

Kris Glenn Mayberry, Sawyer County Clerk  
Sawyer County Courthouse  
10610 Main Street, Suite 10; Hayward, Wisconsin 54843  
email address – county.clerk@sawyercountygov.org  
telephone numbers 715.634.4866 and toll free 877.699.4110



October 9, 2015

Note: The Board may take action on any or all items listed on the following agenda.

#### AGENDA

Sawyer County Board of Supervisors meeting  
Thursday; October 15, 2015; 6:30 p.m.; Large Courtroom; Sawyer County Courthouse

01. Call to order, roll call, Pledge of Allegiance, meeting agenda, recognition, and audience recognition
02. Minutes of the September 17, 2015 meeting
03. Zoning Committee report, including recommendation to approve rezoning:
  - Sawyer County Housing Authority parcel in Town of Bass Lake (part of NW1/4NW1/4; Section 4, T 40 N, R 9 W)
  - Ralph H. Petit parcel in Town of Winter (part of SE1/4SE1/4; Section 18, T 38 N, R 5 W)
04. Land, Water, and Forest Resources Committee report, including:
  - resolution to repeal statutory provisions enacted in the State of Wisconsin 2015-2017 Budget concerning shoreland zoning standards (Act 55)
  - proposed moratorium for permits for construction of boathouses
  - proposal to purchase S1/2SE1/4 of Section 15, T 38 N, R 8 W (approximately 80 acres) in Town of Couderay for inclusion in Sawyer County Forest [The Board may convene into **closed session**, pursuant to section 19.85(1)(e), Wisconsin Statutes, to discuss negotiations for the purchase of the property, and may announce or take action on matters discussed in the closed session upon reconvening into open session at the end of the closed session.]
05. Public Safety Committee report, including:
  - recognition of Emergency Management Department Director and search and rescue volunteers
  - proposal to charge towns in Washburn County adjoining Sawyer County for ambulance services
06. Administration Committee report, including:
  - LEO Consortium Agreement of the Northwest Wisconsin Concentrated Employment Program under the Workforce Innovation and Opportunity Act
  - 2016 Sawyer County Budget
  - Ambulance Billing Clerk/Specialist position classification
  - guidelines for appointment to fill retiring County Clerk position on an interim basis
  - recommendation for Interim County Clerk appointment [The Board may convene into **closed session**, pursuant to section 19.85(1)(c), Wisconsin Statutes, for employee evaluation relating to the appointment for the Interim County Clerk position, and may announce or take action on matters discussed in the closed session upon reconvening into open session at the end of the closed session.]
07. Correspondence, reports from conferences and meetings, other matters for discussion only

KM

Kris Mayberry  
Sawyer County Clerk

copies: Sawyer County Record, Sawyer County Gazette, WRLS, WHSM, AND WOJB

minutes of the meeting of the Sawyer County Board of Supervisors  
Thursday; September 17, 2015; 6:30 p.m.; Large Courtroom; Sawyer County Courthouse

County Board Chair Hal Helwig called the September meeting of the Sawyer County Board of Supervisors to order. Roll call was as follows (x indicates present):

district - supervisor - T = Town, V = Village, C = City, W = Ward

- x 01 - Dale Schleeter – T Lenroot W 1, T Hayward W 7, C Hayward W 5 and 6
- x 02 - Kathy McCoy – T Lenroot W 2, T Round Lake W 1
- x 03 - Tweed Shuman – T Hayward W 1 and 2
- x 04 - Iras Humphreys – T Hayward W 3 and 4
- 05 - Fred Zietlow – T Hayward W 5 and 6
- x 06 - Dean Pearson – C Hayward W 1 and 2
- x 07 - Thomas W. Duffy – C Hayward W 3 and 4
- x 08 - Bruce Paulsen – T Bass Lake W 1 and 2
- x 09 - Brian Bisonette – T Bass Lake W 3 and 4
- x 10 - Hal Helwig – T Sand Lake, T Edgewater W 1
- x 11 - Jim Bassett – T Edgewater W 2, T Bass Lake W 5, T Hayward W 8, T Meteor, T Couderay, V Couderay
- x 12 - William Voight – T Spider Lake, T Round Lake W 2, T Winter W 1
- x 13 - Ron Kinsley – T Hunter, T Radisson W 1, T Ojibwa W 1, V Radisson
- x 14 - Dale Thompson – T Radisson W 2, T Ojibwa W 2, T Weirgor, V Exeland, T Meadowbrook
- x 15 - Warren Johnson – T Winter W 2, T Draper, V Winter

The agenda for the meeting was presented as follows:

01. Call to order, roll call, Pledge of Allegiance, meeting agenda, recognition – Sawyer County Tactical Team, and audience recognition
02. Minutes of the August 20, 2015 meeting
03. Zoning Committee report, including recommendation to approve rezoning:
  - Wagner parcel in Town of Hayward (part of SW1/4NE1/4 and part of NW1/4SE1/4; Section 32, T 41 N, R 9 W)
  - Suzan parcel in Town of Weirgor (part of Government Lots 4 and 5; Section 23, T 37 N, R 7 W)
04. Health and Human Services Board recommendations, including:
  - transport alternatives – AODA/Mental Health proposal to purchase video equipment to reduce the need for transporting clients from various facilities around the state for court appearances
  - on-call compensation increase for Health and Human Services Department employees
05. Land, Water, and Forest Resources Committee report, including proposal to purchase S1/2SE1/4 of Section 15, T 38 N, R 8 W (approximately 80 acres) in Town of Couderay for inclusion in Sawyer County Forest [The Board may convene into **closed session**, pursuant to section 19.85(1)(e), Wisconsin Statutes, to discuss negotiations for the purchase of the property, and may announce or take action on matters discussed in the closed session upon reconvening into open session at the end of the closed session.]
06. Public Works Committee report, including amending Section 1.190 (Prohibited Activities on Airport Property) of the Sawyer County Airport Minimum Standards and Procedures Ordinance to delete prohibition of free-fall skydiving, parachuting, hot air balloon flights, and operation of ultralight aircraft
07. Administration Committee report, including:
  - recommendation for appointment (not special election) to fill retiring County Clerk position on an interim basis
  - recommendation for Interim County Clerk appointment [The Board may convene into **closed session**, pursuant to section 19.85(1)(c), Wisconsin Statutes, for employee evaluation relating to the appointment for the Interim County Clerk position, and may announce or take action on matters discussed in the closed session upon reconvening into open session at the end of the closed session.]
08. Correspondence, reports from conferences and meetings, other matters for discussion only

Motion by Kinsley, 2<sup>nd</sup> by Bassett, to approve the meeting agenda as presented. Motion carried.

Sheriff Mark Kelsey and Chief Deputy Sheriff Craig Faulstich presented Deputy Sheriff Jeff Cain with a plaque and a Sheriff's Department exceptional service award for his 17 years of service on the Sawyer County Tactical Team and as commander of the team. Sheriff's Department Detective and Tactical Team Commander Bryan Deyo (on behalf of the entire Tactical Team) presented Deputy Cain with a plaque and gifts in appreciation for his years of service on the Tactical Team.

Motion by Bassett, 2<sup>nd</sup> by Shuman, to approve the August 20, 2015 meeting minutes. Motion carried.

Land, Water, and Forest Resources Committee member Bruce Paulsen presented the following Zoning Committee report:

The Sawyer County Zoning Committee, having held a public hearing on August 21, 2015, pursuant to Section 59.69 (5) (e), Wisconsin Statutes, notice thereof having been given as provided by law and being duly informed of the facts pertinent to the proposed changes, hereby recommends that the petitions described as follows be approved:

1) Town of Hayward - Guy O. Wagner III. Part of the SW 1/4 NE 1/4 and part of the NW 1/4 SE 1/4, S32, T 41N, R 9W; Part of Parcel 3.8. Site address: 16445W Nursery Road. Doc #376410. Property has 2.15 acres. Change from District Forestry One to District Commercial One. Purpose of request is for the location/operation of a seasonal (summer months) indoor flea market/garage sale business in a proposed building, with owner living on the premises in the existing home. Note: the southern part of this property is currently zoned commercial. The Town Board approved the application. Findings of fact of the Zoning Committee: It would not be damaging to the rights of others or property values and it is by the recommendation of the Town Board.

Motion by Bassett, 2<sup>nd</sup> by Duffy, to approve the Zoning Committee recommendation. Motion carried.

2) Town of Weirgor - Dennis Suzan et ux. Part of Lot #1 of CSM #7237, being part of Gov't lots 4 & 5, S23, T 37N, R 7W; Part of Parcel 5508. Doc #386039. Proposed lot has approximately 1 acre. Change from District Agricultural One to District Residential/Recreational Two. Purpose of request is to create a lot for the purpose of selling the existing home and garage and to bring that parcel into conformity with the residential use. The remaining parcel of land is to remain zoned agricultural and will be combined with the adjoining property to the north. The Town Board approved the application with additional comments. The Zoning Committee recommends approval of the request subject to the rest of the parcel remaining in agriculture and it is to be combined with the property to the north by deed.

Motion by Kinsley, 2<sup>nd</sup> by Thompson, to approve the Zoning Committee recommendation. Motion carried.

Health and Human Services Board Chair Tweed Shuman reported that Health and Human Services Department Director Paul Grahovac provided the Health and Human Services Board with information regarding client transport expenses for 2014 and proposed the purchase of video equipment to reduce the need for transporting clients from various facilities around the state for necessary court appearances. The use of video conferencing would reduce transport expenses, reduce undue stress on clients required to make court appearances, and reduce safety risks to both clients and transport personnel during inclement weather or ordinary traffic conditions. The cost of the equipment purchased through the County Information Technology Department is estimated to be approximately \$6,000.00. All departments within the county would be able to utilize the technology when needed. The Judge has approved the use of video conferencing with the proper equipment. The County Administrator will obtain a written agreement with the court to ensure video conferencing will be utilized whenever possible. The Health and Human Services Board and Administration Committee recommend purchasing the equipment. The Board discussed that Information Technology Department Director Mike Coleson will need to determine the best equipment and confirm the cost, and that the Board may need to provide additional funding for the purchase. Motion by Bassett, 2<sup>nd</sup> by Kinsley, to approve the recommendation. Motion carried.

Health and Human Services Board Chair Tweed Shuman reported that Child Protective Services Supervisor Karla Hasart presented information to the Health and Human Services Board and Administration Committee regarding on call compensation from neighboring counties and requested an increase in on call compensation from \$150.00 per week to \$180.00 per week and an increase of holiday on call pay from \$12.00 to \$24.00. The annual increase to the budget for all on call personnel in the Health and Human Services Department, to include Alcohol and Other Drug Abuse and mental health personnel, would be \$3,360.00. The County Administrator provided the Health and Human Services Board and Administration Committee with on call information from other county departments. The Health and Human Services Board and Administration Committee recommend increasing the on call pay for Health and Human Services Department professional personnel, with the increase to be effective immediately upon County Board approval. Motion by Paulsen, 2<sup>nd</sup> by Humphreys, to approve the recommendation. Motion carried.

The Board discussed the option for the County to purchase the South Half of the Southeast Quarter (S1/2SE1/4) of Section 15, Township 38 North, Range 8 West (approximately 80 acres located in the Town of Couderay). Sawyer County Forest Administrator Greg Peterson has not yet concluded negotiations for the terms of the purchase with the seller's representatives. The list price for the parcel is \$122,560. Motion by Bassett, 2<sup>nd</sup> by Shuman, to table consideration of the proposal. Motion carried.

Public Works Committee Chair Ron Kinsley reported that the Committee discussed a July 15, 2015 compliance review letter from Federal Aviation Administration (FAA) Airport Compliance Manager Hal Davis and that County Administrator Tom Hoff had provided a timely response to that letter. The Committee reviewed proposed revisions (requested in the compliance review letter) to the Sawyer County Airport Minimum Standards and Procedures Ordinance amending Section 1.190 (Prohibited Activities on Airport Property) to delete the prohibition of free-fall skydiving, parachuting, hot air balloon flights, and the operation of ultralight aircraft at the Airport. The Public Safety Committee recommends County Board approval of the revisions. Motion by Shuman, 2<sup>nd</sup> by Kinsley, to approve the recommendation. Motion carried.

The Board discussed their options for filling the vacancy resulting from the retirement of the County Clerk at the end of January of 2016 for the balance of the term of office (through the end of 2016) and reviewed section 17.21(3) of the Wisconsin Statutes which provides for either appointment or a special election to fill the balance of the term. Sawyer County Corporation Counsel Thomas J. Duffy confirmed with the Administration Committee that a special election could be held to coincide with the 2016 spring elections to fill the position until the end of the term of office. The Administration Committee recommends that the position be filled by appointment and not by a special election. Motion by Kinsley, 2<sup>nd</sup> by Thompson, to approve the recommendation. Motion carried.

The Board discussed that the Administration Committee reviewed a proposal for the appointment of an Interim County Clerk and determined to discuss the proposal in closed session.

Motion by Duffy, 2<sup>nd</sup> by Kinsley, to convene into **closed session**, pursuant to section 19.85(1)(c), Wisconsin Statutes, for employee evaluation relating to the appointment for the Interim County Clerk position, and to reconvene into open session at the end of the closed session. Motion carried by unanimous voice vote. The Board announced that they may take or announce action taken in the closed session upon reconvening into open session. [Minutes of closed sessions are kept in confidential files in the County Clerk's Office.] Motion by Thompson, 2<sup>nd</sup> by Pearson, to reconvene into open session. Motion carried.

Motion by Kinsley, 2<sup>nd</sup> by Paulsen, to adjourn the meeting. Motion carried.

Upon reconvening into open session, County Board Chair Hal Helwig announced that the appointment of an Interim County Clerk has been tabled until the October County Board meeting.

minutes prepared by Sawyer County Clerk Kris Mayberry

## REPORT OF THE SAWYER COUNTY ZONING COMMITTEE

To: The Sawyer County Board of Supervisors

Re: Public Hearing  
September 18, 2015

The Sawyer County Zoning Committee, having held a public hearing pursuant to Section 59.69 (5) (e), Wisconsin Statutes, notice thereof having been given as provided by law and being duly informed of the facts pertinent to the proposed changes, hereby recommends that the petitions described as follows be **approved**:

1) Town of Bass Lake - Sawyer County Housing Authority c/o Sheila Young. Part of the NW 1/4 NW 1/4, S4, T 40N, R 9W; Parcels 2202 & 2215. Doc# 328117 and #340553; CSM Volume 28 Page 228. Property is 3.38 total acres. Change from District Commercial One to District Residential One. Purpose of request is for the construction of duplexes. The Town Board approved the application with additional comments.

Motion made by Helwig, second by Bassett to approve rezoning 3.38 acres from Commercial One to Residential One subject to the conditions imposed by the Town of Bass Lake (see attached). Motion carried. Findings of Fact: It would not be damaging to the rights of others or property values.

2) Town of Winter - Ralph H. Petit. Part of the SE 1/4 SE 1/4, S18, T 38N, R 5W; Parcel 16.1. Doc# 223491 and #355835. Property is 39.0 acres. Change from District: Residential/Recreational One to District: Agricultural One. Purpose of request is for the future expansion of an existing non-metallic mining operation (gravel pit) which is located north of this property. The Town Board approved the application with additional comments.

Motion made by Voight, second by Bassett to approve rezoning 39.0 acres from Residential/Recreational One to Agricultural One. Motion carried. Findings of Fact: It would not be damaging to the rights of others or property values; it would not be detrimental to ecology, wild life, wetlands or shorelands.

Dated this 18<sup>th</sup> day of September 2015  
Sawyer County Zoning Committee

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James Bassett, Chairman

## Town of Bass Lake Rezone Decision

Owner: Sawyer County Housing Authority

Re: Rezone From District Commercial 1 to District Residential 1

On the basis of the following *Findings of Fact, Conclusions of Law, and the Record in this Matter*, the Town Board of the Town of Bass Lake having considered said rezone application, be it therefore resolved that said rezone permit is hereby:

**APPROVED**

Subject to the following conditions:

- Maximum of three (3) Duplexes and two bedrooms per unit with garages. Duplexes to be comparable in size to existing units in development.
- Tree line along Hwy. 27 to remain.
- No direct access to Hwy. 27, utilize current existing entrance to existing duplexes.
- Maximum of three (3) cars per unit.

Subject to the following conditions before Town will issue appropriate permit:

- Town approval contingent on County approval with all Town conditions.

### FINDINGS OF FACT

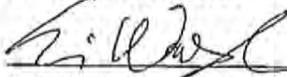
The rezone would not be contrary to the public interest and would be in compliance with the spirit and intent of the Sawyer County Zoning Ordinance and the Town of Bass Lake Comprehensive Plan Section 8.10.

### CONCLUSIONS OF LAW

- The establishment, maintenance, or operation of the rezone will not be detrimental to or endanger the public health, safety, comfort or welfare because;
  - It would not be damaging to the rights of others or property values
  - It would not create an air quality, water supply or pollution problem
- The uses, values and enjoyment of other property in the neighborhood for purposes already permitted shall not be, in no foreseeable manner, *substantially* impaired or diminished by establishment, maintenance or operation of the rezone.
- The establishment of the rezone will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the zone district.
- The rezone will conform to all applicable regulations of the district in which it is located because;
  - It would be compatible with the surrounding uses and the area
  - It would not cause harm to character of established area or the natural scenic beauty
- That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public roads because;
  - It would not create traffic or highway access problems
  - It would not cause parking problems

The Town of Bass Lake Planning Committee recommends this decision to the Town Board.

Dated this 14<sup>th</sup> of September, 2015

  
 Erica Warshawsky, Clerk

John Danczyk

010-941-33  
3407

1.28AC  
010-941-33  
3406

1.26AC  
010-941-33  
3403

1.44AC  
010-941-33  
3402

R. enced  
Sunderland

Schultz

4 1.50AC  
010-941-33  
3303

5 1.32AC  
010-941-33  
3305

6 1.38AC  
010-941-33  
3307

7 1.38AC  
010-941-33  
3304

FRONTWAY OR  
SHOWN AS SE<sup>1</sup> SIDE FOR MAPPING PURPOSES

010-941-33 3308

Hundred Nati  
Golf Club

SPRING

SE-SE

010-941-33 4402  
24.86AC.

2 1.84AC  
010-941-33  
4401

1 1.85AC  
010-941-33  
4403

2 1.87AC  
010-941-33  
4407

7 1.95AC  
010-941-33  
4403

1.37AC  
1.80AC

Jacquette Blackstone  
Fred Robert  
Pitt Smith  
Mary Blackstone

SC  
HA

Zawistowski  
Trust

Macedwitt

Robert  
Geestbach

W1/2-NW

PARCEL 3 002-940-04 2208,  
DEED REFERENCE 332/180  
HAS NO DESCRIPTION OF SAID  
PARCEL 3.

E1/2-NW

W1/2

16

15

14

SUBJ. TO EASEMENT FOR  
SHOWN AS SE<sup>1</sup> SIDE FOR MAPPING PURPOSES

002-940-04 2211  
.31AC.

002-940-04 2214

002-940-04 2212  
2.99AC/2210

002-940-04 2101  
1.78AC.

002-940-04 2212  
2.70AC.

002-940-04 2104  
1.50AC.

002-940-04 2103  
1.07AC.

002-940-04 1203  
1.37AC.

002-940-04 1204  
1.01AC.

002-940-04 1205  
1.01AC.

002-940-04 1207  
1.01AC.

002-940-04 2209

002-940-04 3102  
3.87AC.

002-940-04 3103  
3.85AC.

NW-SW

NE-SW

002-940-04 1201

002-940-04 1201

002-940-04 3101

002-940-04 3101

Housing Authority

340363

07/21/2006 8:00 AM

RECORDING FEE 11.00

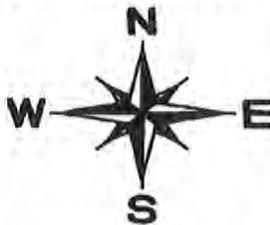
Pages 1

# CERTIFIED SURVEY MAP

PART OF THE W1/2 OF THE FRACTIONAL  
NW QUARTER OF SECTION 4, TOWNSHIP  
40 NORTH, RANGE 9 WEST, TOWN OF  
BASS LAKE, SAWYER COUNTY, WISCONSIN

## BEARING REFERENCE

BEARINGS REFERENCED TO  
THE WEST LINE OF THE NW  
QTR SECTION 4, ASSUMED  
BEARING OF N00°43'23"W



## SCALE



## LEGEND

- ⊗ = GOVERNMENT CORNER FOUND AS NOTED
- = FOUND 5/8" REBAR-WIS DOT MONUMENT
- ⊙ = COMPUTED POINT
- = SET 3/4"x18" REBAR WT 1.5 LBS/FT
- ( ) = RECORDED AS

## DESCRIPTION

A PARCEL OF LAND BEING A PART OF THE WEST 1/2 OF THE FRACTIONAL NORTHWEST QUARTER OF SECTION 4, TOWNSHIP 40 NORTH, RANGE 9 WEST, TOWN OF BASS LAKE, SAWYER COUNTY WISCONSIN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
 COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 4;  
 THENCE ON THE NORTH LINE OF SAID SECTION 4, N89°55'30"E 122.71' TO THE POINT OF BEGINNING;  
 THENCE CONTINUING N89°55'30"E 224.32' TO A POINT ON THE WESTERLY R.O.W. OF S.T.H. 27;  
 THENCE LEAVING SAID NORTH LINE AND ON SAID R.O.W. S00°37'12"W 91.25' TO A FOUND REBAR;  
 THENCE 226.00' ON THE ARC OF A CURVE TO THE LEFT TO A FOUND REBAR, SAID CURVE HAVING A RADIUS OF 4020.00', A CHORD BEARING OF S00°57'48"E AND A CHORD LENGTH OF 225.97';  
 THENCE N89°57'41"E 20.08' TO A FOUND REBAR;  
 THENCE 215.95' ON THE ARC OF A CURVE TO THE LEFT TO A FOUND REBAR, SAID CURVE HAVING A RADIUS OF 4000.00', A CHORD BEARING OF S04°09'00"E AND A CHORD LENGTH OF 215.93';  
 THENCE S05°42'04"E 109.94' TO A SET REBAR;  
 THENCE LEAVING SAID R.O.W. S89°55'30"W 265.65' TO A SET REBAR;  
 THENCE N00°43'23"W 642.04' TO THE POINT OF BEGINNING  
 SAID PARCEL CONTAINS 162647 SQUARE FEET.

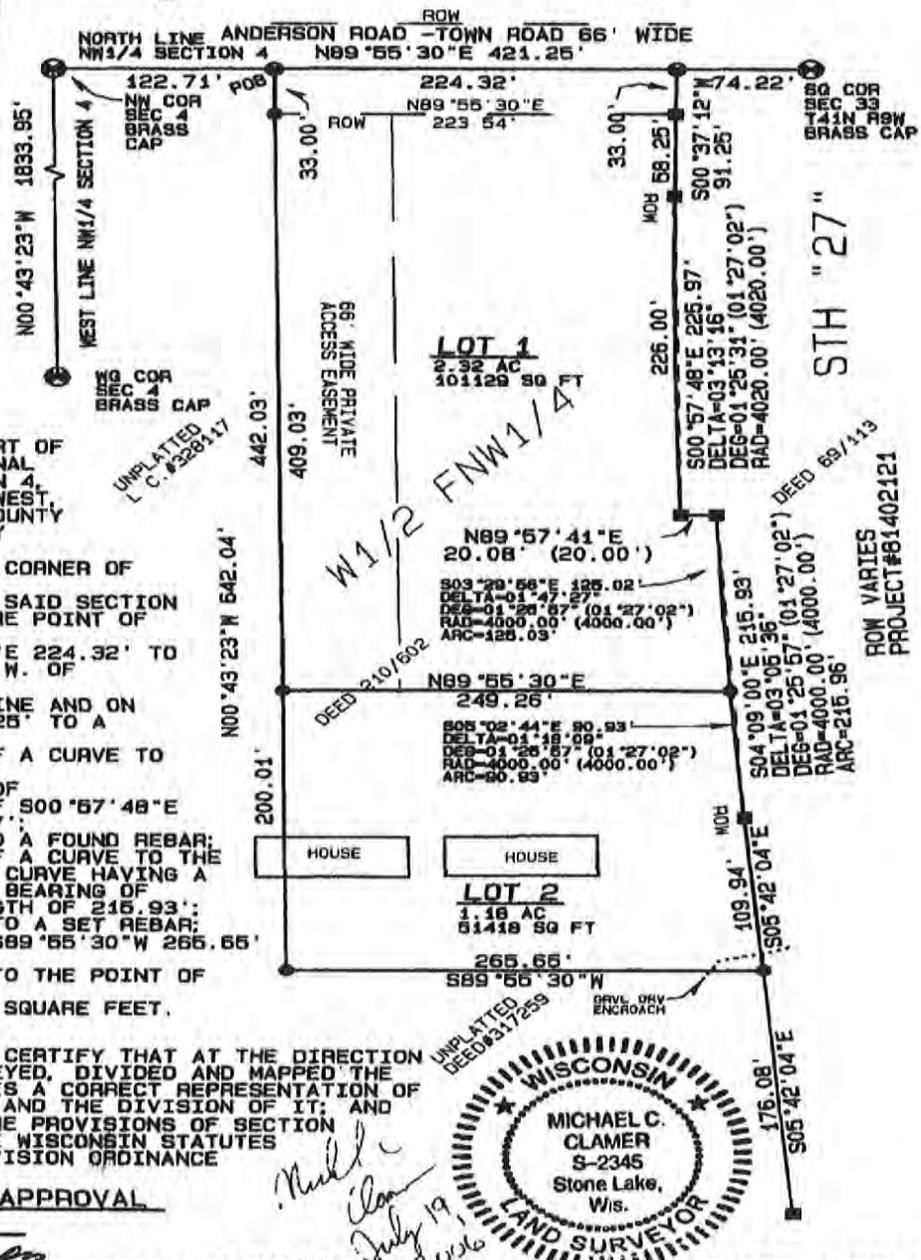
## CERTIFICATION

I, MICHAEL C. CLAMER, HEREBY CERTIFY THAT AT THE DIRECTION OF ANNE SOMMER, I HAVE SURVEYED, DIVIDED AND MAPPED THE ABOVE PARCEL; THAT THE MAP IS A CORRECT REPRESENTATION OF ALL THE EXTERIOR BOUNDARIES AND THE DIVISION OF IT; AND THAT I HAVE COMPLIED WITH THE PROVISIONS OF SECTION 236.34 OF CHAPTER 236 OF THE WISCONSIN STATUTES AND THE SAWYER COUNTY SUBDIVISION ORDINANCE OF 2005.

## SAWYER COUNTY ZONING APPROVAL

*William A. Christman*  
 William A. Christman, ZONING ADMINISTRATOR

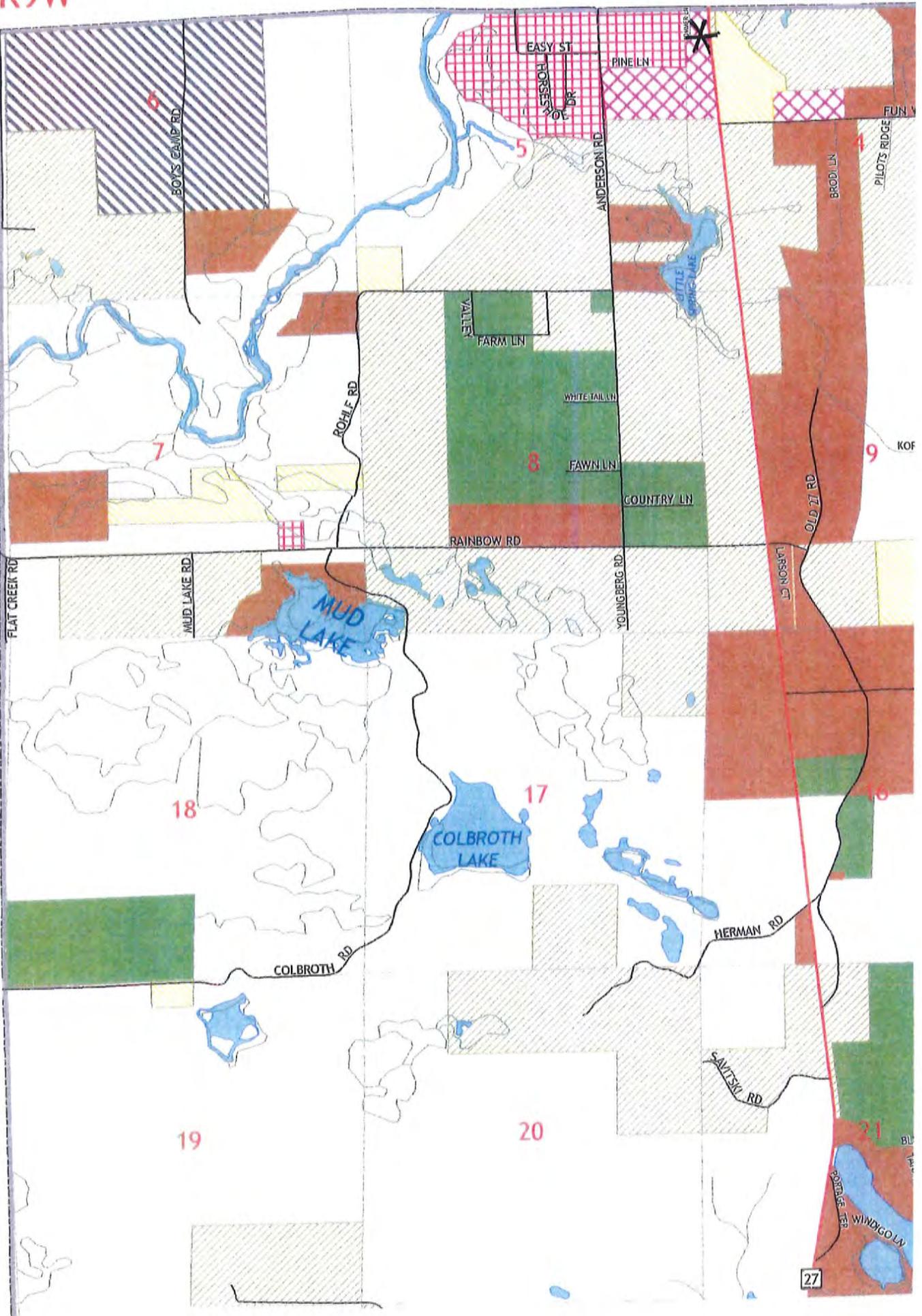
Certified Survey No. 7 27 5



SHEET 1 OF 1

VOL 28 PG 228

T40N R9W



Petit

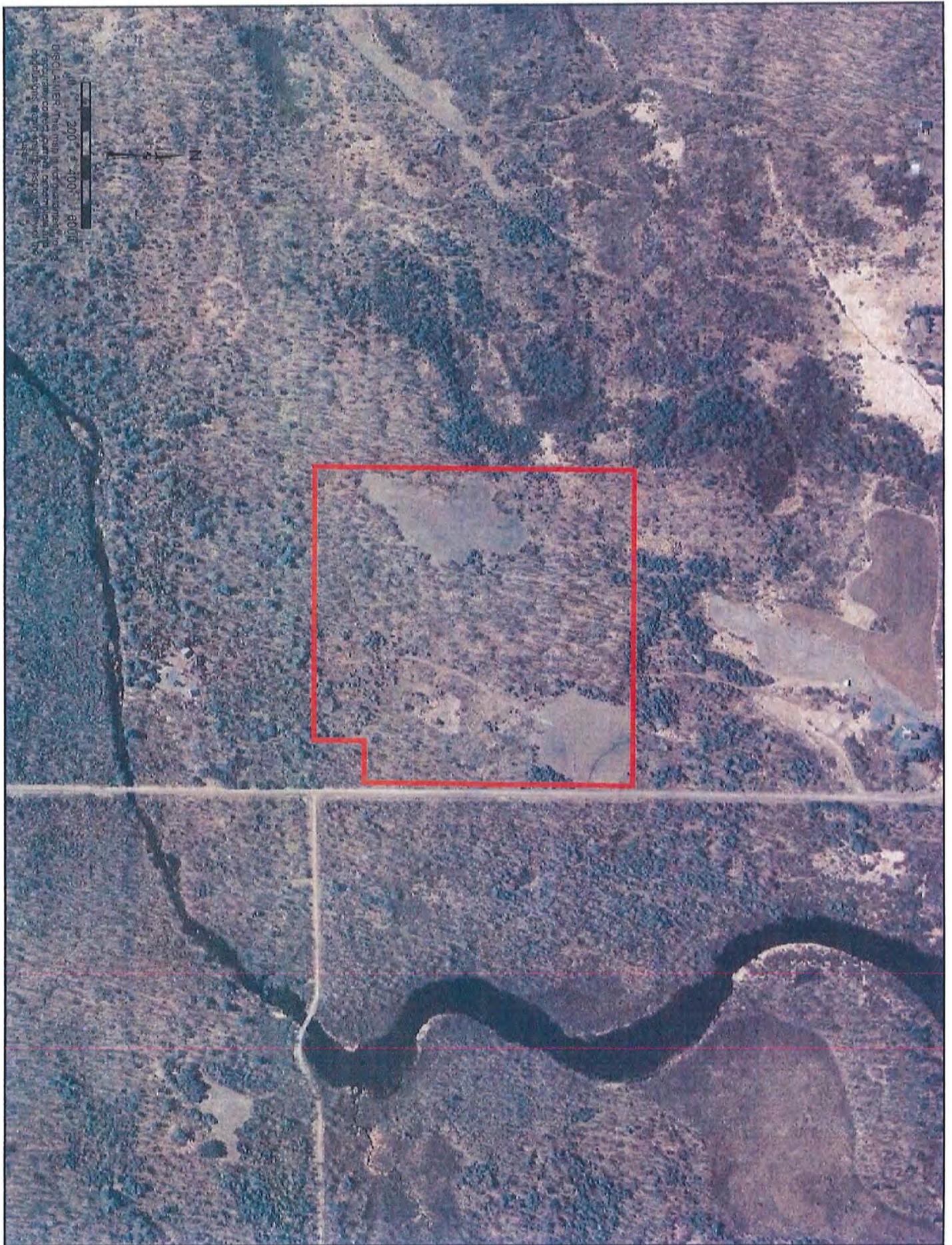


GRAPHIC SCALE



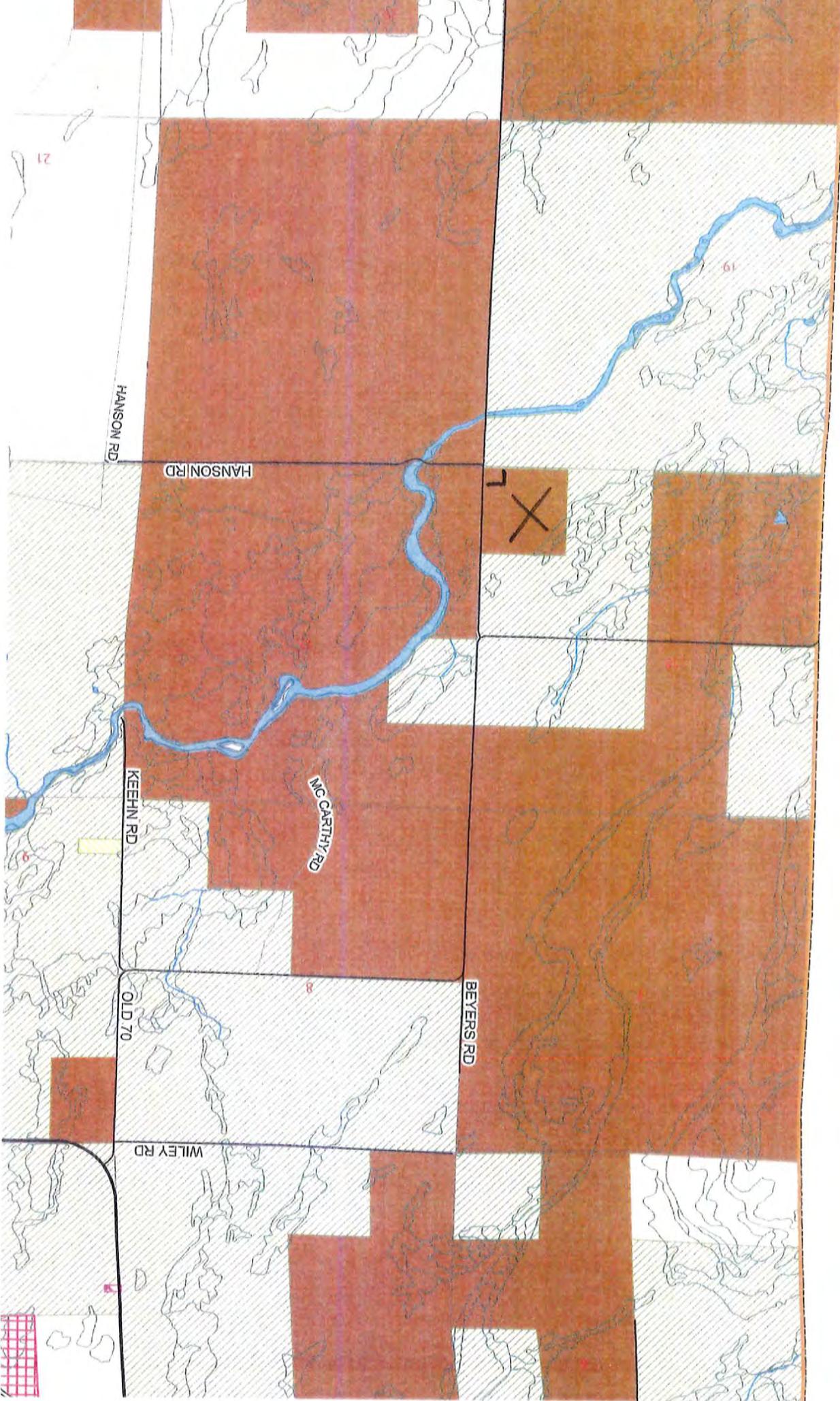
( IN FEET )  
1 inch = 400 ft.

TAX ASSESSMENT PURPOSES ONLY  
 Information contained on this map is advisory. Map accuracy is limited by the quality of the public records from which it was prepared. It is not intended as a substitute for an accurate field survey.



DISCLAIMER: This map is not guaranteed to be accurate, complete, current, or correct. The user assumes all responsibility for the use of this map.





minutes of the meeting of the Land, Water, and Forest Resources Committee  
Sawyer County Board of Supervisors  
October 7, 2015; Assembly Room; Sawyer County Courthouse

members present: Dean Pearson (Acting Chair), Bruce Paulsen, Tom Duffy (for Fred Zietlow)

also present: Linda Zillmer; Don Mrotek, Bill Noonan, and Jan Holmes (Sawyer County Snowmobile and ATV Alliance); Jim Kajala (Wisconsin Department of Natural Resources); Jim Miller; Dick Dewhurst (Town of Hayward Planning Commission); Harold Treland; Tom Heinrich; Gary Pulford; Frank Zufall (Sawyer County Record); County Forest Administrator Greg Peterson; Zoning and Conservation Department Director Dale Olson and Assistant Zoning Administrator Jay Kozlowski; County Surveyor and Land Records Department Director Dan Pleoger; County Treasurer Dianne Ince; County Administrator Tom Hoff; County Clerk Kris Mayberry

Motion by Paulsen, 2<sup>nd</sup> by Duffy, to approve the meeting agenda. Motion carried.

Motion by Paulsen, 2<sup>nd</sup> by Duffy, to approve the September 9, 2015 meeting minutes. Motion carried.

Linda Zillmer requested that the County's aquatic invasive species program be included on the November Committee meeting agenda.

County Treasurer Dianne Ince presented the results of the 2015 Sawyer County Land Sale. Sealed bids for purchase of parcels of real estate from the list were due October 2, 2015. Of the 13 bids received, 8 of the 26 parcels offered for sale were sold (due to duplicate bids on several parcels). Motion by Paulsen, 2<sup>nd</sup> by Duffy, to approve highest bids for the 8 parcels sold. Motion carried.

County Treasurer Dianne Ince presented the application of Thorp Properties LLC to purchase a parcel of County-owned land (Lot 6 of Block 11 of the 1<sup>st</sup> Addition to the Abendpost Beach Subdivision) for \$300. Motion by Paulsen, 2<sup>nd</sup> by Duffy, to approve the purchase. Motion carried.

County Surveyor and Land Records Department Director Dan Pleoger provided a written department report (copy in meeting file), including reporting that Sawyer County will not (due to the expense of the project) participate this year in an application to the United States Geological Survey for a 3DEP Lidar grant and that Tax Lister Lavonne Nedlose will be working some overtime to catch up with document recordings.

County Surveyor and Land Records Department Director Dan Pleoger reported that the Town of Winter requested a financial contribution from the County towards an estimated \$10,000 expense for an Assessor's Plat for an area around Conner's Lake to resolve long-standing private boundary issues. The Committee discussed a proposal for the County to contribute \$2,500, the Town \$2,500, and the affected landowners \$5,000. Motion by Pearson, 2<sup>nd</sup> by Paulsen, to authorize Mr. Pleoger to proceed with exploring the option of the County participating in the expenses of an Assessor's Plat. Motion carried.

Don Mrotek (Sawyer County Snowmobile & ATV Alliance) provided a report.

County Forest Administrator Greg Peterson provided a written department report (copy in meeting file).

Jim Kajala (Wisconsin Department of Natural Resources) reported that a County Forest liaison should be in place for the next meeting of the Committee.

Zoning and Conservation Department Director Dale Olson presented a written department report (copy in meeting file) and presented a proposed resolution to repeal the statutory provisions enacted in the State of Wisconsin 2015-2017 Budget concerning shoreland zoning standards. Jim Miller spoke to urge the Committee to take the time to read the information, including the memorandum submitted by Shoreland Policy Coordinator Kay Lutze, before taking action on the resolution. Motion by Paulsen, 2<sup>nd</sup> by Duffy, to recommend County Board approval of the resolution. Motion carried.

Assistant Zoning Administrator Jay Kozlowski presented information about amendments to the Sawyer County Zoning Ordinance that may need to be enacted in response to pending and anticipated applications for the construction of boathouses and the effect of statutory provisions enacted in the State of Wisconsin 2015-2017 Budget concerning shoreland zoning standards, including regulation of the construction of boathouses. Motion by Paulsen, 2<sup>nd</sup> by Duffy, to recommend County Board approval for a moratorium to be in effect for applications to the Sawyer County Zoning and Conservation Department for the construction of boathouses until the Committee and County Board have reviewed options for regulating the construction of boathouses. Motion carried.

The Committee requested that the Zoning and Conservation Department check with Sawyer County Corporation Counsel to determine whether a moratorium can be legally enacted and whether it can apply to pending and recently approved permit applications.

The Committee reviewed the monthly department expense vouchers. Motion by Paulsen, 2<sup>nd</sup> by Duffy, to approve the vouchers. Motion carried.

Motion by Paulsen, 2<sup>nd</sup> by Duffy, to convene into **closed session**, pursuant to section 19.85(1)(e), Wisconsin Statutes, to discuss negotiations for the purchase of the S1/2SE1/4 of Section 15, T 38 N, R 8 W (approximately 80 acres) in Town of Couderay for inclusion in Sawyer County Forest. Motion carried by unanimous voice vote.

[Minutes of closed session are kept in a confidential file in the County Clerk's Office.]

Motion by Paulsen, 2<sup>nd</sup> by Duffy, to reconvene into open session. Motion carried.

Motion by Paulsen, 2<sup>nd</sup> by Duffy, to adjourn the meeting. Motion carried.

minutes prepared by Sawyer County Clerk Kris Mayberry

Resolution # -2015

Resolution to Repeal Statutory Provisions Enacted in the State of Wisconsin  
2015-2017 Budget Concerning Shoreland Zoning Standards (Act 55)

WHEREAS, the Joint Finance Committee for the State's 2015-2017 biennial budget process has passed paragraph 23 of Motion Number 520 which significantly changes the standards for regulation of structures in shoreland areas contrary to the local authority of individual counties in favor of a statewide one-size-fits-all approach; and

WHEREAS, the State of Wisconsin approved the Water Resources Act in 1966 which created Wisconsin Statutes 59.692 directing counties to zone by ordinance all shorelands in unincorporated areas with the rules set forth in NR115 intended to be minimum standards and not maximums, recognizing that not all waters of the State were the same; and

WHEREAS, Sawyer County has been requiring buffer mitigation and signed Shoreland Vegetation Protection Area (SVPA) agreements since January 5, 2004, and adopted the Shoreland-Wetland Protection Ordinance on October 20, 2011, to protect property values, the County's wildlife and fisheries habitat, and the natural scenic beauty of Sawyer County's shorelands, and, at the same time, provided flexibility to property owners in development of their property; and

WHEREAS, Sawyer County has, pursuant to Wisconsin law and by majority vote, provided additional protections of our surface water resources through the 4-tiered Sawyer County Lakes Classification System, which is more restrictive than the minimum provisions in NR115, and

WHEREAS, Act 55 represents the removal of existing, effective county shoreland zoning regulations of the last 45 years proven to protect waterways from the known detriments of developing along the shoreline, including but not limited to runoff from impervious surfaces, water quality and visual impact; and

WHEREAS, Act 55 prohibits the County from requiring approval, or a fee, or mitigating impacts when property owners conduct maintenance, repair, replacement, restoration, rebuilding or remodeling of all or any part of a nonconforming structure within the same footprint, leading to unchecked development along our shorelines which will cause irreparable harm, resulting in a drop in property values which in turn will damage the economy of our County.

NOW, THEREFORE BE IT RESOLVED, the Sawyer County Board of Supervisors does hereby respectfully support the repeal of the Act 55 shoreland provisions, and the restoration of the Counties ability to customize shoreline zoning regulations through local control.

BE IT FURTHER RESOLVED, that, if deemed necessary to amend shoreland zoning regulations, it be done by way of stand-alone legislation in regular legislative session with meetings, hearings, public input, and deliberation, rather than as part of the budget process.

BE IT FURTHER RESOLVED THAT, the Sawyer County Board of Supervisors directs the County Clerk to distribute a copy of this resolution to the State of Wisconsin, the Wisconsin Counties Association, all members of the Wisconsin Senate and Wisconsin Assembly, and each County in the State of Wisconsin.

**CORRESPONDENCE/MEMORANDUM**

DATE: October 1, 2015

FROM: Kay Lutze, Shoreland Policy Coordinator

SUBJECT: 2015 Wisconsin Act 55 and Shoreland Zoning

On July 12, 2015 Governor Walker signed 2015-17 biennial budget (Act 55) which modifies the shoreland zoning provisions. Act 55 changes the authority counties have in the development of a shoreland ordinance that is more restrictive than the shoreland zoning standards contained in NR 115 and changed other shoreland zoning standards. In fulfillment of its duty, under s. 281.31 Wis. Stats, the department has developed this memo to provide general recommendations for counties and to answer questions that have been submitted regarding the interpretation and implementation of Act 55 as it relates to Wisconsin's shoreland protection program. It is important to note that there is not a delayed effective date. Act 55 was enacted July 12, 2015, published July 13, 2015, and took effect July 14, 2015.

The changes to s. 59.692 went into effect the day after publication. Consequently, counties that currently have shoreland zoning ordinance standards that regulate in a more restrictive manner than the standards established in s. 59.692 and NR 115, can no longer enforce those standards in that manner. To clarify, all counties will have to implement the nonconforming structure standards established in s. 59.692(1k). Counties that have not adopted all of the updated standards in NR 115 are not required to adopt a compliant ordinance with these standards until October 1, 2016.

**Summary of Act 55**

Interpretation of what is no longer allowed by law:

- As part of its approval process for a conditional use permit, a county may not impose on a conditional use permit a requirement that is preempted by federal or state law.
- A shoreland zoning ordinance (county, village or city) may not regulate a matter more restrictively than the matter is regulated by a shoreland zoning standard.
  - Act 55 allows counties to regulate "matters" that are not regulated by a shoreland zoning standard in NR 115. Accordingly, a county shoreland zoning ordinance may include not just regulations that address the standards required by ch. NR 115, but other regulations that also address the purposes of s. 281.31 – to further the maintenance of safe and healthful conditions; prevent and control water pollution; protect spawning grounds, fish and aquatic life; control building sites, placement of structure and land uses and reserve shore cover and natural beauty.
  - The following regulatory examples provide protection for the resource and further the purposes of shoreland zoning under s. 281.31, Wis. Stats.: wetland setbacks and other wetland standards, bluff (escarpment) setbacks, standards for ridge and swale or dune complexes, and density and stormwater standards.
- A shoreland zoning ordinance (county, village or city) may not require a person to establish a vegetative buffer on previously developed land or expand an existing vegetative buffer.
- A shoreland zoning ordinance (county, village, or city) may not impair the interest of the landowner by containing language that does any of the following:
  - Regulates outdoor lighting for residential use.
  - Regulates the maintenance, repair, replacement, restoration, rebuilding or remodeling of a nonconforming structure if the activity does not expand the footprint. No approval, fee or mitigation required.
  - Requires the inspection or upgrade of the structure before the sale/transfer of the structure may be made.

- Regulates the vertical expansion of a nonconforming structure unless the expansion is greater than 35' above grade level. No approval, fee or mitigation required.
- Establish standards for impervious surfaces unless the standards provide that a surface is considered pervious if the runoff from the surface is treated by a device or system, or is discharged to an internally drained pervious area that retains the runoff on or off the parcel to allow infiltration into the soil. Essentially, NR 115.05(1)(e)3m becomes shall instead of may. Also note the inclusion of the word "off."
- Regulates the construction of a structure on a substandard lot in a manner that is more restrictive than the shoreland zoning standards. This reiterates the language in Act 170.
- The department may not issue an opinion on whether or not a variance should be granted or denied without the request of a county BOA.
- The department may not appeal a BOA decision.
- County shoreland zoning ordinances, construction site erosion control and stormwater management ordinances and city/village wetland zoning ordinances do not apply to lands adjacent to artificially constructed drainage ditches, ponds, or stormwater retention basins that are not hydrologically connected to a natural navigable water body.

Interpretation of what is allowed by law:

- Continued administration of NR 115 standards unaffected by Act 55.
- A county shoreland zoning ordinance may require a vegetative buffer to be maintained provided that a 35' viewing corridor for every 100' is allowed and the viewing corridor is allowed to run contiguously for the entire maximum width.
- The department can establish shoreland zoning standards for vertical and lateral expansion. A county can enact a shoreland ordinance that allows the vertical or lateral expansion of a nonconforming structure if the ordinance does not conflict with the shoreland standards of the department.
- Broadens the exemption from county shoreland zoning, construction site erosion control and stormwater management and city/village wetland zoning to lands that are adjacent to farm drainage ditches by removing the requirement that the land be maintained in nonstructural agricultural use.

Act 55 adds two required definitions:

- "Shoreland setback area" means an area that is within a certain distance of the ordinary high-water mark in which the construction or placement of structures has been limited or prohibited under an ordinance enacted under this section.
- "Structure" means a principal structure or any accessory structure including a garage, shed, boathouse, sidewalk, stairway, walkway, patio, deck, retaining wall, porch or fire pit.

Because we received many questions from counties on various concerns, we have summarized our opinions on how Act 55 affects each topic raised in the questions. Counties should consult with their county corporation counsel to decide what revisions to county ordinances are required by Act 55.

### Interaction with other enabling statutes

Counties have the authority to enact zoning ordinances or regulations under a number of different statutory authorities. For example, it is common that counties may develop ordinances or regulations under general zoning (s. 59.69, Stats.), sanitary regulations (s. 145, Stats.), platting and subdivision ordinances (s. 236, Stats.), floodplain zoning (s. 87.30, Stats.), Lower St. Croix Riverway Zoning (s. 30.27, Stats.). Each of the enabling statutes identified identify the purpose, applicability and standards for the creation of ordinances under each of those statutes.

Counties enact shoreland zoning ordinances under 59.692 for the purpose of furthering the maintenance of safe and healthful conditions; prevent and control water pollution; protect spawning grounds, fish and aquatic life; control building sites; placement of structure and land uses; and reserve shore cover and natural beauty. (281.31(1)) S. 59.692 (1)(c) defines a shoreland zoning standard as: a standard for ordinances enacted under this section promulgated as a rule by the department. In other words, the shoreland zoning standards are those specific standards identified in NR 115.05. Examples are setbacks from the ordinary high water mark, impervious surfaces and vegetative management.

In section 1922D of the 2015 WI Act 55, the legislature created s. 59.692(1d) prohibiting counties from enacting an ordinance that contains shoreland zoning standards that are more restrictive than the standards in NR 115, Wis Adm. Code but does specifically allow counties to develop regulations for matters not regulated by a shoreland zoning standard in NR 115, Wis. Adm. Code. In order for counties to regulate other matters in their shoreland zoning ordinance, counties must ensure that the matters further the purposes of shoreland zoning. Examples of other matters that have been regulated by counties to further the purposes of shoreland zoning include wetland setbacks, bluff setbacks, density requirements, standards for filling and grading, etc.

The department has received numerous questions from county zoning administrations that identify concerns with the interaction of the standards in their county shoreland zoning ordinance and standards created in ordinances under one of the other enabling statutes. The limiting of county authority to adopt more restrictive shoreland zoning standards under s. 59.692, Stats., did not modify or impact a county's authority to adopt or enforce standards under one of the other enabling statutes that are identified above as long as those standards effectuate the purposes of that enabling authority and meet the applicable standards in that Statute and Administrative Codes.

We recognize others may interpret the statutory changes in Act 55 differently. Counties should consult with their corporation counsel to decide what revisions to county general zoning ordinances are required by Act 55. The Department is opining on the following topics and questions to inform counties how we believe the enabling statutes interact.

Q-1. Does 2015 Act 55 prevent counties from imposing within county shorelands any county general or overlay zoning requirements that regulate a matter more restrictively than the matter is regulated under state shoreland zoning standards (Wis. Admin. Code ch. NR 115)?

A-1. In our opinion, Wis. Stats. s. 59.692(1d)(a) prohibits a county shoreland zoning ordinance provision from regulating a matter more restrictively than ch. NR 115 does. Sub. (1d)(a) applies only to provisions in county shoreland zoning ordinances enacted under Wis. Stats. s. 59.692 (shoreland zoning). It does not apply to county zoning ordinance provisions enacted under other statutes such as general zoning (59.69), farmland preservation zoning (91.30), floodplain zoning (87.30), or St. Croix Riverway zoning (30.27). However, counties may not adopt standards through those authorities in an attempt to create shoreland zoning standards more restrictive than NR 115.

Q-2. Does s. 59.692(1d)(a) and (5) prevent counties from imposing within county shoreland zoning districts any county general or overlay zoning requirements that regulate a matter more restrictively than the matter is regulated under the county shoreland zoning ordinance?

A-2. In our opinion, counties may not create, through a general zoning or other overlay zoning ordinance, standards that “relate to shorelands.” In other words, under s. 59.692(5), Stats., counties may not create standards that apply only to land that lies within the shoreland zoning where the purpose of the standard is to protect shoreland resources. Sub. (5) has been part of the shoreland zoning statute since it was first enacted 49 years ago (1966). We believe, in this time, no one has interpreted sub. (5) to prevent provisions of general zoning or other overlay zoning provisions from applying just because the lands to which the general or overlay ordinance provisions also apply happen to lie within a shoreland area. In the department’s opinion, sub. (5) and the shoreland standards in NR 115 only supersede general zoning or other overlay zoning ordinance provisions that “relate to shorelands.”

Q-3. Does 2015 Act 55 prevent counties from imposing within county shoreland zoning districts any general or overlay zoning ordinance “minimum lot size” requirements that are more restrictive than similar requirements in state shoreland zoning standards (Wis. Admin. Code ch. NR 115)?

A-3. Counties may not circumvent s. 59.692(1d) and (5) by enacting or enforcing, through a zoning ordinance enacted under a different statutory authority, more restrictive minimum lot size than that set forth in ch. NR 115 if the provision specifically applies ONLY because the land at issue is located within a shoreland AND it applies because the lands lie in shorelands. However, a county may require a larger lot size under a general zoning ordinance or through another statutory authority such as farmland preservation or St. Croix Riverway Zoning, as long as the district and its more restrictive provisions does not only apply because the land in the district is within the shoreland.

Q-4. Does s. 59.692(1d)(a) and (5) prevent counties from granting a variance from a county general zoning ordinance requirement if the variance imposes conditions that restrict a land use activity in a manner that conflicts with county shoreland zoning ordinance requirements?

A-4. In our opinion any conditions placed on a variance have to relate to the original purpose of enacting the zoning standard. For example, if there is a variance for a road setback there cannot be a condition to establish the shoreland vegetative buffer. A condition could be placed on that variance to establish a vegetative screen shielding the project from the road. *Certain* conditions may also be placed on a variance with regard to lighting. While lighting conditions on residential properties within the shoreland area would be prohibited, other lighting conditions such prohibiting a new gas station from casting light skyward or onto neighboring properties may be allowable.

It is fairly common for counties to have adopted ordinances that contain standards under multiple enabling statutes. It would be prudent for counties to identify which standards further the purposes of shoreland zoning and which standards further the purposes from one of the other enabling statutes. While this may be a fairly simplistic process for counties that have a stand-alone shoreland ordinance, counties that have a comprehensive ordinance should consider identifying what enabling statute provides the authority to create the standards for each provision within their ordinance. Alternatively, having two separate ordinances eliminates potential confusion in identifying standards that are enacted under shoreland zoning versus general zoning.

It should also be noted that 59.692(5m) states that provisions within a shoreland zoning ordinance that are inconsistent with 59.692(1d),(1f),(1k), or (2m) do not apply and may not be enforced.

### Lot Sizes

There have been many questions regarding the minimum required lot size in NR 115 and whether or not that lot size becomes the maximum. The minimum lot sizes required in the shoreland area remain just that – the minimum standards. However, counties can no longer establish in their shoreland ordinance new lots to be larger than the minimum standard. So in effect, while a county may not require lot sizes larger than the minimum lot sizes identified in NR 115.05(1)(a), property owners are not prohibited from creating a larger lot than the minimum required.

### Structures

Since 1968, the statewide shoreland zoning standards have required new buildings or structures be at least 75 feet from the ordinary high water mark of navigable waterways, except for certain structures that are identified under NR 115.05(1)(b)(1m) and Wis. Stats. 59.692(1v). While the statewide shoreland zoning standards did not contain a definition of a structure, the 2015 WI Act 55 created a definition of structure in s. 59.692(1)(e) to be “a principal structure or any accessory structure including a garage, shed, boathouse, sidewalk, stairway, walkway, patio, deck, retaining wall, porch, or fire pit.” The department has received a number of questions on the interpretation and implementation of this new definition in the county shoreland ordinances.

#### County Definition of a structure:

A number of questions have been submitted asking whether counties must adopt this definition or whether counties can add or clarify the definition by adding additional structures to the term. For example, fences, swimming pools, barns or silos, or any other structures that may be currently regulated by a county but not specifically included in the statutory definition.

Counties must adopt the definition in 59.692 (1)(e) Stats. for implementation of their shoreland ordinance. However, because this statute uses the word, “includes” rather than, “means” as it lists certain structures, the list is illustrative rather than a final exhaustive list of structures. Therefore all structures are included in the statutory definition.

#### Exempt Structures:

S. NR 115.05(1)(b)(1m), lists the following structures that are exempt from the shoreland setback standards. Those structures are:

- A. Boathouses located above the OHWM and entirely within the access and viewing corridor that do not contain plumbing and not used for human habitation.
- B. Open sided and screened structures such as gazebos, decks, patios and screen houses in the shoreland setback area that satisfy the requirements in s. 59.692 (1v), Stats.
- C. Fishing rafts that are authorized on the Wolf River and Mississippi River under s. 30.126, Stats.
- D. Broadcast signal receivers, including satellite dishes or antennas that are one meter or less in diameter and satellite earth station antennas that are 2 meters or less in diameter.
- E. Utility transmission and distribution lines, poles, towers, water towers, pumping stations, well pumphouse covers, private on-site wastewater treatment systems that comply with ch. SPS 383, and other utility structures that have no feasible alternative location outside of the minimum setback and that employ best management practices to infiltrate or otherwise control storm water runoff from the structure.
- F. Walkways, stairways or rail systems that are necessary to provide pedestrian access to the shoreline and are a maximum of 60-inches in width.

With the legislation prohibiting counties from enacting or enforcing an ordinance that is more restrictive than NR 115, counties are now required to exempt all of the structures that meet the standards identified above from the shoreland setback requirements in NR 115.05(1)(b). As exempt structures, they are not considered nonconforming structures to the shoreland setback.

S. 59.692(1d)(b) allows counties to regulate a matter that is not regulated by a shoreland zoning standard. Exempt structures identified above are only exempt from the shoreland zoning standard of having to meet the locational requirement of the required water setback. While there may be some legal uncertainty our opinion is that structures that are exempt from the required water setback under NR 115.05(1)(b)1m can continue to be regulated with other standards. Boathouse standards are typical for most counties and regulate the size, roof pitch, number of berths and architectural features that are not regulated by a shoreland zoning standard in NR 115. Boathouse standards are typical for most counties that have previously allowed boathouses. Standards placed on boathouses by counties cannot effectively, practically, or legally disallow the placement of a boathouse within the viewing and access corridor. Additionally, counties typically regulate the location, the number and the type of materials to be used for the construction of stairways. If a structure does not meet the exemptions under NR 115.05(1)(b)1m, then it is regulated and has to meet the required water setback and any other requirements that may apply.

For open sided structures, under s. 59.692(1v), counties must continue to enforce the standards and requirements identified in the statute including the requirement that the property restore or protect the vegetative buffer. These statutory standards that apply to specific structures were not modified or superseded by the statutory standards created or amended in 2015 WI Act 55. Consistent with previous guidance issued by the Department on October 28, 1999, counties must calculate the square footage of all structures located within the setback that are not exempt and may not allow an open sided structure if the total square footage of all of the structures exceeds 200 sq. feet.

#### Setback of structures:

Finally, a number of counties in the past have not included setback averaging in their shoreland ordinance or have established standards for setback averaging that vary from the standards currently reflected in NR 115.05(1)(b)1. The effect of a county disallowing setback averaging means a county is regulating setback requirements in a manner that is more restrictive by disallowing a reduced setback. Therefore, all counties are now required to allow the averaging provision consistent with NR 115.05(1)(b)1. It is important to remember that setback averaging only applies to principal structures and a structure that meets the average setback is considered a conforming structure under NR 115.

#### Vegetative Buffers

In section 1922E of the 2015 WI Act 55, the legislature created s. 59.692(1f) prohibiting a county shoreland zoning ordinance from requiring a person to establish a vegetative buffer zone on previously developed land and from expanding an existing vegetative buffer.

The establishment of a vegetative buffer remains an option under the mitigation section of a shoreland zoning ordinance provided it is compliant with NR 115.05(1)(e) and NR 115.05(1)(g)c (lateral expansion only). Creating mitigation options that are based on a menu approach or point system provide property owners with the flexibility to choose from the options available. It should be noted that restoring or establishing the vegetative buffer cannot be the only option provided.

Permits issued, variances or conditional use permits granted with conditions to restore, establish or expand the vegetative buffer remain enforceable if issued prior to July 14<sup>th</sup>, 2015. The statute does not contain any retroactive language that would invalidate any permits, variances, CUP's that were issued

prior to enactment of the legislation. It is important to note s. 59.692(1v) remains in effect and requires the establishment or the restoration of a vegetative buffer in order to authorize the construction of an open-sided structure within the shoreland setback.

Can a condition placed on a variance require the establishment or restoration of the vegetative buffer? Please see A-4 on page 4 for guidance.

The vegetation standards in NR 115.-05(1)(c) remain in effect with the exception of NR 115(1)(c)2. b. which states that a viewing corridor may not exceed the lesser of 30% of the shoreline frontage or 200 feet. That portion is superseded by the statute change in s.59.692(1f)a "Vegetative buffers are now allowed to contain a viewing corridor that is at least 35 feet wide for every 100 feet of shoreline frontage. The viewing corridor is allowed to run contiguously for the entire maximum width."

59.692(1f)b. allows the county to require a property owner to maintain a vegetative buffer zone that exists as of July 14, 2015. Any vegetative buffers that currently exist must remain and any vegetative removal must comply with the provisions within NR 115.05(1)(c) with the exception of the allowance of the viewing corridor stated in the above paragraph. Removal of vegetation in violation of those standards must be brought into compliance.

### **Impervious Surfaces**

In section 1922F of the 2015 WI Act 55, the legislature created s. 59.692(1k) (a)1.e. This section requires counties to adopt provisions within their impervious surface standards that allow an impervious surface to be considered pervious if the runoff from the impervious surface is treated by a device or system or is discharged to an internally drained pervious area. The device or system or identified internally drained pervious area could be on-site or off-site. This statutory language is similar to the standards in NR 115.05(1)(e)3m however it also allows for the infiltration of the runoff off site and is now mandatory language for the implementation of the impervious surface standards.

S. 59.692(1k) (a)1.e creates specific exemptions for the impervious surface to be considered pervious. Exemptions are to be construed narrowly and a property owner is entitled to the exemption only when the runoff from the impervious surface is being treated by some type of treatment system, treatment device, or internally drained. Property owners that can demonstrate that the runoff from an impervious surface is being treated or is internally drained will qualify for the exemption and the impervious surface will be considered pervious for the purposes of implementing the impervious surface limits in NR 115.

Examples of some treatment systems/devices are listed in NR 115.05(1)(e)3m; however, in their ordinances counties may create additional examples or requirements to effectuate the intent of the statutory language. Provided that a property owner has been able to demonstrate that the treatment system or device is capable of treating the square footage proposed in the project, it would be prudent for the counties to recognize that a maintenance plan and recorded agreements, when necessary, ensure the systems or devices are fully operational and will continue to do so. Maintenance plans and recorded agreements protect subsequent property owners by providing them the information needed to remain exempt. If the system/device or area receiving the runoff fails, the impervious surface that had been treated is no longer considered pervious (exempt) and compliant.

It is important to note that Act 55 did not modify any other impervious surface standards under NR 115.05(1). Therefore, counties may but are not required to adopt highly developed shoreline standards. This provision remains as an option in that there will be counties that will not have any shorelines that will qualify as a highly developed shoreline.

### Nonconforming Structures

The intent of the statutory changes is that a property owner should be able to keep what they have. If a single family residence is a nonconforming structure, that single family residence can be maintained, repaired, replaced, restored, rebuilt or remodeled within the existing footprint. A home can be replaced with a home, a patio can be replaced with a patio, etc. There should be a common sense approach to this interpretation such that if a deck was to be replaced with a patio the difference in materials should not preclude the replacement of an accessory structure with another accessory structure that has a similar use. Section 1922F of the 2015 WI Act 55 created s. 59.692(1k) (a)1.b which states that a shoreland zoning ordinance must allow these activities to occur without approval, a fee or any mitigation requirements. In addition, this section allows for the vertical expansion of a nonconforming structure without approval, a fee or any mitigation requirements.

Because the new definition of structures includes accessory structures such as patios, decks, fire pits, etc., the nonconforming structure provisions in 59.692 (1k)(a) 1.b and d will apply to nonconforming accessory structures as well. Vertical expansion of a nonconforming accessory structure could include such things as adding a second story to a garage, replace a patio with a deck, changing roof pitch and side wall height on sheds, barns, etc.

### No permits required

Many counties have inquired as to what the statutory change means when it says “no approval” may be required. This means a county cannot require a permit or registration under a shoreland zoning ordinance for the activities described above. It should be noted that permits may still be required under other enabling statutes such as general zoning authority, floodplain zoning, sanitary codes and building code ordinances for work done on a nonconforming structure. Should property owners voluntarily contact the county zoning department seeking some type of assurance that their project complies with Act 55 and NR 115, that assurance should be freely provided and documented in the property file. Property owners voluntarily seeking assurance are able to provide to a subsequent owner that the property was in compliance.

### Permits still required

NR 115.05(1)(g) currently contains the statewide shoreland zoning standards for nonconforming principal structures. The changes to 59.692 have superseded NR 115.05(g)4 and 6 (replacement but not relocation) and the vertical expansion provisions within NR 115.05(g)5. The only provisions in NR 115.05(g) that remain completely in effect are the lateral expansion standards subd. 5 and expansion beyond the setback in subd. 5m. For lateral expansion to a principal structure, the expansion is still limited to 200 sq. ft., the expansion may not be any closer to the OHWM than the existing structures, the current structure must still be located at least 35' from the ordinary high water mark, counties must require mitigation and all other county ordinance provisions to be met. Lateral expansion to a nonconforming accessory structure is not available under shoreland zoning. Act 55 requires counties to adopt lateral expansion and prohibits counties from requiring mitigation for expansion beyond the setback, unless required to do so under the impervious surface limits.

### What is a nonconforming structure?

For shoreland zoning purposes, it is a structure that was lawfully placed when constructed that does not comply with the required setback from the ordinary high water mark as identified in NR 115.05(1)(b).

The following list identifies structures that are compliant structures for the purposes of shoreland zoning and that do not meet the nonconforming structure definition. Therefore, the nonconforming structure provisions in NR 115 and 59.692 do not apply to the following:

- Exempt structures listed in NR 115.05(1)(b)1m
- Structures that meet the required or average setback from the ordinary high water mark NR 115.05(1)(b)
- Structures that were granted a variance
  - A structure for which a variance was granted under the zoning provisions in effect prior to the effective date of the code is not considered non-conforming solely due to the fact that the structure for which the variance was granted fails to comply with the requirement for which the variance was granted. The existence of such a variance does not prevent the structure from being classified as non-conforming if some other characteristics of the use or structure fail to comply with the requirements.
- Structures that have been illegally constructed
  - Structures that were illegally constructed but exceed the ten year limitation for enforcement in 59.692(1t) do not become a legal structure or a nonconforming structure just because enforcement action has not been taken.

Due to the variety and magnitude of questions that we have received regarding nonconforming structures the department is providing the following scenarios to assist county interpretation of the statute and code.

### Scenarios

1. A nonconforming structure that does not meet the shoreland setback, such as a patio, is proposed to be replaced with a new patio in the same footprint. Similarly, a nonconforming single family residence that does not meet the shoreland setback is proposed to be replaced with a single family home in the same footprint. These meet the intent of the statutory provisions and shoreland zoning code and are allowed.
2. A nonconforming structure that does not meet the shoreland setback, such as a patio, is proposed to be replaced with a new patio in the same footprint but does not meet a general zoning setback. Similarly, a nonconforming single family residence that does not meet the shoreland setback is proposed to be replaced with a single family home in the same footprint but does not meet a general zoning setback or is located in the floodplain. These projects meet the shoreland zoning provision ; however they may be limited or prohibited under general zoning authority or floodplain zoning authority.
3. A nonconforming structure that does not meet the shoreland setback, such as a patio is proposed to be replaced with a new patio that expands the existing footprint. Similarly, a nonconforming single family residence that does not meet the shoreland setback is proposed to be replaced with a single family residence that expands the existing footprint.
  - a. If the expansion of the footprint is necessary in order to comply with a required state or federal requirement, the expansion could occur. An example would be a building code requirement that deemed it necessary for the footprint to become larger.
  - b. For a nonconforming principal structure (ex. single family residence) that is at least 35' from the ordinary high water mark, lateral expansion of 200 square feet or less is allowed no closer to the OHWM with a permit, fee and mitigation (except installation of new vegetative buffer zones may not be the only option provided) and it must meet all other ordinance provisions. Also nonconforming principal structures may expand beyond the setback provided the structure meets all other ordinance provisions regardless of the distance to the OHWM.

- c. A nonconforming accessory structure or principal structure that is located less than 35' from the ordinary high water mark cannot be replaced with an expanded footprint. This is a new structure that needs to meet the required 75' setback from the ordinary high water mark (setback averaging does not apply to accessory structures but it does apply to principal structures).
  - d. A nonconforming accessory structure replaced with an expanded footprint that totals 200 square feet or less might be possible if it meets the open-sided structure exemption under s. 59.692(1v), Stats.
4. A nonconforming structure is proposed to be replaced with a different structure than the type of structure that existed within the same footprint. For example, a patio is proposed to be replaced with a garage. The intent of the legislature is to be able to keep what you have. The garage is considered a new structure that needs a permit and needs to meet all ordinance provisions. This also reflects the existing impervious surface standards in NR 115.05(1)(e). A broad reading of this is to say that an accessory structure can be replaced with an accessory structure that serves the same utility and purpose and a principal structure can be replaced with a principal structure that serves the same utility and purpose. An example would be if a patio is proposed to be replaced with a deck comprised of with different materials but which serves the same utility and purpose.
5. A nonconforming structure is to be replaced with a nonconforming structure in the same footprint. However, the replacement establishes a different use. For example; a single family residence is to be replaced with a restaurant or a detached garage is to be replaced with a cottage. If there is general zoning authority under S. 59.69, this proposal would have to meet use and zoning district standards and other provisions within the general zoning code. For shoreland zoning ordinances that only contain the standards within NR 115, and the project is not regulated under general zoning or town zoning, this is a permissible project. Also note that converting a structure into a habitable structure, such as the conversion of a shed into a bunkhouse, may require additional review or approval under the floodplain zoning authority and standards if the structure is located in the floodplain.

Act 55 is not retroactive. Any previous permits or variances for expansions to a nonconforming structure or an increase in impervious surface limits that required mitigation, particularly buffer restoration, or other permit conditions remains valid.

To:  
The Sawyer County Board of Directors  
Sawyer County Zoning Committee  
CC. Sawyer County Zoning Administrating  
October 13, 2015

I was opposed to the change that our state Joint Finance Committee made to our county shoreland regulations. Many people and organizations worked hard to strengthen our regulations in order to protect the water quality of our lakes. I believe that most of our current ordinances were passed back in 2005 after a 5 year effort to inform and educate the public about the need for them.

Back in 1995 the County Board appointed a Lakes Classification Ad Hoc Committee because It was obvious that all of our Sawyer County lakes were not the same. And needed to be treated differently. Some are shallow, small, spring fed, or are impoundments. The passage of this set of ordinances formed the basis for future efforts to preserve our outstanding lakes.

The reason given for the change in these shoreland regulations that was made in the State Budget last summer was to allow all lakes to be treated equally, however, we know that all lakes are not the same.

Please vote to overturn these new state shoreland regulations.

Mary Ann Churchill  
Sawyer County Lakes Forum, Vice President  
Member- Lakes Classification Committee

A handwritten signature in cursive script that reads "Mary Ann Churchill".

## **Kris Mayberry**

---

**From:** bccbirchbay@centurytel.net  
**Sent:** Tuesday, October 13, 2015 1:31 PM  
**To:** Kris Mayberry; Conservation  
**Subject:** Shoreland Regulations

Sawyer County Board of Directors, Sawyer County Zoning Committee:

Please uphold our county shoreland regulations. The regs are well founded. They protect our water quality and property values, not to mention our tourist trade. That includes healthy swimming and topnotch fishing.

All interested parties had input and voice during the formation of our important shoreland regulations. Please hold the line.

Thank you.

Bill Czeskleba  
10797 N. Mockingbird Ln.  
Hayward, WI 54843  
715-462-4059

MORATORIUM FOR CONSTRUCTION OF BOAT HOUSES  
IN SAWYER COUNTY UNDER ACT 55 SHORELAND PROVISIONS

Under Wisconsin's Budget Bill, Act 55, boat houses are now allowed as a standard in NR115. Although the language is fairly clear that the structure must be located entirely within the viewing and access corridor (35' landward from the OHWM and 35' in width for every 100' of shoreline) the maximum size and height of the structure were never considered. These structures could potentially add massive amounts of impervious surface, direct runoff to lakes, take away critical riparian habitat and create view impediments for neighboring properties.

While Sawyer County is in the process of promulgating new ordinance regarding boat houses, the Zoning and Conservation Department is asking for a 97 day moratorium on all applications in order to publicly notice and develop maximum square footage and height restrictions.

The moratorium would begin upon approval from the County Board on Thursday, October 15<sup>th</sup> 2015 and run until adoption of the new ordinance January 21, 2015.

**NR 115.03 Definitions.** For the purpose of this chapter:

**(1h)** "Boathouse" means a permanent structure used for the storage of watercraft and associated materials and includes all structures which are totally enclosed, have roofs or walls or any combination of these structural parts.

1m. 'Exempt structures.' All of the following structures are exempt from the shoreland setback standards in subd. 1

a. Boathouses located entirely above the ordinary high-water mark and entirely within the access and viewing corridor that do not contain plumbing and are not used for human habitation.

3. 'Boathouses.' The use of boathouses for human habitation and the construction or placing of boathouses beyond the ordinary high-water mark of any navigable waters shall be prohibited.



## Sawyer County Forestry Department

Sawyer County Courthouse

10610 Main Street, Suite 100

Hayward, WI 54843

Phone: (715) 634-4846

Fax: (715) 638-3234

### Land Purchase Proposal S1/2 SE1/4, Section 15, T38N R8W, Town of Couderay.

Current owner is Northwoods ATP, L.P. property is being offered for sale through Steigerwaldt Land Services.

List price is \$182,000 for 118.73 acre tract. Tract comprises 3 individual parcels, averaging \$1533/ acre. Sawyer County purchase proposal would include only two of the three tracts for total acreage of 78.73 acres.

Based on average price per acre of entire tract for sale asking price for 78.73 acres would be \$120,693.

#### Timber Value Appraisal

14 acres of Red Pine plantation

Timber Value = \$2990/acre

Total = \$14,860

64 acres of Aspen 30 years old

Timber Value = \$820/acre

Total = \$52,480

Total timber value on 78.73 acres = \$67,340

Red pine plantation ready for harvest now estimate sale value = \$17,411

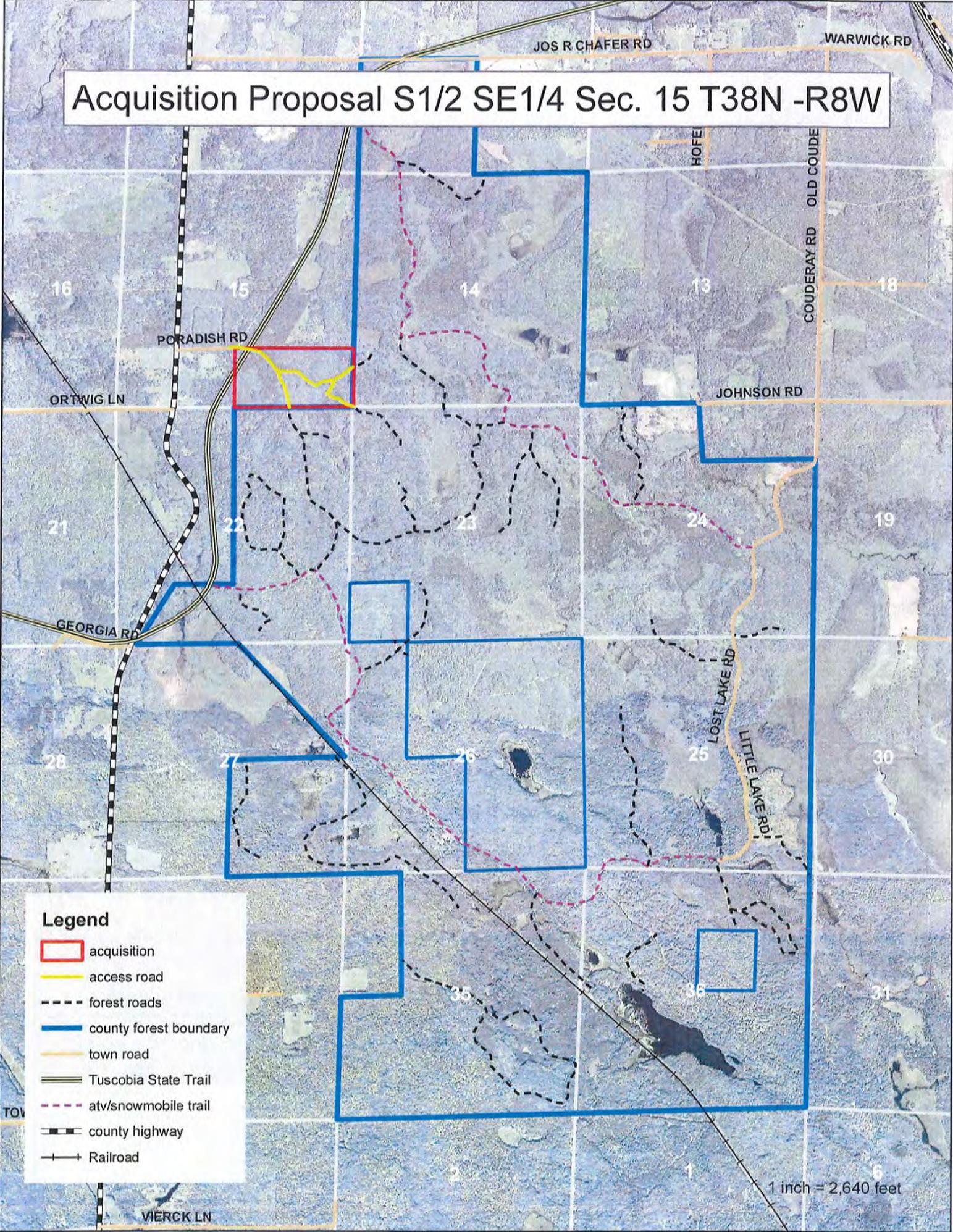
Aspen stand ready for harvest in 10-15 years.

Purchase of the parcels provides 2,000 feet of road for primary access from western Weirgor block to town road, both for timber sale harvests as well as public access to 900+ acres of County Forest lands.





# Acquisition Proposal S1/2 SE1/4 Sec. 15 T38N -R8W



## Legend

-  acquisition
-  access road
-  forest roads
-  county forest boundary
-  town road
-  Tuscobia State Trail
-  atv/snowmobile trail
-  county highway
-  Railroad

1 inch = 2,640 feet

118.73 Acres

Sale 1513 - Northwoods ATP, L.P.



Tract(s) - 12714

T38-R&W-515  
List Price - \$182,000



bing

Image courtesy of USGS Earthstar Geographics 310 © 2015 Microsoft Corporation

- A - Aspen
- FB - Balsam Fir
- G, OP, UB - Upland Non-Forest
- KEV, LB, M, SX - Lowland Non-Forest
- NH - Northern Hardwood
- O, OX - Scrub Oak/Mixed Oak
- PJ, PJP - Jack Pine
- PR, PRP - Red Pine
- ROW - Right-of-Way
- SB, SC, T - Swamp Conifer
- SH - Swamp Hardwood
- W - Water

Sale Parcel      Other Available Parcels

**Map Disclaimer:**  
This map is intended to provide a visual representation of property and geographic features. It is not a legal survey but a depiction of the property based on reasonably available information suitable for the intended purposes. This map shows the approximate relative location of property boundaries but was not prepared by a professional land surveyor. The use of this map is limited to applications consistent with the intent and accuracy of the map and source data. It may not be sufficient or appropriate for legal, engineering, or surveying purposes. No guarantees or warranties are expressed.



0 0.125 0.25 Miles

June, 2015

minutes of the meeting of the Land, Water, and Forest Resources Committee  
Sawyer County Board of Supervisors  
September 9, 2015; Assembly Room; Sawyer County Courthouse

members present: Dean Pearson (Acting Chair), Bruce Paulsen, Brian Bisonette

also present: Don Mrotek (Sawyer County Snowmobile and ATV Alliance), Dick Dewhurst (Town of Hayward Planning Commission), Terrell Boettcher (Sawyer County Record), County Board member Warren Johnson, Register of Deeds Paula Chisser, County Forest Administrator Greg Peterson, County Surveyor and Land Records Department Director Dan Pleoger, County Board Chair Hal Helwig, County Treasurer Dianne Ince, County Administrator Tom Hoff, County Clerk Kris Mayberry

Motion by Paulsen, 2<sup>nd</sup> by Bisonette, to approve the meeting agenda. Motion carried.

Motion by Paulsen, 2<sup>nd</sup> by Bisonette, to approve the August 12, 2015 meeting minutes. Motion carried.

County Clerk Kris Mayberry presented for the Committee's review a proposed 2015 Sawyer County Land Sale. Bids for purchase of parcels of real estate from the list would be due October 2, 2015. Motion by Paulsen, 2<sup>nd</sup> by Bisonette, to approve the list. Motion carried.

Register of Deeds Paula Chisser presented a department report, including that the 1<sup>st</sup> electronic document was received for recording in the Register of Deeds Office.

County Surveyor and Land Records Department Director Dan Pleoger provided a written department report (copy in meeting file).

County Forest Administrator Greg Peterson provided a written department report (copy in meeting file), including his recommendation to approve the bid of \$4,100 from Select Excavation for the Sissabagama Trail 31 bridge repair project (as the low bid received for the project). Motion by Bisonette, 2<sup>nd</sup> by Paulsen, to approve the recommendation. Motion carried.

County Forest Administrator Greg Peterson presented information about the Great Lakes Timber Professionals Association event entitled "Log a Load for Kids" being hosted this year in Sawyer County during the 1<sup>st</sup> week in October. Administrator Peterson requested approval for the direct sale of 150 cords of timber to Rich Good as part of a demonstration project (introducing participating children to forestry science, history, and modern-day harvesting practices); and that the proceeds from the sale are donated as a charitable donation to Children's Miracle Network affiliated hospitals to be used in treating ill and injured children. Motion by Pearson, 2<sup>nd</sup> by Paulsen, to approve the recommendation. Motion carried.

The Committee determined to refer the option for the County to purchase the South Half of the Southeast Quarter (S1/2SE1/4) of Section 15, Township 38 North, Range 8 West (approximately 80 acres located in the Town of Couderay) to the closed session at the end of the meeting to discuss negotiations and terms for the purchase. The parcel of real estate has been used as an essential access into the Couderay Block of the Sawyer County Forest. The list price for the parcel is \$122,560.

Don Mrotek (Sawyer County Snowmobile & ATV Alliance) provided a report, including the results of the State of Wisconsin's annual grant funding for ATV and snowmobile trail projects and Representative Edming's participation in a trail ride on the Tussockia Trail.

County Forest Administrator Greg Peterson reported that Forester Roy Zubrod submitted his resignation to take a position with the State of Wisconsin. Director Peterson will be working with County Administrator Tom Hoff to fill the vacant Forester position.

Zoning and Conservation Department Director Dale Olson presented a written department report (copy in meeting file), including an increase conservation funding by the State of Wisconsin; the fall tour scheduled for Friday, September 11<sup>th</sup>; a proposal for revisions to the shoreland land use permit fee schedule; a report on County-owned dams; the Wisconsin Department of Natural Resources (DNR) representatives proposal to remove the Totagatic Dam in the Washburn County Town of Frog Creek; and the proposal by the State of Wisconsin to sell parcels of State-owned property throughout the State, including those on the Big Island in Nelson Lake.

The Committee reviewed the monthly department expense vouchers. Motion by Paulsen, 2<sup>nd</sup> by Bisonette, to approve the vouchers. Motion carried.

Motion by Pearson, 2<sup>nd</sup> by Paulsen, to convene into **closed session**, pursuant to section 19.85(1)(e), Wisconsin Statutes, to discuss negotiations for the purchase of the property noted above. Motion carried. By unanimous voice vote.

[Minutes of closed session are kept in a confidential file in the County Clerk's Office.]

Motion by Paulsen, 2<sup>nd</sup> by Bisonette, to reconvene into open session. Motion carried.

Motion by Paulsen, 2<sup>nd</sup> by Bisonette, to adjourn the meeting. Motion carried.

minutes prepared by Sawyer County Clerk Kris Mayberry

minutes of the meeting of the Public Safety Committee

Sawyer County Board of Supervisors

October 6, 2015; 8:30 a.m.; Assembly Room; Sawyer County Courthouse

members present: Bill Voight (Vice-Chair), Hal Helwig (for Dale Schleeter), Warren Johnson (for Jim Bassett)

others present: Frank Zufall (Sawyer County Record), Sheriff Mark Kelsey, Chief Deputy Sheriff Craig Faulstich, Jail Administrator Joe Sajdera, Emergency Management Department Director Pat Sanchez, contracted communications specialist John Kruk, Sawyer County Coroner Dave Dokkestul, Ambulance Service Department Director Eric Nilson, County Administrator Tom Hoff, County Clerk Kris Mayberry

Motion by Helwig, 2nd by Johnson, to approve the agenda as presented. Motion carried.

Motion by Johnson, 2nd by Helwig, to approve the September 8, 2015 meeting minutes. Motion carried.

No one was presented from the Judge's Office, the Clerk of Court's Office, the Child Support Department, or the District Attorney's Office to provide a report.

Sheriff Mark Kelsey, Chief Deputy Sheriff Craig Faulstich, and Jail Administrator Joe Sajdera presented a Sheriff's Department report. Jail Administrator Sajdera discussed the impact of severe mental health issues on law enforcement and the jail.

The Committee reviewed a Sawyer County Jail Daily Population Report prepared and distributed by Sheriff's Department Jail Administrator Joe Sajdera.

Sawyer County Coroner Dave Dokkestul presented and reviewed with the Committee a written monthly department report (copy in meeting file).

Emergency Management Department Director Pat Sanchez presented and reviewed with the Committee a written monthly department report (copy in meeting file). Director Sanchez commended Search and Rescue volunteers for their recent efforts in finding 4 lost children and Deputy Sheriff Darin Jensen for managing the search and rescue communications operation. Motion by Helwig, 2<sup>nd</sup> by Johnson, to recommend County Board commendations for Director Sanchez and the Search and Rescue volunteers. Motion carried.

Contracted communications specialist John Kruk presented a report, including indicating that there are still problems with some WISCOM communications equipment, and that he is meeting with WISCOM representatives to address those problems.

Ambulance Service Department Director Eric Nilson presented and reviewed with the Committee a written monthly department report (copy in meeting file).

Ambulance Service Department Director Eric Nilson reported that he is working with County Administrator Tom Hoff concerning the option of having full-time Ambulance Service employees; that he has been in contact with the Ambulance Director in Washara County about their recent transition to having full-time ambulance employees; that the Radisson School Building has been sold and that the new owner is making improvements and is interested in continuing to rent space there to the Ambulance Service; and that the Hayward Area Community Hospital donated equipment and furniture needed for dispensing medication to the Ambulance Service.

Ambulance Service Department Director Eric Nilson advised the Committee that he has proposed a charge for ambulance services to the town boards of adjoining towns in Washburn County and suggested using the net cost of the ambulance service in 2014 to determine a per capita charge to provide ambulance services to these towns. Motion by Johnson, 2<sup>nd</sup> by Voight, to proceed in developing a proposal to charge the adjoining towns for presentation to the Administration Committee and County Board. Motion carried.

The Committee reviewed the monthly department vouchers. Motion by Helwig, 2<sup>nd</sup> by Voight, to approve the vouchers. Motion carried.

Motion by Helwig, 2<sup>nd</sup> by Johnson,, to adjourn the meeting. Motion carried.

minutes prepared by Sawyer County Clerk Kris Mayberry

minutes of the meeting of the Administration Committee

Sawyer County Board of Supervisors

October 8, 2015; 8:30 a.m.; Assembly Room; Sawyer County Courthouse

members present: Hal Helwig (Chair), Ron Kinsley, Jim Bassett, Dean Pearson, Brian Bisonette, Dale Schleeter, Dale Thompson

also present: County Board member Warren Johnson, Ambulance Service Department Director Eric Nilson, Information Technology Department Director Mike Coleson, County Treasurer Dianne Ince, County Administrator Tom Hoff, County Clerk Kris Mayberry

Motion by Kinsley, 2<sup>nd</sup> by Schleeter, to approve the meeting agenda. Motion carried.

Motion by Schleeter, 2<sup>nd</sup> by Pearson, to approve the September 10, 2015 meeting minutes. Motion carried.

The Committee reviewed a written monthly department report (copy in meeting file) prepared by Veterans Service Department Director Renee Brown.

Ambulance Service Department Director Eric Nilson reviewed with the Committee a proposal for charging towns in Washburn County for ambulance services provided by the Sawyer County Ambulance Service and proposed using the net cost (revenues minus expenses) of the ambulance service in 2014 to determine a per capita charge to provide ambulance services for these towns in 2016. The Public Safety Committee recommends proceeding to develop a formula for charging these towns. The Administration Committee reviewed and adjusted the formula. Motion by Schleeter, 2<sup>nd</sup> by Pearson, to recommend County Board approval of the proposed formula as adjusted. Motion carried. Mr. Bassett abstained from voting.

The Committee reviewed the following proposed resolution:

Resolution # -2015

Chief Elected Official Consortium Agreement for the Purpose of the Workforce Innovation and Opportunity Act

WHEREAS, the County Board of Supervisors of Ashland, Bayfield, Burnett, Douglas, Iron, Price, Rusk, Sawyer, Taylor, and Washburn in the State of Wisconsin (hereinafter, the Counties or CEP, Inc.) did previously adopt resolutions authorizing the County Board Chairperson to sign an agreement reinforcing the existence of the Northwest Wisconsin Concentrated Employment Program, Inc. (CEP, Inc.) under section 66.30 of the Wisconsin Statutes in order to administer the provisions of Public Law 105-220, the federal Workforce Innovation and Opportunity Act, and

WHEREAS, the County Board of Supervisors of each of the aforementioned counties has adopted a resolution authorizing the County Board Chairperson or County Executive or their appointee to sign this "Charter of the CEP, Inc. Consortium,

NOW THEREFORE BE IT RESOLVED, that in consideration of the above premises the Counties do hereby agree to the continuation of the Charter of the CEP, Inc. Consortium under the Workforce Innovation and Opportunity Act (P.L. 113-128) and authorize the County Board Chairperson to sign the CEP, Inc. Consortium Charter.

Motion by Schleeter, 2<sup>nd</sup> by Thompson, to recommend County Board approval of the resolution. Motion carried.

County Administrator Tom Hoff presented proposed guidelines for the appointment to fill the vacancy resulting from the retirement of the County Clerk at the end of January of 2016 for the balance of the term of office (through the end of 2016) and reviewed section 17.21(3) of the Wisconsin Statutes. Motion by Kinsley, 2<sup>nd</sup> by Pearson, to recommend County Board approval of the proposed guidelines. Motion carried.

County Administrator Tom Hoff presented a written monthly report (copy in meeting file), including working with Certified Public Accountants Anderson, Hager & Moe on the 2014 Sawyer County Financial Statement and Audit; working with department heads on development of the 2016 Sawyer County Budget; property and workers compensation claims; employee hiring; and year-to-date expense and revenue reports.

County Administrator Tom Hoff presented a proposal for the classification of the Ambulance Billing Clerk position created after the Carlson Dettmann compensation study. Administrator Hoff indicated that a job description questionnaire was prepared and submitted to Carlson Dettmann for review resulting in a recommendation to classify the position as a Grade H position (within the County's position classification schedule) titled Ambulance Billing Specialist to recognize the responsibilities of the position. Motion by Schleeter, 2<sup>nd</sup> by Thompson, to recommend County Board approval of the recommendation, to be effective upon County Board approval. Motion carried.

County Clerk Kris Mayberry provided a department report.

County Treasurer Dianne Ince presented a financial report (copy in meeting file) through September of 2015 and the Wisconsin Department of Revenue monthly report on county sales and use tax distribution to Sawyer County which included the following information:

- distributed to Sawyer County in September of 2015 - \$166,617.83
- distributed to Sawyer County in 2015 through September - \$1,366,910.59
- distributed to Sawyer County through same month in 2014 – \$1,172,076.28
- 2015 Sawyer County Budget sales and use tax revenue forecast - \$1,600,000

Information Technology Department Director Mike Coleson provided a written department report (copy in meeting file). Motion carried.

The Committee reviewed the monthly department expense vouchers. Motion by Kinsley, 2<sup>nd</sup> by Bassett, to approve the vouchers. Motion carried.

Motion by Thompson, 2<sup>nd</sup> by Kinsley, to convene into **closed session**, pursuant to sections 19.85(1)(c) (e) and (g), Wisconsin Statutes, for employee evaluation, discussion of negotiations and bargaining with the Wisconsin Professional Police Association for successor 2014/2015 agreement, and for review of pending litigation involving Sawyer County. Motion carried by unanimous voice vote.

[Minutes of closed sessions are kept in a confidential file in the County Clerk's Office.]

Motion by Thompson, 2<sup>nd</sup> by Bassett, to reconvene into open session. Motion carried.

Motion by Bassett, 2<sup>nd</sup> by Pearson, to adjourn the meeting. Motion carried.

minutes prepared by Sawyer County Clerk Kris Mayberry

## Washburn County ambulance coverage proposal for 4 townships.

Stinnett Township, Bass Lake Township, Stone Lake Township, 1/2 Birchwood Township.

The proposal is based on the 2010 census for Sawyer County and 4 Washburn townships  
Divided by the uncompensated expenses of 2014

Census	Expenses		
18011	Divided by \$672,985.18	Equals	\$37.36 per resident

	Population		Per resident		Totals
Stinnett Township	246	Multiplied by	\$37.36	Equals	\$9,190.56
Bass Lake Township	505	Multiplied by	\$37.36	Equals	\$18,866.80
Stone Lake Township	508	Multiplied by	\$37.36	Equals	\$18,978.88
Birchwood Township	239	Multiplied by	\$37.36	Equals	\$8,929.04

Minimal fee for capital items (equipment, facility improvement)

Based on \$175,000.00      18011 Divided by \$175,000.00 Equals \$9.71 per resident

	Population		Per resident		Totals
Stinnett Township	246	Multiplied by	\$9.71	Equals	\$2,388.66
Bass Lake Township	505	Multiplied by	\$9.71	Equals	\$4,903.55
Stone Lake Township	508	Multiplied by	\$9.71	Equals	\$4,932.68
Birchwood Township	239	Multiplied by	\$9.71	Equals	\$2,320.69

Total proposal

Total

Stinnett Township	\$11,579.22
Bass Lake Township	\$23,770.35
Stone Lake Township	\$23,911.48
Birchwood Township	\$11,249.73

minutes of the meeting of the Administration Committee

Sawyer County Board of Supervisors

October 8, 2015; 8:30 a.m.; Assembly Room; Sawyer County Courthouse

members present: Hal Helwig (Chair), Ron Kinsley, Jim Bassett, Dean Pearson, Brian Bisonette, Dale Schleeter, Dale Thompson

also present: County Board member Warren Johnson, Ambulance Service Department Director Eric Nilson, Information Technology Department Director Mike Coleson, County Treasurer Dianne Ince, County Administrator Tom Hoff, County Clerk Kris Mayberry

Motion by Kinsley, 2<sup>nd</sup> by Schleeter, to approve the meeting agenda. Motion carried.

Motion by Schleeter, 2<sup>nd</sup> by Pearson, to approve the September 10, 2015 meeting minutes. Motion carried.

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Ambulance Service Department Director Eric Nilson reviewed with the Committee a proposal for charging towns in Washburn County for ambulance services provided by the Sawyer County Ambulance Service and proposed using the net cost (revenues minus expenses) of the ambulance service in 2014 to determine a per capita charge to provide ambulance services for these towns in 2016. The Public Safety Committee recommends proceeding to develop a formula for charging these towns. The Administration Committee reviewed and adjusted the formula. Motion by Schleeter, 2<sup>nd</sup> by Pearson, to recommend County Board approval of the proposed formula as adjusted. Motion carried. Mr. Bassett abstained from voting.

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[Minutes of closed sessions are kept in a confidential file in the County Clerk's Office.]

Motion by Thompson, 2<sup>nd</sup> by Bassett, to reconvene into open session. Motion carried.

Motion by Bassett, 2<sup>nd</sup> by Pearson, to adjourn the meeting. Motion carried.

minutes prepared by Sawyer County Clerk Kris Mayberry



CREATING A COMPETITIVE WORKFORCE

WORKFORCE DEVELOPMENT AREA #7  
SERVING 10 COUNTIES  
Ashland Price  
Bayfield Rusk  
Burnett Sawyer  
Douglas Taylor  
Iron Washburn

P.O. Box 616 • 422 3rd St. W., Suite 200  
Ashland, WI 54806  
Phone (715) 682-9141  
FAX (715) 682-9181  
V/TDD (715) 682-9141  
[www.nwcep.org](http://www.nwcep.org)

September 23, 2015

Kris Mayberry, Sawyer County Clerk  
10610 Main Street, Suite 10  
Hayward, WI 54843

Dear Mr. Mayberry:

On September 1, 2015, the Wisconsin Department of Workforce Development (DWD) issued its Workforce Innovation and Opportunity Act (WIOA) Local Plan Guidelines to the Northwest Wisconsin Workforce Investment Board (NWWIB). The NWWIB is a public/private partnership between government and business that plans, administers, and coordinates employment and training programs for adults and youth in Workforce Development Area #7 or the 10 northwest Wisconsin counties of Ashland, Bayfield, Burnett, Douglas, Iron, Price, Rusk, Sawyer, Taylor, and Washburn. A requisite of the new local and regional workforce plan is ensuring all Workforce Development Areas in Wisconsin are in compliance with their Local Elected Official agreements. Our workforce development area (Northwest #7) is a Concentrated Employment Program area as recognized in the Workforce Innovation and Opportunity Act. The ten northwest counties that constitute the CEP, Inc. region signed an official document stating they wished to be considered a workforce consortium in 2012. However since the Workforce Innovation and Opportunity Act passed in 2014, the federal Department of Labor would like us to do it again under the new legislation.

We have attached the Local Elected Official (LEO) consortium agreement that was signed in 2012 for your reference (Attachment BB).

The attached 2015 consortium agreement restates everything that is currently in the valid WIB-LEO agreement and the 2012 Local Elected Official consortium agreement (beginning on page 2) and adds newly required language provided the Wisconsin Department of Workforce Development. We request that this document and the resolution be placed on your next County Board meeting agenda. We must have this completed no later than November 15th,

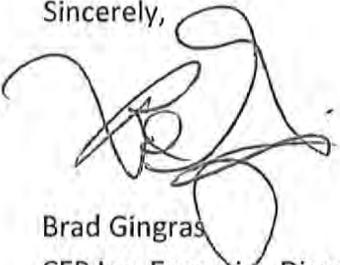
2015 in order to be in compliance and ensure that federal workforce funds are available for our ten counties. Please fax us the signed page and then send the original to Jenny Decker at the address above.

Below is the language as cited in Section 107(c)(B) of the Workforce Innovation and Opportunity Act that serves as the requirement and impetus for this request.

(B) MULTIPLE UNITS OF LOCAL GOVERNMENT IN AREA.— (i) IN GENERAL.—In a case in which a local area includes more than 1 unit of general local government, the chief elected officials of such units may execute an agreement that specifies the respective roles of the individual chief elected officials—

Thank you very much for your attention to this matter and inclusion on your upcoming Board meeting agenda.

Sincerely,



Brad Gingras  
CEP Inc. Executive Director



Mari Kay-Nabozny  
NWWIB, Inc. Chief Executive Officer

Cc: Hal Helwig  
William Voight

CHIEF ELECTED OFFICIAL CONSORTIUM AGREEMENT FOR  
THE PURPOSE OF THE WORKFORCE INNOVATION AND  
OPPORTUNITY ACT.

WHEREAS, the County Board of Supervisors of Ashland, Bayfield, Burnett, Douglas, Iron, Price, Rusk, Sawyer, Taylor and Washburn in the State of Wisconsin (hereinafter, the Counties or CEP Inc.) did previously adopt resolutions authorizing the County Board Chairperson to sign an agreement reinforcing the existence of the Northwest Concentrated Employment Program, Inc. (CEP, Inc) under section 66.30, Wisconsin Statutes, in order to administer the provisions of Public Law 105-220, the federal Workforce Investment Act, and

WHEREAS, the County Board of Supervisors of each of the aforementioned counties has adopted a resolution authorizing the County Board Chairperson or County Executive or their appointee to sign this "Charter of the CEP, Inc. Consortium "; now, therefore, be it

RESOLVED, That in consideration of the above premises the Counties do hereby agree to the continuation of the Charter of the CEP, Inc. Consortium under the Workforce Innovation and Opportunity Act (P.L. 113-128) and authorize the County Board Chairperson to sign the CEP, Inc. Consortium Charter.

**LEO CONSORTIUM AGREEMENT**  
of the  
**Northwest Wisconsin Concentrated Employment Program, Inc. (CEP, Inc.)**  
under the  
**WORKFORCE INNOVATION AND OPPORTUNITY ACT (P.L. 113-128)**

THIS AGREEMENT, made and entered into this day of August 12th, 2015, by and between the COUNTIES OF Ashland, Bayfield, Burnett, Douglas, Iron, Price, Rusk, Sawyer, Taylor and Washburn.

In the State of Wisconsin (hereinafter, the Counties or CEP Inc.);

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**WITNESSETH:**

WHEREAS, the County Board of Supervisors of the aforementioned counties did previously adopt resolutions authorizing the County Board Chairperson to sign this agreement reinforcing the existence of the Northwest Concentrated Employment Program, Inc. (CEP, Inc) under section 66.30, Wisconsin Statutes, in order to administer the provisions of Public Law 113-128, the federal Workforce Innovation and Opportunity Act, and

WHEREAS, the County Board of Supervisors of each of the aforementioned counties has adopted a resolution authorizing the County Board Chairperson or County Executive or their appointee to sign this "Charter of the CEP, Inc. Consortium under the Workforce Innovation and Opportunity Act (P.L. 113-128)" (hereinafter, the "Charter");

NOW, THEREFORE, in consideration of the above premises and the mutual covenants of the parties hereinafter set forth, the receipt and each party acknowledges sufficiency of which for itself, the Counties do hereby agree to the following Charter:

**AGREEMENT**

SECTION 1: That the Counties of Ashland, Bayfield, Burnett, Douglas, Iron, Price, Rusk, Sawyer, Taylor and Washburn Section 66.30, Wisconsin Statutes, do hereby constitute themselves to be a consortium as a Concentrated Employment Program for the purposes of Section 106 of Public Law 113-128, the Workforce Innovation and Opportunity Act.

SECTION 2: The local elected officials (the chairpersons of the County Board of Supervisors or County Executives) or the designees of said officials of the Counties in paragraph 1 shall constitute the CEP, Inc. Consortium as (hereinafter, the "Consortium") which shall appoint the Workforce Investment Board of the area, under Section 107(c)(1)(C) of P.L. 113-128 and in accordance with the criteria in the Workforce Innovation and Opportunity Act (29 USC Chapter 32) and applicable rules thereunder and as identified in the WIB/LEO agreement.

SECTION 3: The Consortium shall elect from its membership a Chairperson, a Vice-Chairperson and such other officers as may be provided in the CEP, Inc. by-laws. Vacancies shall be filled by election for the remainder of the unexpired term. The Chairperson shall appoint a staff person of one of the consortium member counties or the administrative entity to serve as board clerk.

- SECTION 4: The Consortium shall name a Chief Elected Official from their membership in accordance with the CEP, Inc. Bylaws. This person shall have signatory authority and authority to speak for the Consortium in all matters regarding the WIOA. The term of this designation shall be identified in the CEP, Inc. Bylaws.
- SECTION 5: Roberts Rules of Order, Newly Revised, shall govern the procedures of the Consortium insofar as they do not conflict with applicable law or administrative rules or by-laws duly adopted by the Consortium.
- SECTION 6: The Consortium may adopt operational and procedural bylaws consistent with this Charter, applicable federal and state laws, and rules or regulations pursuant thereto. By-laws or amendments thereto may be adopted by the affirmative vote of 2/3 of the entire membership of the CEP, Inc Board of Directors at any regular meeting called for that purpose, provided that written copies thereof are delivered to each member 15 days prior to consideration.
- SECTION 7: The Consortium works with the Workforce Development Board to conduct oversight with respect to local programs of youth activities authorized under 29 USC 3164(c), local employment and training activities authorized under 29 USC 3174(c) and(d), and the one-stop delivery system in the local area.; and ensure the appropriate use and management of the WIOA funds provided for these activities and one-stop delivery system; and for workforce development activities, ensure the appropriate use, management and investment of funds to maximize performance outcomes under section 29 USC 3141. 29 USC 3122(d)(8).
- SECTION 8: Consistent with 29 USC 3151(d), in cooperation with the local board, competitively designate or certify One Stop Operators, as described in 29 USC 3151(d)(2)(A) or terminate for cause the eligibility of such operators. 29 USC 3122(d)(10)(A) and review a Memorandum of Understanding (MOU) between the local board and the One Stop Partners, relating to the operation of the One Stop delivery system in the local area, consistent with the requirements in 29 USC 3151(c)(2). 29 USC 3151(c)(1).In agreement with the local board, conduct oversight of the one-stop delivery system. 29 USC 3151(a)(3) and consult with the State as it establishes objective criteria and procedures used to evaluate the operation of the one-stop center as described in 29 USC 3151(g). Consult with the local board, the One Stop Operator, and the One-Stop Partners regarding funding of the One-Stop infrastructure as described in 29 USC 3151(h). Consult with the Governor as he or she establishes guidance for infrastructure one-stop funding (29 USC 3151(h)(1)(B) and determines funding as described in 29 USC 3151(h)(2)(C).
- SECTION 9: Consult with the Governor as he/she determines funding allocation for youth activities and a statewide workforce investment activities under 29 USC 3162(b)(1)(C). 29 USC 3163(b) Consult with the Governor as he/she determines funding allocation for adult employment and training activities and a statewide workforce investment activities under 29 USC 3172(b)(1)(B). 29 USC 3173(b)(1).
- SECTION 10: The Consortium shall execute an agreement with the Workforce Development Board for the operation and functions of the Board under Section 106 of the Act, and shall approve all Local Plans under Section 106 of the Act and as identified in the WIB/LEO agreement. Local Plan duties will include:
- Submission to the Governor a comprehensive 4-year local plan that is consistent with the State plan. 29 USC 3122 (d)(1) and 3123(a).
  - Consult with the State to identify regions, consistent with the considerations described in 29 USC 3121(b)(1)(B). 29 USC 3121 (a)(1)
  - Engage in a regional planning process and prepare, submit, and obtain approval of a single regional plan consistent with the requirements in 29 USC 3121 (c).

- SECTION 11: The Consortium shall perform all functions for local elected officials as contained in P.L. 113-128, and subchapter II of 29 USC Chapter 32 and as identified in the WIB/LEO agreement.
- SECTION 12: The Consortium will work with the local board and the Governor to negotiate and reach agreement on local performance measures. 29 USC 3122(d)(9) and determine whether to appeal a gubernatorial reorganization determination made under 29 USC 3141(g)(A) to the Governor under 29 USC 3141(g)(B)(i) and to the Secretary of the U.S. Department of Labor under 29 USC 3141(g)(B)(ii).
- SECTION 13: The Consortium shall use funds available as described in section 29 USC 3163(b)(4) and use nonfederal funds available to the local area that the CEO and local WIB board determine are appropriate and available for that use. 29 USC 3131. The CEO will review and approval of the local board's budget for the activities of the local board. 29 USC 3122(d)(12)(A). In cooperation with the local board, the local grant recipient (either the local elected officials (CEOs) or an entity designated by the CEOs) shall disburse funds for Workforce Innovation and Opportunity Activities at the direction of the local board, pursuant to the requirements of 29 USC Chapter 32, subchapter II. 29 USC 3122(d)(12)(B)(i)(III).
- SECTION 14: The Consortium serves as the local grant recipient for, and is liable for any misuse of the grant funds allocated to the local area under sections 128 and 133 of the Workforce Innovation and Opportunity Act unless the chief elected official reaches an agreement with the Governor to bear such liability. 29 USC 3122(d)(12)(B)(i)(D) and (II).
- SECTION 15: In the case of any misuse of grant funds allocated to the local area, the Consortium agrees to assume liability as follows (Section 667.705(e)): Liability will be determined based upon the particular facts of the situation as to the responsibility of individual Consortium members for the particular funds. For example, if WIOA funds are misused only by the employee(s) or subcontractor(s) of one member of the Consortium, then only that county shall be held liable for the repayment of the misused funds. If more than one Consortium member is involved, then the respective counties will attempt to reach an agreement as to relative liabilities based upon the facts of the situation. If the counties are unable to reach agreement, then DWD shall make the determination as to respective liabilities.
- SECTION 16: This charter agreement shall be effective when executed by the elected official of each County thereof and shall thereupon act to repeal and supersede any and all prior written or oral consortium agreements.
- SECTION 17: Amendments to the Charter agreement may be adopted with the concurrence of the Board of Supervisors of each county party hereto. The Consortium may be dissolved and this agreement may be rescinded only with the consent of all the Boards of Supervisors of the counties party hereto, CEP Inc. Board of Directors, and the Governor.

IN WITNESS WHEREOF, the parties hereto have caused this Charter Agreement to be executed by the Chairperson of the County Board of Supervisors or the County Executive of the aforementioned Counties.

**ASHLAND COUNTY**

BY: \_\_\_\_\_  
County Board Chairperson or Appointee

**BAYFIELD COUNTY**

BY: \_\_\_\_\_  
County Board Chairperson or Appointee

**BURNETT COUNTY**

BY: \_\_\_\_\_  
County Board Chairperson or Appointee

**DOUGLAS COUNTY**

BY: \_\_\_\_\_  
County Board Chairperson or Appointee

**IRON COUNTY**

BY: \_\_\_\_\_  
County Board Chairperson or Appointee

**PRICE COUNTY**

BY: \_\_\_\_\_  
County Board Chairperson or Appointee

**RUSK COUNTY**

BY: \_\_\_\_\_  
County Board Chairperson or Appointee

**SAWYER COUNTY**

BY: \_\_\_\_\_  
County Board Chairperson or Appointee

**TAYLOR COUNTY**

BY: \_\_\_\_\_  
County Board Chairperson or Appointee

**WASHBURN COUNTY**

BY: \_\_\_\_\_  
County Board Chairperson or Appointee

Done this \_\_\_\_\_ Day of  
\_\_\_\_\_, 2015

In the City of Ashland, WI.

ATTEST:

\_\_\_\_\_

LEO CONSORTIUM AGREEMENT  
OF THE  
NORTHWEST WISCONSIN CONCENTRATED EMPLOYMENT PROGRAM, INC. (CEP, INC.)  
UNDER THE  
WORKFORCE INVESTMENT ACT (P.L. 105-220)

THIS AGREEMENT, made and entered into this day of February 15, 2012, by and between the COUNTIES OF Ashland, Bayfield, Burnett, Douglas, Iron, Price, Rusk, Sawyer, Taylor and Washburn.

In the State of Wisconsin (hereinafter, the Counties or CEP Inc.):

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WITNESSETH:

WHEREAS, the County Board of Supervisors of the aforementioned counties did previously adopt resolutions authorizing the County Board Chairperson to sign this agreement reinforcing the existence of the Northwest Concentrated Employment Program, Inc. (CEP, Inc) under section 66.30, Wisconsin Statutes, in order to administer the provisions of Public Law 105-220, the federal Workforce Investment Act, and

WHEREAS, the County Board of Supervisors of each of the aforementioned counties has adopted a resolution authorizing the County Board Chairperson or County Executive or their appointee to sign this "Charter of the CEP, Inc. Consortium under the Workforce Investment Act (P.L. 105-220)" (hereinafter, the "Charter"):

NOW, THEREFORE, in consideration of the above premises and the mutual covenants of the parties hereinafter set forth, the receipt and each party acknowledges sufficiency of which for itself, the Counties do hereby agree to the following Charter:

AGREEMENT

SECTION 1: That the Counties of Ashland, Bayfield, Burnett, Douglas, Iron, Price, Rusk, Sawyer, Taylor and Washburn under Section 66.30, Wisconsin Statutes, do hereby constitute themselves to be a consortium as a Concentrated Employment Program for the purposes of Section 117 (c)(1)(C) of Public Law 105-220, the Workforce Investment Act.

SECTION 2: The local elected officials (the chairpersons of the County Board of Supervisors or County Executives) or the designees of said officials of the Counties in paragraph 1 shall constitute the CEP, Inc. Consortium as (hereinafter, the "Consortium") which shall appoint the Workforce Development Board under Section 117(c)(1)(A) of the Act and in accordance with the WDA #7 WIB-LEO agreement.

SECTION 3: The Consortium shall elect from its membership a Chairperson, a Vice-Chairperson and such other officers as may be provided in the CEP, Inc. by-laws. Vacancies shall be filled by election for the remainder of the unexpired term. The Chairperson shall appoint a staff person of one of the consortium member counties or the administrative entity to serve as board clerk.

- SECTION 4: The Consortium shall name a Chief Elected Official from their membership in accordance with the CEP, Inc. Bylaws. This person shall have signatory authority and authority to speak for the Consortium in all matters regarding the WIA. The term of this designation shall be identified.
- SECTION 5: Roberts Rules of Order, Newly Revised, shall govern the procedures of the Consortium insofar as they do not conflict with applicable law or administrative rules or by-laws duly adopted by the Consortium.
- SECTION 6: The Consortium may adopt operational and procedural bylaws consistent with this Charter, applicable federal and state laws, and rules or regulations pursuant thereto. By-laws or amendments thereto may be adopted by the affirmative vote of 2/3 of the entire membership of the CEP, Inc Board of Directors at any regular meeting called for that purpose, provided that written copies thereof are delivered to each member 15 days prior to consideration.
- SECTION 7: The Consortium shall appoint the Workforce Investment Board of the area, under Section 117(c)(1)(A) of P.L. 105-220 and applicable rules thereunder and as identified in the WIB/LEO agreement.
- SECTION 8: The Consortium shall execute an agreement with the Workforce Development Board for the operation and functions of the Board under Section 117 of the Act, and shall approve all Local Plans under Section 118 of the Act and as identified in the WIB/LEO agreement.
- SECTION 9: The Consortium shall perform all functions for local elected officials as contained in P.L. 105-220, the federal Workforce Investment Act and as identified in the WIB/LEO agreement.
- SECTION 10: The Consortium serves as the local grant recipient for, and is liable for any misuse of the grant funds allocated to the local area under sections 128 and 133 of the Workforce Investment Act.
- SECTION 11: In the case of any misuse of grant funds allocated to the local area, the Consortium agrees to assume liability as follows (Section 667.705(c)): Liability will be determined based upon the particular facts of the situation as to the responsibility of individual Consortium members for the particular funds. For example, if WIA funds are misused only by the employee(s) or subcontractor(s) of one member of the Consortium, then only that county shall be held liable for the repayment of the misused funds. If more than one Consortium member is involved, then the respective counties will attempt to reach an agreement as to relative liabilities based upon the facts of the situation. If the counties are unable to reach agreement, then DWD shall make the determination as to respective liabilities.
- SECTION 12: This charter agreement shall be effective when executed by the elected official of each County thereof and shall thereupon act to repeal and supersede any and all prior written or oral consortium agreements.
- SECTION 13: Amendments to the Charter agreement may be adopted with the concurrence of the Board of Supervisors of each county party hereto. The Consortium may be dissolved and this agreement may be rescinded only with the consent of all the Boards of

Supervisors of the counties party hereto, CEP Inc. Board of Directors, and the Governor.

IN WITNESS WHEREOF, the parties hereto have caused this Charter Agreement to be executed by the Chairperson of the County Board of Supervisors or the County Executive of the aforementioned Counties.

**ASHLAND COUNTY**

BY: Margaret C. Kuvilla  
County Board Chairperson or Appointee

**BAYFIELD COUNTY**

BY: [Signature]  
County Board Chairperson or Appointee

**BURNETT COUNTY**

BY: George W. Sears  
County Board Chairperson or Appointee

**DOUGLAS COUNTY**

BY: [Signature]  
County Board Chairperson or Appointee

**IRON COUNTY**

BY: [Signature]  
County Board Chairperson or Appointee

**PRICE COUNTY**

BY: \_\_\_\_\_  
County Board Chairperson or Appointee

**RUSK COUNTY**

BY: \_\_\_\_\_  
County Board Chairperson or Appointee

**SAWYER COUNTY**

BY: [Signature]  
County Board Chairperson or Appointee

**TAYLOR COUNTY**

BY: [Signature]  
County Board Chairperson or Appointee

**WASHBURN COUNTY**

BY: [Signature]  
County Board Chairperson or Appointee

Done this 15 Day of February, 2012.

In the City of Ashland, WI.

ATTEST:

[Signature]

Supervisors of the counties party hereto, CEP Inc. Board of Directors, and the Governor.

IN WITNESS WHEREOF, the parties hereto have caused this Charter Agreement to be executed by the Chairperson of the County Board of Supervisors or the County Executive of the aforementioned Counties.

ASHLAND COUNTY

BY: \_\_\_\_\_  
County Board Chairperson or Appointee

BAYFIELD COUNTY

BY: \_\_\_\_\_  
County Board Chairperson or Appointee

BURNETT COUNTY

BY: \_\_\_\_\_  
County Board Chairperson or Appointee

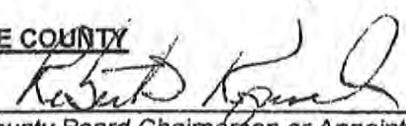
DOUGLAS COUNTY

BY: \_\_\_\_\_  
County Board Chairperson or Appointee

IRON COUNTY

BY: \_\_\_\_\_  
County Board Chairperson or Appointee

PRICE COUNTY

BY:  \_\_\_\_\_  
County Board Chairperson or Appointee

RUSK COUNTY

BY: \_\_\_\_\_  
County Board Chairperson or Appointee

SAWYER COUNTY

BY: \_\_\_\_\_  
County Board Chairperson or Appointee

TAYLOR COUNTY

BY: \_\_\_\_\_  
County Board Chairperson or Appointee

WASHBURN COUNTY

BY: \_\_\_\_\_  
County Board Chairperson or Appointee

Done this \_\_\_\_\_ Day of February, 2012.

In the City of Ashland, WI.

ATTEST:

\_\_\_\_\_

CARLSON  
DETTMANN  
CONSULTING

MEMORANDUM

**Date:** September 10, 2015

**To:** Tom Hoff, Sawyer County Administrator

**From:** Barbara Petkovsek, Senior Consultant

**Re:** Classification – Ambulance Billing Clerk

Sawyer County requested Carlson Dettmann Consulting to evaluate and recommend placement on the County's pay grade structure the Ambulance Billing Clerk position.

The Ambulance Billing Clerk Position was created to transition the ambulance medical billings from an outsourced arrangement to being completed in-house and as such included developing policies and procedures. The position was responsible for the billing system that initially included development and implementation of policies, procedures and systems.

The Clerk will maintain the established billing system including but not limited to preparation, review and submission of ambulance claims to Medicare, Medicaid and third party payers. It also includes payment collection, posting and reconciliation/resolution of denied claims. Financial reports and statistics are also prepared by the Ambulance Billing Clerk.

The position is solely responsible for Medicare, Medicaid, ICD10 Code updates and changing guidelines.

This position makes independent decisions on payment plans, appeals and writing off bad debt.

A thorough review of the JDQ (Job Description Questionnaire) was conducted. We applied our point factor job evaluation system and reviewed the Sawyer County current classification structure for internal consistency. Based on the findings, it is our recommendation that this position be classified in a **Grade H** on the County pay structure. This position not only is responsible for the ambulance billings but also policy, procedure and system development and maintenance and as such we would recommend that the title be "Ambulance Billing Specialist".

Please call me if you have any questions.

## **County Clerk Appointment Guidelines**

The Interim County Clerk will assume the duties as responsibilities of the County Clerk as defined in Chapter 59 of Wisconsin State Statutes. The rate of pay for the remainder of this term shall be the existing rate for County Clerk as previously authorized by the County Board.

**If a current employee is appointed to Interim County Clerk the following conditions will apply if:**

**Employee decides not to run for elected position OR runs for elected position and is not elected.**

- At time of appointment, any vacation that has been earned will be added to vacation balance. All accruals will remain on the books during interim position.
- Retain years of service as though continued working as regular employee.
- When returning to regular position from interim position accruals can be used as if no break in employment.
- Retains the right to return to a regular full-time position at the same grade and at least at the same step as previously held.

**Employee is subsequently elected to County Clerk position in 2017.**

- At time of appointment, any vacation that has been earned will be added to vacation balance. All accruals will remain on the books during interim position.
- All accruals will remain on the books until retirement.
- At the time of retirement, all accruals will be paid out on the last check.
- All vacation hours and ½ of the sick hours will be paid out with no retirement at the last rate of regular pay prior to interim position.
- The employee forgoes the right to return to the previously held full-time position.