

GREEN LAKE COUNTY



2019

COUNTY BOARD PROCEEDINGS

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GREEN LAKE COUNTY BOARD PROCEEDINGS

REGULAR SESSION

February 19, 2019

The Green Lake County Board of Supervisors met in regular session, Tuesday, February 19, 2019, at 6:00 PM in the County Board Room, Green Lake, Wisconsin for the regular meeting.
The Board was called to order by Harley Reabe, Chairman. Roll call taken - Present – 17, Absent – 2 (Peter Wallace-District 5, Dennis Mulder-District 14)

<u>Supervisor</u>	<u>Supervisor Districts</u>
Larry Jenkins	1
Vicki Bernhagen	2
Curtis Talma	3
David Abendroth	4
Brian Floeter	6
Charlie Wielgosh	7
Patti Garro	8
William Boutwell	9
Sue Wendt	10
Harley Reabe	11
Robert Schweder	12
Kathy Morris	13
Katie Mehn	15
Joe Gonyo	16
Keith Hess	17
Richard Trochinski	18
Robert Lyon	19

READING OF THE CALL

The Green Lake County Board of Supervisors will convene at the Courthouse at the Government Center in the City of Green Lake, Wisconsin on Tuesday the 19th day of February, 2019 at 6:00 PM for the regular meeting of the Board. Regular monthly business to be transacted includes:

CALL TO ORDER

ROLL CALL

READING OF THE CALL

PLEDGE OF ALLEGIANCE

MINUTES OF 12/18/18

ANNOUNCEMENTS

PUBLIC COMMENT (3 MIN LIMIT)

APPEARANCES

- Tom Winker – Railroad Consortium

CORRESPONDENCE

RESOLUTIONS

- Resolution 1-2019 Closing Green Lake County Government for General Business Operations On July 5, 2019
- Resolution 2-2019 Relating to Eliminating a CRS Aid Position and Creating a Representative Payee Specialist Position
- Resolution 3-2019 Adoption of the Green Lake County All Hazards Mitigation Plan

ORDINANCES

- Ordinance 1-2019 Repealing Ordinance No 25, enacted on February 13, 1964, Peddlers, Canvassers and Transient Merchants and recreating Chapter 196, Peddlers, Canvassers and Transient Merchants

BUDGET ADJUSTMENTS

COMMITTEE APPOINTMENTS

DEPARTMENTS TO REPORT ON March 19, 2019

FUTURE AGENDA ITEMS FOR ACTION & DISCUSSION

OTHER MATTERS AUTHORIZED BY LAW

AND SUCH OTHER BUSINESS AS MAY PROPERLY COME BEFORE THE BOARD OF SUPERVISORS.

ADJOURN

The several committees of the Board may also meet for the purpose of discussing or acting upon matters, which are the subject matter of the meeting of the County Board of Supervisors.

Given under my hand and official seal at the Government Center in the City of Green Lake, Wisconsin this 8th day of February, 2019.

Elizabeth A. Otto
Green Lake County Clerk

PLEDGE OF ALLEGIANCE

1. The Pledge of Allegiance to the Flag was recited.

MINUTES OF 12/18/2018

2. **Motion/second (Boutwell/Trochinski)** to approve the minutes of December 18, 2018 as presented with no additions or corrections. All Ayes. Motion carried.

ANNOUNCEMENTS

3. The next County Board meeting will take place on March 19, 2019 at 6:00 PM.

PUBLIC COMMENTS (3 Minute Limit)

4. None

APPEARANCES

5. Tom Winker of the Railroad Consortium and Ken Lucht, Asst. Vice President of Government and Industry Relations with WATCO Companies, gave an update on the 9 county consortium which maintains 25 miles of track in Green Lake County. Currently there are 7 businesses within Green Lake County using the rail system. Each county pays \$25,000 per year which is used to fund capital projects within the system. Project updates were also discussed along with new customers.

CORRESPONDENCE

6. County Clerk Liz Otto read the list of 2019 Emergency Fire Wardens as appointed by the DNR.

RESOLUTIONS

7. Resolution 1-2019 Closing Green Lake County Government for General Business Operations on July 5, 2019. **Motion/second (Garro/Boutwell)** adopt Resolution No. 1-2019. No discussion. Roll Call vote on Motion to adopt – Ayes – 17, Nays – 0, Absent – 2 (Wallace, Mulder), Abstain – 0. Motion carried. Resolution No. 1-2019 passed as adopted.

8. Resolution 2-2019 Relating to Eliminating a CRS Aid Position and Creating a Representative Payee Specialist Position. **Motion/second (Wielgosh/Abendroth)** adopt Resolution No. 2-2019. No discussion. Roll Call vote on Motion to adopt – Ayes – 17, Nays – 0, Absent – 2 (Wallace, Mulder), Abstain – 0. Motion carried. Resolution No. 2-2019 passed as adopted.

9. Resolution 3-2019 Adoption of the Green Lake County All Hazards Mitigation Plan. **Motion/second (Hess/Floeter)** adopt Resolution No. 3-2019. No discussion. Roll Call vote on Motion to adopt – Ayes – 17, Nays – 0, Absent – 2 (Wallace, Mulder), Abstain – 0. Motion carried. Resolution No. 3-2019 passed as adopted.

ORDINANCES

10. Ordinance 1-2019 Repealing Ordinance No 25, enacted on February 13, 1964, Peddlers, Canvassers and Transient Merchants and recreating Chapter 196, Peddlers, Canvassers and Transient Merchants. **Motion/second (Garro/Boutwell)** to enact Ord. No. 1-2019. No discussion. Roll Call vote on Motion to enact – Ayes – 17, Nays - 0, Absent – 2 (Wallace, Mulder), Abstain – 0. Motion carried. Ordinance No. 1-2019 passed as enacted.

BUDGET ADJUSTMENTS

11. Land Conservation - transfer \$4,181 from Conservation Fund to Lake & River Fund.

12. Emergency Management – sandbag reimbursement for both expense and revenue Disaster accounts in the amount of \$800.

13. Sheriff's Office – increase the Safekeeper Revenue and Janitorial Supplies expense line items by \$1,339.65 due to increased Safekeepers.

14. Sheriff's Office – increase Inmate Phone revenue and expense lines by \$10,150 due to larger than expected phone call volume.

15. Sheriff's Office – transfer \$620.83 from Commissary Revenues to Commissary Expenses to cover increased costs.

16. County Administrator – transfer \$30.00 from Contingency to the Carryover Green Lake Trail Project due to error in 2018 carryovers.

17. HHS/Children & Families – adjust revenue and expense accounts by \$9,085 for additional grants awarded.

Motion/second (Abendroth/Hess) to approve all budget adjustments as presented. Roll call vote – Ayes - 17, Nays - 0, Absent – 2 (Wallace, Mulder), Abstain - 0. Motion carried.

COMMITTEE APPOINTMENTS

18. Chair Harley Reabe appointed the following individuals to various committees with the Board's approval:

Ad Hoc Ambulance Study Committee – Doug Vrechek, Jodi Olson, Allan Weckwerth, Joel Strahota, Amy Newton, Kyle Van Buren, Lenny Langkau.

Motion/second (Schweder/Wendt) to approve the appointments. All ayes. Motion carried.

Family Resource Council – Holly Petts, Carol Hendrickson

Motion/second (Boutwell/Jenkins) to approve the appointments. All ayes. Motion carried.

Health & Human Services Board – Keri Buslaff

Motion/second (Garro/Trochinski) to approve the appointment. All ayes. Motion carried.

Veteran's Service Commission – Robert Mosolf

Motion/second (Hess/Garro) to approve the appointment. All ayes. Motion carried.

COMMITTEES TO REPORT ON March 19, 2019

19. Chair Reabe stated that the UW-Extension agents will give reports in March along with the new regional director.

OTHER MATTERS AUTHORIZED BY LAW

20. None

ADJOURN

21. **Motion/second (Mehn/Gonyo)** to adjourn at 6:37 PM. All Ayes. Motion carried.

Respectfully Submitted,
Elizabeth Otto
County Clerk

RESOLUTION NUMBER 1-2019

Closing Green Lake County Government for General Business Operations on July 5, 2019

The County Board of Supervisors of Green Lake County, Green Lake, Wisconsin, duly assembled at its regular meeting begun on the 19th day of February, 2019, does resolve as follows:

WHEREAS, during the year 2019 the 4th of July Holiday lands on a Thursday; and

WHEREAS, surveys performed by the County Administrator's Office indicate the vast majority of employees would like to have Friday, July 5th off of work to extend their holiday weekend; and

WHEREAS, some operational cost savings could be realized through the close of business on July 5th; and

WHEREAS, court is not scheduled to be in session and the general public may likely assume we are closed for business for the weekend and any workload would likely be extremely light.

NOW THEREFORE BE IT RESOLVED that Green Lake County Government operations, with the exception of essential services, will be closed on July 5, 2019.

BE IT FURTHER RESOLVED non-essential staff will be required to use vacation, personal day or time off without pay on July 5, 2019.

BE IT FURTHER RESOLVED personnel policy prohibiting the use of time off without pay following a paid holiday shall be waived in this instance.

BE IT FURTHER RESOLVED that in future years should the July 4th holiday fall on a Tuesday or Thursday the County Administrator, with the majority support of County Department Heads and concurrence of the County Board Chair, shall have the discretion to close Green Lake County Government business operations on the Monday previous to or the Friday following the July 4th holiday in the manner as outlined herein.

BE IT FURTHER RESOLVED that in future years should the County Administrator choose to close Green Lake County Government operations on the Monday previous to or the Friday following the July 4th holiday, the personnel policy prohibiting the use of time off without pay following a paid holiday shall be waived

Majority vote is needed to pass.

☒ Approved by Personnel ☐ Disapproved by Personnel

Administrative Committee recommends approval

Passed and Adopted this 19th day of February, 2019

Roll Call on Resolution 1-2019

Ayes 17, Nays 0, Absent 2, Abstain 0

Submitted by Administrative Committee: /s/ Harley Reabe, Chair; /s/ Larry Jenkins; /s/ Katie Mehn; /s/ Brian Floeter

RESOLUTION NUMBER 2-2019

**RESOLUTION RELATING TO ELIMINATING A CRS AID POSITION AND
CREATING A REPRESENTATIVE PAYEE SPECIALIST POSITION**

The County Board of Supervisors of Green Lake County, Green Lake, Wisconsin, duly assembled at its regular meeting begun on the 19th day of February 2019 does resolve as follows:

WHEREAS, The Administrative Policy Manual requires Department Heads to review position descriptions at least every other year; and,

WHEREAS, due to the major changes to the job duties performed, the Department Head and FRI Manager recommend that the Community Residential Services Aide position be eliminated and replaced with a new position, Representative Payee Specialist, which will accurately depict the Representative Payee services provided by FRI to its clients

NOW THEREFORE BE IT RESOLVED that the Green Lake County Board of Supervisors does hereby eliminate the position of Community Residential Services Aid, retroactive to January 1, 2019.

BE IT FURTHER RESOLVED, that the Green Lake County Board of Supervisors hereby creates the position of Representative Payee Specialist retroactive to January 1, 2019.

PERSONNEL COSTS

Starting Wage

DEPARTMENT: HUMAN SERVICES DEPARTMENT

COMMITTEE: HUMAN SERVICES

	POSITION TITLE	NAME	RATE	HOURS	WAGE	FICA	RET-C	H&A INS	L-INS	TOTAL
CURRENT										
HSCFRI	Community Residential Services Aide	Vacant	\$17.17	2,080.00	\$35,713.60	\$2,733.00	\$2,393.00	\$17,441.00	\$206.00	\$58,486.60
PROPOSED										
HSCFRI	Representative Payee Specialist	Vacant	\$17.17	2,080.00	\$35,713.60	\$2,733.00	\$2,393.00	\$17,441.00	\$206.00	\$58,486.60

Fiscal note:

DIFFERENCE

\$0.00

GREEN LAKE COUNTY JOB DESCRIPTION
TITLE: REPRESENTATIVE PAYEE SPECIALIST

DEPARTMENT: HEALTH & HUMAN SERVICES/FOX RIVER INDUSTRIES

LOCATION: FOX RIVER INDUSTRIES

SUPERVISOR: FOX RIVER INDUSTRIES UNIT MANAGER

SUMMARY:

This position is full-time at 40 hours per week. Flexible hours will be assumed. The Representative Payee Specialist is primarily responsible for providing support to the consumer for personal financial matters. Specifically, the Representative Payee Specialist is responsible for establishing and maintaining entitlements for eligible recipients of Social Security, managing monthly bills, and providing personal spending money. The individual's benefits are paid to the Representative Payee on the beneficiary's behalf and the services provided by the payee must be tailored to best meet the individual's needs while preserving their appropriate benefits status and financial security.

QUALIFICATIONS:

EDUCATION: High School Diploma

EXPERIENCE/JOB KNOWLEDGE:

- Three to five years of experience in human services with special emphasis on working with individuals with disabilities.
- Three to five years of experience maintaining financial records and a demonstrated ability to organize and maintain individual consumer accounts.
- A current, valid Wisconsin drivers' license.

DUTIES AND RESPONSIBILITIES:

- To establish and maintain entitlements for eligible recipients of Social Security; to pay and monitor monthly bills and to provide personal spending money to the individual as outlined in the SSA Representative Payee Guidelines
- To be informed about the individual's needs and decide how benefits/income can best be used for his or her personal care and well-being.
- To ensure the individual's current needs are being met. This includes food, shelter, medical care and other items for the individual's personal comfort; to use remaining benefits/income to pay for the individual's personal needs, such as clothing, recreation, and other expenses.
- To keep and maintain an individual's financial records; to manage the individual's bank account as outlined in the SSA Representative Payee Guidelines.
- To inform Social Security about changes that may affect the individual's eligibility for benefits and to complete documentation as required by Social Security to maintain benefits.
- To work closely with service providers to ensure continuity of services for the individual.

WORKING CONDITIONS:

PHYSICAL REQUIREMENTS:

- Ability to perform all primary job functions
- Ability to lift up to 50 pounds
- In unusual circumstances ability to stoop, kneel, reach, push medium to heavy objects.

ENVIRONMENTAL DEMANDS: Approximately 80% of this position's time will be spent indoors. 10% or less will be spent traveling to and from consumers' homes. While in consumers' homes, the person in this position might experience poor ventilation, dust, fumes, and/or odors. Schedule flexibility is required as needed to accommodate consumer needs. Lastly, in unusual circumstances, the person in this position could be exposed to physical attacks or injuries from consumers they are serving.

This is a public service position, and employee is required to be courteous, cooperative and respectful at all times with the public and clients; also establishes and maintains a courteous and cooperative and respectful working relationship with other employees, supervisors and public officials.

This position description has been prepared to assist in defining job responsibilities, physical demands, working conditions and needed skills. It is not intended as a complete list of job duties, responsibilities and/or essential functions. This description is not intended to limit or modify the rights of any supervisor to assign, direct, and control the work of employees under supervision. The county retains and reserves any and all rights to change, modify, amend, add to or delete from, any section of this document as it deems, in its' judgment, to be proper.

Updated: September 2018

WHEREAS, The Director of Health & Human Services and the FRI Manager have reviewed the job description of the Community Residential Services Aid and have determined that the job description no longer matches the actual duties performed in the position; and,

Majority vote is needed to pass.

☒ Approved by Personnel ☐ Disapproved by Personnel

Health and Human Services Committee recommends approval

Passed and Adopted this 19th day of February 2019

Roll Call on Resolution 2-2019

Ayes 17, Nays 0, Absent 2, Abstain 0

Submitted by Health and Human Services Committee: /s/ Joe Gonyo, Chair; /s/ Brian Floeter; /s/ Joanne Guden; /s/ Nancy Hoffmann; /s/ Richard Trochinski; /s/ Charles Wielgosh; /s/ Joy Waterbury

RESOLUTION NUMBER 3-2019
ADOPTION THE GREEN LAKE COUNTY ALL HAZARDS MITIGATION PLAN

The County Board of Supervisors of Green Lake County, Green Lake, duly assembled at its regular meeting begun on the 19th day of February 2019, does resolve as follows:

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

WHEREAS, undertaking hazard mitigation actions before disasters occur will reduce the potential for harm to people and property and save tax payer dollars; and

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

WHEREAS, Green Lake County participated jointly in the planning process with the other local units of government within the County to prepare an All Hazards Mitigation Plan, which was made available for review via a Legal Notice and a copy of which will reside permanently in the Green Lake County Emergency Management Office;

NOW, THEREFORE, BE IT RESOLVED, that Green Lake County Board of Supervisors hereby adopts the Green Lake County All Hazards Mitigation Plan as an official plan; and

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

Majority vote is needed to pass

Judicial/Law Enforcement & Emergency Management Committee recommends approval

Passed and Adopted this 19th day of February, 2019

Roll Call on Resolution 3-2019

Ayes 17, Nays 0, Absent 2, Abstain 0

Submitted by Judicial Law Enforcement & Emergency Management Committee: /s/ Larry Jenkins, Chair; /s/ Sue Wendt, Vice Chair; /s/ Peter Wallace; Kathy Morris; /s/ Keith Hess

ORDINANCE NO. 1-2019

Repealing Ordinance No. 25, enacted on February 13, 1964, Peddlers, Canvassers and Transient Merchants and recreating Chapter 196, Peddlers, Canvassers and Transient Merchants.

The County Board of Supervisors of Green Lake County, Green Lake Wisconsin, duly assembled at its regular meeting begun on the 19th day of February 2019, does ordain as follows:

WHEREAS, the Ordinance regulating Peddlers, Canvassers and Transient Merchants was adopted on February 13, 1964 and last amended on September 30, 1996; and,

WHEREAS, recent events transpired in the County which revealed that the Ordinance should be updated to clarify the issuance and termination of licenses granted under the Ordinance, and add additional provisions to protect the public health, safety and welfare.

NOW, THEREFORE, THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF GREEN LAKE DOES ORDAIN AS FOLLOWS:

Section 1. Green Lake County Ordinance, No. 25 adopted by the Green Lake County Board of Supervisors on February 13, 1964 and as amended on September 30, 1996, is hereby repealed and recreated as follows:

§196-1 Purpose.

This chapter is intended to protect against criminal activity, including but not limited to, fraud and burglary, to minimize the unwelcome disturbance of citizens and the disruption of privacy and to otherwise preserve the public health, safety and welfare by regulating, controlling and licensing door-to-door solicitors.

The regulations contained in this chapter are not intended to regulate speech by any person, but merely regulate the activities of those individuals selling or offering for sale merchandise.

§196-2 License required.

A. It is unlawful for any door-to-door solicitor to engage in sales and solicitation within Green Lake County without first obtaining a license in compliance with the provisions of this chapter. Each individual door-to-door solicitor is required to have an individual license.

B. During door-to-door solicitor activity, each door-to-door solicitor shall wear or otherwise visibly exhibit a picture identification issued by the entity or organization with which he or she is affiliated, and shall also carry the license issued by the Clerk, evidencing that the door-to-door solicitor is licensed by the County, and shall produce the license for inspection upon request.

§196-3 Exemptions.

Any person claiming to be legally exempt from the regulations set forth in this chapter, or from the payment of a license fee, shall cite to the county clerk the statute or other legal authority under which the exemption is claimed and shall present the county clerk proof of qualification for such exemption.

The following shall be exempt from all provisions of this chapter.

A. Any person delivering newspapers, fuel, dairy products or bakery goods to regular customers on established routes, or any other person making a regular delivery of goods ordered by a customer;

B. Any person selling agricultural products which the person has grown;

C. Any person who takes orders away from or delivers goods to an existing established place of business, for merchandise regularly ordered for sale by the merchant within this county and who delivers such merchandise in their regular course of business;

D. Any person who has an existing established place of business where the merchandise being sold is ordered for sale on a regular basis, and in which the buyer has initiated contact with, and specifically requested or consented to a home visit by, said person;

E. Any person who has had, or one who represents a company that has had, a prior business transaction, such as a prior sale or credit arrangement, with the prospective customer, and in which the customer has specifically requested or consented to a home visit by said person;

F. Any person holding a sale required by statute or by order of any court and any person conducting a bona fide auction sale pursuant to law;

G. Any person permitted to do business at special events authorized by the County Board or one of its committees.

H. Any person doing business with the permission of, and upon the premises of, existing retail establishments, which establishments are located within zoning districts allowing retail sales, and having occupancy permits allowing retail sales operations, provided such door-to-door solicitor does business within the enclosed building structure. This exemption shall apply only to establishments and buildings wherein any sales conducted pursuant to this exemption are of the same type and nature as sales generally occurring therein, and provided further that the primary business of the establishment is retail sales. This exemption specifically shall not apply to hotels and motels.

I. Any person engaging in proselytizing on behalf of any bona fide religion or religious group, or campaigning, or otherwise engaging in political activity, including pamphleteering.

J. Any persons under the age of 18 who are residents of the county, or pupils in any School District located in the County or a private or parochial school located within the County, and who are engaging in occasional door-to-door sales in order to raise funds for school, school-related, school extra-curricular-related, scouting-related, athletic or religious activities.

§196-4 Application and fees.

A. Applicants for a license shall complete and return to the County Clerk an application form furnished by the County Clerk which shall require the following information:

1. Full name (first, middle, last), permanent address and telephone number and temporary address and telephone number, if any.
2. Height, weight, gender, color of hair and eyes, date of birth, driver's license number or state issued identification number and state issues driver's license or identification.

3. Name, address, email address and telephone number of the person, firm, association or corporation that the direct seller represents or is employed by, or whose merchandise is being sold.

4. Nature of business to be conducted and a description of the goods offered, and any services offered.

5. Proposed method of delivery of goods, if applicable.

6. Make, model and license number of any vehicle to be used by applicant in the conduct of his or her business, and state of vehicle registration.

7. Address and phone number where applicant can be contacted for at least seven (7) days after leaving the county.

B. Permit Fee

1. At the time the application is returned, the fees shall be paid to the County Clerk. The fee is \$100.00.

2. Door-to-door solicitors must apply for a separate permit for each person.

3. If an application is denied the permit fee is not refundable.

C. Applicant statements. All statements made by the applicant upon the application shall be under oath and notarized.

§196-5 Investigation, approval, issuance of license, suspension or revocation and appeal.

A. Investigation.

1. Upon receipt of a completed application, the County Clerk shall promptly refer it to the Sheriff, who shall investigate the statements in the application and the individual who it is proposed will carry out door-to-door solicitor activities in Green Lake County.

2. The Sheriff shall indicate his approval or disapproval in a written report to the clerk within three (3) business days after the investigation is complete. A denial shall state the reasons for disapproval. The Sheriff shall determine whether:

a. There is any material omission or materially inaccurate statement on the application, or

b. The applicant has been convicted of a crime or ordinance violation within the last (5) years the nature of which is directly related to the applicant's fitness to engage in door-to-door solicitor activities, including but not limited to, theft, burglary, possession of stolen property, other crimes or ordinance violations related to property or any offenses related to crimes against life and bodily security, public health and safety, sexual morality and children, or

c. Whether the applicant has been denied a permit under this chapter within the immediate past year. The applicant may present information to the satisfaction to the Sheriff that the reasons for the former denial no longer exist, or

d. The applicant failed to comply with any applicable provision of this chapter.

B. Approval and issuance of license.

1. The clerk may not issue a license if the Sheriff indicates his disapproval of the application based on the factors enumerated in paragraph A.2. above.

2. The clerk shall issue a license if the Sheriff indicates his approval of the application based on the factors enumerated in paragraph A.2. above.

C. Suspension.

1. The Sheriff may suspend licenses issued under the provisions of this chapter pending a hearing by the Judicial/Law Enforcement & Emergency Management committee for a period not to exceed 30 days if after an investigation there is sufficient evidence to believe that one of the following exist:

a. Fraud, misrepresentation or incorrect statement contained in the application.

b. Fraud, misrepresentation or incorrect statement made in the course of carrying on business as a door-to-door solicitor.

c. Conviction of any crime or misdemeanor.

d. Conducting the licensed door-to-door solicitor activities in an unlawful manner or in such manner as to constitute a breach of the peace or a menace to the health, safety or general welfare of the public.

2. Notice of the suspension shall be mailed to the address provided in the application.

D. Revocation of license.

1. A license may be revoked by the Judicial/Law Enforcement & Emergency Management committee after notice and hearing if the committee finds that the applicant:

a. Made any material omission or materially inaccurate statement in the application; or,

b. Made any fraudulent, false, deceptive or misleading statement or representation while engaging in transient sales; or,

c. Violated any provision of this chapter, including but not limited to violations of §196-6; or,

d. Was convicted of any crime or ordinance or statutory violation which is directly related to the applicant's fitness to engage as a door-to-door solicitor; or,

e. Conducted the licensed door-to-door solicitor activity in an unlawful manner or in such manner as to constitute a breach of the peace or a menace to the health, safety or general welfare of the public.

2. Written notice of the hearing shall be served personally on the applicant, or by registered mail – return receipt requested, sent postage pre-paid to the address provided in the application at least 72-hours prior to the time set for the hearing. Such notice shall contain the time and place of the hearing and a statement of the acts or omissions alleged which form the basis of the proposed revocation of the license.

E. Appeal. Any person denied a license may file an appeal to the Judicial/Law Enforcement & Emergency Management committee by submitting the appeal, in writing to the clerk within 10 days from receipt of the denial.

§196-6 Disclosure requirements

A. After the initial greeting and before any other statement is made to a prospective customer, a door-to-door solicitor shall expressly disclose his or her name, the name of the company or organization he or she is affiliated with, if any, and the identity of the goods or services he or she offers to sell.

B. If any sale of goods is made by a door-to-door solicitor, or any sales order for the later delivery of goods is taken by the solicitor, the buyer shall have the right to cancel such transaction if it involves the extension of credit or is a cash transaction of more than twenty-five dollars (\$25.00), in accordance with the procedure as set forth in Section 423.203, Wisconsin Statutes; the door-to-door solicitor shall give the buyer two copies of a typed or printed notice of the fact. Such notice shall conform to the requirements of Section 423.203(l) (a), (b) and (c), (2) and (3), Wisconsin Statutes.

C. If the door-to-door solicitor takes a sales order for the later delivery of goods, he or she shall, at the time the order is taken, provide the buyer with a written statement containing the terms of the agreement, the amount paid in advance, whether full, partial or no advance payment is made, the name, address and telephone number of the door-to-door solicitor, the delivery or performance date and whether a guarantee or warranty is provided and, if so, the terms thereof.

§196-7 Prohibited practices.

Any door-to-door solicitor is prohibited from:

A. Failing to display their license to anyone requesting to see the license.

B. Misrepresenting the purpose of the solicitation.

C. Solicit in a manner that intimidates, threatens or harasses the persons solicited.

D. Calling at any dwelling or other place between the hours of 8:00 p.m. and 9:30 a.m. except by appointment;

E. Calling at any dwelling or other place where a sign is displayed bearing the words "No Peddlers," "No Solicitors," or words of similar meaning;

F. Calling at the rear door of any dwelling place, unless otherwise directed by the owner, occupant or any other person having authority over such premises.

G. Remaining on the premises after being asked to leave by the owner, occupant or any other person having authority over such premises;

H. Making false, deceptive or misleading statements concerning the quality, quantity or character of any goods offered for sale, the purpose of their visit, or identity of the organization being represented;

I. Having more than two individuals engaging in door-to-door solicitor activity upon any premises for the same goods or services or for the same religious or charitable purposes;

J. Conducting business with persons in motor vehicles upon a road, street or alley, as defined by §340.01(22) Wis. Stats.

K. Invitation required. No door-to-door solicitor shall go in or upon any private residence, business establishment or office in the County without having been requested or invited to do so by the owner, occupant or occupants of said private residence, business establishment or office for the purpose of soliciting orders for goods, wares or merchandise, or peddling or hawking the same.

L. Using a license of another person to conduct business.

§196-8 Violations and penalties.

Any person who violates any provision of this chapter shall, upon conviction thereof, forfeit not less than \$250.00 nor more than \$1,000.00, together with the cost of prosecution, and in default in payment of such forfeiture and costs of prosecution shall be imprisoned in the County Jail until such forfeiture and costs are paid, but not exceeding 60 days.

§196-9 – Enforcement. The Green Lake County Corporation Counsel is authorized to prosecute or otherwise enforce this ordinance.

§196-10 Definitions.

When used in this chapter, the following terms shall mean:

"Applicant" means a person who files an application form with the clerk for the purpose of obtaining a license.

"Calling at" means to make an appearance in person at a residence or business.

"Canvasser" means any person who goes from place-to-place in Green Lake County or attempts to take orders for the sale of goods, wares or merchandise or personal service to be performed in the future, including but not limited to any person who hires,

leases, uses or occupies any building, structure, vehicle or street or alley or other place or part thereof within Green Lake County for the primary purpose of exhibiting samples or taking orders for future delivery.

"Clerk" shall mean the Green Lake County Clerk.

"Direct Seller" means any individual who, for him/herself, or for a partnership, association or corporation, sells goods or services, or takes sales orders for the later delivery of goods or services, at any location other than the permanent business place or residence of the individual, partnership, association or corporation. The sale of goods includes donations or contributions, whether direct or indirect, required by the direct seller for the retention of goods by a donor or prospective customer.

"Door-to-door solicitor" means a canvasser, direct seller, peddler, or transient merchant who is mobile by traveling from residence to residence, or business to business, to solicit business.

"Goods" means personal property of any kind, and shall include goods provided incidental to services offered or sold.

"License" means a license to engage in peddler, transient merchant, direct seller, canvasser or solicitation activity within Green Lake County, as regulated hereunder.

"Peddler" means any natural person or entity who engages in the retail sale of merchandise by the direct selling, door-to door method. For purposes of this Section, sale of merchandise includes a sale in which the personal services rendered upon or in connection with the merchandise constitutes the greatest part of value for the price received, but does not include a farm auction sale conducted by or for a resident farmer of personal property used on the farm, or the sale of produce or other perishable products at retail or wholesale by a resident of this state.

"Person" means any individual, firm, partnership, corporation, company, association, church, religious sect, religious denomination, society, organization or league, or one purporting to be.

"Solicit" and "solicitation" means and includes any one or more of the following:

1. Selling or offering for sale, or taking or attempting to take orders for the sale of goods or services of any kind, character or description;
2. Selling or offering for sale, or taking or attempting to take orders for books, magazines, periodicals, newspapers and every other type or kind or publication;
3. Requesting, directly or indirectly, contributions on the plea or representation that such contributions will be used for a charitable or religious purpose.

"Transient Merchant" means any person who engages in the retail sale of merchandise at any place in this County and who does not intend to become and does not become a permanent merchant of this County.

Section 2. This ordinance shall become effective upon passage and publication.

Section 3. The repeal and recreation of any section herein shall not have any effect on existing litigation and shall not operate as an abatement of any action or proceeding then pending or by virtue of the repealed sections.

Section 4. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

Judicial Law Enforcement & Emergency Management committee recommends approval

Passed and Adopted this 19th day of February, 2019

Roll Call on Ordinance 1-2019

Ayes, 17, Nays 0, Absent 2, Abstain 0

Submitted by Judicial Law Enforcement and Emergency Management Committee: /s/ Larry Jenkins, Chair; /s/ Sue Wendt, Vice Chair; /s/ Peter Wallace; /s/ Kathy Morris; /s/ Keith Hess

GREEN LAKE COUNTY BOARD PROCEEDINGS REGULAR SESSION

March 19, 2019

The Green Lake County Board of Supervisors met in regular session, Tuesday, March 19, 2019, at 6:00 PM in the County Board Room, Green Lake, Wisconsin for the regular meeting.

The Board was called to order by Harley Reabe, Chairman. Roll call taken - Present – 17, Absent – 2 (Peter Wallace-District 5, Dennis Mulder-District 14)

<u>Supervisor</u>	<u>Supervisor Districts</u>
Larry Jenkins	1
Vicki Bernhagen	2
Curtis Talma	3
David Abendroth	4
Brian Floeter	6
Charlie Wielgosh	7
Patti Garro	8
William Boutwell	9
Sue Wendt	10
Harley Reabe	11
Robert Schweder	12
Kathy Morris	13
Katie Mehn	15
Joe Gonyo	16
Keith Hess	17

READING OF THE CALL

The Green Lake County Board of Supervisors will convene at the Courthouse at the Government Center in the City of Green Lake, Wisconsin on Tuesday the 19th day of March, 2019 at 6:00 PM for the regular meeting of the Board. Regular monthly business to be transacted includes:

CALL TO ORDER

ROLL CALL

READING OF THE CALL

PLEDGE OF ALLEGIANCE

MINUTES OF 02/19/19

ANNOUNCEMENTS

PUBLIC COMMENT (3 MIN LIMIT)

APPEARANCES

- Katie Gellings – UWEX Family Living Agent
- Ben Jenkins – UWEXX Agricultural Agent
- Morgan Martinez – UWEX 4H Agent

CORRESPONDENCE

CONFIRMATION OF HIGHWAY COMMISSIONER APPOINTMENT

RESOLUTIONS

- Resolution 4-2019 Relating to Eliminating the Account Budget Coordinator Position and Creating a Financial Manager Position in the Office of the County Administrator

ORDINANCES

- Ordinance 2-2019 Amend the Code of Green Lake County, Chapter 350, Zoning Ordinance; more specifically, to amend various sections within to be consistent with 2017 Act 67 and 68 as well as other identified changes
- Ordinance 3-2019 Rezone in the Town of Berlin: Barbara Meyer; Kim Michaelson, POA
- Ordinance 4-2019 Rezone in the Town of Berlin: Diana A. Schoppenhorst; Richard F. Gustke, Personal Rep; Tom Wilson, Agent
- Ordinance 5-2019 Rezone in the Town of Manchester: Kirk J. Schulz; Chad Boelter, Agent
- Ordinance 6-2019 Ordinance Amending Ordinance No. 979-2010, Chapter 187, Article IV, Boat Launch User Fees

BUDGET ADJUSTMENTS

COMMITTEE APPOINTMENTS

DEPARTMENTS TO REPORT ON April 16, 2019

FUTURE AGENDA ITEMS FOR ACTION & DISCUSSION

OTHER MATTERS AUTHORIZED BY LAW

AND SUCH OTHER BUSINESS AS MAY PROPERLY COME BEFORE THE BOARD OF SUPERVISORS.

ADJOURN

The several committees of the Board may also meet for the purpose of discussing or acting upon matters, which are the subject matter of the meeting of the County Board of Supervisors.

Given under my hand and official seal at the Government Center in the City of Green Lake, Wisconsin this 18th day of March, 2019.

Elizabeth A. Otto
Green Lake County Clerk

PLEDGE OF ALLEGIANCE

1. The Pledge of Allegiance to the Flag was recited.

MINUTES OF 02/19/2019

2. **Motion/second (Abendroth/Wendt)** to approve the minutes of February 19, 2019 with no changes or corrections. All Ayes. Motion carried.

ANNOUNCEMENTS

3. The next County Board meeting will take place on April 16, 2019 at 9:00 AM. This is the annual Student Government Day so introductions of Board members will take place.
4. Chairman Reabe recognized Supervisor Keith Hess for his recent trip to Vietnam as part of the first Old Glory Honor Flight for those veterans who took part in the Vietnam War.

PUBLIC COMMENTS (3 Minute Limit)

5. Sheriff Mark Podoll gave an update on recent incidents involving the Sheriff's Department due to inclement weather and a traffic fatality. Podoll thanked the Highway Department for their cooperation in these matters.

APPEARANCES

6. Katie Gellings, UW-Extension Family Living Agent; and Ben Jenkins, UW-Extension Agricultural Agent; gave presentations on their activities for 2018 and upcoming programs.

7. Morgan Martinez, UW-Extension 4H Agent, introduced herself to the Board as a new member of the department since February of 2019. She also thanked Kathy Ninneman, Program Specialist in UWEX, for keeping the 4H program going while there was no agent in place.

CORRESPONDENCE

8. None

CONFIRMATION OF HIGHWAY COMMISSIONER APPOINTMENT

9. County Administrator Cathy Schmit introduced Barry Mashuda as her appointee for Highway Commissioner.

10. **Motion/second (Abendroth/Schweder)** to approve the appointment of Barry Mashuda as the Highway Commissioner. Roll call vote – Ayes – 17, Nays – 0, Abstain – 0, Absent – 2 (Wallace, Mulder). Motion carried. Mr. Mashuda thanked the Board for the appointment and also thanked Superintendent Jason Franke and Fleet/Warehouse Supervisor Bob Shaffer for their efforts this winter.

RESOLUTIONS

11. Resolution 4-2019 Relating to Eliminating the Account Budget Coordinator Position and Creating a Financial Manager Position in the Office of the County Administrator. **Motion/second (Wendt/Boutwell)** to adopt Resolution No. 4-2019. Discussion held. **Motion/second (Floeter/Abendroth)** to return the resolution to the Personnel Committee for more information. Roll Call vote on Motion to return to committee – Ayes – 17, Nays – 0, Absent – 2 (Wallace, Mulder), Abstain – 0. Motion carried.

ORDINANCES

12. Ordinance 2-2019 Amend the Code of Green Lake County, Chapter 350, Zoning Ordinance; more specifically, to amend various sections within to be consistent with 2017 Act 67 and 68 as well as other identified changes. **Motion/second (Garro/Jenkins)** to enact Ord. No. 2-2019. No discussion. Roll Call vote on Motion to enact – Ayes – 17, Nays - 0, Absent – 2 (Wallace, Mulder), Abstain – 0. Motion carried. Ordinance No. 2-2019 passed as enacted.

13. Ordinance 3-2019 Rezone in the Town of Berlin: Barbara Meyer; Kim Michaelson, POA. **Motion/second (Floeter/Garro)** to enact Ord. No. 3-2019. No discussion. Roll Call vote on Motion to enact – Ayes – 17, Nays - 0, Absent – 2 (Wallace, Mulder), Abstain – 0. Motion carried. Ordinance No. 3-2019 passed as enacted.

14. Ordinance 4-2019 Rezone in the Town of Berlin: Diana A. Schoppenhorst; Richard F. Gustke, Personal Rep; Tom Wilson, Agent. **Motion/second (Wielgosh/Abendroth)** to enact Ord. No. 4-2019. No discussion. Roll Call vote on Motion to enact – Ayes – 17, Nays - 0, Absent – 2 (Wallace, Mulder), Abstain – 0. Motion carried. Ordinance No. 4-2019 passed as enacted.

15. Ordinance 5-2019 Rezone in the Town of Manchester: Kirk J. Schulz; Chad Boelter, Agent. **Motion/second (Bernhagen/Jenkins)** to enact Ord. No. 5-2019. No discussion. Roll Call vote on Motion to enact – Ayes – 17, Nays - 0, Absent – 2 (Wallace, Mulder), Abstain – 0. Motion carried. Ordinance No. 5-2019 passed as enacted.

16. Ordinance 6-2019 Ordinance Amending Ordinance No., 979-2010, Chapter 187, Article IV, Boat Launch User Fees. **Motion/second (Garro/Schweder)** to enact Ord. No. 6-2019. Discussion held. Roll Call vote on Motion to enact – Ayes – 17, Nays - 0, Absent – 2 (Wallace, Mulder), Abstain – 0. Motion carried. Ordinance No. 6-2019 passed as enacted.

BUDGET ADJUSTMENTS

17. Personnel/County Administration – adjust the 2018 Credit Card Points Redeemed revenue account and the Employee Incentive expense account by \$1,970.99 for employee apparel purchase.

18. Corporation Counsel – adjust the 2018 Training Revenue account by \$3,834.00 and the Travel expense account by \$333.27 due to training sessions at UW-Green Bay provided by Corporation Counsel.

19. Clerk of Circuit Court – transfer \$23,174.61 from the 2018 GAL Reimbursement revenue account to GAL Expenses and Medical due to unforeseen circumstances.

20. Emergency Management – adjust the 2019 Hazardous Mitigation Plan revenue account to \$20,533.00 and adjust several corresponding expense accounts for the same amount due to a new grant.

21. **Motion/second (Hess/Trochinski)** to approve all budget adjustments as presented. Roll call vote – Ayes - 17, Nays - 0, Absent – 2 (Wallace, Mulder), Abstain - 0. Motion carried.

COMMITTEE APPOINTMENTS

22. Chair Harley Reabe appointed Mike Lehner to the Board of Adjustment with the Board's approval.

23. **Motion/second (Garro/Boutwell)** to approve the appointment. All ayes. Motion carried.

COMMITTEES TO REPORT ON April 16, 2019

24. Chair Reabe stated that there will be no reports in April due to Student Government Day reports.

OTHER MATTERS AUTHORIZED BY LAW

25. None

ADJOURN

26. **Motion/second (Mehn/Schweder)** to adjourn at 7:08 PM. All Ayes. Motion carried.

Respectfully Submitted,
Elizabeth Otto
County Clerk

ORDINANCE NO. 2–2019

Amending Chapter 350, Zoning Ordinance, of the Code of Green Lake County; more specifically, to amend various sections within to be consistent with 2017 Act 67 & 68 as well as other identified changes.

The County Board of Supervisors of Green Lake County, Green Lake Wisconsin, duly assembled at its regular meeting begun on the 19th day of March 2019, does ordain as follows:

Section 1. Green Lake County Ordinance, No. 146-76 adopted June 15, 1976, as amended through Ord. No. 790-03 and subsequent amendments thereto, is hereby amended as follows: (new text is underlined, stricken text is ~~strikeout~~)

Article III. General Provisions

Section 350-14.B.(5) Per Chapter 59.69(10e)(a) and (b) Wis. Stats., a nonconforming dwelling or nonconforming building, or part thereof shall be permitted to be rebuilt so long as the three-dimensional building envelope is not increased.

Section 350-17.B. The requirements as set forth in Subsection A(2) above do not apply to dwellings located in an R-2 District. Further, ~~a person may apply to the Land Use Planning and Zoning Committee to obtain a conditional use permit to deviate and vary from the provisions set forth in Subsection A(2) of this section. The Land Use Planning and Zoning Committee may grant a conditional use permit to deviate from any of the provisions of Subsection A(2) if the applicant can show that the dwelling will not adversely affect the aesthetics of the neighborhood or reduce the value of surrounding properties.~~

Section 350-19.B. Churches, schools, hospitals, sanatoriums and other public/quasi-public buildings may be erected to a height not exceeding 60 feet nor five stories, provided that the front street, side and rear yards required in the district in which such building is to be located are each increased at least one foot for each foot of additional building height above the height limit otherwise established for the district in which such building is to be located.

Section 350-20 ~~Front~~, Side and rear yard regulations.

Section 350-22.A. Substandard lots: ~~served by a public sanitary sewer.~~

Section 350-22.A.(3) ~~The lot is in separate ownership from abutting lands. If abutting lands and the substandard lot are owned by the same owner, the substandard lot shall not be sold or used without full compliance with the terms of this chapter.~~

Section 350-22.A(4)(3) All dimensional requirements of this chapter are complied with ~~insofar as practical.~~

Section 350-22.B. Substandard lots not served by a public sewer. The provisions of Subsection A and Ch. SPS 383, Wis. Adm. Code, shall apply and, in addition, the minimum lot area shall be 7,500 square feet and the minimum lot width 50 feet at the building line and 50 feet average width. ~~[Amended 11-14-2017 by Ord. No. 22-2017]~~ Other substandard lots. A building permit for the improvement of a lot having lesser dimensions than those stated in Subsections A and B of this section shall be issued only after the granting of a variance by the Board of Adjustment.

Article IV. Zoning District

Section 350-33.B.(16) Contractor's shop (inside material storage only)

Section 350-34.B.(27) Contractor's yard (outside material storage)

Section 350-39.A. In the Class Two Residential District, all uses and structures shall be permitted that are permitted in the regular (Class One) Residential District, and, in addition thereto, mobile and manufactured homes occupied by a single family shall be permitted.

Section 350-39.B. Such homes shall be permanently mounted on a stone, concrete or masonry foundation and skirted and shall be adequately served by sanitary facilities installed in compliance with all local ordinances and state laws and regulations. ~~The Land Use Planning and Zoning Committee shall determine the length of time to comply fully with this order.~~ Mobile and manufactured homes located in the Class Two Residential District shall be deemed to be a part of the real estate and assessable as such and not as mobile homes.

Section 350-39.C. Class Two Residential Districts shall be permitted only when approved by the County Board and when the following procedures are followed prior to such approval:

A petition requesting an amendment of this chapter and zoning maps describing the area to be rezoned (together with a sketch map of the same) to Class Two Residential District must be filed with the Land Use Planning and Zoning Department bearing the signatures of 80% of the property owners in the area to be so rezoned. Upon receipt of such petition, the Land Use Planning and Zoning Department shall verify the number of signatures before filing the same with the Land Use Planning and Zoning Committee of the County Board for further action in accordance with the following provisions. ~~[Amended 11-14-2017 by Ord. No. 22-2017]~~ Upon receipt of the petition described above from the Land Use Planning and Zoning Department, the Land Use Planning and Zoning Committee shall set the same for hearing after publishing notice of hearing as a Class 2 notice. At the hearing, the Land Use Planning and Zoning Committee shall determine if the area requested to be rezoned is feasible for Class Two residential purposes and whether or not objection has been made by 20% or more of all property owners living within the proposed district or within a radius of 1.5 miles from the boundaries of the proposed district. Objection must be made, in writing, and may be filed with the Land Use Planning and Zoning Department prior to the date set for said hearing or may be made orally and filed, in writing, at the hearing itself. If the Land Use Planning and Zoning Committee finds that such objection has been made, it shall certify the same and order a referendum of all the property owners of the town in which the proposed district lies (and additionally a referendum of all the property owners of all adjacent towns that lie within a distance of 1.5 miles from the boundaries of the proposed district) and shall set the date therefor, not later than 90 days from the date of order, and shall notify the clerk of the town(s) affected, who shall cause notice of the referendum to be published as a Class 2 notice and who shall further mail notice of the referendum to all property owners of his/her town, whether present within the County or absent therefrom. Absentee ballots will be accepted in said referendum and shall be handled and regulated by the provisions of §§ 6.85 through 6.89 (as applicable), Wis. Stats. Said town clerk(s) shall further cause all other preparations to be made for the conduct of said referendum and together with the Land Use Planning and Zoning Committee shall make an estimate of the total cost of said referendum, which shall be borne by the initial petitioners, who shall pay to the clerk of the town(s) involved a deposit of the estimated cost of the referendum, all unused portions of which shall be returned to them after the completion of said referendum. Failure to pay such deposit within 10 days from the date of receiving notice of the estimated cost shall cause automatic dismissal of the petition. All town clerks involved in said referendum shall withhold mailing of notice or publication of notice of such referendum until all costs have been paid as herein required. The question to be stated in such referendum shall be substantially as follows: "Shall a portion of the Town of _____ located in Section _____, containing about _____ acres, be rezoned to Class Two Residential District

permitting mobile homes to be parked therein as permanently located single-family dwellings? (YES or NO)." [Amended 11-14-2017 by Ord. No. 22-2017]

If the answer to the above referendum is in the affirmative, the Land Use Planning and Zoning Committee shall report the same to the County Board at its next regular meeting together with the Committee's own recommendation for adoption or nonadoption of the petition in a form suitable for action by the County Board. If no referendum was necessary in that less than 20% of the eligible property owners filed objection to the petition, the Committee shall report the same to the County Board at its next regular meeting together with the Committee's own recommendation for adoption or nonadoption of the petition in a form suitable for action by the County Board. The Board shall thereupon either accept or reject such petition, by an amendatory ordinance if it accepts and by resolution or motion if it rejects the same. The Board may make any modification it sees fit in either accepting or rejecting said petition.

~~Class Two Residential Districts may come into existence only upon the passage of a suitable amending ordinance after applicable procedures set forth herein have been complied with. A petition that fails to be adopted may not be reintroduced for a period of one year from its initial filing date.~~

Section 350-40.A.(15) A mobile or manufactured home shall be allowed as a temporary structure for the shelter of persons and property as a result of disaster-related damages. The mobile or manufactured home shall be located after obtaining all necessary permits, for no more than one year and shall be located on the premises with the construction of the new permanent structure. Section 350-40.E Accessory structure standards. Each unit of a multiple-family dwelling residence shall be allowed one attached and one detached accessory building structure. In no case shall the total combined footprint area of all accessory building structures for the units exceed 10% of the lot or parcel area, excluding any road right-of-way. Each detached accessory building structure shall satisfy all of the following standards:

Section 350-40.E.(2) Height: 25 feet maximum; ground floor surface to peak. There shall be no sidewalls above the ground floor ceiling joist, unless attached to the dwelling unit(s). Ground floor sidewalls shall not exceed 15 feet in height.

Section 350-41.A.(23) A mobile or manufactured home shall be allowed as a temporary structure for the shelter of persons and property as a result of disaster-related damages. The mobile or manufactured home shall be located after obtaining all necessary permits, for no more than one year and shall be located on the premises with the construction of the new permanent structure.

Section 350-41.B.(7) Event Barn (ONLY as an accessory use to the residential use, existing buildings only.)

Section 350-41.B.(8) Kennel (ONLY as an accessory use to the residential use.)

Section 350-41.B.(9) RV and Boat Storage for Rent (ONLY as an accessory use to the residential use, existing buildings only)

Article V. Nonbuilding Structures

Section 350-43.1 ~~(Reserved)~~ Fences shall comply with the following:

All fences, no greater than eight feet in height, may be allowed along any lot line excluding the street right-of-way line and the side lot lines within the street-yard setback.

Open style fences (greater than 50% open space), no greater than four feet in height, may be allowed along the street right-of-way line and alongside lot lines within the street-yard setback.

Article VI. Highway Setback Lines

Section 350-50.A. ~~Setback from Front Street~~ Lot Line

Section 350-51 No new building, new sign, new privacy fence or other new structure, including cemeteries, nor any part thereof, shall be placed between the setback lines established by this chapter and the highway except as provided by this chapter. No building, sign, structure or part thereof existing within such setback lines on the effective date of this chapter shall be altered, enlarged or added to in any way that increases or prolongs the permanency thereof, unless granted a variance by the Board of Adjustment.

Article VII. Conditional Use Permits

Section 350-54 Conditional uses.

~~Investigations of, and public hearings on, conditional uses required by the regulations of this article shall be conducted by the Land Use Planning and Zoning Committee for the purpose of determining the effect of the proposed use or the location thereof on the character of the neighborhood and its suitability for development by utilizing the minimum review standards and criteria of this article. The Land Use Planning and Zoning Committee shall review requests for a conditional use permit and, after public hearing and application of the standards identified in this article, shall approve, approve with conditions or deny all such requests.~~

Section 350-55 Application for permit.

~~Application for a conditional use permit shall be made to the County Zoning Office.~~ Application for a conditional use permit shall be made to the County Zoning Office Land Use Planning and Zoning Department, on forms provided by the ~~Department~~ County Zoning Offices, and shall be accompanied by the following:

Section 350-55.D. Any additional information, as required by the ~~County Zoning Office~~ Land Use Planning and Zoning Department, which may be pertinent to the proposed conditional use.

Section 350-56.B.(1) Conditional uses may be located in certain districts under certain conditions. When reviewing a conditional use permit, the Land Use Planning and Zoning Committee shall take into consideration, among other things, the recommendation of the affected town and the particular facts and circumstances of each proposed use in terms of the following standards and shall find adequate substantial evidence that such standards are being satisfied.

If an applicant for a conditional use permit meets or agrees to meet all of the requirements and conditions specified in this ordinance or those imposed by the Land Use Planning and Zoning Committee, the Land Use Planning and Zoning Committee shall grant the conditional use permit. Any condition imposed must be related to the purpose of the ordinance and be based on substantial evidence.

The requirements and conditions described under §350-56.B(1)(a) above must be reasonable and, to the extent practicable, measurable and may include conditions such as the permit's duration, transfer, or renewal.

The applicant must demonstrate that the application and all requirements and conditions established by the Land Use Planning and Zoning Committee, relating to the conditional use, are or shall be satisfied, both of which must be supported by substantial

evidence. The Land Use Planning and Zoning Committee's decision to approved or deny the conditional use permit must be supported by substantial evidence.

Section 350-56.G. In the event that the Land Use Planning and Zoning Committee chooses to deny a person's conditional use permit application, the person may appeal the decision to the Board of Adjustment or to circuit court under the procedures contained in §59.694(10) Wis. Stats.

Article VIII. Board of Adjustment

Section 350-61.A. The Board shall meet at the call of the ~~Chairman~~ Chairperson, or at such other times as the Board may determine, at a fixed time and place.

Section 350-63.B.(2) ~~To authorize, upon appeal in specific cases, such variance from the terms of this chapter as will not be contrary to the public interest, where, owing to special conditions, a literal enforcement will result in practical difficulty or unnecessary hardship, so that the spirit of this chapter shall be observed, public safety and welfare secured, and substantial justice done. To authorize, upon appeal in specific cases, area variances where the property owner can prove "unnecessary hardship" by demonstrating that strict compliance with the zoning ordinance would unreasonably prevent the property owner from using their property for a permitted purpose (unnecessarily burdensome) or, for a use variance, by demonstrating that strict compliance with the zoning ordinance would leave the property owner with no reasonable use of their property in the absence of a use variance. In both circumstances, the property owner bears the burden of proving that the unnecessary hardship is based on conditions unique to the property, rather than considerations personal to the property owner, that the unnecessary hardship is not solely economic, and that the unnecessary hardship was not self-created by the property owner.~~

Section 350-63.B.(3) In every case where a variance from these regulations has been granted by the Board, the minutes of the Board shall affirmatively show that an unnecessary hardship or practical difficulty exists and the records of the Board shall clearly show in what particular and specific respects an unnecessary hardship or practical difficulty is created. "Unnecessary hardship" means, but is not limited to, the following:

~~No reasonable use can be made of the property without the granting of the variance;~~

~~The hardship is something that is unique to this property and not the owner of the property;~~

~~The hardship is not self-created; and~~

~~The hardship is not solely economic.~~

Article IX. Administration and Enforcement

Section 350-67.E. A copy of the conditional use permit or rezoning change, if approved by the County Land Use Planning and Zoning Committee, shall be forwarded by the Land Use Planning and Zoning Department to the board chairman, clerk, or both of the affected town. [Amended 11-14-2017 by Ord. No. 22-2017]

Article X. Enforcement

Section 350-38 Investigation of Alleged violations. ~~Any violation of the provisions of this chapter shall be deemed unlawful. When necessary, to determine compliance with this chapter, the Land Use Planning and Zoning Department shall investigate alleged violations. After confirmation that a violation exists, the Land Use Planning and Zoning Department shall pursue compliance of the violation. The Land Use Planning & Zoning Department shall have the primary responsibility for enforcing all provisions of this chapter. The Land Use Planning & Zoning Department is hereby empowered to cause any building, other structure, lot or parcel of land to be inspected and examined for suspected or potential violations of this Chapter after proper notification. If permission to enter the property is withheld, the Land Use Planning & Zoning Department may seek a court order to require inspection of the property.~~

Section 350-69.B. The County Corporation Counsel shall have the authority to use all legal remedies necessary to ~~pursue compliance with~~ enforce the provisions of this chapter. After consultation with the Land Use Planning and Zoning Department and/or the Land Use Planning and Zoning Committee, the Corporation Counsel shall determine which legal remedy or legal remedies are in order to ~~pursue compliance with~~ enforce the provisions of this chapter.

Section 350-69.C. Any landowner who violates or refuses to comply with any of the provisions of this chapter shall be subject to a forfeiture of not less than ~~\$10-\$50~~ nor more than ~~\$5,000-\$500~~ per offense, together with the taxable costs of action. Each day that the violation exists, ~~after receiving notice of the violation from the Land Use Planning & Zoning Department by certified or registered mail, or personal service per Ch. 801.11 Wis. Stats.,~~ shall constitute a separate offense.

Section 350-69.D. In addition to the Corporation Counsel having the authority to ~~pursue compliance~~ enforce the provisions of this chapter per Subsection B above, the designated staff of the Land Use Planning and Zoning Department shall have the authority to and may prepare, sign and issue citations in order to commence action to ~~achieve~~ enforce compliance with the provisions of this chapter.

Section 350-70.D. The stop-work order card issued and posted by the Land Use Planning and Zoning Department shall be posted at the subject site in plain view from a nontrespass location off the subject property. A stop-work order card shall remain posted until compliance of the violation occurs. In the event that a stop-work order has been removed from its posted location by persons other than Department staff, the property owner(s) and/or other agents, upon conviction, shall be subject to a \$300 fine plus court costs. The fine shall increase by \$300 after each offense and be cumulative. For example: \$300 first offense, \$600 for second offense, \$900 for third offense, and so on. If a property owner removes a stop work order sign three times they shall be subject to \$1800 (\$300 + \$600 + \$900) in fines plus court costs.

Article XI. Amendments.

Section 350-75 ~~Notice to town board. Rezoning amendment standards~~ A. Rezoning lands out of the A-1, Farmland Preservation Zoning District shall be done in accordance with Section 350-27.B (1-5) of this Chapter. For all other rezones, the Land Use Planning and Zoning Committee and County Board shall utilize the following as criteria to guide their decisions about rezones:

The amendment is consistent with community land use plan (comprehensive plan).

The amendment will not be detrimental to property in the immediate vicinity or to the community as a whole.

The amendment will not have a significant adverse impact on the natural environment (i.e. air, water, noise, stormwater management, soils, wildlife, vegetation, etc.), or the impact could be mitigated by management practices on the site or in the immediate vicinity.

The amendment will not have a significant adverse impact on the ability to provide adequate public facilities or services (i.e. highways, streets, water, sewage, drainage, schools, emergency services, etc.)

The amendment allows a more viable transition to planned land uses on adjacent properties than the current zoning designation. The amendment will not result in inappropriate spot-zoning (i.e. use is inconsistent with surrounding properties and serves only a private, rather than public interests).

B. All rezone amendments that result in the creation of a new parcel or parcels shall be done by certified survey map in accordance with Section 315-38 of the Land Division and Subdivision Ordinance. The rezone amendment shall not take effect until the certified survey map creating the rezoned parcel(s) is recorded in the Green Lake County Register of Deeds office.

A-C. The County Land Use Planning and Zoning Committee shall send or deliver written notice to the town board not less than 10 days prior to the date of any public hearing of any proposed zoning change within its town.

Article XII. Fee Schedule

Section 350-76.B. All public hearing items such as variance, rezone, appeal, conditional use permit, ordinance amendment or ~~special exception permit plan amendment~~ : \$375. [Amended 12-15-2009 by Ord. No. 972-2009; 9-20-2011 by Ord. No. 998-2011]

Article XIII. Word Usage and Definitions

Section 350-77

CONDITIONAL USE OR

~~SPECIAL EXCEPTION PERMIT~~

~~A use that is specifically listed in an ordinance that may only be permitted if the Board of Adjustment, Land Use Planning and Zoning Department or Committee or County Board, as authorized by County ordinance, determines that the conditions specified in the ordinance for that use are satisfied, may be considered in a particular zoning district if it is adaptable to the limitations of a particular site or made to be complimentary to adjacent land uses. The Land Use Planning and Zoning Committee, as authorized by County ordinance, shall only grant a conditional use permit if the use is consistent with the purpose and intent of this ordinance, and may impose conditions that are related to the requested use and reasonable to ensure compliance with this Ordinance. The applicant must provide substantial evidence the conditions are or will be satisfied.~~

EVENT BARN

A structure, that had previously been used for agricultural uses associated with a farm, that has been renovated and upgraded to local and state building codes and re-purposed as a facility for hire to host social or business gatherings including, but not limited to, meetings, parties, seminars, weddings, receptions, family reunions, anniversaries, and barn dances. Event barns must promote the retention of the rural nature of the parcel and community in which it is located and may only be allowed by conditional use permit.

FENCE

Any artificially

constructed barrier of any material or combination of materials erected to enclose or screen areas of land. Additionally:

A. FENCE, OPEN A fence constructed in a manner that provides 50% or more open space.

B. FENCE, PRIVACY A fence constructed in a manner that provides less than 50% open space.

LOT LINE

The same as

boundary line; the peripheral boundary of a lot, parcel tract or any other land area that divides one recorded land area from another.

A. LOT LINE, FRONT STREET That boundary separating a land area from an existing or dedicated public street, private street or other means of access.

B. LOT LINE, REAR That boundary of a land area that is opposite the front street lot line. In the case of corner lots the rear lot line shall be opposite the shorter of the two frontages.

C. LOT LINE, SIDE That boundary of a land area that is not a front street, shore or a rear lot line.

D. LOT LINE, SHORE That boundary of a land area that abuts a navigable waterway at the ordinary high water mark.

LOT WIDTH, AVERAGE

The average of

the shortest horizontal distances between the side lot lines at the front street lot line, rear lot line or ordinary high water mark and at any angle point in the side lot lines.

MANUFACTURED HOME

A structure,

~~transportable in one or more sections, that is designed to be used as a dwelling, which is built on a permanent chassis and is designed to be used with or without a permanent foundation and that is certified by the when connected to required utilities and constructed on or after June 15, 1976, in accordance with federal department of Housing and Urban Development U.S. housing and urban development as complying with the standards established under 42USC 5401 to 5425. and identified with a HUD seal of approval; HUD certified and labeled under the National Mobile Home Construction and Safety Standards Act of 1974. The term "manufactured home" includes a mobile home but does not include a mobile recreational vehicle.~~

MOBILE HOME

A vehicle

manufactured or assembled before June 15, 1976, designed to be towed as a single unit or in sections upon a highway by a motor vehicle and equipped and used, or intended to be used, primarily for human habitation, with walls of rigid uncollapsible construction, which has an overall length in excess of 45 feet. "Mobile home" includes the mobile home structure, its plumbing, heating, air conditioning and electrical systems, and all appliances and all other equipment carrying a manufacturer's warranty.

See "manufactured home."

MODULAR HOME

See

"manufactured home."

PREFABRICATED HOME

A nonmobile

housing unit, the walls, floors and ceilings of which are constructed at a central factory and transported to a building site where final construction assembly is completed, permanently affixing the unit to the site.

SITE-BUILT HOME

A permanent

structure substantially constructed on the property and built on a permanent foundation with connections to utilities.

SUBSTANTIAL EVIDENCE

Facts and information, other than merely personal preferences or speculation, directly pertaining to the requirements and conditions an applicant must meet to obtain a conditional use permit and that reasonable persons would accept in support of a conclusion.

YARD

The open land

area lying between the structure and the lot line of the property.

A. YARD, ~~FRONT STREET~~, The open land area across the full width of the property between the front street lot line and the nearest point of the structure.

B. YARD, REAR, The open land area across the full width of the property between the rear lot line and the nearest point of the structure.

C. YARD, SIDE, The open land area between the adjacent side lot line and the nearest point of the structure and extending from the ~~front~~ street yard to the rear yard.

Section 2. This ordinance shall become effective upon passage and publication.

Section 3. The repeal and recreation of any section herein shall not have any effect on existing litigation and shall not operate as an abatement of any action or proceeding then pending or by virtue of the repealed or amended sections.

Section 4. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

Land Use Planning and Zoning Committee recommends approval

Passed and Adopted this 19th day of March, 2019

Roll Call on Ordinance 2-2019

Ayes 17, Nays 0, Absent 2, Abstain 0

Submitted by Land Use Planning and Zoning Committee: /s/ Robert Lyon, Chair; /s/ William Boutwell; /s/ Harley Reabe; /s/ Curt Talma; /s/ Peter Wallace

ORDINANCE NUMBER 3-2019

Relating to: Rezone in the Town of Berlin

Owner: Barbara Meyer, Kim Michaelson, Power of Attorney

The County Board of Supervisors of Green Lake County, Green Lake, Wisconsin, duly assembled at its regular meeting begun on the 19th day of March, 2019, does ordain as follows:

NOW, THEREFORE, BE IT ORDAINED, that the Green Lake County Zoning Ordinance, Chapter 350 as amended, Article IV Zoning Districts, Section 350-26. Official Map, as relates to the Town of Berlin, shall be amended as follows: W514 Town Line Road, Parcel #002-00683-0100, (±10 acres), Lot 1 Certified Survey Map 3257, Part of the SE¼ of Section 35, T17N, R13E; Rezone ±3 acres from A-2 General Agriculture District to A-1 Farmland Preservation District, and ±7 acres from A-2 General Agriculture District to R-4 Rural Residential District.

BE IT FURTHER ORDAINED, that this ordinance shall become effective upon passage and publication.

Land Use Planning and Zoning recommends approval

Passed and adopted this 19th day of March 2019

Roll Call on Ordinance 3-2019

Ayes 17, Nays 0, Absent 2, Abstain 0

Submitted by Land Use Planning and Zoning Committee: /s/ Robert Lyon, Chair; /s/ William Boutwell; /s/ Harley Reabe, Vice Chair; /s/ Curt Talma; /s/ Peter Wallace

ORDINANCE NUMBER 4-2019

Relating to: Rezone in the Town of Berlin - Owners: Diana A. Schoppenhorst

Richard F. Gustke, Personal Representative, Tom Wilson, Agent & First Weber Realtor

The County Board of Supervisors of Green Lake County, Green Lake, Wisconsin, duly assembled at its regular meeting begun on the 19th day of March, 2019, does ordain as follows:

NOW, THEREFORE, BE IT ORDAINED, that the Green Lake County Zoning Ordinance, Chapter 350 as amended, Article IV Zoning Districts, Section 350-26. Official Map, as relates to the Town of Berlin, shall be amended as follows: N9251 32nd Drive, Parcel #002-00132-0000 (±.66 acres), Located in the NW¼ of Section 8, T17N, R13E. Request to rezone from R-1 Single-Family Residence District to R-4 Rural Residential District. To be determined by Certified Survey Map.

BE IT FURTHER ORDAINED, that this ordinance shall become effective upon passage and publication.

Land Use Planning and Zoning recommends approval

Passed and adopted this 19th day of March 2019

Roll Call on Ordinance 4-2019

Ayes 17, Nays 0, Absent 2, Abstain 0

Submitted by Land Use Planning and Zoning Committee: /s/ Robert Lyon, Chair; /s/ William Boutwell; /s/ Harley Reabe, Vice Chair; /s/ Curt Talma; /s/ Peter Wallace

ORDINANCE NUMBER 5-2019

Relating to: Rezone in the Town of Manchester - Owner: Chad Boelter, Prideview Dairy

The County Board of Supervisors of Green Lake County, Green Lake, Wisconsin, duly assembled at its regular meeting begun on the 19th day of March, 2019, does ordain as follows:

NOW, THEREFORE, BE IT ORDAINED, that the Green Lake County Zoning Ordinance, Chapter 350 as amended, Article IV Zoning Districts, Section 350-26. Official Map, as relates to the Town of Manchester, shall be amended as follows: N445 State Road 73, Parcel #012-00693-0000 (±40 acres), Located in the NW¼ of Section 36, T14N, R12E. Request to rezone +3 acres from A-1 Farmland Preservation District to R-4 Rural Residential District. To be determined by Certified Survey Map. **BE IT FURTHER ORDAINED**, that this ordinance shall become effective upon passage and publication.

Land Use Planning and Zoning recommends approval

Passed and adopted this 19th day of March 2019

Roll Call on Ordinance 5-2019

Ayes 17, Nays 0, Absent 2, Abstain 0

Submitted by Land Use Planning and Zoning Committee: /s/ Robert Lyon, Chair; /s/ William Boutwell; /s/ Harley Reabe, Vice Chair; /s/ Curt Talma; /s/ Peter Wallace

ORDINANCE NO. 6-2019

Amending Ordinance No. 979-2010, Chapter 187, Article IV, Boat Launch User Fees

The County Board of Supervisors of Green Lake County, Green Lake Wisconsin, duly assembled at its regular meeting begun on the 19th day of March 2019, does ordain as follows:

Section 1. Green Lake County Ordinance, No. 979-2010 adopted on May 18, 2010, is amended as follows:

§ 187-11 Permit required to use boat launch.

No person shall use any County of Green Lake County-owned or -operated boat launch facility for launching purposes without an annual or daily launching permit. The annual permit shall be valid from April 1 of the year of issuance to March 31 of the next year. The daily permit shall only be valid during the day of purchase. Daily permits will be sold through self-registration at each boat launch site. Annual permits will be sold at the County Clerk's office and all establishments approved by the Parks Commission. Boat launch sites include Margaret Dodge Memorial Park and Sunset Park.

§187-12 Fees; Display of permit.

The annual permit fee shall be \$30 for residents and \$40 for nonresidents. "Resident" for the purposes of this article shall mean a resident of the County.

The daily permit fee shall be \$7.

A "boat launch" is defined as the use of the launch facility for the placement of one boat into the water and for the retrieval of the boat from the water to a trailer or device used to remove the boat from the water.

All annual permits shall be prominently placed and displayed on the interior of the driver's side windshield of the vehicle used to transport the boat to the launching area.

§ 187-14 Affixing of permit.

Vehicles with boat trailers or other vehicles used to transport water craft launched at any County-owned or -operated boat launch facility shall have affixed an annual launching permit as described in § 187-12 above when parking in the Margaret Dodge Memorial Park parking areas and the Sunset Park parking area.

§ 187-18 Violations and penalties.

Any person who shall violate any parking restriction under Chapter 187 shall forfeit \$50 for each violation, plus, if applicable, the costs of removal and storage of the vehicle.

A. If the \$50 prescribed above is not paid within 10 days after the citation was issued, and the citation is not contested, the forfeiture shall increase to \$100.

B. If the \$100 is not paid within 20 days of the citation, collection action for the forfeiture or proceedings to suspend the vehicle owner's registration as provided for in W.S.A. § 345.28 will be commenced, and an additional administrative fee of \$50 shall be added to the forfeiture amount bringing the total due to \$150.

Section 2. This ordinance shall become effective upon passage and publication.

Section 3. The repeal and recreation of any section herein shall not have any effect on existing litigation and shall not operate as an abatement of any action or proceeding then pending or by virtue of the repealed sections.

Section 4. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

Parks Commission recommends approval

Passed and Adopted this 19th day of March 2019

Roll Call on Ordinance 6-2019

Ayes 17, Nays 0, Absent 2, Abstain 0

Submitted by Parks Commission: /s/ William Boutwell, Chair; /s/ Vicki Bernhagen; /s/ Todd Morris; /s/Curt Talma

GREEN LAKE COUNTY BOARD PROCEEDINGS ORGANIZATIONAL SESSION

April 16, 2019

The Green Lake County Board of Supervisors met in regular session, Tuesday, April 16, 2019, at 9:00 AM in the County Board Room, Green Lake, Wisconsin for the organizational meeting.

The Board was called to order by Harley Reabe, Chairman. Roll call taken - Present – 19, Absent – 0.

Supervisor

Larry Jenkins

Vicki Bernhagen

Supervisor Districts

1

2

Curtis Talma	3
David Abendroth	4
Peter Wallace	5
Brian Floeter	6
Charlie Wielgosh	7
Patti Garro	8
William Boutwell	9
Sue Wendt	10
Harley Reabe	11
Robert Schweder	12
Kathy Morris	13
Dennis Mulder	14
Katie Mehn	15
Joe Gonyo	16
Keith Hess	17
Richard Trochinski	18
Robert Lyon	19

READING OF THE CALL

The Green Lake County Board of Supervisors will convene at the Courthouse at the Government Center in the City of Green Lake, Wisconsin on Tuesday the 16th day of April, 2019 at 9:00 AM for the regular meeting of the Board. Regular monthly business to be transacted includes:

CALL TO ORDER

ROLL CALL

READING OF THE CALL

PLEDGE OF ALLEGIANCE

MINUTES OF 03/19/19

ANNOUNCEMENTS

PUBLIC COMMENT (3 MIN LIMIT)

CORRESPONDENCE

ORGANIZATION DIRECTION TO COMMITTEES

APPEARANCES

- Josh Dirkes, Aegis Corporation – Worker's Compensation policy update
- Conservation Poster Contest Awards – 9:45
- Student appearances relating to County Government Day – 10:30

INTRODUCTION OF COUNTY BOARD SUPERVISORS

EMPLOYEE RECOGNITION AWARDS FOR 2018

RESOLUTIONS

- Resolution 4-2019 Relating to Committed Funds for 2019 as Required by GASB #54

ORDINANCES

- Ordinance 7-2019 Amending Chapter 103, Animals, Article III Restricted Animals
- Ordinance 8-2019 Rezone in the Town of Manchester: Manchester Rod & Gun Club, Dale Justmann
- Ordinance 9-2019 Rezone in the Town of Brooklyn: Charles E. Hutchinson, Holly A. Sina, Donald J. Hutchinson, III

BUDGET ADJUSTMENTS

2018 ANNUAL REPORTS

COMMITTEE APPOINTMENTS

CLOSED SESSION

- Consider motion to convene into closed session per WI Statute §19.85(1)(g) conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is involved. The case is The Estate of Ryan Clark v. Green Lake County, et al.

DEPARTMENTS TO REPORT ON May 21, 2019

FUTURE AGENDA ITEMS FOR ACTION & DISCUSSION

OTHER MATTERS AUTHORIZED BY LAW

AND SUCH OTHER BUSINESS AS MAY PROPERLY COME BEFORE THE BOARD OF SUPERVISORS.

ADJOURN

Given under my hand and official seal at the Government Center in the City of Green Lake, Wisconsin this 11th day of April, 2019.

Elizabeth A. Otto

Green Lake County Clerk

PLEDGE OF ALLEGIANCE

1. The Pledge of Allegiance to the Flag was recited.

MINUTES OF 03/19/2019

2. **Motion/second (Boutwell/Garro)** to approve the minutes of March 19, 2019 with no changes or corrections. All Ayes. Motion carried.

ANNOUNCEMENTS

3. Chairman Reabe stated that this is the annual Student Government Day and reminded all supervisors they are welcome to join the students for lunch at noon at the American Legion building in Green Lake.
4. The next County Board meeting will take place on May 21, 2019 at 6:00 PM.
5. The annual WCA (Wisconsin Counties Association) conference will be held on September 22-24, 2019 in Wisconsin Dells. Chairman Reabe urged all supervisors to consider attending.

PUBLIC COMMENTS (3 Minute Limit)

6. None

CORRESPONDENCE

7. None

ORGANIZATION DIRECTION TO COMMITTEES

8. Chairman Reabe advised all board members that current appointments remain intact for 2 years per the updated County Board rules.

APPEARANCES

9. Josh Dirkse, Aegis Corporation, gave a presentation on Green Lake County's Workmans Compensation policy with Wisconsin County Mutual.
10. **Motion/second (Garro/Bernhagen)** to recess at 9:30 AM. All ayes. Motion carried.
11. Chairman Reabe reconvened the meeting at 9:51 AM.
12. The poster contest winners were presented with certificates from Paul Gunderson, Land Conservation Director. There were 104 participants this year and the top 3 winners in each division received recognition. The theme of this year's contest was "Life in the Soil – Dig Deeper". Gunderson thanked all of the students and teachers for their participation.
13. **Motion/second (Garro/Mulder)** to recess at 10:12 AM. All ayes. Motion carried.
14. Chairman Reabe reconvened the meeting at 10:32 AM.

STUDENT APPEARANCES RELATING TO COUNTY GOVERNMENT DAY

15. Chairman Reabe welcomed all of the area students and chaperones. Jon Vandeyacht, Veterans Service Officer, presented the students from the 4 participating schools. Students gave reports from the various county offices and departments they visited.

INTRODUCTION OF COUNTY BOARD SUPERVISORS

16. Each supervisor introduced themselves and gave a brief outline of their district. All of the veterans in attendance were recognized as well.

EMPLOYEE RECOGNITION AWARDS FOR 2018

17. Chairman Reabe thanked the following employees for their years of service through 2018:
5 years – Jennifer Dille, Kristen Dorsch, Tara Eichstedt, Dale Grahn, Christina Hilscher, Jason Jerome, Roberta Kenton, Trent Kuphal, Angela Petruske, Angela Smit, Charles Thom, Tawnii Thompson, Zachary Walker
Each one will receive a certificate.
10 years – Shannon Jahsman, Elizabeth Otto, Adam Quade, Daniel Steckbauer, Sherri Wandersee, Scott Weir, Stephen Wiannecki
15 years – Sheila Pulice, Matthew Thill, Kim Zills
20 years – Mark Podoll
25 years – Mitzi Putzke
30 years – Karen Davis, Katherine Doro, Barry Mashuda, Mark Putzke, Vanessa Schultz
Each one will receive a certificate and a \$25.00 gas card
18. Supervisor Boutwell, District 9, was excused from the meeting at 11:20 AM. Supervisors present – 18, Absent 1 (Boutwell).

RESOLUTIONS

19. Resolution 4-2019 Relating to Committed Funds for 2019 as Required by GASB #54. **Motion/second (Garro/Jenkins)** to adopt Resolution No. 4-2019. No discussion. Roll Call vote on Motion to adopt – Ayes – 18, Nays – 0, Absent – 1 (Boutwell), Abstain – 0. Motion carried.

ORDINANCES

20. Ordinance 7-2019 Amending Chapter 103, Animals, Article III Restricted Animals. **Motion/second (Hess/Wendt)** to enact Ord. No. 7-2019. No discussion. Roll Call vote on Motion to enact – Ayes – 18, Nays - 0, Absent – 1 (Boutwell), Abstain – 0. Motion carried. Ordinance No. 7-2019 passed as enacted.
21. Ordinance 8-2019 Rezone in the Town of Manchester: Manchester Rod & Gun Club, Dale Justmann. **Motion/second (Schweder/Abendroth)** to enact Ord. No. 8-2019. No discussion. Roll Call vote on Motion to enact – Ayes – 18, Nays - 0, Absent – 1 (Boutwell), Abstain – 0. Motion carried. Ordinance No. 8-2019 passed as enacted.
22. Ordinance 9-2019 Rezone in the Town of Brooklyn: Charles E. Hutchinson, Holly A. Sina, Donald J. Hutchinson, III. **Motion/second (Wallace/Garro)** to enact Ord. No. 9-2019. No discussion. Roll Call vote on Motion to enact – Ayes – 18, Nays - 0, Absent – 1 (Boutwell), Abstain – 0. Motion carried. Ordinance No. 9-2019 passed as enacted.

BUDGET ADJUSTMENTS

23. UW-Extension – adjust the revenue and expense accounts for Agricultural Programs by \$1,560 for the Hemp Information meeting.
24. Land Use Planning & Zoning – adjust 4 revenue accounts and 6 expense accounts for 2018 by \$6,357 to balance accounts.
- Motion/second (Hess/Mulder)** to approve budget adjustments as presented. Roll call vote – Ayes - 18, Nays - 0, Absent – 1 (Boutwell), Abstain - 0. Motion carried.

2018 ANNUAL REPORTS

25. **Motion/second (Bernhagen/Wallace)** to accept the 2018 annual reports as presented. All ayes. Motion carried.

COMMITTEE APPOINTMENTS

26. Chair Harley Reabe appointed the following people to various committees:
Health & Human Services Board – Nancy Hoffman and Joy Waterbury with terms to expire in 2021
Aging Advisory Committee – Gloria Lichtfuss with a term to expire in 2022
Aging & Disability Resource Center Advisory Committee – Joy Waterbury, Citizen/Consumer Representative with a term to expire in 2021
Health Advisory Committee – Tammy Bending, ThedaCare-Berlin; Jeanne M. Lyke, MD, Agnesian-Ripon; Nancy Hoffmann, DHH Board Member; DeAnn Thurmer, RN-Agnesian. All terms expire in 2021
Transportation Coordinating Committee – Jon Vandeyacht, Veterans Service Officer; Gerald Beuthin, citizen; Judy Bender, Southern Green Lake Transportation. All terms expire in 2021.
Green Lake County LEPC – Ben Jenkins, UWEX Agriculture Agent; Barry Mashuda, Highway Commissioner; Bob Mayer, Red Cross; Greg Skaar, Markesan Resident Home
Family Resource Council – Kathy Anderson-Kemnitz, Community rep; Tony Beregszazi, ADVOCAP rep; Jessica Biemeier, ASTOP rep; Tammi Eastling, parent; Lynn Moen, DA rep; Mark Podoll, Law Enforcement rep; Francesca Pribnow (term ends in 2020), Rachel Schackow, Health rep; Marian Sommerfeldt, Community rep. All terms expire in 2021 unless otherwise stated.
Ex-Officio members – Shelby Jensen, ESU rep; Jason Jerome, HHS Director
27. **Motion/second (Floeter/Abendroth)** to approve all appointments. All ayes. Motion carried.

CLOSED SESSION

28. **Motion/second (Mulder/Jenkins)** to convene into closed session per WI Statute §19.85(1)(g) conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is involved. The case is The Estate of Ryan Clark v. Green Lake County, et al.
Roll Call vote to convene into closed session at 11:38 AM – Ayes – 18, Nays - 0, Absent – 1 (Boutwell), Abstain – 0. Motion carried.

RECONVENE TO OPEN SESSION TO TAKE ACTION, IF APPROPRIATE, ON MATTERS DISCUSSED IN CLOSED SESSION

29. **Motion/second (Gonyo/Garro)** to reconvene into open session at 11:54 AM.
Roll Call vote to reconvene into open session – Ayes – 18, Nays - 0, Absent – 1 (Boutwell), Abstain – 0. Motion carried.

DEPARTMENTS TO REPORT ON May 21, 2019

30. Chair Reabe stated that Supervisor Keith Hess will give a presentation on his Honor Flight trip to Vietnam.

FUTURE AGENDA ITEMS FOR ACTION & DISCUSSION

31. None

ADJOURN

32. Chairman Reabe adjourned the meeting at 11:55 AM.
Respectfully Submitted,
Elizabeth A. Otto
County Clerk

RESOLUTION NUMBER 4-2019

Relating to Committed Funds for 2019 as Required by GASB #54

The County Board of Supervisors of Green Lake County, Green Lake, Wisconsin, duly assembled at its regular meeting begun on the 16th day of April 2019, does resolve as follows:

WHEREAS, Green Lake County is required by the Governmental Accounting Standards Board (GASB) as outlined in *GASB #54 Fund Balance Reporting and Governmental Fund Type Definitions*, to classify governmental fund balances and establish conditions for spending any stabilization arrangements by close of December 31, 2018;

NOW THEREFORE BE IT RESOLVED, that the Green Lake County Board of Supervisors does hereby establish the committed funds attached to this Resolution to be in place from January 1, 2019 until such a time as a change is made by resolution of the Green Lake County Board.

Fiscal note is attached.

Majority vote is needed to pass.

Finance Committee recommends approval

Passed and Adopted this 16th day of April 2019

Roll Call on Resolution 4-2019

Ayes 18, Nays 0, Absent 1, Abstain 0

Submitted by Finance Committee: /s/ Harley Reabe, Chair; /s/ Larry Jenkins; /s/ Robert Lyon; /s/ Brian Floeter

ORDINANCE NO. 7–2019

Amending Chapter 103, Animals, Article III Restricted Animals.

The County Board of Supervisors of Green Lake County, Green Lake Wisconsin, duly assembled at its regular meeting begun on the 16th day of April 2019, does ordain as follows:

Section 1. Green Lake County Ordinance, No. 1130-2015, Adopted December 15, 2015 is hereby amended as follows:

103-27. Definitions

Domestic Animal

Any species that has been selectively bred for hundreds of generations to accept humans or live with humans so as to live and breed in a tame condition, depend on humankind for survival, and are commonly considered to be domesticated in the United States. Domestic animals include

- a. Companion animals,
- b. Livestock,
- c. Farm-raised deer,
- d. A pet bird,
- e. Farm-raised game birds not released to the wild,
- f. Poultry,
- g. Ratites,
- h. Farm-raised fish not released to the waters of the state, and
- i. Foxes, fitch, nutria, marten, fisher, mink, chinchilla, rabbit or caracul that are born, bred, and raised in captivity and are not endangered or threatened species.

Person

Any individual, partnership, firm, joint stock company, corporation, trust, estate, or other legal entity.

§103.29. Keeping of certain restricted animals.

A. Except as otherwise provided herein, no person within the unincorporated areas of Green Lake County shall own, keep, maintain, harbor, or have in his or her possession, or under his or her control, or sell, or offer to purchase, any wild animal, harmful wild animal, or animal with vicious or dangerous propensities, including, but not limited to, any of the following animals:

C. This section shall not apply to:

- (1) Any person exempt from licensing by the Department of Natural Resources under Wis. Ch. 169.
- (2) Any person exempt under Wis. Stat. §169.07
- (3) Any person who possesses a license or other approval issued by the Department of Natural Resources under Wis. Ch. 169 or §29.319 Wis. Stats. to possess, purchase, or sell a live wild animal.

D. Any person who is exempt under paragraph C. shall ensure that:

- (1) The location where the animal is housed conforms to the provisions of the zoning ordinances of the municipality in which the animal is housed;
- (2) The animal is handled and treated humanely in conformity with all state statutes and administrative codes applicable to that particular animal.
- (3) The licensed facility housing the animal conforms to all state statutes and administrative codes applicable to that particular animal;

Section 2. This ordinance shall become effective upon passage and publication.

Section 3. The repeal and recreation of any section herein shall not have any effect on existing litigation and shall not operate as an abatement of any action or proceeding then pending or by virtue of the repealed sections.

Section 4. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

Judicial Law Enforcement/Emergency Management Committee recommends approval

Passed and Enacted this 16th day of April 2019

Roll Call on Ordinance 7-2019

Ayes 18, Nays 0, Absent 1, Abstain 0

Submitted by Judicial Law Enforcement/Emergency Management Committee: /s/ Larry Jenkins, Chair; /s/ Sue Wendt, /s/ Peter Wallace; /s/ Kathy Morris

ORDINANCE NUMBER 8-2019

Relating to: Rezone in the Town of Manchester

Owners: Manchester Rod and Gun Club – Dale Justmann

The County Board of Supervisors of Green Lake County, Green Lake, Wisconsin, duly assembled at its regular meeting begun on the 16th day of April, 2019, does ordain as follows:

NOW, THEREFORE, BE IT ORDAINED, that the Green Lake County Zoning Ordinance, Chapter 350 as amended, Article IV Zoning Districts, Section 350-26. Official Map, as relates to the Town of Manchester, shall be amended as follows:

W3614 S. Gate Road, Parcel #012-00283-0100, Lot 1 Certified Survey Map 1659 (±1.0 acre);

Parcel #012-00285-0000, Lot 2 Certified Survey Map 1659 (±18.0 acres), Both parcels part of the SW¼ of Section 15, T14N, R12E, Town of Manchester.

BE IT FURTHER ORDAINED, that this ordinance shall become effective upon passage and publication.

Land Use Planning and Zoning Committee recommends approval

Passed and Enacted this 16th day of April 2019

Roll Call on Ordinance 8-2019

Ayes 18, Nays 0, Absent 1, Abstain 0

Submitted by Land Use Planning and Zoning Committee: /s/ Robert Lyon, Chair; /s/ Harley Reabe, Vice Chair; /s/ William Boutwell;

ORDINANCE NUMBER 9-2019

Relating to: Rezone in the Town of Brooklyn

**Owners: Charles Edwin Hutchinson, Holly Ann Sina,
Donald John Hutchinson, III**

The County Board of Supervisors of Green Lake County, Green Lake, Wisconsin, duly assembled at its regular meeting begun on the 16th day of April, 2019, does ordain as follows:

NOW, THEREFORE, BE IT ORDAINED, that the Green Lake County Zoning Ordinance, Chapter 350 as amended, Article IV Zoning Districts, Section 350-26. Official Map, as relates to the Town of Brooklyn, shall be amended as follows: County Road J, Parcels #004-00137-0000, #004-00142-0000, #004-00141-0000, ±120 acres, Part of the SW¼ and SE¼ of Section 7, T16N R13E, Town of Brooklyn; from A-1, Farmland Preservation District to R-4, Rural Residential District, in order to ultimately create three lots no larger than 5.9 acres by certified survey map.

BE IT FURTHER ORDAINED, that this ordinance shall become effective upon passage and publication.

Land Use Planning and Zoning Committee recommends approval

Passed and Enacted this 16th day of April 2019

Roll Call on Ordinance 9-2019

Ayes 18, Nay 0, Absent 1, Abstain 0

Submitted by Land Use Planning and Zoning Committee: /s/ Robert Lyon, Chair; /s/ Harley Reabe, Vice Chair; /s/ William Boutwell

GREEN LAKE COUNTY BOARD PROCEEDINGS REGULAR SESSION

May 21, 2019

The Green Lake County Board of Supervisors met in regular session, Tuesday, May 21, 2019, at 6:00 PM in the County Board Room, Green Lake, Wisconsin for the regular meeting.

The Board was called to order by Harley Reabe, Chairman. Roll call taken - Present – 17, Absent – 2 (Curtis Talma-District 3, Kathy Morris-District 13)

<u>Supervisor</u>	<u>Supervisor Districts</u>
Larry Jenkins	1
Vicki Bernhagen	2
David Abendroth	4
Peter Wallace	5
Brian Floeter	6
Charlie Wielgosh	7
Patti Garro	8
William Boutwell	9
Sue Wendt	10
Harley Reabe	11
Robert Schweder	12
Dennis Mulder	14
Katie Mehn	15
Joe Gonyo	16
Keith Hess	17
Richard Trochinski	18
Robert Lyon	19

READING OF THE CALL

The Green Lake County Board of Supervisors will convene at the Courthouse at the Government Center in the City of Green Lake, Wisconsin on Tuesday the 21st day of May, 2019 at 6:00 PM for the regular meeting of the Board. Regular monthly business to be transacted includes:

CALL TO ORDER

ROLL CALL

READING OF THE CALL

PLEDGE OF ALLEGIANCE

MINUTES OF 04/16/19

ANNOUNCEMENTS

PUBLIC COMMENT (3 MIN LIMIT)

CORRESPONDENCE

APPEARANCES

- Supervisor Keith Hess – Old Glory Honor Flight to Vietnam

RESOLUTIONS

- Resolution 5-2019 Relating to Eliminating the Account Budget Coordinator Position and Creating a Financial Manager Position in the Office of the County Administrator
- Resolution 6-2019 Relating to Supporting Construction and Maintenance of a Multiple Purpose Bicycle and Pedestrian Trail between Ripon and Green Lake along the State Road 23 Corridor
- Resolution 7-2019 Relating to Approval of County Road H Road Closure from STH 44 to CTH FF on June 8, 2019 from 7:00 AM to 5:00 PM
- Resolution 8-2019 Resolution for Targeted Runoff Management & Notice of Discharge Grants

ORDINANCES

- Ordinance 10-2019 Rezone in the Town of Manchester: William H. & Rosetta L. Bontrager
- Ordinance 11-2019 Amending Chapter 350 Zoning Ordinance, Article IV Zoning Districts, A-1 Farmland Preservation District

BUDGET ADJUSTMENTS

COMMITTEE APPOINTMENTS

DEPARTMENTS TO REPORT ON June 18, 2019

FUTURE AGENDA ITEMS FOR ACTION & DISCUSSION

AND SUCH OTHER BUSINESS AS MAY PROPERLY COME BEFORE THE BOARD OF SUPERVISORS.

ADJOURN

Given under my hand and official seal at the Government Center in the City of Green Lake, Wisconsin this 10th day of May, 2019.

Elizabeth A. Otto
Green Lake County Clerk

PLEDGE OF ALLEGIANCE

1. The Pledge of Allegiance to the Flag was recited.

MINUTES OF 04/16/2019

2. **Motion/second (Boutwell/Wallace)** to approve the minutes of April 16, 2019 with no changes or corrections. All Ayes. Motion carried.

ANNOUNCEMENTS

3. The next County Board meeting will take place on June 18, 2019 at 6:00 PM.
4. A copy of the 2018 County Board proceedings is on each supervisor's desk.
5. Each supervisor is receiving a copy of Falling Behind: Migration Changes & State Workforce, the first report from Wisconsin Counties Association's new division of Forward Analytics.

PUBLIC COMMENT (3 Minute Limit)

6. None

CORRESPONDENCE

7. None

APPEARANCES

8. Keith Hess, Supervisor #17, gave a presentation and slide show from his recent Old Glory Honor Flight to Vietnam.

RESOLUTIONS

9. Resolution 5-2019 Relating to Eliminating the Account Budget Coordinator Position and Creating a Financial Manager Position in the Office of the County Administrator. **Motion/second (Wendt/Boutwell)** to adopt Resolution No. 5-2019. Discussion held. **Motion/second (Abendroth/Schweder)** to postpone to next month. Roll Call vote on Motion to postpone – Ayes – 11, Nays – 6 (Floeter, Boutwell, Wendt, Reabe, Mulder, Mehn), Absent – 2 (Talma, Morris), Abstain – 0. Motion carried.
10. Resolution 6-2019 Relating to Supporting Construction and Maintenance of a Multiple Purpose Bicycle and Pedestrian Trail between Ripon and Green Lake along the State Road 23 Corridor. **Motion/second (Abendroth/Garro)** to adopt Resolution No. 6-2019. **Motion/second (Abendroth/Schweder)** to amend the resolution to remove the word “expected” from Line 28. Roll Call vote on Motion to amend – Ayes – 16, Nays – 1 (Wallace), Absent – 2 (Talma, Morris), Abstain – 0. Motion carried. Roll Call vote on Motion to adopt as amended – Ayes – 17, Nays – 0, Absent – 2 (Talma, Morris), Abstain – 0. Motion carried.
11. Resolution 7-2019 Relating to Approval of County Road H Road Closure from STH 44 to CTH FF on June 8, 2019 from 7:00 AM to 5:00 PM. **Motion/second (Hess/Mulder)** to adopt Resolution No. 7-2019. Roll Call vote on Motion to adopt – Ayes – 17, Nays – 0, Absent – 2 (Talma, Morris), Abstain – 0. Motion carried.
12. Resolution 8-2019 Resolution for Targeted Runoff Management & Notice of Discharge Grants. **Motion/second (Schweder/Mehn)** to adopt Resolution No. 8-2019. Discussion held. Roll Call vote on Motion to adopt – Ayes – 17, Nays – 0, Absent – 2 (Talma, Morris), Abstain – 0. Motion carried.

ORDINANCES

13. Ordinance 10-2019 Rezone in the Town of Manchester: William H. & Rosetta L. Bontrager. **Motion/second (Boutwell/Mulder)** to enact Ord. No. 10-2019. Roll Call vote on Motion to enact – Ayes – 17, Nays – 0, Absent – 2 (Talma, Morris), Abstain – 0. Motion carried. Ordinance No. 10-2019 passed as enacted.
14. Ordinance 11-2019 Amending Chapter 350 Zoning Ordinance, Article IV Zoning Districts, A-1 Farmland Preservation District. **Motion/second (Wallace/Trochinski)** to enact Ord. No. 11-2019. Roll Call vote on Motion to enact – Ayes – 17, Nays – 0, Absent – 2 (Talma, Morris), Abstain – 0. Motion carried. Ordinance No. 11-2019 passed as enacted.

BUDGET ADJUSTMENTS

15. County Clerk – transfer \$3,000 out of contingency into the Insurance Carryover revenue to pay for underwriting to determine health insurance options for 2020.

16. **Motion/second (Abendroth/Jenkins)** to approve budget adjustment as presented. Roll call vote – Ayes – 17, Nays – 0, Absent – (Talma, Morris), Absent - 0. Motion carried.

17. Land Use Planning & Zoning – adjust LiDar grant revenue fund by \$4,500 and 2 expense accounts due to extension of 2018 grant into 2019.

18. **Motion/second (Wendt/Boutwell)** to approve budget adjustment as presented. Roll call vote – Ayes - 17, Nays - 0, Absent – 2 (Talma, Morris), Abstain - 0. Motion carried.

COMMITTEE APPOINTMENTS

19. None

DEPARTMENTS TO REPORT ON June 18, 2019

20. Chair Reabe stated that Kathy Munsey, Green Lake County Health Officer, will give a report on the activities of the Health unit.

FUTURE AGENDA ITEMS FOR ACTION & DISCUSSION

21. None

ADJOURN

22. Chairman Reabe adjourned the meeting at 7:02 PM.

Respectfully Submitted,

Elizabeth Otto

County Clerk

RESOLUTION NUMBER 5-2019

Resolution was Postponed and Resubmitted as 9-2019

RESOLUTION NUMBER 6-2019

Relating to Supporting Construction and Maintenance of a Multiple Purpose Bicycle and Pedestrian Trail between Ripon and Green Lake along the State Road 23 Corridor

The County Board of Supervisors of Green Lake County, Green Lake, Wisconsin, duly assembled at its regular meeting begun on the 21st day of May 2019, does resolve as follows:

WHEREAS, considerable support exists from private citizens and local government officials in the Ripon and Green Lake area for a bicycle and pedestrian trail between Ripon and Green Lake; and,

WHEREAS, the engineering of a multi-use paved trail along the State Road 23 corridor is 90% complete and is ready to be put out to bid; and,

Fiscal note: this is a pass-through DNR grant project.

WHEREAS, private funds and grants have been secured to construct Phase I of the trail from the intersection of State Road 23, State Road 49, and County Road A in Green Lake to Forest Ridge Road and from Sunnyside Road in the Town of Brooklyn east to the county line at County Road PP; and,

WHEREAS, the County supports the private effort to raise additional funds to complete the construction of Phase 2 of the trail from Forest Ridge Road to Sunnyside Road; and,

WHEREAS, WisDOT has already extended several culvert pipes during the State Road 23 reconstruction in 2014, with sufficient additional length to accommodate a trail in the road corridor, reducing the cost of the proposed trail construction in the road right-of-way; and,

WHEREAS, Green Lake County officials have taken steps to enter into a partnership with WisDOT for construction of a trail between Green Lake and its east county line through a Memorandum of Agreement between the County and WisDOT; and,

WHEREAS, the County continues its support of the Memorandum of Agreement for the construction and maintenance of the segment of this trail located in the Town of Brooklyn between the east county line and the municipal boundary of the City of Green Lake, a distance of approximately 3.3 miles; and,

WHEREAS, the Wisconsin Department of Natural Resources has Stewardship Grants for trails such as this one; and,

WHEREAS, the private funds will be raised to fulfill part of the construction cost and the balance is to come from Wisconsin Department of Natural Resource grants.

NOW THEREFORE BE IT RESOLVED that Green Lake County will comply with state or federal rules for the programs; may perform force account work; will maintain the completed project in an attractive, inviting and safe manner; will keep the facilities open to the general public during reasonable hours consistent with the type of facility; and will obtain from the State of Wisconsin Department of Natural Resources or the National Park Service approval in writing before any change is made in the use of the project site.

BE IT FURTHER RESOLVED that the Green Lake County Board of Supervisors authorizes Green Lake Greenways to:

1. Prepare an application for the County Clerk to submit to the State of Wisconsin Department of Natural Resources for any financial aid that may be available;
2. Submit reimbursement claims along with necessary supporting documentation within six (6) months of project completion date;
3. Prepare all documents for signature by the County Clerk; and,
4. Take necessary action to undertake, direct and complete the approved project.

Majority vote is needed to pass.

Parks Commission recommends approval

Passed and Adopted this 21st day of May, 2019

Roll Call on Resolution 6-2019

Ayes 17, Nay 0, Absent 2, Abstain 0

Submitted by Parks Commission: /s/ William Boutwell, Chair; /s/ Jerry Speckt, Vice-chair; /s/ Vicki Bernhagen; /s/ Todd Morris;
/s/ Vonn Roberts; /s/ Curt Talma; /s/ Michael Shattuck

RESOLUTION NUMBER 7-2019

Resolution Relating to approval of CTH H road closure from STH 44 to CTH FF on June 8, 2019 from 7:00 am to 5:00 p.m.

The County Board of Supervisors of Green Lake County, Green Lake, Wisconsin, duly assembled at its regular meeting begun on the 21st day of May 2019, does resolve as follows:

WHEREAS, Wis. Stat. § 349.185 authorizes the authority in charge of the maintenance of a highway, including counties, to regulate community events or celebrations, processions or assemblages on the highways and to regulate the traffic of pedestrians upon the highways within its jurisdiction; and,

WHEREAS, the Amish vegetable auction house located on CTH H in the Dalton area is conducting an auction on June 8, 2019, and,

WHEREAS, due to increased traffic, parking and pedestrians needing to cross the highway, closure of the highway before, during and for a short time after the auction will increase safety for the motoring public.

NOW THEREFORE BE IT RESOLVED, that CTH H between State Highway 44 and CTH F shall be closed to through traffic between the hours of 7:00 a.m. and 5:00 p.m. on June 8, 2019.

BE IT FURTHER RESOLVED, that traffic coming to or going from the auction on June 8, 2019, may travel on the closed section of the highway.

BE IT FURTHER RESOLVED, that the cost to close the highway shall be paid by the auction house.

BE IT FURTHER RESOLVED, that the Green Lake County Sheriff's Department shall ensure that this highway closure is observed.

Majority vote is needed to pass.

Highway Committee recommends approval

Passed and Adopted this 21st day of May 2019

Roll Call on Resolution 7-2019

Ayes 17, Nay 0, Absent 2, Abstain 0

Submitted by Highway Committee: /s/ Dennis Mulder, Chair; /s/ David Abendroth; /s/ Vicki Bernhagen; /s/ Robert Schweder; /s/ Charlie Wielgosh

RESOLUTION NO. 8-2019

RESOLUTION FOR TARGETED RUNOFF MANAGEMENT & NOTICE OF DISCHARGE GRANTS

The County Board of Supervisors of Green Lake County, Green Lake Wisconsin, duly assembled at its regular meeting begun on the 21st day of May, 2019, does ordain as follows:

WHEREAS, GREEN LAKE COUNTY is interested in acquiring a grant from the Wisconsin Department of Natural Resources for the purpose of implementing measures to control agricultural or urban storm water runoff pollution sources (as described in the application and pursuant to ss. 281.65 or 281.66, Wis. Stats., and chs. NR 151, 153 and 154); and,

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

NOW, THEREFORE, BE IT RESOLVED, that Green Lake County Board of Supervisors authorizes the County Administrator to act on behalf of the Green Lake Land Conservation Committee to:

- Sign and submit an application to the State of Wisconsin Department of Natural Resources for any financial aid that may be available;
- Sign a grant agreement between the local government (applicant) and the Department of Natural Resources;

BE IT FURTHER RESOLVED, that Green Lake County Board of Supervisors authorizes the County Conservationist to act on behalf of the Green Lake Land Conservation Committee to:

- Enter into cost-share agreements with landowner/operator to install best management practices;
- Make cost-share payment to landowner/operator after payment is requested, evidence of contractor payment by landowner/operator has been received, and grantee has verified proper BMP installation;
- Sign and submit reimbursement claims along with necessary supporting documentation;
- Sign and submit interim and final reports and other documentation as required by the grant agreement;
- Sign and submit an Environmental Hazards Assessment Form, if required; and
- Take necessary action to undertake, direct and complete the approved project.

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

Land Conservation Committee recommends approval

Passed and Enacted this 21st day of May, 2019

Roll Call on Resolution 8-2019

Ayes 17, Nays 0, Absent 2, Abstain 0

Submitted by Land Conservation Committee: /s/ Patricia Garro; /s/ Katie Mehn, Vice Chair; /s/ William Boutwell; /s/ Andrew Bender

ORDINANCE NO. 10-2019
Relating to: Rezone in the Town of Manchester
Owners: William H. and Rosetta L. Bontrager

The County Board of Supervisors of Green Lake County, Green Lake Wisconsin, duly assembled at its regular meeting begun on the 21st day of May, 2019, does ordain as follows:

NOW, THEREFORE, BE IT ORDAINED that the Green Lake County Zoning Ordinance, Chapter 350 as amended, Article IV Zoning Districts, Section 350-26 Official Map, as relates to the Town of Manchester, shall be amended as follows:

W3986 County Road X, Parcel #012-00396-0100 (±5.0 acres) being Lot 1 and Outlot 1 of Certified Survey Map 2880, and Parcel #012-00398-0100 (±1.09 acres) being Lot 1 of Certified Survey Map 1925 located in Section 21, T14N R12E; Rezone ±6.09 acres from A-1 Farmland Preservation District to R-4 Rural Residential District. To be identified by certified survey map.

BE IT FURTHER ORDAINED, that this ordinance shall become effective upon passage and publication.

Land Use Planning & Zoning Committee recommends approval

Passed and Adopted this 21st day of May, 2019

Roll Call on Resolution 10-2019

Ayes 17, Nays 0, Absent 2, Abstain 0

Submitted by the Land Use Planning and Zoning Committee: /s/ Robert Lyon, Chair; /s/ Harley Reabe, Vice Chair; /s/ William Boutwell; /s/ Curt Talma; /s/ Peter Wallace

ORDINANCE NO. 11-2019

Amending Chapter 350 Zoning Ordinance, Article IV Zoning Districts, A-1 Farmland Preservation District

The County Board of Supervisors of Green Lake County, Green Lake Wisconsin, duly assembled at its regular meeting begun on the 21st day of May 2019, does ordain as follows:

WHEREAS, The Farmland Preservation Plan which was adopted in February 2016 was designed and based upon an eight (8) acre minimum parcel for the A-1 Farmland Preservation District.

WHEREAS, The Farmland Preservation ordinance adopted a 15 acre minimum parcel for the A-1 Farmland Preservation District.

WHEREAS, The Land Use Planning and Development Committee, after consultation with the Land Use Planning and Development Department, has determined that an eight (8) acre minimum parcel for the A-1 Farmland Preservation District will result in fewer parcels being rezoned and removed from the Farmland Preservation District and increase the potential for new land being rezoned into the Farmland Preservation District.

NOW, THEREFORE, THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF GREEN LAKE DOES ORDAIN AS FOLLOWS:

Section 1. Green Lake County Ordinance, Chapter 350 Zoning, Article IV Zoning Districts, adopted by Ord. No. 146-76 on June 15, 1976, and as amended from time-to-time, is hereby amended to read:

§350-27 A-1 Farmland Preservation District.

A. Purpose. The purpose of this district is to promote areas for uses of a generally exclusive agricultural nature in order to protect farmland and to allow participation in the state's farmland preservation program. Land zoned under this district must comply with the following:

(3) Area, height and setback requirements:

(a) Dimensional standards: A lot or parcel shall have no less than ~~45~~ eight (8) acres of contiguous land area.

Section 2. This ordinance shall become effective upon passage and publication.

Section 3. The repeal and recreation of any section herein shall not have any effect on existing litigation and shall not operate as an abatement of any action or proceeding then pending or by virtue of the repealed sections.

Section 4. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

Land Use Planning and Zoning Committee: /s/ Robert Lyon, Chair; /s/ Harley Reabe, Vice-Chair; /s/ William Boutwell; /s/ Curt Talma; /s/ Peter Wallace

GREEN LAKE COUNTY BOARD PROCEEDINGS

REGULAR SESSION

June 18, 2019

The Green Lake County Board of Supervisors met in regular session, Tuesday, June 18, 2019, at 6:00 PM in the County Board Room, Green Lake, Wisconsin for the regular meeting.

The Board was called to order by Harley Reabe, Chairman. Roll call taken - Present – 17, Absent – 2 (Larry Jenkins-District 1, Curt Talma-District 3)

Supervisor
Vicki Bernhagen
David Abendroth
Peter Wallace
Brian Floeter

Supervisor Districts
2
4
5
6

Charlie Wielgosh	7
Patti Garro	8
William Boutwell	9
Sue Wendt	10
Harley Reabe	11
Robert Schweder	12
Kathy Morris	13
Dennis Mulder	14
Katie Mehn	15
Joe Gonyo	16
Keith Hess	17
Richard Trochinski	18
Robert Lyon	19

READING OF THE CALL

The Green Lake County Board of Supervisors will convene at the Courthouse at the Government Center in the City of Green Lake, Wisconsin on Tuesday the 18th day of June, 2019 at 6:00 PM for the regular meeting of the Board. Regular monthly business to be transacted includes:

CALL TO ORDER

ROLL CALL

READING OF THE CALL

PLEDGE OF ALLEGIANCE

MINUTES OF 05/21/19

ANNOUNCEMENTS

PUBLIC COMMENT (3 MIN LIMIT)

CORRESPONDENCE

APPEARANCES

- Kathy Munsey - Green Lake County Health Officer

RESOLUTIONS

- Resolution 9-2019 Relating to Eliminating the Account Budget Coordinator Position and Creating a Financial Manager Position in the Office of the County Administrator
- Resolution 10-2019 Resolution Establishing 2020 Annual Budgeted Allocation for Pay for Performance

ORDINANCES

- Ordinance 12-2019 Rezone in the Town of Brooklyn: Mary L. Athanasioiu, Personal Representative of John P. Mirr
- Ordinance 13-2019 Rezone in the Town of Brooklyn: Michael T. Durant

BUDGET ADJUSTMENTS

COMMITTEE APPOINTMENTS

DEPARTMENTS TO REPORT ON August 20, 2019

FUTURE AGENDA ITEMS FOR ACTION & DISCUSSION

AND SUCH OTHER BUSINESS AS MAY PROPERLY COME BEFORE THE BOARD OF SUPERVISORS.

ADJOURN

Given under my hand and official seal at the Government Center in the City of Green Lake, Wisconsin this 7th day of June, 2019.

Elizabeth A. Otto

Green Lake County Clerk

PLEDGE OF ALLEGIANCE

- The Pledge of Allegiance to the Flag was recited.

MINUTES OF 05/21/2019

- Motion/second (Hess/Wendt)** to approve the minutes of May 21, 2019 with no changes or corrections. All Ayes. Motion carried.

ANNOUNCEMENTS

- The next County Board meeting will take place on August 20, 2019 at 6:00 PM. There is no meeting scheduled for July.

PUBLIC COMMENT (3 Minute Limit)

- None

CORRESPONDENCE

- County Administrator Cathy Schmit provided an outline of dates and deadlines for staff and committees in regard to the 2020 budget process. Schmit advised that all committee chairs should make sure that a budget discussion is included on committee agendas prior to final approval.

APPEARANCES

6. Kathy Munsey, Green Lake County Health Officer, spoke in regard to the health in all policies resolution which was passed in 2014 that requires committees to actively support health when considering all resolutions, ordinances, and policies prior to approval. Munsey spoke on the current state health ranking of Green Lake County which is 53 out of 72 counties. Housing is a major factor in the county's lower ranking so Munsey addressed examples of code violations and ideas to improve in that area.

RESOLUTIONS

7. Resolution 9-2019 Relating to Eliminating the Account Budget Coordinator Position and Creating a Financial Manager Position in the Office of the County Administrator. **Motion/second (Abendroth/Wendt)** to adopt Resolution No. 9-2019. **Motion/second (Lyon/Schweder)** to amend the resolution to change Line 26 of the resolution from Pay Grade 10 to Pay Grade 11. Discussion held. Roll call vote on motion to amend – Ayes – 13, Nays – 3 (Garro, Wendt, Reabe), Absent – 2 (Jenkins, Talma), Abstain – 1 (Boutwell). Motion carried. **Motion/second (Abendroth/Hess)** to postpone the resolution until a meeting is scheduled with the County Administrator to address questions. Discussion held. Roll call vote on motion to postpone – Ayes – 6 (Abendroth, Floeter, Wielgosh, Garro, Gonyo, Hess), Nays – 11, Absent – 2 (Jenkins, Talma). Motion to postpone failed. Roll call vote on motion to pass Resolution 10-2019 as amended – Ayes – 8 (Bernhagen, Wallace, Boutwell, Reabe, Schweder, Mulder, Mehn, Lyon), Nays – 8 (Abendroth, Floeter, Wielgosh, Garro, Wendt, Gonyo, Hess, Trochinski), Abstain – 1 (Morris), Absent – 2 (Jenkins, Talma). Motion failed – Resolution 9-2019 defeated.

8. Resolution 10-2019 Resolution Establishing 2020 Annual Budgeted Allocation for Pay for Performance. **Motion/second (Schweder/Gonyo)** to adopt Resolution No. 10-2019. Discussion held. Roll Call vote on Motion to adopt – Ayes – 15, Nays – 1 (Garro), Absent – 2 (Jenkins, Talma), Abstain – 1 (Abendroth). Motion carried.

ORDINANCES

9. Ordinance 12-2019 Rezone in the Town of Brooklyn: Mary L. Athanasiou, Personal Representative of John P. Mirr. **Motion/second (Lyon/Schweder)** to enact Ord. No. 12-2019. **Motion/second (Lyon/Floeter)** to amend the resolution to correct all text within the resolution from the Town of Brooklyn to the Town of Berlin. Roll call on motion to amend – Ayes – 17, Nays – 0, Absent – 2 (Jenkins, Talma), Abstain – 0. Motion carried. Voice vote taken to enact Ordinance 12-2019 as amended. All ayes. Motion carried.

10. Ordinance 13-2019 Rezone in the Town of Brooklyn: Michael T. Durant. **Motion/second (Boutwell/Wendt)** to enact Ord. No. 13-2019. No discussion. Roll Call vote on Motion to enact – Ayes – 17, Nays - 0, Absent – 2 (Jenkins, Talma), Abstain – 0. Motion carried. Ordinance No. 13-2019 passed as enacted.

BUDGET ADJUSTMENTS

11. Register of Deeds – adjust revenue and expense accounts by \$1,536.00 due to Laredo customer closing their account. **Motion/second (Abendroth/Boutwell)** to approve budget adjustment as presented. Roll call vote – Ayes - 17, Nays - 0, Absent – 2 (Jenkins, Talma), Abstain - 0. Motion carried.

12. Sheriff's Office – adjust Capital Outlay budget by \$17,582.32 to purchase and install new equipment in the drone/crime scene trailer. **Motion/second (Hess/Trochinski)** to approve budget adjustment as presented. Roll call vote – Ayes - 17, Nays - 0, Absent – 2 (Jenkins, Talma), Abstain - 0. Motion carried.

COMMITTEE APPOINTMENTS

13. Chair Harley Reabe appointed the following individuals to various committees:

- Janice Hardesty to the Board of Adjustment with a term ending 06/30/2022
- Ben Moderow from an alternate to full time member of the Board of Adjustment with a term ending 06/30/2020
- Rick Dornfeld as an alternate to the Board of Adjustment with a term ending 06/30/2021
- Ron Thiem to the Economic Development Corporation with a term ending 04/19/2021
- Scott Sommers reappointed to the Economic Development Corporation with a term ending 04/19/2021
- Patty Pieper to the WinneFox Library Board with a term ending 04/18/2022

14. **Motion/second (Abendroth/Boutwell)** to approve all appointments. All ayes. Motion carried.

DEPARTMENTS TO REPORT ON August 20, 2019

15. Chair Reabe stated that Dale Knapp of the Wisconsin Counties Association will provide a report on statistical information by county gathered by the WCA.

FUTURE AGENDA ITEMS FOR ACTION & DISCUSSION

16. None

ADJOURN

17. Chairman Reabe adjourned the meeting at 6:59 PM.
Respectfully Submitted,
Elizabeth Otto
County Clerk

RESOLUTION 9-2019 - RESOLUTION WAS REJECTED

Relating to Eliminating the Account Budget Coordinator Position and Creating a Financial Manager Position in the Office of the County Administrator

RESOLUTION NUMBER 10-2019

Establishing 2020 Annual Budgeted Allocation for Pay for Performance

The County Board of Supervisors of Green Lake County, Green Lake, Wisconsin, duly assembled at its regular meeting begun on the 18th day of June 2019, does resolve as follows:

WHEREAS, Green Lake County strives to provide maximum service to its residents while minimizing the financial impact of county taxes on taxpayers, and

WHEREAS, Green Lake County continues to operate under State imposed budgetary constraints while providing mandated services, and

WHEREAS, Green Lake County has now established a policy and practice of compensating employees based on a competitive market salary rate, the quality of their performance, and future non-union wage adjustments shall be based on the merits of employee performance, and

WHEREAS, the County Administrator is developing the 2020 Proposed Annual Budget for review and adoption by the Green Lake County Board in November 2019, and wage costs must be incorporated into the budget as proposed and adopted.

NOW THEREFORE BE IT RESOLVED by the Green Lake County Board of Supervisors that for staff hired prior to July 1, 2019, each 2020 departmental budget shall include an amount equal to +/- 2.25% of gross wages to be allocated accordingly to staff based on the merits of employee performance as established during their individual annual performance review, and

BE IT FURTHER RESOLVED that any performance based wage increases will be effective January 1, 2020, with back pay distributed no later than the second payroll of April 2020 following finalization of the annual performance evaluation process with the funds being awarded strictly on the merits of each individual employee's performance, and

BE IT FURTHER RESOLVED that any departmental funds budgeted for these merit-based wage adjustments remaining after the annual performance review process has been completed shall be applied by the Financial Manager to any department merit pay line shortages and then transferred to the Non-Lapsing Retirement/Salary/Fringe Pool (Acct# 20-101-23-51820-999) to be available to cover budget variations that occur due to internal position postings, new position hires, retirements, merit pay variations, etc. that are unknown variables that impact budgeted salary/fringe benefits for the year, and

BE IT FURTHER RESOLVED that the purpose statement and fiscal note is a directive of the Green Lake County Board.

FISCAL NOTE: For 2020 the levied general pay increase based on employee performance shall not exceed **\$210,000.00**.

Budgeted proceeds not allocated as a merit increase shall be transferred to the Non-Lapsing Retirement/Salary/Fringe Pool (Acct# 20-101-23-51820-999) to cover budget variations that occur due to internal position postings, new position hires, retirements, merit pay variations, etc. that are unknown variables that impact budgeted salary/fringe benefits for the year.

Majority vote is needed to pass.

Personnel Committee recommends approval

Passed and Adopted this 18th day of June, 2019

Roll Call on Resolution 10-2019

Ayes 15, Nays 1, Absent 2, Abstain 1

Submitted by Personnel Committee: /s/ Joe Gonyo, Chair; /s/ Robert Schweder; /s/ Sue Wendt

ORDINANCE NO. 12 –2019

Relating to: Rezone in the Town of Berlin

Owner: Mary L. Athanasiou,

Personal Representative for the Estate of John P. Mirr

The County Board of Supervisors of Green Lake County, Green Lake, Wisconsin, duly assembled at its regular meeting begun on the 18th day of June, 2019, does ordain as follows:

NOW, THEREFORE, BE IT ORDAINED that the Green Lake County Zoning Ordinance, Chapter 350 as amended, Article IV Zoning Districts, Section 350-26 Official Map, as relates to the Town of Berlin, shall be amended as follows:

W1507 County Road AA, Parcel #002-00533-0100 (±14.9 acres); Part of the SW¼ of Section 28, T17N, R13E, Town of Berlin. Rezone ±3.3 acres from A-1 Farmland Preservation District to R-4 Rural Residential District. To be identified by certified survey map.

BE IT FURTHER ORDAINED, that this ordinance shall become effective upon passage and publication.

Land Use Planning & Zoning Committee recommends approval

Passed and Enacted this 18th day of June, 2019

Roll Call on Ordinance 12-2019

Ayes 17, Nays 0, Absent 2, Abstain 0

Submitted by Land Use Planning & Zoning Committee: /s/ Robert Lyon, Chair; /s/ Harley Reabe, Vice Chair; /s/ William Boutwell; /s/ Curt Talma

ORDINANCE NO. 13–2019

Relating to: Rezone in the Town of Brooklyn

Owner: Michael T. Durant

The County Board of Supervisors of Green Lake County, Green Lake, Wisconsin, duly assembled at its regular meeting begun on the 18th day of June, 2019, does ordain as follows:

NOW, THEREFORE, BE IT ORDAINED that the Green Lake County Zoning Ordinance, Chapter 350 as amended, Article IV Zoning Districts, Section 350-26 Official Map, as relates to the Town of Brooklyn, shall be amended as follows:

N6199 County Road A, #004-00398-0100 (±119.9 acres); Part of Certified Survey Map 3517, Section 17, T16N, R13E, Town of Brooklyn. Rezone ±4.29 acres from A-1 Farmland Preservation District to R-4 Rural Residential District. To be identified by certified survey map.

BE IT FURTHER ORDAINED, that this ordinance shall become effective upon passage and publication.

Land Use Planning and Zoning Committee recommends approval

Passed and Enacted this 18th day of June 2019

Submitted by Land Use Planning and Zoning Committee: /s/ Robert Lyon, Chair; /s/ Harley Reabe, Vice Chair; /s/ William Boutwell; /s/ Curt Talma

GREEN LAKE COUNTY BOARD PROCEEDINGS

REGULAR SESSION

August 20, 2019

The Green Lake County Board of Supervisors met in regular session, Tuesday, August 20, 2019, at 6:00 PM in the County Board Room, Green Lake, Wisconsin for the regular meeting.

The Board was called to order by Harley Reabe, Chairman. Roll call taken - Present – 16, Absent – 3 (Patti Garro-District 8, William Boutwell-District 9, Katie Mehn-District 15)

<u>Supervisor</u>	<u>Supervisor Districts</u>
Larry Jenkins	1
Vicki Bernhagen	2
Curt Talma	3
David Abendroth	4
Peter Wallace	5
Brian Floeter	6
Charlie Wielgosh	7
Sue Wendt	10
Harley Reabe	11
Robert Schweder	12
Kathy Morri	13
Dennis Mulder	14
Joe Gonyo	16
Keith Hess	17
Richard Trochinski	18
Robert Lyon	19

READING OF THE CALL

The Green Lake County Board of Supervisors will convene at the Courthouse at the Government Center in the City of Green Lake, Wisconsin on Tuesday the 20th day of August, 2019 at 6:00 PM for the regular meeting of the Board. Regular monthly business to be transacted includes:

CALL TO ORDER

ROLL CALL

READING OF THE CALL

PLEDGE OF ALLEGIANCE

MINUTES OF 06/18/19

ANNOUNCEMENTS

PUBLIC COMMENT (3 MIN LIMIT)

RECOGNITION OF SARAH GUENTHER, REGISTER OF DEEDS – CERTIFIED PUBLIC MANAGER COMPLETION

CORRESPONDENCE

- Child Support Awareness Month in Wisconsin

APPEARANCES

- Dale Knapp, Wisconsin Counties Association – county statistical information update

RESOLUTIONS

- Resolution 11-2019 Relating to Cancellation of Outstanding Checks
- Resolution 12-2019 Resolution for Short-Term Borrowing on Promissory Notes per WI Stat §67.12(12) for Repair and Reconstruction of County Trunk Highways
- Resolution 13-2019 Resolution Relating to Consortium Agreement for the Chief Elected Officials of the Fox Valley Workforce Development Area
- Resolution 14-2019 Resolution Relating to Eliminating the Teacher Position and Creating a Community Integration Planner Position in Fox River Industries (FRI)
- Resolution 15-2019 Relating to Creating a Part-Time Alternate Care Coordinator Position in the Health and Human Services Children and Families (C&F) Unit

ORDINANCES

- Ordinance 14-2019 Rezone in the Town of Brooklyn: Green Lake Flooring, LLC – John Voigt

BUDGET ADJUSTMENTS

- Sheriff's Office – Staff Development transfer

COMMITTEE APPOINTMENTS

DISCUSSION AND INFORMATION REGARDING JOB CREATION PROCESS

DISCUSSION ON INFORMATION REGARDING BUDGET EXPENDITURES
DISCUSSION ON SUPERVISOR INFORMATION ACCESS
DEPARTMENTS TO REPORT ON September 17, 2019
FUTURE AGENDA ITEMS FOR ACTION & DISCUSSION
ADJOURN

Given under my hand and official seal at the Government Center in the City of Green Lake, Wisconsin this 15 day of August, 2019.

Elizabeth A. Otto
Green Lake County Clerk

PLEDGE OF ALLEGIANCE

1. The Pledge of Allegiance to the Flag was recited.

MINUTES OF 06/18/2019

2. **Motion/second (Trochinski/Wendt)** to approve the minutes of June 18, 2019 with no changes or corrections. Motion carried with no negative vote.

ANNOUNCEMENTS

The next County Board meeting will take place on September 17, 2019 at 6:00 PM.

PUBLIC COMMENT (3 Minute Limit)

4. None

RECOGNITION OF SARAH GUENTHER, REGISTER OF DEEDS – CERTIFIED PUBLIC MANAGER COMPLETION

5. Chairman Reabe recognized Sarah Guenther, Register of Deeds, for her completion of the Certified Public Manager course in May of 2019.

CORRESPONDENCE

6. County Clerk Liz Otto read a press release from Deb Barnes, President of the Wisconsin Child Support Enforcement Association, stating that Governor Evers has proclaimed August 2019 as Child Support Awareness Month in Wisconsin.

APPEARANCES

7. Dale Knapp of the Wisconsin Counties Association gave a presentation on county statistical information and projected changes within the 7 counties making up the ICC (Intercounty Coordinating Committee) which include Green Lake, Marquette, Jefferson, Dodge, Sauk, and Waushara counties.

RESOLUTIONS

8. Resolution 11-2019 Relating to Cancellation of Outstanding Checks. **Motion/second (Hess/Abendroth)** to adopt Resolution No. 11-2019. No discussion. Roll call vote on motion to adopt Resolution 11-2019 – Ayes – 16, Nays – 0, Abstain – 0, Absent – 3 (Garro, Boutwell, Mehn). Motion carried.

9. Resolution 12-2019 Resolution for Short Term Borrowing on Promissory Notes per WI Stat §67.12(12) for Repair and Reconstruction of County Trunk Highways. **Motion/second (Wielgosh/Schweder)** to adopt Resolution No. 12-2019. County Administrator Cathy Schmit explained the process. Discussion held. Roll Call vote on Motion to adopt Resolution 12-2019 – Ayes – 16, Nays – 0, Absent – 3 (Garro, Boutwell, Mehn), Abstain – 0. Motion carried.

10. Resolution 13-2019 Resolution Relating to Consortium Agreement for the Chief Elected Officials of the Fox Valley Workforce Development Area. **Motion/second (Mulder/Jenkins)** to adopt Resolution No. 13-2019. No discussion. Roll Call vote on Motion to adopt Resolution 12-2019 – Ayes – 16, Nays – 0, Absent – 3 (Garro, Boutwell, Mehn), Abstain – 0. Motion carried.

11. Resolution 14-2019 Resolution Relating to Eliminating the Teacher Position and Creating a Community Integration Planner Position in Fox River Industries (FRI). **Motion/second (Wendt/Gonyo)** to adopt Resolution No. 14-2019. No discussion. Roll Call vote on Motion to adopt Resolution 14-2019 – Ayes – 16, Nays – 0, Absent – 3 (Garro, Boutwell, Mehn), Abstain – 0. Motion carried.

12. Resolution 15-2019 Resolution Relating to Creating a Part-Time Alternate Care Coordinator Position in the Health and Human Services Children and Families (C&F) Unit. **Motion/second (Gonyo/Trochinski)** to adopt Resolution No. 15-2019. Discussion held. Roll Call vote on Motion to adopt Resolution 15-2019 – Ayes – 16, Nays – 0, Absent – 3 (Garro, Boutwell, Mehn), Abstain – 0. Motion carried.

ORDINANCES

13. Ordinance 14-2019 Rezone in the Town of Brooklyn: Green Lake Flooring, LLC-John Voigt. **Motion/second (Abendroth/Wallace)** to enact Ord. No. 14-2019. No discussion. Roll Call vote on Motion to enact Ordinance 14-2019– Ayes – 16, Nays - 0, Absent – 3 (Garro, Boutwell, Mehn), Abstain – 0. Motion carried. Ordinance No. 14-2019 passed as enacted.

BUDGET ADJUSTMENTS

14. Sheriff's Office – request to transfer \$994.99 from Carryover Sheriff's Office and \$2,525.01 from Contingency to cover the cost of required CPR/FIT/Hearing testing in the Staff Development budget.

Motion/second (Wallace/Hess) to approve budget adjustment as presented. Roll call vote – Ayes -16, Nays - 0, Absent – 3 (Garro, Boutwell, Mehn), Abstain - 0. Motion carried.

COMMITTEE APPOINTMENTS

15. Chair Harley Reabe made the following appointment:

- Charlie Wielgosh to the Health and Human Services Board with a term ending 02/21/2021.

Motion/second (Schweder/Gonyo) to approve the appointment. Motion carried with no negative vote.

DISCUSSION AND INFORMATION REGARDING JOB CREATION PROCESS

16. Supervisor Abendroth initiated a discussion on the job creation process. County Administrator Cathy Schmit handed out a process graph and stated she is working with Corporation Counsel to develop a form which would document each step in the process.

DISCUSSION ON INFORMATION REGARDING BUDGET EXPENDITURES

17. Supervisor Abendroth initiated a discussion of how funds are transferred and the approval process involved. County Administrator Cathy Schmit explained the process along with an explanation of the merit pay policy.

DISCUSSION ON SUPERVISOR INFORMATION ACCESS

18. Supervisor Abendroth requested that more information be available in the County Board packets including the committee votes on each resolution. County Administrator Cathy Schmit stated she is available as is each member of the governing committees if there are questions regarding any resolutions and/or ordinances.

DEPARTMENTS TO REPORT ON September 17, 2019

19. Chair Reabe stated that Paul Gunderson, County Conservationist, will give a report on the activities of the Land Conservation department.

FUTURE AGENDA ITEMS FOR ACTION & DISCUSSION

20. None

ADJOURN

21. Chair Reabe adjourned the meeting at 7:15 PM.

Respectfully Submitted,
Elizabeth Otto
County Clerk

Resolution Number 11-2019 Relating to Cancellation of Outstanding Checks

The County Board of Supervisors of Green Lake County, Green Lake, Wisconsin, duly assembled at its regular meeting begun on the 20th day of August, 2019, does resolve as follows:

WHEREAS, Fourteen checks issued by the Treasurer of Green Lake County, drawn against the County's account at Horicon Bank have not been presented for payment by the payees of said checks in excess of one (1) year since said checks were issued; **NOW, THEREFORE BE IT RESOLVED**, that said outstanding checks as listed below be cancelled, and the amounts represented thereby be restored to the County's general account:

<u>Date of Check</u>	<u>Check Number</u>	<u>Payee</u>	<u>Amount</u>
07/27/17	188055	Cheese & Crackers	\$1000.00
08/10/17	188347	Joyce J Ramond Rev. Trust	\$108.89
09/07/17	188608	Nichol Grathen	\$35.31
12/04/17	189947	Richard Grennan	\$44.57
12/07/17	190059	Kylie Kostka	\$167.99
01/18/18	190834	Jason Scott Hlavacek	\$25.18
03/15/18	191654	Mark Podoll & Mark Putzke	\$200.00
05/03/18	192222	WI DOF/SPET Conference	\$135.00
05/24/18	192492	Nicole Geschke	\$138.51
06/07/18	192644	Rebecca Hallman	\$28.00
07/12/18	193134	Debra M. Kneser	\$17.70
07/12/18	193141	Lake McIntosh	\$20.00
07/12/18	193179	Dennis M. Fields	\$23.14
07/12/18	193199	Phuxone V. Zhiacha	\$23.65

BE IT FURTHER RESOLVED, that a copy of this resolution be furnished to the Horicon Bank.

NOTE: The above checks contain the notation "Void after six months"

Finance Committee recommends approval

Passed and Adopted this 20th day of August, 2019

Roll Call on Resolution 11-2019

Ayes 16, Nays 0, Absent 3, Abstain 0

Submitted by Finance Committee: /s/ Harley Reabe, Chair; /s/ Larry Jenkins, Vice Chair; /s/ Robert Lyons; /s/ Dennis Mulder

RESOLUTION NUMBER 12-2019

Resolution for Short-term Borrowing on Promissory Notes per Wis. Stat. §67.12(12) for Repair and Reconstruction of County Trunk Highways

The County Board of Supervisors of Green Lake County, Green Lake, Wisconsin, duly assembled at its regular meeting on this 20th day of August 2019, does resolve as follows:

WHEREAS, Green Lake County Highways are in need of substantial repair or reconstruction; and,

WHEREAS, the Highway Commissioner has drafted a six-year plan highway improvement plan to address highway repair and reconstruction beginning in year 2020 and ending in year 2025, which is attached and incorporated by reference to this Resolution; and,

WHEREAS, the cost to repair or reconstruct the County's highways over the next six (6) years would impact other county department budgets due to the levy limits in place; and,

WHEREAS, Wisconsin Statute §67.12(12) authorizes a county to issue promissory notes as evidence of indebtedness for any public purpose.

WHEREAS, Green Lake County is responsible under state statutes for maintaining the county trunk highway system it has adopted; therefore, repairing and reconstructing county trunk highways is a project that falls under the public purpose doctrine; and, **WHEREAS**, because the County has a statutory obligation to repair and reconstruct the county trunk highways contained in the six-year highway improvement plan, repairing or reconstruction of a highway is a project for which a county may borrow money to finance the project; and,

WHEREAS, any taxes levied by the county under Wis. Stat. §67.12(12) are outside the annual budget levy limits; and,

WHEREAS, it is anticipated that each promissory note executed by Green Lake County would be paid and retired within a few months of incurring the debt and will therefore result in minimal interest paid.

NOW THEREFORE BE IT RESOLVED, the maximum amount of the notes that may be issued for the six-year highway improvement plan is \$4,500,000.00, and any promissory note issued shall conform to the borrowing schedule contained in the Fiscal Note; and,

BE IT FURTHER RESOLVED, any promissory note issued by Green Lake County may only be executed in the name of Green Lake County by the Chairperson of the Green Lake County Board of Supervisors and the Green Lake County Clerk.

BE IT FURTHER RESOLVED, Green Lake County neither offers, nor extends to any lending institution from which a promissory note may be obtained, any collateral or repayment guarantees regarding any loan.

BE IT FURTHER RESOLVED, that prior to issuing any promissory note under this resolution, the County Administrator is directed to include in the County Budget a direct, annual tax sufficient in amount to pay for and for the express purpose of paying the interest on a promissory note as it falls due and to pay and discharge the principal thereof at maturity.

BE IT FURTHER RESOLVED, that any tax levied for the purpose of paying the interest and principal as they come due on a promissory note shall be carried into the tax roll each year and collected as other taxes are collected until all payments on the note have been provided for, except that the amount of tax carried into the tax roll may be reduced in any year by the amount of any surplus in the debt service fund account under Wis. Stat. §67.11.

BE IT FURTHER RESOLVED, any promissory note, plus interest, if any, issued under this Resolution shall be repaid within 10 years after the original date of the note, or sooner, as allowed under the terms of the note.

BE IT FURTHER RESOLVED, any promissory note executed by the County, shall by its terms be able to be retired prior to the maturity date without any prepayment penalty.

BE IT FURTHER RESOLVED, that the funds appropriated through the issuance of the promissory notes may only be used for the maintenance, repair or reconstruction of the County's highways as listed in the Six (6) Year Highway Improvement Plan, as it may be amended from time-to-time by the Highway Committee.

FISCAL NOTE: Amount to be borrowed each year

2020	2021	2022	2023	2024	2025	Total Improvements
\$500,000	\$600,000	\$700,000	\$800,000	\$900,000	\$1,000,000	\$4,500,000

6-Year Highway Improvement Plan for Short-term Borrowing

The purpose of Resolution for Short-term Borrowing on Promissory Notes per Wis. Stat. §67.12(12) for Repair and Reconstruction of County Trunk Highways is two-fold.

First, and foremost is to repair Green Lake County Roads for the safety of the public, and to generate more revenue through the General Transportation Aids for reconstruction, surface pulverizing and relay starting with the more dire roads in accordance with the WisDot Paser Rating Program; and to take a more advantageous approach to increase Highway funding for participating in more of the WisDot Local Road Improvement Program (LRIP) and the Surface Transportation Program (STP), where part is funded through Federal and State Aids.

By increasing Highway funds while maintaining our current highway related tax rate for six years (2020-2025) to repair/replace infrastructure through the Projected 6-Year Highway Improvement Plan, it is estimated the extra revenue generated through the General Transportation Aids would be approximately \$348,000 over the six years which in turn, would be used for further reconstruction/repair.

Our current 2019 General Transportation Aids is \$802,510. By adhering to the Short-term Borrowing Resolution, by 2025 our General Transportation Aids would be approximately \$1,150,326.

By continuing this cycle, eventually the maintenance cost should out-weigh the capital outlay or reconstruction/repair.

The Six Year Highway Improvement Plan is approved yearly by the Highway Committee in order to take advantage of Federal and State Funds. It is a projection only and can change on a yearly basis.

The Projected Improvement Schedule is as follows:

2020	\$ 1,896,000	Surface Pulverizing and Relay
2021	\$ 872,712	Reconstruction (after STP funding)
	\$ 1,274,000	Surface Pulverizing and Relay
2022	\$ 1,712,003	Surface Pulverizing and Relay

2023 \$ 748,385 Reconstruction
 \$ 1,293,643 Surface Pulverizing and Relay (after LRIP funding)
 \$ 1,835,400 Surface Pulverizing and Relay
 2024 \$ 400,000 Reconstruction
 \$ 1,972,600 Surface Pulverizing and Relay
 2025 \$ 1,696,000 Reconstruction
 \$ 1,250,000 Surface Pulverizing and Relay
 \$14,950,743

Current average cost per mile is:

\$310,000 Reconstruction

\$200,000 Surface Pulverizing and Relay

*Note: Accordingly to WISLR generated report (2017 Paser Pavement Rating), Green Lake County Rudimentary Needs Analysis cost is approximately \$22,048,032 for Capital/Reconstruct/Repair, and \$1,186,172 for maintenance.

Majority vote is needed to pass.

Finance Committee recommends approval

Passed and Adopted this 20th day of August, 2019

Roll Call on Resolution 12-2019

Ayes 16, Nays 0, Absent 3, Abstain 0

Submitted by Finance Committee: /s/ Harley Reabe, Chair; /s/ Larry Jenkins, Vice-Chair' /s/ Robert Lyon; /s/ Dennis Mulder

RESOLUTION NUMBER 13-2019

RESOLUTION RELATING TO CONSORTIUM AGREEMENT FOR THE CHIEF ELECTED OFFICIALS OF THE FOX VALLEY WORKFORCE DEVELOPMENT AREA

The County Board of Supervisors of Green Lake County, Green Lake, Wisconsin, duly assembled at its regular meeting begun on the 20th day of August 2019, does resolve as follows:

WHEREAS, Green Lake County participates in the Fox Valley Workforce Development Area under §66.0301(2) Wis. Stats; and,
WHEREAS, the Fox Valley Workforce Development Area's purpose is to increase occupational skills, employment, job retention and earnings, and as a result, improve the quality, reduce welfare dependency and enhance the productivity and competitiveness of the workforce within Green Lake County and the other counties who are members; and,

WHEREAS, the current Consortium Agreement between the Counties of Calumet, Fond du Lac, Green Lake, Waupaca, Waushara and Winnebago Counties has expired and requires renewal. The new Consortium Agreement is attached hereto; and,

WHEREAS, the Green Lake County Corporation Counsel has reviewed and approved the Consortium Agreement as to form.

NOW THEREFORE BE IT RESOLVED THAT the Green Lake County Board of Supervisors authorizes Chairman Harley Reabe to execute the Consortium Agreement for the Chief Elected Officials of the Fox Valley Workforce Development Area on behalf of Green Lake County for the fiscal year beginning July 1, 2019.

Majority vote is needed to pass.

Administrative Committee recommends approval

Passed and Adopted this 20th day of August, 2019

Roll Call on Resolution 13-2019

Ayes 16, Nays 0, Absent 3, Abstain 0

Submitted by Administrative Committee: /s/ Harley Reabe, Chair; /s/ Dennis Mulder, Vice-Chair; /s/ Larry Jenkins; /s/ Katie Mehn; /s/ Brian Floeter

RESOLUTION NUMBER 14-2019

RESOLUTION RELATING TO ELIMINATING THE TEACHER POSITION AND CREATING A COMMUNITY INTEGRATION PLANNER POSITION IN FOX RIVER INDUSTRIES (FRI)

The County Board of Supervisors of Green Lake County, Green Lake, Wisconsin, duly assembled at its regular meeting on this 20TH day of August 2019, does resolve as follows:

WHEREAS, Fox River Industries (FRI) currently has a position designated as Teacher; and,

WHEREAS, in August 2019 the employee currently in this position is retiring; and,

WHEREAS, the Health and Human Service Director and FRI Manager took this opportunity to update the job description so it better represents the current and future role of the position;

NOW THEREFORE BE IT RESOLVED that the Teacher position in FRI shall be eliminated and a Community Integration Planner position created effective August 10th, 2019. (See attached job descriptions.)

BE IT FURTHER RESOLVED that effective August 10th, 2019 the Community Integration Planner position in FRI be designated on the comparable Pay Group 13 on the Green Lake County Wage Plan. (See attached)

GREEN LAKE COUNTY									
Update 7-1-19 2019				1-1-2019 CPI-U		1.0225			
Pay Group	Job Title	Dept.		Minimum	Annual Midpoint	Maximum	Minimum	Hourly Midpoint	Maximum
* indicates EXEMPT position									
Current									
11	Teacher	FRI		\$46,681	\$58,351	\$70,022	\$22.44	\$28.05	\$33.66
				33					

Proposed

13 Community Integration Planner

FRI

\$40,374

\$50,468

\$60,562

\$19.41

\$24.26

\$29.12

GREEN LAKE COUNTY JOB DESCRIPTION

TITLE: TEACHER
DEPARTMENT: HEALTH & HUMAN SERVICES/FOX RIVER INDUSTRIES
LOCATION: FOX RIVER INDUSTRIES
SUPERVISOR: FOX RIVER INDUSTRIES UNIT MANAGER

SUMMARY:

This position is full-time at 35 hours a week. Flexible hours will be assumed. Plans, develops, and teaches a variety of educational activities designed to enhance independence, community involvement, and overall the quality of life for intellectually/developmentally/physically disabled adults, as well as individuals suffering from mental illness.

DUTIES AND RESPONSIBILITIES:

- Approximately 70% of time: Training for activities for daily living which may include, but not limited to, academic skills, interpersonal relationships, human sexuality, health and safety, personal hygiene, diet and exercise. This would be in coordination with the client case managers and their individual case plan.
- Approximately 10% of time: Writing, monitoring, recording specific goals in relationship to individual client programs which are updated in clients' Fox River Industries file on a quarterly basis.
- Approximately 5% of time: Planning leisure activities, which may occur during the weekday or on weekends.
- Approximately 5% of time: Attending staffings, serving as client government advisor, serving on Health and Safety committees, assisting future client needs, providing specific job training to workshop and/or community based clients.
- Approximately 10% of time: Developing and implementing curriculums for Community Based Prevocational Program and teach these classes as requested per Family Care guidelines

SKILLS AND ABILITIES:

Working knowledge of the following software programs: Microsoft Word, Excel, Access, Power Point, Peachtree Accounting (Sage), Windows, Explorer, and Outlook.

The ability to provide first aid and CPR when supervising client activities (training will be provided).

Skill in the use of general office equipment including but not limited to: Calculator, copy machine, computer terminal, fax machine, automobile, first aid equipment.

Excellent oral and written communication skills.

Strong organizational, supervisory, and teaching skills.

QUALIFICATIONS:

EDUCATION: Bachelor's degree in education, human services or related fields.

EXPERIENCE / JOB KNOWLEDGE: The ability to provide first aid and CPR (training will be provided). Basic everyday living skills are necessary for this position, as well as, the ability to understand and follow directions. Background knowledge in behavior management techniques and working with people who have developmental disabilities

WORKING CONDITIONS:

PHYSICAL DEMANDS: 75% of the time requires standing, walking, and hearing. About 50% is reaching, feeling body movements during therapy sessions, talking, far vision, near vision, and handling adaptive equipment. Approximately 25% of the time pushing/pulling objects weighing less than 10 pounds. Approximately 10% is sitting, stooping, bending/twisting, lifting objects and people from 10 to 80 pounds, carrying objects 10 to 40 pounds, and using the fingers to manipulate small parts such as typewriter keys or small components.

In unusual situations are kneeling, crouching, crawling, running, swimming, climbing with arms and legs, balancing various apparatus, lifting heavy people weighing 100+ lbs., carrying objects and people from 50 to over 100 lbs., pushing/pulling material or people in wheelchairs ranging from 25 to 100 lbs., and handling levels and wheels to operate trucks and buses.

ENVIRONMENTAL DEMANDS: Over 75% of the time is spent inside a heated and air conditioned building. Present in unusual situations are shifts of extreme hot or cold temperatures, working outdoors in wet and humid conditions, enduring noise levels of 90 decibels, sustaining vibrations while riding buses, working with hazardous mechanical or electrical equipment, handling hazardous chemicals that may cause burns, climbing to hazardous heights, risking physical attack from clients, avoiding fast moving vehicles, such as fork lifts. Working under atmospheric conditions such as fumes, gases, odors, and poor ventilation. This is a public service position, and employee is required to be courteous, cooperative and respectful at all times with the public and clients; also establishes and maintains a courteous and cooperative and respectful working relationship with other employees, supervisors and public officials.

This position description has been prepared to assist in defining job responsibilities, physical demands, working conditions and needed skills. It is not intended as a complete list of job duties, responsibilities and/or essential functions. This description is not intended to limit or modify the rights of any supervisor to assign, direct, and control the work of employees under supervision. The county retains and reserves any and all rights to change, modify, amend, add to or delete from, any section of this document as it deems, in its' judgment, to be proper.

GREEN LAKE COUNTY JOB DESCRIPTION

TITLE: COMMUNITY INTEGRATION PLANNER
DEPARTMENT: HEALTH & HUMAN SERVICES/FOX RIVER INDUSTRIES
LOCATION: FOX RIVER INDUSTRIES
SUPERVISOR: FOX RIVER INDUSTRIES UNIT MANAGER, SERVICES COORDINATOR
SUMMARY:

This position is full-time at 35 hours a week. Flexible hours will be assumed. Works cooperatively with members of the Inter-disciplinary Team (IDT), assisting in the design and implementation of community based Prevocational and Day Services programing as participant needs dictate. Plans, develops, and teaches a variety of educational activities designed to enhance independence, community involvement, and overall quality of life for intellectually/developmentally/physically disabled adults, as well as individuals suffering from mental illness.

DUTIES AND RESPONSIBILITIES:

Approximately 70% of time: In coordination with the Services Coordinator, provides training activities for daily living, leisure, and employment skills which may include, but are not limited to, academic skills, interpersonal relationships, human sexuality, health and safety skills, personal hygiene, and diet/exercise.

Approximately 10% of time: Works closely with Services Coordinator to ensure specific goals for individual client programs are accurately monitored and documented on a timely basis.

Provide one-to-one supervision for consumers presenting behavioral challenges.

Approximately 5% of time: Attends staff meetings, assists future client needs, and provides specific job training to workshop and/or community based clients.

Approximately 15% of time: Assists in the development and implementation of curriculums for Community Based Prevocational and Adult Day Services Programming.

Works closely with local business and civic leaders to promote community involvement opportunities for the consumers we serve. Provides personal cares, including toileting, grooming, transfers, assistance with eating, etc. to consumers as needed.

SKILLS AND ABILITIES:

Working knowledge of the following software programs: Microsoft Word, Excel, Access, Power Point, Peachtree Accounting (Sage), Windows, Explorer, and Outlook.

The ability to provide first aid and CPR when supervising client activities (training will be provided).

Skill in the use of general office equipment including but not limited to: Calculator, copy machine, computer terminal, fax machine, automobile, first aid equipment.

Excellent oral and written communication skills.

Strong organizational, supervisory, and teaching skills.

QUALIFICATIONS:

EDUCATION: Bachelor's degree in education, human services or related fields, or two years' experience working in Human Services and/or Management. Knowledge of person-centered planning preferred.

EXPERIENCE / JOB KNOWLEDGE: Strong team building/leadership skills are essential, as well as the ability to work productively with minimal supervision. Background knowledge in behavior management techniques and working with people who have developmental disabilities.

WORKING CONDITIONS:

PHYSICAL DEMANDS: 75% of the time requires standing, walking, and hearing. About 50% is reaching, feeling body movements during therapy sessions, talking, far vision, near vision, and handling adaptive equipment. Approximately 25% of the time pushing/pulling objects weighing less than 10 pounds. Approximately 10% is sitting, stooping, bending/twisting, lifting objects and people from 10 to 80 pounds, carrying objects 10 to 40 pounds, and using the fingers to manipulate small parts such as typewriter keys or small components. In unusual situations are kneeling, crouching, crawling, running, swimming, climbing with arms and legs, balancing various apparatus, lifting heavy people weighing 100+ lbs., carrying objects and people from 50 to over 100 lbs., pushing/pulling material or people in wheelchairs ranging from 25 to 100 lbs., and handling levels and wheels to operate trucks and buses.

ENVIRONMENTAL DEMANDS: Over 75% of the time is spent inside a heated and air conditioned building. Present in unusual situations are shifts of extreme hot or cold temperatures, working outdoors in wet and humid conditions, enduring noise levels of 90 decibels, sustaining vibrations while riding buses, working with hazardous mechanical or electrical equipment, handling hazardous chemicals that may cause burns, climbing to hazardous heights, risking physical attack from clients, avoiding fast moving vehicles, such as fork lifts. Working under atmospheric conditions such as fumes, gases, odors, and poor ventilation. This is a public service position, and employee is required to be courteous, cooperative and respectful at all times with the public and clients; also establishes and maintains a courteous and cooperative and respectful working relationship with other employees, supervisors and public officials.

This position description has been prepared to assist in defining job responsibilities, physical demands, working conditions and needed skills. It is not intended as a complete list of job duties, responsibilities and/or essential functions. This description is not intended to limit or modify the rights of any supervisor to assign, direct, and control the work of employees under supervision. The county retains and reserves any and all rights to change, modify, amend, add to or delete from, any section of this document as it deems, in its' judgment, to be proper.

Updated: December 1998, January 2013, October 2018, June 2019

Personnel Committee recommends approval

Passed and Adopted this 20th day of August, 2019

Roll Call on resolution 14-2019

Ayes 16, Nays 0, Absent 3, Abstain 0

Submitted by Personnel Committee: /s/ Joe Gonyo, Chair; /s/ Robert Lyon; /s/ Robert Schweder; /s/ Curt Talma; /s/ Sue Wendt

RESOLUTION NUMBER 15-2019
RELATING TO CREATING A PART-TIME ALTERNATE CARE COORDINATOR POSITION IN THE HEALTH AND HUMAN SERVICES CHILDREN AND FAMILIES (C&F) UNIT

The County Board of Supervisors of Green Lake County, Green Lake, Wisconsin, duly assembled at its regular meeting begun on the 20th day of August, 2019, does resolve as follows:

WHEREAS, in going through the 2020 budget process the Human Services Director and Children & Family Unit Manager reviewed caseloads and all outsider provider contracts;

WHEREAS, most of the proposed duties for the Part-Time Alternative Care Coordinator Position are shared between Internal Child Protection staff and outside provider contracts;

WHEREAS, Case demands and caseloads for on-going child protection workers continue to rise and this part-time position will assume some of the added duties that current on-going case managers are providing;

WHEREAS, County Boards, including Green Lake County, have passed resolutions asking for increased funds to address the crisis in the Child Welfare system which caused the Governor and Legislature to increase funding to the Counties Basic Community Aides in the 2020/21 biennial budget;

WHEREAS, the increased funding allocated to Green Lake County will be sufficient to cover the new position.

NOW THEREFORE BE IT RESOLVED that the Part-Time Alternative Care Coordinator Position in C&F be created effective January 1, 2020. (See attached job descriptions.)

BE IT FURTHER RESOLVED, that if the funding for this position is eliminated by the State, the position shall be eliminated upon funds being depleted.

Fiscal Note:

8/20/2019		FISCAL NOTE - PERSONNEL COSTS							
DEPARTMENT:	DEPARTMENT OF HEALTH & HUMAN S	COMMITTEE: HUMAN SERVICES		ACCOUNT #:					
POSITION TITLE	NAME	RATE	HOURS	WAGE	FICA	RET-C	HEALTH INS	L-INS	TOTAL
HSC&F Part-Time Alternate Care Coordinator	Vacant	24.68	1,200.00	29,616.00	0.00	0.00	0.00	0.00	29,616.00

This position will be fully funded through an increase in Basic County Allocations money granted to Counties in the 2020/21 Biennial Budget.

Majority vote is needed to pass.

Health and Human Services Board recommends approval

Passed and Adopted this 20th day of August, 2019

Roll Call on Resolution 15-2019

Ayes 16, Nays 0, Absent 3, Abstain 0

Submitted by Health and Human Services Board: /s/Joanne Guden; /s/Harley Reabe; /s/Charlie Wielgosh; /s/Richard Trochinski

ORDINANCE NO. 14-2019

Relating to: Rezone in the Town of Brooklyn

Owner: Green Lake Flooring, LLC – John Voigt

The County Board of Supervisors of Green Lake County, Green Lake, Wisconsin, duly assembled at its regular meeting begun on the 20th day of August, 2019, does ordain as follows:

NOW, THEREFORE, BE IT ORDAINED that the Green Lake County Zoning Ordinance, Chapter 350 as amended, Article IV Zoning Districts, Section 350-26 Official Map, as relates to the Town of Brooklyn, shall be amended as follows:

W704 State Road 23 49, Parcel #004-00289-0200 (±3.1 acres); Lot 1 Certified Survey Map 2089 excluding the west 75 feet from State Highway 23 49 to south lot line of Lot 2 of Certified Survey Map 2089, reserving a permanent right-of-way easement for Lot 1 from State Highway 23 49 to the remainder of Lot 1, Town of Brooklyn. To be identified by Certified Survey Map.

BE IT FURTHER ORDAINED, that this ordinance shall become effective upon passage and publication.

Land Use Planning & Zoning Committee recommends approval

Passed and Enacted this 20th day of August, 2019

Roll Call on Resolution 14-2019

Ayes 16, Nays 0, Absent 3, Abstain 0

Submitted by Land Use Planning & Zoning Committee: /s/ Robert Lyon, Chair; /s/ Harley Reabe, Vice Chair; /s/ William Boutwell; /s/ Curt Talma; /s/ Peter Wallace

GREEN LAKE COUNTY BOARD PROCEEDINGS REGULAR SESSION

September 17, 2019

The Green Lake County Board of Supervisors met in regular session, Tuesday, September 17, 2019, at 6:00 PM in the County Board Room, Green Lake, Wisconsin for the regular meeting.

The Board was called to order by Harley Reabe, Chairman. Roll call taken - Present – 17, Absent – Brian Floeter-District 6, Joe Gonyo-District 16

Supervisor
 Larry Jenkins
 Vicki Bernhagen

Supervisor Districts
 1
 2

Curt Talma	3
David Abendroth	4
Peter Wallace	5
Charlie Wielgosh	7
Patti Garro	8
Bill Boutwell	9
Sue Wendt	10
Harley Reabe	11
Robert Schweder	12
Kathy Morris	13
Dennis Mulder	14
Katie Mehn	15
Keith Hess	17
Richard Trochinski	18
Robert Lyon	19

READING OF THE CALL

The Green Lake County Board of Supervisors will convene at the Courthouse at the Government Center in the City of Green Lake, Wisconsin on Tuesday the 17th day of September, 2019 at 6:00 PM for the regular meeting of the Board. Regular monthly business to be transacted includes:

CALL TO ORDER

ROLL CALL

READING OF THE CALL

PLEDGE OF ALLEGIANCE

MINUTES OF 08/20/19

ANNOUNCEMENTS

PUBLIC COMMENT (3 MIN LIMIT)

CORRESPONDENCE

APPEARANCES

- Paul Gunderson, County Conservationist – update on Land Conservation Department activities

RESOLUTIONS

- Resolution 16-2019 Relating to Chairman Salary and Supervisor Per Diems for 2020-2022 Term

ORDINANCES

- Ordinance 15-2019 Rezone in the Town of Berlin: MNJ Development, LLC
- Ordinance 16-2019 Rezone in the Town of Green Lake: Town of Green Lake, Owner

DISCUSSION REGARDING ROLES AND RESPONSIBILITIES OF COUNTY ADMINISTRATOR

RECOMMENDATION FROM ADHOC AMBULANCE COMMITTEE REGARDING AMBULANCE FEASIBILITY STUDY

BUDGET ADJUSTMENTS

- Corporation Counsel – training revenue
- HHS Public Health – Preparedness grant

COMMITTEE APPOINTMENTS

DEPARTMENTS TO REPORT ON October 15, 2019

FUTURE AGENDA ITEMS FOR ACTION & DISCUSSION

ADJOURN

Given under my hand and official seal at the Government Center in the City of Green Lake, Wisconsin this 12th day of September, 2019.

Elizabeth A. Otto

Green Lake County Clerk

PLEDGE OF ALLEGIANCE

1. The Pledge of Allegiance to the Flag was recited.

MINUTES OF 08/20/2019

2. **Motion/second (Wallace/Hess)** to approve the minutes of August 20, 2019 with no changes or corrections. Motion carried with no negative vote.

ANNOUNCEMENTS

3. The next County Board meeting will take place on October 15, 2019 at 6:00 PM.

PUBLIC COMMENT (3 Minute Limit)

4. Sheriff Mark Podoll outlined a search operation done using the drone assisting Marquette County with a missing person who was found safely. Podoll thanked his department for their efforts and the County Board for approving the purchase of the drone. Podoll also introduced Matt Vandekolk to the County Board as the replacement for Chief Deputy Mark Putzke who is retiring in January 2020.

CORRESPONDENCE

5. None

APPEARANCES

6. Paul Gunderson, County Conservationist, gave an update on the activities of the Land Conservation Department. Gunderson explained the Land & Water Resource Management 10 year plan and also outlined other goals and activities within the department.

RESOLUTIONS

7. Resolution 16-2019 Relating to Chairman Salary and Supervisor Per Diems for 2020-2022 Term. **Motion/second (Schweder/Boutwell)** to adopt Resolution No. 16-2019. No discussion. Roll call vote on motion to adopt Resolution 16-2019 – Ayes – 15, Nays – 2 (Bernhagen, Abendroth), Abstain – 0, Absent – 2 (Floeter, Gonyo). Resolution 16-2019 passed as adopted.

ORDINANCES

8. Ordinance 15-2019 Rezone in the Town of Berlin: MNJ Development, LLC. **Motion/second (Garro/Boutwell)** to enact Ord. No. 15-2019. No discussion. Roll Call vote on Motion to enact Ordinance 15-2019– Ayes – 17, Nays - 0, Absent – 2 (Floeter, Gonyo), Abstain – 0. Motion carried. Ordinance No. 15-2019 passed as enacted.
9. Ordinance 16-2019 Rezone in the Town of Green Lake: Town of Green Lake, Owner. **Motion/second (Abendroth/Mulder)** to enact Ord. No. 16-2019. No discussion. Roll Call vote on Motion to enact Ordinance 16-2019– Ayes – 17, Nays - 0, Absent – 2 (Floeter, Gonyo), Abstain – 0. Motion carried. Ordinance No. 16-2019 passed as enacted.

DISCUSSION REGARDING ROLES AND RESPONSIBILITIES OF COUNTY ADMINISTRATOR

10. Discussion held. **Motion/second (Abendroth/Bernhagen)** to postpone discussion until October 15 to allow time for further review of Corporation Counsel's letter to supervisors regarding this matter. Roll Call vote on Motion to postpone – Ayes – 5 (Bernhagen, Talma, Abendroth, Garro, Morris), Nays – 12, Absent – 2 (Floeter, Gonyo), Abstain – 0. Motion failed. No further action taken.

RECOMMENDATION FROM ADHOC AMBULANCE COMMITTEE REGARDING AMBULANCE FEASIBILITY STUDY

11. Chair Reabe stated that the AdHoc Ambulance Committee has recommended approving the proposal from Strategic Management and Consulting, Inc. for the ambulance feasibility study. **Motion/second (Schweder/Boutwell)** to approve the recommendation from the AdHoc Ambulance Committee to retain Strategic Management and Consulting, Inc. for the ambulance feasibility study at a cost of \$24,500. Discussion held. Roll Call vote on Motion to approve – Ayes – 14, Nays – 3 (Talma, Abendroth, Trochinski), Absent – 2 (Floeter, Gonyo), Abstain – 0. Motion carried.

BUDGET ADJUSTMENTS

12. Corporation Counsel – increase revenue by \$1,100 for training revenue and adjust expense by \$191.40 for travel costs. **Motion/second (Abendroth/Boutwell)** to approve budget adjustment as presented. Roll call vote – Ayes - 17, Nays - 0, Absent – 2 (Floeter, Gonyo), Abstain - 0. Motion carried.
13. HHS Public Health – increase revenue and expense by \$5,000 for Preparedness Grant award. **Motion/second (Hess/Wallace)** to approve budget adjustment as presented. Roll call vote – Ayes - 17, Nays - 0, Absent – 2 (Floeter, Gonyo), Abstain - 0. Motion carried.

COMMITTEE APPOINTMENTS

14. None

DEPARTMENTS TO REPORT ON October 15, 2019

15. Chair Reabe stated that supervisors will provide reports from the Wisconsin Counties Association conference.

FUTURE AGENDA ITEMS FOR ACTION & DISCUSSION

16. None

ADJOURN

17. Chairman Reabe adjourned the meeting at 6:39 PM.

Respectfully Submitted,
Elizabeth Otto
County Clerk

RESOLUTION NUMBER 16-2019

Resolution Relating to Chairman Salary and Supervisor Per Diems for 2020-2022 Term

The County Board of Supervisors of Green Lake County, Green Lake, Wisconsin, duly assembled at its regular meeting on this 17 day of September 2019, does resolve as follows:

WHEREAS, the Green Lake County Administrative Committee has determined that it is appropriate to adjust the amount payable for per diem payments for meeting attendance, since the last increase was approved in November 2009; and,

WHEREAS, the Green Lake County Administrative Committee has determined that the County Board Chair salary should be increased due to the increased time and responsibility of the position of County Board Chair requires.

WHEREAS, the current per diem for committee meetings is \$45.00, the current per diem for County Board meetings is \$50.00 and the Chair's annual salary is currently \$5,763.68.

WHEREAS, any change to an elected position's compensation must be completed prior to the time to take out nomination papers, and the next election for County Board will take place in April 2020.

NOW THEREFORE BE IT RESOLVED, that per diem payments per Supervisor shall be increased as of April 21, 2020 as follows:
For a committee meeting \$ _____

~~For a County Board meeting \$_____~~

NOW THEREFORE BE IT RESOLVED, the annual salary of the County Board Chair shall be increased as of April 21, 2020 to \$6,000.

BE IT FURTHER RESOLVED, that supervisors shall be paid mileage as permitted by the IRS rate in effect when mileage is claimed.

FISCAL NOTE: increase of \$236.32

Fiscal note is attached.

Majority vote is needed to pass

Finance Committee recommends approval

Passed and Adopted this 17th day of September, 2019

Roll Call on Resolution 16-2019

Ayes 15, Nays 2, Absent 2, Abstain 0

Submitted by Finance Committee: /s/ Harley Reabe, Chair; /s/ Larry Jenkins; /s/ Dennis Mulder; /s/ Katie Mehn

ORDINANCE NO. 15-2019

Relating to: Rezone in the Town of Berlin

Owner: MNJ Development, LLC

Applicant: Michael Monohan, Member/Manager

The County Board of Supervisors of Green Lake County, Green Lake, Wisconsin, duly assembled at its regular meeting begun on the 17th day of September, 2019, does ordain as follows:

NOW, THEREFORE, BE IT ORDAINED that the Green Lake County Zoning Ordinance, Chapter 350 as amended, Article IV Zoning Districts, Section 350-26 Official Map, as relates to the Town of Berlin, shall be amended as follows: Eastridge Drive, Parcel #002-00851-0000 (±1.67 acres); Lot 5 Eastridge Subdivision, Part of the SW¼ of Section 2, T17N, R13E, Town of Berlin. Request to rezone from C-2 Extensive Commercial District to R-3 Multiple-Family Residence District.

BE IT FURTHER ORDAINED, that this ordinance shall become effective upon passage and publication.

Land Use Planning & Zoning Committee recommends approval

Passed and Enacted this 17th day of September, 2019

Roll Call on Resolution 15-2019

Ayes 17, Nays 0, Absent 2, Abstain 0

Submitted by Land Use Planning & Zoning Committee: /s/ Robert Lyon, Chair; /s/ Harley Reabe, Vice Chair; /s/ Curt Talma; /s/ Peter Wallace

ORDINANCE NO. 16-2019

Relating to: Rezone in the Town of Green Lake

Owner: Town of Green Lake – Ben Moderow, Town Board Chairman

The County Board of Supervisors of Green Lake County, Green Lake, Wisconsin, duly assembled at its regular meeting begun on the 17th day of September, 2019, does ordain as follows:

NOW, THEREFORE, BE IT ORDAINED that the Green Lake County Zoning Ordinance, Chapter 350 as amended, Article IV Zoning Districts, Section 350-26 Official Map, as relates to the Town of Green Lake, shall be amended as follows: N4454 Horner Road, Parcel #006-00152-0000 (±1.84 acres); Lot 1 Certified Survey Map 158, Lot 1 Certified Survey Map 215, Lot 1 Certified Survey Map 215A & Outlot 1 Certified Survey Map 1901; Part of the NE¼ of Section 9, T15N, R13E, Town of Green Lake. Request to rezone from A-1 Farmland Preservation District to R-1 Single-Family Residence District.

BE IT FURTHER ORDAINED, that this ordinance shall become effective upon passage and publication.

Land Use Planning & Zoning Committee recommends approval

Passed and Enacted this 17th day of September, 2019

Roll Call on Resolution 16-2019

Ayes 17, Nays 0, Absent 2, Abstain 0

Submitted by Land Use Planning & Zoning Committee: /s/ Robert Lyon, Chair; /s/ Harley Reabe, Vice Chair; /s/ Curt Talma; /s/ Peter Wallace

GREEN LAKE COUNTY BOARD PROCEEDINGS REGULAR SESSION

October 15, 2019

The Green Lake County Board of Supervisors met in regular session, Tuesday, October 15, 2019, at 6:00 PM in the County Board Room, Green Lake, Wisconsin for the regular meeting.

The Board was called to order by Harley Reabe, Chairman. Roll call taken - Present – 17, Absent – Katie Mehn-District 15, Joe Gonyo-District 16

Supervisor

Larry Jenkins

Vicki Bernhagen

Curt Talma

Supervisor Districts

1

2

3

David Abendroth	4
Peter Wallace	5
Brian Floeter	6
Charlie Wielgosh	7
Patti Garro	8
Bill Boutwell	9
Sue Wendt	10
Harley Reabe	11
Robert Schweder	12
Kathy Morris	13
Dennis Mulder	14
Keith Hess	17
Richard Trochinski	18
Robert Lyon	19

READING OF THE CALL

The Green Lake County Board of Supervisors will convene at the Courthouse at the Government Center in the City of Green Lake, Wisconsin on Tuesday the 15th day of October, 2019 at 6:00 PM for the regular meeting of the Board. Regular monthly business to be transacted includes:

CALL TO ORDER

ROLL CALL

READING OF THE CALL

PLEDGE OF ALLEGIANCE

MINUTES OF 09/17/19

ANNOUNCEMENTS

PUBLIC COMMENT (3 MIN LIMIT)

CORRESPONDENCE

APPEARANCES

- Reports from Supervisors attending the Wisconsin Counties Association (WCA) conference

RESOLUTIONS

- Resolution 17-2019 Cooperation Agreement for CDBG Program
- Resolution 18-2019 Modify Health Insurance Plan Design and Update Personnel Policies and Procedures Manual

BUDGET ADJUSTMENTS

- Emergency Management – Hazmat equipment grant
- UW-Extension – carryover donation expense

COMMITTEE APPOINTMENTS

CLOSED SESSION

- Motion to convene into Closed Session pursuant to WI §19.85(1)(g) to confer with legal counsel for the Board who is rendering oral or written advice concerning strategy to be adopted by the Board with respect to litigation in which it is involved. The case is Green Lake County et al. v. Purdue Pharma, et al.

RECONVEN IN OPEN SESSION TO TAKE ACTION, IF APPROPRIATE, ON MATTERS DISCUSSED IN CLOSED SESSION

DEPARTMENTS TO REPORT ON November 12, 2019

FUTURE AGENDA ITEMS FOR ACTION & DISCUSSION

ADJOURN

Given under my hand and official seal at the Government Center in the City of Green Lake, Wisconsin this 11th day of October, 2019.

Elizabeth A. Otto

Green Lake County Clerk

PLEDGE OF ALLEGIANCE

1. The Pledge of Allegiance to the Flag was recited.

MINUTES OF 09/17/2019

2. **Motion/second (Wendt/Trochinski)** to approve the minutes of September 17, 2019 with no changes or corrections. Motion carried with no negative vote.

ANNOUNCEMENTS

3. The next County Board meeting will take place on November 12, 2019 at 6:00 PM. The public hearing for the 2020 budget will take place at 6:30 PM.

4. County Administrator Cathy Schmit stated that the 2020 budget books have been distributed to all supervisors along with the comparison sheet.

PUBLIC COMMENT (3 Minute Limit)

5. The following people spoke regarding the proposed changes to the 2020 health insurance for Green Lake County employees and retirees:

Tracy Soda, retiree
Sheriff Mark Podoll
Deputy Sheriff Matt Vandekolk
Lori Evans, Sheriff's Office Administrative Assistant
Denice Oft, Sheriff's Office Clerk
Dawn Brantley, Fox River Industries Services Coordinator

CORRESPONDENCE

6. None

APPEARANCES

7. Supervisors Kathy Morris, Bill Boutwell, Keith Hess, and Harley Reabe attended the Wisconsin Counties Association (WCA) conference in September. Each of them gave a report on the various sessions they attended.

RESOLUTIONS

8. Resolution 17-2019 Cooperation Agreement for CDBG Program. **Motion/second (Mulder/Floeter)** to adopt Resolution No. 17-2019. No discussion. Roll call vote on motion to adopt Resolution 17-2019 – Ayes – 17, Nays – 0, Abstain – 0, Absent – 2 (Mehn, Gonyo). Resolution 17-2019 passed as adopted.

9. Resolution 18-Modify Health Insurance plan Design and Update Personnel Policies and Procedures Manual. **Motion/second (Abendroth/Hess)** to adopt Resolution No. 18-2019. **Motion/second (Floeter/Abendroth)** to amend the resolution to substitute lines 49-58 of the pending resolution to the following: **NOW THEREFORE BE IT RESOLVED** that the Green Lake County Board of Supervisors does approve enrolling in the WEA Trust, WEA Broad Network PPO which, in brief general summary, includes,

Tier 1

- Deductible: \$2000 individual/\$4000 family
- Coinsurance: 100%
- Emergency Room: \$250 deductible
- Office Visits: \$25 co-pay
- Outpatient Labs and X-ray: \$100 co-pay
- Major Imaging (MRI, CT, PET, etc.) \$100 co-pay
- Preventative Care: 100%
- Dental benefits: not included
- Prescription drug co-pay

Tier 2

- Deductible: \$3000 individual/\$6000 family
- Emergency Room: 100% after deductible
- Urgent Care: 100% after deductible
- Outpatient Labs and X-ray: 100% after deductible
- Major Imaging (MRI, CT, PET, etc.): 100% after deductible
- Preventative Care: 100%
- Dental benefits: not included
- Prescription drug: 100% after deductible

and to strike lines 62-69. Discussion held. Roll call vote on motion to amend Resolution 18-2019 – Ayes – 15, Nays – 2 (Schweder, Mulder), Abstain – 0, Absent – 2 (Mehn, Gonyo). Roll call vote on motion to adopt Resolution 18-2019 as amended – Ayes – 16, Nays – 1 (Schweder), Abstain – 0, Absent – 2 (Mehn, Gonyo). Resolution 18-2019 passed as adopted.

BUDGET ADJUSTMENTS

10. Emergency Management – adjust both expense and revenue accounts \$7,476 due to a new state Hazmat equipment grant. **Motion/second (Abendroth/Wallace)** to approve budget adjustment as presented. Roll call vote – Ayes - 17, Nays - 0, Absent – 2 (Mehn, Gonyo), Abstain - 0. Motion carried.
11. UW-Extension – debit carryover donation account by \$92.27 to purchase crown and sash for the Fair. **Motion/second (Bernhagen/Garro)** to approve budget adjustment as presented. Roll call vote – Ayes – 17, Nays - 0, Absent – 2 (Mehn, Gonyo), Abstain - 0. Motion carried.

COMMITTEE APPOINTMENTS

12. Chair Reabe appointed Sara Nighbor to the Transportation Coordinating Committee. **Motion/second (Garro/Bernhagen)** to approve the appointment. Motion carried with no negative vote.

CLOSED SESSION

13. **Motion/second (Abendroth/Hess)** to convene into Closed Session pursuant to WI §19.85(1)(g) to confer with legal counsel for the Board who is rendering oral or written advice concerning strategy to be adopted by the Board with respect to litigation in which it is involved. The case is Green lake County et al. v. Purdue Pharma, et al.
Roll call vote to convene into Closed Session – Ayes - 17, Nays - 0, Abstain - 0, Absent – 2 (Mehn, Gonyo).

RECONVENE IN OPEN SESSION TO TAKE ACTION, IF APPROPRIATE, ON MATTERS
DISCUSSED IN CLOSED SESSION

14. **Motion/second (Garro/Boutwell)** to reconvene in open session to take action, if appropriate, on matters discussed in Closed Session.

Roll call vote to reconvene in open session – Ayes - 17, Nays - 0, Abstain - 0, Absent – 2 (Mehn, Gonyo).

DEPARTMENTS TO REPORT ON November 12, 2019

15. Chair Reabe stated that Shelby Jensen, Economic Support/Child Support unit manager, will give a report in November.

FUTURE AGENDA ITEMS FOR ACTION & DISCUSSION

16. None

ADJOURN

17. Chairman Reabe adjourned the meeting at 7:20 PM.

Respectfully Submitted,
Elizabeth Otto
County Clerk

RESOLUTION NUMBER 17-2019
Cooperation Agreement for CDBG Program

The County Board of Supervisors of Green Lake County, Green Lake, Wisconsin, duly assembled at its regular meeting begun on the 15th day of October 2019, does resolve as follows:

WHEREAS, Green Lake County has an identified a need and interest in joining the Central Wisconsin Housing Region, which includes the counties of Adams, Green Lake, Juneau, Marathon, Marquette, Portage, Waupaca, Waushara, and Wood, to provide decent housing, and

WHEREAS, Green Lake County contemplates submitting jointly with the Central Wisconsin Housing Region an application for funds under the Community Development Block Grant (CDBG) housing program of the Wisconsin Division of Housing (DOH) for the purpose of meeting those needs, and

WHEREAS, Green Lake County and the Central Wisconsin Housing Region desire to and are required to, enter into a written cooperative agreement with each other to participate in such CDBG program, and

WHEREAS, Green Lake County and the Central Wisconsin Housing Region understand that Juneau County will act as the applicant (Lead), and will have the ultimate responsibility to assume all obligations under the terms of the grant including assuring compliance with all applicable laws and program regulations and performance of all work in accordance with the grant contract.

WHEREAS, it is understood that the Department of Housing and Urban Development and DOH have access to all participants' grant records and authority to monitor all activities,

NOW THEREFORE BE IT RESOLVED pursuant to Wisconsin Statutes 66.0301, Green Lake County and the Central Wisconsin Housing Region agree to cooperate in the submission of an application for such funds, and agree to cooperate in the implementation of the submitted CDBG program, as approved by the Department of Administration.

BE IT FURTHER RESOLVED nothing contained in this agreement shall deprive any municipality of any power or zoning, development control or other lawful authority which it presently possesses.

Majority vote is needed to pass.

Finance Committee recommends approval

Passed and Adopted this 15th day of October, 2019

Roll Call on Resolution 17-2019

Ayes 17, nays 0, Absent 2, Abstain 0

Submitted by Finance Committee: /s/ Larry Jenkins; /s/ Robert Lyon; /s/ Dennis Mulder

RESOLUTION NUMBER 18-2019
Modify Health Insurance Plan Design and
Update Personnel Policies and Procedures Manual

The County Board of Supervisors of Green Lake County, Green Lake, Wisconsin, duly assembled at its regular meeting begun on the 15th day of October 2019, does resolve as follows:

WHEREAS, Green Lake County has requested inclusion through underwriting into the Group Health Insurance Program offered by the Group Insurance Board and monitored by the Department of Employee Trust Funds (ETF) (hereinafter ETF Group Health Insurance Program) at an overall premium cost decrease of 14.3% with an estimated annual fiscal savings of \$412,000; and

WHEREAS, the review of the County's claims experience has been completed by Segal Consulting and the risk of our group is much higher than the average of the State program; therefore, Green Lake County will incur a *first* year annual surcharge in the fourth category equating to \$280 per single plan and \$700 per family plan with an estimated fiscal impact to the County of \$1,125,600; and

WHEREAS, given that the risk of our group is much higher than the average of the State program Green Lake County will incur a 50% *second* year annual surcharge in the fourth category equating to \$140 per single plan and \$350 per family plan with an estimated fiscal impact to the County of \$562,800; and

WHEREAS, once the year one and year two annual surcharges have been paid for inclusion into the ETF Group Health Insurance Program no further surcharges will be incurred; and

WHEREAS, The County's current health insurance carrier WCA Group Health Trust has proposed a one (1) year contract with a 15% increase to our current Tier 1 premium rate retaining the current deductible amounts of \$2,000 Single/\$4,000 Family with no change to the employee premium contribution of 12%; and

WHEREAS, the WCA Group Health Trust has also proposed a one (1) year contract with a 15% increase to our current Tier 2 high deductible plan retaining the current deductible amounts of \$3,000 Single/\$6,000 Family with all costs going first to the deductible with no change to the employee premium contribution of 8% at a total estimated annual increased fiscal impact to the County for both Tier 1

and Tier 2 plans of \$433,428; and

WHEREAS, WEA Trust has also submitted a proposal, essentially mirroring our current GHT plan design, for a two (2) year contract with a 5.8% premium increase in the first year of the contract and an experience modified rate for the second year with a premium increase of 5.5% min – 8.0% mid – 11.0% max at a total 2-year estimated increased fiscal impact to the County of \$671,500; and

WHEREAS historically, over the past five (5) years the regional ETF Group Health Insurance Program premium insurance rates have increased on average 1.49% while GHT premiums have increased on average 8%; and

WHEREAS given ETF Group Health Insurance Program historical data and projected budgetary premium trends, by fiscal year 2022 the County will save an estimated \$1,366,500 in comparison to GHT and an estimated \$694,300 in comparison to WEA, if the County enrolls in ETF Group Health Insurance Program; and

WHEREAS given historical data and projected budgetary premium trends, by fiscal year 2023 the County will save an estimated \$2,766,000 in comparison to GHT and an estimated \$1,866,000 in comparison to WEA, if the County enrolls in ETF Group Health Insurance Program ; and

WHEREAS given this historical data analysis and projected budgetary premium trends, by fiscal year 2023 the County will have saved an amount in excess of that needed to cover the initial ETF Group Health Insurance surcharge costs and expects to continue to benefit from ongoing compounded premium savings.

~~**NOW THEREFORE BE IT RESOLVED** that the Green Lake County Board of Supervisors does approve enrolling in the Group Health Insurance Program offered by the Group Insurance Board and monitored by the Department of Employee Trust Funds (ETF) with the PO12 Plan Design which, in brief general summary, includes~~

- ~~• No Annual Medical Deductible or Copay with the exceptions of Emergency Room (\$60);~~
- ~~• Durable Medical Equipment (20% up to \$500 per person) and Hearing Aids for Adults (20% until plan pays \$1,000, then 100% of costs);~~
- ~~• Prescription Copay Level 1 (\$5 or less), Level 2 (20% w/ \$50 max), Level 3 (40% w/ \$150 max), Level 4 (\$50), Preventive (\$0 as federally required).~~

NOW THEREFORE BE IT RESOLVED that the Green Lake County Board of Supervisors does approve enrolling in the WEA Trust, WEA Broad Network PPO which, in brief general summary, includes,
Tier One

- Deductible: \$2000 Individual/\$4000 Family
- Coinsurance: 100%
- Emergency Room: \$250 Deductible
- Office Visits: \$25 co-pay
- Outpatient Labs and X-ray: \$100 co-pay
- Major Imaging (MRI, CT, PET, etc.) \$100 co-pay
- Preventative Care: 100%
- Dental benefits: not included
- Prescription drug co-pay

Tier Two

- Deductible: \$3000 Individual/\$6000 Family
- Emergency Room: 100% after deductible
- Urgent Care: 100% after deductible
- Outpatient Labs and X-ray: 100% after deductible
- Major Imaging (MRI, CT, PET, etc.): 100% after deductible
- Preventative Care: 100%
- Dental benefits: not included
- Prescription drug: 100% after deductible

~~**BE IT FURTHER RESOLVED** that the County will pay 88% of the lowest cost plan option with the employee paying any additional premium amount due based on their personal plan choice; and~~

~~**BE IT FURTHER RESOLVED** that the County will provide eligible employees the option to contribute pre-tax funds to an established HSA account. And, effective Fiscal Year 2020 the County will waive the established “sunset” date of December 31, 2021 for active employees only for the use of existing HRA fund balances by allowing qualifying employees to retain the existing HRA fund balance for utilization toward a qualifying health care plan or allow their balance to revert back to the County to be used to offset their personal health insurance premium cost contribution until such time as their HRA fund balance is fully depleted; and~~

BE IT FURTHER RESOLVED that Health Insurance and Appendix sections of the Personnel Policies and Procedures Manual be modified to reflect the changes adopted herein.

FISCAL NOTE: is attached

Financial Projection Assumptions:

ETF State Health Plan projected annual premium rate increases	4% per year
GHT projected annual premium rate increases	15% / 8% / 8% / 8%
WEA projected annual premium rate increases	5.8% / 11.0% / 8% / 8%

***current and projected experience mod info leads to the assumption that second year of WEA proposal would be at highest amount proposed @ 11%

GHT 2019 Budget County Cost	\$ 2,889,518.00
GHT 2020 Proposed Costs @ 15% increase	\$ 3,322,945.70
GHT 2021 Estimated Costs @ 8% increase	\$ 3,588,781.36
GHT 2022 Estimated Costs @ 8% increase	\$ 3,875,883.86
GHT 2023 Estimated Costs @ 8% increase	\$ 4,185,954.57
2020 - 2023 GHT County Costs	\$ 14,973,565.49
2020 - 2022 State County Costs	\$ 9,421,072.78
*25 Single Plan	
*124 Family Plan	
* est. 4% annual premium increase	\$ (1,366,538.14)
2020 - 2023 State County Costs	\$ 12,207,536.18
*25 Single Plan	
*124 Family Plan	
* est. 4% annual premium increase	\$ (2,766,029.31)

GHT 2019 Budget County Cost	\$ 2,889,518.00
WEA 2020 Proposed Costs @ 5.8% increase	\$ 3,057,110.04
WEA 2021 Proposed Costs @ 11% increase	\$ 3,393,392.15
*** WEA 2022 Estimated Costs @ 8% increase	\$ 3,664,863.52
*** WEA 2023 Estimated Costs @ 8% increase	\$ 3,958,052.60
*** 2020 -2022 WEA Projected County Costs	\$ 10,115,365.71
*** 2020 -2023 WEA Projected County Costs	\$ 14,073,418.32
2020 - 2021 State County Costs	\$ 6,741,784.09
2020 - 2022 State County Costs	\$ 9,421,072.78
2020 - 2023 State County Costs	\$ 12,207,536.18
* est. 4% annual premium increase	
Difference w/State thru 2021 w/ 11% increase	\$ (291,281.90)
*** Difference w/State thru 2022 w/ 8% increase Yr 3	\$ (694,292.93)
*** Difference w/State thru 2023 w/ 8% increase Yr 3	\$ (1,865,882.14)

Majority vote is needed to pass.

☐ Approved by Personnel ☒ Disapproved by Personnel

Property and Insurance Committee recommends approval

Passed and Adopted as amended this 15th day of October, 2019

Roll Call on Resolution 18-2019

Ayes 16, Nays 1, Absent 2, Abstain 0

Submitted by Property & Insurance Committee: /s/ Vicki Bernhagen, Chair; /s/ Patti Garro; /s/ Keith Hess; /s/ David Abendroth; /s/ Richard Trochinski

GREEN LAKE COUNTYBOARD PROCEEDINGS REGULAR SESSION

November 12, 2019

The Green Lake County Board of Supervisors met in regular session, Tuesday, November 12, 2019, at 6:00 PM in the County Board Room, Green Lake, Wisconsin for the regular meeting.

The Board was called to order by Harley Reabe, Chairman. Roll call taken - Present – 17, Absent – 2 (Bill Boutwell-District 9, Joe Gonyo-District 16)

<u>Supervisor</u>	<u>Supervisor Districts</u>
Larry Jenkins	1
Vicki Bernhagen	2
Curt Talma	3
David Abendroth	4
Peter Wallace	5
Brian Floeter	6
Charlie Wielgosh	7
Patti Garro	8
Sue Wendt	10
Harley Reabe	11
Robert Schweder	12
Kathy Morris	13
Dennis Mulder	14
Katie Mehn	15
Keith Hess	17
Richard Trochinski	18
Robert Lyon	19

READING OF THE CALL

The Green Lake County Board of Supervisors will convene at the Courthouse at the Government Center in the City of Green Lake, Wisconsin on Tuesday the 12th day of November, 2019 at 6:00 PM for the regular meeting of the Board. Regular monthly business to be transacted includes:

CALL TO ORDER
ROLL CALL
READING OF THE CALL
PLEDGE OF ALLEGIANCE
MINUTES OF 10/15/19
ANNOUNCEMENTS

- County Clerk Liz Otto – election packets and per diem payments

PUBLIC COMMENT (3 MIN LIMIT)

CORRESPONDENCE

PUBLIC HEARING

- Recess for Public Hearing on 2020 Budget and 2019 Property Tax Levy at 6:30 PM. Regular business will resume at the conclusion of the Public Hearing.

APPEARANCES

- Shelby Jensen – Economic Support/Child Support Unit Manager

RESOLUTIONS

- Resolution 19-2019 Relating to 2020 Budget and 2019 Property Tax Levy
- Resolution 20-2019 Relating to Green Lake County Investment Policy

ORDINANCES

- Ordinance 17-2019 Rezone in the Town of Brooklyn: Michael J. White
- Ordinance 18-2019 Amending the Code of Green Lake County, Chapter 338, Shoreland Zoning Ordinance

COMMITTEE APPOINTMENTS

DEPARTMENTS TO REPORT ON December 17, 2019

FUTURE AGENDA ITEMS FOR ACTION & DISCUSSION

ADJOURN

Given under my hand and official seal at the Government Center in the City of Green Lake, Wisconsin this 4th day of November, 2019.

Elizabeth A. Otto

Green Lake County Clerk

PLEDGE OF ALLEGIANCE

1. The Pledge of Allegiance to the Flag was recited.

MINUTES OF 10/15/2019

2. **Motion/second (Hess/Trochinski)** to approve the minutes of October 15, 2019 with no changes or corrections. Motion carried with no negative vote.

ANNOUNCEMENTS

3. The next County Board meeting will take place on December 17, 2019 at 6:00 PM.
4. County Clerk Liz Otto provided information regarding election paperwork for the Spring Election on April 7, 2020. She also informed the Supervisors that any per diem payments should be turned in to the County Clerk's office by Monday, November 25 to be included in the 2019 budget.

PUBLIC COMMENT (3 Minute Limit)

5. None

CORRESPONDENCE

6. None

APPEARANCES

7. Shelby Jensen, Economic Support/Child Support unit manager, gave an update on those departments within HHS. She provided information on the various programs and requirements to qualify for each. Jensen focused on the Energy Assistance program in particular with more in depth information.

RESOLUTIONS

8. Resolution 20-2019 Relating to Green Lake County Investment Policy. **Motion/second (Jenkins/Floeter)** to adopt Resolution No. 20-2019. No discussion. Roll call vote on motion to adopt Resolution 20-2019 – Ayes – 17, Nays – 0, Abstain – 0, Absent – 2 (Boutwell, Gonyo). Resolution 20-2019 passed as adopted.

ORDINANCES

9. Ordinance 17-2019 Rezone in the Town of Brooklyn: Michael J. White. **Motion/second (Garro/Wallace)** to enact Ordinance No. 17-2019. No discussion. Roll call vote on motion to enact Ordinance 17-2019 – Ayes – 17, Nays – 0, Abstain – 2, Absent – 2 (Boutwell, Gonyo). Ordinance 17-2019 passed as enacted.
10. Ordinance 18-2019 Amending the Code of Green Lake County, Chapter 338, Shoreland Zoning Ordinance. **Motion/second (Mulder/Garro)** to enact Ordinance No. 18-2019. No discussion. Roll call vote on motion to enact Ordinance 18-2019 – Ayes – 17, Nays – 0, Abstain – 0, Absent – 2 (Boutwell, Gonyo). Ordinance 18-2019 passed as enacted.

PUBLIC HEARING

11. **Motion/second (Abendroth/Wendt)** to dissolve as a County Board of Supervisors at 6:30 PM and arise as a Committee of the Whole for the purpose of conducting a Public Hearing on the proposed 2020 budget. All ayes. Motion carried.

12. Finance Committee Chairman Harley Reabe conducted the Public Hearing. County Administrator Cathy Schmit briefly summarized the 2020 Budget. Discussion held regarding Financial Manager position in the County Administrator department.
13. **Motion/second (Schweder/Wendt)** to dissolve at 6:47 PM as a Committee of the Whole and arise as a County Board of Supervisors for the purpose of continuing the meeting and that Harley Reabe be seated as County Board Chairman. All ayes. Motion carried.

RESOLUTIONS (cont'd)

14. Resolution 19-2019 Relating to 2020 Budget and 2019 Property Tax Levy. **Motion/second (Jenkins/Trochinski)** to adopt Resolution No. 19-2019. No discussion. Roll call vote on motion to adopt Resolution 19-2019 – Ayes – 13, Nays – 4 (Abendroth, Wielgosh, Garro, Mehn), Abstain – 0, Absent – 2 (Boutwell, Gonyo). Resolution 19-2019 passed as adopted.

COMMITTEE APPOINTMENTS

15. None

DEPARTMENTS TO REPORT ON December 17, 2019

16. Bill Hutchison, IT Director, will give an update on the IT department at the December meeting.

FUTURE AGENDA ITEMS FOR ACTION & DISCUSSION

17. None

ADJOURN

18. Chairman Reabe adjourned the meeting at 6:52 PM.
Respectfully Submitted,
Elizabeth Otto
County Clerk

RESOLUTION NUMBER 19-2019 Relating to 2020 Budget and 2019 Property Tax Levy

The County Board of Supervisors of Green Lake County, Green Lake, Wisconsin, duly assembled at its annual meeting begun on the 12th day of November 2019, does resolve as follows:

WHEREAS, the several departments of Green Lake County Government have prepared estimates of revenues and expenditures for their respective departments for 2020 in coordination with their governing committees; and

WHEREAS, the County Administrator has reviewed each of these estimates in detail and made such adjustments as deemed necessary and appropriate; and

WHEREAS, the County Administrator along with the Finance Committee of the County Board of Supervisors has reviewed each of these estimates in detail and made such additional adjustments as deemed necessary and appropriate.

NOW, THEREFORE, BE IT RESOLVED, that the attached budget for Green Lake County for 2020 be adopted; and

BE IT FURTHER RESOLVED, that the allowable unused levy from previous years in the amount of \$0 be included in the full property tax levy below; and

BE IT FURTHER RESOLVED, that a property tax of \$15,224,942 be apportioned among the sixteen (16) municipalities in accordance with ratios provided by the Wisconsin Department of Revenue.

Majority vote is needed to pass.

Finance Committee recommends approval

Passed and Adopted this 12th day of November, 2019

Roll Call on Resolution 19-2019

Ayes 13, Nays 4, Absent 2, Abstain 0

Submitted by Finance Committee: /s/ Harley Reabe, Chair; /s/ Larry Jenkins; /s/ Robert Lyon; /s/ Dennis Mulder

RESOLUTION NUMBER 20-2019 RESOLUTION RELATING TO GREEN LAKE COUNTY INVESTMENT POLICY

The County Board of Supervisors of Green Lake County, Green Lake, Wisconsin, duly assembled at its regular meeting on this 12 day of November 2019, does resolve as follows:

WHEREAS, the Finance Committee is required by Ordinance 9-33 (5) to supervise the investment of all County funds and direct the Treasurer in regard to investments.

WHEREAS, the Finance Committee has reviewed the Green Lake County Investment Policy and proposes the policy be updated to reflect statutory changes and to provide guidance to the County Treasurer

NOW THEREFORE BE IT RESOLVED, that the attached Green Lake County Investment Policy is hereby adopted.

Majority vote is needed to pass.

Finance committee recommends approval

Passed and Adopted this 12th day of November, 2019

Roll Call on Resolution 20-2019

Ayes 17, Nays 0, Absent 2, Abstain 0

Submitted by Finance Committee: /s/ Harley Reabe, Chair; /s/ Larry Jenkins, Vice Chair; /s/ Robert Lyon; /s/ Dennis Mulder

ORDINANCE NO. 17-2019 Relating to: Rezone in the Town of Brooklyn Owner: Michael J White

The County Board of Supervisors of Green Lake County, Green Lake, Wisconsin, duly assembled at its regular meeting begun on the 12th day of November, 2019, does ordain as follows:

NOW, THEREFORE, BE IT ORDAINED that the Green Lake County Zoning Ordinance, Chapter 350 as amended, Article IV Zoning Districts, Section 350-26 Official Map, as relates to the Town of Brooklyn, shall be amended as follows: W2955 Hillside Rd, Parcel #004-00917-0000, Estate Numbers 1170 & 1171 of Lawsonia Estates Plat, Government Lot 1 of Section 35, T16N, R12E, Town of Brooklyn. Rezone from RC Recreation District to R-1 Single-family Residence District.

BE IT FURTHER ORDAINED, that this ordinance shall become effective upon passage and publication.

Land Use Planning & Zoning Committee recommends approval

Passed and Enacted this 12th day of November, 2019

Roll Call on Ordinance 17-2019

Ayes 17, Nays 0, Absent 2, Abstain 0

Submitted by Land Use Planning & Zoning Committee: /s/ Robert Lyon, Chair; /s/ Harley Reabe, Vice Chair; /s/ Curt Talma; /s/ Peter Wallace

ORDINANCE NO. 18-2019

AMENDING CH. 338 – SHORELAND ZONING

The County Board of Supervisors of Green Lake County, Green Lake Wisconsin, duly assembled at its regular meeting begun on the 12th day of November 2019, does ordain as follows:

NOW, THEREFORE, THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF GREEN LAKE DOES ORDAIN AS FOLLOWS:

Section 1 Green Lake County Ordinance. No 20-2016 adopted September 20, 2016, and subsequent amendments thereto, is hereby amended as follows: (new text is underlined, stricken text is ~~strikeout~~)

Chapter 338

Shoreland Zoning

[HISTORY: Adopted by the Board of Supervisors of Green Lake County 9-20-2016 by Ord. No. 20-2016. [1] amends noted where applicable.]

GENERAL REFERENCES

Comprehensive Plan – See Ch **280**.

Construction site erosion control and storm water management – See Ch. **284**.

Floodplain zoning – See Ch. **300**.

Land division and subdivision – See Ch. **315**.

Private sewage systems – See Ch. **334**.

Zoning – See Ch. **350**.

Article I

Introduction

§ 338-1 Statutory authorization.

This chapter is adopted pursuant to the authorization in § 59.692, Wis. Stats., to implement §§ 59.692 and 281.31, Wis. Stats.

§338-2 Finding of fact.

Uncontrolled use of the shore lands and pollution of the navigable waters of Green Lake County will adversely affect the public health, safety, convenience and general welfare, and impair the tax base. The legislature of Wisconsin has delegated responsibility to the counties 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 structures and land uses; and to preserve shore cover and natural beauty. The responsibility is hereby recognized by Green Lake County, Wisconsin.

§338-3 Purpose and intent.

For the purpose of promoting the public health, safety, convenience and welfare, and promote and protect the public trust in navigable waters, this chapter has been established to:

A. Further the maintenance of safe and healthful conditions and prevent and control water pollution through:

- (1) Limiting structures to those areas where soil and geological conditions will provide a safe foundation.
- (2) Establishing minimum lot sizes to provide adequate area for private on-site waste treatment systems.
- (3) Controlling filling and grading to prevent soil erosion problems.
- (4) Limiting impervious surfaces to control runoff which carries pollutants.

B. Protect spawning grounds, fish and aquatic life through:

- (1) Preserving wetlands and other fish and aquatic habitat.
- (2) Regulating pollution sources.
- (3) Controlling shoreline Alterations, dredging, and lagooning.

C. Control building sites, placement of structures and land uses through:

- (1) Prohibiting certain uses detrimental to the shore land-wetlands.
- (2) Setting minimum lot sizes and widths.
- (3) Setting minimum building setbacks from property boundary lines and waterways.
- (4) Setting the maximum height of near shore structures.

D. Preserve and restore shoreland vegetation and natural scenic beauty through:

- (1) Restricting the removal of natural shoreland cover.
- (2) Preventing shoreline encroachment by structures.
- (3) Controlling shoreland excavation and other earth-moving activities.
- (4) Regulating the use and placement of boathouses and other structures.

§ 338-4 Title

This chapter shall be known, cited, and referred to as the “Shoreland ~~Protection~~ Zoning ordinance for Green Lake County, Wisconsin.”

§ 338-5 When effective; repealer.

A. This chapter shall be effective upon final adoption by the Green Lake County Board and publication as provided for in the Wisconsin Statutes. Prior to final adoption of this chapter, the County must receive a certificate of compliance from the Department.

B. Any previously adopted versions of Chapter 338 shall be replaced with this chapter in its entirety upon the effective date of this chapter.

Article II General Provisions

§ 338-6 Areas to be regulated.

Areas regulated by this chapter shall include all the lands, referred to herein as “shorelands,” in the unincorporated areas of Green Lake County which are:

A. Within 1,000 feet of the ordinary high-water mark of navigable lakes, ponds, or flowages. Navigability of lakes, ponds, or flowages in Green Lake County shall be determined based on criteria established in Appendix A of this chapter and revisions thereto. [2]

B. Within 300 feet of the ordinary high-water mark of navigable rivers or streams, or to the landward side of the floodplain, whichever distance is greater. Navigability of rivers and streams in Green Lake County shall be determined based on criteria established in Appendix A of this chapter and revisions thereto.

C. The provisions of this chapter apply to regulation of the use and development of unincorporated shoreland areas unless specifically exempted by law. All cities, villages, towns, counties, and, when § 13.48(13), Wis. Stats. applies, state agencies are required to comply with, and obtain all necessary permits under, this chapter. The construction, reconstruction, maintenance or repair of state highways and bridges carried out under the direction and supervision of the Wisconsin Department of Transportation are not subject to this chapter if § 30.2022(1), Wis. Stats., applies. Shoreland zoning requirements in annexed or incorporated areas are provided in §§ 61.353 and 62.233, Wis. Stats.

D. Determinations of navigability and ordinary high-water mark location shall initially be made by the Land Use Planning and Zoning Department. When questions arise, the Land Use Planning and Zoning Department shall contact the appropriate office of the Department for a final determination of navigability or ordinary high-water mark. The County may work with surveyors in regard to § 59.692(1h), Wis. Stats.

E. Under § 281.31(2m), Wis. Stats., notwithstanding, any other provision of law or administrative rule promulgated thereunder, this chapter does not apply to:

1. Lands adjacent to farm drainage ditches if:

a. Such lands are not adjacent to a natural navigable stream or river;

b. Those parts of such drainage ditches adjacent to such lands were not navigable streams before ditching; and

2. Lands adjacent to artificially constructed drainage ditches, ponds or stormwater retention basins that are not hydrologically connected to a natural navigable water body.

§ 338-7 Shoreland-Wetland maps.

The most recent version of the Wisconsin Wetland Inventory, as depicted on the Department of Natural Resources Surface Water Data Viewer, is made part of this chapter. These maps may be viewed at <https://dnr.wi.gov/keywordsearch?surfacewaterdata> <http://dnrmaps.wi.gov/SL/View.html?Viewer=SWDV&runWorkflow=Westland> These maps may also be viewed from the GIS Viewer at the County's website: <http://gis.co.green-lake.wi.us/>.

§ 338-8 Compliance.

The use of any land, the size, shape and placement of lots and parcels, the use, size, type, and location of structures on lots and parcels, the installation and maintenance of water supply and waste disposal facilities, the filling, grading, lagooning, dredging of any lands, the cutting of shoreland vegetation, the subdivision of lots and parcels, shall be in full compliance with the terms of this chapter and other applicable local, state, or federal regulations. Buildings and other structures shall require a permit unless otherwise expressly excluded by a provision of this chapter. The property owner(s), or the contractor(s), under the direction of the property owner(s), are responsible for compliance with the terms of this chapter.

§ 338-9 Municipalities and state agencies regulated.

Unless specifically exempted by law, all cities, villages, towns, and counties are required to comply with this chapter and obtain all necessary permits. State agencies are required to comply when § 13.48(13), Wis. Stats., applies. The construction, reconstruction, maintenance and repair of state highways and bridges by the Wisconsin Department of Transportation are exempt when § 30.2022(1), Wis. Stats., applies.

§ 338-10 Abrogation and greater restrictions.

When more restrictive, the provisions of this chapter supersede any provisions in a County zoning ordinance that solely relate to shorelands. Therefore, if a zoning standard of another ordinance only applies to lands that lie within the shoreland and applies because the lands are in shoreland, then this chapter supersedes those provisions. However, where another ordinance adopted under a statute other than § 59.692, Wis. Stats., does not solely relate to shorelands and is more restrictive than this chapter, that ordinance shall continue in full force and effect to the extent of the greater restrictions.

A. This chapter shall not require approval or be subject to disapproval by any town or town board.

B. If an existing town ordinance relating to shorelands is more restrictive than this chapter or any amendments thereto, the town ordinance continues in all respects to the extent of the greater restrictions but not otherwise.

C. This chapter is not intended to repeal, abrogate, or impair any existing deed restrictions, covenants, or easements. However, where this chapter imposes greater restrictions, the provisions of this chapter shall prevail.

D. This chapter may establish standards to regulate matters that are not regulated in Ch. NR 115, Wis. Adm. Code, but that further the purposes of shoreland ~~protection~~ zoning as described in **§ 338-3** of this chapter.

E. Counties may not establish shoreland zoning standards in a shoreland ~~protection~~ zoning ordinance that requires any of the following:

(1) Approval to install or maintain outdoor lighting in shorelands, impose any fee or mitigation requirement to install or maintain outdoor lighting in shorelands, or otherwise prohibit or regulate outdoor lighting in shorelands, if the lighting is designed or intended for residential use.

(2) Requires any inspection or upgrade of a structure before the sale or other transfer of the structure may be made.

F. The construction and maintenance of a facility is considered to satisfy the requirements of a shoreland zoning ordinance if:

(1) The Department issued all required permits or approvals authorizing the construction or maintenance under Ch. 30, 31, 281 or 283, Wis. Stats.

(a) Note: A "facility" means any property or equipment of a public utility, as defined in

§ 196.01(5), Wis. Stats., or a cooperative association organized under Ch. 185, Wis. Stats., for the purpose of producing or furnishing heat, light, or power to its members only, that is used for the transmission, delivery, or furnishing of natural gas, heat, light, or power.

§ 338-11 Interpretation.

In their interpretation and application, the provisions of this chapter shall be liberally construed in favor of the County and shall not be deemed a limitation or repeal of any other powers granted by Wisconsin Statutes. Where a provision of this chapter is required by statute and a standard in Ch. NR 115, Wis. Adm. Code, and where the chapter provision is unclear, the provision shall be interpreted in light of the statute and Chapter NR 115 standards in effect on the date of the adoption of this chapter or in effect on the date of the most recent text amendment to this chapter.

§ 338-12 Severability.

If any portion of this chapter is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this chapter shall not be affected.

§ 338-13 through § 338-15. (Reserved)

Article III Shoreland-Wetland District

§ 338-16 Designation.

This district shall include all shorelands within the jurisdiction of this chapter which are designated as wetlands on the most recent version of the Wisconsin Wetland Inventory as referenced in § 338-7.

A. Locating Shoreland-Wetland boundaries. Where an apparent discrepancy exists between the Shoreland-Wetland District boundary shown on the Wisconsin Wetland Inventory and actual field conditions, the County shall contact the Department to determine if the map is in error. If the Department determines that a particular area was incorrectly mapped as wetland or meets the wetland definition but was not shown as wetland on the map, the County shall have the authority to immediately grant or deny a shoreland land use permit in accordance with the applicable regulations based on the Department determination as to whether the area is wetland. In order to correct wetland mapping errors on the official zoning map, an official zoning map amendment must be initiated within a reasonable period of time.

§ 338-17 Purpose.

This district is created to maintain safe and healthful conditions, to prevent water pollution, to protect fish spawning grounds and wildlife habitat, to preserve shore cover and natural beauty, and to control building and development in wetlands whenever possible. When development is permitted in a wetland, the development should occur in a manner that minimizes adverse impacts upon the wetland.

§ 338-18 Permitted Uses.

The following uses shall be allowed subject to general shoreland protection regulations contained in this chapter, the provisions of Chs. 30 and 31, and § 281.36, Wis. Stats., and the provisions of other applicable local, state, and federal laws:

A. Activities and uses which do not require the issuance of a land use permit, but which must be carried out without any filling, flooding, draining, dredging, ditching, tiling, or excavating except as allowed under Subsections A or B:

(1) Hiking, fishing, trapping, hunting, swimming, and boating;

(2) The harvesting of wild crops, such as marsh hay, ferns, moss, wild rice, berries, tree fruits, and tree seeds, in a manner that is not injurious to the natural reproduction of such crops;

(3) The pasturing of livestock;

(4) The cultivation of agricultural crops;

(5) The practice of silviculture, including the planting, thinning, and harvesting of timber; and

(6) The construction or maintenance of hunting blinds.

B. Uses which do not require the issuance of a land use permit and which may include limited filling, flooding, draining, dredging, ditching, tiling, or excavating but only to the extent specifically provided below:

(1) Temporary water level stabilization measures necessary to alleviate abnormally wet or dry conditions that would have an adverse impact on silvicultural activities if not corrected;

(2) The cultivation of cranberries including flooding, dike, and dam construction or ditching necessary for the growing and harvesting of cranberries;

(3) The maintenance and repair of existing agricultural drainage systems, including ditching, tiling, dredging, excavating, and filling necessary to maintain the level of drainage required to continue the existing agricultural use. This includes the minimum filling necessary for disposal of dredged spoil adjacent to the drainage system provided that dredged spoil is placed on existing spoil banks where possible;

(4) The construction or maintenance of fences for the pasturing of livestock, including limited excavating and filling necessary for such construction or maintenance;

(5) The construction or maintenance of piers, docks, or walkways built on pilings, including limited excavating and filling necessary for such construction and maintenance; and

(6) The maintenance, repair, replacement, or reconstruction of existing town and County highways and bridges, including limited

excavating and filling necessary for such maintenance, repair, replacement or reconstruction.

C. Uses which require the issuance of a land use permit and which may include limited filling, flooding, draining, dredging, ditching, tiling, or excavating, but only to the extent specifically provided below:

(1) The construction and maintenance of roads which are necessary to conduct silvicultural activities or agricultural cultivation, provided that:

(a) The road cannot as a practical matter be located outside the wetland;

(b) The road is designed and constructed to minimize adverse impact upon the natural functions of the wetland enumerated in § 338-20B;

(c) The road is designed and constructed with the minimum cross-sectional area practical to serve the intended use;

(d) Road construction activities are carried out in the immediate area of the roadbed only.

(2) The construction or maintenance of nonresidential buildings, provided that:

(a) The building is essential for and used solely in conjunction with the raising of waterfowl, minnows, or other wetland or aquatic animals; or some other use permitted in the Shoreland-Wetland District;

(b) The building cannot, as a practical matter, be located outside the wetland;

(c) Such building is not designed for human habitation and does not exceed 500 square feet in floor area; and

(d) Only limited filling or excavating necessary to provide structural support for the building is authorized.

(3) The establishment of public and private parks and recreation areas, natural and outdoor education areas, historic and scientific areas, wildlife refuges, game bird and animal farms, fur animal farms, fish hatcheries, and public boat launching ramps and attendant access roads, provided that:

(a) Any private development is used exclusively for the permitted use and the applicant has received a permit or license under Ch. 29, Wis. Stats., where applicable;

(b) Filling or excavating necessary for the construction or maintenance of public boat launching ramps or attendant access roads is allowed only where such construction or maintenance meets the criteria in § 338-18C(1)(a) through (d) and;

(c) Ditching, excavating, dredging, or dike and dam construction in public and private parks and recreation areas, natural and outdoor education areas, historic and scientific areas, wildlife refuges, game bird and animal farms, fur animal farms, and fish hatcheries is allowed only for the purpose of improving wildlife habitat and to otherwise enhance wetland values.

(4) The construction or maintenance of electric, gas, telephone, water and sewer transmission, and distribution facilities, by public utilities and cooperative associations organized for the purpose of producing or furnishing heat, light, power, or water to their members and the construction or maintenance of railroad lines provided that:

(a) The transmission and distribution facilities and railroad lines cannot, as a practical matter, be located outside the wetland;

(b) Such construction or maintenance is done in a manner designed to minimize adverse impact upon the natural functions of the wetland enumerated in § 338-20B.

§ 338-19 Prohibited uses.

Any use not listed in § 338-18A, B or C is prohibited, unless the wetland or portion of the wetland has been rezoned by amendment of this chapter in accordance with § 338-20 of this chapter and § 59.69(5)(e), Wis. Stats.

§ 338-20 Rezoning of lands in the Shoreland-Wetland District.

A. For all proposed text and map amendments to the shoreland-wetland provisions of this chapter, the appropriate office with the Department shall be provided with the following:

(1) A copy of every petition for a text or map amendment to the shoreland-wetland provisions of this chapter, within five days of the filing of such petition with the County Clerk. Such petition shall include a copy of the Wisconsin Wetland Inventory map adopted as part of this chapter describing any proposed rezoning of a shoreland-wetland;

(2) Written notice of the public hearing to be held on a proposed amendment at least 10 days prior to such hearing;

(3) A copy of the Land Use Planning and Zoning Committee's findings and recommendations on each proposed amendment within 10 days after the submission of those findings and recommendations to the County Board; and

(4) Written notice of the County Board's decision on the proposed amendment within 10 days after it is issued.

B. A wetland, or a portion thereof in the Shoreland-Wetland District, shall not be rezoned if the proposed rezoning may result in a significant adverse impact upon any of the following:

(1) Storm and flood water storage capacity;

(2) Maintenance of dry season stream flow, the discharge of groundwater to a wetland, the recharge of groundwater from a wetland to another area, or the flow of groundwater through a wetland;

(3) Filtering or storage of sediments, nutrients, heavy metals, or organic compounds that would otherwise drain into navigable waters;

(4) Shoreline protection against soil erosion;

(5) Fish spawning, breeding, nursery, or feeding grounds;

(6) Wildlife habitat; or

(7) Wetlands both within the boundary of designated areas of special natural resource interest and those wetlands which are in proximity to or have a direct hydrologic connection to such designated areas as defined in § NR 103.04, Wis. Adm. Code, which can be accessed at the following website: <http://www.legis.state.wi.us/rsb/code/nr/nr103.pdf>.

C. If the Department notifies the Land Use Planning and Zoning Committee that a proposed text or map amendment to the shoreland-wetland provisions of this chapter may have a significant adverse impact upon any of the criteria listed in § 338-20B of this chapter, that amendment, if approved by the County Board, shall contain the following provision: "This amendment shall not take effect until more than 30 days have elapsed after written notice of the County Board's approval of this amendment is mailed to the Department of Natural Resources. During that thirty-day period the Department of Natural Resources may notify the County Board that it will adopt a superseding shoreland ordinance for the County under § 59.692(6), Wis. Stats. If the Department does so notify the County Board, the effect of this amendment shall be stayed until the § 59.692(6) adoption procedure is completed or otherwise terminated."

§ 338-21 (Reserved)

Article IV

Land Division and Sanitary Regulations

§ 338-22 Land division review.

The County shall review, pursuant to § 236.45, Wis. Stats., all land divisions in shoreland areas which create three or more lots or parcels or building sites of five acres each or less within a five-year period. In such review all of the following factors shall be considered:

- A. Hazards to the health, safety, or welfare of future residents.
- B. Proper relationship to adjoining areas.
- C. Public access to navigable waters, as required by law.
- D. Adequate stormwater drainage facilities.
- E. Conformity to state law and administrative code provisions

§ 338-23 Planned unit development (PUD)

A. Purpose. The planned unit development is intended to permit smaller nonriparian lots and parcels where the physical layout of the lots and parcels is so arranged as to better assure the control of pollution and preservation of ground cover than would be expected if the lots and parcels were developed with the normal lot sizes and setbacks and without special conditions placed upon the planned unit development at the time of its approval. A condition of all Planned Residential Unit Development is the preservation of certain open space, preferably on the shoreland, in perpetuity.

B. Requirements for planned unit development. The County Board may at its discretion, upon its own motion or upon petition, approve a planned unit development overlay district upon finding, after a public hearing, that all of the following facts exist:

(1) Area. The area proposed for the planned unit development shall be at least two acres in size or have a minimum of 200 feet of frontage on a navigable water.

(2) Lots and parcels. Any proposed lot or parcel in the planned unit development that does not meet the minimum size standards of §§ **338-27** and **338-28** shall be a nonriparian lot or parcel.

(3) Lot sizes, widths, setbacks, and vegetation removal. When considering approval of a planned unit development the governing body shall consider whether proposed lot or parcel sizes, widths, and setbacks are of adequate size and distance to prevent pollution or erosion along streets or other public ways and waterways. Increased shoreland setbacks shall be a condition of approval as a way of minimizing adverse impacts of development. Vegetative shore cover provisions in § **338-37** shall apply except that maximum width of a lake frontage opening shall be 100 feet and minimum vegetative buffer depth shall be increased to offset the impact of the proposed development.

(4) Note: Counties should be aware that the planned unit development standards, as written, grant back lot access (key holing) without applying frontage requirement standards to determine overall density. This comports to NR115.05(1)(a)4. Counties may optionally include requirements to limit overall density based upon minimum frontage standards as well. These types of developments may also be known as conservation subdivisions or planned residential development. The provisions of NR 115.05(1)(a)4 apply to these types of developments where there may be a combination of a density bonus, smaller lot size, and preservation of open space.

C. The procedure for establishing a Planned Residential Unit Development district shall be as follows:

(1) Petition. A petition setting forth all of the facts required in § **338-23B** shall be submitted to the County Clerk with sufficient copies to provide for distribution by the County Clerk as required by § **338-62H**.

(2) Review and Hearing: The petition shall be submitted to the County Land Use Planning and Zoning Committee established as required by § 59.69(3)(d), Wis. Stats., which shall hold a public hearing and report to the County Board as required by law. Copies of the petition and notice of the hearing shall also be sent to the appropriate office of the Department as described in § **338-65A**, of this chapter. The Land Use Planning and Zoning Committee's report to the County Board shall reflect the recommendations of any federal, state, or local agency with which the Land Use Planning and Zoning Committee consults.

(3) Findings and Conditions of Approval. The County Board shall make written findings as to the compliance or noncompliance of the proposed overlay district with each of the applicable requirements set forth in § **338-23B**. If the petition is granted in whole or part, the County Board shall attach such written conditions to the approval as are required by and consistent with § **338-23B**. The conditions of approval shall in all cases establish the specific restrictions applicable with regard to minimum lot sizes, width, setbacks, dimensions of vegetative buffer zone, and open space requirements.

(4) Planning studies. A landowner or petitioner may, at his own expense, develop the facts required to establish compliance with the provisions of § **338-23B** or may be required to contribute funds to the County to defray all or part of the cost of such studies being undertaken by the County or any agency or person with whom the County contracts for such work.

§ 338-24 Sanitary regulations.

Each County shall adopt sanitary regulations for the protection of health and the preservation and enhancement of water quality.

A. Where public water supply systems are not available, private well construction shall be required to conform to CH. NR 812, Wis. Adm. Code.

B. Where a public sewage collection and treatment system is not available, design and construction of a private on-site waste treatment system shall, prior to July 1, 1980, be required to comply with CH. SPS ~~Comm~~ 383, Wis. Adm. Code and after June 30, 1980, be governed by a private sewage system ordinance adopted by the County under §59.70(5), Wis. Stats.

§ 338-25 (Reserved)

Article V

Lot and Parcel Size

§ 338-26 Purpose.

Minimum lot and parcel sizes in the shoreland area are established to afford protection against danger to health, safety and

welfare, and protection against pollution of the adjacent body of water.

A. In calculating the minimum area or width of a lot or parcel, the beds of navigable waters shall not be included.

§ 338-27 Sewered lots and parcels.

Minimum area and width for each lot or parcel.

A. The minimum area shall be 10,000 square feet and the minimum average width shall be 65 feet.

(1) The width shall be calculated by averaging the shortest horizontal measurements at the following locations:

(a) The landward distance at the ordinary high-water mark between the side boundary lines.

(b) Distances at any angle point along the side boundary line.

(c) The street/access boundary line.

(d) The rear boundary line, where applicable.

§ 338-28 Unsewered lots and parcels.

Minimum area and width for each lot or parcel.

A. The minimum area shall be 20,000 square feet and the minimum average width shall be 100 feet.

(1) The width shall be calculated by averaging the shortest horizontal measurements at the following locations:

(a) The landward distance at the ordinary high-water mark between the side boundary lines.

(b) Distances at any angle point along the side boundary line.

(c) The street/access boundary line.

(d) The rear boundary line, where applicable.

§ 338-29 Substandard lots and parcels.

A. A legally created lot or parcel that met minimum area and minimum average width requirements when created, but does not meet current size requirements, may be used as a building site if all of the following apply

(1) The substandard lot or parcel was never reconfigured or combined with another lot or parcel by plat, survey, or consolidation by the owner into one property tax parcel.

(2) The substandard lot or parcel has never been developed with one or more of its structures placed partly upon an adjacent lot or parcel.

(3) The substandard lot or parcel is developed to comply with all other requirements of this chapter.

B. Notes: The intent of this provision is to allow lots and parcels that were legally created that currently do not meet the minimum width and area requirements to be considered a building site provided all ordinance requirements can be met. Substandard lots and parcels that have been reconfigured by a certified survey map or consolidated into one legal description with the Register of Deeds, which result in a larger (closer to conforming) lot or parcel, should be allowed to be utilized as a building site. Additionally, lots that have a legal description for each substandard lot on record with the Register of Deeds but have one tax parcel number assigned by the Real Property Lister or Assessor for taxing/assessing purposes, should be considered separate building sites and should not be considered consolidated. Lots or parcels that have had development over the lot lines should be combined with a legal description and recorded with a new deed prior to new development occurring.

§ 338-30 Other substandard lots and parcels.

Except for lots which meet the requirements of § 338-29, a land use permit for the improvement of a lot or parcel having lesser dimensions than those stated in §§ 338-27 and 338-28 shall be issued only if a variance is granted by the Board of Adjustment.

§ 338-31 (Reserved)

Article VI
Building Setbacks

§ 338-32 Building setbacks.

Permitted building setbacks shall be established to conform to health, safety and welfare requirements, preserve natural beauty, reduce flood hazards, and avoid water pollution.

A. Shoreland setbacks. Unless exempt under § 338-32 A(1), or reduced under § 338-3, ~~2, B~~ [3] a setback of 75 feet from the ordinary high-water mark of any navigable waters to the nearest part of a building or structure shall be required for all buildings and structures.

(1) Exempt structures. Per §59.692(1)(~~nk~~)(~~da~~)(6), [KM4] Wis. Stats., all of the following structures are exempt from the shoreland setback standards in §338-32A:

(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. All boathouses shall adhere to the following conditions:

[1] The construction or placement of boathouses below the ordinary high-water mark of any navigable waters shall be prohibited.

[2] Boathouses shall be designed and constructed solely for the storage of ~~boats~~ watercraft and related equipment.

[3] One boathouse is permitted on a lot or parcel as an accessory structure.

[4] Boathouses ~~constructed where the existing slope is more than 50%~~ shall be designed and constructed to not destabilize the existing slope. Final grades must be at a slope that is naturally stable, depending on soil type.

[5] Boathouses shall be constructed in conformity with local floodplain zoning standards. Fill, elevation surveys, or other documentation may be required within 180 days of permit issuance, per 300-38B(4).

[6] Boathouses shall be one story with sidewalls not exceeding 10 feet in height and a footprint entirely within the access and viewing corridor of the vegetative buffer. The footprint is not to exceed 16 feet in width by 24 feet in depth, with the width running parallel to the shore.

[7] Boathouse roofs shall be designed with a pitched roof having a minimum slope of 2/12, a maximum slope of 46/12, and in no case shall be designed for use as a deck, observation platform, or for other similar uses.

[8] Earth-toned color shall be required for all exterior surfaces of a boathouse.

[9] The main door shall face the water

[10] Any features the Department considers inconsistent with the use of the structure exclusively as a boathouse are not permitted. Examples may include but not limited to patio door, fireplaces, decks and living quarts.

~~Patio doors, fireplaces, and other features inconsistent with the use of the structure exclusively as a boathouse, are not permitted.~~

[11] Per § 59.692(1o) Wis. Stats., the roof of an existing boathouse may be used as a deck, provided that the boathouse has a flat roof, has not side walls or screened walls, and has a railing that meets Department of Safety and Professional Services standards.

[12] No boathouse shall have any wall, door, or access opening be more than 1/3 transparent

[13] Boathouse roof overhangs shall not project more than 24 inches out from the boathouse side wall. [KM5]

(b) Open-sided and screened structures such as gazebos, decks, patios, and screen houses in the shoreland setback area that satisfy the following requirements in §59.692(1v), Wis. Stats.

[1] The part of the structure that is nearest to the water is located at least 35 feet landward from the ordinary high-water mark.

[2] The floor area of all the structures in the shoreland setback area will not exceed 200 square feet. In calculating this square footage, boathouses shall be excluded. [6]

[3] The structure that is the subject of the request for special zoning permission has no sides or has open or screened sides.

[4] The County must approve a plan that will be implemented by the owner of the property to preserve or establish a vegetative buffer zone that covers at least 70% of the half of the shoreland setback area that is nearest to the water. Note: The statutory requirements under § 59.692(1v), Wis. Stats., which require the establishment of a vegetative buffer for the construction of open-sided structures is not superseded by § 59.692(1f)(a).

[5] The structure must be free-standing and more than five feet from a principal structure.

[6] An enforceable affidavit must be filed with the Register of Deeds prior to construction acknowledging the limitations on vegetation.

(c) Broadcast signal receivers, including satellite dishes or antennas that are one meter or less in diameter and satellite earth station antennas that are two meters or less in diameter.

(d) Utility transmission and distribution lines, poles, towers, water towners, pumping stations, well pump house covers, private on-site wastewater treatment systems that comply with Ch. SPS ~~Comm~~ 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.

(e) [7] A walkways, stairways or rail systems is permitted, provided

~~[1] The structure is necessary to access or protect the shoreline because of steep slopes or wet, unstable soils.~~

~~[2] The structure shall be located so as to minimize earth disturbing activities and shoreline vegetation removal during construction~~

~~[3] The structure shall be visually inconspicuous as viewed from the adjacent waterway, not to exceed a maximum of 60 inches in width~~

~~[4] Railings are permitted only where required by safety concerns, state statutes, or state regulations.~~

~~[5] Canopies and/or roofs on such structures are prohibited~~

~~[6] Stairways shall be supported on piles or footings rather than being excavated from erodible soils, steep slopes, or similar conditions of concern [KK8]~~

~~[7] that are is necessary to provide pedestrian access to the shoreline and are is a maximum of 60 inches in width. The structure shall be limited to a maximum of 60 inches in width, including railings. Landings as part of the shoreline access way/system shall be limited to a maximum of 40 square feet and no more than 60 inches wide.~~

~~[8] Standards for removal of shoreline vegetation shall be complied with, per Article VII.~~

~~[9] In case of steep slopes, a rail system (i.e., tram or lift) in addition to a stairway, shall be permitted as long as the rail system in mounted to or immediately adjacent to the existing stairway and can be located entirely within the viewing access corridor per § 338-37B.~~

f) Devices or systems used to treat runoff from impervious surfaces.

(2) Existing Exempt Structures. Per § 59.692(1k)(a)2m, Wis. Stats., existing exempt structure may be maintained, repaired, replaced, restored, rebuilt, and remodeled provided the activity does not expand the footprint and does not go beyond the three-dimensional building envelope of the existing structure. The expansion of a structure beyond the existing footprint may be permitted if the expansion is necessary to comply with applicable state and federal requirements. Note: Section 59.692(1k)(a)2m, Wis. Stats., prohibits counties from requiring any approval or imposing any fee or mitigation requirement for the activities specified in § **338-32A(2)**. However, it is important to note that property owners may be required to obtain permits or approvals and counties may impose fees under ordinances adopted pursuant to other statutory requirements, such as floodplain zoning, general zoning, sanitary codes, building codes, or even stormwater erosion control.

B. Reduced principal structure setback (§ 59.692(1n), Wis. Stats.). A setback less than the seventy-five-foot required setback from the ordinary high-water mark shall be permitted for a proposed principal structure and shall be determined as follows:

(1) Where there are existing principal structures in both directions, the setback shall equal the average of the distances the two existing principal structures are set back from the ordinary high-water mark, provided that all of the following are met:

(a) Both of the existing principal structures are located on an adjacent lot to the proposed principal structure.

(b) Both of the existing principal structures are located within 250 feet of the proposed principal structure and are the closest structure.

(c) Both of the existing principal structures are located less than 75 feet from the ordinary high-water mark.

(d) The average setback shall not be reduced to less than 35 feet from the ordinary high- water mark of any navigable water.

(e) Note: §59.692(1d)(a), Wis. Stats., requires counties to adopt the standards consistent with §**338-32B(1)** for reducing the shoreland setback.

(2) Functional appurtenances that are accessory structures such as open porches or decks, that are attached to the proposed principal structure and proposed at time of permit application, must comply with the reduced principal structure setback but shall

not be used in the calculation of the reduced principal structure setback [KK9]

C. In addition to the shoreland setback standards in Subsections A and B above, buildings and structures shall comply with the following setback standards.

(1) Side yard: twelve-foot minimum for lots at least 85 feet wide.

(2) Side yard: ten-foot minimum for lots less than 85 feet wide

(3) Street yard: twenty-five-foot minimum.

(4) Walkways no more than 36 inches wide and driveways shall be exempt from 338-32.C.(1) through (3). This does not exempt these structures from 338-32 A. or other standards of this chapter.

D. In addition to the shoreland setback standard in Subsections A and B above, fences shall comply with the following:

(1) All fences, no greater than eight feet in height, may be allowed along any lot line excluding the street right-of-way line and the side lot lines within the street-yard setback.

(2) Open style fences (greater than 50% open space), no greater than four feet in height, may be allowed along the street right-of-way line and alongside lot lines within the street-yard setback.

E. In addition to the shoreland setback standard in Subsections A and B above, retaining walls shall comply with the following:

(1) Retaining and decorative/landscape walls may be allowed in the street-yard, side-yard and rear-yard with a minimum zero setback.

F. In addition to the shoreland setback standard in Subsection A and B above, roof overhangs may project no more than 12 inches into a required side and/or street setback. [KM10] No projections are allowed into the setback as required in Subsection A.

§338-33 Floodplain structures.

Buildings and structures to be constructed or placed in floodplain shall be required to comply with any applicable floodplain zoning ordinance. Fill, elevation surveys, or other documentation may be required within 180 days of land use permit issuance. Per 300-38B(4).

§ 338-34 through § 338-35. (Reserved)

Article VII Vegetation

§ 338-36 Purpose.

To protect natural scenic beauty, fish and wildlife habitat, and water quality, this article shall regulate removal of vegetation in shoreland areas, consistent with the following: The standards of this chapter shall consider sound forestry and soil conservation practices and the effect of vegetation removal on water quality, including soil erosion, and the flow of effluents, sediments, and nutrients.

§ 338-37 Vegetative buffer zone.

To protect water quality, fish and wildlife habitat, and natural scenic beauty, and to promote preservation and restoration of native vegetation, there shall be designated land that extends from the ordinary high-water mark to a minimum of 35 feet inland as a vegetative buffer zone and prohibit removal of vegetation in the vegetative buffer zone except as follows:

A. Routine maintenance of vegetation.

B. Removal of trees and shrubs in the vegetative buffer zone to create access and viewing corridors. Per § 59.692(1f)(b), Wis. Stats., the viewing corridor may be at least 35 feet wide for every 100 feet of shoreline frontage. The viewing corridor may run contiguously for the entire maximum width of shoreline frontage owned.

C. Removal of trees and shrubs in the vegetative buffer zone on a parcel with 10 or more acres of forested land consistent with "generally accepted forestry management practices" as defined in § NR 1.25(2)(b), Wis. Adm. Code, and described in Department publication "Wisconsin Forest Management Guidelines" (publication FR-226), provided that vegetation removal be consistent with these practices.

D. Removal of vegetation within the vegetative buffer zone to manage exotic or invasive species, damaged vegetation, vegetation that must be removed to control disease, or vegetation creating an imminent safety hazard, provided that any vegetation removed be replaced by replanting in the same area as soon as practicable., not to exceed 9 months from date of vegetation removal. [11]

(1) A site visit by the Department or photos of the site provided by an owner or agent must be received by the Department prior to vegetation removal. A site visit or photos from an owner or agent must be provided after the vegetation has been replanted, within the time frame specified above.[12] Submitted photos must be digitally date stamped.

E. Additional vegetation management activities in the vegetative buffer zone may be allowed by permit. The permit issued under this subsection shall require that all management activities comply with detailed plans approved by the County and designed to control erosion by limiting sedimentation into the waterbody, to improve the plant community by replanting in the same area, and to maintain and monitor the newly restored area. The permit also shall require an enforceable restriction to preserve the newly restored area, as evidenced by an instrument recorded in the Office of the Register of Deeds prior to land use permit issuance.

F. Note: § 59.692(1f)(a), Wis. Stats., prohibits counties from requiring a property owner to establish a vegetative buffer zone on previously developed land or expand an existing vegetative buffer zone. However, as part of a counties shoreland mitigation standards, the establishment or expansion of the vegetative buffer may remain an option.

§ 338-38 through § 338-39. (Reserved)

Article VIII Land Disturbing Activity

§ 338-40 Land disturbing activity.

Filling, grading, lagooning, dredging, ditching, and excavating may be permitted only in accordance with the provisions of §NR 115.04, Wis. Adm. Code, the requirements of Ch. 30, Wis. Stats., and other state and federal laws where applicable, and only if done in a manner designed to improve natural scenic beauty and minimize erosion, sedimentation, and impairment of fish and wildlife habitat, ~~and natural scenic beauty.~~

A. Shoreline protection activities authorized by a state permit may be allowed without a land use permit

B. Non-structural projects approved by County Land Conservation Department to remedy significant existing erosion problems may be exempt from land use permitting requirements.

§ 338-41 General standards.

The ~~filling~~, grading, lagooning, dredging, ditching, or excavating, of any lands in the shoreland area requires a land use permit, unless otherwise exempt in this chapter [KK13]. A project which does not require a permit under §338-42, may be permitted in the shoreland area provided that:

A. ~~It is not done within the vegetative buffer zone unless necessary for allowed vegetative activities, establishing or expanding the vegetative buffer, or for the construction of any exempt structure.~~

B. It is done in a manner designed to minimize erosion, sedimentation, and impairment of fish and wildlife habitat.

C. ~~B~~-Filling, grading, lagooning, dredging, ditching, or excavating in a Shoreland-Wetland District meets the requirements of § 338-18B and C of this chapter.

D. ~~C~~-All applicable federal, state, and local authority is obtained in addition to a permit under this chapter.

E. ~~D~~- Any fill placed in the shoreland area is protected against erosion by the use of riprap, vegetative cover, or a bulkhead.

F. Slopes for the project site are less than 100% (1:1). Land disturbing activities in the shoreland area where the slop is equal to or great than 100% (1:1) are prohibited. [KK14]

§338-42 Permit required.

A. For any ~~land disturbing activity filling or grading~~ of any area which is within 300 feet landward of the ordinary high-water mark of navigable water, a land use permit is required. Land disturbing activity includes but is not limited to filling, grading lagooning, dredging, ditching, and excavating. And which has surface drainage toward the water and on which there is either:

(1) Any filling or grading on slopes of more than 20%.

(2) Filling or grading of more than 1,000 square feet on slopes of 12%-20%.

(3) Filling or grading of more than 2,000 square feet on slopes less than 12%.

(1) A land use permit may be approved based upon: [KK15].

(a) A stormwater management, erosion control, grading, and revegetation plans.

(b) Findings that the land disburbing activity will not result in:

[1] Impairment of natural wetland functions.

[2] Erosion or sedimentation to navigable water

[3] Impairment of aquatic life.

[4] Unnecessary loss of native appearance or natural beauty of the shoreland

[5] Restricting flood flows

[6] Reducing the storage capacity of the floodplain.

B. For any construction or dredging commenced on any artificial waterway, canal, ditch, lagoon, pond, lake or similar waterway which is within 300 feet landward of the ordinary high-water of a navigable body of water or where the purpose is the ultimate connection with a navigable body of water.

(1) Where a DNR permit has been issued which meets the substantial concerns of this article, no land use permit will be required, unless this article is more restrictive [KK16].

§338-43 Permit conditions.

In granting a permit under § 338-42, the County shall attach the following conditions, where appropriate, in addition to those provisions specified in §338-63 or 338-64[KK17].

A. The smallest amount of bare ground shall be exposed for as short a time as feasible.

B. Temporary ground cover (such as mulch or jute netting) shall be used continually until and permanent vegetative cover shall be established.

C. Division berms or bales, sitting basins, terraces, filter fabric fencing and other methods shall be used to contain prevent ~~erosion soil and sediment~~ and prevent it from leaving the project site [18].

D. Lagoons shall be constructed to avoid fish trap conditions.

E. Fill and excavations shall be stabilized according to soil type and accepted non-engineered and engineering standards as required by the Land Use Planning and Zoning Department.

F. Filling shall comply with any local floodplain zoning ordinance and shall not restrict a floodway or destroy the flood storage capacity of a floodplain.

G. Channels or artificial watercourses shall be constructed with side slopes of two units horizontal distance to one unit vertical or flatter. The side slopes which shall be promptly vegetated, unless bulkheads or riprap are provided.

H. Onsite inspections may be required prior to excavation, during construction, and upon project completion. A completed application for land use permit authorizes the Department to visit and inspect the project site prior to permit issuance, during permit validity, and up to 6 months after permit expiration for compliance with the conditions of the permit and terms of this chapter.

I. Any other conditions intended to protect shorelines and minimize erosion, sedimentation, and the impairment of fish and wildlife habitat.

§ 338-44 (Reserved)

Article IX Impervious Surfaces

§ 338-45 **Purpose.**

Establish impervious surface standards to protect water quality and fish and wildlife habitat and to protect against pollution of navigable waters. Impervious surface standards of this chapter shall apply to the construction, reconstruction, expansion, replacement, or relocation of any impervious surface on a riparian lot or parcel and any non-riparian lot or parcel that is located entirely within 300 feet of the ordinary high-water mark of any navigable waterway.

§ 338-46 **Impervious surface calculation.**

A. Percentage of impervious surface shall be calculated by dividing the surface area of the existing and proposed impervious surfaces on the portion of a lot or parcel that is within 300 feet of the ordinary high-water mark by the total surface area of that lot or parcel, and multiplied by 100. Impervious surfaces described in § 338-49 shall be excluded from the calculation of impervious surface on the lot or parcel. If an outlot lies between the ordinary high-water mark and the developable lot or parcel and both are in common ownership, the lot or parcel and the outlot shall be considered one lot or parcel for the purposes of calculating the percentage of impervious surface.

B. Note: § NR 115.05(1)(e)1m, Wis. Adm. Code, clarifies that, if an outlot lies between the OHWM and the developed lot or parcel and both are in common ownership, then the lot or parcel should be considered one property for the purposes of calculating the percentage of impervious surfaces. If there is an outlot, parcel or road that is owned by some other entity, for example a hydroelectric facility, town, or County, then the County should determine what level of control the property owner has over that portion of the lot. Can the property owner place structures, such as shoreline protection, piers, stairs, boathouses etc. on that portion of the lot, or does some other entity have control over development? If a property owner has no or little say over construction on that portion of the lot, then impervious surfaces on that portion of the lot should be calculated separately. For properties that have condominium ownership, the impervious surface calculations apply to the entire property. The property is still under one legal description and the proposed expansion to a unit is not the only impervious surface calculated since the regulation states lot or parcel and not a unit. It will be important to remember also that mitigation applies to the property as a whole and not just to the portion of the frontage that might be in front of the unit impacted.

§ 338-47 **Impervious surface standard**

[Amended 4-18-2017 by Ord. No. 8-2017]

Except as allowed in §§ 338-48 and 338-49, allow up to 15% impervious surface on the portion of a lot or parcel that is within 300 feet of the ordinary high-water mark.

§ 338-48 **Maximum impervious surface.**

[Amended 4-18-2017 by Ord. No. 8-2017]

A property may exceed the impervious surface standard under § 338-47, provided the following standards are met:

A. For properties where the general impervious surface standard applies under § 338-47, a property owner may have more than 15% impervious surface but not more than 30% impervious surface on the portion of a lot or parcel that is within 300 feet of the ordinary high-water mark.+

B. For properties that exceed the standard under § 338-47 but do not exceed the maximum standard under § 338-48A[49], a permit can be issued for development with a mitigation plan that meets the standards found in Article XLL.

§ 338-49 **Treated impervious surfaces.**

A. Impervious surfaces that can be documented to show they meet either of the following standards shall be excluded from the impervious surface calculations under § 338-46.

(1) The impervious surface is treated by devices such as stormwater ponds, constructed wetlands, infiltration basins, rain gardens, bioswales, or other engineered systems.

(2) The runoff from the impervious surface discharges to an internally drained pervious area that retains the runoff on or off the parcel and allows infiltration into the soil.

B. Note: the provisions in § 338-49 are an exemption from the impervious surface standards and, as such, should be read [KM20] construed narrowly. As such, a property owner is entitled to this exemption only when the runoff from the impervious surface is being treated by a sufficient (appropriately sized) treatment system, treatment device or internally drained. Property owners that can demonstrate that the runoff from an impervious surface is being treated consistent with § 338-49 will be considered pervious for the purposes of implementing the impervious surface standards in this ordinance. If a property owner or subsequent property owner fails to maintain the treatment system, treatment device, or internally drained area, the impervious surface is no longer exempt under § 338-49.

C. To qualify for the statutory exemption, property owners shall submit a complete land use permit application that is reviewed

and approved by the Land Use Planning and Zoning Department. The application shall include the following:

(1) Calculations showing how much runoff is coming from the impervious surface area.

(2) Documentation that the runoff from the impervious surface is being treated by a proposed treatment system, treatment device, or internally drained area.

(3) An implementation schedule and enforceable obligation on the property owner to establish and maintain the treatment system, treatment devices, or internally drained area.

(a) The enforceable obligations shall be evidenced by an instrument recorded in the office of the Register of Deeds prior to the issuance of the land use permit.

§ 338-50 Existing impervious surfaces.

For existing impervious surfaces that were lawfully placed when constructed but do not comply with the impervious surface standard in § **338-47** or the maximum impervious surface standard in § **338-48**, the property owner may do any of the following:

A. Maintain and repair the existing impervious surfaces;

B. Replace existing impervious surfaces with similar surfaces within the existing building envelope;

C. Relocate or modify an existing impervious surface with similar or different impervious surface, provided that the relocation or modification does not result in an increase in the percentage of impervious surface that existed on the effective date of the County Shoreland ~~Protection~~ Zoning Ordinance, and the impervious surface meets the applicable setback requirements in this chapter.

D. Note: The impervious surface standards in this section (changed to reflect ch. NR 115, Wis. Adm. Code) shall not be construed to supersede other provisions in the County Shoreland ~~Protection~~ Zoning Ordinance. All the provisions of the County Shoreland ~~Protection~~ Zoning Ordinance still apply to new or existing development.

§ 338-51 (Reserved)

Article X

Height

§ 338-52 Height.

To protect and preserve wildlife habitat and natural scenic beauty, on or after February 1, 2010, a land use permit may not be granted for any construction that results in a structure taller than 35 feet within 75 feet of the ordinary high-water mark of any navigable waters.

A. The structure height for structures at or greater than 75 feet from the ordinary high-water mark shall comply with the provisions of other applicable ordinance standards, if any.

B. Structure height within 75 feet of the ordinary high-water mark of any navigable water is the measurement of the vertical line segment starting at the lowest point of any exposed wall and its intersect with the ground (Point A in the diagram below) to a line horizontal to the highest point of a structure excluding items attached to a structure such as, but not limited to, chimneys, ornamental towers, vents, television towers, and mechanical appurtenances (Point B in the diagram below), unless specified under other sections of this chapter.

§ 338-53 (Reserved)

Article XI

Nonconforming Uses and Structures

§ 338-54 Discontinued nonconforming use.

If a nonconforming use is discontinued for a period of 12 months, any future use of the building, structure, or property shall conform to this chapter.

§ 338-55 Maintenance, repair, replacement, or vertical expansion of nonconforming structures.

A. An existing structure that was lawfully placed when constructed but does not comply with the required setbacks, per §§ **338-32** and **338-33**, may be maintained, repaired, replaced, restored, rebuilt, or remodeled if the activity does not expand the footprint of the nonconforming structure. Further, an existing structure that was lawfully placed when constructed but does not comply with the required shoreland setback, may be vertically expanded unless the vertical expansion would extend more than 35 feet above grade level, as provided in § **338-52B**. Expansion of a structure may be allowed beyond the existing footprint if the expansion is necessary to comply with applicable state or federal requirements.

B. Note:

(1) Section 59.692(1k)(a)1.b. and d., [21] Wis Stats., prohibits counties from requiring any approval or imposing any fee or mitigation requirement for the activities specified in § **338-55**[22]. However, it is important to note that property owners may be required to obtain permits or approvals and counties may impose fees under ordinances adopted pursuant to other statutory requirements, such as floodplain zoning, general zoning, sanitary codes, building codes, or even stormwater erosion control.

(2) Section NR 115.05(1),(b) 1m, Wis. Adm. Code, lists structures that are exempt from the shoreland setback. These structures are considered conforming structures and are not considered nonconforming structures. Structures that were granted variances or illegally constructed structures are not considered nonconforming structures.

§ 338-56 Lateral expansion of nonconforming principal structure within the setback. An existing principal structure that was lawfully placed when constructed but does not comply with the required building setback per §§ **338-32A** and **338-33** may expand laterally, provided that all of the following requirements are met:

A. The use of the structure has not been discontinued for a period of 12 months or more if a nonconforming use.

B. The existing principal structure is at least 35 feet from the ordinary high-water mark.

C. Lateral expansions are limited to a maximum of 200 square feet over the life of the structure. No portion of the expansion may be any closer to the ordinary high-water mark than the closest point of the existing principal structure.

D. The Land Use Planning and Zoning Department shall issue a permit that requires a mitigation plan that shall be approved by the Land Use Planning and Zoning Department and implemented by the property owner by the date specified in the land use permit. The mitigation plan shall meet the standards found in Article XII.

E. All other provisions of this chapter shall be met.

§ 338-57 Expansion of a nonconforming principal structure beyond setback.

An existing principal structure that was lawfully placed when constructed but does not comply with the required building setback under §§ **338-32** and **338-33**, may be expanded horizontally [KM23], ~~landward, or vertically~~ landward of the shoreland setback area horizontally or vertically, provided that the expanded area meets the building setback requirements per § **338-32** or **338-33** and that all other provisions of this chapter are met. A mitigation plan is not required solely for expansion under this section, but may be required per Article IX.

§ 338-58 Relocation of nonconforming principal structure.

An existing principal structure that was lawfully placed when constructed but does not comply with the required building setback per §§ **338-32A** and **338-33**, may be relocated on the property provided all of the following requirements are met:

A. The use of the structure has not been discontinued for a period of 12 months or more if a nonconforming use.

B. The existing principal structure is at least 35 feet from the ordinary high-water mark.

C. No portion of the relocated structure is located any closer to the ordinary high-water mark than the closest point of the existing principal structure.

D. The Land Use Planning and Zoning Department determines that no other location is available on the property to build a principal structure of a comparable size to the structure proposed for relocation that will result in compliance with the shoreland setback requirement per § **338-32A**.

E. The Land Use Planning and Zoning Department shall issue a permit that requires a mitigation plan that shall be approved by the Land Use Planning and Zoning Department and implemented by the property owner by the date specified in the permit. The mitigation plan shall meet the standards found in Article XII and include enforceable obligations of the property owner to establish or maintain measures that the Land Use Planning and Zoning Department determines are adequate to offset the impacts of the permitted expansion on water quality, near-shore aquatic habitat, upland wildlife habitat, and natural scenic beauty. The mitigation measures shall be proportional to the amount and impacts of the replaced or relocated structure being permitted. The obligations of the property owner under the mitigation plan shall be evidenced by an instrument recorded in the office of the County Register of Deeds.

F. All other provisions of this chapter shall be met.

§ 338-59 Maintenance, repair, replacement or vertical expansion of structures authorized by variance.

A. A structure of which any part has been authorized to be located within the shoreland setback area by a variance granted before July 13⁵, 2015, may be maintained, repaired, replaced, restored, rebuilt, or remodeled if the activity does not expand the footprint of the authorized structure. Additionally, the structure may be vertically expanded unless the vertical expansion would extend more than 35 feet above grade level. Counties may allow expansion of a structure beyond the existing footprint if the expansion is necessary to comply with applicable state or federal requirements.

B. Note: § 59.692(1k)(a)2, Wis. Stats., prohibits counties from requiring any approval or imposing any fee or mitigation requirement for the activities specified in § **338-59**. However, it is important to note that property owners may be required to obtain permits or approvals and counties may impose fees under ordinances adopted pursuant to other statutory requirements, such as floodplain zoning, general zoning, sanitary codes, building codes, or even stormwater erosion control.

Article XII
Mitigation

§ 338-60 Mitigation.

When a land use permit, issued under this chapter, requires mitigation according to § **338- 32A(2)** and §§ **338-48** and **338-58**, the property owner must submit a complete permit application that includes a mitigation plan.

A. The application shall be reviewed and approved by the County Land Use Planning and Zoning Department. The application shall include the following:

(1) A scaled site plan that describes with images and notations the proposed mitigation measures:

(a) The mitigation site plan shall be designed and implemented to restore natural functions lost through development and human activities.

(b) The mitigation measures of the plan shall be proportional in scope to the impacts of development on water quality, near-shore aquatic habitat, upland wildlife habitat, and natural scenic beauty.

(2) An implementation schedule stating the completion date of the mitigation measures. Also, there shall be an enforceable obligation on the property owner to establish and maintain the mitigation measures.

(a) The enforceable obligations shall be evidenced by an instrument, shoreland mitigation agreement, recorded in the office of the Register of Deeds, prior to issuance of a land use permit.

B. The various types of development projects that require mitigation measures based on this chapter shall have options to mitigate the impacts of those development projects as provided herein. In cases where a development project impacts more than one type of development requiring mitigation, mitigation measures shall provide the total points for all affected types of development. The mitigation measures with corresponding mitigation points applicable to development projects requiring mitigation are as follows:

(1) Three point: Creation or restoration of the primary shoreland vegetative buffer zone, which is the area from the Ordinary High Water mark to 35 feet landward. The mitigation points and buffer depth may be modified if a lesser buffer depth is approved by the Land Use Planning and Zoning Department, based on the scope of the development project.

(2) One point: Each additional 500 square feet of native secondary vegetative shoreland buffer, after the shoreland vegetative

buffer zone has been created or restored.

(3) Removal of ~~b~~Building structures; Removal area(s) landward of the shoreland vegetative buffer zone shall be restored and vegetated. Removal area(s) within the shoreland vegetative buffer zone shall be in accordance with Subsection D below. [KK24]

(a) Two points: Removal of each building structure having 200 square feet or more of impervious surface within the seventy-five foot shoreland setback area.

(b) One point: Removal of each building structure having less than 200 square feet of impervious surface within the seventy-five-foot shoreland setback area.

~~(c) Removal area(s) landward of the shoreland vegetative buffer zone shall be restored and vegetated. Removal area(s) within the shoreland vegetative buffer zone shall be in accordance with Subsection D below.~~

(4) One point: Removal of each 200 square feet of impervious surface within 300 feet of the ordinary high-water mark of navigable waters. Removal area(s) landward of the shoreland vegetative buffer zone shall be restored and vegetated. Removal area(s) within the shoreland vegetative buffer zone shall be in accordance with Subsection D below.

(5) One point: Removal of seawalls/bulkheads.

(6) One point: Relocate access and viewing corridor to include boathouse. Vacated area(s) landward of the shoreland vegetative buffer zone shall be restored and vegetated. Vacated area(s) within the shoreland vegetative buffer zone shall be vegetated in accordance with Subsection D below.

(7) Stormwater management that will infiltrate the peak flow discharge of stormwater runoff on a lot or parcel, for a two-year rainfall event, into a rain garden(s) for conditions stated below. Other infiltration methods may be used as approved by the Land Use Planning and Zoning Department.

(a) Two points: Stormwater management practice that will infiltrate all the stormwater runoff from the impervious surface of principal building structure(s).

(b) Three points: Stormwater management practice that will infiltrate all the stormwater runoff from the impervious surface of principal building structure(s) and any accessory building structure(s).

(c) Four points: Stormwater management practice that will infiltrate the stormwater runoff from all the impervious surface(s).

C. Types of development requiring mitigation measures are as follows:

(1) Impervious surface development. Any of the following levels of impervious surface area, based on the standards of Article IX, shall provide mitigation measures having the following number of mitigation points.

(a) Five-Three[KK25] mitigation measure points shall be included in a mitigation plan on a lot or parcel where the percentage of impervious surface is greater than 15% and up to and including 20%.

(b) ~~Six~~ Four mitigation measure points shall be included in a mitigation plan on a lot of parcel where the percentage of impervious surface is greater than 20% and up to and including 25%.

(c) ~~Seven~~ Five mitigation measure points shall be included in a mitigation plan on a lot or parcel where the percentage of impervious surface is greater than 25% and up to and including 30%.

(2) Lateral expansion of a nonconforming principal structure per § 338-56 shall require a mitigation plan that includes any mitigation measures listed in § 338-60B having a minimum of one point.

(3) Replacement or relocation of a nonconforming principal structure per § 338-58 shall require a mitigation plan that includes any mitigation measures listed in § 338-60B having a minimum of two points.

D. Where reference is made to a shoreland vegetative buffer zone, the buffer shall be designed in accordance with NRCS Interim Standard No. 643A and NRCS Wisconsin Biology Technical Note 1: Shoreland Habitat. In cases where these standards provide options, the Land Use Planning and Zoning Department shall make the determination which option is most appropriate in the design and execution of the project.

E. Where reference is made to rain garden shall be designed, installed, and maintained in accordance with Wisconsin DNR Publication, PUT-WT-776-22032018 [KK26], "Rain Gardens: A how-to manual for homeowners."

F. Where the Land Use Planning and Zoning Department determines a lot or parcel has excessive navigable water frontage for the purpose of a shoreland vegetative buffer installation, the Land Use Planning and Zoning Department may reduce the width of the shoreland vegetative buffer to no less than 100 feet.

G. All development projects requiring mitigation measures on a lot or parcel having a POWTS (private onsite wastewater treatment system) shall be required to have the POWTS evaluated by a licensed plumber to determine condition and sizing compliance; and, if needed, the POWTS shall be upgraded to comply with current applicable standards.

§338-61 (Reserved)

Article XIII Administration

§ 338-62 Administrative provision.

Given the county has created a Land Use Planning and Zoning Department, and Land Use Planning and Zoning Committee, and Board of Adjustment to administer and enforce land use ordinances, these same officials shall also administer and enforce this chapter. These officials, for the purpose of this shoreland ~~protection~~ zoning ordinance shall be responsible for all of the following:

A. A system of permits for all new construction, development, reconstruction, structural alteration, or moving of buildings and structures. A copy of applications shall be required to be filed in the Land Use Planning and Zoning Department, unless prohibited by

§ 59.692(1k), Wis. Stats.

B. Perform regular inspection of permitted work in progress to insure conformity of the finished structures with the terms of this chapter.

C. Establish a variance procedure which authorizes the Board of Adjustment to grant such variance from the terms of this chapter as well not be contrary to the public interest where, owing to special conditions and the adoption of the shoreland ~~protection~~ zoning ordinance, a literal enforcement of the provisions of this chapter will result in unnecessary hardship as long as the granting of a variance does not have the effect of granting or increasing any use of property which is prohibited in the zoning district by the

shoreland protection zoning ordinance.

D. Establish a special exception (conditional use permit) procedure for uses presenting special problems.

E. The County shall keep a complete record of all proceedings before the Board of Adjustment, and Land Use Planning and Zoning Committee.

F. Written notice to the appropriate office of the Department at least 10 days prior to any hearing on a proposed variance, special exception, or conditional use permit, appeal for a map or text interpretation, map or text amendment, and copies of all proposed land divisions submitted to the County for review under Article IV.

G. Submission to the appropriate office of the Department, within 10 days after grant or denial, copies of any decision on a variance, special exception, or conditional use permit, or appeal for a map or text interpretation, and any decision to amend a map or text of this chapter.

H. Mapped zoning districts and the recording, on an official copy of such map, of all district boundary amendments.

I. The establishment of appropriate penalties for violations of various provisions of this chapter, including forfeitures. Compliance with this chapter shall be enforceable by the use of injunctions to prevent or abate a violation, as provided in § 59.69 (11), Wis. Stats.

J. Investigate and report violations of this chapter for enforcement and/or prosecution.

§ 338-63 Permits.

A. When required. Except where another section of this chapter specifically exempts certain types of development from this requirement, a land use permit shall be obtained from the Land Use Planning and Zoning Department, or Board of Adjustment, or Land Use Planning and Zoning Committee before any new development.

B. Application. An application for a land use permit shall be made to the Land Use Planning and Zoning Department upon forms furnished by the Land Use Planning and Zoning Department and shall include for the purpose of proper enforcement of these regulations, the following information:

(1) Name and address of applicant and property owner.

(2) Legal description of the property and type of proposed use.

(3) A "to scale" drawing of the dimensions of the lot and location of all existing and proposed structures and impervious surfaces relative to the lot lines, center line of abutting highways, and the ordinary high-water mark of any abutting waterways.

(4) Location and description of any existing private water supply or sewage system or notification of plans for any such installation.

(5) Plans for appropriate mitigation when required.

(6) Payment of the appropriate fee.

(7) Additional information required by the Land Use Planning and Zoning Department.

C. Expiration of permit. A land use permit shall expire 12 months from date issued, ~~if no substantial work has commenced.~~

~~D. Certificates of compliance. Upon written request from the owner, the Land Use Planning and Zoning Department shall issue a certificate of compliance at a fee as provided in Article XVI for any building or premises existing at the time of the adoption of this chapter, certifying after inspection the extent and type of use made of the building or premises and whether or not such use conforms to the provision of this chapter.~~

§ 338-64 Special exception permits (conditional use permits).

A. Application for a special exception permit. Any use listed as a special exception in this chapter shall be permitted only after an application has been submitted to the Land Use Planning and Zoning Department and a special exception permit has been granted by the Board of Adjustment. To secure information upon which to base its determination, the Board of Adjustment may require the applicant to furnish, in addition to the information required for a land use permit, the following information:

(1) A plan of the area showing surface contours, soil types, ordinary high-water marks, ground water conditions, subsurface geology, and vegetative cover.

(2) Location of buildings, parking areas, traffic access, driveways, walkways, piers, open space, and landscaping.

(3) Plans of buildings, sewage disposal facilities, water supply systems, and arrangement of operations.

(4) Specifications for areas of proposed filling, grading, lagooning or dredging.

(5) Other pertinent information necessary to determine if the proposed use meets the requirements of this chapter.

(6) Rationale for why the proposed special exception meets all of the special exception criteria listed in this chapter.

B. Notice, public hearing and decision. Before deciding whether to grant or deny an application for a special exception permit, the Board of Adjustment shall hold a public hearing. Notice of such public hearing, specifying the time, place and matters to come before the Board of Adjustment, shall be given as a Class 2 notice under Ch. 985, Wis. Stats. Such notice shall be provided to the appropriate office of the Department at least 10 days prior to the hearing. The Board of Adjustment shall state in writing the grounds for granting or denying a special exception permit.

C. Standards applicable to all special exceptions. In deciding a special exception application, the Board of Adjustment shall evaluate the effect of the proposed use upon:

(1) The maintenance of safe and healthful conditions.

(2) The prevention and control of water pollution including sedimentation.

(3) Compliance with local floodplain zoning ordinances and opportunity for damage to adjacent properties due to altered surface water drainage.

(4) The erosion potential of the site based upon degree and direction of slope, soil type, and vegetative cover.

(5) The location of the site with respect to existing or future access roads.

(6) The need of the proposed use for a shoreland location.

(7) Its compatibility with uses on adjacent land.

(8) The amount of liquid and solid wastes to be generated and the adequacy of the proposed disposal systems.

(9) Location factors under which:

- (a) Domestic uses shall be generally preferred;
- (b) Uses not inherently a source of pollution within an area shall be preferred over uses that are or may be a pollution source;
- (c) Use locations within an area tending to minimize the possibility of pollution shall be preferred over use locations tending to increase that possibility. Additional standards, such as parking, noise, etc., may be referred to the applicable part of their ordinance.

D. Conditions attached to special exception. Such conditions may include specifications for, without limitation because of specific enumeration: type of shore cover; specific sewage disposal and water supply facilities; landscaping and planting screens; period of operation; operational control; sureties; deed restrictions; location of piers, docks, parking, and signs; and type of construction.

(1) Upon consideration of the factors listed above, the Board of Adjustment shall attach such conditions, in addition to those required elsewhere in this chapter, as are necessary to further the purposes of this chapter. Violations of any of these conditions shall be deemed a violation of this chapter.

(2) In granting a special exception permit, the Board of Adjustment may not impose conditions which are more restrictive than any of the specific standards in this chapter. Where this chapter is silent as to the extent of restriction, the Board of Adjustment may impose any reasonable permit conditions to affect the purpose of this chapter.

E. Recording. When a special exception permit is approved, an appropriate record shall be made of the land use and structures permitted. Such permit shall be applicable solely to the structures, use, and property so described. A copy of any decision on a special exception permit shall be provided to the appropriate office of the Department within 10 days after it is granted or denied.

F. Revocation. Where the conditions of a special exception permit are violated, the special exception permit may be revoked.

§ 338-65 Variances.

A. The Board of Adjustment may grant upon appeal a variance from the standards of this chapter where an applicant convincingly demonstrates that:

- (1) Literal enforcement of the provisions of this chapter will result in unnecessary hardship on the applicant; and
- (2) The hardship is due to special conditions unique to the property; and
- (3) Is not contrary to the public interest.

B. Notice, hearing, and decision. Before deciding on an application for a variance, the Board of Adjustment shall hold a public hearing. Notice of such hearing specifying the time, place, and matters of concern, shall be given a Class 2 notice under Ch. 985, Wis. Stats. Such notice shall be provided to the appropriate office of the Department at least 10 days prior to the hearing. The Board of Adjustment shall state in writing the reasons for granting or refusing a variance and shall provide a copy of such decision to the appropriate Department office within 10 days of the decision.

§ 338-66 Board of Adjustment.

The chair of the County Board shall appoint a Board of Adjustment consisting of three members and two alternate members under § 59.694, Wis. Stats. The County Board shall adopt such rules for the conduct of the business of the Board of Adjustment as required by § 59.694(3), Wis. Stats.

A. Powers and duties (§ 59.694 Wis. Stats.).

(1) The Board of Adjustment shall adopt such additional rules as it deems necessary and may exercise all of the powers conferred on such boards by § 59.694, Wis. Stats.

(2) It shall hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by an administrative official in the enforcement or administration of this chapter.

(3) It shall hear and decide applications for special exception permits pursuant to Section **338-64**.

(4) It may grant a variance from the standards of this chapter pursuant to Section **338-65**.

(5) In granting a variance, the board may not impose conditions which are more restrictive than any of the specific standards in this chapter. Where this chapter is silent as to the extent of restriction, the board may impose any reasonable permit conditions to affect the purpose of this chapter.

B. Appeals to the Board. Appeals to the Board of Adjustment may be made by any person aggrieved of by an officer, department, board, or bureau of the County affected by any decision of the Land Use Planning and Zoning Department or other administrative officer. Such appeal shall be made within 30 days, as provided by the rules of the County Board, by filing with the officer whose decision is in question, and with the Board of Adjustment, a notice of appeal specifying the reasons for the appeal. The Land Use Planning and Zoning Department, or other officer whose decision is in question, shall promptly transmit to the Board of Adjustment all the papers constituting the record concerning the matter appealed.

C. Hearing Appeals and Applications for Variances and Special Exception Permits. (§ 59.694(6), Wis. Stats.)

(1) The Board of Adjustment shall fix a reasonable time for a hearing on the appeal or application. The Board of Adjustment shall give public notice thereof by publishing a Class 2 notice under Chapter 985, Wis. Stats, specifying the date, time, and place of the hearing and the matters to come before the Board of Adjustment. Notice shall be mailed to the parties in interest. Written notice shall be given to the appropriate office of the Department at least 10 days prior to hearings on proposed shoreland variances, special exceptions (conditional uses), and appeals for map or text interpretations.

(2) A decision regarding the appeal or application shall be made as soon as practical. Copies of all decisions on shoreland variances, special exceptions (conditional uses), and appeals for map or text interpretations shall be submitted to the appropriate office of the Department within 10 days after they are granted or denied.

(3) The final disposition of an appeal or application to the Board of Adjustment shall be in the form of a written resolution or order signed by the chairman and secretary of the Board of Adjustment. Such resolution shall state the specific facts which are the basis of the Board of Adjustment determination and shall either affirm, reverse, vary, or modify the order, requirement, decision, or determination appealed, in whole or in part, dismiss the appeal for lack of jurisdiction or prosecution or grant the application.

(4) At the public hearing, any party may appear in person or by agent or by attorney.

§ 338-67 (Reserved)

§ 338-68 Changes and amendments.

The County Board may, from time to time, alter, supplement, or change the regulations contained in this chapter in accordance with the requirements of § 59.69(5)(e), Wis. Stats, Ch. NR 115, Wis. Adm. Code and this chapter where applicable.

A. Amendments. Amendments to this chapter may be made on petition of any interested party as provided in § 59.69(5), Wis. Stats.

B. Shoreland-Wetland map amendments. Every petition for a Shoreland-Wetland map amendment filed with the County Clerk shall be referred to the Land Use Planning and Zoning Committee. A copy of each petition shall be provided to the appropriate office of the Department within five days of the filing of the petition with the County Clerk. Written notice of the public hearing to be held on a proposed amendment shall be provided to the appropriate office of the Department at least 10 days prior to the hearing.

(1) A copy of the County Board's decision on each proposed amendment shall be forwarded to the appropriate office of the Department within 10 days after the decision is issued.

§ 338-69 (Reserved)

Article XV
Enforcement

§ 338-70 Investigation of alleged violations.

Any violation of the provisions of this chapter shall be deemed unlawful. When necessary, to determine compliance with this chapter, the Land Use Planning and Zoning Department shall investigate alleged violations. After confirmation that a violation exists, the Land Use Planning and Zoning Department shall pursue compliance of the violation and enforce the provisions of this chapter.

§ 338-71 Violations and penalties; citations.

A. Any violation of the provisions of this chapter by or under the direction of the landowner shall be brought into compliance upon notification by the Land Use Planning and Zoning Department or the Land Use Planning and Zoning Committee or the County Corporation Counsel.

B. The County Corporation Counsel shall have the authority to use all legal remedies necessary to ~~pursue compliance with~~ enforce the provisions of this chapter. After consultation with the Land Use Planning and Zoning Department and/or the Land Use Planning and Zoning Committee, the corporation Counsel shall determine which legal remedy or legal remedies are in order to ~~pursue compliance with~~ enforce the provisions of this chapter.

C. ~~Any landowner who violates or refuses to comply with any of the provisions of this chapter shall be subject to a forfeiture of not less than \$50 nor more than \$5,000 per offense, together with the taxable costs of action.~~ Each day that the violation exists, after receiving notice of the violation from the Land Use Planning & Zoning Department by certified or registered mail, or personal service per Ch. 801.11 Wis. Stats, shall constitute a separate offense.

(1) Any landowner who violates or refuses to comply with any of the provisions of this chapter shall be subject to a forfeiture of not less than \$50 nor more than \$500 per offense, together with the taxable costs of action.

(2) A landowner may request an extension to a deadline for compliance as set by the Department. The request for extension must be made in writing and include the following information: parcel number, address, current owner information, reference within the ordinance(s) of existing violations, number of days the extension is being requested for, enforceable compliance schedule/time frame, if any other existing violations on the property have been resolved, and other pertinent information.

D. In addition to the Corporation counsel having the authority to ~~pursue compliance~~ enforce the provisions of this chapter per Subsection B above, the designated staff of the Land Use Planning and Zoning Department shall have the authority to and may prepare, sign, and issue citations in order to commence action to achieve compliance with the provisions of this chapter.

§ 338-72 Stop-work orders.

A. No land use permit obtained. When the Land Use Planning and Zoning Department is notified or becomes aware of any activity in violation of the provisions of this chapter by or under the direction of the landowner that requires issuance of a land use permit pursuant to this chapter, and such a permit has not been obtained, the Land Use Planning and Zoning Department may issue a stop-work order requiring any such activity to be immediately stopped and enjoined.

B. Land use permit obtained. When the Land Use Planning and Zoning Department is notified or becomes aware of any activity in violation of the provisions of this chapter by or under the direction of the landowner for which a land use permit was issued and the actual activity deviates from that land use permit, the Land Use Planning and Zoning Department may issue a stop-work order requiring the activity to be immediately stopped and enjoined.

C. The stop-work order shall be mailed to the subject landowner's property tax bill mailing address or the mailing address as stated on the land use permit application and/or to any person signing the land use permit application.

D. The stop-work order card issued and posted by the Land Use Planning and Zoning Department shall be posted at the subject site in plain view from a non-trespass location off the subject property. A stop-work order card shall remain posted until compliance of the violation occurs. In the event that a stop-work order has been removed from its posted location by persons other than Department staff, the property owner(s) and/or other agents, upon conviction, shall be subject to a \$300 fine plus court costs. The fine shall increase by \$300 after each offense and be cumulative. For example \$300 first offense, \$600 for second offense, \$900 for third offense, and so on. If a property owner removes a stop work order sign three times they shall be subject to \$1800 (\$300 + \$600 + \$900) in fines plus court costs.

E. An action filed pursuant to the Board of Adjustment or to any court shall stop work during and until the final outcome of the action has been reached or until so ordered by a Court of appropriate jurisdiction.

§ 338-73 Injunctions.

Every violation of this chapter is a public nuisance, and the creation thereof may be enjoined and the maintenance thereof abated pursuant to § 59.69(11), Wis. Stats.

§ 338-74 Emergency conditions.

Whenever the Land Use Planning and Zoning Department finds that an emergency exists such as sudden, unexpected occurrences, or combinations thereof, unforeseen conditions or circumstances at the time beyond a landowner's control, adverse

weather conditions, meeting a timetable which requires immediate action to protect the public health, safety, and welfare, the Land Use Planning and Zoning Department may, without notice or hearing, issue an order citing the existence of such emergency and may require that such action be taken as may be deemed necessary to meet the emergency. The Land Use Planning and Zoning Department shall notify the Chairperson of the Land Use Planning and Zoning Committee within 24 hours of such situations. Notwithstanding any other provisions of this chapter, such order shall become effective immediately. Any person to whom such order is directed shall comply therewith immediately. Appeals or challenges to emergency orders may be brought to the Board of Adjustment after emergency conditions have ceased

§ 338-75 (Reserved)

Article XVI

Fees

§ 338-76 Fees.

A. The following fees shall be paid to Green Lake County at the Land Use Planning and Zoning Department at the time of application for each service requested as listed below to defray the cost of administration, investigation, advertising, and processing. Land use permit fee is based on construction value of project:

(1) Fee.

Value of Project Fee	
\$0 to \$999	\$50
\$1,000 to \$99,999	\$150
\$100,000 to \$199,999	\$300
\$200,000 to \$299,999	\$400
\$300,000 to \$399,999	\$500
\$400,000 to \$499,999	\$600
\$500,000 to \$599,999	\$700
\$600,000 to \$699,999	\$800
\$700,000 to \$799,999	\$900
\$800,000 to \$899,999	\$1,000
\$900,000 or more	\$1,250

(2) Permit renewals are the same as the original fee.

(3) After-the-fact permit is double the above-stated fee.

(4) Permit fees may be waived in cases where the Land Use Planning and Zoning Department determines the project(s) to be funded or conducted by federal, state, or local governmental bodies.

B. All public hearing items such as a variance, rezone, appeal, conditional use permit, ordinance amendment, planned unit development, or special exception permit: \$375.

C. All public hearing items listed above, postponed at the request of the applicant prior to public hearing: \$250.

§ 338-77 (Reserved)

Article XVII

Definitions

§ 338-78 Definitions.

A. For the purpose of administering and enforcing this chapter, the terms or words used herein shall be interpreted as follows: Words used in the present tense include the future; words in the singular number include the plural number; and words in the plural number include the singular number. The word "shall" is mandatory, not permissive. All distances, unless otherwise specified, shall be measured horizontally.

B. The following terms or words used in this chapter mean:

ACCESS AND VIEWING CORRIDOR

A strip of vegetated land that allows safe pedestrian access to the shore through the vegetative buffer zone.

AFTER-THE-FACT PERMIT

A land use permit that was issued for a development on a date after the development had already commenced, was under construction, or was completed. The fee for an after-the-fact permit is double the standard land use permit fee (see 338-76.A.(1)).

BOATHOUSE

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.

BUILDING ENVELOPE

The three-dimensional space within which a structure is built.

COUNTY ZONING AGENCY

That committee or commission created or designated by the County Board under § 59.69(2)(a), Wis. Stats, to act in all matters pertaining to County planning and zoning. In Green Lake County, this body shall be known as the Land Use Planning and Zoning Committee.

DEER STAND

Open or enclosed platforms used by hunters. The platforms are secured to trees (or free standing) in order to elevate the hunter and give him (or her) a better vantage point.

DEPARTMENT

The Department of Natural Resources.

DEVELOPMENT

Any man-made change to improved or unimproved real estate, including but not limited to, the construction of buildings, structures, or accessory structures; the construction of additions or substantial alterations to buildings, structures, or accessory

structures; the placement of buildings or structures; mining, dredging, filling, grading, paving, excavation, or drilling operations; and the storage, deposition, or extraction of materials.

DRAINAGE SYSTEM

One or more artificial ditches, tile drains, or similar devices which collect surface runoff or groundwater and convey it to a point of discharge.

EXISTING DEVELOPMENT PATTERN

That principal structures exist within 250 feet of a proposed principal structure in both directions along the shoreline.

FLOODPLAIN

The land which has been or may be hereafter covered by flood water during the regional flood. The floodplain includes the floodway and the flood fringe as those terms are defined in Ch. NR 116, Wis. Adm. Code.

FOOTPRINT

The land covered by a structure at ground level measured on a horizontal plane. The footprint of a structure includes the horizontal plane bounded by the furthest exterior wall ~~and eave, if present, projected to natural grade.~~ For structures without walls (decks, stairways, patios, carports) having a single-horizontal plane, the footprint is bounded by the furthest portion of the structure projected to natural grade.

Note: For the purposes of replacing or reconstructing a nonconforming building with walls, the footprint shall not be enclosing the area that is located within the horizontal plane from the exterior wall to the eaves projected to natural grade. This constitutes a lateral expansion under Ch. NR 115, Wis. Adm. Code, and would need to follow Ch. NR 115.05(1)(g)5, Wis. Adm. Code.

GENERALLY ACCEPTED FORESTRY MANAGEMENT PRACTICES

Forestry management practices that promote sound management of a forest. Generally accepted forestry management practices include those practices contained in the most recent version of the Department publication known as Wisconsin Forest Management Guidelines and identified as PUB FR-226.

HUNTING BLIND

A hunting blind (or hide) is an easily portable, cover device for hunters, designed to reduce the chance of detection. Not including deer stands.

IMPERVIOUS SURFACE

An area that releases as runoff all or a majority of the precipitation that falls on it. "Impervious surface" excludes frozen soil but includes rooftops, sidewalks, driveways, parking lots, and streets unless specifically designed, constructed, and maintained to be pervious. Roadways as defined in § 340.01(54), Wis. Stats., or sidewalks as defined in § 340.01(58), Wis. Stats., are not considered impervious surfaces.

LAND DISTURBING ACTIVITY

Any man-made change of the land surface, the effect of which may alter the currently existing topography, or may expose soil and result in soil erosion from water or wind and the movement of sediments, including but not limited to filling, grading, lagooning, dredging, ditching, and excavating. Agricultural land uses such as planting, growing, cultivating and harvesting of crops, growing and tending of gardens, and harvesting of trees are not considered land disturbing activity if conducted outside the vegetative buffer zone. This definition applies to those lands outside of the designated Shoreland-Wetland District; see Article III for permitted uses of those designated lands.

LOT

An area of land that is part of a recorded subdivision plat, certified survey map, or other document using the platting process, that is identified by an assigned number or letter.

LOT OR PARCEL AREA

The total square footage lying within the peripheral boundaries of a recorded lot or parcel boundary description, including the land over which easements have been granted. The area of a lot or parcel does not include the area of any land below the ordinary high-water mark of navigable waters.

LOT OR PARCEL OF RECORD

An area of land, the description of which is properly recorded with the County Register of Deeds, which at the time of its recordation complied with all applicable laws, ordinances, and regulations. The act of recording is the time at which a lot or parcel is created.

LOT OR PARCEL, SUBSTANDARD

A legally created lot or parcel that met minimum area and minimum average width requirements when created, but does not meet current lot size requirements for a new lot or parcel.

MITIGATION

Balancing measures that are designed, implemented, and function to restore natural functions and values that are otherwise lost through development and human activities.

NAVIGABLE WATERS

Lake Superior, Lake Michigan, all natural inland lakes within Wisconsin and all streams, ponds, sloughs, flowages and other waters within the territorial limits of this state, including the Wisconsin portion of boundary waters, which are navigable under the laws of this state. Under § 281.31(2)(d), Wis. Stats., notwithstanding any other provision of law or administrative rule promulgated thereunder, shoreland ordinances required under § 59.692, Wis. Stats., and Ch. NR 115, Wis. Adm. Code, do not apply to lands adjacent to:

- (1) Farm drainage ditches where such lands are not adjacent to a natural navigable stream or river and such lands were not navigable streams before ditching; and
- (2) Artificially constructed drainage ditches, ponds, or stormwater retention basins that are not hydrologically connected to a natural navigable water body.

ORDINARY HIGH-WATER MARK

The point on the bank or shore up to which the presence and action of surface water is so continuous as to leave a distinctive

mark such as by erosion, destruction, or prevention of terrestrial vegetation, predominance of aquatic vegetation, or other easily recognized characteristics.

PARCEL

An area of contiguous land having a boundary description duly recorded in the Register of Deeds office that identifies the boundaries of that specific parcel.

REGIONAL FLOOD

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

ROUTINE MAINTENANCE OF VEGETATION

Normally accepted horticultural practices that do not result in the loss of any layer of existing vegetation and do not require earth disturbance.

SETBACK

The horizontal distance between a structure and an established lot line.

SETBACK, SHORELAND

See "shoreland area".

SETBACK, SIDE

The open land area between the adjacent side lot line and the nearest point of the structure and extending from the street yard to the rear or shore yard.

SETBACK, STREET

The open land area across the full width of the property between the street lot line and the nearest point of the structure.

SHORELAND

Lands within the following distances from the ordinary high-water mark of navigable waters: 1,000 feet from a lake, pond, or flowage; and 300 feet from a river or stream or to the landward side of the floodplain, whichever distance is greater.

SHORELAND AREA/SHORELAND SETBACK

Also known as the "shoreland setback area" in § 59.692(1)(b), Wis. Stats., means an area in a shoreland 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 § 59.692, Wis. Stats.

SHORELAND-WETLAND DISTRICT

A zoning district, created as a part of a County zoning ordinance, comprised of shorelands that are designated as wetlands on the Wisconsin wetland inventory maps prepared by the Department.

SPECIAL EXCEPTION (CONDITIONAL USE)

A use which is permitted by this chapter provided that certain conditions specified in this chapter are met and that a permit is granted by the Board of Adjustment or, where appropriate, the Land Use Planning and Zoning Committee or County Board.

STRUCTURE

A principal structure or any accessory structure including a garage, shed, boathouse, sidewalk, walkway, patio, deck, retaining wall, porch, or fire pit.

STRUCTURE, ACCESSORY

A subordinate structure on the same property as the principal structure which is devoted to a use incidental to the principal use of the property. Accessory structures include, but are not limited to, detached garages, sheds, barns, gazebos, patios, decks, swimming pools, hot tubs, fences, retaining walls, driveways, parking lots, sidewalks, detached stairways, and lifts.

UNNECESSARY HARDSHIP

That circumstance where special conditions, which were not self-created, affect a particular property and make strict conformity with restrictions governing area, setbacks, frontage, height or density unnecessarily burdensome or unreasonable in light of the purposes of this chapter.

VARIANCE

An authorization granted by the Board of Adjustment to construct, alter, or use a building, ~~or~~ structure, or land in a manner that deviates from the ~~dimensional~~ standards of this chapter.

VEGETATED BUFFER ZONE, SHORELAND

That nearshore area that extends 35 feet landward from the OHWM of navigable waters. This area contains a diverse mixture of native species that may include grasses, grass-like species, forbs, shrubs, and trees. It is either natural or is constructed in accordance with §338-60.D., and functions to attenuate, absorb and filter stormwater runoff prior to being introduced into navigable waters.

WETLANDS

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

Attachments:

Attachment 1 - Appendix A

Section 2. This ordinance shall become effective upon passage and publication.

Section 3. The repeal and recreation of any section herein shall not have any effect on existing litigation and shall not operate as an abatement of any action or proceeding then pending or by virtue of the repealed sections.

Section 4. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

Land Use Planning & Zoning Committee recommends approval

Passed and Enacted this 12th day of November, 2019

Roll Call on Ordinance 18-2019

Ayes 17, Nays 0, Absent 2, Abstain 0

Submitted by Land Use Planning & Zoning Committee: /s/ Robert Lyon, Chair; /s/ Harley Reabe, Vice Chair; /s/ Curt Talma; /s/

Peter Wallace

GREEN LAKE COUNTY BOARD PROCEEDINGS

REGULAR SESSION

December 17, 2019

The Green Lake County Board of Supervisors met in regular session, Tuesday, December 17, 2019, at 6:00 PM in the County Board Room, Green Lake, Wisconsin for the regular meeting.

The Board was called to order by Harley Reabe, Chairman. Roll call taken - Present – 18, Absent – 1 (Katie Mehn-District #15)

<u>Supervisor</u>	<u>Supervisor Districts</u>
Larry Jenkins	1
Vicki Bernhagen	2
Curt Talma	3
David Abendroth	4
Peter Wallace	5
Brian Floeter	6
Charlie Wielgosh	7
Patti Garro	8
Bill Boutwell	9
Sue Wendt	10
Harley Reabe	11
Robert Schweder	12
Kathy Morris	13
Dennis Mulder	14
Joe Gonyo	16
Keith Hess	17
Richard Trochinski	18
Robert Lyon	19

READING OF THE CALL

The Green Lake County Board of Supervisors will convene at the Courthouse at the Government Center in the City of Green Lake, Wisconsin on Tuesday the 17th day of December, 2019 at 6:00 PM for the regular meeting of the Board. Regular monthly business to be transacted includes:

CALL TO ORDER
ROLL CALL
READING OF THE CALL
PLEDGE OF ALLEGIANCE
MINUTES OF 11/12/19
ANNOUNCEMENTS
PUBLIC COMMENT (3 MIN LIMIT)
CORRESPONDENCE
LETTER TO LAND CONSERVATION FROM WI DEPT. OF AGRICULTURE, TRADE AND CONSUMER PROTECTION AND
CLEAN SWEEP UPDATE
RECOGNITION OF SERVICE – Mark Putzke, Chief Deputy
APPEARANCES
• Bill Hutchison, IT Director – update on the Information Technology Department
RESOLUTIONS
• Resolution 21-2019 Resolution for Inclusion Under the Income Continuation Insurance Plan
• Resolution 22-2019 Relating to Creating a Full-time Communications Officer Position in the Sheriff's Office
• Resolution 23-2019 Resolution Accepting Duty as Fiscal Agent for the ADRC Consortium of Adams, Waushara and Green Lake Counties
ORDINANCES
• Ordinance 19-2019 Creating an Ordinance Regarding the Use of County Facilities
COMMITTEE APPOINTMENTS
DEPARTMENTS TO REPORT ON February 18, 2020
FUTURE AGENDA ITEMS FOR ACTION & DISCUSSION
ADJOURN
Given under my hand and official seal at the Government Center in the City of Green Lake, Wisconsin this 12th day of December, 2019.

Elizabeth A. Otto
Green Lake County Clerk

PLEDGE OF ALLEGIANCE

1. The Pledge of Allegiance to the Flag was recited.

MINUTES OF 11/12/2019

2. **Motion/second (Hess/Trochinski)** to approve the minutes of November 12, 2019 with no changes or corrections. Motion carried with no negative vote.

ANNOUNCEMENTS

3. The next County Board meeting will take place on February 18, 2020 at 6:00 PM. There is no County Board meeting scheduled for January.

4. Chair Reabe gave the supervisors an update on the first annual Christmas door decorating contest which most of the county departments participated in.

PUBLIC COMMENT (3 Minute Limit)

5. Sheriff Mark Podoll updated the Board on the caroling opportunity that many Sheriff's Office employees took part in recently to 7 area nursing homes. He stated it was a great experience for everyone involved.

CORRESPONDENCE

6. None

LETTER TO LAND CONSERVATION FROM WI DEPT. OF AGRICULTURE, TRADE AND CONSUMER PROTECTION AND CLEAN SWEEP UPDATE

7. Bob Schweder, Supervisor #12, updated the Board on the Clean Sweep event which is sponsored annually by the Land Conservation Department. Participation continues to grow each year and the event provides a much needed service to residents of Green Lake County. Schweder urged the Board to make sure funding remains available in the future.

RECOGNITION OF SERVICE – Mark Putzke, Chief Deputy

8. Chair Reabe presented Chief Deputy Mark Putzke with a plaque upon his retirement with Green Lake County after 31 years of service. Putzke most recently served as Chief Deputy in the Sheriff's Office. Reabe thanked Putzke for his dedication and wished him well in the future.

APPEARANCES

9. Bill Hutchison, IT Director, provided an outline of the duties of the Information Technology Department along with special projects they are currently working on such as election security.

RESOLUTIONS

10. Resolution 21-2019 Resolution for Inclusion Under the Income Continuation Insurance Plan. **Motion/second (Bernhagen/Trochinski)** to adopt Resolution No. 21-2019. No discussion. Roll call vote on motion to adopt Resolution 21-2019 – Ayes – 18, Nays – 0, Abstain – 0, Absent – 1 (Mehn). Resolution 21-2019 passed as adopted.

11. Resolution 22-2019 Relating to Creating a Full-time Communications Officer Position in the Sheriff's Office. **Motion/second (Gonyo/Schweder)** to adopt Resolution No. 22-2019 contingent on approval of the fiscal note by the Finance Committee and acknowledging that the approval of this resolution will require a 2/3 vote due to the budget amendment included as part of the fiscal note. Discussion held. Roll call vote on motion to adopt Resolution 22-2019 – Ayes – 18, Nays – 0, Abstain – 0, Absent – 1 (Mehn). Resolution 22-2019 passed as adopted.

12. Resolution 23-2019 Resolution Accepting Duty as Fiscal Agent for the ADRC Consortium of Adams, Waushara and Green Lake Counties. **Motion/second (Weilgosh/Gonyo)** to adopt Resolution No. 23-2019. Discussion held regarding the length of the contract. Roll call vote on motion to adopt Resolution 23-2019 – Ayes – 18, Nays – 0, Abstain – 0, Absent – 1 (Mehn). Resolution 23-2019 passed as adopted.

ORDINANCES

13. Ordinance 19-2019 Creating an Ordinance Regarding the Use of County Facilities. **Motion/second (Abendroth/Garro)** to enact Ordinance No. 19-2019. Discussion held regarding insurance requirements. Corporation Counsel Dawn Klockow stated the requirements were recommended by the County's insurance carrier. Roll call vote on motion to enact Ordinance 19-2019 – Ayes – 18, Nays – 0, Abstain – 0, Absent – 1 (Mehn). Ordinance 19-2019 passed as enacted.

COMMITTEE APPOINTMENTS

14. Chair Reabe appointed Patty Pieper to the WinneFox Library Board for a 2 year term, Robert Burdick to the Veteran's Service Commission for a 2 year term, and incoming Chief Deputy Matt Vandekolk to the Highway Traffic Safety Commission.

15. **Motion/second (Boutwell/Wendt)** to approve the appointments. Motion carried with no negative vote.

DEPARTMENTS TO REPORT ON February 18, 2020

16. ADVOCAP will give an update on that organization's activities.

17. Chair Reabe wished all supervisors a Merry Christmas.

FUTURE AGENDA ITEMS FOR ACTION & DISCUSSION

18. None

ADJOURN

19. Chairman Reabe adjourned the meeting at 7:00 PM.
Respectfully Submitted,
Elizabeth Otto
County Clerk

RESOLUTION NUMBER 21-2019
RELATING TO INCLUSION UNDER THE STATE INCOME CONTINUATION INSURANCE PLAN

The County Board of Supervisors of Green Lake County, Green Lake, Wisconsin, duly assembled at its regular meeting on this 17th day of December 2019, does resolve as follows:

WHEREAS, the County understands that certain benefits are valuable for the economic security and well-being of its employees, such as income continuation benefits in the event of a short-term or long-term disability; and,

WHEREAS, the State of Wisconsin Group Insurance Board offers an Income Continuation Insurance Plan to eligible personnel through the program of the State of Wisconsin Group Insurance Board; and,

WHEREAS, the County can elect to participate in the Income Continuation Insurance Plan.

NOW THEREFORE BE IT RESOLVED, that the Green Lake County Board of Supervisors hereby elects to offer the Income Continuation Insurance Plan to eligible personnel through the program of the State of Wisconsin Group Insurance Board, and agrees to abide by the terms of the plan as set forth in the contract between the Group Insurance Board and the Administrator.

BE IT FURTHER RESOLVED, that any employee who elects to participate in the Income Continuation Insurance Plan will pay the full cost of any premiums.

BE IT FURTHER RESOLVED, that the County Clerk is hereby authorized and directed to take all actions and to make salary deductions and submit payments required by the State of Wisconsin Insurance Board to provide Income Continuation Insurance Plan.

BE IT FURTHER RESOLVED that the County Administrator is authorized to sign all contracts necessary to enter into the Income Continuation Insurance Plan.

BE IT FURTHER RESOLVED, that this resolution shall be effective on the later of the 1st of the month on or after 90 days following its receipt at the Department of Employee Trust Funds.

FISCAL NOTE: no fiscal impact to the County

CERTIFICATION

I hereby certify that the foregoing resolution is a true, correct and complete copy of the resolution duly and regularly passed by the Green Lake County Board of Supervisors on the 17th day of December, 2019, and that said resolution has not been repealed or amended, and is now in full force and effect.

Dated this 18th day of December, 2019.

Elizabeth A. Otto
Elizabeth A. Otto
County Clerk
571 County Road A
Green Lake, WI 54941
lotto@co.green-lake.wi.us

Number of eligible employees 181

Majority vote is needed to pass.

☒ Approved by Personnel ☐ Disapproved by Personnel

Property & Insurance recommends approval

Passed and Adopted this 17th day of December, 2019

Roll Call on Resolution #21-2019

Ayes 18, Nays 0, Absent 1, Abstain 0

Submitted by Property & Insurance Committee: /s/ Vicki Bernhagen, Chair' /s/ Patricia Garro; /s/ David Abendroth; /s/ Richard Trochinski; /s/ Keith Hess

RESOLUTION NUMBER 22-2019
Relating to Creating a Full-time
Communications Officer Position in the Sheriff's Office

The County Board of Supervisors of Green Lake County, Green Lake, Wisconsin, duly assembled at its regular meeting on this 17th day of December 2019, does resolve as follows:

WHEREAS, since 2017, the average overtime expenditure in the Communications Center is just under \$100,000 per year, and Fiscal note is attached.

WHEREAS, current Communications Officers are working significant overtime hours to provide coverage in the Sheriff's Communications Center, and,

WHEREAS, creating another Communication Officer position will enable the Sheriff's Department much needed flexibility in scheduling, to reduce the overtime hours in the Communications Center and help retain current staff.

NOW THEREFORE BE IT RESOLVED that the Green Lake County Board of Supervisors creates a position of one full-time Communications Officer commencing on April 1, 2020, using budgeted communications center overtime funds to cover the costs of the new position.

FISCAL NOTE:

GREEN LAKE COUNTY SHERIFF'S OFFICE FISCAL IMPACT STATEMENT 2020									
FULL-TIME COMMUNICATIONS OFFICER									
COMMENCING ON OR ABOUT APRIL 1, 2020									
JOB TITLE	RATE	HOURS	ANNUAL SALARY	R-employer	SOCIAL SECURITY	HEALTH	LIFE	TOTAL FRINGE	TOTAL
Communications Officer/Clerk	22.96	1560	35,817.60	2,417.69	2,740.05	15,107.00	38.40	20,303.13	56,120.73
Communications OT			49,056.60	3,311.32	3,752.83			7,064.15	56,120.75

Majority vote is needed to pass.

☒ Approved by Personnel Committee ☐ Disapproved by Personnel Committee

Judicial/Law Enforcement Committee recommends approval

Passed and Adopted this 17th day of December, 2019

Roll Call on Resolution 22-2019

Ayes, 18, Nays 0, Absent 1, Abstain 0

Submitted by Judicial/Law Enforcement Committee: /s/ Larry Jenkins, Chair; /s/ Sue Wendt, Vice-Chair; /s/ Kathy Morris; /s/ Keith Hess

RESOLUTION NUMBER 23-2019

Resolution Accepting Duty as Fiscal Agent for the ADRC Consortium of Adams, Waushara and Green Lake Counties

The County Board of Supervisors of Green Lake County, Green Lake, Wisconsin, duly assembled at its regular meeting on this 17th day of December 2019, does resolve as follows:

WHEREAS, Green Lake County is part of a three county consortium with Adams and Waushara counties for the operation of an Aging & Disability Resource Center.

Fiscal note: \$16,000 in additional grant revenues.

WHEREAS, Waushara County is currently the fiscal agency for the ADRC Consortium, and has been since 2004; and

WHEREAS, the Administrative Teams of Waushara, Green Lake and Adams County met and are recommending that Green Lake County become the fiscal agent for the ADRC Consortium beginning in 2020; and

WHEREAS, Green Lake County has agreed to be the fiscal agent for the ADRC Consortium beginning in 2020.

NOW THEREFORE BE IT RESOLVED, that the Green Lake County Department of Health and Human Services will be the fiscal agent for the ADRC Consortium of Green Lake, Adams and Waushara Counties beginning on January 1, 2020.

Majority vote is needed to pass.

Health and Human Service Board recommends approval

Passed and Adopted this 17th day of December, 2019

Roll Call on Resolution 23-2019

Ayes 18, Nays 0, Absent 1, Abstain 0

Submitted by Health and Human Service Board: /s/ Brian Floeter; /s/ Joanne Guden; /s/ Harley Reabe; /s/ Richard Trochinski; /s/ Charlie Wielgosh; /s/ Joy Waterbury

ORDINANCE NO. 19-2019

Creating an Ordinance regarding the Use of County Facilities

The County Board of Supervisors of Green Lake County, Green Lake Wisconsin, duly assembled at its regular meeting begun on the 17th day of December 2019, does ordain as follows:

WHEREAS, the County Clerk often receives inquiries from non-profit groups, school districts, and other organizations requesting the use of County Buildings or real property for non-county functions; and,

WHEREAS, a policy for applying for use of County buildings or real property is necessary to ensure that all groups that request use of County buildings or real property are treated equally and follow the same rules for use.

NOW, THEREFORE, THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF GREEN LAKE DOES ORDAIN AS FOLLOWS:

Section 1. Green Lake County Ordinance, County Facilities, use of is hereby created as follows:

Definitions, as used in this ordinance,

"County-Owned Facilities" means the

- Green Lake County Government Center, located at 571 County Road A, Green Lake, WI.
- Green Lake County Fairgrounds located at 570 South Street, Green Lake, WI.
- Green Lake County Highway Department located at 570 South Street, Green Lake, WI.
- Green Lake County Highway Department located at N1906 STH 73, Manchester, WI.
- Green Lake County Maintenance Building, 500 Lake Steel Street, Green Lake, WI

Reservation of County Facilities

A. Policy on Reservation. The County-owned facilities are primarily for the exclusive use of the County for the operation of county government. However, under proper circumstances, the use of County-owned facilities or parts thereof may be permitted by outside groups wishing to hold an event. This Ordinance is intended to regulate exclusive use of the County's facilities or parts thereof in the County so that the general welfare of the County is protected.

B. Reservation County-owned Facility Space. A person, group, firm, organization, partnership or corporation may reserve the use of a County-owned facility by written application filed with the County Clerk for a permit for use of the same. The County Clerk shall forward the application to the Property and Insurance Committee for its review. The Property & Insurance Committee shall have the authority to issue permits for the use of County-owned facilities. County-owned facilities are reserved on a first-requested, first-reserved basis.

C. Application. Applications shall be submitted to the County Clerk at least 30 days prior to the date on which the use is requested. The application shall contain the following information:

1. The name, address and telephone number of the applicant.

2. The name, address and telephone number of the headquarters of the same and the responsible and authorized officers of the same.
3. The name, address and telephone number of the person who will be the responsible party during the event.
4. The County-owned facility being requested for use
5. The date when the use is requested and the hour of the proposed use date.
6. The anticipated number of person to use the facility. If more than 1000 persons are expected to attend, an additional separate permit under Ordinance Chapter 109 is required.

Note: Applicants should be mindful that the Property and Insurance Committee meets monthly and may need to submit an application for use of a facility more than 30 days in advance to ensure that the Committee can review the application at its next scheduled meeting.

D. Fees and charges.

1. Deposit. The applicant must deposit \$300.00. If there is no damage and trash is picked-up and properly disposed, the deposit will be returned. If there is damage or trash left behind, the deposit will be forfeited and applied to the costs. Checks will not be negotiated unless the deposit is forfeited.
2. Applicant is responsible for the pick-up and removal of trash. Applicant is responsible for any damage to the facility. Any damage to the facility during Applicant's event will be deducted from the deposit. If trash is not picked-up and removed, the cost of pick-up and removal will be deducted from the deposit. If the deposit does not cover damage or trash removal or both (if applicable) the County may submit the matter to the Corporation Counsel to recover the damage and costs remaining.
3. The Maintenance Supervisor shall have the authority to determine damage to the Government Center and Maintenance building and parking lot at the Lake Steel Street location. The Highway Commissioner shall have the authority to determine damage to the Highway Department grounds and County Fairgrounds.

E. Action on application. The Property & Insurance Committee shall act promptly on all applications for permits and shall consider applications at its next regularly scheduled meeting.

F. Reasons for Denial. Applicants may be denied for any of the following reasons:

1. The proposed use would violate federal, state or local ordinances.
2. If the application is missing any information required.
3. The application is made less than the required 30 days in advance of the requested exclusive use.
4. If a permit is required for a large assembly and is not granted.

G. Indemnification/Insurance.

1. The applicant must provide proof of insurance for a minimum of \$250,000 naming the County as an additional insured.
2. If the applicant does not have a minimum insurance policy for \$250,000, the applicant, if a non-profit entity, may apply to the County's insurance carrier for "Tenant-User Liability Program", and if approved shall pay the insurance premium and be responsible for paying any deductible under the "Tenant-User Liability Program".

H. A permit is not required for a county sponsored activity, including but not limited to the County Fair, and 4-H groups.

Section 2. This ordinance shall become effective upon passage and publication.

Section 3. The repeal and recreation of any section herein shall not have any effect on existing litigation and shall not operate as an abatement of any action or proceeding then pending or by virtue of the repealed sections.

Section 4. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

Property & Insurance Committee recommends approval

Passed and Enacted this 17th day of December, 2019

Roll Call on Ordinance 19-2019

Ayes 18, Nays 0, Absent 1, Abstain 0

Submitted by Property & Insurance Committee: /s/ Vicki Bernhagen, Chair; /s/ David Abendroth; /s/ Richard Trochinski; /s/ Keith Hess

Reforestation Tax	Charit. /Penal	Special Charges	Special Total	District	TID Out Ratio	Health Department	Library Services	Bridge Aid	All Other Governmental	County Tax Total	County and Charitable	Charge Back	All Taxes/Charges Total
0.00	331.50	450.00	781.50	TOTAL		376,855.00	329,360.00	83,390.00	13,528,842.00	14,318,447.00	14,319,228.50	523.54	14,319,752.04
0.00	16.03	21.76	37.79	Town of Berlin	0.048354365	18,222.58	15,925.99	4,032.27	654,178.56	692,359.40	692,397.19	25.32	692,422.51
0.00	65.56	89.00	154.56	Town of Brooklyn	0.197768390	74,530.01	65,137.00	16,491.91	2,675,577.27	2,831,736.19	2,831,890.75	103.54	2,831,994.29
0.00	65.02	88.26	153.28	Town of Green Lak	0.196125509	73,910.88	64,595.90	16,354.91	2,653,351.02	2,808,212.71	2,808,365.99	102.68	2,808,468.67
0.00	8.08	10.97	19.05	Town of Kingston	0.024384839	9,189.55	8,031.39	2,033.45	329,898.63	349,153.02	349,172.07	12.77	349,184.84
0.00	7.88	10.70	18.58	Town of Mackford	0.023777025	8,960.49	7,831.20	1,982.77	321,675.61	340,450.07	340,468.65	12.45	340,481.10
0.00	9.61	13.05	22.66	Town of Mancheste	0.029000875	10,929.12	9,551.73	2,418.38	392,348.26	415,247.49	415,270.15	15.18	415,285.33
0.00	10.84	14.71	25.55	Town of Marquette	0.032688954	12,319.00	10,766.43	2,725.93	442,243.69	468,055.05	468,080.60	17.11	468,097.71
0.00	45.72	62.07	107.79	Town of Princeton	0.137923468	51,977.15	45,426.47	11,501.44	1,865,944.81	1,974,849.87	1,974,957.66	72.21	1,975,029.87
0.00	5.41	7.34	12.75	Town of Saint Mari	0.016308449	6,145.92	5,371.35	1,359.96	220,634.43	233,511.66	233,524.41	8.54	233,532.95
0.00	5.05	6.85	11.90	Town of Seneca	0.015228422	5,738.91	5,015.63	1,269.90	206,022.92	218,047.36	218,059.26	7.97	218,067.23
0.00	2.30	3.13	5.43	Village of Kingston	0.006952842	2,620.21	2,289.99	579.80	94,063.90	99,553.90	99,559.33	3.64	99,562.97
0.00	2.31	3.13	5.44	Village of Marquett	0.006954535	2,620.85	2,290.55	579.94	94,086.81	99,578.15	99,583.59	3.64	99,587.23
0.00	37.94	51.50	89.44	City of Berlin	0.114437078	43,126.19	37,691.00	9,542.91	1,548,201.15	1,638,561.25	1,638,650.69	59.91	1,638,710.60
0.00	32.64	44.31	76.95	City of Green Lake	0.098468839	37,108.47	32,431.70	8,211.32	1,332,169.36	1,409,920.85	1,409,997.80	51.55	1,410,049.35
0.00	9.48	12.87	22.35	City of Markesan	0.028603935	10,779.54	9,420.99	2,385.28	386,978.12	409,563.93	409,586.28	14.98	409,601.26
0.00	7.63	10.36	17.99	City of Princeton	0.023022475	8,676.13	7,582.68	1,919.84	311,467.43	329,646.08	329,664.07	12.05	329,676.12
0.00	331.50	450.01	781.51	Totals	1.00	376,855.00	329,360.00	83,390.01	13,528,841.97	14,318,446.98	14,319,228.49	523.54	14,319,752.03

State ReforestationTax is based on the "TID in" Ratio.
All County Taxes are based on the "TID out" Ratio

**TO THE HONORABLE CHAIRMAN AND BOARD OF SUPERVISORS
OF GREEN LAKE COUNTY**

I herewith submit the annual report of the Green Lake County Treasurer's office for the period of
January 1, 2019 through December 31, 2019

Report on General Activity in County Treasurer's office for 2019:

	TOTAL AMOUNT 2018	TOTAL AMOUNT 2019
General Receipts	15,614,065.59	21,600,781.94
General Property Tax Receipts	7,986,991.12	9,217,768.49
Tax Settlement	14,671,902.31	14,560,461.55
Withdrawals related to tax settlement	7,934,882.22	5,027,830.89
Total Interest Received on Investments	256,234.17	330,804.44
Sales Tax Received	1,446,106.72	1,457,211.47
Withdrawal of Sales Tax funds for loan payment on bldg	990,540.00	996,511.25
Total Interest and Penalty Received on Delinquent Taxes	211,594.49	224,957.20
Total General Maintenance Checks	13,574,422.64	13,769,257.72
Total Payroll Disbursement	6,747,979.23	7,073,096.46
Total Outgoing Wire Transfers for Payroll and Fees	4,421,135.23	4,699,987.32
Real Estate Transfer Fees	292,001.02	298,045.99
Total Sales Tax Wires	1,456,269.54	1,461,329.64
Investment Wires	12,000,000.00	14,050,000.00
Tax Settlement	8,321,733.04	9,082,650.68
Repayment of Bond Loan +Interest on Loan	1,244,280.00	1,252,850.00
Direct Deposit HS Funds	1,598,653.64	1,666,513.30
Transfer to Flex/HRA Account	319,704.89	82,300.98
Outstanding Check Resolutions and Banks Fees	-2,458.07	-5,753.09
Monthly Boat Launch Charges	0.00	1,859.16

Report of activity by the Real Property Lister's Office for the Year 2019:

	2018	2019
Documents of transfer processed	1,745	1,740
Tax parcels affected by splits and/or combinations	125	145
911/Fire Numbers processed/issued in 2017	34	37

Report of Cash Balance on Hand

STATEMENT OF CONDITION OF GREEN LAKE COUNTY

From January 1, 2019 to December 31, 2019

Cash Balance 1-1-19	504,138.57	
Receipts - 2019	53,416,327.23	
	53,920,465.80	
Disbursements - 2019		53,432,138.16
Required Cash Balance 12-31-19		488,327.64
		53,920,465.80

Respectfully submitted,
Amanda R Toney, County Treasurer

***FOLLOWING IS A LISTING OF TAX CERTIFICATES, WHICH REPRESENT DELINQUENT TAX,
HELD BY GREEN LAKE COUNTY AS OF:**

	<u>31-Dec-17</u>	<u>31-Dec-18</u>	<u>31-Dec-19</u>
TOWN OF BERLIN	28,221.44	26,286.81	15,972.15
TOWN OF BROOKLYN	44,556.08	30,196.63	30,833.64
TOWN OF GREEN LAKE	140,183.52	175,787.76	60,704.75
TOWN OF KINGSTON	8,809.86	8,159.74	4,916.51
TOWN OF MACKFORD	21,959.54	24,778.77	10,420.39
TOWN OF MANCHESTER	8,755.17	9,904.21	11,485.68
TOWN OF MARQUETTE	23,470.65	26,707.02	33,616.76
TOWN PRINCETON	88,042.96	70,235.15	88,230.70
TOWN OF ST MARIE	7,628.94	12,549.20	7,455.96
TOWN OF SENECA	12,653.20	16,000.69	17,713.77
VILLAGE OF KINGSTON	22,680.83	22,818.07	22,316.66
VILLAGE OF MARQUETTE	12,392.39	12,900.07	17,452.15
CITY OF BERLIN	142,234.19	162,146.47	158,088.53
CITY OF GREEN LAKE	27,341.92	9,203.70	16,994.69
CITY OF MARKESAN	58,026.81	56,524.03	50,771.78
CITY OF PRINCETON	57,882.36	52,517.49	50,787.92
<u>TOTAL COUNTY DELINQUENT 12-31-2017</u>	<u>704,839.86</u> **		

**\$66,669.78 in uncollected special assessments and charges included in figure

TOTAL COUNTY DELINQUENT 12-31-2018

716,715.81 **

**\$68,327.69 in uncollected special assessments and charges included in figure

TOTAL COUNTY DELINQUENT 12-31-2019

597,762.04 **

**\$38,011.87 in uncollected special assessments and charges included in figure

*See following page for graph of these figures sorted by Municipality

ACTIVITY IN THE SALES TAX ACCOUNT DURING 2019

	PRINCIPLE	INTEREST	TOTAL SALES TAX	
BALANCE 12/31/18			2,098,615.27	
2019 COLLECTIONS	1,461,329.64	42,810.66	1,504,140.30	
Loan Payments	996,511.25		996,511.25	
Bond Income	0.00		0.00	
Over/Under +/-	0.00		0.00	
BALANCE 12/31/19	2,457,840.89	42,810.66	2,606,244.32	

SALES TAX INVESTMENTS

Institution	C.D. #	TERM	PRINCIPLE	INTEREST	DUE DATE
L.G.I.P.			1,096,644.32	1.63%	
Bank Mutual	2911684252	12 months	509,600.00	2.60%	1/25/20
Fortifi Bank	8526203	11 months	500,000.00	2.25%	10/14/20
Fortifi Bank	1023383485	11 months	500,000.00	2.25%	11/30/20
TOTAL SALES TAX FUNDS INVESTED: 12/31/2019			2,606,244.32		

TOTAL SALES TAX REVENUE SINCE INCEPTION, PLUS INTEREST, IS HELD IN TRUST

2019
(Subject to Audit Adjustment)

General Government

Revenues

	Budget	Adjusted Budget	YTD Amount	Unrealized or (excess)
Tax Levy/Miscellaneous	9,007,593	9,633,123	9,660,469	(27,346)
Circuit Court	209,390	209,390	208,249	1,141
Legal Services	55,301	59,326	43,078	16,248
County Clerk Services	133,171	24,525	28,816	(4,291)
Probate	67,500	67,500	72,799	(5,299)
Maintenance	2,000	2,000	0	2,000
Register of Deeds	166,080	167,140	201,555	(34,415)
Treasurer & Land Description	14,225	14,225	13,088	1,137
Zoning & Permits	134,105	134,105	156,415	(22,310)
Veterans Service Office	15,500	15,500	14,020	1,480
Parks & Recreation	120,599	120,599	140,870	(20,271)
University Extension	72,300	73,860	77,326	(3,466)
Land Conservation	603,595	603,595	631,144	(27,549)
GIS	171,000	175,500	177,477	(1,977)
Personnel	4,350	5,130	0	5,130
Information Technology	4,156	4,156	7,190	(3,034)
Revenue Total	10,780,865	11,309,674	11,432,496	(122,822)

Expenditure

	Budget	Adjusted Budget	YTD Amount	Unrealized or (excess)
Tax Levy/Miscellaneous	104,568	104,568	100,711	3,857
County Board	417,311	417,311	400,395	16,916
Circuit Court	354,855	354,854	402,838	(47,984)
Legal Services	452,065	452,590	435,604	16,986
County Clerk Services	967,116	967,116	953,064	14,052
Probate	163,810	163,809	159,195	4,614
Maintenance	522,972	522,971	515,090	7,881
Register of Deeds	270,495	272,699	257,120	15,579
Treasurer & Land Description	220,824	220,824	215,807	5,017
Land Use Planning & Zoning	422,636	421,290	395,785	25,505
Veterans Service Office	118,800	118,800	120,686	(1,886)
Parks & Recreation	173,096	173,096	138,380	34,716
University Extension	332,261	333,912	345,355	(11,443)
Land Conservation	990,794	990,793	807,105	183,688
Land Information	171,000	208,500	122,304	86,196
County Administrator	319,395	319,395	309,549	9,846
Personnel	59,525	59,525	45,494	14,031
Information Technology	670,144	670,143	640,355	29,788
Expenditure Total	6,731,667	6,772,196	6,364,837	407,359

Law Enforcement**Revenues**

	Budget	Adjusted Budget	YTD Amount	Unrealized or (excess)
Buoy Revenue	0	0	0	0
State Aid - Water Patrol	12,500	12,500	17,500	(5,000)
State Aid - Snowmobile Law Enf	0	0	0	0
Sheriff's Training	8,750	8,750	4,800	3,950
ICAC Grant	1,500	1,500	806	694
Drug Recognition	400	400	0	400
Parking Ticket Fees	3,329	3,329	1,610	1,719
Business and Home Alarm Fees	2,500	2,500	2,050	450
Sheriff's Fees	15,500	15,500	13,772	1,728
Law Enforcement Revenue	5,000	5,000	860	4,140
CEASE/Drug Eradication	500	500	278	223
Prisoner Board Revenue	55,000	55,000	95,534	(40,534)
Safekeepers	95,422	95,422	183,137	(87,715)
Reimb. For Juvenile Board	6,000	6,000	7,343	(1,343)
Incentive Revenue SS Adm.	1,800	1,800	2,400	(600)
Jail Medical	6,200	6,200	6,979	(779)
Jail Phone	40,000	40,000	65,976	(25,976)
Program to Fund OT	700	700	784	(84)
Jail Blood Draws	1,700	1,700	2,675	(975)
Inmate Commissary	12,000	12,000	13,858	(1,858)
DOC Grant Program	82,136	82,136	59,084	23,052
Hosting Meetings & Conventions	525	525	525	0
Applied Funds	93,611	93,611	91,771	1,840
Fingerprinting	40	40	40	0
Leads Online	1,253	1,253	1,253	0
CDWTF Reimbursement for OT	500	500	243	257
Drug Test Fees	1,000	1,000	1,278	(278)
Firearms	0	0	0	0
Huber Law Maintenance	75,000	75,000	58,934	16,066
Electronic Monitoring	5,600	5,600	12,796	(7,196)
Crime Prevention Prog. Rev.	200	200	56	144
Asset Forfeiture	0	0	0	0
CDWTF Grant Funds	0	0	415	(415)
State Aid-LE Child Support Prog	0	0	0	0
Storage & Towing	0	0	952	(952)
Sale of Equipment	7,000	7,000	0	7,000
BOTS Grant	0	0	0	0
CDWTF-Opioids	46,400	46,400	17,528	28,872
Canine	2,500	2,500	9,125	(6,625)
Unanticipated Grants	0	0	0	0
Jail Assessment	21,000	21,000	21,756	(756)
Aid - Emergency Government	0	0	0	0
Coroner	28,200	0	0	0
Revenue Total	633,766	605,566	696,117	(90,551)

Expenditure

	Budget	Adjusted Budget	YTD Amount	Unrealized or (excess)
Coroner	63,949	61,066	48,495	12,571
Sheriff's Administration	2,314,014	2,317,535	2,439,670	(122,135)
Police Radio	857,028	857,912	1,015,822	(157,910)
Water Safety	8,324	8,324	4,254	4,070
Anti Drug Task Force	1,325	1,325	1,942	(617)
CDWTF	46,400	46,400	9,894	36,506
Snowmobile/ATV Safety	276	276	28	248
Sheriff Outlay	27,349	27,349	24,983	2,366
Jail	1,752,631	1,752,631	1,619,670	132,961
Crime Prevention	11,500	11,500	7,654	3,846
Emergency Government	59,858	81,980	59,844	22,136
Expenditure Total	5,142,654	5,166,298	5,232,256	(65,958)

Contingency/Capital Outlay	Revenues			
	Budget	Adjusted Budget	YTD Amount	Unrealized or (excess)
Tax Levy/Miscellaneous	2,958,113	2,958,113	1,250,000	1,708,113
Applied Funds	1,762,653	1,762,653	121,583	1,641,070
Revenue Total	4,720,766	4,720,766	1,371,583	3,349,183
	Expenditure			
	Budget	Adjusted Budget	YTD Amount	Unrealized or (excess)
Contingency/Capitol Outlay Expenditure	4,242,990	4,242,990	686,450	3,556,540
Applied Funds	2,117,026	2,117,026	555,309	1,561,717
Expenditure Total	6,360,016	6,360,016	1,241,759	5,118,257

Debt Service	Revenues			
	Budget	Adjusted Budget	YTD Amount	Unrealized or (excess)
Tax Levy/Miscellaneous	256,339	256,339	256,339	0
Revenue Total	256,339	256,339	256,339	0
	Expenditure			
	Budget	Adjusted Budget	YTD Amount	Unrealized or (excess)
Debt Expenditure	256,339	256,339	256,339	0
Expenditure Total	256,339	256,339	256,339	0

Human Service Administration**Revenues**

	Budget	Adjusted Budget	YTD Amount	Unrealized or (excess)
Administration	42,724	700,554	704,215	(3,661)
Health Unit	204,322	567,804	540,150	27,654
Aging/Long Term Support	901,244	1,283,766	1,242,117	41,649
Children & Family	982,639	1,649,087	1,470,403	178,684
Economic Support Unit	469,063	469,063	436,191	32,872
Fox River Industries	1,077,369	1,305,668	1,258,600	47,068
Behavioral Health	1,676,792	1,922,010	1,605,213	316,797
Child Support	226,605	226,605	283,856	(57,251)
Total Revenue	5,580,758	8,124,557	7,540,745	583,812

Expenditure

	Budget	Adjusted Budget	YTD Amount	Unrealized or (excess)
Administration	714,954	714,955	705,850	9,105
Health Unit	562,804	567,804	553,334	14,470
Aging/Long Term Support	1,283,766	1,283,765	1,248,360	35,405
Children & Family	1,636,761	1,645,845	1,283,143	362,702
Economic Support Unit	454,663	454,664	432,344	22,320
Fox River Industries	1,305,668	1,305,668	1,289,552	16,116
Behavioral Health	1,922,010	1,915,752	1,869,954	45,798
Child Support	226,605	226,606	173,729	52,877
Expenditure Total	8,107,231	8,115,059	7,556,266	558,793

Highway**Revenues**

	Budget	Adjusted Budget	YTD Amount	Unrealized or (excess)
Highway	3,487,948	4,681,758	5,115,426	(433,668)
Revenue Total	3,487,948	4,681,758	5,115,426	(433,668)

Expenditure

	Budget	Adjusted Budget	YTD Amount	Unrealized or (excess)
Highway	3,487,948	3,487,948	3,880,424	(392,476)
Expenditure Total	3,487,948	3,487,948	3,880,424	(392,476)

Dog License Fund**Revenues**

	Budget	Adjusted Budget	YTD Amount	Unrealized or (excess)
Dog License Revenues	0	0	9,348	(9,348)
Revenue Total	0	0	9,348	(9,348)

Expenditure

	Budget	Adjusted Budget	YTD Amount	Unrealized or (excess)
Dog License Expenditure	0	0	9,348	(9,348)
Expenditure Total	0	0	9,348	(9,348)

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