

PIERCE COUNTY BOARD OF SUPERVISORS

Tuesday, February 26, 2019 – 7:00 p.m.

Courthouse – County Board Room

414 W. Main St., Ellsworth, WI 54011

1.	Call to order
2.	Call of the roll by the Clerk 2a) Establish Quorum 2b) Adopt Agenda
3.	Pledge of Allegiance to the flag
4.	Public Comment: County Board will receive public comments on any issue not related to agenda items, discussion by board members may take place but no action will be taken on any item raised.
5.	Resolutions for consideration: First reading: 5a) Resolution No. 18-33 Transfer from General Fund for 2018 Treasurer Property Assessment Budget Deficit*
6.	Resolutions for consideration: Second reading: 6a) None
7.	Ordinances for consideration: First reading: 7a) Ordinance No. 18-05 Create Article XI to Chapter 176 of the Pierce County Code- Possession of Drug Paraphernalia
8.	Ordinances for consideration: Second reading: 8a) Ordinance No. 18-04 Amend Chapter 172, Section 172-15(B) of the Pierce County Code – Parks and Recreation (ATV Routes)
9.	Appointments: 9a) Revolving Loan Fund Committee: Jens Loberg & Raynee Farrell > Terms run through April of 2021
10.	Future agenda items
11.	Next meeting: Mar. 26, 2019; 7 p.m.; County Board Room, Courthouse
12.	Adjourn
Questions regarding this agenda may be made to Jamie Feuerhelm at 715-273-6744. Upon reasonable notice, efforts will be made to accommodate the needs of individuals with disabilities requiring special accommodations for attendance at the meeting. For additional information or to make a request, contact the Administrative Coordinator at 715-273-6851.	

jrf 02/15/2019

*Adoption requested on first reading.

5a.

Resolutions for First Reading:

**Resolution No. 18-33 Transfer from
General Fund for 2018 Treasurer
Property Assessment Budget
Deficit***

***Adoption requested on First Reading**



Jamie Feuerhelm <jamie.feuerhelm@co.pierce.wi.us>

Request for F & P Action

Meeting Date *

February ▼ 4 ▼ 2019 ▼

Agenda Item *

Discuss/take action to approve resolution to transfer \$22,696 from the General Fund to 2018 Treasurer Property Assessment budget to rectify budget deficit.

Requesting Agency *

Treasurer's Department

Background *

Due to a newly hired employee accepting employer offered health insurance benefits, the 2018 Treasurer's Department Property Assessment budget had unplanned line item expenditures of \$27,665.91 for health insurance. Despite the good efforts to reduce expenses by Treasurer's Department staff, the Property Assessment budget ended 2018 with a deficit of \$22,695.98.

Section 65.90(5)(a) requires that changes in the amount of tax appropriation in a budget be authorized by a vote of two-thirds of the entire membership of the governing body. In this case, that would be the Pierce County Board of Supervisors.

Timely approval of this resolution is important for a timely closure of the 2018 books. The 2018 audit is scheduled for April.

The Finance Director has reported that there are sufficient funds in the General Fund to be used for this purpose.

Staff Recommendation *

The Treasurer's Department requests the Finance and Personnel Committee to approve the authorization to transfer \$22,696 from the General Fund to the 2018 Treasurer's Department Property Assessment budget to rectify the budget deficit. Approval on the first reading is requested so that the 2018 books can be closed in preparation for the annual audit in April.

Recommended Motion: (Motion by seconded by to approve and authorize) *

Motion by _____, seconded by _____ to recommend to the County Board the approval of Resolution 18-xx Transfer from General Fund for 2018 Treasurer Property Assessment Budget Deficit, and that it be approved on a first reading for a timely closure of the 2018 books.

RESOLUTION NO. 18-33
TRANSFER FROM GENERAL FUND FOR
2018 TREASURER PROPERTY ASSESSMENT BUDGET DEFICIT

WHEREAS, in 2018 the Treasurer Property Assessment budget exceeded its final budgeted amount by \$22,696.00 due to a newly hired employee accepting health insurance benefits; and

WHEREAS, the Treasurer tries to keep costs down as much as possible, however has no actual control over whether an employee takes employer offered health insurance benefits; and

WHEREAS, the additional costs set forth above were not budgeted for in the 2018 Property Assessment budget and as a result a deficit of \$22,696.00 exists in the 2018 Property Assessment budget; and

WHEREAS, pursuant to §65.90(5) Wis. Stats., the County Board is required to authorize transfers in excess of 10% of the department budget, or if the transfer is requested from the General Fund rather than the Contingency Fund; and

WHEREAS, pursuant to §65.90(5)(a) Wis. Stats., a change in the amount of tax appropriation in a budget requires a vote of two-thirds of the entire membership of the County Board of Supervisors; and

WHEREAS, on February 4, 2018 the Finance and Personnel Committee reviewed the transfer request and took action to forward to the County Board their recommendation that they approve the transfer from the General Fund into the 2018 Property Assessment budget the amount of \$22,696.00 to cover the deficit, and that it be approved on a first reading to close the 2018 books timely and allow the auditors to perform the 2018 audit in April.

NOW THEREFORE, BE IT RESOLVED, that the Pierce County Board of Supervisors hereby approves and authorizes the transfer from the General Fund into the 2018 Treasurer Property Assessment Budget the amount of \$22,696.00, to line item 154 Health Insurance, for the purposes set forth herein.

Dated this 26th day of February, 2019.

Jeffrey A. Holst, Chairman
Pierce County Board of Supervisors

ATTESTED TO BY:

APPROVED AS TO FORM AND LEGALITY BY:

Jamie Feuerhelm, County Clerk

Bradley D. Lawrence, Corp. Counsel

Adopted _____

7a.

Ordinances for First Reading:

**Ordinance No. 18-05 Create Article
XI to Chapter 176 of the Pierce
County Code-Possession of Drug
Paraphernalia**

Finance/Personnel & County Board

Meeting Date: February 4, 2019

Date of Request: January 24, 2019

Agenda Item: Discuss/take action on Resolution **18-xx**; Create Article XI to Chapter 176 of the Pierce County Code – Possession of Drug Paraphernalia.

Requesting Agency: District Attorney

Requested Action: Create Article XI to Chapter 176 of the Pierce County Code – Possession of Drug Paraphernalia.

Background:

Pierce County codifies the possession of marijuana, which carries a monetary penalty. Wisconsin Statute prohibits the possession of marijuana, classified as a misdemeanor offense, punishable by incarceration and/or fine under Chapter 961. Similarly, Wisconsin Statute prohibits the possession of drug paraphernalia, classified as a misdemeanor offense, punishable by incarceration and/or fine under Chapter 961. Despite this, the Pierce County Code does not have an equivalent ordinance for drug paraphernalia violations to date. The creation of the proposed ordinance would offer added discretion in reviewing and prosecuting drug paraphernalia cases.

Staff Recommendation: Create Article XI to Chapter 176 of the Pierce County Code – Possession of Drug Paraphernalia.

Recommended Motion:

Motion to create Article XI to Chapter 176 of the Pierce County Code – Possession of Drug Paraphernalia.

ORDINANCE NO. 18-05
Create Article XI to Chapter 176 of the Pierce County Code –
Possession of Drug Paraphernalia

PIERCE COUNTY BOARD OF SUPERVISORS DOES HEREBY ORDAIN AS
FOLLOWS:

SECTION 1: That Article XI of Chapter 176 of the Pierce County Code is hereby created to read as follows:

Chapter 176: Peace and Good Order

Article XI: Possession of Drug Paraphernalia

§ 176-38. Definition.

“Drug Paraphernalia” has the same meaning as the definition found in § 961.571(1), Wis. Stats.

§ 176-39. Possession or use.

No person may use, or possess with the intent to use, drug paraphernalia to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, ingest, inhale or otherwise introduce into the human body, a controlled substance or controlled substance analog in violation of § 961.573(1), Wis. Stats.

§ 176-40. Determination.

In determining whether an object is drug paraphernalia, a court or other authority shall consider the factors stated in § 961.572, Wis. Stats.

§ 176-41. Exemptions.

This article does not apply to manufacturers, practitioners, pharmacists, owners of pharmacies and other persons whose conduct is in accordance with Chapter 961, Wis. Stats.

§ 176-42. Penalty.

Any person who violates this article by possessing paraphernalia as defined in § 176-38 shall, upon conviction, be subject to a forfeiture of not more than \$500 together with costs of prosecution and penalty assessment and, in default of payment of such forfeiture and costs, shall be subject to imprisonment in the county jail until such forfeiture and costs are paid, but not to exceed thirty (30) days.

§ 176-43. Amendments.

Any future amendments, revisions or modifications of Chapter 961, Wis. Stats., or any other statutes referred to in this article are intended to be made part of this article as such amendments, revisions or modifications are made to said statutes.

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

Dated this 26th day of February, 2019.

Jeffrey A. Holst, Chair
Pierce County Board of Supervisors

ATTESTED TO BY:

APPROVED AS TO FORM AND LEGALITY BY:

Jamie Feuerhelm, County Clerk

Bradley D. Lawrence, Corp. Counsel

BDL

Adopted: _____

8a.

Ordinances for Second Reading:

**Ordinance No. 18-04 Amend
Chapter 172, Section 172-15(B) of
the Pierce County Code – Parks and
Recreation (ATV Routes)**

9a.

Appointments:

Revolving Loan Fund Committee:

Jens Loberg & Raynee Farrell >

Terms run through April of 2021



Jamie Feuerhelm <jamie.feuerhelm@co.pierce.wi.us>

Fwd: RLF committee appointments

Cyndi Kern <cyndi.kern@co.pierce.wi.us>

Fri, Feb 8, 2019 at 11:59 AM

To: Jamie Feuerhelm <jamie.feuerhelm@co.pierce.wi.us>

Will this work for you to have this added to next County Board meeting for appointments?

----- Forwarded message -----

From: **Raynee Farrell** <rfarrell@ccf.us>

Date: Wed, Jan 30, 2019 at 1:01 PM

Subject: RLF committee appointments

To: Cyndi Kern <cyndi.kern@co.pierce.wi.us>

Cc: Heather Hines <heather@pcedc.com>, Joe Folsom <joe@pcedc.com>

Hello Cyndi –

With regards to the Revolving Loan Committee - I would request **Jens Loberg** and myself (**Raynee Farrell**) be re-appointed for the term of 2 years.

The closing of the RLF fund thru the state needs to be complete with in 2 years, from 2/1/2019 so the future of our committee is uncertain.

The option of reappointment was given via email to myself, Jens Loberg and Jim Hovel with only Jens and myself responding,. The RLF committee did not have a formal meeting .

Sincerely,

Raynee Farrell

Raynee Farrell

Chairperson – Pierce County Revolving Loan Fund

Raynee Farrell**CCFBANK | Branch Manager |** NMLS 712400

218 N Broadway | Ellsworth WI 54011

p. 715.273.4502 | Ext 12601

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