

PIERCE COUNTY BOARD OF SUPERVISORS

Tuesday, April 18, 2017 – 9:00 a.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.	Discuss/take action on 2016 Annual Reports for Departments
	ALL LEGISLATION MAY BE ACTED UPON ON THE FIRST READING WITH THE EXCEPTION OF REZONING ORDINANCES –Pursuant to §4-43 PCC
6.	Resolutions for consideration: First reading: 6a) Resolution No. 17-01 Amend Fees for Services of County Medical Examiner & Deputy Medical Examiner 6b) Resolution No. 17-02 Adopt Rules for the Conduct of Business by the Pierce County Board of Adjustment 6c) Resolution No. 17-03 Supporting the Initiation of Passenger Rail Service between West Central Wisconsin & the Twin Cities
7.	Resolutions for consideration: Second reading: 7a) Resolution No. 16-31 Authorization to Apply for Snowmobile Trail Program State Aid 7b) Resolution No. 16-32 Amend Personnel Policy to Make Changes to Paid Time Off (PTO), Paid Holidays & other Miscellaneous Items 7c) Resolution No. 16-34 Authorizing Sale of County-Owned Property in Town of Oak Grove
8.	Ordinances for consideration: First reading: 8a) Ordinance No. 17-01 Amend Chapter 172, Section 172-15(B) of the Pierce County Code- Parks and Recreation 8b) Ordinance No. 17-02 Map amendment (Rezone) for 11.01 acres from General Rural to General Rural Flexible on property located in Lot 1 Certified Survey Map Vol. 8 Pg. 166 being part of the NW 1/4 of the NW 1/4 of Section 10, T27N, R16W, Town of Gilman, Pierce County, Wisconsin. Jerrod & Danette Faber 8c) Ordinance No. 17-03 Map amendment (Rezone) for 1 acre from Rural Residential-12 to General Rural Flexible-8 on property located in NE 1/4 of the SE 1/4 of Section 19, T26N, R19W, Town of Oak Grove, Pierce County, Wisconsin. Bailey Webster
9.	Ordinances for consideration: Second reading: 9a) Ordinance No. 16-06 Map Amendment (Rezone) for 5.5 Acres from Rural Residential 20 (RR-20) to General Rural Flexible (GRF) on Property Located in Gov. Lot 3 being part of the SW ¼ of the SE ¼ & the SE ¼ of the SE ¼ of Sec. 33, T25N, R18W; Town of Trenton
10.	Discuss/Take action on Potter/Lawson space needs study for Courthouse/Annex & PCOB
11.	Appointments: 11a) Solid Waste Management Board: Rescind March appointment of Bill Parks (citizen member). His former appointment extends through April 2018. Re-appoint Holst seat (County Board) for the term of 04/2017 to 04/2020. County Board confirmation required.
12.	Future agenda items:
13.	Next meeting: May 23, 2017; 7 p.m., County Board Room, Courthouse
14.	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 04/06/2017

6a.

Resolution for First Reading:

**Resolution No. 17-01 Amend
Fees for Services of County
Medical Examiner & Deputy
Medical Examiner**

RESOLUTION NO. 17-01
AMEND FEES FOR SERVICES OF COUNTY MEDICAL EXAMINER
AND DEPUTY MEDICAL EXAMINER

WHEREAS, Sec. 59.36, Wis. Stats. provides that the County Board shall set fees for all services rendered by the Medical Examiner and Deputy Medical Examiner in amounts reasonably related to the actual and necessary costs of providing the service; and

WHEREAS, the County previously set certain fees for services of the Medical Examiner and Deputy Medical Examiner in Resolutions 06-34, 13-20 and 15-10; and

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

WHEREAS, the Law Enforcement Committee, at its meeting on March 1, 2017, and the Finance and Personnel Committee, at its meeting on April 3, 2017, recommended the fees be modified as follows:

	Current Fee	Proposed Fee
Autopsy Summary Report	\$25.00	\$25.53
Autopsy Report Complete	\$75.00	\$76.58
Medical Examiner Report Summary	\$25.00	\$25.53
Medical Examiner Report Comprehensive	\$50.00	\$51.05
Toxicology Report	\$25.00	\$25.53
Autopsy Photograph Acquisition Fee	\$15.00	\$15.32
Copying Fee: Pictures (not on CD)	\$2.00 per picture	\$2.04 per picture
Copying Fee: Compact Disc / DVD	\$7.00 per CD/DVD	\$7.15 per CD/DVD
Postage and envelopes will be charged based on actual expense		
Cremation Permit	\$150.00*	\$153.15*
Disinterment Permit	\$50.00	\$51.05
Death Certificate Processing	\$0.00	\$0.02

*Cremation Permit fee to be split with \$50 to the Medical Examiner to be used for training and equipment for the Medical Examiner staff, and the remainder to the General Fund.

NOW, THEREFORE BE IT RESOLVED, that the Pierce County Board of Supervisors hereby adopts the fees as set forth above, and that the fees shall take effect on April 18, 2017.

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

Dated this 18th day of April, 2017.

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
BCL

Adopted: _____



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

F&P Request Form

sgustafs@co.pierce.wi.us <sgustafs@co.pierce.wi.us>

Thu, Mar 16, 2017 at 10:31 AM

To: jamie.feuerhelm@co.pierce.wi.us, joann.miller@co.pierce.wi.us, julie.brickner@co.pierce.wi.us,
brad.lawrence@co.pierce.wi.us, sgustafs@co.pierce.wi.us

Thank you for submitting request

Response summary

Timestamp

Thu Mar 16 2017 11:31:32 GMT-0400 (EDT)

Username

john.worsing@co.pierce.wi.us

Meeting Date

2017-04-03

Agenda Item

Medical Examiner Fee increase 2017

Requesting Agency

Medical Examiner

Background

Proposal to increase fees in accordance with Wisconsin Statute 59.365. Increase restrictions in place per Statute. A Position Paper concerning this and future increases will be provided per request of LEC

Staff Recommendation

Increased approved at the March 1st LEC Meeting

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

Move to approve Medical Examiner Fee increases for 2017 and forward to County Board for approval at first reading.

Requestor's email address

john.worsing@co.pierce.wi.us



Office of the Medical Examiner

JOHN A. WORSING, D-ABMDI, MEDICAL EXAMINER

414 West Main Street, Post Office Box 9

Ellsworth, Wisconsin 54011

Office: (715) 273-6799 FAX: (715) 273-1133

email: john.worsing@co.pierce.wi.us

POSITION PAPER CONCERNING MEDICAL EXAMINER FEE WISCONSIN STATUTE 59

DESIRED OUTCOME:

County Board in coordination with other Wisconsin Counties and the Wisconsin Counties Association should move to repeal Wisconsin Statute 59.365 (2) and 59.365 (3) (a) and (b).; thus returning control of fee structure issues to the county level.

BACKGROUND:

Relevant State Statutes (59.36 changed in 2015) highlighted for relevant sections.

59.36 Coroner and medical examiner; fees. The board shall set the fees for all services rendered by the coroner or medical examiner. The fees may not exceed an amount that is reasonably related to the actual and necessary cost of providing the service.

History: 1983 a. 146; 1995 a. 201 s. 307; Stats. 1995 s. 59.36; 2015 a. 336.

59.365 Moratorium on fee increases.

(1) From July 14, 2015, to April 17, 2017, the board may not charge an amount that exceeds the amount that was actually charged on April 17, 2015, for any of the following fees:

(a) Fees for services rendered by a coroner or medical examiner.

(b) Fees assessed for the signing of a death certificate by a coroner or medical examiner.

(c) Fees assessed related to coroner or medical examiner transportation services.

(2) If on or after April 18, 2017, the board increases the amount of any of the fees specified in sub. (1) (a) to (c), any such increase may not exceed the annual percentage change in the U.S. consumer price index for all urban consumers, U.S. city average, as determined by the U.S. department of labor, for the 12 months ending on December 31 of the year before the increase.

(3)

(a) Notwithstanding subs. (1) (a) and (b) and (2), if a board that had been providing coroner or lay medical examiner services begins providing physician medical examiner services under an intergovernmental cooperation agreement under s. 66.0301 after December 31, 2015, and before April 1, 2016, the board may one time set the fee assessed for the signing of a death certificate at an amount exceeding the amount that was in effect on April 17, 2015, by not more than \$100 and may one time set the fee assessed for the issuance of a cremation permit at an amount exceeding the amount that was in effect on April 17, 2015, by not more than \$100. Fees under this paragraph may be established without regard to any change in the U.S. consumer price index.

(b) This subsection does not apply to a county with a population of more than 300,000.
History: 2015 a. 55, 336.

979.22 Autopsies and toxicological services by medical examiners. A medical examiner may perform autopsies and toxicological services not required under this chapter and may charge a fee established by the county board for such autopsies and services. The fee may not exceed an amount reasonably related to the actual and necessary cost of providing the service.

As noted above, the County Board has the ability and right to determine fees. The current statute severely limits the ability and right of the County to assess appropriate fees. In addition, to the change in fee structure, is the new provision for fee increases to be directly determined by the CDI-U (Federal Cost of Living Index for urban areas) from the preceding year.

Brad Lawrence provided the following in response to the fee increase possibilities for 2017:

Pursuant to Sec. 59.365 Wis. Stats., there is a moratorium on fee increases; however, fees can be increased on or after April 18, 2107. The statute indicates that if the county board increases the fees, it may not exceed the annual percentage change in the U.S. consumer price index for all urban consumers, U.S. city average, as determined by the U.S. Department of Labor, for the 12 months ending on December 31 of the year before the increase. [aka CPI-U].

The December 2016 Department of Labor CPI-U has been released and the increase is 2.1%. Based on this increase the changes to current fees are listed below:

Item	Current Fee	2.1% increase	Increased Fee
Autopsy Summary Report	\$25.00	\$0.53	\$25.53
Autopsy Report Complete	\$75.00	\$1.58	\$76.58
Medical Examiner Report Summary	\$25.00	\$0.53	\$25.53
Medical Examiner Report Comprehensive	\$50.00	\$1.05	\$51.05
Toxicology Report	\$25.00	\$0.53	\$25.53
Autopsy Photograph Acquisition Fee	\$15.00	\$0.32	\$15.32
Copying Fee: Pictures (not on CD) – per picture	\$2.00	\$0.04	\$2.04
Copying Fee: Compact Disc / DVD – per CD/DVD	\$7.00	\$0.15	\$7.15
Postage and envelopes charged based on actual expense			
Cremation Permit*	\$150.00	\$3.15	\$153.15
Disinterment Permit	\$50.00	\$1.05	\$51.05
Death Certificate Processing	\$0.00	\$0.02	\$0.02

*Cremation Permit fee to be split with \$50 to the Medical Examiner to be used for training and equipment for the Medical Examiner staff, and the remainder to the General Fund.

As can be seen by the chart above, proposed annual increases are minimal and end up with fees that are complex to administer. It is expected that these proposed fees will be met with resistance from the funeral homes and other consumers.

The rationale for increasing existing fees is that any failure to increase fees on an annual basis will result in the loss of that years increase in perpetuity. There is no provision to allow the fee increase to be based on the CDI-U for any combination of years. This is the practice that has been used by most Counties. In the past fee structures were adjusted about every five years when viewed on a statewide basis.

It should also be noted that initiating a new service fee, such as signatures on a Death Certificate, requires that fee to be started at \$0.00 so after 20 years at a 2.1% annual increase the fee would only reach \$0.3. This fee would not even offset the cost to process a check should the fee be assessed. Based on this analysis new fees would rarely if ever make sense to implement.

For reference the cost of Cremation, Disinterment and Death Certificate signing for Wisconsin and Pierce County in particular is as follows:

Cremation:	Average: \$131.32	Range: \$0.00 to \$350	Pierce County: \$150.00
Disinterment:	Average: \$68.47	Range: \$0.00 to \$200	Pierce County: \$50.00
Death Cert.:	Average: \$44.31	Range: \$0.00 to \$150	Pierce County: \$0.00

RECOMMENDATION:

1. Increase fees on the annual basis provided in existing statutes until such time as the statute can be changed.
2. Pierce County Board in coordination with other Wisconsin Counties and the Wisconsin Counties Association should move to repeal Wisconsin Statute 59.365 (2) and 59.365 (3) (a) and (b).; thus returning control of fee structure issues to the county level.

Additional information is available should it be required.

6b.

Resolution for First Reading:

**Resolution No. 17-02 Adopt
Rules for the Conduct of
Business by the Pierce County
Board of Adjustment**

RESOLUTION NO. 17-02
ADOPT RULES FOR THE CONDUCT OF BUSINESS BY THE
PIERCE COUNTY BOARD OF ADJUSTMENT

WHEREAS, Pierce County Board of Supervisors established a Board of Adjustment under the authority of Wis. Stat. 59.694; and

WHEREAS, Wis. Stat. 59.694(3) and Pierce County Code 240-70(C)(1) empowers the County Board to adopt rules for the conduct of business by the Board of Adjustment; and

WHEREAS, it is desired to supplement the zoning ordinances of the County as they relate to the procedures of the Board of Adjustment and the "Rules Governing Pierce County Board of Adjustment", attached hereto as Exhibit A, were developed; and

WHEREAS, the Board of Adjustment, at its meeting on July 28, 2016, and the Finance and Personnel Committee, at its meeting on April 3, 2017, reviewed the proposed rules and recommended that the County Board adopt the rules as set forth in Exhibit A.

NOW THEREFORE, BE IT RESOLVED, that the Pierce County Board of Supervisors hereby approves and adopts the "Rules Governing Pierce County Board of Adjustment" as set forth in the attached Exhibit A.

Dated this 18th day of April, 2017.

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: _____

Exhibit A

RULES GOVERNING PIERCE COUNTY BOARD OF ADJUSTMENT

ARTICLE I. GENERAL PROVISIONS

SECTION 1. AUTHORITY

The Board of Adjustment is established pursuant to Wisconsin Statutes § 59.694. The Board of Adjustment is an independent decision-making body.

The Board of Adjustment shall act in a fair and impartial manner, without bias or prejudice, and render its decisions based on law, facts and rational analysis.

A copy of these rules shall be filed with the County Clerk to be kept as a permanent public record. Copies of the rules shall also be available to the public. These rules are supplementary to the Pierce County Code relating to the Board of Adjustment, and are adopted pursuant to Wis. Stat. § 59.694(3) and Pierce County Code § 240-70.

SECTION 2. TITLE

The official title of this committee is the Pierce County Board of Adjustment.

SECTION 3. CONFLICTS OF INTEREST

- A. A Member of the Board of Adjustment shall be governed by the ethical standards set forth in Pierce County Code Ch. 24.
- B. Any Member of the Board, who:
 - (1) believes his/her relationship, prior knowledge or prior action prevents him/her from deciding without bias; or,
 - (2) has any direct or indirect interest, personal or financial, in a matter before the Board;shall not vote thereon or participate in the deliberation of such matter at any meeting or hearing at which said matter is under consideration.
- C. A Member shall be deemed to have a disqualifying conflict of interest when:
 - (1) He/she is the applicant, is the spouse of an applicant, is related to the applicant within the third degree of consanguinity, or is the husband or wife of someone so related;
 - (2) The applicant is the employer, employee or partner of him/her;
 - (3) The applicant is a business organization in which he/she owns a controlling stake or share in the business organization or otherwise has a financial interest therein; or
 - (4) He/she owns real estate within 300 feet of the real estate which is subject of the application.

- D. Paragraphs B. and C. in this Section are to be interpreted as additional conflict of interest rules for Members and do not replace or supersede the conflict of interest rules set forth in Pierce County Code § 24-10.

SECTION 4. LIMITATIONS

Nothing herein shall be construed to give or grant to the Board of Adjustment, the power or authority to alter or change the Pierce County Code, zoning maps, or other official Pierce County maps, which authority is reserved to the Pierce County Board of Supervisors.

SECTION 5. BOARD OF ADJUSTMENT'S OFFICE

The office of the Board of Adjustment shall be the Pierce County Department of Land Management and Records. All records of the Board of Adjustment shall be available for public inspection between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday, unless the Pierce County Department of Land Management and Records office is closed. Costs to copy a public record shall be: \$0.25 / page for black and white; and, \$0.35 / page for color.

ARTICLE II. OFFICERS AND DUTIES

SECTION 1. OFFICERS

The Board of Adjustment shall elect a Chairperson, Vice-chairperson and Secretary from among its members at the annual organizational meeting in July. These officers shall hold office for one year, or until their successors are elected. The Board of Adjustment may, at any meeting or hearing, elect from among the membership the replacement for an officer, who for whatever reason is unable to perform the duties of his/her office. The officer, so elected as a replacement shall serve until the next organizational meeting of the Board of Adjustment.

SECTION 2. DUTIES OF OFFICERS

- A. Chairperson. The Chairperson shall preside over and direct the conduct of all meetings and hearings of the Board of Adjustment and may administer oaths and compel the attendance of witnesses. In the absence of both the Chairperson and Vice-chairperson, the members shall appoint a chair. The Chairperson shall report on all official transactions that have not otherwise come to the attention of the Board of Adjustment. The Chairperson shall, subject to these rules, direct the official business of the Board of Adjustment, supervise the work of the Board of Adjustment and request necessary help when required. The Chairperson or the presiding officer, subject to these rules, shall decide all points of procedure or order, unless otherwise directed by a majority of the members in attendance on motion duly made and approved. The Chairperson, or Acting Chairperson, shall participate in all proceedings except in the case of a conflict of interest, a disqualification, an excused absence, or other manifest inability to serve.

- B. Vice-chairperson. The Vice-chairperson shall act in the capacity of the Chairperson in his/her absence or disqualification. Should the office of the Chairperson become vacant, the Vice-chairperson shall succeed to this office until the Board of Adjustment elects a successor to the office of Chairperson.
- C. Secretary. The Secretary shall record and maintain permanent minutes of the Board of Adjustment's proceedings, showing the vote of each member upon every question, or if absent or failing to vote, indicating that fact; shall keep records of its official actions; shall summarize accurately the testimony of those appearing before the Board of Adjustment and keep a verbatim recording of all hearings; shall record the names and addresses of all persons appearing before the Board of Adjustment in person, or by attorney; and shall, subject to the Board of Adjustment and Chairperson, conduct the correspondence of the Board of Adjustment and have published in a local newspaper, public notices of meeting or hearings as required by law and there rules of procedure; shall file said minutes and record in the office of the Board of Adjustment, which minutes and records shall be a public record; and shall be the custodian of the files of the Board of Adjustment and keep all records. The Pierce County Zoning Administrator shall assist the Secretary of the Board of Adjustment in performing these clerical duties.
- D. Legal Counsel. The Board of Adjustment may seek the assistance of legal counsel concerning any matter heard or otherwise considered by the Board of Adjustment.

ARTICLE III. MEETINGS

SECTION 1. TIME: HOW CALLED

Meetings of the Board of the Adjustment shall be held and conducted pursuant to Wisconsin's Open Meetings Law, Wis. Stat. Ch. 19. Meetings shall be advertised and the public shall be given notice as required by Wisconsin law.

SECTION 2. QUORUM

A quorum shall consist of 3 members of the Board of Adjustment and no action may be taken except by a majority vote of such quorum.

SECTION 3. ORDER OF BUSINESS

The Chairperson shall prepare an agenda for each Board of Adjustment meeting, listing the matters of business at all meetings in the following order:

- A. Call to order
- B. Dates of future meeting(s)
- C. Action on minutes of previous meeting(s)
- D. Business Items
- E. Announcements
- F. Public hearings

- G. Future agenda items
- H. Adjournment

The order of business may be varied from the preceding by majority vote of not less than two-thirds of the members present.

SECTION 4. ROBERT'S RULES OF ORDER

The rules of parliamentary practice comprised in Robert's Rules of Order, Newly Revised, 11th Edition, 2011, shall govern the proceedings of the Board of Adjustment in all cases to which they are applicable and where they are consistent with the Wisconsin law, Pierce County Code and these rules.

ARTICLE IV. POWERS AND DUTIES OF THE BOARD

SECTION 1. GENERAL POWERS

The powers and duties of the Board of Adjustment are identified in Wisconsin Statutes § 59.694 and in Pierce County Code Ch. 240. The Board shall have the following powers:

- A. To hear and decide appeals, pursuant to § 59.694, Wis. Stats., where it is alleged that there is an error or errors in any order, requirement, decision or determination made by the Administrator/Planner or Zoning Administrator.
- B. To hear and decide conditional uses to the terms of the St. Croix Riverway Ordinance.
- C. To authorize upon appeal in specific cases such variance from the terms of an ordinance enacted pursuant to Wisconsin Statutes § 59.69 or of any Pierce County Zoning Ordinance that will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this chapter will result in unnecessary hardship and so that the spirit of this chapter will be observed and substantial justice done. Such variance shall not have the effect of permitting in any district a use that is prohibited in that district.
- D. To grant variances for renewable energy resource systems as provided in Wis. Stat. § 59.694(7)(d).

SECTION 2. SCOPE OF ORDERS

In exercising the powers under Section 1, the Board of Adjustment may reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination appealed from, and may make such order, requirement, decision or determination as ought to be made, and to that end shall have all the powers of the officer from whom the appeal is taken, and may issue or direct the issuance of a permit.

SECTION 3. CONDUCT OF MEMBERS AND SUPPORT STAFF

Members of the Board of Adjustment shall not discuss with anyone, including other members of the Board of Adjustment and Land Management staff, matters to come before or that are before the Board of Adjustment outside of meetings.

The above does not prevent members of the Board of Adjustment and county staff from discussing hypothetical scenarios and procedural matters, outside of meetings.

ARTICLE V. APPLICATIONS AND APPEAL PROCEDURES

SECTION 1. WHO MAY FILE

Applications to the Board of Adjustment and appeals from the Administrator/Planner's or Zoning Administrator's decisions or determinations shall be filed with the Pierce County Department of Land Management and Records, by the applicant/appellant, or his/her agent or attorney. Appeals may be filed by any person aggrieved or by any officer, department, board, or bureau of Pierce County or town affected by the Administrator/Planner's or Zoning Administrator's decision. The Pierce County Zoning Administrator shall transmit copies of applications for variances, St. Croix Riverway conditional use permits and appeals to the affected towns and other agencies with interest and jurisdiction for review and comment.

SECTION 2. TIME TO APPEAL

Appeals from the Administrator/Planner's or Zoning Administrator's decisions or determinations shall be filed within 30 days after the date of a written decision.

SECTION 3. REQUIRED INFORMATION

- A. An applicant/appellant shall utilize the prescribed forms available at the Pierce County Department of Land Management and Records for any application/appeal to the Board of Adjustment. Forms shall be completed in full before filing. Any communication, except on prescribed forms, purporting to be an appeal/application shall not be deemed to be an application/appeal in compliance with these rules and the application/appeal shall be disregarded by the Board of Adjustment.
- B. The forms shall bear the signature of the owner of the property affected or shall be accompanied by a letter from the owner acknowledging the filing of the form. An applicant or appellant may file an appeal or application personally or by an agent or attorney.
- C. The reason(s) for the application/appeal must be clearly stated and the reason(s) why the request should be approved by the Board of Adjustment must also be clearly stated by the applicant/appellant. If a variance is requested, facts should be stated upon which finding may be made by the Board of Adjustment to justify the granting of the variance. If a conditional use permit is requested, facts should be stated upon which findings may

be made to justify granting the conditional use. If an appeal is based upon an alleged or abuse of discretion of the Administrator/Planner or Zoning Administrator, facts should be stated as to the nature thereof.

- D. The applicant/appellant shall file, with the Pierce County Department of Land Management Records, additional information supporting the application/appeal within 30 days of filing his/her application/appeal. Failure of an applicant/appellant to supply all required information, in a timely manner, may be considered by the Board of Adjustment as a failure to comply these rules and the application/appeal may be disregarded by the Board of Adjustment.

SECTION 4. DISMISSAL OF CASE

The Board of Adjustment may refuse to hold a meeting to hear an application/appeal or otherwise dismiss an application/appeal whenever the Board of Adjustment determines that the applicant/appellant has violated any or all of these rules.

SECTION 5. TIME FOR HEARING

Each appeal/application shall be considered by the Board of Adjustment at its next meeting, provided there is sufficient time between the date of the appeal and the date of the meeting for the required hearing notices, under Section 6, to be published.

SECTION 6. NOTICE OF HEARING

The Board of Adjustment shall give, or cause to be given, notice of each hearing as required by Wisconsin law and these rules. This shall include at least the following: 1) publication of a Class 2 hearing notice in a newspaper of general circulation; 2) mailing a notice of the hearing to the applicant at his/her last known mailing address on file with the Pierce County Department of Land Management and Records (and where required to the district office of the State of Wisconsin - Department of Natural Resources) at least 10 days before the hearing; 3) mailing a notice of the hearing to the town board of the town in which the property is located, not less than one week before the date of the hearing. In addition, notice shall be mailed to all property owners within 300 feet of the perimeter of the property affected.

SECTION 7. EFFECT OF APPEAL

An appeal shall stay all proceedings and furtherance of the action appealed from, unless the officer from whom the appeal is taken (Administrator/Planner or Zoning Administrator) certifies to the Board of Adjustment, after the notice for appeal shall have been filed with him or her, that by reason of facts stated in the certificate, a stay would cause imminent peril to life or property. In such case, proceedings shall not be stayed, otherwise than by a restraining order, which may be granted by the Board of Adjustment, or by the Pierce County Circuit Court on application and notice to the office from whom the appeal is taken on due cause shown.

SECTION 8. FEE

An applicant/appellant shall pay an application/appeal filing fee established by Pierce County. The fee shall be deposited with the Pierce County Department of Land Managements and Records at the same time the application/appeal is filed.

ARTICLE VI. PUBLIC HEARING PROCEDURES

SECTION 1. APPEARANCES, ADJOURNMENTS

- A. At the time of the public hearing portion of the meeting, the applicant/appellant shall appear in person, by his/her agent and/or by his/her legal counsel.
- B. Failure by the applicant/appellant to appear at the public hearing, in person, by his/her agent or by his/her legal counsel, may be considered a forfeiture or waiver of his/her application/appeal and the Board of Adjustment may summarily dismiss said application/appeal.
- C. An adjournment of a public hearing to a different date, time and place certain may be made during the meeting, so long as advanced notice to the Members and the public of a new hearing date can be given. An adjournment shall be decided by a majority vote of the Board of Adjustment Members present, and may be made upon motion by the Board of Adjustment or a party.

SECTION 2. WITNESSES

- A. The Chairperson, may compel the attendance of witnesses and may require those wishing to testify to state their names and their interests in the matter before the Board of Adjustment. Testimony shall be taken under oath, administered by the Chairperson.
- B. Persons having an interest in the case may attend the hearing and may request an opportunity to testify provided they identify themselves and sign the list of persons attending the hearing.

SECTION 3. ORDER OF HEARINGS

Hearings on cases shall normally follow this order:

- A. Reading of the reason for denial by the Administrator/Planner or Zoning Administrator.
- B. Reading of the appeal or application.
- C. Chair makes statement of hearing notice
- D. Staff presents report and recommendations.
- E. Applicant presents evidence.
- F. Supporters present evidence.
- G. Objectors present evidence.
- H. Other interested parties present questions and comments.

- I. The Board of Adjustment may permit staff and applicants to make rebuttals.
- J. Close hearing.

SECTION 4. PRELIMINARY MATTERS

Following the reading of the appeal/application, the Board of Adjustment may hear arguments on the question of jurisdiction and request briefs be filed on the point. The Board of Adjustment may proceed with the hearing and the taking of testimony in any event and reserve its determination on a jurisdictional question until after the hearing is closed and render a decision on the merits as if it had jurisdiction. The Board of Adjustment may make an immediate determination and terminate the hearing upon a finding that it lacks jurisdiction. If the Board of Adjustment determines that it lacks jurisdiction, the Secretary shall record the decision as a vote to deny the request.

SECTION 5. PARTIES NOT TO INTERRUPT

Orderly procedure requires that each person shall proceed without interruption by the other; that all arguments and pleadings shall be addressed to the Board of Adjustment and that there be no argument between individuals.

SECTION 6. QUESTIONS AND DEBATE

During the hearing, the Chairperson, Board Members and Pierce County staff may ask questions and make appropriate comment pertinent to the case; however, members shall not debate or argue an issue with the applicant. The Chairperson and Board Members may direct any question to the applicant or to any person speaking in order to bring out all relevant facts, circumstances and conditions affecting the case and may call for questions from members of the staff.

SECTION 7. PRESENTATION OF EVIDENCE

All supporting evidence for and against each case shall be presented to the Board of Adjustment on or before the date of the hearing. The applicant/appellant shall be responsible for the presentation of all information supporting his/her case. The Board of Adjustment may take administrative notice of the ordinances of the County and laws of the State of Wisconsin and of other relevant facts not reasonably subject to dispute on its own motion or motion of a party.

SECTION 8. ADDITIONAL EVIDENCE

The Board of Adjustment may take a case under advisement, or may defer action whenever it concludes that additional evidence is needed or further study is required.

SECTION 9. RULES OF EVIDENCE

The Board of Adjustment shall not be bound by Wisconsin's Rules of Evidence, Wisconsin Statutes Chapters 901 to 908, but it may exclude irrelevant, immaterial, incompetent, unduly argumentative or repetitious testimony or evidence.

SECTION 10. CHAIRPERSON TO RULE ON ADMISSIBILITY

The Chairperson shall rule on all questions relating to the admissibility of evidence.

SECTION 11. THE RECORD

- A. All proceedings at a hearing shall be preserved by audio recording or written transcript from a court reporter/stenographer. The Board of Adjustment shall be solely responsible to decide whether to use audio recording or a stenographer.
- B. The Secretary shall prepare the Record. The Record shall consist of the following documents:
 - (1) Application/appeal form;
 - (2) Additional information submitted by the applicant/appellant prior to the public hearing;
 - (3) Pierce County staff report (if provided to the Board of Adjustment);
 - (4) Written motions submitted by a person on or before the public hearing;
 - (5) A summary of oral motions made during the hearing;
 - (6) A list of party/witness appearances at the public hearing;
 - (7) The minutes (as approved by the Board of Adjustment);
 - (8) Audio recording and/or transcript (if prepared);
 - (9) The final, written decision of the Board of Adjustment; and,
 - (10) Any other written documents/exhibits offered and received as evidence during the hearing.
- C. Any minutes shall be submitted to the Board of Adjustment for review at its next meeting and when approved shall become part of the written record filed in the office of the Pierce County Department of Land Management and open to the public. Transcripts of audio recorded proceedings shall not be prepared unless ordered by the circuit court through a writ of certiorari.
- D. Any party or member of the public may make a record of the proceedings by any means which does not disturb the hearing or others present.

SECTION 12. WITHDRAWAL OF APPEAL OR APPLICATION

An appellant/applicant may withdraw an appeal/application at any time prior to the decision, but a pending motion to grant or dismiss the appeal shall have precedence over withdrawal. Withdrawal of the appeal/application shall not entitle the appellant or applicant to remission of the filing fee.

ARTICLE VII. DECISIONS OF THE BOARD OF ADJUSTMENT

SECTION 1. MAJORITY VOTE REQUIRED

The concurring vote of a majority of all regular members of the Board shall be necessary to reverse any order, requirement, decision, or determination of any administrative official, to decide in favor of the applicant on any matter upon which it is required to pass under any zoning ordinance or to effect any variance.

SECTION 2. DECISION TO BE WRITTEN

All decisions shall be in writing and contain the facts upon which the decision is based.

SECTION 3. DECISIONS TO BE MAILED

Within 30 days of the close of the hearing to which the decision relates, the decision shall be filed with the Pierce County Department of Land Management and Records and written copies of such decision shall be mailed to the appellant/applicant and all interested parties who have requested a copy or as required by law and made a part of the permanent record. The approval or granting of appeals by the Board of Adjustment is deemed to constitute an order to the Zoning Administrator to process an application, allow a land use or issue a permit. A denial of the application or appeal by the Board is deemed to be an order to deny the permit.

SECTION 4. FINDINGS

In acting on any matters before it, the Board of Adjustment shall make findings supporting its actions. In every case where a variance from the zoning regulations is granted by the Board of Adjustment, the minutes of the Board of Adjustment shall affirmatively show that an unnecessary hardship or practical difficulty exists and the records of the Board of Adjustment shall clearly show in what particular and specific respects and unnecessary hardship or practical difficulty is created.

SECTION 5. DECISION TO RELATE TO SPECIFIC PROPERTY

The decision of the Board of Adjustment shall be deemed as applying to the property rather than to the individual and is valid only for the specific premises in the case and is not transferable to other properties.

SECTION 6. INFORMAL ADVICE NOT BINDING

No informal request for advice or on moot questions need be given by the Board of Adjustment. Any advice, opinion or information given by a Board member or any other official or employee of Pierce County shall not be binding on the Board of Adjustment.

SECTION 7. CASES TO BE DETERMINED INDIVIDUALLY

No action of the Board of Adjustment shall set a binding precedent. Each case shall be decided upon its merits and up the attendant circumstances, provided the Board of Adjustment shall not act arbitrarily or capriciously. The Board of Adjustment shall consider all applicable federal, state and county law when making its decision.

SECTION 8. ORDER FOR PERMIT VALID FOR ONE YEAR

An order issued by the Board of Adjustment requiring a Zoning official to issue a permit shall become void after one year unless the applicant or appellant shall have filed an application for such permit with the Zoning official within such time, provided, that the time may be extended when so specified by the Board of Adjustment.

SECTION 9. ACTION IN CIRCUIT COURT

Any person or persons jointly or severally aggrieved by any decision of the Board of Adjustment, or any taxpayer, or any officer, department, committee, board or bureau of the County may commence an action in the Pierce County circuit court for a writ of certiorari to review the legality of such decision in whole or in part, within 30 days after the filing of the decision in the Pierce County Department Land Management and Records.

ARTICLE VIII. REFILINGS AND REHEARINGS

SECTION 1. ONE YEAR REFILING RULE

No matter that has been acted upon by the Board of Adjustment shall be considered again within one year from the date of filing the decision with the Pierce County Department of Land Management and Records, except as hereinafter provided.

SECTION 2. EXCEPTION OF ONE YEAR RULE

The Board of Adjustment may hear cases within said one year period concerning the same real estate when: (a) The case does not involve a request for an identical permit or does not allege the same misinterpretation or error, point of non-coverage of hardship as the previous case, or when (b) the case does not contain the original request for specific variance, or when (c) substantial change in the use of adjacent real estate has occurred since the previous case was heard, or if (d) the previous case was dismissed summarily without a hearing because the applicant/appellant was not present at the time such case was scheduled for a hearing.

SECTION 3. REOPENINGS AND REHEARINGS LIMITED

The Board of Adjustment may not: (a) reopen any case upon which a previous hearing has been held, except to correct a manifest error, but it may reconsider a case as provided by these rules; or (b) hear or rehear any case to determine the location of any district boundary line where the

Board has previously determined the location of such boundary line, unless new evidence is submitted.

SECTION 4. CLOSURE OF CASE

A case will be considered as heard and final at such time as the Board of Adjustment approves an application or rejects an application or appeal by motion or when it is considered terminated or dismissed by operation of these rules or decision of the Board of Adjustment.

SECTION 5. RECONSIDERATION ON BOARD MOTION

A decision of the Board of the Adjustment may be reconsidered: (a) by motion to reconsider made at the same meeting which may be immediately disposed of without further notice, or (b) by motion to reconsider made not later than the following regular meeting, in which event, the matter shall be placed on the calendar for a subsequent hearing and a new notice given without additional fee.

SECTION 6. RECONSIDERATION BY REQUEST

The Board of Adjustment may entertain a request for reconsideration by a party in interest provided the request is in writing and new written evidence is submitted with the request. On receipt of a properly filed request to reconsider, it shall be placed on the next agenda under "Business Items" for consideration at the next regular meeting. A request for reconsideration must be filed with the Board at least 15 days prior to the next regular meeting date.

SECTION 7. RECONSERATION TOLLS APPEAL PERIOD

The filing of a request or adoption of a motion for reconsideration shall stop the running of the 30-day period in which a petition to the circuit court must be made. The 30-day period will run in such event from the date a decision not to reconsider is made by the Board of Adjustment, or if the matter is reconsidered, from the date the decision on the reconsidered matter is filed in the Board of Adjustment's office.

SECTION 8. PROCECDURES FOR RECONSIDERATION

A simple majority vote shall be sufficient to reconsider a previous decision. If reconsideration is refused to an interested party who has requested reconsideration, the Board of Adjustment shall enter in the minutes the basis of the request, the reason why it was refused and the vote of the Board members thereon. If reconsideration is approved, the case will be placed on the agenda for the next regular meeting and notice given of the re-hearing as required for an original hearing upon payment of the re-hearing fee.

ARTICLE IX. AMENDMENT OF RULES

These rules may be changed or amended from time to time by a majority vote of the County Board of Supervisors.



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

F&P Action Request

brad.roy@co.pierce.wi.us <brad.roy@co.pierce.wi.us>

Wed, Mar 15, 2017 at 4:16 PM

To: jamie.feuerhelm@co.pierce.wi.us, joann.miller@co.pierce.wi.us, julie.brickner@co.pierce.wi.us,
brad.lawrence@co.pierce.wi.us

The following information was submitted on March 15, 2017 @ 4:16 pm:

Meeting Date: April 3, 2017

Agenda Item: Discuss take action on Resolution 17-XX Adopting Rules for the Conduct of Business by the Board of Adjustment

Requesting Agency: Board of Adjustment and Land Management Department

Background: Pierce County Code §240-70 C. (1) states, "The Board of Adjustment shall adopt rules for the conduct of its business which shall be in accordance with the provisions of this chapter and §59.694, Wis. Stats." Rules governing the conduct of the Board of Adjustment were previously generated but do not appear to have been formally adopted. The Board of Adjustment reviewed and approved an updated draft of the rules at their July, 28, 2016 meeting. These rules, once adopted, will formalize the process and procedures of the Board and provide clear expectations for the Board, staff and applicants.

Staff Recommendation: Staff recommends that the Finance and Personnel Committee approve Resolution 17-XX and recommend adoption by the County Board of Supervisors.

Recommended Motion: Motion by _____ seconded by _____ to approve Resolution 17-XX and recommend adoption by the County Board of Supervisors.

6c.

Resolution for First Reading:

**Resolution No. 17-03 Supporting
the Initiation of Passenger Rail
Service between West Central
Wisconsin & the Twin Cities**

RESOLUTION NO. 17-03
SUPPORTING THE INITIATION OF PASSENGER RAIL SERVICE BETWEEN
WEST CENTRAL WISCONSIN AND THE TWIN CITIES

WHEREAS, the economic and population growth in this region has proven to be consistently and significantly robust and increasing steadily, to the extent that existing transportation options may become a limiting factor to future growth; and

WHEREAS, an advanced, attractive, and reliable passenger rail service can serve to retain essential business talent and an educated workforce in the area, promote improved quality of life through expanded employment, cultural, and educational opportunities, enhance the tourism and recreational market, improve transit and other connections in the effected cities, and spur economic development especially in the regularly served station areas and adjacent communities along the route; and

WHEREAS, all day, every day high frequency intercity passenger and commuter rail service linking at least six significant cities and station areas in this corridor appears to be an optimum service model that could generate sufficient ridership and revenue to offset the expected operating costs; and

WHEREAS, a group of private regional businesses, now known as the Organizing Council, came together in late 2015 to investigate the feasibility of initiating a self-sustaining passenger rail service between Pierce and the Twin Cities; and

WHEREAS, the Organizing Council in association with the West Central Wisconsin Rail Coalition, a non-profit advocacy group supporting transit and passenger rail development since 1999, has since determined through extensive studies, the synthesis of relevant plans, the examples of other private and public passenger rail ventures across the country, and constructive contacts with the railroads and private providers who may be involved in the project, that the service is potentially feasible and sustainable as a private operation; and

WHEREAS, consolidated support for this project is a pre-requisite to the successful construction, start-up, and ongoing operation of this transportation service.

NOW THEREFORE, BE IT RESOLVED that the Pierce County Board of Supervisors express its support for this project's concept and goals, endeavor to stay informed of the progress of this initiative, and give due consideration to relevant aspects of the project's development and cooperate with the Organizing Council and the West Central Wisconsin Rail Coalition in advancing this initiative in all matters that are related to local and community interests, as appropriate and mutually beneficial.

BE IT FURTHER RESOLVED that the Pierce County Board of Supervisors directs the county clerk to forward this resolution to the governor, assembly members and senators representing Pierce County and the Wisconsin Counties Association.

Dated this 18th day of April, 2017.

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

BCL

Adopted: _____



JoAnn Miller <joann.miller@co.pierce.wi.us>

Pierce County Support for Passenger Rail Service

1 message

Jim Dunning <Jim.Dunning@co.eau-claire.wi.us>

Thu, Feb 2, 2017 at 1:28 PM

To: "Joann.miller@co.pierce.wi.us" <Joann.miller@co.pierce.wi.us>

Jo Ann

I talked to Jeff Holst, chair of the Pierce County Board, yesterday about getting Pierce County to support the passenger rail service that the West Central Wisconsin Rail Coalition is promoting. He suggested that I send the supporting information and draft resolution to your attention. Attached are the fact sheet and the draft resolution that the coalition submitted to the Eau Claire County Board after action by the Planning and Development Committee. Eau Claire County approved the resolution as presented. The support of Pierce County would be greatly appreciated. If you or your oversight committee want further information or a presentation, please contact me and I will try to make arrangements to accommodate the request.

As a member of the Coalition and a County Board Supervisor, I would be glad to provide further information on what the coalition hopes to accomplish with passenger rail. Feel free to call either of the phone numbers below.

Thanks for your help.

Jim Dunning
Supervisor, District 18
715-839-0039
715-577-3830, Cell
Jim.dunning@co.eau-claire.wi.us

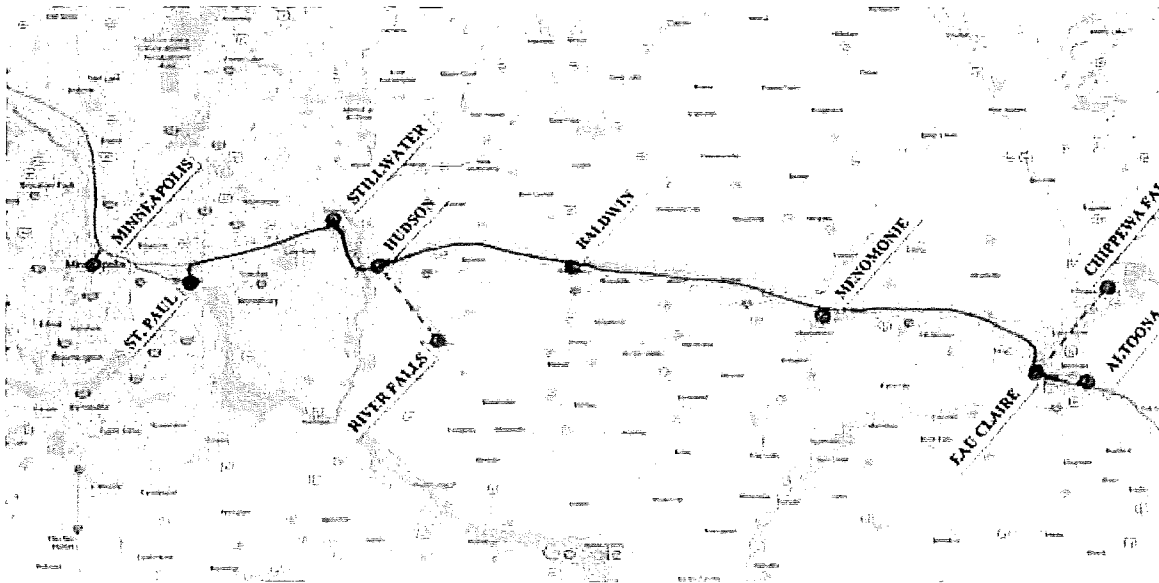
This communication constitutes an electronic communication within the meaning of the Electronic Privacy Act, 18 USC 2510 and its disclosure is strictly limited to the recipient intended by the sender of this message. This communication is confidential and may contain information that is privileged, confidential and exempt from disclosure under applicable law. Receipt by anyone other than the intended recipient does not constitute waiver or loss of the confidential or privileged nature of the communication. If the person receiving this message is not the intended recipient or you have received this message in error, any review, publication, copying or other distribution of this information is strictly prohibited. If you received this communication in error, please notify the sender immediately at the email address above, return the original message to me by mail, destroy any copies you may have made and delete the communication from any computer and/or storage media. Thank you for your cooperation.

2 attachments**16-17 Rail Service Resolution.doc**

32K

**The Eau Claire to Twin Cities Passenger Rail Initiative.doc**

497K



The Eau Claire to Twin Cities Passenger Rail Initiative

In late 2015, a group of private businesses joined together to investigate the potential for a self-sustaining, private passenger rail service to link Eau Claire and other west central Wisconsin cities with the Twin Cities. Although this type of transportation service has been discussed since the late 1990's, largely as a public, government supported venture, the lack of current public funding for such a service, and the emergence of several public-private and fully private passenger rail projects across the U.S., led this group, now known as the Organizing Council, to formally begin an investigation into the feasibility of a private venture. Since February 2016, the Council has developed plans, performed engineering and financial analyses, designed a service model, and entered into conversations with railroads and potential private operators and partners. The effort is affiliated with and supported by the West Central Wisconsin Rail Coalition.

The service as envisioned would operate four round trips daily from Eau Claire to St. Paul Union Depot initially, with future extension of the service to downtown Minneapolis as a high priority. Fares and transportation costs to travelers would be competitive, and travel time would be 1 ½ hours one way for the full trip. Amenities would include comfortable seating, tables, Wi-Fi service, and basic concessions including drinks and snacks. The station stops, as seen on the map above, would call on the major cities on and along I-94, with bus connections to nearby cities and enhanced transit service in on-line cities. Economic development around these station sites is expected to be a major outcome.

- Service could produce over 900,000 trips per year, 2.5% or more of the market
- Fares would be 20-37 cents per mile, or a full-fare St. Paul-Eau Claire cost of \$32
- Fare discounts would accommodate regular, reserved, and family travel
- Operation would represent a \$15-18 million enterprise headquartered in the area
- Station-area development would attract significant building and provide multi-use facilities, such as the \$50 million + investments recently seen in Normal, Illinois, along a new passenger rail corridor with all-day service to a city very similar in size and make-up to Eau Claire
- Service would promote talent retention for area businesses, increased settlement opportunity for families with multiple income earners, tourism, and other business and discretionary travel
- Trains would bypass major freeway congestion along I-94, particularly west of Hudson
- Conditional approval has been received from Union Pacific and potential operators for contracting
- Transit connectivity includes express bus from St. Paul to MSP Airport, Green Line LRT, 22 Metro Transit bus routes, intercity bus and Amtrak connections, taxi and car rental services.
- Future connections may include high-speed rail to Rochester, MN, and Mayo, LRT to Airport
- Most significant challenges are still-to-be-identified infrastructure improvement (capital) costs and an existing operational bottleneck at St. Paul Union Depot, but with possible solutions evident.

7a.

Resolution for Second Reading:

Resolution No. 16-31

**Authorization to Apply for
Snowmobile Trail Program State
Aid**

RESOLUTION NO. 16-31

AUTHORIZATION TO APPLY FOR SNOWMOBILE TRAIL PROGRAM STATE AID

WHEREAS, Pierce County is interested in providing, maintaining, and developing public snowmobile trails throughout the county; and

WHEREAS, funding assistance is available through the Wisconsin DNR to provide public snowmobile trails; and

WHEREAS, Pierce County desires to receive snowmobile aids for their snowmobile trails as provided for in § 23.09(26)(b) Wis. Stats.

NOW, THEREFORE BE IT RESOLVED, that the Pierce County Board of Supervisors authorizes Pierce County to apply for funds under §23.09(26)(b) Wis. Stats., for such eligible maintenance, major bridge rehabilitation, route signing, trail rehabilitation, and/or development of new trails and hereby authorizes Scott Schoepp, County Parks Superintendent, and Travis Campbell, Assistant County Parks Superintendent, to act on behalf of Pierce County to: submit applications to the State of Wisconsin, Department of Natural Resources for any financial aid that may be available, sign documents; and take the necessary action to undertake, direct and complete the approved project.

Dated this 28th day of March, 2017.

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: _____

Pierce County Finance and Personnel Committee
Meeting Date: March 6, 2017

Agenda Item: Discuss/take action to approve resolution authorizing Pierce County to apply for snowmobile trail program state aid

Requesting Agency: Parks Department and the Pierce County Snowmobile Council

Background:

- 1) Pierce County is eligible to participate in the WI DNR Snowmobile Trail Grant Program.
- 2) Pierce County has participated in this program since the 1980's.
- 3) We currently have Resolution 86-3 authorizing participation in the program. **Attachment A**
- 4) The WI DNR has informed us that a more current resolution is required to satisfy the grant program requirements.
- 5) The WI DNR has also informed us that we should have an additional designee authorized to direct and complete projects.
- 6) The proposed new resolution satisfies the two matters that were requested by the WI DNR.
- 7) On February 16, 2017, the Parks Committee approved the resolution and requested that it be forwarded to the Finance and Personnel Committee and to the County Board for approval.

Staff Recommendation: Approve the proposed resolution and forward the County Board for their review and approval.

Recommended Motion: Motion by _____, second by _____ to approve the resolution authorizing Pierce County to apply for snowmobile trail program state aid and forward to the County Board for approval.

Received 2/22/17

RESOLUTION NO. 86 - 3

Application for Snowmobile Trail Program Aids

TO THE HONORABLE BOARD OF SUPERVISORS
FOR PIERCE COUNTY, WISCONSIN

LADIES AND GENTLEMEN:

WHEREAS: Pierce County is interested in maintaining, insuring and developing lands for public snowmobile trail use; and

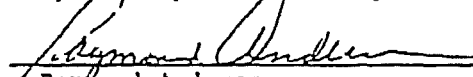
WHEREAS, said public snowmobile trails are eligible for funds under Section 23.09 (26), Stats.;

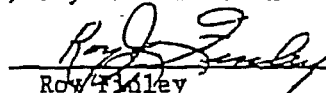
THEREFORE, BE IT RESOLVED, that Pierce County apply for funds under Section 23.09 (26), Stats., for such eligible maintenance, insurance and/or development costs and hereby authorizes Scott Schoepp, Pierce County Parks Superintendent, to act on behalf of Pierce County to:

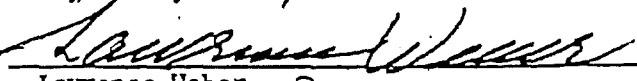
Submit an application to the State of Wisconsin Department of Natural Resources for any financial aid that may be available; sign documents; and take necessary action to undertake, direct and complete the approved project.

Dated this 16th day of April, 1986

Respectfully submitted by the Parks Committee



Raymond Anderson


Roy Ridley


Lawrence Weber


Howard Murphy

I, David Sorenson, County Clerk for Pierce County do hereby certify that the foregoing Resolution was adopted by the Pierce County Board of Supervisors on April 16th, 1986.


David Sorenson, Pierce County Clerk

7b

Resolution for Second Reading:

**Resolution No. 16-32 Amend
Personnel Policy to Make
Changes to Paid Time of (PTO),
Paid Holidays & other
Miscellaneous Items**

RESOLUTION NO. 16-32
AMEND PERSONNEL POLICY TO MAKE CHANGES TO
PAID TIME OFF (PTO), PAID HOLIDAYS AND OTHER MISCELLANEOUS ITEMS

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

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

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

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

WHEREAS, changes are being made to certain employee benefits, specifically paid time off (PTO), paid holidays and other miscellaneous clarifications and adjustments to bring consistency and uniformity to the policy; and

WHEREAS, the Finance and Personnel Committee, at its meeting on March 6, 2017, reviewed the proposed policy revisions and recommended that the County Board amend the Personnel Policy as set forth in the attached Exhibit A.

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

Dated this 28th day of March, 2017.

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: _____

Pierce County Finance and Personnel Committee
Meeting Date: March 6, 2016

Agenda Item:

Discuss/Take action to approve Resolution amending Personnel Policy to make changes to paid time off, paid holidays and other miscellaneous items

Requesting Agency:

Administration

Requested Action:

Approve resolution to amend Personnel Policy

Background:

The following changes to the Pierce County Personnel Policy are being proposed to provide consistency and clarity in the Sheriff Department in regards to certain non-represented employees:

- Clarifying the hiring board for certain positions,
- Clarifying benefits for employees working 12 hour shifts,
- Providing all Sheriff employees must provide at least 2 hour notice to use sick leave, consistent with the LAW agreement,
- Clarifying civilian dispatch and non-represented certified corrections officers will continue to have the same paid holiday benefit as the represented corrections officers,
- Allowing for the same uniform benefit for non-represented Sheriff Department staff as in the past, and
- Requiring Sheriff Department employees report to work regardless of weather conditions:

In addition to the changes mentioned above, the following minor changes are also proposed:

- Updating and clarifying the section on temporary employee wages
- Deleting the outdated section on longevity
- Clarifying employees will receive pay deductions for overdrawing vacation balances

Staff Recommendation:

Approve resolution to amend Personnel Policy

Recommended Motion:

Motion by _____ seconded by _____ to approve Resolution amending the Personnel Policy to make changes to paid time off, paid holidays and other miscellaneous items, and to forward to the County Board

EXHIBIT A

Article V. - Recruitment, Selection and Appointment, § B – Position Vacancy

B. Position Vacancy

1. Refill procedure. The department head shall recommend and the administrative coordinator may authorize the refill of any position when a vacancy occurs if the position is part of the approved staffing plan. If the department head and/or the administrative coordinator determine that it is in the interest of the county not to refill the position, to amend the staffing plan, or to revise the position description, such recommendation shall go to the standing committee, the Finance and Personnel committee, and if necessary, the County Board for approval. Questions over refill of a position may be referred to the Finance and Personnel Committee.
2. Temporary employees.
 - a. Fill-in. The Department Head shall recommend and the Administrative Coordinator approve the hiring of temporary employees to fill vacancies in an approved staffing plan if the need requires less than 500 hours. The administrative coordinator may approve additional funds for the temporary employee if the projected cost exceeds the line item budget for the department.
 - b. Supplemental. Temporary employees hired to supplement the regular workforce are hired to work 500 hours or less. Provisions for temporary employees shall be made in staffing plans and annual budgets. The Department Head has the authority to hire temporary employees but must notify the Human Resources office prior to hiring.
 - c. Temporary employee wages. ~~For 2015, temporary employees shall be paid according to the currently approved wage schedules set by the Finance and Personnel Committee and approved by the County Board.~~ Effective January 1, 2016, the wage rates for temporary employees are set forth below.
 - 1) Parks, Fair, and Fairgrounds.
 - a) Temporary employees for the Parks, Fair, Fairgrounds and any other temporary employees not filling the full responsibilities of a position and not otherwise addressed in this section shall be paid as follows:

	2016 Scale
Step 1	\$10.50
Step 2	\$11.45
Step 3	\$12.40
Step 4	\$13.35

- b) The scale will increase the same percentage that the county raises the Grade and Step plan for other general county employees, if any increase is granted.
 - c) To move to the next step, an employee must return the following year and must have worked at least 400 cumulative hours in the previous year(s).
 - d) Temporary Fair department employees who work only at the fair will move to the next step after five (5) continuous years of service at the previous step.
- 2) Highway department. Temporary Highway department employees shall be compensated at Grade D, Step 1.
 - 3) Public Health department. The temporary nutritionist employee shall be compensated at Grade J, Step 1 (subject to refill after April 21, 2015).
 - 4) Sheriff's department.
 - a) Certified. Temporary law enforcement certified officers without field training shall be compensated at Grade F, Step 2. Temporary law enforcement certified officers with field training shall be compensated at Grade F, Step 6.
 - b) Non-Certified. Temporary non-law enforcement certified officers without field training or jail certification shall be compensated according to the temporary employee wage scale for the Parks, Fair and Fairgrounds employees set forth in (1)(a) above. Temporary non-law enforcement certified officers with field training and jail certification shall be compensated at Grade F, Step 2.

5) Other departments.

- a) Temporary employees hired for a position currently on the Grade and Step plan with the full requirements for that position will be compensated at Step 1 of the Grade where that position falls.
- b) Temporary employees hired for a position that is not on the Grade and Step plan shall be paid according to the temporary employee wage scale for the Parks, Fair and Fairgrounds employees set forth in (1)(a) above.

Article V. – Recruitment, Selection and Appointment, § G - Interviews

G. Interviews

The interviews will be conducted by a Hiring Board consisting of:

Non Department Head Management / Professional	<ol style="list-style-type: none">1. Human Resources Manager2. Administrative Coordinator or designee3. Department Head4. One other Department staff person
Clerical / Labor/ <u>Dispatch</u>	<ol style="list-style-type: none">1. Human Resources Manager2. Department Head3. Department Head designee (up to 2)
Law Enforcement (Lieutenant and Chief Deputy)	<ol style="list-style-type: none">1. Department Head2. Department Head designee3. Human Resources Manager4. Chair of the Finance and Personnel Committee or that person's designee from the Finance and Personnel Committee5. Up to two professional law enforcement agency personnel who are not employed by Pierce County but who will be voting members in the selection process
Law Enforcement (non-Lieutenant, non- Chief Deputy <u>and jailers</u>)	<ol style="list-style-type: none">1. Human Resources Manager2. Department Head3. Department Head designee4. Up to two professional law enforcement agency personnel who are not employed by Pierce County but who will be voting members in the selection process

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

Evaluation forms, to be made available by the Human Resources Office will be completed by each member of the Hiring Board for each candidate interviewed. A copy of the evaluation questions and the evaluation rating forms shall be filed in the Personnel Department. When two or more final applicants are determined to be equally qualified, the Hiring Board shall make the final decision with special consideration given to:

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

It shall be the responsibility of the Hiring Board to continue meeting until such time as it has decided upon a candidate to whom to offer the position. The majority will of the Hiring Board will prevail. The Administrative Coordinator, in consultation with the Department Head and Human Resources Manager, may determine the new employee's minimum step on the pay plan, however, cannot offer a starting salary above step 6. Any dispute on the minimum step to be offered shall be resolved by the Finance and Personnel Committee. In the alternative, should the committee become deadlocked and should no agreement on, at a minimum, a majority basis of the board, be capable of being arrived at, then the board shall declare itself to be deadlocked and conclude that the slate of candidates was unacceptable for the position in question. In the latter event, the board shall request applications be re-screened or, if no candidates are eligible, or it is not within 180 days of the last advertisement, the Human Resources Department shall re-advertise for applicants for the position and the process shall begin again.

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

For Department Administrators

The Hiring Board shall be comprised of:

Department Administrators	<ol style="list-style-type: none">1. Human Resources Manager2. Administrative Coordinator3. Standing Committee Chair4. Another Standing Committee or Finance and Personnel Committee member as determined by the Human Resources Manager5. Outside consultant at discretion of Administrative Coordinator and Human Resources Manager
---------------------------	---

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

The Hiring Board shall continue to meet until it decides upon a candidate to whom to offer the position. If, on the other hand, the board is deadlocked, or a candidate cannot be selected, the board shall request applications be re-screened, or if no candidates are eligible, the Human Resources Department shall re-advertise for applicants for the position and the process shall begin again. The Hiring Board shall recommend a candidate and a starting salary to the Finance and Personnel Committee. Upon the approval of the candidate and salary by the Finance and Personnel Committee, the Human Resources Manager shall communicate the offer of employment subject to approval of the appointment by the full body of the County Board of Supervisors pursuant to § 13-1 of the Pierce County Code.

Interview Expenses

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

Confidentiality of Process and Materials

The Finance and Personnel Committee, the Human Resources Department, each department head and each other committee member participating in the selection process shall exercise every precaution to insure the highest degree of confidentiality in the selection and appointment process. To this effect, it shall be incumbent upon each such person to maintain strict confidentiality with respect to his/her review of application materials, interview materials, and the deliberation of the Hiring Board. All interview materials are to be returned to the

Human Resources Department to be retained for a period of one year. All requests for information pertaining to the selection and appointment process, received by any of the above named person, shall be directed to the Human Resources Department which, upon consultation with the Corporation Counsel, shall determine whether or not the requested information is subject to release.

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

Article IX. – Employee Benefits, § A – Eligibility

For additional information about employee benefits, please contact either your Department Head or Human Resources Office. All references to eight (8) hour employees in this Article include employees with regular work shifts greater than eight (8) hours.

A. Eligibility

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

Regular Part-time Employees – Individuals appointed to regular positions normally scheduled to work less than full-time shall be eligible for fringe benefits unless otherwise stated on a prorated basis but must work at least twenty-eight (28) hours per two-week pay period. The proration shall be based on the FTE assigned to the position, and adjusted as appropriate on at least a semi-annual basis dependent on hours worked as compared to full-time employees.

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

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

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

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

Article IX. – Employee Benefits, § B1 – Vacations – Employees Represented as of December 31, 2011

B1. Vacations-Employees Represented as of December 31, 2011.

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

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

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

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

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

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

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

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

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

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

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

2. No credits for vacation are granted for time worked in excess of the usual workweek. Sick leave cannot be claimed for an illness occurring during an employee's vacation time. Vacations may not be used to supplement Worker's Compensation Benefits.

Employees will receive pay deductions for overdrawing vacation accounts and be subject to disciplinary action.

3. Maximum Accruals. The maximum number of accrued hours in an employee's vacation bank at any one time shall be 160 hours for 8-hour employees and 140 hours for 7-hour employees. An 8-hour employee who has accumulated 160 hours of vacation shall not accrue any additional vacation hours until the accumulated balance credited to the employee falls below 160 hours. A 7-hour employee who has accumulated 140 hours of vacation shall not accrue any additional vacation hours until the accumulated balance credited to the employee falls below 140 hours. A part-time employee who accumulates 100 hours of vacation shall not accrue any additional vacation hours until the accumulated balance credited to the employee falls below 100 hours.

4. Scheduling: Use of vacation time is to be scheduled with the department head or supervisor as far in advance as possible pursuant to department guidelines as may be applicable. Requests to use time shall be in writing. The County reserves the right to determine the number of personnel to be on vacation at any one time. Department heads and supervisors may deny the use of vacation if it cannot be accommodated in the workload of the department, or if other employees are already scheduled to be off. Generally, vacation leave requests shall be granted on a first come, first served basis.

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

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

Article IX. – Employee Benefits, § B2 – Sick Leave – Employees Represented as of December 31, 2011

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

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

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

1. Use of Sick Leave.

- a. Sick leave may be used for reasonable medical and dental care that cannot be scheduled during non-working hours. Sick leave may be used in the case of illness of the employee's spouse or children, providing the employee can substantiate the need to the satisfaction of the County. Sick leave may be used in one-half (1/2) hour increments.
- b. Employees unable to report to work due to illness or injury should contact the appropriate supervisor as soon as reasonably practical and no later than one-half (½) hour before the start of assigned work hours.

All Sheriff's Department employees shall provide at least two (2) hours notice prior to the start of the assigned work hours.

- c. Proof of illness may be required to receive payment for any scheduled work day which was missed because of illness or injury. A statement from the employee's attending physician or dentist, giving the nature of the illness, that it had incapacitated the employee, and that the condition has improved sufficiently to permit the employee to return to work shall be presented upon request as proof of illness.
- d. The use of sick leave for reasons other than personal illness or injury or of the employee's spouse or child (or as permitted otherwise under County policy) may result in discipline, up to and including termination. Sick leave will not be allowed when an injury is due to or incurred while in the employ of others.
- e. Employees on sick leave shall be paid for the hours they were scheduled to work that day. When an insufficient sick leave balance remains to cover the absence of the employee, the remainder is charged to accumulated vacation until such time as an unpaid leave is approved.

- f. Represented employees in the Courthouse and Highway units may utilize the sick leave bank as set forth below.
- g. Sick leave may not be used in the pay period in which it is accrued.
- h. Sick leave may not be used to supplement Worker's Compensation benefits.

2. Accrual of Sick Leave.

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

3. Sick Leave Payout.

- a. Unused sick leave is forfeited upon termination of employment with the following exceptions:

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

After 5 years of service	288 hours (36 days) - (8-hour employees) 252 hours (36 days) - (7-hour employees)
After 10 years of service	384 hours (48 days) - (8-hour employees) 336 hours (48 days) - (7-hour employees)
After 15 years of service	480 hours (60 days) - (8-hour employees) 420 hours (60 days) - (7-hour employees)
After 30 of service	576 hours (72 days) - (8-hour employees) 504 hours (72 days) - (7-hour employees)

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

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

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

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

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

Article IX. – Employee Benefits, § D – Paid Holidays

D. Paid Holidays

The County will observe the following 10 paid holidays:

New Year's Day	Veteran's Day
President's Day	Thanksgiving Day
Memorial Day	Day after Thanksgiving
Independence Day	Christmas Eve Day
Labor Day	Christmas Day

If the holiday falls on a Saturday, the proceeding Friday is considered the holiday. If the holiday falls on a Sunday, the following Monday is considered the holiday.

Eligibility: All regular full time or part time employees are eligible to receive compensation for the paid holiday benefit. In order to receive holiday pay, employees must work the day before and the day after each holiday with the exception of normal days off or excused paid absences for the full shift. Part time employees will be compensated on a prorated basis consistent with their annual percentage of full time equivalency with proration to be calculated to the 10th (0.10) place. Employees receiving Worker's Compensation benefits are not eligible for compensation for holidays that fall during their period of disability.

Civilian Dispatch employees and non-represented certified corrections officers shall accrue holiday pay at a rate of 3.077 hours per pay period. Holiday accruals may be used as time off or up to 48 hours may be paid out on the employee's anniversary date if the employee notifies payroll in writing at least 30 days prior to the anniversary date and the employee has a balance equivalent to the requested payout amount at the time the payment is requested. The maximum amount of holiday that an employee can accrue is eight-five (85) hours. Once the maximum is reached, any additional accrual hours will be forfeited. if not used by the employee's anniversary date. Upon approval by the Sheriff, the employee may carry over a holiday accrual balance for thirty (30) days beyond the employee's anniversary date.

Holiday Pay Rate: Employees who are eligible for holiday pay shall be compensated at their regular rate of pay for their regularly scheduled number of hours.

Work on a Holiday: Any FLSA non-exempt employee who is required to work on any of the above-mentioned holidays shall be scheduled for a different day off in lieu of the holiday and shall receive time and one-half for all hours worked on the holiday.

Article IX. – Employee Benefits, § M – Longevity Pay

~~M. — Longevity Pay~~

- ~~1. — All employees shall receive longevity pay based on their years of service as follows:~~

<u>Employees</u>	<u>Years of Service</u>	<u>Amount of Longevity</u>
	After 3 years by November 30th	\$60.00
	Each additional year	\$40.00

~~[Note: — For the calendar year 2012, longevity shall be paid for all employee groups represented by a union as of December 31, 2011, pursuant to the longevity provisions contained in the collective bargaining agreements which expired on December 31, 2010.]~~

- ~~2. — No pro-rating or partial payments except for those terminating because of death, disability or retirement. Retirement is defined as receiving benefits from WRS.~~
- ~~3. — Regular part-time employees shall receive prorated longevity pay. The proration shall be calculated on the first 24 payrolls of the year for that year.~~
- ~~4. — Effective January 1, 2016, the County will no longer offer longevity pay to its employees and this section will be eliminated.~~

***Note: Remaining Sections N – R will be re-designated accordingly.**

Article IX. – Employee Benefits, § ØN – Uniforms and Tools

ØN. Uniforms and Tools

1. The County shall provide a uniform service of its choice to Recycling Laborers/Drivers, Shop Mechanics and Welders.
2. The County shall reimburse any Highway employee required to wear safety glasses up to a maximum of two hundred (\$200.00) per year toward the purchase of prescription safety glasses upon submission of a receipt.
3. Classified Mechanics and Welders shall receive a tool allowance of one hundred twenty-five dollars (\$125.00) per year.
4. Protective Footwear Program
 - a. The Pierce County Highway Department is committed to providing a safe work environment for its employees. All field, supervisor and shop personnel are required to wear protective footwear that has a minimum 6" boot height and otherwise meets the requirements of OSHA CFR 1910.136.
 - b. Once each calendar year, the County will reimburse those Highway Department employees who are required to wear protective footwear up to \$55.00 for protective footwear upon submission of a proper receipt. If the receipt for the protective footwear is less than \$55.00, reimbursement will be for the amount shown on the receipt. The reimbursement will be added to the next available payroll check, subject to office workload.
 - c. Protective footwear purchased using the program shall be the property of the employee and may be used outside of the workplace, but must be in suitable condition to be worn during working hours. Suitable condition shall be determined by the employee's superintendent.
 - d. Authorized Limited Term Employees (LTE) and seasonal Highway Department employees are eligible to receive a reimbursement.
5. The Sheriff will provide uniforms of his/her choice to 911 Dispatchers and certified Corrections Officers.

Article XI. – Conditions of Employment, § A – Hours of Work and Rest Periods

A. Hours of Work and Rest Periods

1. The County's normal business hours are 8:00 a.m. to 5:00 p.m., Monday through Friday. Specific work hours, lunch period, and breaks shall be scheduled by Department Heads. All lunch periods and breaks MUST be staggered to allow offices to REMAIN OPEN during normal business hours.

In the Highway Department, the normal work week in the summer may consist of four (4) ten (10) hour days at the Highway Commissioner's discretion.

2. Policy on Absence Due to Bad Weather Conditions

- a. If an employee does not report to work due to bad weather conditions, the employee may charge lost time to:
 1. Accumulated vacation time
 2. Comp time
 3. Time off without pay
 4. Agreement with department head to make up lost time
- b. Sheriff's Department employees must report to work.

7c.

Resolution for Second Reading:

**Resolution No. 16-34 Authorizing
Sale of County-Owned Property
in Town of Oak Grove**

**RESOLUTION NO. 16-34
AUTHORIZING SALE OF COUNTY-OWNED PROPERTY
IN THE TOWN OF OAK GROVE**

WHEREAS, Pierce County owns approximately 7.956 acres of land in Section 33, Township 26 North, Range 19 West, Town of Oak Grove, which was acquired as part of an agreement between the Land Management Committee and a developer for park land dedication in connection with the creation of a land division; and

WHEREAS, during subsequent land development phases, the developer became insolvent, and adjacent properties that were expected to develop and create road access to the park land were sold off for agricultural use, and thus there is no current public access; and

WHEREAS, an adjacent property owner has approached the County expressing an interest in the potential purchase of said property; and

WHEREAS, the Parks Committee, at its meeting on February 16, 2017, determined the approximately 7.956 acres of property to be no longer usable for County Park purposes and thus declared the property as surplus property; and,

WHEREAS, the Finance and Personnel Committee took action on March 6, 2017 to recommend that the County Board authorize the sale of the approximate 7.956 acres of County-owned property.

NOW, THEREFORE BE IT RESOLVED, that the Board of Supervisors authorizes the sale of approximately 7.956 acres of County-owned property as described above, and that the Finance and Personnel Committee is authorized to proceed consistent with §40-19 of the Pierce County Code.

Dated this 28th day of March, 2017.

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: _____

STAFF REPORT COUNTY BOARD OF SUPERVISORS

March 28, 2017

Agenda Item 5d

Resolution No. 16-34: Authorizing Sale of County-Owned Property in Town of Oak Grove

Background:

Staff was contacted by Chris Brekken regarding the potential purchase of county owned property located in Section 33 of the Town of Oak Grove. The 7.956 acre parcel Mr. Brekken is interested in purchasing was acquired by Pierce County as part of the creation of the "Diamond Bluff Estates" land division by Johnson Reiland Construction, Inc. In 2003 an agreement was reached between the Land Management Committee and Johnson Reiland that stipulated that a combination of the land dedication and/or park development fees would occur in conjunction with creation of each planned development phase. However, Johnson Reiland Construction, Inc. subsequently became insolvent and the unsold lots and future phases of the "Diamond Bluff Estates" land division were sold at auction.

The 7.956 acre bluff top (primarily bluff face) parcel was originally acquired by the County as a park land dedication in conjunction with a 17 acre parcel that borders the Big River with an easement agreement providing access between the two. The status of the easement intended to connect the parcels is unclear. Had the "Diamond Bluff Estates" land division proceeded as envisioned, the 7.956 acre parcel would have had frontage on a public road which would have provided public access to a planned scenic vista and trail head that would have provided walking access to the 17 acre Big River parcel.

Given that the adjacent former Johnson Reiland property has been acquired by others for agricultural use, there would appear to be no potential for current or future public access to the bluff parcel.

Mr. Brekken currently owns 34 acres located immediately adjacent to the County's 7.956 acre parcel where he plans to build a residence in the near future. His preferred access to the property would necessitate that he cross the County owned parcel. Mr. Brekken has indicated that access across the County owned parcel would reduce his impact to adjacent agricultural land and that access from the north is most conducive to his residential development plans. It is for these reasons that Mr. Brekken has requested that Pierce County consider whether it may be appropriate to declare the 7.956 acre parcel to be surplus property.

The Parks Committee, at their February 16, 2017 meeting, and the Finance and Personnel Committee, at their March 6, 2017 meeting, recommended that the property be declared to be surplus to enable its sale consistent with §40-19 of the Pierce County Code.

The County Board of Supervisors should consider whether a viable public use of the parcel exists or is likely to exist. If no viable public use exists the Board should consider whether it is appropriate to declare the property to be surplus to enable its sale.

Submitted By: Andy Pichotta
 Land Management Director



F&P Request Form

sgustafs@co.pierce.wi.us <sgustafs@co.pierce.wi.us>

Thu, Feb 23, 2017 at 2:10 PM

To: jamie.feuerhelm@co.pierce.wi.us, joann.miller@co.pierce.wi.us, julie.brickner@co.pierce.wi.us, brad.lawrence@co.pierce.wi.us, sgustafs@co.pierce.wi.us

Thank you for submitting request

Response summary

Timestamp

Thu Feb 23 2017 15:10:51 GMT-0500 (EST)

Username

apichott@co.pierce.wi.us

Meeting Date

2017-03-06

Agenda Item

Discuss take action on request to declare surplus County owned property located in the SW ¼ of the SE ¼ of Section 33 in the Town of Oak Grove

Requesting Agency

Parks Department and Committee

Background

Staff was contacted by Chris Brekken regarding the potential purchase of county owned property located in Section 33 of the Town of Oak Grove. The 7.956 acre parcel Mr. Brekken is interested in purchasing was acquired by Pierce County as part of the creation of the "Diamond Bluff Estates" land division by Johnson Reiland Construction, Inc. In 2003 an agreement was reached between the Land Management Committee and Johnson Reiland that stipulated that a combination of the land dedication and/or park development fees would occur in conjunction with creation of each planned development phase. However, Johnson Reiland Construction, Inc. subsequently became insolvent and the unsold lots and future phases of the "Diamond Bluff Estates" land division were sold at bankruptcy auction. The 7.956 acre bluff top (primarily bluff face) parcel was originally acquired by the County as a park land dedication in conjunction with a 17 acre parcel that borders the Big River with an easement agreement providing access between the two. The status of the easement intended to connect the parcels is unclear. Had the "Diamond Bluff Estates" land division proceeded as envisioned, the 7.956 acre parcel would have had frontage on a public road which would have provided public access to a planned scenic vista and trail head that would have provided walking access to the 17 acre Big River parcel. Given that the adjacent former Johnson Reiland property has been acquired by others for agricultural use, there would appear to be no potential for current or future public access to the bluff parcel. Mr. Brekken currently owns 34 acres located immediately adjacent to the County's 7.956 acre parcel where he plans to build a residence in the near future. His preferred access to the property would necessitate that he cross the County owned parcel. Mr. Brekken has indicated that access across the County owned parcel would reduce his impact to adjacent agricultural land and that access from the north is most conducive to his residential development plans. It is for these reasons that Mr. Brekken has requested that Pierce County consider whether it may be appropriate to declare the 7.956 acre parcel to be surplus property. The Parks Committee, at their February 16, 2017 meeting, moved to recommend to the Finance and Personnel Committee that the property be declared to be surplus to enable its sale consistent with §40-19 of the Pierce County Code.

Staff Recommendation

Staff recommends that the Finance and Personnel Committee consider whether a viable potential future use of the 7.956 acre parcel exists. If no viable future public use exists, staff recommends that the Finance and Personnel Committee consider recommending to the County Board of Supervisors that the property be declared to be surplus to enable its sale, consistent with §40-19 of the Pierce County Code.

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

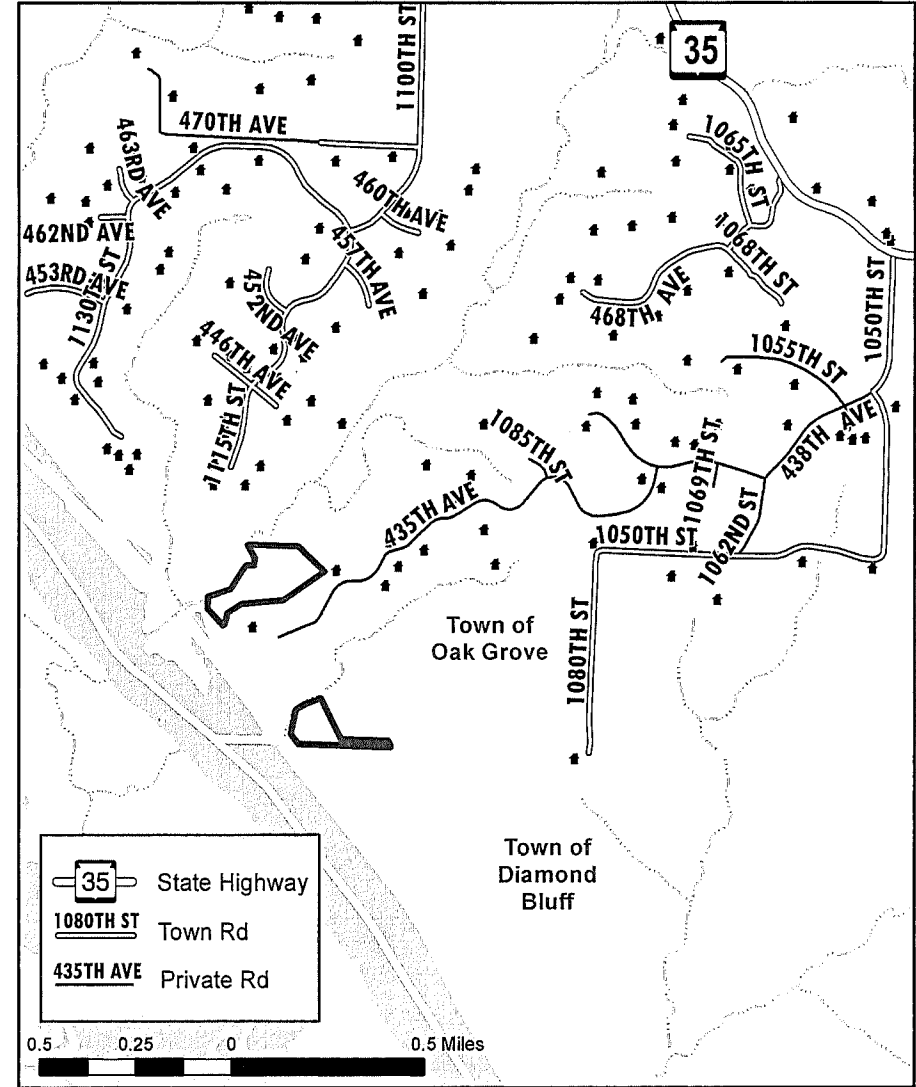
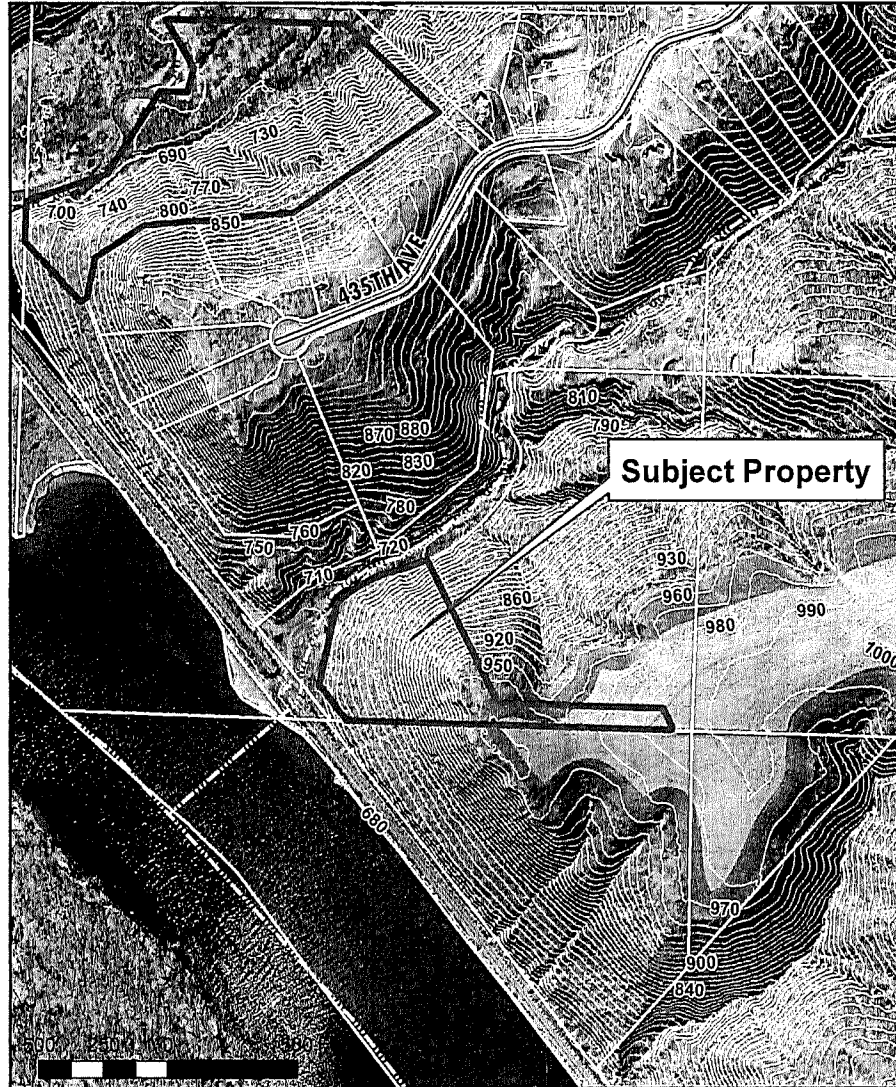
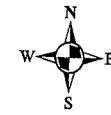
Motion by _____ seconded by _____ to recommend to the County Board of Supervisors that the 7.956 acre parcel located in Section 33 of the Town of Oak Grove to declared to be surplus to enable its sale, consistent with §40-19 of the Pierce County Code.

Requestor's email address

apichott@co.pierce.wi.us

PIERCE COUNTY BOARD OF SUPERVISORS

Agenda #5 D - March 28th, 2017



Legend



County Property

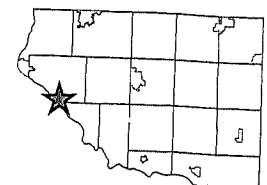
Parcels

10ft Contours

Orthophotography - 2015 Pierce County Prepared by the Department of Land Management

Site Location

Section 33
Town of Oak Grove



8a.

Ordinance for First Reading:

**Ordinance No. 17-01 Amend Chapter 172,
Section 172-15(B) of the Pierce County
Code-Parks and Recreation**

ORDINANCE NO. 17-01
Amend Chapter 172, Section 172-15(B) of the
Pierce County Code – Parks and Recreation

PIERCE COUNTY BOARD OF SUPERVISORS DOES HEREBY ORDAIN AS FOLLOWS:

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

§ 172-15 All-terrain vehicles and routes.

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

- (1) In the Town of El Paso, the portion of County Road N from 650th Avenue to County Road G to 425th Street.
- (2) In the Town of El Paso, from the intersection of County Road N and G to W4277 County Road G.
- (3) In the Town of Spring Lake, CTH B, from 770th Avenue and County Road B, east on County Road B to STH 128 and 770th Avenue.
- (4) In the Village of Spring Valley, CTH B, from a point 1800 feet west of the intersection of CTH B and Newman Avenue, to the intersection of CTH B and Newman Avenue, south to the intersection of CTH B and Akers Street, east to the intersection of CTH B and McKay Avenue.
- (5) In the Town of Spring Lake, on County Road P from 50th Street south to the north Village of Elmwood village limits.
- (6) In the Village of Elmwood, on County Road P from the north village limits to the south village limits.
- (7) In the Town of Rock Elm, on County Road P from the south Village of Elmwood village limits to 70th Street.
- (8) In the Town of Rock Elm, on CTH S from 70th Street to 430th Avenue/CTH X.
- (9) In the Town of Rock Elm, on CTH HH from CTH CC to 450th Avenue.
- (10) In the Town of Trenton, on CTH VV from 230th Avenue to 185th Avenue.
- (11) In the Town of Ellsworth, on CTH N from 610th Street to US Highway 63.

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

Dated: April 18, 2017.

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: _____



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

F&P Request Form

sgustafs@co.pierce.wi.us <sgustafs@co.pierce.wi.us>

Fri, Mar 17, 2017 at 10:34 AM

To: jamie.feuerhelm@co.pierce.wi.us, joann.miller@co.pierce.wi.us, julie.brickner@co.pierce.wi.us,
brad.lawrence@co.pierce.wi.us, sgustafs@co.pierce.wi.us

Thank you for submitting request

Response summary

Timestamp

Fri Mar 17 2017 11:34:46 GMT-0400 (EDT)

Username

chad.johnson@co.pierce.wi.us

Meeting Date

2017-04-03

Agenda Item

Discuss and take action on Ordinance No. 17-XX, Amend Chapter 172, Section 172-15(B) of the Pierce County Code - Parks and Recreation

Requesting Agency

Highway Department

Background

The Pierce County ATV Association is requesting an ATV route on CTH N from 610th St. to USH 63. The route was approved at the March 8, 2017 Pierce County Traffic Safety Committee meeting and at the March 16, 2017 Pierce County Highway Committee meeting. The Average Daily Traffic on CTH N is below the 700 vehicles per day threshold for ATV routes.

Staff Recommendation

Approve the route and Amendment conditional to the Highway Department installing the proper signage, to be paid for by the ATV Association, as has been done with all other routes on the County system.

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

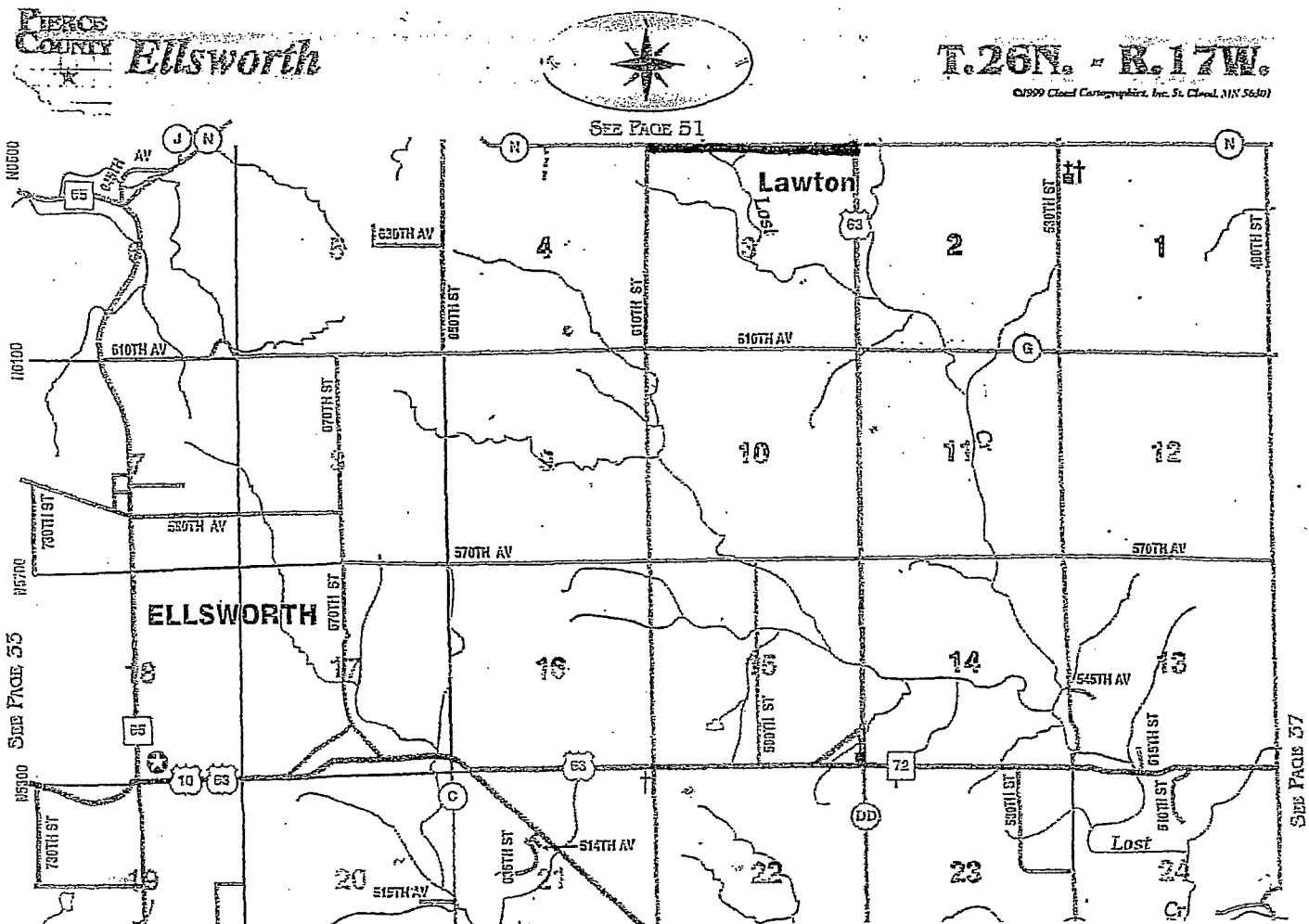
Motion by _____ second by _____ to approved the Amendment to Chapter 172, Section 172-15(B) and forward to the County Board.

Requestor's email addresschad.johnson@co.pierce.wi.us

Request for ATV Route

ATV Route from 610th st. to highway 63 Lawton Bar

on County N



Kenny's Lawton Bar and Grill

To: Pierce County Finance and Personal Committee
From: Kenny Lashley
CC: Jeff Holst (Chair), John Aubart, Jerry Kosin, Scott Bjork, Dan Recs, Ken Snow, Bill Schroeder etc.
Date: 3/23/17
Re: Proposed ATV Route, County Road N, 610th St. to US Highway 63

Dear Mr. Holst and Committee Members,

It is my understanding that both the Pierce County Traffic Safety Committee and Pierce County Highway Committee have approved the proposed ATV route on County Road N from 610th Street to US Highway 63.

I ask that you please consider approving this proposal – amending the ordinance to include County Road N on the list of approved routes – as well.

I am the owner of Kenny's Lawton Bar and Grill. As you may know, my establishment has a fairly extensive menu, as well as an array of daily specials, including breakfast (Thursday – Sunday). Providing access to Kenny's Lawton Bar and Grill for ATV users provides numerous benefits to the community. It would improve food sales, which allows me to keep more Pierce County residents employed at my establishment. Additionally, with food and drink options along the route, it is more enticing for ATV user to utilize our trail system, thereby bringing more business and activity to the community as a whole.

I am a long time resident of County Road N (11 years) and consider the road safe for ATV use.

Please contact me if you have any questions or if you need any additional information.

Sincerely,

Kenny Lashley
Owner - Kenny's Lawton Bar
W6416 County Road N
Beldenville WI 54003
Bar: 715-273-6641
Cell: 715-684-9032

RECEIVED
MAR 24 2017

TIME: _____
PIERCE COUNTY CLERK

8b.

Ordinance for First Reading:

**Ordinance No. 17-02 Map amendment
(Rezone) for 11.01 acres from General
Rural to General Rural Flexible on
property located in Lot 1 Certified Survey
Map Vol. 8 Pg. 166 being part of the NW
1/4 of the NW 1/4 of Section 10, T27N,
R16W, Town of Gilman, Pierce County,
Wisconsin. Jerrod & Danette Faber**

ORDINANCE 17-02

MAP AMENDMENT (REZONE) FOR 11.01 ACRES FROM GENERAL RURAL TO GENERAL RURAL FLEXIBLE IN THE TOWN OF GILMAN. JERROD & DANETTE FABER.

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

- Section 1: The Official Pierce County Zoning Map for the Town of Gilman is amended to change the zoning from General Rural to General Rural Flexible on 11.01 acres described as Lot 1 Certified Survey Map Vol. 8 Pg. 166 being part of the NW ¼ of the NW ¼ Section 10, T27N, R16W, Town of Gilman, Pierce County, Wisconsin (Parcel number 010-01025-0300).
- Section 2: That this ordinance shall not be codified.
- Section 3: That this ordinance shall take effect upon its adoption and publication as required by law.

Dated this 18th day of April, 2017.

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
BL

Adopted: _____

Rezone application was approved by Land Management Committee on April 5, 2017.

STAFF REPORT LAND MANAGEMENT COMMITTEE

Land Management Committee Meeting,

April 5, 2017

Agenda Item 6

Applicant: Jerrod & Danette Faber (owners)

Request: Map amendment (rezone) from General Rural to General Rural Flexible

Background:

The LMC held a public hearing for this request on 3-1-17 and after discussion, referred the back to the Town of Gilman to reconsider the justification used to recommend approval. The applicants are requesting to rezone an 11.01 acre parcel in order to split the lot into two parcels. With the current zoning district and acreage, the parcel does not have enough density to allow the split and the property owners don't want to purchase more land from adjoining property owners.

Issues Pertaining to the Request:

- The property includes all of Lot 1 CSM Vol. 8 Pg. 166 being part of the NW ¼ of the NW ¼ of Sec. 10, T27N, R16W in the Town of Gilman.
- Current land use is residential with a dwelling, multiple accessory structures, and undeveloped.
- The proposed use on the proposed lot is residential with a new dwelling.
- Adjacent land uses are agricultural, residential, and undeveloped.
- This parcel and adjacent zoning is General Rural.
- The value of land for agricultural use according to the USDA Web Soil Survey is as follows:

New Name	New Slope	% Area	New Capability Unit	New Farmland Classification
Sargeant Silt Loam (818B)	1-6%	23%	2e	Prime Farmland, if drained.
Vlasaty Silt Loam (816B2)	2-6%	51%	2e	All areas Prime Farmland.
Vlasaty Silt Loam (816C2)	6-12%	7%	3e	Farmland of Statewide Importance
Wykoff Loam (843C2)	6-12%	19%	3e	Farmland of Statewide Importance

Today important farmlands are prime, unique, farmland of statewide or local importance.

- Pierce County Zoning Code §240-15 Purpose and Intent of Zoning Districts states:
General Rural is established to maintain and enhance agricultural operations in the county. The district also provides for low-density residential development which is consistent with a generally rural environment and allows for nonresidential uses which require relatively large land areas and/or are compatible with surrounding rural land.
General Rural-Flexible is established to achieve the same objectives as the General Rural (GR) District but to allow a greater density of residential development with the approval of the town board.
- Pierce County's adopted Comprehensive Plan states: "The County will approve re-zonings or map amendments only when the proposed change is consistent with an adopted or amended town comprehensive plan. In cases where a town has not adopted a comprehensive plan, rezoning will be approved only when consistent with the Pierce County Plan (encouraged vs. discouraged). In such cases, Pierce County will solicit a non-binding town recommendation regarding the proposed rezone."

Applicant: Jerrod & Danette Faber
Map Amendment (Rezone)
April 5, 2017 ~

- The Town of Gilman again recommended approval of this request on 3/15/17 stating: "Our primary justification for supporting this rezone is found in the [Gilman] Comprehensive Plan in the following places: Page 10. C. Goals, Objectives & Recommendations. Goal 1: Encourage and support a variety of affordable housing choices in the Town of Gilman. Objectives: 1. Support affordable housing options to attract future residents and first time home buyers. Because of the nature of this property and location on 850th and County Rd BB, we believe this rezone is appropriate and consistent with the objectives of the Comprehensive Plan."

Staff Recommendation:

Given that the Gilman Town Board determined that this proposed map amendment (rezone) of 11.01 acres from General Rural to General Rural-Flexible is consistent with their Comprehensive Plan, staff recommends that the LMC approve this map amendment (rezone) and forward a recommendation to the County Board of Supervisors.

Submitted By: Emily Lund
Assistant Zoning Administrator

Amended Letter of Support of Faber Rezone

The Gilman Town Plan Commission

The members of the Plan Commission for Gilman Township have voted to support the proposed rezone of the Faber property located at w3665 850th Ave. from General Rural to General Rural Flexible. Our primary justification for supporting this rezone is found in the Comprehensive Plan in the following places:

Page 10.

C. Goals, Objectives and Recommendations

Goal 1: Encourage and support a variety of affordable housing choices in the Town of Gilman.

Objectives:

1. Support affordable housing options to attract future residents and first time home buyers.

Because of the nature of this property and location on 850th and County Road BB, we believe this rezone is appropriate and consistent with the objectives of the Comprehensive Plan.

Land Management Committee

JERROD S FABER
(April 5th, 2017)
Rezone GR to GRF

Legend



FABER Rezone

Parcels



Dwellings

Contours (10ft)

Zoning

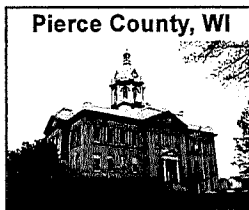


General Rural

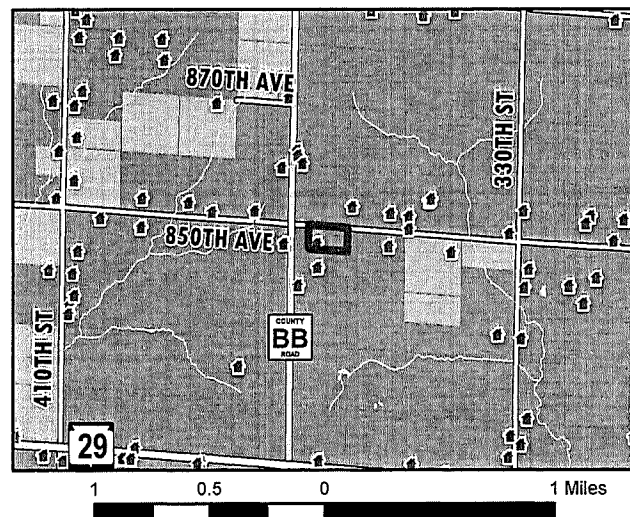
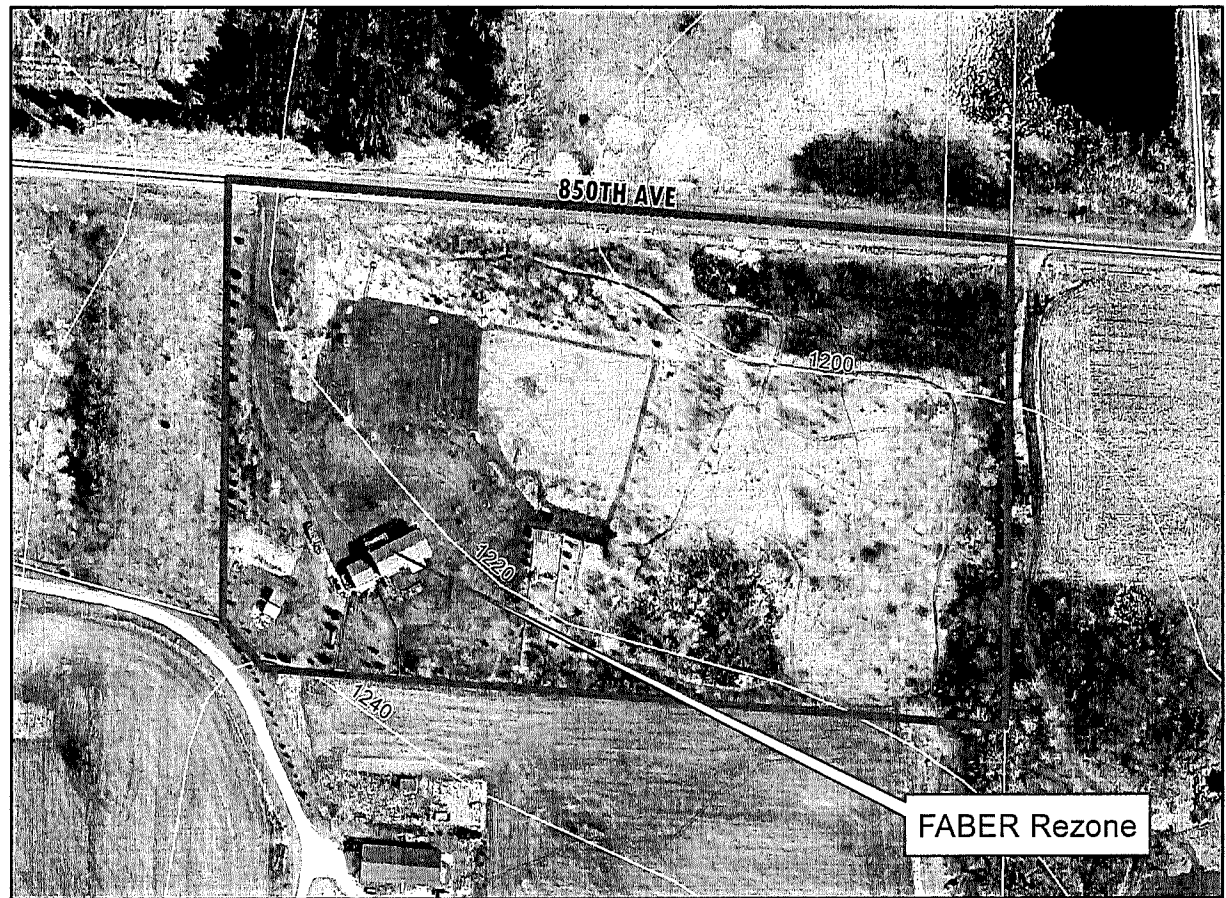


Primary Agriculture

Orthos - 2015 Pierce County

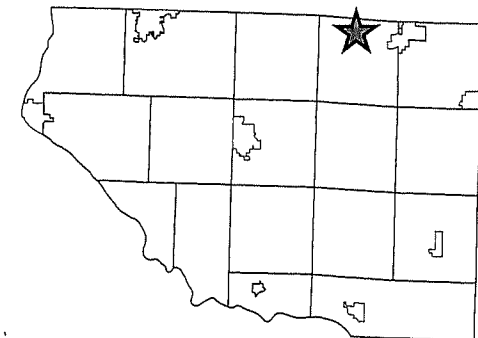


Prepared by the Department of Land Management



Site Location

W3665 850TH AVE
Town of Gilman



**E COUNTY
ALD**

Ellsworth, WI 54011-4117
3-4334

Publication

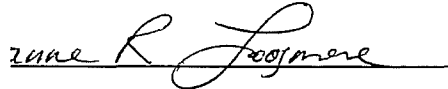
Oath, says:
Pierce County Herald, a weekly
published in the County of

Public Hearing
Rezoning Request

columns of said newspaper, and was
published for 2 successive weeks;
namely, February 15, 2017
published on every Wednesday, to and
including, February 22, 2017



on this 22nd day of February 2017



Before
me

My commission
expires July 23, 2017

	254501
	2445538
	2 col. x 3"
Publication Fee	\$42.04

NOTICE OF PUBLIC HEARING

State of Wisconsin)

County of Pierce) ss.

Public notice is hereby given to all persons in Pierce County, Wisconsin, that a public hearing will be held on the 1st day of March, 2017, at 6:00 pm, in the County Board Room in the Courthouse, in Ellsworth, WI before the Land Management Committee to consider and take action on a request for a Map Amendment (Rezone) from General Rural to General Rural Flexible District for Jerrod & Danette Faber, owners on property located in the NW 1/4 of the NW 1/4 of Section 10, T27N, R16W, Town of Gilman, Pierce County, WI.

All persons interested are invited to said hearing and to be heard.

BRAD ROY, Zoning Administrator
Pierce County, Wisconsin

(Pub. 02/15/17, 02/22/17) WNAXLP

FEB 24 2017

8c.

Ordinance for First Reading:

**Ordinance No. 17-03 Map amendment
(Rezone) for 1 acre from Rural Residential-
12 to General Rural Flexible-8 on property
located in NE 1/4 of the SE 1/4 of Section
19, T26N, R19W, Town of Oak Grove,
Pierce County, Wisconsin. Bailey Webster**

ORDINANCE 17-03

**MAP AMENDMENT (REZONE) FOR 1 ACRE FROM RURAL RESIDENTIAL-12 TO
GENERAL RURAL FLEXIBLE-8 IN THE TOWN OF OAK GROVE.
BAILEY WEBSTER.**

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

Section 1: The Official Pierce County Zoning Map for the Town of Oak Grove is amended to change the zoning from Rural Residential-12 to General Rural Flexible-8 on 1 acre located in part of the NE ¼ of the SE ¼ of Sec 19, T26N, R19W, Town of Oak Grove, Pierce County, Wisconsin, described as follows:

Commencing at the E 1/4 corner of Section 19; Thence West along North line of SE ¼ 1,277 feet to a point which is 66 feet East of the Northwest corner of the NE ¼ of the SE ¼; Thence South parallel with the West line of the NE ¼ of the SE ¼ 166 feet to the Point of Beginning; Thence South 335.20 feet; Thence North 87 degrees 33 minutes 34 seconds East 117.02 feet; Thence North 5 degrees 42 minutes 8 seconds East 331.85 feet; Thence West 149.88 feet to the Point of Beginning (Parcel number 020-01050-0900).

Section 2: That this ordinance shall not be codified.

Section 3: That this ordinance shall take effect upon its adoption and publication as required by law.

Dated this 18th day of April, 2017.

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

306

Adopted: _____

Rezone application was approved by Land Management Committee on April 5, 2017.

STAFF REPORT LAND MANAGEMENT COMMITTEE

Land Management Committee Meeting, April 05, 2017

Agenda Item 7

Applicant: Bailey Webster (owner)

Request: Map amendment (rezone) from Rural Residential-12 to General Rural Flexible-8

Background:

The applicant is requesting to rezone a total of 1.00 acres in Section 19 in the town of Oak Grove. The applicant is requesting the rezone in order to obtain appropriate permits to sustain operation of a Direct Market Agriculture business on the premises. The business consists of the production and sale of fresh produce and nursery items. Pierce County Code does not permit Direct Market Agriculture operations in districts zoned residential.

The applicant appeared before the Land Management Committee on November 16th, 2016 for this rezone request. After holding a public hearing, the request was referred back to the Town of Oak Grove for further consideration and clarification of the recommended condition.

Issues Pertaining to the Request:

- The property is located in the NE ¼ of the SE ¼ of Section 19, T26N, R19W in the Town of Oak Grove.
- The parcel is currently a single family residence. Direct Market Agricultural operations are currently occurring on the parcel.
- Access to the lot is located off of 1180th ST on the eastern edge of the parcel.
- The proposed future use of the parcel is to maintain the existing single-family residence and operate a Direct Market Agriculture business.
- Adjacent land uses are agriculture, low-density residential and undeveloped land.
- Adjacent zoning districts include Rural Residential-12 to the east and south, General Rural Flexible-8 to the north and west.
- Pierce County Zoning Code §240-15 **Purpose and Intent of Zoning Districts:**

Rural Residential-12 is established to provide for residential subdivision development in predominantly rural areas not suited for agricultural uses, served by on-site absorption sanitary systems and private wells. The district is intended to protect residential development from incompatible uses.

General Rural-Flexible is established to achieve the same objectives as the General Rural (GR) District but to allow a greater density of residential development with the approval of the town board.

General Rural is established to maintain and enhance agricultural operations in the county. The district also provides for low-density residential development which is consistent with a generally rural environment and allows for nonresidential uses which require relatively large land areas and/or are compatible with surrounding rural land.

- The Value of Land for Agriculture is as follows:

<i>Soil Name</i>	<i>Slope</i>	<i>Amount (acres)</i>	<i>% of Total</i>	<i>Prime Soils?</i>
Forkhorn Sandy Loam	1-6%	1.00	100%	Prime Farmland

Applicant: Bailey Webster
Map Amendment
April 5, 2017

- Pierce County's adopted Comprehensive Plan states: "The County will approve re-zonings or map amendments only when the proposed change is consistent with an adopted or amended town comprehensive plan. In cases where a town has not adopted a comprehensive plan, rezoning will be approved only when consistent with the Pierce County Plan (encouraged vs. discouraged). In such cases, Pierce County will solicit a non-binding town recommendation regarding the proposed rezone."
- The Town of Oak Grove recommended approval of this request on July 18th 2016.
- The Town referenced the following supporting objective under "Economic Development Goal #1" of their adopted town comprehensive plan:

Objective 1: "Promote ag-based businesses."
- The Town removed the following concerns/suggested condition from their original recommendation after further consideration:
 1. "Combine 1 acre lot with adjacent 5-acre GRF-8 lot."

Staff Recommendation:

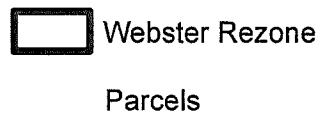
Given the Oak Grove Town Board of Supervisors has determined that this proposed rezone of 1.00 acres from Rural Residential-12 to General Rural-Flexible 8 is consistent with their comprehensive plan, staff recommends that the LMC approve this rezone request and forward a recommendation to the County Board of Supervisors.

Submitted By: Ryan Bechel
Zoning Specialist

Land Management Committee

Bailey/Webster
(April 5th, 2017)
Rezone RR20 to GRF

Legend

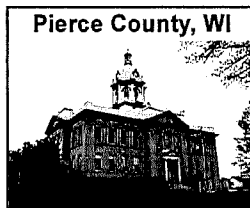


Zoning

General Rural Flexible - 8

Rural Residential - 12

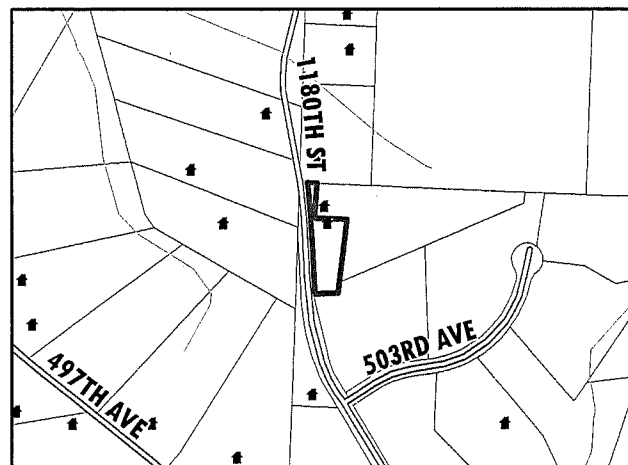
Orthos - 2015 Pierce County



Prepared by the Department of Land Management



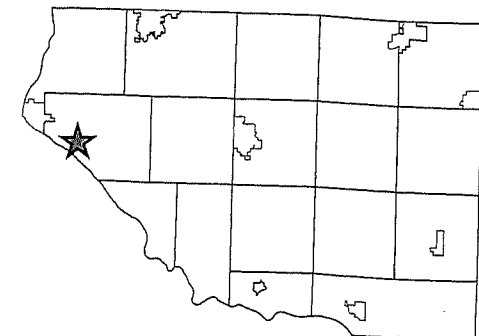
200 100 0 200 Feet



0.25 0.125 0 0.25 Miles

Site Location

N5092 1180TH ST
Town of Oak Grove



3 COUNTY
ALD
Ellsworth, WI 54011-4117
-4334

Publication

Path, says:
THE HERALD, a weekly
published in the County of

Beginning 11/16/16
for rezoning

columns of said newspaper, and was
published for 2 successive weeks;
on November 2, 2016
published on every Wednesday, to and
from, 2016

Witness my hand and seal this 9th day of November 2016

one R. L. Johnson

My commission
expires July 23, 2017

NOTICE OF PUBLIC HEARING

State of Wisconsin)
County of Pierce) ss.

Public notice is hereby given to all persons in Pierce County, Wisconsin, that a public hearing will be held on the 16th day of November, 2016, at 6:00 pm, in the County Board Room in the Courthouse, in Ellsworth, WI before the Land Management Committee to consider and take action on a request for a Map Amendment (Rezone) from Rural Residential 12 District to General Rural Flexible 8 District by Bailey Webster, owner on property located in part of the NE 1/4 of the SE 1/4 of Section 19, T26N, R19W, Town of Oak Grove, Pierce County, WI.

All persons interested are invited to said hearing and to be heard.

BRAD ROY, Zoning Administrator
Pierce County, Wisconsin

(Pub. 11/02/16, 11/09/16) WNAXLP

NOV 14 2016

	254501
	2406686
	2 col. x 3"
Fee	\$42.37

9a.

Ordinances for Second Reading:

Ordinance No. 16-06 Map Amendment

(Rezone) for 5.5 Acres from Rural

Residential 20 (RR-20) to General Rural

Flexible (GRF) on Property Located in Gov.

Lot 3 being part of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$

& the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Sec. 33, T25N,

R18W in the Town of Trenton

ORDINANCE 16-06

**MAP AMENDMENT (REZONE) FOR 5.5 ACRES FROM RURAL RESIDENTIAL 20
(RR-20) TO GENERAL RURAL FLEXIBLE (GRF) IN THE TOWN OF TRENTON.
TOWN OF TRENTON.**

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

Section 1: The Official Pierce County Zoning Map for the Town of Trenton is amended to change the zoning from Rural Residential 20 to General Rural Flexible on 5.5 acres located in Government Lot 3 being part of the SW ¼ of the SE ¼ and the SE ¼ of the SE ¼ of Section 33, T25N, R18W, Town of Trenton, Pierce County, Wisconsin, described as follows:

A 2.0 acre parcel located in Government Lot 3 described as Lots 10, 11, 12 Block 54, Village of Trenton Vacated Plat; Also Lots 7, 8, 9, 10, 11, 12 Block 53 Village of Trenton Vacated Plat; Also all portions of the said Village of Trenton Vacated Plat located between the above lots (Parcel number 030-01128-1010);

And the 3.5 acre parcel located in Government Lot 3 in part of the SE ¼ of the SE ¼ of Section 33 described as all of that part of Block 56 of the Original Village of Trenton Vacated Plat; Also Lots 7, 8, 9 Block 54, Original Village of Trenton Vacated Plat; All of Block C, Original Village of Trenton Vacated Plat, includes Assessor Parcel 658; Also that part of said Village of Trenton Vacated Plat lying between said parcels (Parcel number 030-01128-0100).

Section 2: That this ordinance shall not be codified.

Section 3: That this ordinance shall take effect upon its adoption and publication as required by law.

Dated this 28th day of March, 2017.

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: _____

Rezone application was approved by Land Management Committee on March 15, 2017.

STAFF REPORT LAND MANAGEMENT COMMITTEE

Land Management Committee Meeting, March 15, 2017

Agenda Item 4

Applicant: Town of Trenton (owner and applicant)

Request: Map amendment (rezone) from Rural Residential 20 to General Rural Flexible

Background:

The applicant is requesting to rezone 5.5 acres, consisting of a 2 acre parcel and an adjacent 3.5 acre parcel, located in Section 33 of the Town of Trenton. This rezone request is intended to enable the applicant to obtain a permit for managed camping and outdoor recreation. Pierce County Code does not permit the establishment of campgrounds in Rural Residential zoning districts.

Issues Pertaining to the Request:

- The properties are located in part of Government Lot 3 in the SW ¼ of the SE ¼ and the SE ¼ of the SE ¼ of Sec. 33, T25N, R18W in the Town of Trenton.
- The parcels have uniform address number N1720 860th Street and access 860th Street from the northwest of the properties.
- Current land use on these parcels is undeveloped. The adjacent land uses are commercial, residential, and undeveloped.
- These parcels, and the adjacent parcels, are currently zoned Rural Residential 20.
- The value of land for agricultural use according to the USDA Web Soil Survey is as follows:

Soil Name	Slope	Amount (acres)	% of Total	Capability Unit	Prime Soils?
Alganssee-Kalmarville complex	0-3%	0.31	5.6%	7w	NA
Plainfield Sand	15-60%	1.84	33.5%	7s	NA
Scotah Loamy Fine Sand	0-3%	2.95	53.6%	4w	NA
Water	0	0.40	7.3%	-	NA

- Pierce County Zoning Code §240-15 Purpose and Intent of Zoning Districts states:

Rural Residential-20 is established to provide for the densest residential development in the unincorporated areas of the county. The district is intended to be used where residential development is encouraged on lots without public sew and water and in locations where such a density of development is compatible with surrounding uses. *The district is intended to enhance residential areas by restricting nonresidential development.*

General Rural is established to maintain and enhance agricultural operations in the county. The district also provides for low-density residential development which is consistent with a generally rural environment and allows for nonresidential uses which require relatively large land areas and/or are compatible with surrounding rural land.

General Rural-Flexible is established to achieve the same objectives as the General Rural (GR) District but to allow a greater density of residential development with the approval of the town board.

Applicant: Town of Trenton
Map Amendment (Rezone)
March 15, 2017

- Pierce County's adopted Comprehensive Plan states: "The County will approve re-zonings or map amendments only when the proposed change is consistent with an adopted or amended town comprehensive plan. In cases where a town has not adopted a comprehensive plan, rezoning will be approved only when consistent with the Pierce County Plan (encouraged vs. discouraged). In such cases, Pierce County will solicit a non-binding town recommendation regarding the proposed rezone."
- The Town of Trenton recommended approval of this request on February 14, 2017. The Town attached a copy of the Utilities and Community Facilities – Goals, Objectives, and Policies section of their adopted comprehensive plan and highlighted: "Goal #1. Provide adequate, good quality, and varied park and recreation facilities to meet the needs of all community residents;" and "Objective #2: To provide passive and active park and recreational facilities to meet the needs of all age groups."

Staff Recommendation:

Given that the Trenton Town Board determined that this proposed rezone of 5.5 acres from Rural Residential-20 to General Rural-Flexible is consistent with their comprehensive plan, staff recommends that the LMC approve this rezone request and forward a recommendation to the County Board of Supervisors.

Submitted By: Emily Lund
Assistant Zoning Administrator

Town Recommendation Form

request: ☐ Conditional Use Permit ☐ Plat Approval – Concept, Preliminary, Final (Circle One)
☒ Map Amendment - (Rezone) ☐ Other-

applicant/Agent:
Name Brian Berg (Chair)
Site Address (if applicable) N177B 860th St
Property Description: SE ¼ of the SE ¼ or Government Lot # _____, Section 23, T 25 N, R 18 W
Subdivision _____ Town of _____
Parcel # 030 - 01128 - 1010 Alternate Parcel # _____
030 - 01128 - 0100
Zoning District RA 20 Acreage 5.5

A town recommendation is required as part of the application for a rezone (map amendment) or a conditional use permit. This recommendation is necessary whether a town has adopted a comprehensive plan or has not. Pierce County will seek to further each Town’s planning goals when considering the establishment of conditionally permitted uses and when considering approval of a request for a rezone/map amendment.

Pierce County will consider adherence to applicable goals, objectives, and policies, of an adopted or amended town comprehensive plan to be consistent with the “public interest” for decisions relating to that Town. In cases where an adopted plan gives guidance regarding the establishment of a proposed conditional use, the specific portion of the plan relating to the request should be referenced. If a town plan is silent regarding the establishment of a proposed use, or a town has not adopted a comprehensive plan, the recommendation will be advisory in nature.

Pierce County will approve re-zonings (map amendments) within a given town only when the proposed amendment is consistent with that town’s comprehensive plan. The specific portion of the plan which supports the rezone request should be referenced. It should be noted that if a town’s comprehensive plan is silent on a proposed rezone, approval cannot be granted unless consistency is achieved through plan amendment. In cases where a town has not adopted a comprehensive plan, a rezoning request will be considered based upon its consistency with the Pierce County Comprehensive Plan. In such cases, a town’s recommendation regarding the proposed rezone will be used to assist the Land Management Committee in evaluating applicable goal statements.

Questions regarding the need for a Town Recommendation and its generation or use should be directed to Land Management Department Staff at (715) 273-6746.

Town Recommendation: ☒ Approval ☐ Denial

Justification/Plan Reference: See attached

Concerns/Suggested Conditions: over →

Please attach additional information as necessary.

Town Chair Signature: Brian Berg Meeting Date: 2/14/2017

UTILITIES AND COMMUNITY FACILITIES GOALS, OBJECTIVES, AND POLICIES

Goals:

1. Provide adequate, good quality, and varied park and recreation facilities to meet the needs of all community residents.
2. To encourage and maintain a level of emergency preparedness so that prompt and efficient reaction may be taken to protect the lives and property within the Town.
3. Provide for the coordinated development of community facilities to match the changing needs of the Town population (e.g., recreation, senior, and Town maintenance facilities).


Objectives:

1. Provide cost effective community services in order to maintain stable tax rates.
2. To provide passive and active park and recreational facilities to meet the needs of all age groups.
3. To protect scenic values by controlling billboards, signs, junkyards, and other unsightly land uses and practices.
4. To protect resource-based recreation areas within the community.
5. To preserve and protect scenic areas of unique and natural beauty within the community.
6. Expand Town services only as development warrants such expansions and as Town residents and taxpayers request higher levels of service.






Land Management Committee

Town of Trenton
(March 15th, 2017)
Rezone RR20 to GRF

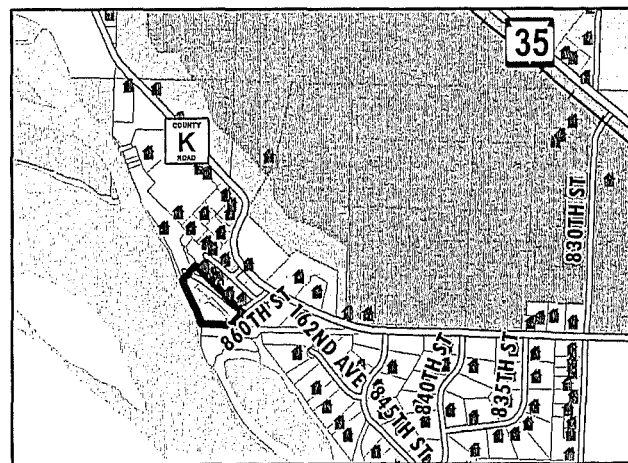
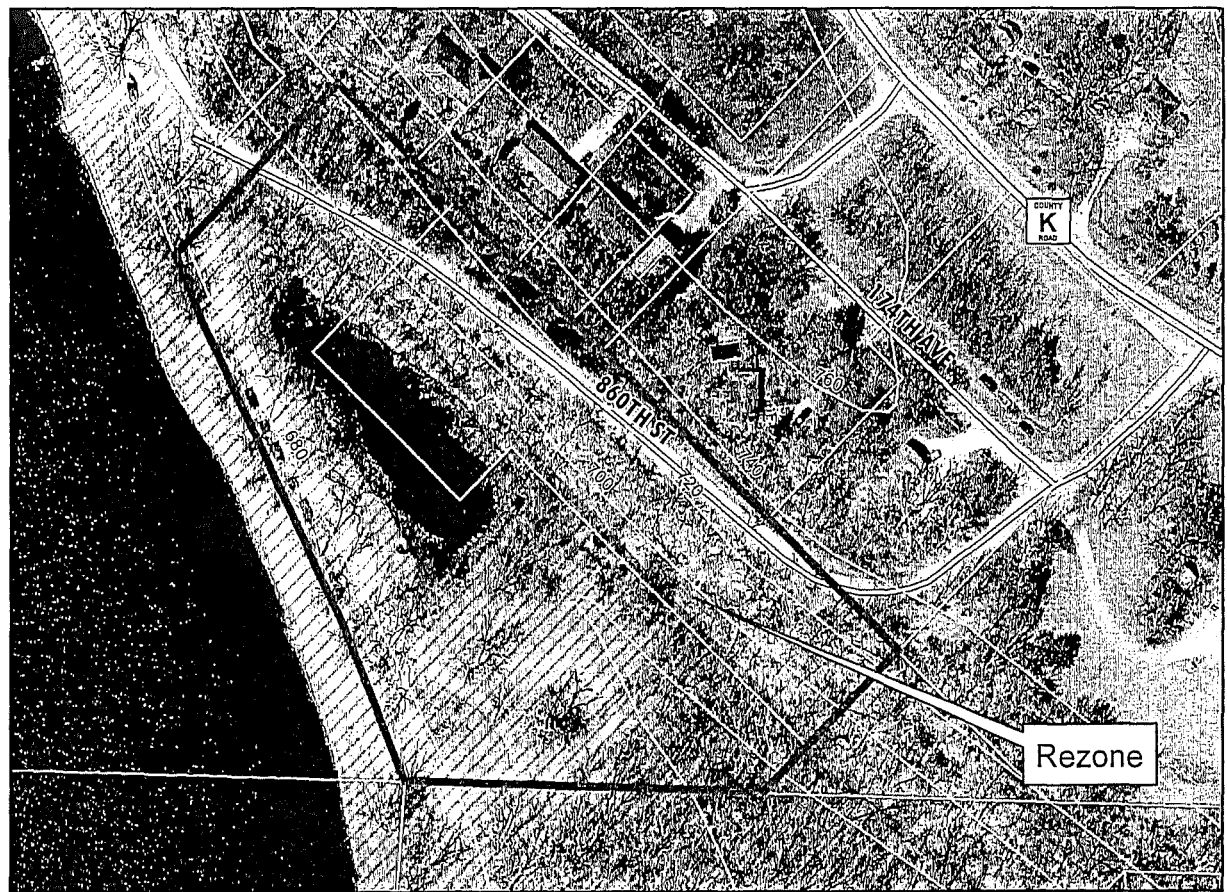
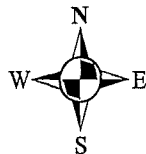
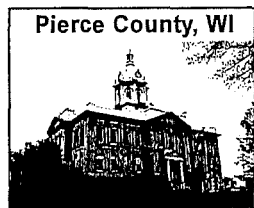
Legend

-  Trenton Rezone
-  Parcels
-  100 Yr Floodway/
Base Elev. Det

Zoning

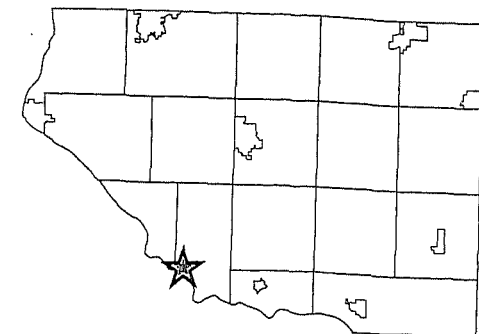
-  General Rural Flexible
-  Industrial
-  Light - Industrial
-  Rural Residential - 20
-  Rural Residential - 8

Orthos - 2015 Pierce County



Site Location

SEC 33 - TWN 25 - RNG 18
Town of Trenton



10.

Discuss/Take action on Potter/Lawson space needs study for Courthouse/Annex & PCOB. (This was previously distributed)

11a.

APPOINTEMENTS:

**Solid Waste Management Board:
Rescind March appointment of Bill Parks (citizen member). His former appointment extends through April 2018. Re-appoint Holst seat (County Board) for the term of 04/2017 to 04/2020. County Board confirmation required.**