) Any upgrade to a floodplain zoning ordinance text required by s. NR 116.05, Wis. Adm. Code, or otherwise required by law, or for changes by the municipality; and
- g) All channel relocations and changes to the maps to alter floodway lines or to remove an area from the floodway or the floodfringe that is based on a base flood elevation from a FIRM requires prior approval by FEMA.

(2) PROCEDURES

Ordinance amendments may be made upon petition of any party according to the provisions of s. 59.69, Stats., for counties. The petitions shall include all data required by s. 20.05(4) and 20.07(1)(b). The Land Use Permit shall not be issued until a Letter of Map Revision is issued by FEMA for the proposed changes.

- a) The proposed amendment shall be referred to the zoning agency for a public hearing and recommendation to the governing body. The amendment and notice of public hearing shall be submitted to the Department Regional office for review prior to the hearing. The amendment procedure shall comply with the provisions of s. 62.23, Stats., for cities and villages or s. 59.69, Stats., for counties.
- b) No amendments shall become effective until reviewed and approved by the Department.
- c) All persons petitioning for a map amendment that obstructs flow causing any increase in the regional flood height, shall obtain flooding easements or other appropriate legal arrangements from all adversely affected property owners and notify local units of government before the amendment can be approved by the governing body.

20.09 ENFORCEMENT AND PENALTIES

Any violation of the provisions of this ordinance by any person shall be unlawful and shall be referred to the municipal attorney who shall expeditiously prosecute all such violators. A violator shall, upon conviction, forfeit to the municipality a penalty of not more than \$50.00 (fifty dollars), together with a taxable cost of such action. Each day of continued violation shall constitute a separate offense. Every violation of this ordinance is a public nuisance and the creation may be enjoined and the maintenance may be abated by action at suit of the municipality, the state, or any citizen thereof pursuant to s. 87.30, Stats.

20.10 DEFINITIONS

Unless specifically defined, words and phrases in this ordinance shall have their common law meaning and shall be applied in accordance with their common usage. Words used in the present tense include the future, the singular number includes the plural and the plural number includes the singular. The word "may" is permissive, "shall" is mandatory and is not discretionary.

1. A ZONES – Those areas shown on the Official Floodplain Zoning Map which would be inundated by the regional flood. These areas may be numbered or unnumbered A Zones. The A Zones may or may not be reflective of flood profiles, depending on the availability of data for a given area.
2. AH ZONE – See “AREA OF SHALLOW FLOODING”.
3. AO ZONE – See “AREA OF SHALLOW FLOODING”.
4. ACCESSORY STRUCTURE OR USE – A facility, structure, building or use which is accessory or incidental to the principal use of a property, structure or building.
5. ALTERATION – An enhancement, upgrading or substantial change or modifications other than an addition or repair to a dwelling or to electrical, plumbing, heating, ventilating, air conditioning and other systems within a structure.
6. AREA OF SHALLOW FLOODING – A designated AO, AH, AR/AO, AR/AH, or VO zone on a community’s Flood Insurance Rate Map (FIRM) with a 1 percent or greater annual chance of flooding to an average depth of 1 to 3 feet where a clearly defined channel does not exist, where the path of flooding is unpredictable, and where velocity flood may be evident. Such flooding is characterized by ponding or sheet flow.
7. BASE FLOOD – Means the flood having a one percent chance of being equaled or exceeded in any given year, as published by FEMA as part of a FIS and depicted on a FIRM.
8. BASEMENT – Any enclosed area of a building having its floor sub-grade, i.e., below ground level, on all sides.
9. BUILDING – See STRUCTURE.
10. BULKHEAD LINE – A geographic line along a reach of navigable water that has been adopted by a municipal ordinance and approved by the Department pursuant to s. 30.11, Stats., and which allows limited filling between this bulkhead line and the original ordinary highwater mark, except where such filling is prohibited by the floodway provisions of this ordinance.
11. CAMPGROUND – Any parcel of land which is designed, maintained, intended or used for the purpose of providing sites for nonpermanent overnight use by 4 or more camping units, or which is advertised or represented as a camping area.
12. CAMPING UNIT – Any portable device, no more than 400 square feet in area, used as a temporary shelter, including but not limited to a camping trailer, motor home, bus, van, pick-up truck, or tent that is fully licensed, if required, and ready for highway use.
13. CERTIFICATE OF COMPLIANCE – A certification that the construction and the use of land or a building, the elevation of fill or the lowest floor of a structure is in compliance with all of the provisions of this ordinance.
14. CHANNEL – A natural or artificial watercourse with definite bed and banks to confine and conduct normal flow of water.
15. CRAWLWAYS or CRAWL SPACE – An enclosed area below the first usable floor of a building, generally less than five feet in height, used for access to plumbing and electrical utilities.
16. DECK – An unenclosed exterior structure that has no roof or sides, but has a permeable floor which allows the infiltration of precipitation.
17. DEPARTMENT – The Wisconsin Department of Natural Resources.
18. DEVELOPMENT – Any artificial change to improved or unimproved real estate, including, but not limited to, the construction of buildings, structures or accessory structures; the construction of additions or alterations to buildings, structures or accessory

structures; the repair of any damaged structure or the improvement or renovation of any structure, regardless of percentage of damage or improvement; the placement of buildings or structures; subdivision layout and site preparation; mining, dredging, filling, grading, paving, excavation or drilling operations; the storage, deposition or extraction of materials or equipment; and the installation, repair or removal of public or private sewage disposal systems or water supply facilities.

19. **DRYLAND ACCESS** – A vehicular access route which is above the regional flood elevation and which connects land located in the floodplain to land outside the floodplain, such as a road with its surface above regional flood elevation and wide enough for wheeled rescue and relief vehicles.

20. **ENCROACHMENT** – Any fill, structure, equipment, use or development in the floodway.

21. **FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA)** – The federal agency that administers the National Flood Insurance Program.

22. **FLOOD INSURANCE RATE MAP (FIRM)** – A map of a community on which the Federal Insurance Administration has delineated both the floodplain and the risk premium zones applicable to the community. This map can only be amended by the Federal Emergency Management Agency.

23. **FLOOD or FLOODING** – A general and temporary condition of partial or complete inundation of normally dry land areas caused by one of the following conditions:

- The overflow or rise of inland waters;
- The rapid accumulation or runoff of surface waters from any source;
- The inundation caused by waves or currents of water exceeding anticipated cyclical levels along the shore of Lake Michigan or Lake Superior; or
- The sudden increase caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as a seiche, or by some similarly unusual event.

24. **FLOOD FREQUENCY** – The probability of a flood occurrence which is determined from statistical analyses. The frequency of a particular flood event is usually expressed as occurring, on the average once in a specified number of years or as a percent (%) chance of occurring in any given year.

25. **FLOODFRINGE** – That portion of the floodplain outside of the floodway which is covered by flood waters during the regional flood and associated with standing water rather than flowing water.

26. **FLOOD HAZARD BOUNDARY MAP** – A map designating approximate flood hazard areas. Flood hazard areas are designated as unnumbered A-Zones and do not contain floodway lines or regional flood elevations. This map forms the basis for both the regulatory and insurance aspects of the National Flood Insurance Program (NFIP) until superseded by a Flood Insurance Study and a Flood Insurance Rate Map.

27. **FLOOD INSURANCE STUDY** – A technical engineering examination, evaluation, and determination of the local flood hazard areas. It provides maps designating those areas affected by the regional flood and provides both flood insurance rate zones and base flood elevations and may provide floodway lines. The flood hazard areas are designated as numbered and unnumbered A-Zones. Flood Insurance Rate Maps, that accompany the Flood Insurance Study, form the basis for both the regulatory and the insurance aspects of the National Flood Insurance Program.

28. **FLOODPLAIN** – Land which has been or may be covered by flood water during the regional flood. It includes the floodway and the floodfringe, and may include other designated floodplain areas for regulatory purposes.
29. **FLOODPLAIN ISLAND** – A natural geologic land formation within the floodplain that is surrounded, but not covered, by floodwater during the regional flood.
30. **FLOODPLAIN MANAGEMENT** – Policy and procedures to insure wise use of floodplains, including mapping and engineering, mitigation, education, and administration and enforcement of floodplain regulations.
31. **FLOOD PROFILE** – A graph or a longitudinal profile line showing the relationship of the water surface elevation of a flood event to locations of land surface elevations along a stream or river.
32. **FLOODPROOFING** – Any combination of structural provisions, changes or adjustments to properties and structures, water and sanitary facilities and contents of buildings subject to flooding, for the purpose of reducing or eliminating flood damage.
33. **FLOOD PROTECTION ELEVATION** – An elevation of two feet of freeboard above the water surface profile elevation designated for the regional flood. (Also see: **FREEBOARD**.)
34. **FLOOD STORAGE** – Those floodplain areas where storage of floodwaters has been taken into account during analysis in reducing the regional flood discharge.
35. **FLOODWAY** – The channel of a river or stream and those portions of the floodplain adjoining the channel required to carry the regional flood discharge.
36. **FREEBOARD** – A safety factor expressed in terms of a specified number of feet above a calculated flood level. Freeboard compensates for any factors that cause flood heights greater than those calculated, including ice jams, debris accumulation, wave action, obstruction of bridge openings and floodways, the effects of watershed urbanization, loss of flood storage areas due to development and aggregation of the river or stream bed.
37. **HABITABLE STRUCTURE** – Any structure or portion thereof used or designed for human habitation.
38. **HEARING NOTICE** – Publication or posting meeting the requirements of Ch. 985, Stats. For appeals, a Class 1 notice, published once at least one week (7 days) before the hearing, is required. For all zoning ordinances and amendments, a Class 2 notice, published twice, once each week consecutively, the last at least a week (7 days) before the hearing. Local ordinances or bylaws may require additional notice, exceeding these minimums.
39. **HIGH FLOOD DAMAGE POTENTIAL** – Damage that could result from flooding that includes any danger to life or health or any significant economic loss to a structure or building and its contents.
40. **HIGHEST ADJACENT GRADE** – The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.
41. **HISTORIC STRUCTURE** – Any structure that is either:
- Listed individually in the National Register of Historic Places or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
 - Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a

district preliminarily determined by the Secretary to qualify as a registered historic district;

- Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or
- Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either by an approved state program, as determined by the Secretary of the Interior; or by the Secretary of the Interior in states without approved programs.

42. INCREASE IN REGIONAL FLOOD HEIGHT – A calculated upward rise in the regional flood elevation greater than 0.00 foot, based on a comparison of existing conditions and proposed conditions which is directly attributable to development in the floodplain but not attributable to manipulation of mathematical variables such as roughness factors, expansion and contraction coefficients and discharge.

43. LAND USE – Any nonstructural use made of unimproved or improved real estate. (Also see DEVELOPMENT.)

44. LOWEST ADJACENT GRADE – Elevation of the lowest ground surface that touches any of the exterior walls of a building.

45. LOWEST FLOOR – The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of 44 CFR 60.3.

46. MAINTENANCE – The act or process of restoring to original soundness, including redecorating, refinishing, non-structural repairs, or the replacement of existing fixtures, systems or equipment with equivalent fixtures, systems or structures.

47. MANUFACTURED HOME – A structure transportable in one or more sections, which is built on a permanent chassis and is designed to be used with or without a permanent foundation when connected to required utilities. The term "manufactured home" includes a mobile home but does not include a "mobile recreational vehicle."

48. MOBILE/MANUFACTURED HOME PARK OR SUBDIVISION – A parcel (or contiguous parcels) of land, divided into two or more manufactured home lots for rent or sale.

49. MOBILE/MANUFACTURED HOME PARK OR SUBDIVISION, EXISTING – A parcel of land, divided into two or more manufactured home lots for rent or sale, on which the construction of facilities for servicing the lots is completed before the effective date of this ordinance. At a minimum, this would include the installation of utilities, the construction of streets and either final site grading or the pouring of concrete pads.

50. MOBILE/MANUFACTURED HOME PARK, EXPANSION TO EXISTING – The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed. This includes installation of utilities, construction of streets and either final site grading, or the pouring of concrete pads.

51. 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. Manufactured homes that are towed or carried onto a parcel of land, but do not remain capable of being towed or carried, including park model homes, do not fall within the definition of "mobile recreational vehicles."

52. MODEL, CORRECTED EFFECTIVE – A hydraulic engineering model that corrects any errors that occur in the Duplicate Effective Model, adds any additional cross sections to the Duplicate Effective Model, or incorporates more detailed topographic information than that used in the current effective model.

53. MODEL, DUPLICATE EFFECTIVE – A copy of the hydraulic analysis used in the effective FIS and referred to as the effective model.

54. MODEL, EFFECTIVE – The hydraulic engineering model that was used to produce the current effective Flood Insurance Study.

55. MODEL, EXISTING (PRE-PROJECT) – A modification of the Duplicate Effective Model or Corrected Effective Model to reflect any man-made modifications that have occurred within the floodplain since the date of the effective model but prior to the construction of the project for which the revision is being requested. If no modification has occurred since the date of the effective model, then this model would be identical to the Corrected Effective Model or Duplicate Effective Model.

56. MODEL, REVISED (POST-PROJECT) – A modification of the Existing or Pre-Project Conditions Model, Duplicate Effective Model or Corrected Effective Model to reflect revised or post-project conditions.

57. MUNICIPALITY or MUNICIPAL – The county, city or village governmental units enacting, administering and enforcing this zoning ordinance.

58. NAVD or NORTH AMERICAN VERTICAL DATUM – Elevations referenced to mean sea level datum, 1988 adjustment.

59. NGVD or NATIONAL GEODETIC VERTICAL DATUM – Elevations referenced to mean sea level datum, 1929 adjustment.

60. NEW CONSTRUCTION – For floodplain management purposes, "new construction" means structures for which the start of construction commenced on or after the effective date of floodplain zoning regulations adopted by this community and includes any subsequent improvements to such structures. For the purpose of determining flood insurance rates, it includes any structures for which the "start of construction" commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures.

61. NONCONFORMING STRUCTURE – An existing lawful structure or building which is not in conformity with the dimensional or structural requirements of this ordinance for the area of the floodplain which it occupies. (For example, an existing residential structure in the floodfringe district is a conforming use. However, if the lowest floor is lower than the flood protection elevation, the structure is nonconforming.)

62. NONCONFORMING USE – An existing lawful use or accessory use of a structure or building which is not in conformity with the provisions of this ordinance for the area of the floodplain which it occupies. (Such as a residence in the floodway.)

63. OBSTRUCTION TO FLOW – Any development which blocks the conveyance of floodwaters such that this development alone or together with any future development will cause an increase in regional flood height.

64. **OFFICIAL FLOODPLAIN ZONING MAP** – That map, adopted and made part of this ordinance, as described in s. 20.01(5)(b), which has been approved by the Department and FEMA.
65. **OPEN SPACE USE** – Those uses having a relatively low flood damage potential and not involving structures.
66. **ORDINARY HIGHWATER 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 distinctive mark such as by erosion, destruction or prevention of terrestrial vegetation, predominance of aquatic vegetation, or other easily recognized characteristic.
67. **PERSON** – An individual, or group of individuals, corporation, partnership, association, municipality or state agency.
68. **PRIVATE SEWAGE SYSTEM** – A sewage treatment and disposal system serving one structure with a septic tank and soil absorption field located on the same parcel as the structure. It also means an alternative sewage system approved by the Department of Safety and Professional Services, including a substitute for the septic tank or soil absorption field, a holding tank, a system serving more than one structure or a system located on a different parcel than the structure.
69. **PUBLIC UTILITIES** – Those utilities using underground or overhead transmission lines such as electric, telephone and telegraph, and distribution and collection systems such as water, sanitary sewer and storm sewer.
70. **REASONABLY SAFE FROM FLOODING** – Means base flood waters will not inundate the land or damage structures to be removed from the floodplain and that any subsurface waters related to the base flood will not damage existing or proposed buildings.
71. **REGIONAL FLOOD** – A flood determined to be representative of large floods known to have occurred in Wisconsin. A regional flood is a flood with a one percent chance of being equaled or exceeded in any given year, and if depicted on the FIRM, the RFE is equivalent to the BFE.
72. **START OF CONSTRUCTION** – The date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond initial excavation, or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling, nor does it include the installation of streets and/or walkways, nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms, nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For an alteration, the actual start of construction means the first alteration of any wall, ceiling, floor or other structural part of a building, whether or not that alteration affects the external dimensions of the building.
73. **STRUCTURE** – Any manmade object with form, shape and utility, either permanently or temporarily attached to, placed upon or set into the ground, stream bed or lake bed, including, but not limited to, roofed and walled buildings, gas or liquid storage tanks, bridges, dams and culverts.
74. **SUBDIVISION** – Has the meaning given in s. 236.02(12), Wis. Stats.

75. **SUBSTANTIAL DAMAGE** – Damage of any origin sustained by a structure, whereby the cost of restoring the structure to its pre-damaged condition would equal or exceed 50 percent of the equalized assessed value of the structure before the damage occurred.

76. **SUBSTANTIAL IMPROVEMENT** – Any repair, reconstruction, rehabilitation, addition or improvement of a building or structure, the cost of which equals or exceeds 50 percent of the equalized assessed value of the structure before the improvement or repair is started. If the structure has sustained substantial damage, any repairs are considered substantial improvement regardless of the work performed. The term does not, however, include either any project for the improvement of a building required to correct existing health, sanitary or safety code violations identified by the building official and that are the minimum necessary to assure safe living conditions; or any alteration of a historic structure provided that the alteration will not preclude the structure’s continued designation as a historic structure.

77. **UNNECESSARY HARDSHIP** – Where special conditions affecting a particular property, which were not self-created, have made strict conformity with restrictions governing areas, setbacks, frontage, height or density unnecessarily burdensome or unreasonable in light of the purposes of the ordinance.

78. **VARIANCE** – An authorization by the board of adjustment or appeals for the construction or maintenance of a building or structure in a manner which is inconsistent with dimensional standards (not uses) contained in the floodplain zoning ordinance.

79. **VIOLATION** – The failure of a structure or other development to be fully compliant with the floodplain zoning ordinance. A structure or other development without required permits, lowest floor elevation documentation, floodproofing certificates or required floodway encroachment calculations is presumed to be in violation until such time as that documentation is provided.

80. **WATERSHED** – The entire region contributing runoff or surface water to a watercourse or body of water.

81. **WATER SURFACE PROFILE** – A graphical representation showing the elevation of the water surface of a watercourse for each position along a reach of river or stream at a certain flood flow. A water surface profile of the regional flood is used in regulating floodplain areas.

82. **WELL** – means an excavation opening in the ground made by digging, boring, drilling, driving or other methods, to obtain groundwater regardless of its intended use.

RECOMMENDED BY THE PEPIN COUNTY DEPARTMENT LAW ENFORCEMENT COMMITTEE:

		COMMITTEE MEMBERS VOTE			
<u>Steven Anderson</u>	<u>02/12/2018</u>	<u>4</u>	<u>0</u>	<u>0</u>	<u>1</u>
Chair	Date	In favor	Oppose	Absent	Abstain

COUNTY BOARD ACTION:

 X ADOPTED
 DEFEATED by the Pepin County Board of Supervisors on this 21st day of February, 2018
 TABLED In favor - 8 Oppose - 1 Absent - 3 Abstain - 0

/s/ Audrey Bauer
County Clerk

/s/ Dwight Jelle
County Board Chair

Published Date: March 1, 2018

Amendment 114 to Ordinance 179 will be effective upon publication

Maria Nelson, Zoning Administrator, stated that the County has a deadline of March 15th of this year to get our Ordinance in line to be in compliance with the State and Federal standards. A few last minute corrections, omissions, and wording changes were stated and presented at the meeting that was proposed by Legal Counsel and Michelle Staff, National Flood Insurance Program Coordinator for the Wisconsin DNR. Michelle also answered questions from the public and County Board Supervisors pertaining the regulations. Supervisor Kraft asked that his email correspondence with Maria Nelson pertaining to the floodplain ordinance be kept as public record and be read at the meeting. Discussion among the Board on this should be a continued effort to work towards getting the county back into compliance so that we are eligible for disaster relief and our residents have the option to purchase floodplain insurance.

Motion was made by Supervisor Anderson, seconded by Supervisor Dougherty, to adopt Amendment 114 to the Pepin County Ordinance 179, Chapter 20, Floodplain Zoning Code with suggested amendments. Voice vote was taken, eight voted yes, with one negative vote by Supervisor Kraft. Three members were absent. Motion carried.

Communication:

Resignation of Mary Fayerweather from the Indianhead Library Advisory Council

Chair Jelle informed the County Board that Mary Fayerweather resigned from the Indianhead Library Advisory Council. A volunteer for the position is being sought.

Future agenda items and next meeting date – March 21, 2018.

Adjournment

Meeting adjourned by Chair Jelle at 8:57 p.m.

(Resolutions and Ordinances are on file for public inspection in the County Clerk's office.)

Submitted by Audrey Bauer, Pepin County Clerk

Approved by the County Board of Supervisors on March 21, 2018

/s/ Dwight Jelle, Chair
Pepin County Board of Supervisors

PEPIN COUNTY BOARD OF SUPERVISORS MEETING MINUTES

March 21, 2018

CALL TO ORDER

The Pepin County Board of Supervisors meeting was called to order at 7:00 P.M. on Wednesday, March 21, 2018 by Chair Dwight Jelle. The meeting was held at the County Board Room at the Pepin County Government Center, 740 7th Ave W, Durand, WI. This meeting was properly noticed per Section 19.84 of the Wisconsin State Statutes, and complies with Sections 19.81 – 19.90, *Open Meeting Law*.

ESTABLISH QUORUM - ROLL CALL

District #1	Larry Dekan	present	District # 7	Bill Ingram	present
District #2	Jean Dougherty	present	District #8	Tom Milliren	present
District #3	James J. Kraft	present	District #9	Dwight Jelle	present
District #4	Tessa King	absent	District #10	Bruce A. Peterson	present
District #5	Gerald M. Bauer	absent	District #11	Irene Wolf	present
District #6	Frank E. Milliren	present	District #12	Steven L. Anderson	present

The Pepin County Board of Supervisors had ten members present and two absent – Gerald M. Bauer and Tessa King.

PLEDGE OF ALLEGIANCE

The Board honored the flag by reciting the Pledge of Allegiance.

APPROVAL OF THE AGENDA

No changes needed to the Agenda.

PUBLIC COMMENTS

Public comments will be open to the public during the time of discussion of the topic on the agenda.

CONSENT AGENDA

Approval of the February 21, 2018 County Board Minutes

Motion was made by Supervisor Anderson, seconded by Supervisor T. Milliren, to approve the Consent agenda as presented. Voice vote taken, all in favor. Motion carried.

REPORTS:

County Board Committee Reports

The following County Board Committees gave their reports: Highway, Health, Land Conservation/UW Extension and Community Resources Committee, Human Services, Law Enforcement and Executive Committee.

Recognition of out-going County Board Members

Three County Board Supervisors decided not to be a candidate for the Pepin County Supervisor position at the upcoming April 3rd election. They include Dwight Jelle, Gerald M. Bauer and Larry Dekan. County Board of Supervisor, 2nd Vice Chair, Steve Anderson presented a clock award to

Dwight Jelle and Larry Dekan in recognizing and thanking them for their years of service. Gerald M. Bauer will receive his at a later date. Cake was available for everyone.

BUSINESS ITEMS

Resolutions:

**RESOLUTION NO. 6-18
RESOLUTION PROVIDING FOR THE SALE OF
\$5,000,000 GENERAL OBLIGATION COUNTY PROJECT BONDS**

WHEREAS on December 20, 2017, the Board of Supervisors of Pepin County, Wisconsin (the “County”) adopted an initial resolution (the “Initial Resolution”), by a vote of at least 3/4 of the members-elect, authorizing the issuance of general obligation bonds or promissory notes in an amount not to exceed \$6,000,000 for the public purpose of financing building improvement projects and communications facilities and equipment (the “Project”), and

WHEREAS it has been determined to issue general obligation bonds (the “Bonds”) pursuant to the Initial Resolution in the principal amount of \$5,000,000 to finance costs of the Project.

NOW, THEREFORE, BE IT RESOLVED that:

Section 1. The Bonds. The Bonds shall be designated “General Obligation County Project Bonds” and shall be issued in an amount not to exceed \$5,000,000 for the purpose above specified.

Section 2. Sale of Bonds. The County Board hereby authorizes and directs that the Bonds be offered for public sale. At a subsequent meeting, the County Board shall consider such bids for the Bonds as may have been received and take action thereon.

Section 3. Notice of Bond Sale. The County Clerk is hereby directed to cause notice of the sale of the Bonds to be disseminated in such manner and at such times as the County Clerk may determine and to cause copies of a complete, official Notice of Bond Sale and other pertinent data to be forwarded to interested bidders as the County Clerk may determine.

Section 4. Official Statement. The County Clerk shall cause an Official Statement concerning this issue to be prepared by the County's financial advisor, PMA Securities, Inc. The appropriate County officials shall determine when the Official Statement is final for purposes of Securities and Exchange Commission Rule 15c2-12 and shall certify said Statement, such certification to constitute full authorization of such Statement under this resolution.

RECOMMENDED BY THE PEPIN COUNTY EXECUTIVE COMMITTEE

COMMITTEE MEMBERS VOTE

 4 0 1 0

In favor Oppose Absent Abstain

/s/ Dwight Jelle, Chair

FISCAL IMPACT REVIEWED – As also noted in Resolution 51-17, additional debt will increase the total levy as debt service and is an allowable increase to base levy.

/s/ Pamela DeWitt
Finance Director

 X _____
Recommend Not Recommended

COUNTY BOARD ACTION:

 X ADOPTED
 DEFEATED by the Pepin County Board of Supervisors on this 21st day of March 2018
 TABLED In favor 10 Oppose 0 Absent 2 Abstain 0

/s/ Audrey Bauer
County Clerk

/s/ Dwight Jelle
County Board Chair

Financial Director Pam DeWitt informed the County Board of Supervisors of the details of this resolution. The Financial Advisor from PMA Securities presented information at the Executive Committee meeting on the different bonding scenario’s available. The Committee agreed to go with a hybrid 15-year amortization and would be searching for a local bank for the one million dollars as part of the bond. The remainder 5 million dollars of the bond would be going out for public sale bids. This resolution would be the next step to authorize and direct that the bond be offered for public sale. The plan is to go to market in August 2018, with the funds available in September 2018.

Motion made by Supervisor Anderson, seconded by Supervisor Ingram, to adopt Resolution 06-18 titled, “Resolution Providing for the Sale of \$5,000,000.00 General Obligation County Projects Bonds.” Roll Call vote was taken. Ten Supervisors voted yes, with no negative votes and two Supervisors absent. Motion carried.

**RESOLUTION NO. 7-18
REAUTHORIZATION OF SELF-INSURANCE**

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

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

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

WHEREAS the Pepin County Executive Committee, at its March 15, 2018 meeting, approved the continuation of the self-insured worker’s compensation program, in compliance with Wisconsin Administrative Code DWD 80.60(3).

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

- (1) Provide for the continuation of the self-insured worker’s compensation program that is currently in effect.

- (2) Authorize the Pepin County Finance Director, Pamela DeWitt, to forward certified copies of this resolution to the Worker’s Compensation Division, Wisconsin Department of Workforce Development,

RECOMMENDED BY THE PEPIN COUNTY EXECUTIVE COMMITTEE

COMMITTEE MEMBERS VOTE

 4 0 1 0
 In favor Oppose Absent Abstain

/s/ Dwight Jelle, Chair

FISCAL IMPACT REVIEWED – No change in fiscal impact or risk by continuing to be self-insured for workers compensation.

/s/ Pamela DeWitt
 Finance Director

 X _____
 Recommend Not Recommended

COUNTY BOARD ACTION:

 X ADOPTED
 _____ DEFEATED by the Pepin County Board of Supervisors on this 21st day of March 2018
 _____ TABLED In favor 10 Oppose 0 Absent 2 Abstain 0

/s/ Audrey Bauer
 County Clerk

/s/ Dwight Jelle
 County Board Chair

Financial Director Pam DeWitt informed the County Board of Supervisors that every three years the County needs to reauthorize and continue the Self-Insurance that is currently in effect. At the March 15, 2018, the Executive Committee recommended to continue with the self-insured worker’s compensation program that follows the Wisconsin Administrative Code DWD 80.60(3) as previously done in the past.

Motion made by Supervisor Peterson, seconded by Supervisor T. Milliren, to adopt Resolution 07-18 titled, “Reauthorization of Self-Insurance”. Voice vote was taken, with no negative votes. Motion carried.

Abatement of Human Health Hazard-Stephen Seipel Property

Chair Jelle informed the County Board of Supervisors about the Stephen Seipel property, Arkansaw, WI. Our Board of Health Director, Heidi Stewart ordered to secure the property to protect the public from Human Health Hazard by boarding up the windows and securing the roof. Comments from the public included Dan Richardson, Jon Kelton, Dennis Milliren, June Anderson, Bruce Myers, Marlo Myers stating their concerns about this property in their township and neighborhood. After more discussion, Supervisor T. Milliren made a motion to table this Resolution to discuss it further with Town of Waterville Board. Seconded by Supervisor F. Milliren. Vote by show of hands was taken. Voting yes-6, voting no-4 and two Supervisors absent. Motion tabled.

Ordinance:

**ORDINANCE NO. 182
IMPOSING A MORATORIUM ON EXPANSION AND CREATION
OF LARGE-SCALE LIVESTOCK FACILITIES
PEPIN COUNTY, WISCONSIN**

The Pepin County Board of Supervisors does ordain as follows:

Section 1. Legislative Findings

The Pepin County Farmland Preservation Plan adopted November 15, 2016, states:

“Using well sample results from 1990 for comparison, the Land Conservation Department has conducted further well monitoring of 50 wells in 2008, 2010 and 2015. The most recent results from 2015 indicate that 24 percent of the wells tested for nitrates in the County exceeded the Environmental Protection Agency’s safe Standard of 10 mg/L. The County average well nitrate level in 2015 is 6.8 mg/L.”

“The natural level of nitrate in Wisconsin’s groundwater is less than 1 mg/L. Elevated nitrate levels can be an indicator of other potential contaminants. Using the average nitrate trend for the County from sample years of 1990, 2008, 2010, and 2015, a projected average nitrate level is calculated to be 6.8 – 7.7 mg/L by 2020, 7.19 – 8.46 mg/L by 2025 and will exceed 10 mg/L by 2035-2050.”

“Ground water supplies all of the human consumption needs in Pepin County. About 44 percent of the county has bedrock within ten feet of the ground surface. Nonpoint source pollutants are the primary cause of surface water quality problems in the county. Agriculture and to a lesser extent, urban land disturbing activities are the primary sources of pollutants to the county’s surface water resources. Sources of surface water pollutants include: barnyard runoff, nutrient and sediment runoff from cropped fields, manure runoff from improperly stacked/ stored animal waste, concentrated flow erosion from cropped fields and logging trails, ephemeral erosion from cropped fields and runoff from construction projects.”

The Pepin County Comprehensive Plan 2013-2033 adopted September 18, 2013, states:

“Land Use, Goal A- Protect and provide for the public health, safety, and general welfare of the residents of the county.”

“Agriculture, Natural and Cultural Resources, Element, Goal F- Prevent introduction into the environment of chemicals, particulate matter, or biological materials which cause discomfort, disease, damage or death to humans, other living organisms, the natural environment, or built environment.”

“Goals, Strategies, Policies and Actions for Land Use, Goal B, Policies- “Work with Pepin County programs to achieve NR 151 and ATCP 50 performance standards in agricultural practices.”

“Goals, Strategies, Policies and Actions for Land Use, Goal D, Objective- Owners and developers whose operations involve exceeding seasonal road weight limitations or which create unreasonable wear-and-tear, damage or safety concerns related to a dramatic increase in traffic or other impacts so as to warrant upgrades to the existing roads, should be solely responsible for the necessary upgrades to and for the ongoing maintenance of the affected roads.”

“Goals, Strategies, Policies and Actions for Utilities and Community Facilities, Objective Water-(a) Adequate capacity for industrial and commercial expansion and (b) Encourage monitoring/sampling for potential contaminants in groundwater.”

“Goals, Strategies, Policies and Actions for Utilities and Community Facilities, Objective Sanitary- (d.) Evaluate treatment alternatives for large scale disposal operations and (e) Develop standards for small scale alternative waste disposal options.”

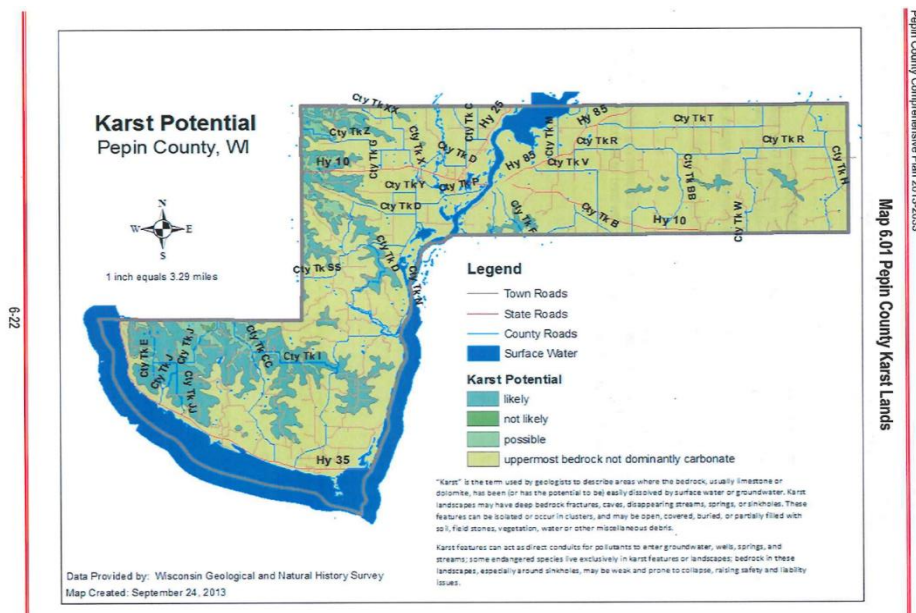
“Agriculture, Natural and Cultural Resources, Groundwater- “From 1990-2006 81% of the 59 private wells sampled collected in Pepin County met the health based drinking water level for nitrate-nitrogen. In 2002, a study estimated that 52% of private drinking wells in the region of Wisconsin that includes Pepin County contained a detectable level of an herbicide or herbicide metabolite. As of 2006, there are 102 atrazine prohibition areas in Wisconsin, covering about 1.2 million acres. Atrazine is a corn herbicide used to control weeds in corn fields. There are no atrazine prohibition areas in Pepin County.”

“Goals, Strategies, Policies and Actions For Agricultural, Natural and Cultural Resources, Goal B, Objectives- (b) Encourage land use practices that minimize environmental pollution and (c) Improve and protect surface and groundwater quality;”

“Goals for the Natural Resources Element, Goal A- Protect surface and ground water quality and quantity and Policies- (e) Adhere to EPA and State of Wisconsin guidelines regulating CAFO’s.”

“Goals for the Natural Resources Element, Goal F, Objective (a) Limit or decrease emissions from stationary, mobile, or natural sources of pollution.”

“Map 6.01 Pepin County Karst Lands, illustrates the Karst Potential in Pepin County, Wisconsin. Karst features can act as direct conduits for pollutants to enter groundwater, wells, springs, and streams.”



The Federal Clean Water Act, 33 U.S.C. Statute 1251 et. seq. (1972), established the law for regulating discharges of pollutants into the waters of the United States.

The Clean Water Act is partially encoded into Wisconsin State law under Wisconsin Chapter NR 140, Groundwater Quality, and clearly establishes the levels of pollutants, including nitrates, which must be met before a Wisconsin Pollution Discharge Elimination System (WPDES) permit can be issued.

Chapter NR 140 prohibits the issuance of a WPDES permit if groundwater nitrate levels are 10 mg/L or greater and health is impacted.

Current Pepin County Ordinances regarding large livestock facilities do not adequately protect the health, safety and welfare of Pepin County residents. It is critical that all necessary and appropriate safeguards be in place before large livestock facilities commence or expand in Pepin County.

Section 2. Authority

This ordinance is adopted pursuant to the powers granted under Wisconsin Constitution, and Wisconsin Statutes including but not limited to Sections 59.02(2), 59.03(2)(a), and 59.69.

Section 3. Purposes

The purposes of this ordinance are as follows:

1. To allow Pepin County to investigate the impacts of large-scale livestock facilities on groundwater, surface water and air quality, specifically as those issues apply in Pepin County.
2. To allow Pepin County adequate time to review current ordinances and study, review, consider and determine whether amendment of existing ordinances and/or creation and adoption of a Livestock Facilities Licensing Ordinance or other ordinance applicable in all unincorporated areas within Pepin County is required to protect the public health, safety and welfare of the residents of Pepin County and the quality of land, air and water resources of Pepin County.

Section 4. Definitions

1. “Expansion” means, for the purpose of this ordinance, the addition of livestock at a pre-existing livestock facility that would result in the number of livestock to exceed 500 animal units fed, confined, maintained, or stabled.
2. “Livestock facility” means a feedlot, dairy farm or other operation where livestock are or will be fed, confined, maintained or stabled for a total of 45 days or more in any 12-month period. A “livestock facility” includes all of the tax parcels of land on which the facility is located but does not include pasture or winter grazing area. Related livestock facilities are collectively treated as a single “livestock facility,” except that an operator may elect to treat a separate species facility as a separate “livestock facility.”
3. “Related livestock facilities” means livestock facilities that are owned or managed by the same person, and related to each other in at least one of the following ways:
 - (a) They are located on the same tax parcel or adjacent tax parcels of land.
 - (b) They use one or more of the same livestock structures to collect or store manure.
 - (c) At least a portion of their manure is applied to the same land spreading acreage.
4. “Separate species facility” means a livestock facility that meets all of the following criteria:
 - (a) It has only one of the following types of livestock, and that type of livestock is not kept on any other livestock facility to which the separate species facility is related under sub. 3:
 1. Cattle.
 2. Swine.
 3. Poultry.

4. Sheep.
 5. Goats.
 6. Mink and other furbearing animals.
- (b) It has no more than 500 animal units.
- (c) Its livestock housing and manure storage structures, if any, are separate from the livestock housing and manure storage structures used by livestock facilities to which it is related under sub. 3.
- (d) It meets one of the following criteria:
1. Its livestock housing and manure storage structures, if any, are located at least 750 feet from the nearest livestock housing or manure storage structure used by a livestock facility to which it is related under sub. 3.
 2. It and the other livestock facilities to which it is related under sub. 3 have a combined total of fewer than 500 animal units.

Section 5. Moratorium Imposed

The Pepin County Board of Supervisors hereby imposes a moratorium on the establishment of all new livestock facilities that will have 500 or more animal units, and/ or the expansion of currently existing livestock facilities if the number of animal units kept at the expanded facility will be 500 or more.

Section 6. Exception

The moratorium imposed herein shall not apply to existing facilities who are not currently expanding herd size or to applicants who have submitted complete permit applications to establish or expand a livestock facility of/ to 500 or more animal units as of the date of adoption of this ordinance.

Section 7. Duration of Moratorium

This moratorium shall be in effect for a period of twelve (12) months from the date this ordinance is passed by the County Board of Supervisors unless the County Board of Supervisors rescinds this moratorium at an earlier date. This moratorium may be extended for up to twelve (12) months by a majority vote of the Pepin County Board of Supervisors.

Section 8. Action and Study During Moratorium

The Pepin County Board of Supervisors hereby directs the Pepin County Land Conservation and Planning Department to:

1. Research, gather, analyze, and synthesize scientific literature regarding the impact of livestock facilities of 500 or more animal units on groundwater, surface water, air quality, and public health and safety, specifically as these issues apply to Pepin County.
2. Identify areas where new regulations may be needed, where current regulations need to be modified, and where enforcement of current regulations is inadequate and needed to protect the public health and safety.
3. Propose solutions to the Pepin County Land Conservation Committee and the Pepin County Board of Supervisors. This report shall be presented no less than 90 days prior to the end of the moratorium adopted pursuant to this ordinance.

Section 9. Severability

If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby.

Section 10. Effective Date

This ordinance shall take effect upon passage and publication as provided by law. This ordinance shall not be codified.

Enacted by the Pepin County Board of Supervisors this 21st day of March 2018

Enacted on: March 21, 2018

OFFERED BY THE LAND CONSERVATION COMMITTEE

Published on: March 29, 2018

/s/ Tom Milliren
Tom Milliren, Chair

ATTEST:

/s/ Audrey Bauer
Audrey Bauer, County Clerk

COUNTERSIGNED:

/s/ Dwight Jelle
Chair, Pepin County Board of Supervisors

Imposing a Moratorium on Expansion and Creation of Large Scale Livestock Facilities

Chair Jelle informed the County Board of Supervisors that this Moratorium has been in the works for some time. The Board of Health Committee started this moratorium and the Land Conservation Department took it over and has moved forward to recommend a 12-month moratorium on Expansion and Creation of Large Scale Livestock Facilities for adoption. Comments from the public included Dan Richardson, President of Pepin & Pierce Farmers Union, Pat Simpson, Nan Setterlund, Kim Dupre, Lynn Peterson, Chris Kees Winkler, Helen Kees, Chuck Harschlip and Brian Winnekins all in favor of this Moratorium. Helen Kees presented articles titled, Factory Farms: “The Wicked Problem, Destroying Rural Economies and Communities” and another article titled, “Properties Devalued by Factory Farm Activities” as public record.

Motion made by Supervisor Peterson, seconded by Supervisor T. Milliren, to adopt Ordinance 182 titled, “Imposing a Moratorium on Expansion and Creation of Large-Scale Livestock Facilities”. Voice vote was taken. All in favor with no negative votes. Motion carried.

Communication:

Re-appoint Mark Chilson as a Veteran Service Citizen member-term ending 12/31/2020

Re-appoint Steve Johnson, DDS as a Board of Health citizen member-term ending 04/2021

Appointment of Aging Advisory Committee members- Irene Wolf, Jane Whiteside, Robert Shutes, Rita McDonnell and Birdie Gilbertson

Appointment of Anne Anderson as an Indianhead Library Advisory Council Member to fill out the remaining term ending 12/2018.

Motion made by Supervisor Ingram, seconded by Supervisor Kraft, to appoint all the appointments listed above. Voice vote was taken, with no negative votes. Motion carried.

Future agenda items and next meeting date

Next County Board of Supervisor's meeting will be the organizational meeting held at 9:30 a.m. on April 17, 2018 in the County Board Room.

Adjournment

Meeting adjourned by Chair Jelle at 8:52 p.m.

(Resolutions and Ordinances are on file for public inspection in the County Clerk's office.)

Submitted by Audrey Bauer, Pepin County Clerk

Approved by the County Board of Supervisors on April 17, 2018.

/s/ Steven L Anderson, Chair

Pepin County Board of Supervisors