

PROCEEDINGS

OF THE

Monroe County, Wisconsin Board of Supervisors 2001-2002

SESSIONS

APRIL 2001 THRU MARCH 2002

LaVern Betthausen - Chair
Dennis Hubbard - Vice Chair
Chris Williams - Clerk

INDEX

ADMINISTRATIVE/EXECUTIVE

Amend Ord Sec 1.20 Standing Committees & Boards	4
Increase Mileage Reimbursement Rate - tabled	25
Increase Mileage Reimbursement Rate	69
Support Four Year Terms for County Board Supervisors	112
Adopt Tentative Redistricting Plan	156
Merger of Land Conservation & Ag & Extension Committees - failed	175
Merger of Health & Senior Services Boards - failed	175
Merger of Finance, Ins & Claims & Personnel & Bargaining Committee - tabled	176
Merger of Property & Purchasing & Solid Waste Management - pulled	177

AGRICULTURE & EXTENSION EDUCATION

Crisis in Agriculture	2
Support Fed Legislation - Importers of Foreign Dairy Products Contribute to Costs	
US Dairy Promotion	119
Support MRRPC Economic Dev Planning & CEDS Report	152
Application for Wis Conservation Reserve Enhancement Program	173

APPOINTMENTS

Housing Authority	1, 166
Senior Services	1, 155, 166
Human Services	22
Zoning Board of Adjustment	22
Museum Board Liaison	106
Human Services Citizens' Advisory	106
Human Services W-2 Community Steering	106
Community Action Planning	137
W-2 Steering	137, 149
Veterans Service	149
Winding Rivers Library	149
Ethics Board	155
Local History Room	155
Shelter Care	155
Tourism & Economic Development Promotions	155
Hidden Valleys	155
Joint Review	166

FINANCE, CLAIMS & INSURANCE

Issuance of Promissory Notes for Sand Creek Landfill Remediation	9
Budget Freeze for 2002 & No New Positions - not in order	21
Deny Claim of Michael Chitek	23
Name Changes in Public Depositories for Investments	24
Oppose AB335 Grace Period for Payment of Property Tax	24
Deny Claim of Mark C Allen	67
Request Special Sales Tax Option for County Jails - failed	69
Budget 2002 Guidelines - failed	70

Establish Petty Cash - UW-Extension	120
Adopt 2002 Budget	132
Determine & Levy Tax	136
Cancellation of Outstanding 1999 Checks	150
Declare Intent to Reimburse Exp from Proceeds of Borrowing - out of order	163
Oppose Unfunded State Mandates & Governor's Budget Proposal	164
Transfer Funds for Certain 2001 Budgets	166
HIGHWAY	
Amend Ord Chap 8, Public Works	103
2002 Highway Budget	127
Authorize County Aid for Bridge & Culvert, WI Stat Sec 81.38	131
LAND CONSERVATION	
Farmland Preservation Application	12, 115
Establish Ord Chap 10 - Non-metallic Mining Reclamation	28
ORDINANCE	
Amend Ord Sec 1.20 Standing Committees & Boards	4
Establish Ord Chap 10 - Non-metallic Mining Reclamation	28
Ordinance Pertaining to Zoning, Town of Tomah - Grimshaw	113
Amend Ord Sec 2.10 Establishing Supervisory Districts	117
PERSONNEL & BARGAINING	
Ratify Human Services 2001-2002 Collective Bargaining Agreement	5
Ratify Highway 2001-2002 Collective Bargaining Agreement	6
Ratify Professional Police 2001-2002 Collective Bargaining Agreement	13
Adopt Revised Comp Schedule for Non-represented/Non-graded 2001-2002	14
Ratify Rolling Hills 2001-2002 Collective Bargaining Agreement	121
PROPERTY & PURCHASING	
Centralization of County Government Services	104
Approve Site & Construction of Justice Complex	138
Authorize Petition for Direct Annexation of Prop to City of Sparta - postponed	159
Authorize Petition for Direct Annexation of Prop to City of Sparta - tabled	168
Declare Official Intent to Reimburse Exp from Proceeds of Borrowing - tabled	172
PUBLIC SAFETY & JUSTICE COORDINATING	
Request Funding of Probation/Parole Violation Inmates	1
Public Defender Representation & Fees	26
Establish Additional Dispatcher Position for Police Dept	123
Authorize Ten Additional Hours for Receptionist for Police Dept	124
Approve Site & Construction of Justice Complex	138
Emg Mgmt Road Naming & Uniform Addressing Policy - withdrawn	145
Law Enforcement Aid to Ho-Chuck Nation	152
Establish Fee for Death Certificate Certification - failed	157
REDISTRICTING	
Approve Tentative Supervisory District following 2000 Census	15
Amend Ord Sec 2.10 Establishing Supervisory Districts	117

RESOLUTIONS

Regarding Monroe County Farm - failed	3
Change of County Seat - tabled	7
Change County Seat Sparta to Tomah - referred, tabled	10
Issuance & Providing for Sale of Bond Anticipation Notes	16
Issuance of General Obligation Refunding Bonds	68
Borrowing \$2,105,000; Provide for Issuance & Sale of Bonds; Levying Tax	106

SANITATION, ZONING & FORESTRY

Accept Offer to Purchase Land, Town of Clifton	27
Establish Chap 18, Code of Ord, Land Division	72
Ordinance Pertaining to Zoning, Town of Tomah - Grimshaw	113
Establish PT Park Ranger at McMullen Park	122
Amend Chap 17, Code of Ord	140
Ordinance Pertaining to Zoning, Town of Tomah - Brady	158
Impose Moratorium on Permits for Telecommunication Facilities	167

SENIOR SERVICES

Authorize Transportation Grant & Appropriation	154
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SOLID WASTE

Oppose State Budget Proposal to Increase Landfill Tipping Fee	125
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APRIL 2001

The April meeting of the Monroe County Board of Supervisors convened at the Courthouse in the City of Sparta, Wisconsin, on Wednesday, April 4, 2001, at 8:30 a.m. Chair LaVern Betthausen presided. Roll was called with 26 Supervisors present, two (Supervisors M. Kuhn and Kenyon) absent. The Pledge of Allegiance to the Flag was recited. Motion by Supervisor B. Anderson, second by Supervisor Nicosia to approve the minutes of the March 7, 2001, meeting as printed and mailed. The motion carried on a voice vote.

The following appointments were announced:

Housing Authority

Carl Preuss, filling unexpired 5 year term of Jean Liefke, expiring 3/31/03

Senior Services

Tom Zastoupil, 3 years, expires May 2004, reappointment to Supervisor slot

Annette Erickson presented the February County Treasurer's report and briefly explained the foreclosure process.

Al Roof, Solid Waste Management Manager, presented background information and gave a current and future report of landfill operations in the Town of Ridgeville.

Chairs of standing committees gave status reports.

Chair Betthausen called for a short break.

RESOLUTION NO. 4-01-1

REQUESTING COMPLETE FUNDING OF PROBATION AND PAROLE VIOLATION INMATES

WHEREAS, regulations adopted by the State Legislature requires the County to incarcerate inmates for a longer period of time; and

WHEREAS, inmates released on probation and parole are being monitored for a longer time, causing their return to jail for violations of said probation or parole; and

WHEREAS, the above inmates cause an overcrowding of county jails; and the rate of daily cost of housing said inmates is not covered in total by the State, causing an additional fundamental burden on the County Jail Budget; and

WHEREAS, this should be reimbursed at the full cost of housing inmates for state probation and parole violations and not be an unfunded mandate required to be paid by county taxpayers.

NOW, THEREFORE, BE IT RESOLVED that the Monroe County Board of Supervisors does hereby request the Governor and the Wisconsin Legislature to provide sufficient funding to support the implementation of state policies when they result in additional cost to county taxpayers for housing probation and parole violation inmates in county jails.

BE IT FURTHER RESOLVED by the Monroe County Board of Supervisors that the state funding shall cover both the capital costs associated with the increased use of county jails and the staffing costs incurred by a jail facility in order to safely support increased jail population.

BE IT FURTHER RESOLVED by the Monroe County Board of Supervisors that the County Clerk be directed to send a copy of this resolution to all Wisconsin Counties, Governor Scott McCallum, the Secretary of the Department of Administration, the Secretary of the Department of Corrections, and Legislators representing constituents of Monroe County.

Dated this 4th day of April, 2001

OFFERED BY THE PUBLIC SAFETY & JUSTICE COORDINATING COMMITTEE

Simon J. Wells

James B. Kuhn

M. J. Sund

Tom Anderson

A. O. Bluske

Cedric Schnitzler

Joyce A. Schreier

Approved as to form: Kerry Sullivan-Flock, Corporation Counsel

Committee Vote: 7 yes, 0 no

The foregoing resolution was introduced and moved for adoption by Supervisor Wells, second by Supervisor Bluske. Supervisor Wells recognized Tom Weber, Justice Systems Administrator, who spoke to the issue. The resolution carried on a voice vote.

RESOLUTION NO. 4-01-5

CRISIS IN AGRICULTURE

WHEREAS, the total number of farms in Wisconsin has declined from 93,000 to 78,000 between 1980 and 1999; and

WHEREAS, the number of dairy farms in Wisconsin has declined from 45,000 to 22,000 between 1980 and 1999; and

WHEREAS, the number of dairy herds in Monroe County has declined from 1,052 in 1984 to 612 in 1999, and

WHEREAS, the acreage of farmland in Wisconsin has declined from 18.6 million acres in 1980 to 16.3 million acres in 1999, a 12.4% decline; and

WHEREAS, 56,000 acres of farmland are lost in Wisconsin every year; and

WHEREAS, prices received by Wisconsin's farmers for products such as corn and soybeans has declined or remained stagnant for several years; and

WHEREAS, prices received by Wisconsin's dairy farmers are lower than the national average and are kept artificially low by the Northeast Dairy Compact; and

WHEREAS, the value of livestock and their products, poultry and their products, and dairy products sold in Wisconsin declined by 5% between 1992 and 1995; and

WHEREAS, young people from rural areas are moving off of farms in increasing numbers; and

WHEREAS, the Federal and State Governments have not taken proactive steps to resolve these problems;

NOW, THEREFORE, BE IT RESOLVED, that because of the decreasing percentage of the consumer dollar received by the farmer, we ask that a special committee of the State of Wisconsin and the Federal Government should be formed to investigate as to why our farmers are receiving less than ten percent of the consumer's dollar for farm products; and

NOW, THEREFORE, BE IT RESOLVED, that Monroe County is declaring agriculture to be in a state of crisis in the State of Wisconsin.

Dated this 4th day of April.

OFFERED BY THE AGRICULTURE AND EXTENSION EDUCATION
COMM.

Simon J. Wells
Mahlon Denter
Robert Helming
Tom Zastoupil

Approved as to form: Kerry Sullivan-Flock, Corporation Counsel
Committee vote: 4-0-1

The foregoing resolution was introduced and moved for adoption by Supervisor Wells, second by Supervisor Denter. Supervisor Wells explained the reasons. The resolution carried on a unanimous voice vote.

RESOLUTION NO. 4-01-6

REGARDING MONROE COUNTY FARM

We, the undersigned, members of the Monroe County Board of Supervisors, in accordance with Rule 21 of said Board of Supervisors, do herewith submit the following resolution for consideration and approval:

WHEREAS, the Monroe County Farm was originally established to provide work and sustenance for residents of Rolling Hills, and

WHEREAS this is no longer the case, and

WHEREAS the County Farm is engaged in a for-profit operation, and

WHEREAS this is in competition with citizenry of the County, and

WHEREAS the County Farm no longer serves the County's best interests,

NOW BE IT RESOLVED, that the County Farm cease operations, and the County dispose of all Farm assets, EXCEPTING THE LAND, and the monies resulting from said disposal be placed in a SPECIAL FUND, to be dedicated for the purpose of future improvement or building on said land.

Terry Brown
Carl E. Anderson
Bradley J. Culpitt
Keith E. Kenyon
Warren H. Isbell

Approved as to form: Kerry Sullivan-Flock, Corporation Counsel
Ag & Extension Committee Vote: 4 no, 1 absent

The foregoing resolution was introduced and moved for adoption by Supervisor Brown, second by Supervisor C. Anderson. Supervisor Brown explained the reasons. There was a lengthy discussion with many Supervisors and citizens speaking to the issue. Motion by Supervisor Brown, second by Supervisor C. Anderson to amend the resolution to read in the last paragraph: "that the County Farm cease operations, adding: by no later than June 1, 2001." Roll was called on the amendment with the following 8 Supervisors voting yes: Culpitt, C. Anderson, Brown, Isbell, Sund, Westphal, Nicosia, Pierce; and the following 18 Supervisors voting no: VanWychen, Schnitzler, B. Anderson, Zastoupil, Wells, Hubbard, Denter, J. Kuhn, Schreier, Pasch, Beatty, Bluske, T. Anderson, Selz, Wensel, Helming, Pfaff, Betthausen; Supervisors M. Kuhn and Kenyon were absent. The amendment failed. Roll was called on the original resolution with the same (8 yes, 18 no) roll call vote recorded. The resolution failed.

RESOLUTION NO. 4-01-2

AUTHORIZING AMENDMENT OF MONROE COUNTY CODE OF ORDINANCES SECTION 1.20 STANDING COMMITTEES AND BOARDS

WHEREAS, the Monroe County Administrative Committee has had a request from the Sanitation/Zoning/Forestry Committee for a change to the title of the department; and

WHEREAS, the Administrative Committee concurs with the reasons presented for the change and did approve by a unanimous vote to approve the change; and

WHEREAS, upon review it was found that an update needs to be made for several other standing committees.

NOW, THEREFORE, BE IT RESOLVED by the Monroe County Board of Supervisors that they approve and do hereby ordain that Section 1.20 of the Monroe County Code of Ordinance be amended, that the standing committees and boards be:

Administrative/Executive
Agriculture & Extension Education
Finance, Claims & Insurance
Health
Highway

Human Services
Land Conservation
Personnel & Bargaining
Property & Purchasing
Public Safety and Justice Coordinating
Rolling Hills
Sanitation/Planning & Zoning/Forestry
Senior Services
Solid Waste Management

Dated this 4th day of April, 2001

OFFERED BY THE ADMINISTRATIVE/EXECUTIVE COMMITTEE

Warren H. Isbell
Albert H. Wensel
Dennis Hubbard
Allan Beatty

Approved as to form: Kerry Sullivan-Flock, Corporation Counsel
Committee vote: 5-0

The foregoing resolution was introduced and moved for adoption by Supervisor Bluske, second by Supervisor Isbell. Supervisor Hubbard explained the reasons along with Wes Bangsberg, Sanitation, Zoning and Forestry Administrator and Alison Phillips, Sanitation & Zoning Officer. Motion by Supervisor Culpitt, second by Supervisor Beatty to call the question. The motion carried on a voice vote. The resolution carried on a voice vote.

RESOLUTION NO. 4-01-3

**RATIFYING 2001-2002 COLLECTIVE BARGAINING AGREEMENT
WITH THE HUMAN SERVICES PROFESSIONAL AND
CLERICAL AND PARAPROFESSIONAL UNIONS, AFSCME LOCAL 2470A**

WHEREAS, the Bargaining Committee of the Monroe County Board of Supervisors met with representatives of the Human Services unions during the fall of 2000 in order to negotiate a successor collective bargaining agreement for the calendar years of 2001 and 2002; and

WHEREAS, a voluntary settlement was reached on March 6, 2001, which included two percent wage increases on January 1 and September 1 for each of the two years, instituting a \$10.00 office visit co-pay on the Gundersen Lutheran Health plan, and other minor language changes.

NOW, THEREFORE, BE IT RESOLVED by the Monroe County Board of Supervisors that the Bargaining Committee be authorized and empowered to enter into a two year agreement for 2001-2002 with the Human Services Professional and Clerical and Paraprofessional unions on behalf of the County of Monroe, State of Wisconsin.

Dated this 4th day of April, 2001.

OFFERED BY THE BARGAINING COMMITTEE:
Allan Beatty

Edward Westphal
Joyce A. Schreier
Approved as to form: Kerry Sullivan-Flock, Corporation Counsel
Bargaining Committee vote: 3 yes, 0 no
Finance Committee vote: 5-0

Fiscal note: For 2001, 2% increases on January 1 and September 1 equals a 2.67% increase for the year, or an additional \$38,075 in wages, \$6,972 in wage-related benefits, and \$39,232 in additional health and dental insurance costs, for a total of \$84,279 from the contingency fund.

The foregoing resolution was introduced and moved for adoption by Supervisor Brown, second by Supervisor Wensel. Supervisor Beatty recognized Ken Kittleson, Personnel Director, who explained the reasons for this and Resolution 4-01-4. The resolution carried on a voice vote.

RESOLUTION NO. 4-01-4

**RATIFYING 2001-2002 COLLECTIVE BARGAINING AGREEMENT
WITH THE HIGHWAY UNION, AFSCME LOCAL 2470**

WHEREAS, the Bargaining Committee of the Monroe County Board of Supervisors met with the representatives of the Highway union during the fall of 2000 in order to negotiate a successor collective bargaining agreement for the calendar years of 2001 and 2002; and

WHEREAS, a voluntary settlement was reached on March 6, 2001, which included two percent wage increases on January 1 and September 1 for each of the two years, adjusting the vacation attainment schedule by one year, adding \$.10 per hour interstate pay, adding a \$50.00 annual tool allowance for the mechanics and welder, instituting a \$10.00 office visit co-pay on the Gundersen Lutheran health plan, and other minor language changes.

NOW, THEREFORE, BE IT RESOLVED by the Monroe County Board of Supervisors that the Bargaining Committee be authorized and empowered to enter into a two year agreement for 2001-2002 with the Highway union on behalf of the County of Monroe, State of Wisconsin.

Dated this 4th day of April, 2001

OFFERED BY THE BARGAINING COMMITTEE:

Allan Beatty
Edward Westphal
Joyce A. Schreier

Approved as to form: Kerry Sullivan-Flock, Corporation Counsel
Committee vote: 3 yes, 0 no
Finance Committee vote: 5-0

Fiscal note: For 2001, 2% increases on January 1 and September 1 equals a 2.67% increase for the year, or an additional \$40,691 in wages, \$10,059 in wage related benefits, and \$49,763 in additional health and dental insurance costs, for a total of \$100,513.

The Highway Department budgeted for the increases in 2001.

The foregoing resolution was introduced and moved for adoption by Supervisor Westphal, second by Supervisor Schreier. The resolution carried on a voice vote.

RESOLUTION 4-01-7

REGARDING CHANGE OF COUNTY SEAT

We, the undersigned members of the Monroe County Board of Supervisors, in accordance with Rule 21 of said Board of Supervisors, do herewith submit the following resolution for consideration and approval:

WHEREAS, the City of Sparta, Wisconsin has denied Monroe County the right to expand the county jail on the courthouse property; and

WHEREAS, new construction in the City of Tomah, Wisconsin will place all county offices (less Rolling Hills, Highway and Solid Waste) under one roof in one location.

NOW, THEREFORE, BE IT RESOLVED, by the elected supervisors of Monroe County that they support a petition calling for a referendum to change the county seat from Sparta to Tomah.

Dated this 4th day of April, 2001.

OFFERED BY SUPERVISORS WENSEL, SUND, CULPITT, PFAFF,
HELMING, BETTHAUSER
Albert H. Wensel
Robert Helming
M. J. Sund
James V. Pfaff
Lavern Betthausen
Brad Culpitt

Approved as to form: Kerry Sullivan-Flock, Corporation Counsel
Property & Purchasing Committee vote: to table discussion at the committee meeting

The reason for the petition is to move the Monroe County seat from Sparta to Tomah, Wisconsin.

The elected Monroe County Supervisors have over the past six or more years tried to enlarge the county jail at its present location. We have tried to build also on county-owned land at Rolling Hills. We have met resistance from the local governments - City of Sparta and Township of Sparta.

It is the objective of the Monroe County Board of Supervisors to construct a facility where all of the county offices would be under one roof, less Rolling Hills, Highway and Solid Waste.

The initial expense to cover this would be 40+ million, but savings would start to be real-

ized at the fifteen year mark.

To continue as we are in the City of Sparta, we would have to build a stand alone Huber Facility. In fifteen years this would cost 75K in extra personnel alone.

Savings would be also seen in heat, electrical, copying machines, services & parts, rent, travel time between other county offices and the biggest reason would give the people of Monroe County a one stop service area.

The foregoing resolution was introduced and moved for adoption by Supervisor Sund, second by Supervisor Wensel. Because Chair Betthausen was a sponsor of the resolution, he turned the gavel over to Vice Chair Hubbard. Supervisor Hubbard asked that the resolution be removed for several reasons including that actual signatures were not on the original resolution and that the procedure used needs addressing before discussion can take place. The Corporation Counsel concurred with this. Motion by Supervisor Wensel, second by Supervisor Sund to table the resolution. The motion carried on a voice vote. The gavel was returned to Chair Betthausen.

There was no further business appearing before the Board. Motion by Supervisor Sund, second by Supervisor Brown to adjourn. The motion carried on a voice vote at approximately 12:00 noon.

Chris Williams, Recorder
County Clerk

I, Christine M. Williams, Monroe County Clerk certify that to the best of my knowledge the foregoing is a true and correct copy of the April session of the Monroe County Board of Supervisors held on April 4, 2001.

APRIL 2001 SPECIAL MEETING

A special April meeting of the Monroe County Board of Supervisors convened at the Courthouse in the City of Sparta, Wisconsin, on Wednesday, April 25, 2001, at 8:30 a.m. Chair LaVern Betthausen presided. Roll was called with 26 Supervisors present, two (Supervisors Bluske & Wells) absent. The Pledge of Allegiance to the Flag was recited. Motion by Supervisor Selz, second by Supervisor Nicosia to approve the minutes of the April 4, 2001, meeting as printed and mailed. The motion carried on a voice vote.

Chair Betthausen announced that Supervisor Warren Isbell has been named 2001 Sparta Butterfest Festmaster. Mr. Isbell was congratulated.

Chair Betthausen proclaimed May as Older Americans Month and May 19th, 2001, as Older Americans Day in Monroe County.

Mr. Jack Rucynski, Program Manager for Military Funeral Honors, gave a most informative presentation.

Chairs of standing committees gave status reports.

Mr. Jim Anklam, Ayres Associates, reported on the status of Sand Creek remediation.

The Chair announced that it would be necessary to move to closed session per Chapter 19.85(1)(g) to confer with legal council regarding Sand Creek remediation. Motion by

Supervisor Wensel, second by Supervisor Schnitzler to adjourn to closed session per the announcement of the Chair. Roll was called with 24 Supervisors voting yes, 2 (Supervisors Culpitt & Denter) voting no, 2 (Supervisors Bluske & Wells) absent.

A closed session ensued to include Attorney Lauren Azar and Kerry Sullivan-Flock along with Mr. Anklam.

At approximately 11:30 a.m. the Board returned to open session. The Corporation Counsel announced action taken in closed session: 1) the Board accepted the line of responsibility as agreed to by the City of Sparta and the County's Finance Committee at a meeting on April 18; 2) negotiations are suspended between the City of Sparta and the County regarding use of the county's interim landfill.

Motion by Supervisor Westphal, second by Supervisor B. Anderson to start waste removal tomorrow and to pay the contractor's invoice. After discussion, by voice vote, the Board allowed the motion to be withdrawn.

Motion by Supervisor Wensel, second by Supervisor Culpitt to go ahead with the waste removal option. The motion carried on a voice vote.

RESOLUTION NO. 4a-01-1

INITIAL RESOLUTION AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$3,000,000 GENERAL OBLIGATION BONDS OR PROMISSORY NOTES FOR SAND CREEK LANDFILL REMEDIATION

WHEREAS Monroe County, Wisconsin (the "County") is in need of not to exceed \$3,000,000 for the public purpose of financing Sand Creek Landfill remediation; and

WHEREAS it is desirable to authorize the issuance of general obligation bonds or promissory notes for such purposes pursuant to Chapter 67, Wis. Stats.; and

WHEREAS the County may issue general obligation bonds or promissory notes only if one or more of the conditions specified in Section 67.045, Wis. Stats., apply; and

WHEREAS general obligation bonds or promissory notes may be issued under Section 67.045, Wis. Stats., if the County Board of Supervisors adopts a resolution to issue the debt by a vote of at least three-fourths of its members-elect;

NOW, THEREFORE, BE IT RESOLVED by the County Board Supervisors of Monroe County, Wisconsin, that:

1. There shall be issued, pursuant to Chapter 67 of the Wisconsin Statutes, general obligation promissory notes in an amount not to exceed \$3,000,000 for the public purpose, of financing Sand Creek Landfill remediation.

2. There be and there hereby is levied on all the taxable property in the County a direct, annual tax in such years and in such amounts as are sufficient to pay when due the principal and interest on such notes.

Dated this 25th day of April, 2001

OFFERED BY THE FINANCE, INSURANCE & CLAIMS COMMITTEE
Keith E. Kenyon
Warren H. Isbell
Simon J. Wells
Carl E. Anderson
M. J. Sund

Approved as to form: Kerry Sullivan-Flock, Corporation Counsel
Committee vote: 5-0

The foregoing resolution was introduced and moved for adoption by Supervisor Wensel, second by Supervisor M. Kuhn. Mr. Paul Patrie, Baird & Co., presented a financing plan for a \$3,000,000 short term loan, to be followed by refinancing of the exact amount needed to cover total costs of Sand Creek remediation. The resolution was adopted on a unanimous roll call vote of the 26 Supervisors present.

Supervisor Westphal left the meeting at this time.

RESOLUTION NO. 4a-01-2

TO CHANGE THE MONROE COUNTY SEAT FROM SPARTA TO TOMAH

We, the undersigned members of the Monroe County Board of Supervisors, in accordance with Rule 21 of said Board of Supervisors, do herewith submit the following resolution for consideration and approval:

WHEREAS, the City of Sparta, Wisconsin has denied Monroe County the right to expand the county jail on the courthouse property; and

WHEREAS, new construction in the City of Tomah, Wisconsin will place all county offices (less Rolling Hills, Highway and Solid Waste) under one roof in one location.

NOW, THEREFORE, BE IT RESOLVED by the elected supervisors of Monroe County that they support a petition calling for a referendum to change the county seat from Sparta to Tomah.

Dated this 2nd day of May, 2001

OFFERED BY SUPERVISORS:

Albert H. Wensel
James V. Pfaff
Robert Helming
La Vern Betthausen
Brad Culpitt

Approved as to form: Kerry Sullivan-Flock, Corporation Counsel
Property & Purchasing Committee vote: 3-2

The foregoing resolution was introduced and moved for adoption by Supervisor Wensel, second by Supervisor Helming. Motion by Supervisor C. Anderson, second by Supervisor Isbell to table the resolution and refer it back to the Property & Purchasing Committee for 3 months during which time meetings can be held and plans developed. Roll was called with the following 14 Supervisors voting yes: Zastoupil, Hubbard, J. Kuhn,

Schreier, Pasch, Brown, Beatty, Isbell, T. Anderson, Sund, Pfaff, Schnitzler, M. Kuhn, C. Anderson; the following 11 Supervisors voting no: B. Anderson, Denter, Kenyon, Selz, Wenzel, Helming, Nicosia, Pierce, VanWychen, Culpitt, Betthausen; Supervisors Bluske, Wells and Westphal were absent. The resolution was tabled and referred.

At approximately 12:30 p.m. on a motion by Supervisor Beatty, second by Supervisor J. Kuhn, the Board adjourned on a voice vote.

Chris Williams, Recorder
County Clerk

I, Christine M. Williams, Monroe County Clerk, certify that to the best of my knowledge the foregoing is a true and correct copy of the special April session of the Monroe County Board of Supervisors held on April 25, 2001.

MAY 2001

The May meeting of the Monroe County Board of Supervisors convened at the Courthouse in the City of Sparta, Wisconsin, on Wednesday, May 9, 2001, at 8:30 a.m. Chair LaVern Betthausen presided. Roll was called with 28 Supervisors present (Supervisor Beatty arrived at 9:05 a.m.) The Pledge of Allegiance to the Flag was recited.

Chair Betthausen announced that the Board would come together as a Committee of the Whole to conduct a Public Hearing regarding the proposed redistricting plan. Redistricting Committee Chair, Supervisor Hubbard, called for public input three times. Angelo Town Chair, Tom Leverich, arrived as the third time was called and voiced concern with two towns having three divisions. There was no further public input and Chair Betthausen declared the Public Hearing closed.

Motion by Supervisor Bluske, second by Supervisor Wensel to approve the minutes of the April 25, 2001, meeting as printed and mailed. The motion carried on a voice vote.

County Clerk, Chris Williams, read a claim from Michael Chitek which Chair Betthausen referred to the Finance, Claims and Insurance Committee.

Supervisor VanWychen introduced the Bikes and Berries presentation. Steve Peterson reviewed "The Economic Impact of Expenditures by Travelers on Wisconsin Calendar Year 2000". The PBS video on Monroe County: Northern Exposure - Bikes and Berries was viewed. Linda Ludeking, Tourism Committee member, was also present. Cranberry juice and raisins were provided.

Annette Erickson presented the March County Treasurer's report.

Supervisor Wells, Chair of the Public Safety & Justice Coordinating Committee opened a discussion on combining county dispatch/911 services. Dialogue was requested by the City of Tomah and meetings have been on-going since January. Currently there are consoles and employees in Sparta, Tomah and the county. The impact of the Kettle Commission and potential affect on aid was noted. LaCrosse County activity was shared. Sheriff Amundson stated there would be no new personnel; however, the city employees would need to be absorbed by the county. Savings would be in non-duplication of equipment. It is noted that should all three entities pursue this venture, the

International Chiefs of Police would fund a feasibility study. Mark Loether, Dispatch Lieutenant, was also present and answered questions. At this time the group is asking for direction from the County Board. Motion by Supervisor Culpitt, second by Supervisor M. Kuhn for the entities to proceed, and return to the Board with cost figures. Roll was called with 27 Supervisors voting yes, Supervisor Selz voting no. The motion carried.

RESOLUTION NO. 5-01-1

APPROVING FARMLAND PRESERVATION APPLICATION

WHEREAS, the County of Monroe has received an application from an individual named below for a farmland preservation agreement from 10 to 25 years pursuant to Chapter 91 of the Wisconsin Statutes and,

WHEREAS, such application has been reviewed by the Monroe County Land Conservation Committee pursuant to their responsibility to coordinate the operation of the agricultural land preservation program and,

WHEREAS, such application received for farmland preservation is as follows:

<u>Name of Applicant</u>	<u>Location of Farm</u>	<u>Township</u>	<u>Acreage</u>
Valley Corporation Edward J. Grygleske, President	7845 State Hwy 173 Tomah	Scott, Byron	2,564.56

WHEREAS, 91.13 (4) of the Wisconsin Statutes provides that such application be approved by the County Board of Supervisors as a whole;

THEREFORE, BE IT RESOLVED, by the Monroe County Board of Supervisors that this application for farmland preservation as set forth hereinabove be and the same are hereby approved by the Monroe County Board of Supervisors.

Dated the 9th day of May, 2001.

OFFERED BY THE LAND CONSERVATION COMMITTEE

Mahlon Denter
Dennis Hubbard
Robert Helming
Oris Hall
Nodji Van Wychen

Approved as to form: Kerry Sullivan-Flock, Corporation Counsel
Land Conservation Committee vote: 5-0

The foregoing resolution was introduced and moved for adoption by Supervisor VanWychen, second by Supervisor Wells. Supervisor Denter explained the reasons. Motion by Supervisor Beatty, second by Supervisor Kenyon to refer the resolution back to committee. Roll was called with the following 11 Supervisors voting yes: Beatty, Bluske, Kenyon, Isbell, Selz, Westphal, Nicosia, Pierce, M.Kuhn, C.Anderson, Zastoupil; the following 17 Supervisors voting no: Wells, Hubbard, Denter, J.Kuhn, Schreier, Pasch, Brown, T.Anderson, Sund, Wensel, Helming, Pfaff, VanWychen, Schnitzler, Culpitt, B.Anderson, Betthausen. The motion failed. Motion by Supervisor T.Anderson, second

by Supervisor Wensel to call the question. The motion carried on a voice vote. Roll was called on the original resolution with the following 20 Supervisors voting yes: Hubbard, Denter, J.Kuhn, Schreier, Pasch, Beatty, Bluske, T.Anderson, Sund, Helming, Westphal, Nicosia, Pfaff, VanWycken, Schnitzler, Culpitt, C.Anderson, Zastoupil, Wells, Bethhauser; the following 8 Supervisors voting no: Brown, Kenyon, Isbell, Selz, Wensel, Pierce, M.Kuhn, B.Anderson. The resolution was adopted.

RESOLUTION NO. 5-01-4

RATIFYING A 2001-2002 COLLECTIVE BARGAINING AGREEMENT WITH THE MONROE COUNTY PROFESSIONAL POLICE ASSOCIATION

WHEREAS, the Bargaining Committee of the Monroe County Board of Supervisors met with representatives of the Police union during the fall of 2000 in order to negotiate a successor collective bargaining agreement for the calendar years of 2001 and 2002; and

WHEREAS, a voluntary settlement was reached on April 11, 2001, which included two percent wage increases on January 1 and September 1 for each of the two years; adding catch-up pay adjustments of \$.28 per hour on January 1, 2001, and \$.30 per hour on January 1, 2002; adjusting the vacation attainment schedule by one year; instituting a \$10 office visit co-pay on the Gundersen Lutheran health plan; and other minor language changes.

NOW, THEREFORE, BE IT RESOLVED by the Monroe County Board of Supervisors that the Bargaining Committee be authorized and empowered to enter into a two year agreement for 2001-2002 with the Police union on behalf of the County of Monroe, State of Wisconsin.

Dated this 9th day of May, 2001.

OFFERED BY THE BARGAINING COMMITTEE:

Allan Beatty
Edward Westphal
Joyce A. Schreier

Approved as to form: Kerry Sullivan-Flock, Corporation Counsel
Bargaining Committee Vote: 3 yes, 0 no
Finance Committee Vote: 5-0

Fiscal note: For 2001, the \$.28 per hour adjustment plus the 2% increases on January 1 and September 1 equal a 4.67% increase for the year, or an additional \$37,421 in wages, \$8,633 in wage-related benefits, and \$37,853 in additional health and dental insurance costs, for a total of \$83,907, which is available from the contingency fund.

The foregoing resolution was introduced and moved for adoption by Supervisor Schnitzler, second by Supervisor Brown. Supervisor Beatty recognized Personnel Director, Ken Kittleson, who explained the reasons. Motion by Supervisor Pfaff, second by Supervisor Wensel to call the question. The motion carried on a voice vote. The resolution was adopted on a voice vote.

RESOLUTION NO. 5-01-5

ADOPTING A REVISED COMPENSATION SCHEDULE FOR NON-REPRESENTED POSITIONS AND ADJUSTMENTS FOR NON-GRADED POSITIONS OF MONROE COUNTY FOR 2001 AND 2002

WHEREAS, the Personnel and Bargaining Committee has reviewed the non-represented compensation schedule as well as other non-graded positions, and held an informational meeting with non-represented employees on April 25, 2001; and

WHEREAS, 2001 pay adjustments for non-represented employees were held in abeyance pending settlement of the union contracts, and now four of the six union contracts are settled with a settlement pattern established with two percent wage increases on January 1 and September 1 for each year of the 2001-2002 contracts; and

WHEREAS, the Personnel and Bargaining Committee now recommends two percent wage increases effective January 1 and September 1 for each of the years of 2001 and 2002 for non-represented and non-graded positions, one percent wage increases effective January 1 and September 1 for each of the years of 2001 and 2002 for employees whose wages were frozen due to the compensation study, and also an adjustment to the vacation attainment schedule to be consistent with the union contracts.

NOW, THEREFORE, BE IT RESOLVED by the Monroe County Board of Supervisors that the Personnel and Bargaining Committee be authorized to adopt revised 2001 and 2002 compensation and vacation schedules for non-represented and non-graded positions.

Dated this 9th day of May, 2001

OFFERED BY THE PERSONNEL AND BARGAINING COMMITTEE

Allan Beatty
Edward Westphal
Bert Anderson
Joyce A. Schreier

Approved as to form: Kerry Sullivan-Flock, Corporation Counsel
Personnel & Bargaining Committee Vote: 4-0, 1 absent
Finance Committee Vote: 5-0

Fiscal Note: For 2001, 2% increases on January 1 and September 1 equals a 2.67% increase for the year, or an additional \$77,109 in wages, \$16,162 in wage-related benefits, and \$84,211 in additional health and dental insurance costs, for a total of \$177,482 which is available from the contingency fund.

The foregoing resolution was introduced and moved for adoption by Supervisor Beatty, second by Supervisor Brown. Supervisor Beatty recognized Personnel Director, Ken Kittleson, who explained the reasons. Supervisor T.Anderson had asked the Chair to abstain and the request was granted. Motion by Supervisor Wensel, second by Supervisor Brown to call the question. The motion carried on a voice vote. The resolution was adopted on a voice vote.

RESOLUTION NO. 5-01-03

**PROVIDING APPROVAL OF TENTATIVE MONROE COUNTY
SUPERVISORY DISTRICTS PLAN FOLLOWING THE 2000 CENSUS**

WHEREAS, the Monroe County Redistricting Committee has met on February 6, March 26, April 19 and April 25 with census figures received on April 2; and

WHEREAS, the Monroe County Redistricting Committee has made and recommends the adoption of a plan which would have 24 Supervisory Districts in Monroe County; and

WHEREAS, the recommended plan is make a part hereof; and

WHEREAS, the Redistricting Committee has provided Monroe County municipalities with a copy of the plan; and

WHEREAS, a public hearing is set for Wednesday, May 9, 2001, to take input from citizens, cities, villages, and towns of Monroe County.

NOW, THEREFORE, BE IT RESOLVED by the Monroe County Board of Supervisors that the recommended plan offered by the Redistricting Committee, consisting of 24 Supervisory Districts, be adopted.

Dated this 9th day of May, 2001.

OFFERED BY THE REDISTRICTING COMMITTEE:

Dennis Hubbard
James B. Kuhn
Cedric Schnitzler
Nodji Van Wychen
Warren Isbell
Al Wensel
Janice Foss, City of Sparta
Donna Lovell, City of Tomah

Approved as to form: Kerry Sullivan-Flock, Corporation Counsel
Committee vote: 8-0

The foregoing resolution was introduced and moved for adoption by Supervisor Schnitzler, second by Supervisor Wensel. Redistricting Committee Chair, Supervisor Hubbard, explained the process and recognized Bentley Lien, UW-Extension Resource Agent, and Doug Avoles, Land Records Coordinator, who informed the Board of the activity of the Committee in considering numerous number of supervisory districts and the reasons consensus was reached on the plan for 24 supervisors. Roll was called with the following 21 Supervisors voting yes: Denter, J.Kuhn, Pasch, Brown, Beatty, Kenyon, Isbell, T.Anderson, Selz, Sund, Wensel, Westphal, Nicosia, Pfaff, Pierce, VanWychen, Schnitzler, C.Anderson, Wells, Hubbard, Bethhauser; the following 7 Supervisors voting no: Schreier, Bluske, Helming, M.Kuhn, Culpitt, B.Anderson, Zastoupil. The resolution was adopted.

RESOLUTION NO. 5-01-2

**AUTHORIZING THE ISSUANCE AND PROVIDING FOR THE SALE OF
\$3,000,000 BOND ANTICIPATION NOTES**

WHEREAS, on April 25, 2001, the County Board of Supervisors of Monroe County, Wisconsin (the "County") adopted an initial resolution (the "Initial Resolution") authorizing the issuance of general obligation bonds or promissory notes in an amount not to exceed \$3,000,000 (the "Securities") for the public purpose of financing Sand Creek Landfill remediation (the "Project");

WHEREAS, the County Board of Supervisors hereby finds and determines that the Project is within the County's power to undertake and therefore serves a "public purpose" as that term is defined in Section 67.04(l)(b) of the Wisconsin Statutes;

WHEREAS, counties are authorized by the provisions of Chapter 67 of the Wisconsin Statutes to borrow money and issue general obligation bonds or promissory notes for such public purposes;

WHEREAS, by adoption of the Initial Resolution, the County has authorized the issuance and sale of general obligation bonds or promissory notes (the "Securities") to provide permanent financing for the Project;

WHEREAS, the Securities have not yet been issued or sold;

WHEREAS, it is the finding of the County Board of Supervisors that it is necessary, desirable and in the best interest of the County to provide for the issuance and sale of bond anticipation notes pursuant to Section 67.12 (1)(b), Wisconsin Statutes, in anticipation of receiving the proceeds from the issuance and sale of the Securities to provide interim financing to pay a portion of the cost of the Project;

WHEREAS, the County Clerk (in consultation with Robert W. Baird & Co. Incorporated) has caused information the to be distributed to potential bidders offering the aforesaid bond anticipation notes for sale;

WHEREAS, the following bids were received:

<u>BIDDER</u>	<u>NET INTEREST COST</u>	<u>TRUE INTEREST RATE</u>
_____	\$ _____	_____ %

(SEE BID TABULATION ATTACHED AS EXHIBIT A)

WHEREAS, it has been determined that the bid (the Bid") submitted by _____, _____, fully complies with the bid requirements provided by Robert W. Baird & Co. Incorporated and is deemed to be the most advantageous to the County. A copy of said Bid is attached hereto as Exhibit B and incorporated herein by this reference; and

WHEREAS, none of the proceeds of the bond anticipation notes shall be used to fund operating expenses of the general fund of the County or to fund operating expenses of any special revenue fund of the County that is supported by property taxes;

NOW, THEREFORE, BE IT RESOLVED by the County Board Supervisors of the

County that:

Section 1. Securities; Ratification of Offering Materials The County hereby declares its intention and covenants to issue the Securities pursuant to the provisions of Chapter 67 of the Wisconsin Statutes, in an amount sufficient to retire any outstanding bond anticipation notes issued for the purpose of paying the cost of the Project. The County has heretofore authorized the issuance of the Securities pursuant to the Initial Resolution.

The County Board of the County hereby ratifies and approves the details of the bond anticipation notes. The offering materials prepared and circulated by Robert W. Baird & Co. Incorporated are ratified and approved in all respects.

Section 2. Award of the Notes. For the purpose paying a portion of the cost of the Project, there shall be borrowed pursuant to Section 67.12(1) (b) of the Wisconsin Statutes, the principal sum of THREE MILLION DOLLARS (\$3,000,000) from _____ (the "Purchaser") in accordance with the terms and conditions of the Bid.

Section 3. The Notes. To evidence such indebtedness, the Chairperson and County Clerk are hereby authorized, empowered and directed to make, execute, issue and sell to the Purchaser for, on behalf of and in the name of the County, bond anticipation notes aggregating the principal amount THREE MILLION DOLLARS (\$3,000,000) (the "Notes") for the sum of _____ DOLLARS (\$ _____), plus accrued interest to the date of delivery.

Section 4. Terms of the Notes. The Notes shall be designated "Bond Anticipation Notes"; shall be dated May 18, 2001; shall be in the denomination of \$100,000 or any integral multiple thereof; shall be numbered 1 and upward; shall mature on May 15, 2002; and shall bear interest at the rate of ____% per annum Interest is payable at maturity.

Section 5. Redemption Provisions. At the option of the County, the Notes shall be subject to redemption prior to maturity on November 15, 2001 or on any date thereafter. Said Notes shall be redeemable as a whole or in part, by lot, at the principal amount thereof plus accrued interest to the date of redemption.

Section 6. Form of the Notes. The Notes shall be issued in registered form and shall be executed and delivered in substantially the form attached hereto as Exhibit C and incorporated herein by this reference.

Section 7. Security. The Notes shall in no event be a general obligation of the County and do not constitute an indebtedness of the County nor a charge against its general credit or taxing power. No lien is created upon the Project or other property of the County as a result of the issuance of the Notes. The Notes shall be payable from (a) any proceeds of the Notes set aside for payment of interest on the Notes as it becomes due, and (b) proceeds to be derived from the issuance and sale of the Securities, which proceeds are hereby declared to constitute a Special Trust Fund, hereby created and established, to be held by the County Clerk and expended solely for the payment of the principal of and interest on the Notes. The County hereby agrees that, in the event such monies are not sufficient to pay the principal of and interest on the Notes when due, if necessary, the County will pay such deficiency out of its tax levy or other available funds

of the County; provided, however, that such payment shall be subject to annual budgetary appropriations therefor; and provided further, that neither this Resolution nor any such payment shall be construed as constituting an obligation of the County to make any such appropriation or any further payment.

Section 8. Covenants of the County. The County hereby covenants with the holders of the Notes as follows:

- (a) It shall issue and sell the Securities as soon as practicable;
- (b) It shall segregate the proceeds derived from the sale of the Securities into a Special Trust Fund created above and constituted as a special trust fund and shall permit such Special Trust Fund to be used for no purpose other than the payment of principal of and interest on the Notes until paid; and,
- (c) It shall maintain a debt limit capacity such that the combined outstanding principal amount of general obligation bonds or notes or certificates of indebtedness of the County and the \$3,000,000 authorized for the issuance of the Securities shall at no time exceed the constitutional debt limit of the County.

Section 9. Segregated Debt Service Fund Account. There is hereby established in the County treasury a fund account separate and distinct from all other funds or accounts of the County designated "Debt Service Fund Account for \$3,000,000 Monroe County Bond Anticipation Notes dated May 18, 2001", which fund account shall be used solely for the purpose of paying the principal of and interest on the Notes. There shall be deposited in said fund account (i) all accrued interest paid on the Notes at the time the Notes are delivered to the Purchaser; (ii) any proceeds of the Notes representing capitalized interest on the Notes and deposited in the Borrowed Money Fund (hereinafter created), as needed to pay the interest on the Notes when due; (iii) proceeds of the Securities (or other obligations of the County issued to pay principal of or interest on the Notes) to the extent necessary to pay principal of or interest on the Notes; (iv) such other sums, including tax monies, as may be necessary at any time to pay principal of and interest on the Notes when due and which are appropriated by the County Board of Supervisors for that purpose; and (v) surplus monies in the Borrowed Money Fund as specified in Section 10 hereof. Said Fund shall be used for the sole purpose of paying the principal of and interest on the Notes and shall be maintained for such purpose until such indebtedness is fully paid or otherwise extinguished, and shall at all times be invested in a manner that conforms with the provisions of the Internal Revenue Code of 1986, as amended (the "Code"), and any applicable income tax regulations (the "Regulations").

Section 10. Segregated Borrowed Money Fund. The proceeds of the Notes (the "Note Proceeds"), other than any premium and accrued interest which must be paid at the time of delivery of the Notes into the Debt Service Fund Account created above, shall be deposited into an account separate and distinct from all other funds and accounts and disbursed solely for the purposes for which borrowed or for the payment of the principal of and interest on the Notes. Said proceeds may be temporarily invested in legal investments in the manner set forth below.

Section 11. Arbitrage Covenant. The County shall not take any action with respect to the Note Proceeds which, if such action had been reasonably expected to

have been taken, or had been deliberately and intentionally taken on the date of the delivery of and payment for the Notes (the "Closing"), would cause the Notes to be "arbitrage bonds" within the meaning of Section 148 of the Code and the Regulations.

The Note Proceeds may be temporarily invested in legal investments until needed, provided however, that the County hereby covenants and agrees that so long as the Notes remain outstanding, monies on deposit in any fund or account created or maintained in connection with the Notes, whether such monies were derived from the Note Proceeds or from any other source, will not be used or invested in a manner which would cause the Notes to be "arbitrage bonds" within the meaning of the Code or Regulations. The County covenants that it will not invest in any obligation if such investment would violate the "prohibited payment" requirement of Section 148 of the Code.

The County Clerk, or other officer of the County charged with the responsibility for issuing the Notes, shall provide an appropriate certificate of the County, for inclusion in the transcript of proceedings, setting forth the reasonable expectations of the County regarding the amount and use of the Note Proceeds and the facts and estimates on which such expectations are based, all as of the Closing.

Section 12. Additional Tax Covenants; Small Issuer Exemption from Rebate; qualified Tax-Exempt Obligation Status. The County hereby further covenants and agrees that it will take all necessary steps and perform all obligations required by the Code and Regulations (whether prior to or subsequent to the issuance of the Notes) to assure that the Notes are obligations described in Section 103(a) of the Code, the interest on which is excluded from gross income for federal income tax purposes, throughout their term. The County further covenants that it will not take any action, omit to take any action or permit the taking or omission of any action within its control (including, without limitation, making or permitting any use of the proceeds of the Notes) if taking, permitting or omitting to take such action would cause any of the Notes to be an arbitrage bond or a private activity bond within the meaning of the Code or would otherwise cause interest on the Notes to be included in the gross income of the recipients thereof for federal income tax purposes. The County Clerk or other officer of the County charged with the responsibility of issuing the Notes, shall provide an appropriate certificate of the County as of the Closing, for inclusion in the transcript of proceedings, certifying that it can and covenanting that it will comply with the provisions of the Code and Regulations.

Further, it is the intent of the County to take all reasonable and lawful actions to comply with any new tax laws enacted so that the Notes will continue to be obligations described in Section 103(a) of the Code, the interest on which is excluded from gross income for federal income tax purposes throughout their term.

The County covenants that it is a governmental unit with general taxing powers and that the Notes are not "private activity bonds" as defined in Section 141 of the Code.

In accordance with Section 148(f) (4) (D) of the Code, the County covenants that ninety-five percent (95%) or more of the net proceeds of the Notes are to be used for local governmental activities of the County and that the aggregate face amount of all tax-exempt obligations (other than "private activity bonds") issued by the County, including all subordinate entities of the County, during calendar year 2001 will not exceed \$5,000,000. If for any reason the County did not qualify for the small issuer exemption from the rebate requirements of the Code, the County covenants that it would take all necessary steps to comply with such requirements.

The County Board of Supervisors hereby designates the Notes to be "qualified tax-exempt obligations" pursuant to the provisions of Section 265(b) (3) of the Code and in support of such designation, the County Clerk or other officer of the County charged with the responsibility for issuing the Notes, shall provide an appropriate certificate of the County, all as of the Closing.

Section 13. Execution of the Notes. The Notes shall be prepared in typewritten or printed form, executed on behalf of the County by the manual or facsimile signatures of the Chairperson and County Clerk, authenticated, if required, by its fiscal agent, if any, sealed with its official or corporate seal, if any, or a facsimile thereof and delivered to the Purchaser upon payment to the County of the purchase price thereof, plus accrued interest to the date of delivery. In the event that either of the officers whose signatures appear on the Notes shall cease to be such officers before the delivery of the Notes, such signatures shall, nevertheless, be valid and sufficient for all purposes to the same extent as if they had remained in office until such delivery. The aforesaid officers are hereby authorized to do all acts and execute all documents as may be necessary and convenient to effectuate the Closing.

Section 14. Payment of the Notes. The principal of and interest on the Notes shall be paid in lawful money of the United States of America by the County Clerk or County Treasurer.

Section 15. Persons Treated as Owners; Transfer of Notes; Record Date. The County shall keep books for the registration and for the transfer of the Notes. The persons in whose name any Note shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes and payment of either principal or interest on any Note shall be made only to the registered owner thereof. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Note to the extent of the sum or sums so paid.

Any Note may be transferred by the registered owner thereof by surrender of the Note at the office of the County Clerk, duly endorsed for the transfer or accompanied by an assignment duly executed by the registered owner or his attorney duly authorized in writing. Upon such transfer, the Chairperson and County Clerk shall execute and deliver in the name of the transferee or transferees a new Note or Notes of a like aggregate principal amount, series and maturity and the County Clerk shall record the name of each transferee in the registration book. No registration shall be made to bearer. The County Clerk shall cancel any Note surrendered for transfer.

The County shall cooperate in any such transfer, and the Chairperson and County Clerk are authorized to execute any new Note or Notes necessary to effect any such transfer.

The last day of each calendar month next preceding each interest payment date shall be the record date for the Notes. Payment of interest on the Notes on any interest payment date shall be made to the registered owners of the Notes as they appear on the registration book of the County at the close of business on the corresponding record date.

Section 16. Continuing Disclosure. The Notes are an exempt transaction in connection with the continuing disclosure requirements of SEC Rule 15c2-12, as amend-

ed, because the minimum authorized denominations for the Notes are \$100,000 or more and the sale of the Notes is limited to no more than 35 sophisticated persons (in the Purchaser's reasonable belief) none of whom is purchasing for more than one account or with a view to distributing the securities.

Section 17. Conflicting Resolutions; Severability; Effective Date. All prior resolutions, rules or other actions of the County Board of Supervisors or any parts thereof in conflict with the provisions hereof shall be, and the same are, hereby rescinded insofar as the same may so conflict. In the event that any one or more provisions hereof shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions hereof. The foregoing shall take effect immediately upon adoption and approval in the manner provided by law.

Adopted and recorded May 9, 2001

LaVern Betthausen
Chairperson

Attest:
Christine M. Williams
County Clerk

The foregoing resolution was introduced and moved for adoption by Supervisor Wensel, second by Supervisor Wells. Mr. Paul Patrie, Baird & Co. announced that the notes had been sold with an interest rate of 3.55%. A time to completion and estimate of final cost for Sand Creek Remediation was provided by Ayres Associates. Roll was called all 28 Supervisors voting yes. The resolution was adopted.

RESOLUTION NO. 5-01-6

REQUIRING A BUDGET FREEZE FOR 2002 AND NO NEW POSITIONS

WHEREAS, the Monroe County Board of Supervisors' Finance Committee in 2001 has been faced with many unforeseen financial obligations that will impact the 2002 tax levy; and

WHEREAS, it is necessary to alert departments that it will be necessary to impose a no increase in county appropriation in 2002 budgets from the 2001 amount; and

WHEREAS, new positions impact significantly and forever once created.

NOW, THEREFORE, BE IT RESOLVED by the full Monroe County Board of Supervisors that departments will prepare 2002 budgets with less than or equal to the same county appropriation as 2001.

BE IT FURTHER RESOLVED that there will be no new positions created.

BE IT FURTHER RESOLVED that a 2/3rds majority vote of Monroe County Board of Supervisors will be necessary to set aside either provision listed above.

Dated this 9th day of May, 2002.

OFFERED BY THE FINANCE, INSURANCE & CLAIMS COMMITTEE:

Keith E. Kenyon
Simon J. Wells
Warren H. Isbell
M. J. Sund
Carl E. Anderson

Approved as to form: Kerry Sullivan-Flock, Corporation Counsel
Committee vote: 5-0

The foregoing resolution was introduced and moved for adoption by Supervisor Westphal, second by Supervisor Nicosia. Supervisor Kenyon explained the reasons. Supervisor Beatty called for a point of order-that this is a budget decision and the budget is not on the floor, further that this calls for a change in rules and that is not on the floor. Chair Betthausen ruled that the resolution was not in order.

At approximately 11:45 a.m. on a motion by Supervisor Beatty, second by Supervisor Wensel and carried on a voice vote, the Board adjourned.

Chris Williams, Recorder
County Clerk

I, Christine M. Williams, Monroe County Clerk certify that to the best of my knowledge the foregoing is a true and correct copy of the May session of the Monroe County Board of Supervisors held on May 9, 2001.

JUNE 2001

The June meeting of the Monroe County Board of Supervisors convened at the Courthouse in the City of Sparta, Wisconsin, on Wednesday, June 6, 2001, at 8:30 a.m. Chair LaVern Betthausen presided. Roll was called with 27 Supervisors present, Supervisor Nicosia was absent. The Pledge of Allegiance to the Flag was recited. Motion by Supervisor Bluske, second by Supervisor Denter to approve the minutes of the May 9, 2001, meeting as prepared. County Clerk, Chris Williams, read a claim on behalf of Mark C. Allen which was referred to the Finance Committee by Chair Betthausen. Committees wanting a previously passed resolution to be considered at the WCA convention are to let the County Clerk know as soon as possible.

Appointments:

Human Services Board - Ida Rauss, reappointment, 3 years, expires 5/04

Zoning Board of Adjustment - Jim Wegner, reappointment, 3 years, expires 6/30/04

Chair Betthausen, Human Services Board Chair Maila Kuhn, HS Director Gene Phillips, HS Past Director Kent Jacobsen, HS Supervisor Reggie Bicha, and Area Administrator Audrey Roecker, presented formal recognition honoring Debra Turnell, Lead Social Worker in the Children & Family Services Unit, upon receiving the Lisa Renee Putman Excellence in Direct Service National Award. Debra gave a brief comment and introduced her parents, friends and several coworkers.

Cindy Struve, Emergency Management Coordinator, and Officer Scott Lindemann on behalf of the Local Emergency Planning Committee presented Duane "Speed" Evans with a plaque recognizing his years of service as County Fire Rescue Chief.

Annette Erickson presented the April County Treasurer's report.

Noreen Kuroski, Senior Services Director, showed a video and gave an update on department activities throughout the county.

Pat Tucker, Community Action Program Planning Director, presented the 2000 annual report and answered questions.

Jack Dittmar, Highway Commissioner, presented the 2000 Highway department annual report and distributed charts of actual vs. budgeted expenditures and revenues.

There was no Web site demonstration. The county's address is: www.co.monroe.wi.us.

"Lest we forget" Supervisors Kenyon and Denter offered reflective moments concerning the anniversary of today's date: June 6, 1944.

Chairs of standing committees gave activity updates.

It was determined there was no need for additional action on resolutions 4-01-3, 5-01-4 and 5-01-5.

RESOLUTION NO. 6-01-1

DENYING CLAIM OF MICHAEL CHITEK

WHEREAS, a Notice of Claim was filed against Monroe County on April 5, 2001; and

WHEREAS, on May 22, 2001, the Monroe County Finance Committee reviewed the same and has recommended that said claim be denied, the vote being 5 yes, 0 no.

NOW, THEREFORE, BE IT RESOLVED by the Monroe County Board of Supervisors that the claim of Michael Chitek filed against Monroe County on April 5, 2001, be and is hereby denied.

Dated this 6th day of June, 2001

OFFERED BY THE FINANCE COMMITTEE:

Warren H. Isbell
Keith E. Kenyon
M. J. Sund
Simon J. Wells
Carl E. Anderson

Approved as to form: Kerry Sullivan-Flock, Corporation Counsel
Vote: 5 yes, 0 no

The foregoing resolution was introduced and moved for adoption by 6/6/01 Supervisor Wensel, second by Supervisor Isbell. Supervisor Kenyon explained the reasons. Motion by Supervisor Wensel, second by Supervisor Brown to call the question. The motion carried on a voice vote. The resolution was adopted on a voice vote.

RESOLUTION NO. 6-01-2

REGARDING NAME CHANGES IN PUBLIC DEPOSITORIES FOR INVESTMENTS BY MONROE COUNTY

WHEREAS, the Monroe County Board of Supervisors has previously passed Resolutions designating those public depositories where the Monroe County Treasurer shall be authorized to invest public money; and

WHEREAS, certain of those financial institutions have since changed their names to now make them inconsistent with previous Resolutions on file; and

WHEREAS, this issue has been reviewed by the Monroe County Finance Committee and a recommendation to change the official listing of public depositories for investments for Monroe County has been recommended and, furthermore, it has also been recommended to allow the Monroe County Treasurer to make changes to the official listing of public depositories to the extent that these depositories experience a simple name change in the future.

NOW, THEREFORE, BE IT RESOLVED by the full Monroe County Board of Supervisors that they do hereby authorize an amendment to the existing comprehensive list of financial institutions utilized by Monroe County as public depositories for investments, and that they do hereby authorize the Monroe County Treasurer to amend the list in the future, if such financial institutions experience a name change or differing title in their institution:

M & I State Bank, Tomah, shall be changed to Marshall & Isley Bank (M&I Bank)
Westland Savings Bank, Sparta & Tomah, shall be changed to Acuity Bank

Dated this 6th day of June, 2001

OFFERED BY THE FINANCE COMMITTEE:

Keith E. Kenyon
Warren Isbell
M. J. Sund
Simon J. Wells
Carl E. Anderson

Approved as to form: Kerry Sullivan-Flock, Corporation Counsel
Committee Vote: 5 yes 0 no

The foregoing resolution was introduced and moved for adoption by Supervisor Wells, second by Supervisor Pierce. Supervisor Kenyon explained the reasons. Motion by Supervisor Pierce, second by Supervisor Wensel to call the question. The motion carried on a voice vote. The resolution was adopted on a voice vote.

RESOLUTION NO. 6-01-3

OPPOSING AB335 GRACE PERIOD FOR PAYMENT OF PROPERTY TAX

WHEREAS, Monroe County does not have the computer capacity to retain five

years of tax information on our system; and

WHEREAS, the cost to add additional memory would be an unfunded mandate; and

WHEREAS, giving each governing body the option to implement this bill creating different due dates would create inconsistencies to confuse State of Wisconsin taxpayers; and

WHEREAS, the cost to program a new late tax category that would not be delinquent, but late, and still charge interest and penalty would be an unfunded mandate; and

WHEREAS, County Treasurers' settlement due dates would not be changed; and

WHEREAS, the majority of taxpayers pay their property tax on time; and

WHEREAS, the State of Wisconsin income tax deadline does not have a grace period; and

WHEREAS, the United States of America income tax deadline does not have a grace period; and

NOW, THEREFORE, BE IT RESOLVED that the Monroe County Board of Supervisors duly assembled this 6th day of June, 2001, opposed AB335 and strongly recommends the current law remain as it is now.

BE IT FURTHER RESOLVED that a copy of this Resolution be sent to members of the State of Wisconsin Ways and Means Committee, Representative Michael Lehman, Chair, Representative Terry Musser and Senator Rodney Moen and Monroe County Legislators.

Dated this 6th day of June, 2001.

OFFERED BY THE FINANCE COMMITTEE:

Keith E. Kenyon
Warren H. Isbell
M. J. Sund
Simon J. Wells
Carl E. Anderson

Approved as to form: Kerry Sullivan-Flock, Corporation Counsel
Committee Vote: 5-0

The foregoing resolution was introduced and moved for adoption by Supervisor Wells, second by Supervisor Denter. County Treasurer, Annette Erickson, explained the reasons. Motion by Supervisor Wensel, second by Supervisor Sund to call the question. The motion was adopted on a voice vote. The resolution was adopted on a voice vote. The resolution will be sent to WCA for consideration at convention.

RESOLUTION NO. 6-01-4

INCREASING MILEAGE REIMBURSEMENT RATE FOR MONROE COUNTY

WHEREAS, the Monroe County Administrative Committee did meet on May 17, 2001, and did review the current mileage reimbursement rate provided those eligible for reimbursement of mileage when using personal vehicles while conducting Monroe County Board business; and

WHEREAS, the current mileage reimbursement rate is \$.30 per mile and it was determined that an increase to this reimbursement rate would be appropriate.

NOW, THEREFORE, BE IT RESOLVED by the Monroe County Board of Supervisors that it is hereby approved to increase the mileage reimbursement rate for all Monroe County Supervisors, employees, and other individuals entitled to mileage reimbursement from Monroe County from \$.30 to \$.34.5, effective upon passage of this resolution.

DATED this 6th day of June, 2001

OFFERED BY THE ADMINISTRATIVE/EXECUTIVE COMMITTEE

Warren Isbell
Albert H. Wensel
Dennis Hubbard

Approved as to form: Kerry Sullivan-Flock, Corporation Counsel
Committee vote: 3 yes, 1 abstention, 1 no

Fiscal note: The increase would be absorbed in the 2001 budget line item, including bottom line budget, and reviewed if necessary by Finance Committee at the end of the year.

Finance Committee vote: 5-0

The Chair removed the resolution at the request of the Personnel Director. This resolution will be on the agenda next month.

RESOLUTION NO. 6-01-5

PUBLIC DEFENDER REPRESENTATION AND FEES

WHEREAS, the right to legal representation in criminal, juvenile, and termination of parental rights cases is long established in our nation; and

WHEREAS, the right of indigent persons to have an attorney appointed to represent them at public expense is also long established; and

WHEREAS, in 1999 Monroe County in criminal actions alone paid \$57,574 (fifty seven thousand, five hundred, seventy-four dollars), and in 2000, paid \$36,090 (thirty-six thousand and ninety dollars) in legal fees for indigent persons who did not qualify for representation by the State Public Defender; and

WHEREAS the State Public Defender indigency standards have not changed since 1987, and in 1995, the Wisconsin Legislature removed the authority for State Public Defender to represent parents in child protection matters, resulting in many indigent persons in need of representation not receiving it from the State Public Defender; and

WHEREAS, the \$40 (forty dollar) per hour rate to represent clients, when appointed by the State Public Defender, does not adequately compensate attorneys and is not consistent with the \$70 (seventy dollar) hourly rate set by the State in other types of cases.

NOW, THEREFORE, BE IT RESOLVED by the full Monroe County Board of Supervisors that the members of the Joint Finance Committee and all of the members of the Wisconsin Legislature hereby be instructed to:

1. Restore the 5% base funding which was cut from the State Public Defender Budget.
2. Increase the hourly rate for private attorneys handling Public Defender cases from \$40 to \$70 per hour.
3. Revise the Public Defender indigency standards to make them consistent with current poverty guidelines.
4. Restore Public Defender representation of indigent parents in child protection cases.

Dated this 6th day of June, 2001.

OFFERED BY THE PUBLIC SAFETY & JUSTICE COMMITTEE:

Simon J. Wells
Joyce A. Schreier
Cedric Schnitzler
James B. Kuhn
A. O. Bluske
Tom Anderson
M. J. Sund

Approved as to form: Kerry Sullivan-Flock, Corporation Counsel
Committee Vote: 6 yes, 0 no, 1 absent

The foregoing resolution was introduced and moved for adoption by Supervisor Wells, second by Supervisor T. Anderson. Supervisor Beatty requested and was granted permission to abstain from voting; however, he did explain the reasons. Motion by Supervisor Culpitt, second by Supervisor Wells to call the question. The motion carried on a voice vote. The resolution was adopted on a voice vote with Supervisor Beatty abstaining. The resolution will be sent to WCA for consideration at convention.

RESOLUTION NO. 6-01-6

ACCEPTING OFFER TO PURCHASE COUNTY OWNED LAND IN MONROE COUNTY, TOWN OF CLIFTON

WHEREAS, the Sanitation, Zoning and Forestry Committee did advertise a parcel of land in November, 1997, said parcel containing .330 acres and commencing in the center of the La Crosse & New Lisbon highway, thence running North along the East line of the E ½ of the NW ¼ of the SE ¼, Section 10, T16N, R1E, Clifton Township, 11 rods,

thence West 2 rods, thence South 11 rods, thence East 2 rods to the place of beginning. Also a parcel of land commencing at an iron stake at the Southwest corner of the above described lot, thence North 73 ½ degrees, West 32 links, thence North 16 degrees East 134 links there intersecting west line of first above described land, thence South 2 ½ degrees, West 138 links along West line to the place of beginning. Property described in Volume 154 Records, Page 271, Document #421684 -(W. D.) for sale on bids with a minimum bid amount of \$900.00.

WHEREAS, no bids were received for this property.

WHEREAS, Stanley & Ardith Benson have now submitted a request to purchase said property for the advertised minimum bid amount of \$900.00.

WHEREAS, the Sanitation, Zoning and Forestry Committee does recommend by vote of 5-0 acceptance of said request to purchase said property.

NOW, THEREFORE, BE IT RESOLVED, by the Monroe County Board of Supervisors that the request of Stanley & Ardith Benson to purchase for the amount of \$900.00 the above described land located in the Town of Clifton, Monroe County, Wisconsin, be and is hereby accepted.

BE IT FURTHER RESOLVED that the County Clerk be and is hereby authorized to issue a quit claim deed for said parcel.

Dated this 6th day of June, 2001

OFFERED BY: SANITATION, ZONING & FORESTRY COMMITTEE

Albert H. Wensel
Leo Selz
James B. Kuhn
Loren Pierce
J. V. Pfaff

Committee Vote: 5-0 in favor

The foregoing resolution was introduced and moved for adoption by Supervisor Wensel, second by Supervisor J. Kuhn. Supervisor Wensel explained the reasons. Motion by Supervisor Pierce, second by Supervisor Pfaff to call the question. The motion carried on a voice vote. The resolution was adopted on a voice vote.

RESOLUTION 6-01-7

**ESTABLISHING CHAPTER 10 OF THE MONROE COUNTY CODE OF ORDINANCES,
NON-METALLIC MINING RECLAMATION**

WHEREAS, the Monroe County Land Conservation Committee, in conjunction with current State law, has been advised of the requirement of non-metallic mining reclamation to be required throughout the State of Wisconsin; and

WHEREAS, the Monroe County Land Conservation Committee, in conjunction with the requirements of the State of Wisconsin, has developed that attached NonMetallic

Mining Reclamation Ordinance, consistent with the requirements of the State of Wisconsin, and does hereby request approval of such by the full Monroe County Board of Supervisors.

NOW, THEREFORE, BE IT RESOLVED by the Monroe County Board of Supervisors that they do hereby establish Chapter 10 of the Monroe County Code of Ordinances, entitled Non-Metallic Mining Reclamation, and that the full Monroe County Board of Supervisors does hereby ordain as follows as such Chapter 10: (see attached)

Dated this 6th day of June, 2001

OFFERED BY THE LAND CONSERVATION COMMITTEE:

Dennis Hubbard
Nodji Van Wychen
Robert Helming
Mahlon Denter

Approved as to form: Kerry Sullivan-Flock, Corporation Counsel
Committee Vote: 5 yes, 0 no

**CHAPTER 10
NON-METALLIC MINING RECLAMATION**

PART I - GENERAL

- SECTION 10.01 **Title.**
- SECTION 10.02 **Purpose.**
- SECTION 10.03 **Statutory Authority.**
- SECTION 10.04 **Restrictions Adopted Under Other Authority.**
- SECTION 10.05 **Interpretation.**
- SECTION 10.06 **Severability.**
- SECTION 10.07 **Applicability.**
 - 10.07(1) Overall Applicability.
 - 10.07(2) Exemptions.
- SECTION 10.08 **Administration.**
- SECTION 10.09 **Effective Date.**
- SECTION 10.10 **Definitions.**

PART II - STANDARDS

- SECTION 10.11 **Standards.**

PART III - PERMITTING

- SECTION 10.12 **Nonmetallic Mining Reclamation Permit Application.**
 - 10.12(1) Required Submittal.
 - 10.12(2) Existing Mines.
 - 10.12(3) New Mines
- SECTION 10.13 **Reclamation Plan.**
 - 10.13(1) Reclamation Plan Requirements.
 - 10.13(2) Existing Mines.
 - 10.13(3) New Mines.
 - 10.13(4) Existing Plans and Approvals.
 - 10.13(5) Approval of Reclamation Plan.
- SECTION 10.14 **Financial Assurance.**
 - 10.14(1) Financial Assurance Requirements.
 - 10.14(2) Existing Mines.
 - 10.14(3) New Mines.
 - 10.14(4) Public Nonmetallic Mining.
- SECTION 10.15 **Public Notice and Right of Hearing.**
 - 10.15(1) New Mines.
 - 10.15(2) Existing Mines.
 - 10.15(3) Local Transportation-Related Mines.
- SECTION 10.16 **Issuance of a Nonmetallic Mining Reclamation Permit.**
 - 10.16(1) Permit Required.
 - 10.16(2) Automatic Permit for Existing Mines.
 - 10.16(3) Evaluation of Follow-Up Submittals for Existing Mines.
 - 10.16(4) Permit Issuance for New Mines
 - 10.16(5) Automatic Permit for Local Transportation-Related Mines.
 - 10.16(6) Expedited Review.
 - 10.16(7) Permit Conditions.
- SECTION 10.17 **Permit Denial.**
- SECTION 10.18 **Alternative Requirements.**
 - 10.18(1) Scope of Alternative Requirements Approvable.
 - 10.18(2) Procedures.
 - 10.18(3) Transmittal of Decision on Request for Alternate Requirements.
 - 10.18(4) Notice to Wisconsin Department of Natural Resources.
- SECTION 10.19 **Permit Duration.**
- SECTION 10.20 **Permit Transfer.**
- SECTION 10.21 **Previously Permitted Sites.**

SECTION 10.22 **Review.**

PART IV - ADMINISTRATION

SECTION 10.23 **Permit Modification.**

- 10.23(1) **By Monroe County.**
- 10.23(2) **At the Operator's Option.**
- 10.23(3) **Required by the Operator.**
- 10.23(4) **Review.**

SECTION 10.24 **Permit Suspension or Revocation.**

- 10.24(1) **Grounds.**
- 10.24(2) **Procedures.**
- 10.24(3) **Consequences.**

SECTION 10.25 **Annual Operator Reporting.**

- 10.25(1) **Contents and Deadline.**
- 10.25(2) **Inspection in Lieu of Report.**
- 10.25(3) **Retention of Annual Reports.**

SECTION 10.26 **Plan Review Fees.**

- 10.26(1) **Amount and Applicability.**
- 10.26(2) **Expedited Plan Review Fee.**
- 10.26(3) **Relation to Annual Fee.**

SECTION 10.27 **Annual Fees.**

- 10.27(1) **Areas Subject to Fees, Procedures and Deadline.**
- 10.27(2) **Wisconsin Department of Natural Resources Share of Fee.**
- 10.27(3) **Monroe County's Share of Fee.**
- 10.27(4) **Reduced Fee for Inactive Mines.**

SECTION 10.28 **Regulatory Reporting and Documentation.**

- 10.28(1) **Reporting.**
- 10.28(2) **Documentation.**

SECTION 10.29 **Completed Reclamation - Reporting, Certification and Effect.**

- 10.29(1) **Reporting.**
- 10.29(2) **Reporting of Interim Reclamation.**
- 10.29(3) **Certification of Completed Reclamation.**
- 10.29(4) **Effect of Completed Reclamation.**
- 10.29(5) **Effect of Inaction Following Report of Completed Reclamation.**

SECTION 10.30 **Permit Termination.**

PART V - ENFORCEMENT

SECTION 10.31 **Right of Entry and Inspection.**

SECTION 10.32 **Orders and Citations.**

- 10.32(1) **Enforcement Orders.**
- 10.32(2) **Special Orders.**
- 10.32(3) **Review of Orders.**
- 10.32(4) **Citations.**
- 10.32(5) **Enforcement**

SECTION 10.33 **Penalties.**

ORDINANCE FOR NON-METALLIC MINING RECLAMATION

PART I - GENERAL

- 10.01 Title.** Nonmetallic mining reclamation ordinance for County of Monroe.
- 10.02 Purpose.** The purpose of this chapter is to establish a local program to ensure the effective reclamation of nonmetallic mining sites on which nonmetallic mining takes place in Monroe County after the effective date of this chapter, in compliance with Chapter NR 135, Wisconsin Administrative Code and Subchapter I of Chapter 295, Wisconsin Statutes.
- 10.03 Statutory Authority.** This chapter is adopted under authority of Section 295.13(1), Wisconsin Statutes, Section NR 135.32, Wisconsin Administrative Code, and Section 59.51, Wisconsin Statutes.
- 10.04 Restrictions Adopted Under Other Authority.** The purpose of this chapter is to adopt and implement the uniform statewide standards for nonmetallic mining required by Section 295.12(1)(a), Stats. and contained in Chapter NR 135, Wisconsin Administrative Code. It is not intended that this chapter repeal, abrogate, annul, impair or interfere with any existing rules, regulation, ordinances or permits not concerning nonmetallic mining reclamation previously adopted pursuant to other Wisconsin law.
- 10.05 Interpretation.** In their interpretation and application, the provisions of this chapter shall be held to be the applicable requirements for nonmetallic mining reclamation and shall not be deemed a limitation or repeal of any other power granted by the Wisconsin Statutes outside the reclamation requirements for nonmetallic mining sites required by subchapter I of Chapter 295, Wisconsin Statutes and Chapter NR 135, Wisconsin Administrative Code. Where any terms or requirements of this chapter may be inconsistent or conflicting, the more restrictive requirements or interpretation shall apply. Where a provision of this chapter is required by Wisconsin Statutes, or by a standard in Chapter NR 135, Wisconsin Administrative Code, and where the provision is unclear, the provision shall be interpreted to be consistent with the Wisconsin Statutes and the provisions of Chapter NR 135, Wisconsin Administrative Code.
- 10.06 Severability.** Should any portion of this chapter be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this chapter shall not be affected.
- 10.07 Applicability.**

(1) Overall Applicability. The requirements of this chapter apply to all operators of nonmetallic mining sites within Monroe County operating on or commencing to operate after August 1st, 2001 except as exempted in sub. 10.07(2), and for nonmetallic mining sites located in a city, village or town within Monroe County that has adopted an ordinance pursuant to Section 295.14, Wisconsin Statutes, and Section NR 135.32(2), Wisconsin Administrative Code. This chapter does not apply to nonmetallic mining sites where nonmetallic mining permanently ceases before August 1, 2001. This chapter applies to nonmetallic mining conducted by or on behalf of the State of Wisconsin, by or on behalf of a municipality or for the benefit or use of the state or any state agency, board, commission or department, except for the waiver of financial assurance in sub. 10.14(4).

(2) Exemptions. This chapter does not apply to the following activities:

(a) Nonmetallic mining at a site or that portion of a site that is subject to permit and reclamation requirements of the Wisconsin Department of Natural Resources under secs. 30.19, 30.195 or 30.20, Stats., and complies with Chapter NR 340, Wisconsin Administrative Code.

(b) Excavations subject to the permit and reclamation requirements of secs. 30.30 or 30.31, Stats.

(c) Excavations or grading by a person solely for domestic or farm use at that person's residence or farm.

(d) Excavations or grading conducted for the construction, reconstruction, maintenance or repair of a highway, railroad, airport facility, or any other transportation facility where the excavation or grading is entirely within the property boundaries of the transportation facility.

(e) Grading conducted for preparing a construction site or restoring land following a flood or natural disaster.

(f) Excavations for building construction purposes conducted on the building site.

(g) Nonmetallic mining at nonmetallic mining sites that affect less than one acre of total area over the life of the mine.

(h) Any mining operation, the reclamation of which is required in a permit obtained under ch. 293, Stats.

(i) Any activities required to prepare, operate or close a solid waste disposal facility under ch. 289, Stats., or a hazardous waste disposal facility under ch. 291, Stats., that are conducted on the property where the facility is located, but an applicable nonmetallic mining reclamation ordinance and the standards established in this chapter apply to activities related to solid waste or hazardous waste disposal that are conducted at a non-metallic mining site that is not on the property where the solid waste or hazardous waste disposal facility is located, such as activities to obtain

nonmetallic minerals to be used for lining, capping, covering or constructing berms, dikes or roads.

(j) (1). Nonmetallic mining conducted to obtain stone, soil, sand or gravel for construction, reconstruction, maintenance or repair of a highway, railroad, airport, or any other transportation facility or part thereof, if the nonmetallic mining is subject to the requirements of the Wisconsin Department of Transportation concerning the restoration of the non-metallic mining site.

(2). This exemption only applies to a nonmetallic mining operation with limited purpose and duration where the Wisconsin Department of Transportation actively imposes reclamation requirements and the operator reclaims the nonmetallic mining site in accordance with these requirements. The duration of the exemption shall be specific to the length of the Wisconsin Department of Transportation contract for construction of a specific transportation project.

(3). If a nonmetallic mining site covered under pars. (a) and (b) is used to concurrently supply materials for projects unrelated to the Wisconsin Department of Transportation project, the exemption in this paragraph still applies, provided that the site is fully reclaimed under Wisconsin Department of Transportation contract and supervision.

(k) Dredging for navigational purposes, to construct or maintain farm drainage ditches and for the remediation of environmental contamination and the disposal of spoils from these activities.

10.08 Administration. The provisions of this chapter shall be administered by the Monroe County Land Conservation Department.

10.09 Effective Date. The provisions of this chapter shall take effect on June 1, 2001.

10.10 Definitions. In this chapter:

(1) "Alternative requirement" means an alternative to the reclamation standards of this chapter provided through a written authorization granted by the Monroe County Land Conservation Department pursuant to s. 10.18.

(2) "Applicable reclamation ordinance" means a nonmetallic mining reclamation ordinance, including this chapter, that applies to a particular nonmetallic mining site and complies with the requirements of this Chapter NR 135, Wisconsin Administrative Code and subchapter I of ch. 295, Stats., unless the Wisconsin Department of Natural Resources is the regulatory authority as defined in sub. (10.10)(19) (b) 3. If the Wisconsin Department of Natural Resources is the regulatory authority, "applicable reclamation ordinance" means the relevant and applicable provisions of Chapter NR 135, Wisconsin Administrative Code.

(3) "Borrow site" means an area outside of a transportation project site from which stone, soil, sand or gravel is excavated for use at the project site, except the term does not include commercial sources.

(4) "Contemporaneous reclamation" means the sequential or progressive reclamation of portions of the nonmetallic mining site affected by mining operations that is performed in advance of final site reclamation, but which may or may not be final reclamation, performed to minimize the area exposed to erosion, at any one time, by nonmetallic mining activities.

(5) "Department" means the Wisconsin Department of Natural Resources.

(6) "Environmental pollution" has the meaning in s. 295.11(2), Stats.

(7) "Existing mine" means a nonmetallic mine where nonmetallic mining takes place before August 1, 2001.

(8) "Financial assurance" means a commitment of funds or resources by an operator to a regulatory authority that satisfies the requirements in s. 14 and is sufficient to pay for reclamation activities required by this chapter.

(9) "Landowner" means the person who has title to land in fee simple or who holds a land contract for the land. A landowner is not a person who owns nonmetallic mineral rights to land, if a different person possesses title to that land in fee simple or holds a land contract for that land.

(10) "Municipality" means any city, town or village.

(11) "Nonmetallic mineral" means a product, commodity or material consisting principally of naturally occurring, organic or inorganic, nonmetallic, nonrenewable material. Nonmetallic minerals include, but are not limited to, stone, sand, gravel, asbestos, beryl, diamond, clay, coal, feldspar, peat, talc and topsoil.

(12) "Nonmetallic mining" or "mining" means all of following:

(a) Operations or activities at a nonmetallic mining site for the extraction from the earth of mineral aggregates or nonmetallic minerals for sale or use by the operator. Nonmetallic mining includes use of mining equipment or techniques to remove materials from the in-place nonmetallic mineral deposit, including drilling and blasting, as well as associated activities such as excavation, grading and dredging. Nonmetallic mining does not include removal from the earth of products or commodities that contain only minor or incidental amounts of nonmetallic minerals, such as commercial sod, agricultural crops, ornamental or garden plants, forest products, Christmas trees or plant nursery stock.

(b) Processes carried out at a nonmetallic mining site that are related to the preparation or processing of the mineral aggregates or nonmetallic minerals obtained from the nonmetallic mining site. These processes include, but are not limited to stockpiling of materials, blending mineral aggregates or nonmetallic minerals with other mineral aggregates or nonmetallic minerals, blasting, grading, crushing, screening, scalping and dewatering.

(13) "Nonmetallic mining reclamation" or "reclamation" means the rehabilitation

of a nonmetallic mining site to achieve a land use specified in a nonmetallic mining reclamation plan approved under this chapter, including removal or reuse of nonmetallic mining refuse, grading of the nonmetallic mining site, removal, storage and replacement of topsoil, stabilization of soil conditions, reestablishment of vegetative cover, control of surface water and groundwater, prevention of environmental pollution and if practicable the restoration of plant, fish and wildlife habitat.

(14) "Nonmetallic mining refuse" means waste soil, rock and mineral, as well as other natural site material resulting from nonmetallic mining. Nonmetallic mining refuse does not include marketable by-products resulting directly from or displaced by the nonmetallic mining that are scheduled to be removed from the nonmetallic mining site within a reasonable period of time after extraction.

(15) "Nonmetallic mining site" or "site" means all contiguous areas of present or proposed mining described in par. (a), subject to the qualifications in par. (b).

(a) Nonmetallic mining site means the following:

- (1) The location where nonmetallic mining is proposed or conducted.
- (2) Storage and processing areas that are in or contiguous to areas excavated for nonmetallic mining.
- (3) Areas where nonmetallic mining refuse is deposited.
- (4) Areas affected by activities such as the construction or improvement of private roads or haulage ways for nonmetallic mining.
- (5) Areas where grading or re-grading is necessary.
- (6) Areas where nonmetallic mining reclamation activities are carried out or structures needed for nonmetallic mining reclamation, such as topsoil stockpile areas, revegetation test plots, or channels for surface water diversion, are located.

(b) "Nonmetallic mine site" does not include any of the following areas:

- (1) Those portions of sites listed in par. (a) not used for nonmetallic mining or purposes related to nonmetallic mining after August 1, 2001.
- (2) Separate, previously mined areas that are not used for nonmetallic mineral extraction after August 1, 2001 and are not contiguous to mine sites, including separate areas that are connected to active mine sites by public or private roads.
- (3) Areas previously mined but used after August 1, 2001 for a non-mining activity, such as stockpiles of materials used for an industrial process unrelated to nonmetallic mining.

(16) "Operator" means any person who is engaged in, or who has applied for a

permit to engage in, nonmetallic mining, whether individually, jointly or through subsidiaries, agents, employees, contractors or subcontractors.

(17) "Registered geologist" means a person who is registered as a professional geologist pursuant to ss. 443.037 and 443.09, Stats.

(18) "Registered professional engineer" means a person who is registered as a professional engineer pursuant to ss. 443.04 and 443.09, Stats.

(19) "Regulatory authority" means the following:

(a) Monroe County for nonmetallic mine sites located within its jurisdiction, or

(b) (1). A municipality in which the nonmetallic mining site is located and which has adopted an applicable reclamation ordinance,

(2). The county in which the nonmetallic mining site is located, if no reclamation municipal ordinance exists pursuant to subd. (b)(1), provided the county has an applicable reclamation ordinance, or

(3). The Wisconsin Department of Natural Resources, but only if there is no applicable reclamation ordinance enacted by the municipality or the county in which the nonmetallic mining site is located.

(20) "Replacement of topsoil" means the replacement or redistribution of topsoil or topsoil substitute material to all areas where topsoil was actually removed or affected by nonmetallic for the purposes of providing adequate vegetative cover and stabilization of soil conditions needed to achieve the approved post-mining land use and as required by the reclamation plan approved pursuant to this chapter.

(21) "Solid waste" means any garbage, refuse, sludge from a waste treatment plant, water supply treatment plant or air pollution control facility and other discarded or salvageable materials, including solid, liquid, semisolid or contained gaseous materials resulting from industrial, commercial, mining and agricultural operations, and from community activities, but does not include solids or dissolved material in domestic sewage, or solid or dissolved materials in irrigation return flows or industrial discharges which are point sources subject to permits under ch. 283, Stats., or source material, special nuclear material or by-product material, as defined in s. 254.31 (1), Stats.

(22) "Topsoil" means the surface layer of soil which is generally more fertile than the underlying soil layers, which is the natural medium for plant growth and which can provide the plant growth, soil stability and other attributes necessary to meet the success standards approved in the reclamation plan.

(23) "Topsoil substitute material" means soil or other unconsolidated material either used alone or mixed with other beneficial materials and which can provide the plant growth, site stability and other attributes necessary to meet the success standards approved in the reclamation plan.

(24) (a) "Unreclaimed acre" or "unreclaimed acres" means those unreclaimed areas in which nonmetallic mining has occurred after August 1, 2001 and areas where nonmetallic mining reclamation has been completed but is not yet certified as reclaimed under sub. 10.29(3). However the term does not include any areas described in par. (b).

(b) "Unreclaimed acre" or "unreclaimed acres" does not include:

(1). Those areas where reclamation has been completed and certified as reclaimed under sub. 10.29(30).

(2). Those areas previously affected by nonmetallic mining but which are not used for nonmetallic mining after August 1, 2001.

(3). Those portions of nonmetallic mining sites which are included in a non-metallic mining reclamation plan approved pursuant to this chapter but are not yet affected by nonmetallic mining.

(4). Areas previously mined but used after August 1, 2001 for a non-mining activity, such as stockpiling of materials used for an industrial activity such as an asphalt plant, concrete batch plant, block and tile operation or other industry that uses products produced from nonmetallic mining.

(5). For purposes of fees under s. 10.27, those areas within a nonmetallic mining site which Monroe County has determined to have been successfully reclaimed on an interim basis in accordance with sub. 10.29(3).

PART II – STANDARDS

10.11 Standards. All nonmetallic mining sites subject to this chapter shall be reclaimed in conformance with the standards contained below.

(1) GENERAL STANDARDS:

(a) **REFUSE AND OTHER SOLID WASTES.** Nonmetallic mining refuse shall be reused in accordance with a reclamation plan. Other solid wastes shall be disposed of in accordance with applicable rules of the Wisconsin Department of Natural Resources adopted pursuant to chs. 289 and 291, Stats.

(b) **AREA DISTURBED AND CONTEMPORANEOUS RECLAMATION.** Nonmetallic mining reclamation shall be conducted, to the extent practicable, to minimize the area disturbed by nonmetallic mining and to provide for nonmetallic mining reclamation of portions of the nonmetallic mining site while nonmetallic mining continues on other portions of the nonmetallic mining site.

(c) **PUBLIC HEALTH, SAFETY AND WELFARE.** All nonmetallic mining sites shall be reclaimed in a manner so as to comply with federal, state and local regulations governing public health, safety and welfare.

(d) **HABITAT RESTORATION.** When the land use required by the reclamation plan approved pursuant to this chapter requires plant, fish or

wildlife habitat, it shall be restored, to the extent practicable, to a condition at least as suitable as the condition that existed before the lands were affected by nonmetallic mining operations.

(e) **COMPLIANCE WITH ENVIRONMENTAL REGULATIONS.**

Reclamation of nonmetallic mining sites shall comply with any other applicable federal, state and local laws including those related to environmental protection, zoning and land use control.

(2) SURFACE WATER AND WETLANDS PROTECTION. Nonmetallic mining reclamation shall be conducted and completed in a manner that assures compliance with the Wisconsin Department of Natural Resources' water quality standards for surface waters and wetlands contained in Chapters NR 102 to NR 105, Wisconsin Administrative Code. Before disturbing the surface of a nonmetallic mining site and removing topsoil, all necessary measures for diversion and drainage of runoff from the site to prevent pollution of waters of the state shall be installed in accordance with the reclamation plans approved pursuant to this chapter. Diverted or channelized runoff resulting from reclamation may not adversely affect neighboring properties.

(3) GROUNDWATER PROTECTION

(a) **GROUNDWATER QUANTITY.** A nonmetallic mining site shall be reclaimed in a manner that does not cause a permanent lowering of the water table that results in adverse effects on surface waters or a significant reduction in the quantity of groundwater reasonably available for future users of groundwater.

(b) **GROUNDWATER QUALITY.** Nonmetallic mining reclamation shall be conducted in a manner that does not cause groundwater quality standards in Chapter NR 140, Wisconsin Administrative Code to be exceeded at a point of standards application defined in that chapter.

(4) TOPSOIL MANAGEMENT.

(a) **REMOVAL.** Topsoil and topsoil substitute material shall be removed, protected and redistributed to support reclamation and site stabilization. Topsoil shall be managed as specified in the reclamation plan approved pursuant to this chapter in order to achieve reclamation to the approved post-mining land use. Topsoil and topsoil substitute material removal shall be performed, as required by the reclamation plan, prior to any mining activity associated with any specific phase of the mining operation.

(b) **VOLUME.** The operator shall obtain the volume of soil required to perform final reclamation by removal of on-site topsoil or topsoil substitute material or by obtaining topsoil or substitute material as needed to make up the volume of topsoil as specified in the reclamation plan approved pursuant to this chapter.

(c) **STORAGE.** Once removed, topsoil or topsoil substitute material shall, as required by the reclamation plan approved pursuant to this chapter, either be used in contemporaneous reclamation or stored in an environmentally acceptable manner. The location of stockpiled topsoil or topsoil substitute material shall be chosen to protect the material from ero-

sion or further disturbance or contamination. Runoff water shall be diverted around all locations in which topsoil or topsoil substitute material is stockpiled.

(5) FINAL GRADING AND SLOPES.

(a) All areas affected by mining shall be graded in accordance with the reclamation plan approved pursuant to this chapter to achieve a stable and safe condition consistent with the post mining land use. The reclamation plan may designate areas such as stable slopes and rock faces which do not require final grading.

(b) Final reclaimed slopes covered by topsoil or topsoil substitute material may not be steeper than a 3:1 horizontal to vertical incline, unless alternative requirements are approved under s. 10.18, and stable slopes can be demonstrated based on site-specific engineering analysis. The engineering analysis shall show that a minimum acceptable slope stability factor is attainable at a steeper slope and that the post-mining land use specified in the reclamation plan is not adversely affected. When the slope occurs at the edge of a body of water, this approved slope shall extend vertically 6 feet below the lowest seasonal water level. A slope no steeper than 3:1 shall be created at a designated location or locations, depending on the size of the water body to allow for a safe exit.

(c) All areas in the nonmetallic mine site where topsoil or topsoil substitute material is to be reapplied shall be graded or otherwise prepared prior to topsoil or topsoil substitute material redistribution to provide the optimum adherence between the topsoil or topsoil substitute material and the underlying material.

(6) TOPSOIL REDISTRIBUTION FOR RECLAMATION. Topsoil or topsoil substitute material shall be redistributed in accordance with the reclamation plan approved pursuant to this chapter in a manner which minimizes compaction and prevents erosion. Topsoil or topsoil substitute material shall be uniformly redistributed except where uniform redistribution is undesirable or impractical. Topsoil or topsoil substitute material redistribution may not be performed during or immediately after a precipitation event until the soils have sufficiently dried.

(7) REVEGETATION AND SITE STABILIZATION. Except for permanent roads or similar surfaces identified in the reclamation plan approved pursuant to this chapter, all surfaces affected by nonmetallic mining shall be reclaimed and stabilized by revegetation or other means. Revegetation and site stabilization shall be in accordance with the approved reclamation plan and shall be performed as soon as practicable after mining activity has permanently ceased in any part of the mine site.

(8) ASSESSING COMPLETION OF SUCCESSFUL RECLAMATION.

(a) The criteria for assessing when reclamation is complete and, therefore, when the financial assurance may be released shall be specified in the reclamation plan approved pursuant to this chapter. Criteria to evaluate reclamation success shall be quantifiable.

(b) Compliance with the revegetation success standards in the approved

reclamation plan shall be determined by:

- (1). On-site inspections by Monroe County or its agent;
- (2). Reports presenting results obtained during reclamation evaluations including summarized data on revegetation, photo documentation or other evidence that the criteria approved in the reclamation plan to ascertain success have been met; or
- (3). A combination of inspections and reports.

(c) In those cases where the post mining land use specified in the reclamation plan requires a return of the mining site to a pre-mining condition, the operator shall obtain baseline data on the existing plant community for use in the evaluation of reclamation success pursuant to this section.

(d) Re-vegetation success may be determined by:

- (1). Comparison to an appropriate reference area;
- (2). Comparison to baseline data acquired at the mining site prior to its being affected by mining; or
- (3). Comparison to an approved alternate technical standard.

(e) Re-vegetation using a variety of plants indigenous to the area is favored.

(9) INTERMITTENT MINING. Intermittent mining may be conducted provided that the possibility of intermittent cessation of operations is addressed in an operator's reclamation permit, no environmental pollution or erosion of sediments is occurring, and financial assurance for reclamation pursuant to s. 10.14 is maintained covering all remaining portions of the site that have been affected by nonmetallic mining and that have not been reclaimed.

(10) MAINTENANCE. During the period of the site reclamation, after the operator has stated that reclamation is complete but prior to release of financial assurance, the operator shall perform any maintenance necessary to prevent erosion, sedimentation or environmental pollution, comply with the standards of this subchapter, or to meet the goals specified in the reclamation plan approved pursuant to this chapter.

PART III - PERMITTING

10.12 Nonmetallic Mining Reclamation Permit Application.

(1) Required Submittal. All operators of nonmetallic mining sites that operate on or after August 1, 2001 shall apply for a reclamation permit from Monroe County. All applications for reclamation permits under this section shall be accompanied by the following information:

- (a) A brief description of the general location and nature of the non-

metallic mine.

(b) A legal description of the property on which the nonmetallic mine is located or proposed, including the parcel identification number.

(c) The names, addresses and telephone numbers of all persons or organizations who are owners or lessors of the property on which the nonmetallic mining site is located.

(d) The name, address and telephone number of the person or organization who is the operator.

(e) A certification by the operator of his or her intent to comply with the statewide nonmetallic mining reclamation standards established by Part II.

(2) Existing Mines. The operator of any existing nonmetallic mining site in operation on August 1, 2001 may apply for an automatic reclamation permit from Monroe County by providing the information set forth below no later than August 1, 2001 to the Monroe County Land Conservation Department, 820 Industrial Drive, Suite 3, Sparta, WI 54656

(a) The information required by sub. 10.12(1).

(b) The first year's annual fee, as required by s. 10.27.

(c) A certification signed by the operator that he or she will provide Monroe County with a complete reclamation plan required by s. 10.13 and financial assurance required by s. 10.14 no later than the times established pursuant to this chapter.

(3) New Mines. The operator of any nonmetallic mine site that engages in or plans to engage in nonmetallic mining that will begin operations after August 1st, 2001 or which has not applied for an automatic reclamation permit pursuant to sub. 10.12(2) shall submit an application that meets the requirements specified below to the Monroe County Land Conservation Department prior to beginning operations. This application shall be accompanied by a plan review fee as specified in s. 10.26.

(a) The information required by sub. 10.12(1).

(b) The plan review and annual fees required by secs. 10.26 and 10.27.

(c) A reclamation plan conforming to s. 10.13.

(d) A certification that the operator will provide, as a condition of the reclamation permit, provide financial assurance as required by s. 10.14 upon granting of the reclamation permit and before mining begins.

(e) To avoid duplication, the permit application and submittals required under this subsection may, by reference, incorporate existing plans or materials that meet the requirements of this chapter.

10.13 Reclamation Plan.

(1) **Reclamation Plan Requirements.** All operators of nonmetallic mining sites subject to this chapter shall prepare and submit a reclamation plan that meets the following requirements.

(a) **PLAN REQUIRED.** An operator who conducts or plans to conduct nonmetallic mining on or after August 1st, 2001 shall submit a reclamation plan to Monroe County that meets the requirements of this section and complies with the standards of Part II. To avoid duplication, the reclamation plan may, by reference, incorporate existing plans or materials that meet the requirements of this chapter.

(b) **SITE INFORMATION.** The reclamation plan shall include information sufficient to describe the existing natural and physical conditions of the site, including, but not limited to:

(1) Maps of the nonmetallic mining site including the general location, property boundaries, the area, extent, geologic composition and depth of the nonmetallic mineral deposit, the distribution, thickness and type of topsoil, the approximate elevation of ground water, the location of surface waters and the existing drainage patterns.

(2) Information available to the mine operator on biological resources, plant communities, and wildlife use at and adjacent to the proposed or operating mine site.

(3) Existing topography as shown on contour maps of the site at a minimum of 20 foot intervals.

(4) Location of manmade features on or near the site.

(5) For existing mines, a plan view drawing showing the location and extent of land previously affected by nonmetallic mining, including the location of stockpiles, wash ponds and sediment basins.

(c) **POST-MINING LAND USE.**

(1) The reclamation plan shall specify a proposed post-mining land use for the nonmetallic mine site. The proposed post-mining land use shall be consistent with local land use plans and local zoning at the time the plan is submitted, unless a change to the land use plan or zoning is proposed. The proposed post-mining land use shall also be consistent with all applicable local, state, or federal laws in effect at the time the plan is submitted.

(2) Land used for nonmetallic mineral extraction in areas zoned under an exclusive agricultural use ordinance pursuant to s. 91.75, Stats., shall be restored to agricultural use..

(d) **RECLAMATION MEASURES.** The reclamation plan shall include a description of the proposed reclamation, including methods and procedures to be used and a proposed schedule and sequence for the comple-

tion of reclamation activities for various stages of reclamation of the non-metallic mining site. The following shall be included:

(1) A description of the proposed earthwork and reclamation, including final slope angles, high wall reduction, benching, terracing and other structural slope stabilization measures.

(2) The methods of topsoil or topsoil substitute material removal, storage, stabilization and conservation that will be used during reclamation.

(3) A plan or map which shows anticipated topography of the reclaimed site and any water impoundments or artificial lakes needed to support the anticipated future land use of the site.

(4) A plan or map which shows surface structures, roads and related facilities after the cessation of mining.

(5) The estimated cost of reclamation for each stage of the project or the entire site if reclamation staging is not planned.

(6) A re-vegetation plan which shall include timing and methods of seed bed preparation, rates and kinds of soil amendments, seed application timing, methods and rates, mulching, netting and any other techniques needed to accomplish soil and slope stabilization.

(7) Quantifiable standards for re-vegetation adequate to show that a sustainable stand of vegetation has been established which will support the approved post-mining land use. Standards for re-vegetation may be based on the percent vegetative cover, productivity, plant density, diversity or other applicable measures.

(8) A plan and, if necessary, a narrative showing erosion control measures to be employed during reclamation activities. These shall address how reclamation activities will be conducted to minimize erosion and pollution of surface and groundwater.

(9) A description of any areas which will be reclaimed on an interim basis sufficient to qualify for the waiver of fees pursuant to subs. 10.29(2) and 10.29(4), and which will be subsequently disturbed prior to final reclamation. Descriptions shall include an identification of the proposed areas involved, methods of reclamation to comply with the standards in Part II and timing of interim and final reclamation.

(e) The reclamation plan shall contain criteria for assuring successful reclamation in accordance s. 10.11(8).

(f) **CERTIFICATION OF RECLAMATION PLAN.**

(1) The operator shall provide a signed certification that reclamation will be carried out in accordance with the reclamation plan. The landowner and lessee, if different from the operator, shall also provide signed certification that they concur with the reclamation plan and will

allow its implementation, except as provided in par. (2).

(2) For the following situations, the landowner and lessee, if different from the mine operator, are not required to submit a written certification in accordance with par. (1). The operator shall provide written evidence that the landowner and lessee, if different from the operator, have been provided with a written copy of the reclamation plan, and that:

(a). The mine operator has submitted a reclamation plan for an existing mine in accordance with sub. 10.12(2), or

(b) The operator has submitted a reclamation plan for a new or reopened mine in accordance sub. 10.12(3) which is located on land for which a lease agreement or memorandum of lease between the landowner and applicant was recorded prior August 1st, 2001.

(g) APPROVAL. The operator shall keep a copy of the reclamation plan required by this section, once approved by Monroe County under this chapter, at the mine site or, if not practicable, at the operator's nearest office or place of business.

(2) **Existing Mines.** The operator of any nonmetallic mining site that submits an automatic permit application in conformance with sub. 10.12(2) shall submit the reclamation plan required by sub. 10.13(1) by deadlines determined by the Monroe County Land Conservation Department, such deadlines being between one and three years from the application submittal date.

(3) **New Mines.** The operator of any nonmetallic mining site not in operation that applies for a permit in conformance with sub. 10.12(3) shall submit the reclamation plan required by sub. 10.13(1) with its' application for a reclamation permit.

(4) **Existing Plans and Approvals.** To avoid duplication of effort, the reclamation plan required by sub. 10.13(1) may, by reference, incorporate existing plans or materials that meet the requirements of this chapter. Previous approvals for nonmetallic mining sites in operation on August 1st, 2001 shall satisfy the requirements of sub. 10.13(1) if they meet the following requirements:

(a) The document has been approved by a county or municipality; and

(b) Monroe County finds that the document designates a post-mining land use and describes reclamation measures that meet the reclamation standards of this chapter.

(5) **Approval of Reclamation Plan.** Monroe County shall approve, conditionally approve, or deny the reclamation plan submitted under this section in writing in accordance with sub. 10.16(3)(c) for existing mines and sub. 10.16(4) for mines that apply for a reclamation permit in conformance with sub. 10.12(3). Conditional approvals of reclamation plans shall be made according to sub. 10.16(7) and denials of reclamation plans shall be made pursuant to s. 10.17.

The operator shall keep a copy of the reclamation plan approved under this subsection at the mine site or, if not practicable, at the operator's nearest place of business.

10.14 Financial Assurance.

(1) **Financial Assurance Requirements.** All operators of nonmetallic mining sites in Monroe County shall prepare and submit a proof of financial assurance that meets the following requirements:

(a) NOTIFICATION. The regulatory authority shall provide written notification to the operator of the amount of financial assurance required under sub. (c).

(b) FILING. Following approval of the nonmetallic mining reclamation permit, and as a condition of the permit, the operator shall file a financial assurance with Monroe County. The financial assurance shall provide that the operator shall faithfully perform all requirements in this chapter, an applicable reclamation ordinance and the reclamation plan. Financial assurance shall be payable exclusively to the Monroe County Land Conservation Department. In cases where one or more other regulatory authorities regulate a nonmetallic mining site, all financial assurance shall be made payable to Monroe County only if it currently has primary regulatory responsibility.

(c) AMOUNT AND DURATION OF FINANCIAL ASSURANCE. The amount of financial assurance shall equal as closely as possible the cost to Monroe County of hiring a contractor to complete either final reclamation or progressive reclamation according to the approved reclamation plan. The amount of financial assurance shall be reviewed periodically by Monroe County to assure it equals outstanding reclamation costs. Any financial assurance filed with Monroe County shall be in an amount equal to the estimated cost for reclaiming all sites the operator has under project permits. Monroe County may accept a lesser initial amount of financial assurance provided that the permittee initiates a process to continuously increase the amount of financial assurance until it is adequate to effect reclamation. An escrow account may be established that is based on production gross sales and serves to provide regular payments to an account that is designed to grow to the amount necessary to guarantee performance of reclamation by the expected time of final reclamation. The period of the financial assurance is dictated by the period of time required to establish the post mining land use declared and approved of in the reclamation plan. This may extend beyond the permit if required to accomplish successful and complete implementation of the reclamation plan.

(d) FORM AND MANAGEMENT. Financial assurance shall be provided by the operator and shall be by a bond or an alternate financial assurance. Financial assurance shall be payable to the Monroe County Land Conservation Department and released upon successful completion of the reclamation measures specified in the reclamation plan. Alternate financial assurances may include, but are not limited to cash, certificates

of deposits, irrevocable letters of credit, irrevocable trusts, established escrow accounts, demonstration of financial responsibility by meeting net worth requirements, or government securities. Any interest from the financial assurance shall be paid to the operator. Certificates of deposit shall be automatically renewable or other assurances shall be provided before the maturity date. Financial assurance arrangements may include, at the discretion of Monroe County, a blend of different options for financial assurance including a lien on the property on which the nonmetallic mining site occurs or a combination of financial assurance methods.

(e) **MULTIPLE PROJECTS.** Any operator who obtains a permit from Monroe County for 2 or more nonmetallic mining sites may elect, at the time the second or subsequent site is approved, to post a single financial assurance in lieu of separate financial assurance instruments for each nonmetallic mining site. When an operator elects to post a single financial assurance in lieu of separate financial assurances for each mining site, no financial assurances previously posted on individual mining sites shall be released until the new financial assurance has been accepted by Monroe County.

(f) **MULTIPLE JURISDICTIONS.** In cases where more than one regulatory authority has jurisdiction, a cooperative financial security arrangement may be developed and implemented by the regulatory authorities to avoid requiring the permittee to prove financial assurance with more than one regulatory authority for the same nonmetallic mining site. Financial assurance is required for each site and two or more sites of less than one acre by the same operator, except that governmental units are not required to obtain financial assurance.

(g) **CERTIFICATION OF COMPLETION AND RELEASE.**

(1) The operator shall notify the regulatory authority, by filing a notice of completion, at the time that he or she determines that reclamation of any portion of the mining site or the entire site is complete. Monroe County shall inspect the mine site or portion thereof that was the subject of the notice of completion to determine if reclamation has been carried out in accordance with the approved reclamation plan. Monroe County may partially release the financial assurance if it determines that compliance with a portion of the reclamation plan has been achieved and requires no waiting period. After determining that reclamation is complete Monroe County shall issue a certificate of completion and shall release the financial assurance or appropriately reduce the financial assurance in the case of reclamation of a portion of the mining site.

(2) Monroe County shall make a determination of whether or not the certification in par. (1) can be made within 60 days that the request is received.

(3) Monroe County may make a determination under this subsection that:

(a) Reclamation is not yet complete;

(b) It is not possible to assess whether reclamation is complete due to weather conditions, snow cover or other relevant factors;

(c) Reclamation is complete in a part of the mine; or

(d) Reclamation is fully complete.

(h) **FORFEITURE.** Financial assurance shall be forfeited if any of the following occur:

(1) A permit is revoked under s. 10.24 and the appeals process has been completed.

(2) An operator ceases mining operations and fails to reclaim the site in accordance with the reclamation plan.

(i) **CANCELLATION.** Financial assurance shall provide that it may not be cancelled by the surety or other holder or issuer except after not less than a 90 day notice to Monroe County in writing by registered or certified mail. Not less than 30 days prior to the expiration of the 90-day notice of cancellation, the operator shall deliver to Monroe County a replacement proof of financial assurance. In the absence of this replacement financial assurance, all mining shall cease until the time it is delivered and in effect.

(j) **CHANGING METHODS OF FINANCIAL ASSURANCE.** The operator of a nonmetallic mining site may change from one method of financial assurance to another. This may not be done more than once a year unless required by an adjustment imposed pursuant to sub. (l). The operator shall give Monroe County at least 60 days notice prior to changing methods of financial assurance and may not actually change methods without the written approval of Monroe County.

(k) **BANKRUPTCY NOTIFICATION.** The operator of a nonmetallic mining site shall notify the regulatory authority by certified mail of the commencement of voluntary or involuntary proceeding under bankruptcy code, 11 USC, et seq., naming the operator as debtor, within 10 days of commencement of the proceeding.

(l) **ADJUSTMENT OF FINANCIAL ASSURANCE.** Financial assurance may be adjusted when required by Monroe County. Monroe County may notify the operator in writing that adjustment is necessary and the reasons for it. Monroe County may adjust financial assurance based upon prevailing or projected interest or inflation rates, or the latest cost estimates for reclamation.

(m) **NET WORTH TEST**

(1) Only an operator that meets the definition of "company" in s. 289.41 (1) (b), Stats., may use the net worth method of providing financial assurance.

(2) The operator shall submit information to the regulatory authority in satisfaction of the net worth test requirements of s. 289.41 (4), Stats. The criteria in secs. 289.41 (6) (b), (d), (e), (f), (g), (h) and (i), Stats., shall apply.

(3) An operator using the net worth test to provide financial assurance for more than one mine shall use the total cost of compliance for all mines in determining the net worth to reclamation cost ratio in accordance with s. 289.41 (6), Stats.

(4) Determinations under the net worth test shall be done in accordance with s. 289.41 (5), Stats.

(5) In addition, the operator shall submit a legally binding commitment to faithfully perform all compliance and reclamation work at the mine site that is required under this chapter.

(2) Existing Mines. The operator of any nonmetallic mining site that submits an automatic permit application in conformance with sub. 10.12(2) shall submit the financial assurance required by sub. 10.14(1) within 6 months of the date of the reclamation plan approval.

(3) New Mines. The operator of any nonmetallic mining site that applies for a reclamation permit in conformance with s. 10.12(3) shall submit the proof of financial assurance required by sub. 10.14(1) as specified in the reclamation permit issued to it under this chapter.

(4) Public Nonmetallic Mining. The financial assurance requirements of this section do not apply to nonmetallic mining conducted by the State of Wisconsin, a state agency, board, commission or department, or a municipality.

10.15 Public Notice and Right of Hearing.

(1) New Mines. Monroe County shall, except as provided in sub 10.15(2), provide public notice and the opportunity for a public informational hearing as set forth below:

(a) PUBLIC NOTICE.

(1) Except as provided in sub. 10.15(2)(c), when Monroe County receives an application to issue a reclamation permit, it shall publish a public notice of the application no later than 30 days after receipt of a complete application that satisfies sub. 10.12(3).

(2) The notice shall briefly describe the mining and reclamation planned at the nonmetallic mining site. The notice shall be published as a class 2 notice pursuant to s. 985.07(2), Stats., in the official newspaper of Monroe County. The notice shall mention the opportunity for public hearing pursuant to this section and shall give the locations at which the public may review the application and all supporting materials including the reclamation plan.

(3) Copies of the notice shall be forwarded by Monroe County to the

county or applicable local zoning board, the county and applicable local planning organization, the county land conservation officer, and owners of land within 300 feet of the boundaries of the parcel or parcels of land on which the site is located.

(b) HEARING. Except as provided in sub. 10.15(2)(c), Monroe County shall provide for an opportunity for a public informational hearing on an application or request to issue a nonmetallic mining reclamation permit as follows.

(1) If it conducts a zoning-related hearing on the nonmetallic mine site, Monroe County shall provide the opportunity at this hearing to present testimony on reclamation-related matters. This opportunity shall fulfill the requirement for public hearing for a nonmetallic mining reclamation permit required by this section. Monroe County shall consider the reclamation-related testimony in the zoning-related hearing in deciding on a permit application pursuant to this chapter.

(2)

(a) If there is no opportunity for a zoning-related hearing on the nonmetallic mine site as described in par. (1), opportunity for public hearing required by this section shall be provided as follows. Any person residing within, owning property within, or whose principal place of business is within 300 feet of the boundary of the parcel or parcels of land in which the nonmetallic mining site is located or proposed may request a public informational hearing. Monroe County shall hold a public hearing if requested by any of these persons within 30 days of the actual date of public notice under sub. 10.15(1)(a). This public informational hearing shall be held no sooner than 30 days nor later than 60 days after being requested. The hearing shall be conducted as an informational hearing for the purpose of explaining and receiving comment from affected persons on the nature, feasibility and effects of the proposed reclamation. Comments received at public informational hearings will be considered by Monroe County prior to the issuance of a reclamation permit.

(b) The subject matter and testimony at this informational hearing shall be limited to reclamation of the nonmetallic mine site.

(2) Existing Mines

(a) No public notice or informational hearing is required for a nonmetallic mining reclamation permit issued pursuant to sub. 10.16(2) for an existing mine, except as provided in sub. (c).

(b) If the regulatory authority accepts a previously approved reclamation plan for that mine as provided in sub. 10.16(3)(b)(1)(a), no further public notice or informational hearing is required.

(c) If Monroe County requires the submittal of a new reclamation plan, public notice and the opportunity for public informational hearing shall be provided following the receipt of the reclamation plan in accordance sub.

10.15(1). In this case, the subject matter and testimony at that hearing, if held, shall be limited to the new reclamation plan.

(3) **Local Transportation-Related Mines.** No public notice or informational hearing is required for a nonmetallic mining reclamation permit issued to a local transportation-related mine pursuant to sub. 10.16(5).

10.16 Issuance of a Nonmetallic Mining Reclamation Permit.

(1) **Permit Required.** Every operator of a nonmetallic mining site in Monroe County who engages in or plans to engage in nonmetallic mining after September 1st, 2001 shall obtain a reclamation permit issued under this section, except for nonmetallic mining sites that are exempt from this chapter under sub. 10.7(2). No person may engage in nonmetallic mining or nonmetallic mining reclamation after September 1st, 2001 without a reclamation permit issued pursuant to this chapter.

(2) **Automatic Permit for Existing Mines.** Monroe County shall issue an automatic reclamation permit to the operator of a nonmetallic mining site that submits an application meeting the requirements of sub. 10.12(2), according to the following provisions:

(a) The permit shall be issued within 30 days of such application.

(b) Existing mines that are granted a reclamation permit pursuant to this subsection shall submit to the Monroe County Land Conservation Department the following:

(1) By the deadline established by Monroe County, such deadline being between 1 and 3 years, a reclamation plan that meets the requirements of s. 10.13; and

(2) Financial assurance pursuant to s. 10.14(2)

(c) Monroe County may grant a reasonable extension to the deadline in sub. (2) when it finds extenuating circumstances exist.

(3) **Evaluation of Follow-Up Submittals for Existing Mines.** Mines covered by automatic permits issued under sub. 10.16(2) shall submit a reclamation plan in accordance with sub. 10.13(2) and proof of financial assurance in accordance with sub. 10.14(2). Reclamation plans must be submitted according to a deadline between one and three years as determined by Monroe County. Financial assurance must be submitted within 6 months of the date of the reclamation plan approval. Reasonable extensions to these deadlines may be granted in writing by Monroe County where extenuating circumstances exist. These follow-up submittals shall be evaluated as set forth below:

(a) The reclamation plan and financial assurance shall meet the requirements of sub. 10.16(2)(b).

(b)

(1) Monroe County shall accept, as satisfaction of the requirement

for submittal of a reclamation plan pursuant to sub. 10.16(2)(b)(1), submittal of a previously completed document that includes plans for reclamation so long as:

(a) The document has been approved by a county or municipality; and

(b) Monroe County finds that the document designates a post-mining land use and describes reclamation measures that meet the reclamation standards of this chapter.

(2) If Monroe County determines that a document with reclamation plans previously approved meets some, but not all of, the requirements of this chapter, it shall request the supplemental information needed to satisfy the reclamation plan requirements of this section. In that case, Monroe County shall determine whether or not to provide public notice and opportunity for public hearing pursuant to sub. 10.15(2)(c), depending on the nature and extent of the supplemental information.

(c) Within 30 days of receipt of the reclamation plan and evidence of financial assurance as required under sub. 10.16(2)(b), Monroe County shall affirm in writing its decision whether to approve these submittals and continue the nonmetallic mining reclamation permit issued pursuant to sub. 10.16(2). A reclamation permit with this written affirmation shall satisfy the requirements of this chapter without further action, submittal or approval.

(4) **Permit Issuance for New Mines.** Applications for reclamation permits for nonmetallic mining sites not in operation on August 1st, 2001 that satisfy s. 10.12(3) shall be issued a reclamation permit or otherwise acted on as provided below.

(a) Unless denied pursuant to s. 10.17, Monroe County shall approve in writing a request that satisfies the requirements of sub. 10.12(3) to issue a nonmetallic mining reclamation permit for a nonmetallic mine where mining has not yet taken place on or after August 1, 2001 or an existing nonmetallic mine where mining is not taking place on or after August 1, 2001.

(b) Monroe County may not issue an approval without prior or concurrent approval of the reclamation plan that meets the requirements of s. 10.13. The regulatory authority may issue a reclamation permit subject to conditions in sub. 10.16(7) if appropriate. The permit decision shall be made no sooner than 30 days nor later than 90 days following receipt of the complete reclamation permit application and reclamation plan pursuant to this subchapter, unless a public hearing is held pursuant to s. 10.15. If a public hearing is held, the regulatory authority shall issue the reclamation permit, subject to conditions pursuant to sub. 10.16(7) if appropriate, or shall deny the permit as provided in s. 10.17, no later than 60 days after completing the public hearing.

(c) Permits issued pursuant to this subsection shall require compliance with a reclamation plan that has been approved and satisfies the requirements of s. 10.13 and provision by the applicant of financial assurance required under s. 10.14 and payable to Monroe County prior to beginning mining.

(5) Automatic Permit for Local Transportation-Related Mines

(a) Monroe County shall automatically issue an expedited permit under this subsection to any borrow site that:

- (1) Will be opened and reclaimed under contract with a municipality within a period not exceeding 36 months;
- (2) Is a nonmetallic mine which is intended to provide stone, soil, sand or gravel for the construction, reconstruction, maintenance or repair of a highway, railroad, airport facility or other transportation facility under contract with the municipality;
- (3) Is regulated and will be reclaimed under contract with the municipality in accordance with the requirements of the Wisconsin Department of Transportation concerning the restoration of nonmetallic mining sites;

(4) Is not a commercial source;

(5) Will be constructed, operated and reclaimed in accordance with applicable zoning requirements, if any and;

(6) Is not otherwise exempt from the requirements of this chapter under sub. 10.7(2)(j).

(b) In this subsection, "municipality" has the meaning defined in s. 299.01(8), Stats.

(c) Automatic permits shall be issued under this subsection in accordance with the following provisions:

- (1) The applicant shall notify Monroe County of the terms and conditions of the contract with respect to reclamation of the proposed borrow site.
- (2) The applicant shall provide evidence to Monroe County to show that the borrow site and its reclamation will comply with applicable zoning requirements, if any.
- (3) Monroe County shall accept the contractual provisions incorporating requirements of the Wisconsin Department of Transportation in lieu of a reclamation plan under s. 10.13.
- (4) Monroe County shall accept the contractual provisions in lieu of the financial assurance requirements in s. 10.14.

(5) The public notice and hearing provisions of s. 10.15 do not apply to nonmetallic mining sites that are issued automatic permits under this subsection.

(6) Mines permitted under this subsection shall pay an annual fee to Monroe County as provided in s. 10.27, but shall not be subject to the plan review fee provided in s. 10.26.

(7) Monroe County shall issue the automatic permit within 7 days of the receipt of a complete application.

(8) If the borrow site is used to concurrently supply materials for other than the local transportation project, the automatic permitting in this subsection still applies provided the site will be reclaimed under a contractual obligation with the municipality in accordance with the Wisconsin Department of Transportation requirements.

(9) Notwithstanding s. 10.25, the operator of a borrow site under this subsection is required to submit only the information in an annual report necessary to identify the borrow site and to determine the applicable annual fee.

(6) Expedited Review. Any operator of a nonmetallic mining site may request expedited review of a reclamation permit application under sub. (a) or sub. (b) as follows:

(a) The operator may submit a request for expedited permit review with payment of the expedited review fee specified in s. 10.26(2). This request shall state the need for such expedited review and the date by which such expedited review is requested.

(b) The operator may submit a request for expedited review under this subsection if the applicant requires a reclamation permit to perform services under contract with a municipality. This request for expedited review shall state the need for expedited review and shall include a copy of the applicable sections of the contract and the date by which the expedited review is requested.

(c) Following receipt of a request under this subsection, Monroe County shall inform the applicant of the estimated date for decision on issuance of the permit. If the applicant then elects not to proceed with the expedited review, the fee paid under sub. (a) shall be returned.

(d) Expedited review under this subsection shall not waive, shorten or otherwise affect the public notice and right of hearing pursuant to s. 10.15. This subsection does not impose an obligation upon the regulatory authority to act upon a permit application under this subsection by a specific date.

(7) Permit Conditions. Any decision under this section may include conditions as provided below:

(a) Monroe County may issue a reclamation permit or approve a recla-

mation plan subject to general or site-specific conditions if needed to assure compliance with the nonmetallic mining reclamation requirements of this chapter.

(b) One required condition of the issued permit shall be that the new mine obtain financial assurance pursuant to s. 10.14 prior to beginning mining.

10.17 Permit Denial. An application for a nonmetallic mining reclamation permit shall be denied as set forth below:

(1) An application to issue a nonmetallic mining reclamation permit shall be denied, within the time frame for permit issuance specified in s. 10.16, if Monroe County finds any of the following:

(a) The applicant has, after being given an opportunity to make corrections, failed to provide to Monroe County an adequate permit application, reclamation plan, financial assurance or any other submittal required by Chapter NR 135, Wisconsin Administrative Code or this chapter.

(b) The proposed nonmetallic mining site cannot be reclaimed in compliance with the reclamation standards contained in this chapter, Chapter NR 135, Wisconsin Administrative Code or subch. I. of ch. 295, Stats.

(c)

(1) The applicant, or its agent, principal or predecessor has, during the course of nonmetallic mining in Wisconsin within 10 years of the permit application or modification request being considered shown a pattern of serious violations of this chapter or of federal, state or local environmental laws related to nonmetallic mining reclamation.

(2) The following may be considered in making this determination of a pattern of serious violations:

(a) Results of judicial or administrative proceedings involving the operator or its agent, principal or predecessor.

(b) Suspensions or revocations of nonmetallic mining reclamation permits pursuant to this chapter, other reclamation ordinances or Chapter NR 135, Wisconsin Administrative Code.

(c) Forfeitures of financial assurance.

(d) A denial under this subsection shall be in writing and shall contain documentation of reasons for denial.

(2) A decision to deny an application to issue a reclamation permit may be reviewed under s. 10.22.

10.18 Alternative Requirements.

(1) **Scope of Alternative Requirements Approvable.** An operator of a non-

metallic mining site may request an alternative requirement to the reclamation standard established in s. 10.11. Monroe County may approve an alternative requirement to the reclamation standards established in this chapter if the operator demonstrates and Monroe County finds that all of the following criteria are met:

(a) The nonmetallic mining site, the surrounding property or the mining plan or reclamation plan has a unique characteristic which requires an alternative requirement.

(b) Unnecessary hardship which is peculiar to the nonmetallic mining site or plan will result unless the alternative requirement is approved.

(c) Reclamation in accordance with the proposed alternative requirement will achieve the planned post-mining land use and long term site stability in a manner that will not cause environmental pollution or threaten public health, safety or welfare.

(2) Procedures.

(a) The operator of a nonmetallic mining site requesting an alternate requirement in sub. 10.18(1) shall demonstrate all the criteria in sub. 10.18(1). This shall be submitted in writing to the Monroe County Land Conservation Committee, 820 Industrial Drive, Suite 3, Sparta WI 54656.

(b) The Land Conservation Committee may authorize in specific cases, a variance from the terms of this chapter as will not be contrary to the public interest, where due to special conditions, a literal enforcement of the provisions of this chapter will result in unnecessary hardship to the operator. The Land Conservation Committee will hear arguments by the operator and/or their legal representatives concerning s. 10.18(1). A publicly noticed hearing will be conducted by the Land Conservation Committee within 30 days of the receipt of a request under s. 10.18(1). Variance approvals require a majority vote of a quorum of the Land Conservation Committee. A decision will be made by the Land Conservation Committee within 30 days of the public hearing.

(c) A request for an alternative requirement may be incorporated as part of an application to issue or modify a nonmetallic mining reclamation permit.

(3) Transmittal of Decision on Request for Alternative Requirement. The decision on a request for alternate reclamation requirements shall be in writing to the applicant and shall include documentation of why the alternate requirement was or was not approved.

(4) Notice to Wisconsin Department of Natural Resources. Monroe County shall provide notice to the Wisconsin Department of Natural Resources as set forth in this subsection. Written notice shall be given to the Wisconsin Department of Natural Resources at least 10 days prior to any public hearing held under sub. 10.18(2) on a request for an alternate requirement under this section. A copy of any written decision on alternative requirements shall be submitted to the Wisconsin Department of Natural Resources within 10 days of

issuance.

10.19 Permit Duration.

(1) A nonmetallic mining reclamation permit issued under this chapter shall last through operation and reclamation of the nonmetallic mining site, unless suspended or revoked pursuant to sub. 10.32.

(2) If the mine operator is not the landowner, the reclamation permit duration shall not exceed the duration of the mine lease unless the lease is renewed or the permit is transferred to a subsequent lessee pursuant to s. 10.20.

10.20 Permit Transfer. A nonmetallic mining reclamation permit issued under this chapter shall be transferred to a new owner or operator upon satisfaction of the following conditions:

(1) A nonmetallic mining reclamation permit may be transferred to a new operator upon submittal to Monroe County of proof of financial assurance and a certification in writing by the new permit holder that all conditions of the permit will be complied with.

(2) The transfer is not valid until financial assurance has been submitted by the new operator and accepted by Monroe County, and Monroe County makes a written finding that all conditions of the permit will be complied with. The previous operator shall maintain financial assurance until the new operator has received approval and provided the financial assurance under this section.

10.21 Previously Permitted Sites. For any nonmetallic mining site which had a reclamation permit previously issued by another regulatory authority pursuant to Chapter NR 135, Wisconsin Administrative Code that becomes subject to reclamation permitting authority of Monroe County, the terms and conditions of the previously-issued municipal reclamation permit shall remain in force until modified by Monroe County pursuant to sub. 10.23(1).

10.22 Review. Any permitting decision or action made by Monroe County under this chapter may be reviewed as set forth in this section. Notwithstanding ss. 68.001, 68.03 (8) and (9), 68.06 and 68.10 (1) (b), Stats., any person who meets the requirements of s. 227.42 (1), Stats., may obtain a contested case hearing under s. 68.11, Stats., on Monroe County's decision to issue, deny or modify a nonmetallic mining reclamation permit.

PART IV - ADMINISTRATION

10.23 Permit Modification.

(1) By Monroe County. A nonmetallic mining reclamation permit issued under this chapter may be modified by Monroe County if it finds that, due to changing conditions, the nonmetallic mining site is no longer in compliance with Chapter NR 135, Wisconsin Administrative Code or this chapter. Such modification shall be by an order modifying the permit in accordance with s. 10.32. This modifying order may require the operator to amend or submit new application information, reclamation plan, proof of financial assurance or other information needed to ensure compliance with Chapter NR 135, Wisconsin Administrative Code or

this chapter.

(2) **At the Operator's Option.** If the operator of any nonmetallic mine that holds a reclamation permit issued under this chapter desires to modify such permit or reclamation plan approved under this chapter, it may request such modification by submitting a written application for such modification to the Monroe County Land Conservation Department. The application for permit or plan modification shall be acted on using the standards and procedures of this chapter.

(3) **Required by the Operator.** The operator of any nonmetallic mine that holds a reclamation permit issued under this chapter shall request a modification of such permit if changes occur to the area to be mined, the nature of the planned reclamation, or other aspects of mining required by the reclamation plan approved pursuant to this chapter. Such application for permit modification shall be acted on using the standards and procedures of this chapter.

(4) **Review.** All actions by Monroe County on permit modifications requested or initiated under this section are subject to review under s. 10.22.

10.24 Permit Suspension and Revocation

(1) **Grounds.** Monroe County may suspend or revoke a nonmetallic mining reclamation permit issued pursuant to this chapter if it finds the operator has done any of the following:

(a) Failed to submit a satisfactory reclamation plan within the time frames specified in this chapter.

(b) Failed to submit or maintain financial assurance as required by this chapter.

(c) Failed on a repetitive and significant basis to follow the approved reclamation plan.

(2) **Procedures.** If Monroe County finds grounds for suspending or revoking a nonmetallic mining reclamation permit set forth in sub. 10.24(1), it may issue a special order suspending or revoking such permit as set forth in sub. 10.32(2).

(3) **Consequences.**

(a) If Monroe County makes any of the findings in sub. 10.24(1), it may suspend a nonmetallic mining reclamation permit for up to 30 days. During the time of suspension, the operator may not conduct nonmetallic mining at the site, except for reclamation or measures to protect human health and the environment as ordered by the regulatory authority pursuant to s. 10.32.

(b) If Monroe County makes any of the findings in sub. 10.24(1), it may revoke a nonmetallic mining reclamation permit. Upon permit revocation, the operator shall forfeit the financial assurance it has provided pursuant to this chapter to Monroe County. Monroe County may use forfeited financial assurance to reclaim the site to the extent needed to comply with this chapter and the applicable reclamation ordinance.

10.25 Annual Operator Reporting.

(1) Contents and Deadline. Annual reports that satisfy the requirements of this section shall be submitted by the operators of nonmetallic mining sites.

(a) **CONTENTS.** The annual report required by this section shall include all of the following:

- (1) The name and mailing address of the operator.
- (2) The location of the nonmetallic mining site, including legal description, tax key number or parcel identification number if available.
- (3) The identification number of the applicable nonmetallic mining permit, if assigned by Monroe County.
- (4) The acreage currently affected by nonmetallic mining extraction and not yet reclaimed.
- (5) The amount of acreage that has been reclaimed to date, on a permanent basis and the amount reclaimed on an interim basis.
- (6) A plan, map or diagram accurately showing the acreage described in pars. (4) and (5).
- (7) The following certification, signed by the operator:

"I certify that this information is true and accurate, and that the non-metallic mining site described herein complies with all conditions of the applicable nonmetallic mining reclamation permit and Chapter NR 135, Wisconsin Administrative Code."

(b) **DEADLINE.** The annual report shall cover activities for a calendar year and be submitted within 60 days following the end of the year.

(c) **WHEN REPORTING MAY END.** Annual reports shall be submitted by an operator for all active and intermittent mining sites to Monroe County for each calendar year until nonmetallic mining reclamation at the site is certified as complete pursuant to sub. 10.29(3) or at the time of release of financial assurance pursuant to sub. 14.10(7).

(2) Inspection in Lieu of Report. Monroe County may, at its discretion, obtain the information required in sub. 10.25(1) for a calendar year by written documentation of an inspection it completes during a calendar year, as set forth in this subsection. If Monroe County obtains and documents the required information, the annual report need not be submitted by the operator. If Monroe County determines that the operator need not submit an annual report pursuant to this subsection, it shall advise the operator in writing at least 30 days before the end of the applicable calendar year. In that case, Monroe County shall require the operator to submit the certification required in sub. 10.25(1)(a)(7).

(3) Retention of Annual Reports. Annual reports submitted under sub. 10.25(1), or inspection records that replace them under sub. 10.25(2), shall be retained by Monroe County at the Monroe County Land Conservation Department for at least 10 years after the calendar year to which they apply. These records, or complete and accurate copies of them, shall be made available to the Wisconsin Department of Natural Resources upon written request or during its inspection or audit activities carried out pursuant to Chapter NR 135, Wisconsin Administrative Code.

10.26 Plan Review Fees.

(1) Amount and Applicability. A person who intends to operate a nonmetallic mining site for which a permit application has been submitted under sub. 10.12(3) shall submit a non-refundable plan review fee of \$200.00 to the Monroe County Land Conservation Department, 820 Industrial Drive, Suite 3, Sparta WI 54656. No plan review fee may be assessed under this section for any existing nonmetallic mine site for which an application for an automatic reclamation permit is submitted that meets the requirements of sub. 10.12(2) or for any local transportation-related mining receiving an automatic permit under sub. 10.16(5). A separate plan review fee shall be paid under this section for any modification to an existing reclamation plan submitted pursuant to s. 10.23.

(2) Expedited Plan Review Fee. A person who intends to operate a nonmetallic mining site for which a permit application has been submitted under sub. 10.12(3) may obtain expedited reclamation plan review by paying a fee of \$200.00. Such fee shall be in addition to that required in sub. 10.26(1).

(3) Relation to Annual Fee. Any reclamation plan review fee or expedited reclamation plan review fee collected under this section shall be added to and collected as part of the first annual fee collected under s. 10.27.

10.27 Annual Fees.

(1) Areas Subject to Fees, Procedures and Deadline.

(a) Operators of all nonmetallic mining sites subject to reclamation permits issued under this chapter shall pay annual fees to the Monroe County Land Conservation Department, 820 Industrial Drive, Suite 3, Sparta WI 54656. Fees paid under this section shall include both a share for the Wisconsin Department of Natural Resources under sub. 10.27(2) and a share for Monroe County under sub. 10.27(3) that equals as closely as possible the costs of examination and approval of nonmetallic mining reclamation plans and the inspection of nonmetallic mining sites.

(b) Fees paid under this section shall be calculated based on the unreclaimed acres of a nonmetallic mining site, as defined below:

(1) "Unreclaimed acre" or "unreclaimed acres" means those unreclaimed areas in which nonmetallic mining has occurred after August 1st, 2001 and areas where nonmetallic mining reclamation has been completed but is not yet certified as reclaimed under sub. 10.14(1)(g). However the term does not include any areas described in par. (2).

(2) "Unreclaimed acre" or "unreclaimed acres" does not include:

(a) Those areas where reclamation has been completed and certified as reclaimed under sub. 10.14(1)(g).

(b) Those areas previously affected by nonmetallic mining but which are not used for nonmetallic mining after August 1st, 2001.

(c) Those portions of nonmetallic mining sites which are included in an approved nonmetallic mining reclamation plan but are not yet affected by nonmetallic mining.

(d) Areas previously mined but used after August 1st, 2001 for a non-mining activity, such as stockpiling of materials used for an industrial activity such as an asphalt plant, concrete batch plant, block and tile operation or other industry that uses products produced from nonmetallic mining.

(e) Those areas within a nonmetallic mining site which the regulatory authority has determined to have been successfully reclaimed on an interim basis in accordance with subs. 10.29(2) and 10.29(3).

(f) Those areas defined as not included in a nonmetallic mining site under sub. 10.10(15)(b).

(c) Fees assessed pursuant to this section shall be based on unreclaimed acres at the end of the year. Such fees apply to a calendar year or any part of a year in which nonmetallic mining takes place, until final reclamation is certified as complete under s. 10.29. Fees shall be paid no later than December 31 for the subsequent year.

(d) For new or reopened mines that submit a reclamation permit application under sub. 10.12(3), the first year's annual fee shall be based upon the unreclaimed acres which are anticipated at the end of that calendar year.

(e) If reclamation has already occurred on portions of a nonmetallic mining site, the fees for such portions may be submitted with a request that they be held by Monroe County pending certification of completed reclamation pursuant to sub. 10.14(1)(g). Upon such certification Monroe County shall refund that portion of the annual fee that applies to the reclaimed areas. If Monroe County fails to make a determination under sub. 10.14(1)(g) within 60 days of the request, it shall refund that portion of the annual fee that applies to the reclaimed areas.

(2) Wisconsin Department of Natural Resources Share of Fee.

(a) Fees paid under this section shall, except where provided in sub. (b), include a share for the Wisconsin Department of Natural Resources equal to the amount specified in Table 1. For sites on which no nonmetallic mining has taken place during a calendar year, fees to be paid under

this section for the following year shall be \$15.00.

(b) For nonmetallic mining sites at which no nonmetallic mining has taken place during a calendar year, the share for the Wisconsin Department of Natural Resources shall be \$15.00.

(c) Monroe County shall forward fees collected under this subsection to the Wisconsin Department of Natural Resources by March 31st of the year for which they were collected.

(3) Monroe County's Share of Fee. Fees paid under this section shall also include an annual fee due to Monroe County as shown in Table 1.

Table 1 – Permit Fee Schedule
Mine Size in Unreclaimed Acres Monroe County's Share of Annual Fee Wisconsin DNR Share of Annual Fee Total Annual Fee 1 to 5 acres

Does not include < 1 acre	\$150	\$30	\$180	6 to 10 acres	\$300	\$60	\$360	11 to 15 acres	\$450	\$90	\$540	16 to 25 acres	\$600	\$120	\$720	26 to 50 acres	\$700	\$140	\$840	51 acres or larger	\$750	\$150	\$900
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(4) Reduced Fee for Inactive Mines. Any site on which no nonmetallic mining activity has taken place in a calendar year shall be assessed a fee for the following calendar year of \$50.00 for the Monroe County share of fee.

10.28 Regulatory Reporting and Documentation.

(1) Reporting. Monroe County shall send an annual report to the Wisconsin Department of Natural Resources by March 31st of each calendar year. The reports shall include the following information for the previous year's nonmetallic mining reclamation program:

(a) The total number of nonmetallic mining reclamation permits in effect.

(b) The number of new permits issued within the jurisdiction of Monroe County.

(c) The number of acres approved for nonmetallic mining and the number of acres newly approved in the previous year.

(d) The number of acres being mined.

(e) The number of acres that have been reclaimed and have had financial assurance released pursuant to sub. 10.14(1)(g).

(f) The number of acres that are reclaimed and awaiting release from the financial assurance requirements of this subchapter pursuant to subs. 10.29(1) and 10.29(2).

(g) The number and nature of alternative requirements granted, permit modifications, violations, public hearings, enforcement actions, penalties that have been assessed and bond or financial assurance forfeitures.

(2) Documentation. Monroe County shall, to the best of its ability, maintain the information set forth below, and make it available to the Wisconsin Department of Natural Resources for that agency's audit of Monroe County's reclamation program pursuant to Chapter NR 135, Wisconsin Administrative Code:

- (a) Documentation of compliance with Chapter NR 135, Wisconsin Administrative Code and this chapter.
- (b) The procedures employed by Monroe County regarding reclamation plan review, and the issuance and modification of permits.
- (c) The methods for review of annual reports received from operators.
- (d) The method and effectiveness of fee collection.
- (e) Procedures to accurately forward the Wisconsin Department of Natural Resources' portion of collected fees in a timely fashion.
- (f) Methods for conducting on-site compliance inspections and attendant reports, records and enforcement actions.
- (g) Responses to citizen complaints.
- (h) The method of and accuracy in determining the amount of the financial assurance obtained from the operator to guarantee reclamation performance.
- (i) The maintenance and availability of records.
- (j) The number and type of approvals for alternative requirements issued pursuant to s. 10.18 .
- (k) The method of determining the success of reclamation in meeting the criteria contained in the reclamation plan and subsequently releasing the financial assurance pursuant to sub. 10.14(1)(g).
- (l) Any changes in local regulations, ordinances, funding and staffing mechanisms or any other factor which might affect the ability of Monroe County to implement its nonmetallic mining reclamation program under this chapter.
- (m) The amount of fees collected in comparison to the amount of money actually expended for nonmetallic mining reclamation program administration.
- (n) Any other performance criterion necessary to ascertain compliance with Chapter NR 135, Wisconsin Administrative Code.

10.29 Completed Reclamation - Reporting, Certification and Effect

(1) Reporting. The operator of a nonmetallic mining site may certify completion of reclamation for a portion or all of the nonmetallic mining site pursuant to a reclamation plan prepared and approved pursuant to this chapter and Chapter NR 135, Wisconsin Administrative Code.

(2) Reporting of Interim Reclamation. The operator of a nonmetallic mining site may report completion of interim reclamation as specified in the reclamation plan for the site prepared and approved pursuant to this chapter and Chapter NR 135, Wisconsin Administrative Code. Reporting of interim reclamation shall done according to the procedures in sub. 10.29(1).

(3) Certification of Completed Reclamation. Monroe County shall inspect a nonmetallic mining site for which reporting of reclamation or interim reclamation has been submitted pursuant to this subsection within 60 days of receipt, and make a determination in writing in accordance with sub. 10.14(1)(g)(3). If it is determined that interim or final reclamation is complete, including revegetation as specified in a reclamation plan that conforms with s. 10.13, Monroe County shall issue the mine operator a written certificate of completion.

(4) Effect of Completed Reclamation. If reclamation is certified by Monroe County as complete under sub. 10.29(3) for part or all of a nonmetallic mining site, then:

- (a) No fee shall be assessed under s. 10.27 for the area so certified.
- (b) The financial assurance required by s. 10.14 shall be released or appropriately reduced in the case of completion of reclamation for a portion of the mining site.

(5) Effect of Inaction Following Report of Completed Reclamation. If no written response as required by sub. 10.29(3) for an area of the mine site reported as reclaimed or interim reclaimed is given within 60 days of receiving such request, any annual fee paid to Monroe County for it under s. 10.27 shall be refunded.

10.30 Permit Termination. When all final reclamation required by a reclamation plan conforming to s. 10.13 and required by this chapter is certified as complete pursuant to subs. 10.14(1)(g) and 10.29(3), Monroe County shall issue a written statement to the operator of the nonmetallic mining site, thereby terminating the reclamation permit.

PART V - ENFORCEMENT

10.31 Right of Entry and Inspection. For the purpose of ascertaining compliance with the provisions of Subchapter I of Chapter 295, Wisconsin Statutes, Chapter NR 135, Wisconsin Administrative Code, or this chapter, any authorized officer, agent, employee or representative of Monroe County may inspect any non-metallic mining site subject to this chapter as provided below:

- (1) No person may refuse entry or access onto a nonmetallic mining site of a

duly authorized officer, employee or agent of Monroe County or the Wisconsin Department of Natural Resources who presents appropriate credentials to inspect the site for compliance with the nonmetallic mining reclamation permit, this chapter, Chapter NR 135, Wisconsin Administrative Code or subchapter I of ch. 295, Stats.

(2) Any person who enters the site under this right of inspection shall obtain training and provide their own safety equipment needed to comply with any federal, state or local laws or regulations controlling persons on the nonmetallic mining site.

10.32 Orders and Citations.

(1) **Enforcement Orders.** Monroe County may issue orders as set forth in Section 295.19(1)(a), Stats., to enforce Subchapter I of Chapter 295, Wisconsin Statutes, Chapter NR 135, Wisconsin Administrative Code, this chapter, a permit issued pursuant to this chapter or a reclamation plan required by s. 10.13 and a permit issued under this chapter. A violation of this chapter, an order or permit issued pursuant to this chapter or a reclamation plan required by s. 10.13 and a permit issued under this chapter shall be considered a violation of Subchapter I of Chapter 295, Wisconsin Statutes and Chapter NR 135, Wisconsin Administrative Code.

(2) **Special Orders.** The Monroe County Conservationist may issue a special order as set forth in Sections 295.19(1)(b) and (c), Wisconsin Statutes suspending or revoking a nonmetallic mining reclamation permit pursuant to s. 10.24, or directing an operator to immediately cease an activity regulated under Subchapter I of Chapter 295, Wisconsin Statutes, Chapter NR 135, Wisconsin Administrative Code or this chapter until the necessary plan approval is obtained.

(3) **Review of Orders.** A person holding a reclamation permit who is subject to an order pursuant this section shall have the right to review the order in a contested case hearing under s. 68.11, Stats., notwithstanding the provisions of ss. 68.001, 68.03 (8) and (9), 68.06 and 68.10 (1) (b), Stats.

(4) **Citations.** The Monroe County Conservationist may issue a citation under s. 66.0113, Stats. and Section 25.04 of the General Code of Monroe County to collect forfeitures to enforce Subchapter I of Chapter 295, Wisconsin Statutes, Chapter NR 135, Wisconsin Administrative Code, this chapter, a permit issued pursuant to this chapter or a reclamation plan required by s. 10.13 and a permit issued under this chapter. The issuance of a citation under this subsection shall not preclude proceeding under any other ordinance or law relating to the same or any other matter. Proceeding under any other ordinance or law relating to the same or any other matter shall not preclude the issuance of a citation under this subsection.

(5) **Enforcement.** Monroe County may submit any order issued under s. 10.32 to abate violations of this chapter to a district attorney, corporation counsel, municipal attorney or the attorney general for enforcement. The district attorney, corporation counsel, municipal attorney or the attorney general may enforce those orders.

10.33 Penalties. Any violation of Subchapter I of Chapter 295, Wisconsin Statutes, Chapter NR 135, Wisconsin Administrative Code, this chapter, a permit issued pursuant to this chapter or a reclamation plan required by s. 10.13 and a permit issued under this chapter may result in forfeitures as provided in Section 295.19(3), Wisconsin Statutes, as follows:

(1) Any person who violates Chapter NR 135, Wisconsin Administrative Code or an order issued under s. 10.32 may be required to forfeit not less than \$25 nor more than \$1,000 for each violation. Each day of continued violation is a separate offense. While an order issued under s. 10.32 is suspended, stayed or enjoined, this penalty does not accrue.

(2) Except for the violations referred to in sub. (1), any person who violates subchapter I of ch. 295, Stats., Chapter NR 135, Wisconsin Administrative Code, any reclamation plan approved pursuant to this chapter or an order issued pursuant to s. 10.32 shall forfeit not less than \$10 nor more than \$5,000 for each violation. Each day of violation is a separate offense. While an order issued under s. 10.32 is suspended, stayed or enjoined, this penalty does not accrue.

The foregoing resolution was introduced and moved for adoption by Supervisor Schnitzler, second by Supervisor M. Kuhn. Al Hoff, County Conservationist, explained the reasons. Motion by Supervisor Culpitt, second by Supervisor Schnitzler to call the question. The motion carried on a voice vote. The resolution was adopted on a voice vote.

At approximately 11:50 a.m. on a motion by Supervisor Sund, second by Supervisor Brown and carried on a voice vote, the meeting adjourned.

Chris Williams, Recorder
County Clerk

I, Christine M. Williams, Monroe County Clerk certify that to the best of my knowledge the foregoing is a true and correct copy of the June session of the Monroe County Board of Supervisors held on June 6, 2001.

JULY 2001

The July meeting of the Monroe County Board of Supervisors convened at the Courthouse in the City of Sparta, Wisconsin, on Monday, July 9, 2001, at 8:30 A.M. Chair La Vern Betthausen presided. The meeting was moved to this date from the 1st Wednesday which was July 4th. Roll was called with 24 Supervisors present, four (Supervisors VanWycken, Pasch, Bluske, and Kenyon) absent. The Pledge of Allegiance to the Flag was recited. Motion by Supervisor B Anderson, second by Supervisor Nicosia to approve the minutes of the June 6, 2001, meeting as printed and mailed. The motion carried on a voice vote.

Chair Betthausen read a letter from Don DeVoe commending Tom Weber and the Community Support Work Program for assistance in cleaning up after recent storms.

Kay Bender, Deke Slayton Memorial Space and Bicycle Museum Director, introduced herself and spoke briefly.

The May County Treasurer's report was mailed to Supervisors.

The following employees were presented with service certificates: John Cram - 30 years and Sharon Nelson, Chuck Amundson, Cindy Isensee and Cindy White (hospitalized) - 25 years.

Audrey Johnson, County Historian, displayed the 1st Annual Governor's Archives Award plaque which was received by the Monroe County Local History Room. She shared sample old court record documentation which helped win the impressive award.

Sharon Nelson, Health Department Director/Health Officer presented an annual report; Gene Schwarze, Rolling Hills Administrator and Lauriann Hess, Accountant presented the annual report and discussed year-to-date status of the facility.

John Mehtala, Information Systems Director, demonstrated the county web site: www.co.monroe.wi.us.

RESOLUTION NO. 7-01-2

DENYING CLAIM OF MARK C. ALLEN

WHEREAS, a Notice of Claim was filed against Monroe County on May 15, 2001; and

WHEREAS, on June 22, 2001, the Monroe County Finance Committee reviewed the same and has recommended that said claim be denied, the vote being 5 yes, 0 no.

NOW, THEREFORE, BE IT RESOLVED by the Monroe County Board of Supervisors that the claim of Mark C. Allen filed against Monroe County on May 15, 2001, be and is hereby denied.

Dated this 9th day of July, 2001.

OFFERED BY THE FINANCE COMMITTEE:

Warren H. Isbell
Simon J. Wells
Carl E. Anderson
M. J. Sund

Vote: 5 yes, 0 no

The foregoing resolution was introduced and moved for adoption by Supervisor Wensel, second by Supervisor Wells. The Corporation Counsel explained the reasons. Motion by Supervisor Culpitt to table the resolution died for lack of a second. Supervisor Culpitt asked for more information to supervisors with claim denial resolutions. Motion by Supervisor Wensel, second by Supervisor Schnitzler to call the question. The motion carried on a voice vote. The resolution was adopted on a voice vote.

RESOLUTION NO. 7-01-1

INITIAL RESOLUTION AUTHORIZING THE ISSUANCE OF NOT TO EXCEED

\$3,000,000 GENERAL OBLIGATION REFUNDING BONDS

WHEREAS Monroe County, Wisconsin (the "County") is in need of not to exceed \$3,000,000 for the public purpose of refunding obligations of the County, including interest on them, to wit: refunding the County's Bond Anticipation Notes dated May 18, 2001; and

WHEREAS it is desirable to authorize the issuance of general obligation bonds for such purpose pursuant to Chapter 67, Wis. Stats.;

NOW, THEREFORE, BE IT RESOLVED by the County Board of Supervisors of Monroe County, Wisconsin, that:

1. There shall be issued, pursuant to Chapter 67 of the Wisconsin Statutes, general obligation bonds in an amount not to exceed \$3,000,000 for the public purpose of refunding obligations of the County, including interest on them. *Authorizing issuance of \$2,105,000 - amended.

2. There be and there hereby is levied on all the taxable property in the County a direct, annual tax in such years and in such amounts as are sufficient to pay when due the principal and interest on such bonds.

Dated this 9th day of July, 2001.

LaVern Betthausen, Chairperson

Attest:
Christine M. Williams
County Clerk

The foregoing resolution was introduced and moved for adoption by Supervisor Wells, second by Supervisor J Kuhn. Baird representative, Paul Patrie explained the reasons providing four options. Motion by Supervisor Sund, second by Supervisor B Anderson to amend the resolution to scenario 4 - borrowing \$2,105,000 using \$1,000,000 (including the capital projects account) of available funds to downsize the refunding issue. Motion by Supervisor Sund, second by Supervisor Wells to call the question. The motion carried on voice vote. Roll was called with the following 20 Supervisors voting yes: Schreier, Brown, Beatty, Isbell, T. Anderson, Seiz, Sund, Helming, Nicosia, Pfaff, Pierce, Schnitzler, M Kuhn, C Anderson, B Anderson, Wells, Hubbard, Denter, J Kuhn, Betthausen; the following four Supervisors voting no: Wensel, Westphal, Culpitt, Zastoupil; Supervisors VanWychen, Pasch, Bluske and Kenyon absent.

The motion carried. Roll was called on the amended resolution with the following 19 Supervisors voting yes: Beatty, Isbell, T Anderson, Seiz, Sund, Helming, Nicosia, Pfaff, Pierce, Schnitzler, C Anderson, B Anderson, Zastoupil, Wells, Hubbard, Denter, J Kuhn, Schreier, Betthausen; the following five Supervisors voting no: Brown, Wensel, Westphal, M Kuhn, Culpitt; Supervisors VanWychen, Pasch, Bluske and Kenyon absent. The amended resolution was adopted.

RESOLUTION NO. 7-01-3

INCREASING MILEAGE REIMBURSEMENT RATE FOR MONROE COUNTY

WHEREAS, the Monroe County Administrative Committee did meet on May 17, 2001, and did review the current mileage reimbursement rate provided those eligible for reimbursement of mileage when using personal vehicles while conducting Monroe County Board business; and

WHEREAS, the current mileage reimbursement rate is \$.30 per mile and it was determined that an increase to this reimbursement rate would be appropriate.

NOW, THEREFORE, BE IT RESOLVED by the Monroe County Board of Supervisors that it is hereby approved to increase the mileage reimbursement rate for all Monroe County Supervisors, employees, and other individuals entitled to mileage reimbursement from Monroe County from \$.30 to ~~\$.345, effective upon passage of this resolution~~ the IRS reimbursable rate but not to exceed \$.345, effective July 1, 2001.

Dated this 9th day of July, 2001.

OFFERED BY THE ADMINISTRATIVE/EXECUTIVE COMMITTEE

Warren Isbell
Albert H. Wensel
Dennis Hubbard

Approved as to form: Kerry Sullivan-Flock, Corporation Counsel
Committee vote: 3 yes, 1 abstention, 1 no

Fiscal note: The increase would be absorbed in the 2001 budget line item, including bottom line budget, and reviewed if necessary by Finance Committee at the end of the year.
Finance Committee vote: 5-0

The foregoing tabled resolution (6-01-4) was reintroduced and moved for adoption by Supervisor Wensel, second by Supervisor Wells. Motion by Supervisor Beatty, second by Supervisor Westphal to amend the resolution at the end of the 3rd paragraph to read: "... from \$.30 to the IRS reimbursable rate but not to exceed \$.345, effective July 1, 2001. Motion by Supervisor Pierce, second by Supervisor Pfaff to call the question. The motion carried on a voice vote. The amendment carried on a voice vote. Roll was called on the amended resolution with 16 Supervisors voting yes: Beatty, Isbell, T Anderson, Sund, Wensel, Helming, Nicosia, Pfaff, C Anderson, B Anderson, Wells, Hubbard, Denter, J Kuhn, Schreier, Betthausen; the following eight Supervisors voting no: Selz, Westphal, Pierce, Schnitzler, M Kuhn, Culpitt, Zastoupil, Brown; Supervisors VanWychen, Pasch, Bluske and Kenyon absent. The amended resolution was adopted.

RESOLUTION NO. 7-01-4

REQUESTING A SPECIAL SALES TAX OPTION FOR COUNTY JAILS

WHEREAS, county jails throughout Wisconsin are housing inmates at an unprecedented rate due to criminal statutes enacted by the state legislature requiring longer periods of incarceration in county jails; and

WHEREAS, with each new criminal statute, the state legislature has failed to provide funding for the increase in housing and operational cost resulting from the longer periods of incarceration; and

WHEREAS, this continual increase in jail populations is forcing counties to build and staff new facilities with a great increase in property taxes for county taxpayers; and

WHEREAS, the State of Wisconsin has allowed special sales taxes for multiple purposes other than public safety purposes including, but not limited to, the Milwaukee county Baseball Stadium, the Milwaukee Convention center, the Brown County Football Stadium, and Premier Resort Areas.

NOW, THEREFORE, BE IT RESOLVED, that the Monroe County Board of Supervisors goes on record requesting the Governor and the Wisconsin Legislature to allow counties the option, by referendum, to impose a special sales tax of 1/4 % increase beyond the 1/2 % current sales tax for the construction and operation of county jails.

BE IT FURTHER RESOLVED, that the special sales tax shall cover both the capital costs associated with the increase use of county jails and the staffing costs incurred by a county jail in order to safely support increased jail population.

BE IT FURTHER RESOLVED, that the County Clerk is to send a copy of this resolution to the Wisconsin Counties Association, the Governor, the Secretary of the Department of Administration, the Secretary of the Department of Corrections and local legislators.

Dated this 9th day of July, 2001,

OFFERED BY THE FINANCE, INSURANCE & CLAIMS COMMITTEE:

Warren H. Isbell
Simon J. Wells
Carl E. Anderson
M. J. Sund

Committee vote: 4-1

The foregoing resolution was introduced and moved for adoption by Supervisor Wells, second by Supervisor Isbell. The County Clerk explained the reasons. Motion by Supervisor Wensel, second by Supervisor Sund to call the question. The motion carried on a voice vote. Roll was called with the following five Supervisors voting yes: Isbell, T Anderson, Sund, Wells, Denter; the following 19 Supervisors voting no: Selz, Wensel, Helming, Westphal, Nicosia, Pfaff, Pierce, Schnitzler, M Kuhn, Culpitt, C Anderson, B Anderson, Zastoupil, Hubbard, J Kuhn, Schreier, Brown, Beatty, Betthausen; Supervisors VanWychen, Pasch, Bluske and Kenyon absent. The resolution failed.

RESOLUTION NO. 7-01-5

REGARDING 2002 BUDGET GUIDELINES

WHEREAS, the Finance, Insurance & Claims Committee at their regular meeting held on June 22, 2001, considered certain policies and procedures for the formulation of the 2002 county budget;

NOW, THEREFORE, BE IT RESOLVED, that the Monroe County Board does hereby approve the following policies and procedures for the 2002 county budget:

1. The county's objective for 2002 is to remain under the state imposed levy cap. In order to obtain this objective, departments shall submit a 2002 budget with an amount of county appropriated funds not exceeding the 2001 amount.

2. The total county mill rate for 2002 will be equal to or less than the 2001 mill rate which is \$6.26 per thousand.

3. The County Board hereby establishes a policy of no net increase in staffing hours and/or new positions for the year 2002 budget. Approval of additional staffing will require approval by the County Board requiring a two-thirds vote.

4. All department heads and committee chairs will be required to provide sufficient narrative when presenting 2002 budgets to the Finance Committee explaining the make-up and justification for both expenditure and revenue budgets in the format that will be sent by the Finance Committee following their July meeting.

5. It is the understanding by the County Board that the preceding represents policies and procedures, and that exceptions may be made by 2/3rds vote of the County Board (as listed, for example, in #3 above).

6. The Finance, Insurance & Claims Committee will recommend the final budget to the County Board in November.

Dated this 9th day of July, 2001

OFFERED BY THE FINANCE, INSURANCE & CLAIMS COMMITTEE:

Warren H. Isbell
Simon J. Wells
Carl E. Anderson
M. J. Sund

Committee vote: 5-0

The foregoing resolution was introduced and moved for adoption by Supervisor C Anderson, second by Supervisor Selz. Supervisors Sund and C Anderson explained the reasons. Supervisor Beatty called for a point of order and explained his reasons. Chair Betthausen ruled against the request and asked that the discussion continue. Motion by Supervisor Pfaff, second by Supervisor Brown to call the question. The motion carried on a voice vote. Roll was called with the following 12 Supervisors voting yes: Sund, Helming, Westphal, Nicosia, Schnitzler, M Kuhn, Culpitt, C Anderson, Zastoupil, Wells, Isbell, Betthausen; the following 12 Supervisors voting no: T Anderson, Selz, Wensel, Pfaff, Pierce, B Anderson, Hubbard, Denter, J Kuhn, Schreier, Brown, Beatty; Supervisors VanWycken, Pasch, Bluske and Kenyon absent. The resolution failed on a tie vote.

Chair Betthausen called for an hour lunch recess.

The Board reconvened at 1:00 p.m. Roll was called with 23 Supervisors present, Supervisors VanWycken, Pasch, Bluske, Kenyon and Helming were absent.

RESOLUTION NO. 7-01-6

ESTABLISHING CHAPTER 18 OF THE MONROE COUNTY CODE OF ORDINANCES, LAND DIVISION

WHEREAS, the Monroe County Sanitation/Planning & Zoning/Forestry Committee has reviewed the attached proposed Chapter 18 of the Monroe County Code of Ordinances; and

WHEREAS, the implementation date of the proposed Chapter 18 would be January 1, 2002.

WHEREAS, it is the determination of the Monroe County Sanitation/Planning & Zoning/Forestry Committee that the proposed Chapter 18 be approved.

NOW, THEREFORE, BE IT RESOLVED by the full Monroe County Board of Supervisors that they do hereby approve the attached proposed Chapter 18 of the Monroe County Code of Ordinances, and that the attached proposed Chapter 18 is hereby approved. (See attachment, proposed Chapter 18, Land Division.)

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Monroe County Board of Supervisors does hereby also approve the attached fee schedule, separate from the Land Division Ordinance, any future fee change subject to the approval of the full Monroe County Board of Supervisors.

Dated this 9th day of July, 2001.

OFFERED BY THE SANITATION/PLANNING & ZONING/FORESTRY COMMITTEE:

Albert H. Wensel
Leo Setz
James V. Pfaff
Loren Pierce
James B. Kuhn

Committee Vote: 5 yes, 0 no

Fee Schedule for Chapter 18
Land Division Ordinance

(all fees are in addition to cost of publication of hearing notices)

1.	Preliminary plat review.	\$100 plus \$5 per lot
2.	Final plat review.	None
3.	Replat review.	\$100 plus \$5 per lot
4.	Certified survey review.	\$30
5.	Application for variance.	\$150
6.	Onsite visit.	\$50

CHAPTER 18

LAND DIVISION

INTRODUCTION

18.01	Statutory Authority
18.02	Purpose
18.03	Effective Date
18.04	Definitions
18.05	Abrogation and Greater Restrictions
18.06	Interpretation
18.07	Severability and Nonliability

GENERAL PROVISIONS

18.10	Jurisdiction
18.11	Compliance
18.12	Road Dedications
18.13	Access
18.14	Inclusion of Floodplains
18.15	Survey Monuments
18.16	Variances
18.17	Land Suitability
18.18	Enforcement, Violations and Penalties
18.19	Appeals
18.20	Fees

PROCEDURE

18.30	General
18.31	Sketch Plan
18.32	Preliminary Plat Submittal
18.33	Preliminary Plat Review
18.34	Preliminary Plat Approval
18.35	Final Plat Submittal
18.36	Final Plat Review and Approval
18.37	Recording the Final Plat
18.38	Replat
18.39	Certified Survey Map

PRELIMINARY PLAT

18.40	Plat Data
18.41	Additional Information
18.42	Affidavit

FINAL PLAT

18.50	General
18.51	Additional Information
18.52	Deed Restrictions
18.53	Surveying and Monumenting
18.54	Certificates

CERTIFIED SURVEY MAP

18.60	General
18.61	Additional Information

18.62	Certificates
18.63	Recording

DESIGN STANDARDS

18.70	Road Arrangement
18.71	Limited Access Highway and Railroad Right-of-Way Treatment
18.72	Road Design Standards
18.73	Road Intersection Standards
18.74	Block Standards
18.75	Lot Standards
18.76	Easements
18.77	Planned Unit Development Design

REQUIRED IMPROVEMENTS

18.80	Road Design Standards
18.81	Road Construction
18.82	Storm Water Drainage
18.83	Water Supply Facilities
18.84	Sanitary Sewer Facilities
18.85	Erosion Control and Sedimentation Measures

SUBDIVISION IMPROVEMENT GUARANTEES

18.90	Intent
18.91	Commencement
18.92	Improvement Guarantees
18.93	Time Limits
18.94	Inspection and Certification

INTRODUCTION

- 18.01 STATUTORY AUTHORITY.** These regulations are adopted under the authority granted by §236.45, Wis. Stats.
- 18.02 PURPOSE.** The purpose of this chapter is to set forth procedures and guidelines for the division of land within the unincorporated areas of the County in order to promote the public health, safety, aesthetics, protection of natural resources, efficient use of land resources and general welfare of the County.
- 18.03 EFFECTIVE DATE.** This Chapter shall be effective on January 1, 2002 after notice and publication, hearing and adoption by the County Board of Supervisors as required by §59.97, Wis. Stats.
- 18.04 DEFINITIONS.** For the purpose of this chapter, the following definitions shall be used. Words in the present tense include the future; the singular number includes the plural number; and the plural number includes the singular. The word "shall" is mandatory and not directory.

ARTERIAL ROAD. A road used or intended to be used primarily for fast or heavy through traffic. Arterial road shall include freeways and expressways as well as standard arterial roads, highways and parkways.

BLOCK. A tract of land bounded by roads or by a combination of roads and public parks, cemeteries, railroad right-of-way, shoreline, waterways or municipal boundary lines.

BOND. Any form of security including cash deposit, surety bond, collateral, property or instrument of credit in any amount and form satisfactory to the County and/or Town.

CERTIFIED SURVEY. A map of a parcel of land dividing the parcel into not more than four building sites or lots, any of which is less than a rectangular half of a government protracted quarter-quarter section or the division of a lot, block or outlet within a recorded subdivision into not more than four building sites or lots, without changing the original exterior boundaries of the lot block or outlet. Certified survey maps shall be prepared by a registered land surveyor and meet the requirements of §236.34, Wis. Stats., and this Chapter.

COLLECTOR ROAD. A road used or intended to be used to carry traffic from local roads to arterial roads and includes entrance roads to large subdivisions.

COMMITTEE. The Planning and Zoning Committee.

CONSTRUCTION PLAN. The maps or drawings accompanying a subdivision plat and showing the specific location and design of improvements to be installed in a subdivision in accordance with the requirements of this chapter or conditions placed on the plat by the Committee.

CORNER LOT. A lot abutting 2 or more roads at their intersection provided that the interior angle of such intersection does not exceed 135o.

COUNTY. Monroe County.

DEPARTMENT. The Planning and Zoning Department.

DEVELOPER. The owner of land proposed to be subdivided or his/her authorized representative.

EXISTING PARCEL. A parcel on the Monroe County Tax Roll.

EXTRATERRITORIAL PLAT APPROVAL JURISDICTION. The unincorporated area within the zones established in the extraterritorial area delineated on the Extraterritorial Zoning Map of a City. The Official extraterritorial zoning map is on file at the applicable City Clerk's Office.

FINAL PLAT. The map of a subdivision and the accompanying data as required in §18.51 necessary for final approval of the proposed subdivision by the Committee and recording in the Office of the Register of Deeds.

5 YEAR CYCLE. Beginning with the adoption date of this Ordinance all lots of record equal to or less than a rectangular half of a government protracted quarter-quarter section become "parent parcels". Parent parcels may only be divided into 4 lots or building sites by use of the Certified Survey Map process. Any

additional lots or building sites must be created by the subdivision process. Every five years starting from the date of adoption of this Ordinance a new cycle will begin in which all lots of record on that date become "parent parcels". As soon as a parcel greater than a rectangular half of a government protracted quarter-quarter section is divided and the act of division creates a parcel equal to or less than a rectangular half of a government protracted quarter-quarter section the newly created parcel becomes a "parent parcel" and falls into the 5 year cycle as if it were a lot of record at the beginning of that cycle period.

FLOODPLAINS. Those lands adjacent to a body of water subject to inundation by the 100 year recurrence flood as determined by the Department from studies and maps prepared by the U.S. Department of Housing and Urban Development, Federal Emergency Management Agency or other official floodplain maps.

FRONTAGE. The side or sides of a lot adjacent to a public right-of-way or private road.

FRONTAGE ROAD. A minor road auxiliary to and located adjacent to an arterial road for control of access and for service to the abutting development.

HIGH WATER ELEVATION. The average annual high water level of a pond, stream, land flowage or wetland referred to an established datum plan or where such information is not available, the elevation to which the presence of the water is so frequent as to leave a distinct mark by erosion, change in or destruction of vegetation or other easily recognized topographic, geologic or vegetative characteristics.

IMPROVEMENT, PUBLIC. Any sanitary sewer, storm sewer, open channel, water main, roadway, park, parkway, public access sidewalk, pedestrian way, planting strip or other facility for which the County or Town may ultimately assume the responsibility for maintenance or operation.

LAND DIVISION. Any division of an existing parcel into two or more pieces.

LOCAL ROAD. A road used or intended to be used to carry traffic from those lots fronting on the local road to collector or arterial roads.

LOT. A parcel of land having frontage on a public road or approved private road, intended as a unit for the purpose, whether immediate or future, of transfer of ownership or building development.

LOT OF RECORD. A parcel on the Monroe County Tax Roll.

OUTLOT. A parcel of land located in a plat or certified survey which is not included in a block or lot.

OWNER. Any person, group, firm, corporation or partnership having legal title to or sufficient proprietary interest in the land sought to be subdivided under these regulations.

PARENT PARCELS.

- (a) An existing parcel equal to or less than a rectangular half of a government protracted quarter-quarter section at the date of the adoption of this Ordinance.
- (b) Any parcel equal to or less than a rectangular half of a government protracted quarter-quarter section existing at five year increments starting from the date of the adoption of this Ordinance.
- (c) Any parcel equal to or less than a rectangular half of a government protracted quarter-quarter section created from a parcel greater than a rectangular half of a government protracted quarter-quarter section after the date of adoption of this Ordinance.

PRELIMINARY PLAT. The preliminary map of a subdivision described in §18.40, indicating the proposed manner of layout of the subdivision to be submitted to the Committee for approval.

PRIVATE ROAD. Any road not dedicated to the public, which serves as a vehicular access to 2 or more parcels or lots or which crosses a property line. All private roads shall meet the requirements of local roads and shall be approved as private roads by the Committee.

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 lake, river or stream once in every 100 years.

REPLAT. The process of changing the map or plat that changes the boundaries of a recorded subdivision plat or part thereof. The legal dividing of a large block or lot within a recorded subdivision plat without changing the exterior boundaries of such block, lot or outlot, and which does not affect the layout of a road or other public land shall not be considered a replat.

SHORELAND. Those lands lying within the following distances: 1,000' from the high water elevation of navigable lakes, ponds and flowages or 300' from the high water elevation of navigable streams or to the landward side of the floodplain, whichever is greater.

STATE DEFINED SUBDIVISION. A division of a lot, parcel or tract of land by the owner thereof or his agent for the purpose of sale or building development where:

- (a) The act of division creates 5 or more parcels or building sites of 1 1/2 acres each or less in area; or
- (b) Five or more parcels or building sites of 1 1/2 acres each or less in area created by successive division within a period of 5 years.

SUBDIVISION. The division of a parcel of land into 5 or more building sites or lots, each of which is less than a rectangular half of a governmental protracted quarter-quarter section or where an act of division creates 5 or more parcels or building sites of less than a rectangular half of a government protracted quarter-quarter section from a lot of record within the 5 year cycle. All subdivisions, which are not a State Defined Subdivision, shall be exempt from submission to State agencies except as required by State law or in special circumstances

where the Committee may require that submittal for reason they have reduced to writing in the minutes of an official meeting.

ZONING CODE. The County Zoning Code contained in Ch. 17 and the Floodplain and Shoreland Zoning contained in Chs. 16 and 20 of this General Code.

18.05 ABROGATION AND GREATER RESTRICTIONS. It is not the intent of this Chapter to repeal, abrogate, annul, impair or interfere with existing easements, covenants, deed restrictions or permits previously adopted or issued pursuant to law. However, where this chapter imposes greater restrictions, the provision of this chapter shall govern.

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

18.07 SEVERABILITY AND NONLIABILITY.

(1) If any section, provision or portion of this Chapter is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Chapter shall not be affected thereby.

(2) The County does not guarantee, warrant or represent that only those areas designated as floodplains will be subject to periodic inundation and thereby assets that there is no liability on the part of the County, its agencies or employees for sanitation and water supply problems or structural damages that may occur as a result of reliance upon and conformance with this Chapter.

GENERAL PROVISIONS

18.10 JURISDICTION. These regulations shall apply to all land and water located in the unincorporated areas of the County. The provisions of this Chapter apply to all divisions of tracts of land, including divisions under land contract, into parcels any one of which is less than a rectangular half of a government protracted quarter-quarter section. However, these regulations shall not apply to:

- (1) Transfers of interest in land by will or pursuant to court order.
- (2) Leases for a term not to exceed 10 years, mortgages or easements.
- (3) Sale or exchange of parcels of land between adjoining property owners if additional lots are not thereby created and the lots resulting are not reduced below the minimum sizes required by the Zoning Code or other applicable laws and ordinances.
- (4) Parcels that are divided by a dedicated roadway, and all of said parcel lies between the road and the quarter-quarter lines.
- (5) Land located within a municipality that has adopted ordinances or codes expressly concerning the same subject matter.

(6) Transfers of interest in land to the United States, the State of Wisconsin or any instrumentality, agency or subdivision of either.

(7) Transfers of interest in land to a public service utility for purpose of providing service to the public.

18.11 COMPLIANCE.

(1) **PROHIBITED ACTIONS.** No owner shall divide any land located within the jurisdiction of these regulations which results in a subdivision, certified survey or replat as herein defined and no such subdivision, certified survey or replat shall be entitled to be recorded and no road shall be laid out or improvements made without compliance with all the requirements of this Code, State law and administrative rule and official municipal regulations or plans.

(2) **RECORDING STATEMENT.**

(a) No person shall record or attempt to record any deed, lease or other real estate property conveyance without first filing a recording statement, in recordable form, with the Register of Deeds. The recording statement shall require the transfer or to provide information concerning the parcel subject to transfer or lease, adequate to determine whether the transfer or lease is subject to the certified survey map, plat or replat requirement of this chapter.

(b) No person shall record or attempt to record any deed, lease or other property conveyance for which a certified survey map, plat or replat is required by this Chapter without first filing such certified survey map, plat or replat.

(c) The Register of Deeds may report all violations of pars. (a) and (b) above to the County Planning and Zoning Administrator.

(d) Any person who violates either pars. (a) or (b) shall be subject to the penalties set forth in §18.18 of this Chapter.

18.12 ROAD DEDICATIONS. Road rights-of-way and the improvements required thereon by this Chapter and municipality road ordinances shall be dedicated to the municipality. Private roads may be allowed and must be approved by the Committee and the municipality at the time of final plat approval.

18.13 ACCESS.

(1) **REQUIRED PUBLIC ACCESS.** Any subdivision, as defined in Wis. Stats., §236.16 (3), and/or this Ordinance, abutting a navigable river, lake, or stream shall provide public access at least 60' wide from the ordinary high watermark to a public road. Such access points shall be located at a minimum of 1/2-mile intervals. The Committee shall have the option of selecting the access most suitable for public use.

(2) **State Trunk Highway Access.** For any division of land abutting a State

Trunk Highway or Connecting Highway as defined in Trans §233.012 and §233.017 Wisconsin Administrative Code, the rules, regulations and procedures set forth in Trans 233 Wis. Admn. Code shall apply.

18.14 INCLUSION OF FLOODPLAINS. Whenever a tract of land to be subdivided embraces any part of floodplains, such floodplain shall be made a part of the plot. Floodplain portions of the plat shall be included in lots or dedicated for public use as provided above.

18.15 SURVEY MONUMENTS. Prior to final plat approval, the subdivider shall cause the installation of all survey monuments in accordance with the requirements of §236.15, Wis. Stats. and A-E 7.0, Wis. Admn. Code. The Committee may waive this requirement for a reasonable period of time on the condition that the subdivider execute a surety bond to insure the placing of such monuments within the time required.

18.16 VARIANCES. Where in the judgment of the Committee it would be inappropriate to apply literally the provisions of §18.70-18.76 and §18.80-18.91 because exceptional or undue hardship would result, the Committee may waive or modify any requirement to the extent deemed just and proper. When such relief is granted, it shall be without detriment to the public good and without impairment to the intent and purpose of this chapter. The Committee shall cause to be recorded in its minutes such action and the reasons therefore. An agreement shall then be signed by the owner and put on record at the Register of Deeds.

18.17 LAND SUITABILITY.

(1) No land shall be subdivided which is held unsuitable for any proposed use by the Committee for reason of flooding, inadequate drainage, soil and rock formations with severe limitations for development, severe erosion potential, unfavorable topography, inadequate water supply or sewage disposal capabilities or any other feature likely to be harmful to the health, safety or welfare of future residents of the proposed subdivision or of the community.

(2) All lots greater than one and a half acres in size shall have a minimum of one and a half acres located above the elevation of the regional flood. Regional flood elevations shall be determined by studies and maps prepared by the U.S. Department of Housing and Urban Development or the Federal Emergency Management Agency. If no such data is available, the Committee may require the subdivider to conduct those hydrologic studies necessary to determine floodplain elevations.

(3) Shoreland as defined by the County Shoreland Zoning Code is not to be divided into building sites, which are to be served by soil absorption waste disposal systems except as provided by Comm 83 and 85 Wis. Admn. Code and Chapter 15 of the General Code of Monroe County.

(4) Lands filled with organic materials within the last 10 years are not to be served by soil absorption waste disposal systems.

(5) Land that has inadequate drainage or may cause severe erosion or other detriment shall not be divided into building sites unless a minimum of one and a

half acres of land per lot or building site is deemed suitable.

(6) The Committee may require restrictive covenants to be filed with the final plat or certified survey which will have the effect of protecting environmentally sensitive areas such as steep slopes, wetlands and watercourses from erosion, siltation and other damages.

(7) The Committee, in applying the provisions of this section, shall in writing cite the particular facts on which it bases its conclusion that the land is not suitable for the proposed use and afford the subdivider the opportunity to present evidence regarding such suitability if he/she so desires. Thereafter, the Committee may affirm, modify or withdraw its determination of unsuitability.

18.18 ENFORCEMENT, VIOLATIONS and PENALTIES.

(1) **Enforcement.** The County Planning and Zoning Administrator shall have responsibility for enforcement of this ordinance. No plat of any subdivision or land division shall be entitled to be recorded in the Office of the Register of Deeds or have any validity until it shall have been approved in a manner prescribed in this ordinance. Whenever it comes to the knowledge of the County Planning and Zoning Administrator that any of the provisions of this ordinance have been violated, it shall be his/her duty to notify the Corporation Counsel of the fact and the Corporation Counsel shall immediately take appropriate enforcement action.

(2) **Violations** It shall be unlawful to build upon, divide, convey, record or monument any land in violation of this chapter or the Wisconsin Statutes; and no person, firm or corporation shall be issued a County Zoning permit and/or Land Use permit authorizing building on or improvement of any lot or part of the subdivision, certified survey or replat within the jurisdiction of this chapter until the provisions and requirements of this chapter have been fully met. The County may institute appropriate action or proceedings to enjoin violation of this Chapter or the applicable Wisconsin Statutes.

(3) **Penalties** Any person who fails to comply with the provisions of this Chapter shall upon conviction, thereof forfeit not less than \$100 nor more than \$1,000 and the cost of prosecution for each violation, and in default of payment of such forfeiture and costs shall be imprisoned in the County Jail until the payment thereof, but not exceeding 6 months. Each day a violation exists or continues shall constitute a separate offense. In addition to the penalties noted, compliance may be obtained by creating the CSM or subdivision plat under the direction of the County Surveyor or any Wisconsin Registered Land Surveyor and placing the cost thereof on the tax roll as a special assessment.

(a) Recordation improperly made has penalties as provided in §236.30, Wis. Stats.

(b) Conveyance of lots in unrecorded plats has penalties as provided in §236.31, Wis. Stats.

(c) Monuments disturbed or not placed have penalties as provided in §236.32, Wis. Stats.

(d) An Assessor's Plat may be ordered by the County Planning and Zoning Committee when a subdivision is created by successive division, as provided in §236.31(2), Wis. Stats.

18.19 APPEALS. Any person aggrieved by an objection to a plat or a failure to approve a plat may appeal there from, as provided in §236.13(5), Wis. Stats., within 30 days of notification of the rejection of the plat. Where failure to approve is based on an unsatisfied objection, the agency making the objection shall be made a party to the action. The court shall direct that the plat be approved if it finds that the action of the approving or objecting agency has been arbitrary, unreasonable or discriminatory.

18.20 FEES.

(1) **PAYMENT OF.** The subdivider shall pay to the County all fees as herein required at the time specified.

(2) SUBDIVISION PLAT, REPLAT AND CERTIFIED SURVEY REVIEW FEES.

(a) Fees shall be determined by the Committee and approved by the County Board.

(b) Fees shall be established for the following:

1. Preliminary plat review.
2. Replat review.
3. Certified survey review.
4. Application for variance.
5. Onsite visit.

(c) The subdivider shall pay the fees as required for preliminary and final subdivision review, replat review, certified survey review, application for variance or onsite visit(s).

(3) **Legal, Engineering And Inspection Fees.** The subdivider shall pay to the County at the times specified by the Committee, a fee equal to the actual cost of any extraordinary legal, engineering or inspection expenses incurred by the County in conjunction with plat review. Engineering work shall include preparation or review of plans or specifications. Legal work shall include the review of contracts between the County and the subdivider, review of improvement guarantees and review of covenants and easements. Inspection work shall include any extraordinary inspections required to insure compliance with this Chapter.

PROCEDURE

18.30 GENERAL. Any division of land within the unincorporated areas of the County

which results in a subdivision as herein defined shall follow the procedures as outlined in this Chapter.

18.31 SKETCH PLAN.

(1) Any proposed Subdivision Plat will be required to be reviewed as a Sketch Plan by the County's Planning and Zoning Committee at a Public Hearing. The Committee shall fix a reasonable time for the hearing; publish a Class 2 notice according to Ch. 985, Wis. Stats., specifying date, time and place of hearing; and notify the clerk of the town on which the land involved is located. The petitioner and/or his/her agent shall attend the public hearing.

(2) All Sketch Plans must be accompanied by a letter of recommendation, from the municipality in which the property is located.

(3) Subdividers must prepare for review by the Planning and Zoning Committee, a Sketch Plan of the proposed subdivision. The sketch plan shall contain, at a minimum, the following information:

- (a) Site location showing adjacent roads and adjoining development types.
- (b) Subdivision boundaries.
- (c) Approximate topographic and physical features. The use of a topographic map as a base map is recommended.
- (d) Proposed general road design.
- (e) Proposed lot layout.
- (f) Location of any existing easement(s).
- (g) Proposed surface water drainage.
- (h) Soil Survey map of area.

(4) The Sketch Plan will be considered as a basis for discussion between the subdivider and the staff. The Department will advise the subdivider of the extent to which the proposed subdivision conforms to this and other applicable provisions of this code and will discuss possible modifications to the subdivision proposal. No fee shall be required for the submission of Sketch Plans. Information relevant to the review of the Sketch Plan by the Land Conservation staff to determine the need for erosion control measures may be advantageous.

18.32 PRELIMINARY PLAT SUBMITTAL.

(1) At least 30 days prior to the committee meeting at which the plat is to be reviewed, 4 copies of the preliminary plat plus sufficient copies to be transmitted to approving and objecting agencies, shall be submitted to the Department along with a letter of application. A digital copy, in a format acceptable by the Department, of the preliminary plat may be submitted along with the hard copies. The preliminary plat shall be prepared by a registered land surveyor and meet

the requirements for preliminary plats outlined in Chapter 236, Wis. Stats.

(2) A review fee shall be paid by subdivider to the County upon submission of the preliminary plat. In addition, the subdivider shall submit a check sufficient to cover review by objecting agencies as indicated in Chapter 236, Wis. Stats.

(3) Within 2 workdays of receipt of the preliminary plat additional copies shall be sent for retransmission as follows:

- (a) Two copies to the Wisconsin Department of Transportation, Division of Highways and Transportation Facilities if the subdivision abuts a State trunk highway or connecting road.
- (c) Two copies to the applicable town clerk.
- (d) Two copies to the clerk of any city or village if the plat lies within the extraterritorial plat approval jurisdiction.
- (e) Two copies to the Wis. Dept. of Natural Resources if applicable.

18.33 PRELIMINARY PLAT REVIEW.

(1) The subdivider shall file the preliminary plat with the Department and other approving and objecting agencies, which shall review the plat and notify the subdivider and all other approving and objecting agencies under the procedures and timetables established in Chapter 236, Wis. Stats.

(2) The Committee shall, within 60 days of the submittal of the preliminary plat, approve, conditionally approve or reject the plat unless the time is extended by agreement with the subdivider. One copy of the plat shall therefore be returned to the subdivider with the date and action endorsed thereon. If the plat is conditionally approved or rejected, it shall be so stated in the minutes of the meeting and a letter stating the conditions or reasons for rejecting the plat shall accompany the plat. One copy of the plat and letter shall be placed in the Department permanent file.

(3) Approval or conditional approval of the preliminary plat shall not constitute automatic approval of the final plat, except that if the final plat is submitted within 6 months of preliminary plat approval and conforms substantially to the preliminary plat layout, the final plat shall be entitled to approval with respect to such layout.

18.34 **PRELIMINARY PLAT APPROVAL.** Approval, conditional approval or rejection of a preliminary plat by the Committee shall be based on compliance with the provisions of Ch. 236, Wis. Stats., this Chapter, applicable municipal ordinances and official maps and unsatisfied objections by objecting agencies.

18.35 FINAL PLAT SUBMITTAL.

(1) The final plat or portion thereof, shall be submitted to the Committee within 6 months of the last required preliminary plat approval. The time limit may be extended for 6 months by agreement between the Committee and the subdivider

without additional costs or fees. If the time limit is not extended or the final plat is substantially different than the preliminary plat, the Committee may require resubmission of the preliminary plat.

(2) The subdivider shall submit the final plat to approving and objecting agencies, which shall review the plat and notify the subdivider and all other approving and objecting agencies under the procedures and timetables established in Ch. 236, Wis. Stats.

(3) The final plat shall be prepared by a registered land surveyor and meet the requirements for final plats outlined in Ch. 236, Wis. Stats., and this Chapter. All supplemental data, construction plans, contracts and surety bonds required by §18.92 or the Committee shall be submitted with the final plat.

(4) No fee shall be required for submittal of the final plat.

18.36 FINAL PLAT REVIEW AND APPROVAL.

(1) The Committee and the approving and objecting agencies shall review the plat in accordance with the procedures and timetables established in Chapter 236, Wis. Stats. The Committee shall not approve the final plat if there are unsatisfied objections by objecting agencies.

(2) Failure of the Committee to act within 60 days, the time having not been extended and no unsatisfied objections having been filed, the plat shall be deemed approved.

(3) After approval of the final plat and prior to recording, the subdivider or his/her assignee may provide to the County a copy of the plat in a digital format acceptable by the Department.

18.37 RECORDING THE FINAL PLAT.

(1) To entitle the final plat to be recorded, the subdivider shall cause to be completed and signed the certificates as required by §236.21 and §236.25, Wis. Stats. The certification by the Committee shall be the last certification obtained.

(2) The final plat shall be submitted to the Register of Deeds within 24 months of the date of the first certification required by sub. (2) above and within 6 months of the last certification required by that section. Failure to submit the plat within the time limit shall render the plat void, unless the Committee extends the limit.

18.38 REPLAT.

(1) The replatting of all or part of an existing plat, which contains no dedication to the public, may be accomplished by following the procedures established in §18.30 through §18.37 or §18.39.

(2) If the replatting alters areas dedicated to the public, the existing plat shall first be vacated in accordance with §236.36 through §236.445, Wis. Stats. Replatting shall then be accomplished by following the procedures established in §18.30 through §18.37 or §18.39.

18.39 CERTIFIED SURVEY MAP.

(1) **Review.** When it is proposed to divide land into not more than 4 building sites or lots, any of which is less than a rectangular half of government protracted quarter-quarter section in size, the owner shall divide them by use of a certified survey map. The certified survey shall include all parcels less than a rectangular half of a government protracted quarter-quarter section and may, at the owner's option, include any parcel of greater size. However, only 4 lots or building sites may be created from a lot of record equal to or less than a rectangular half of a government protracted quarter-quarter section during a 5 year cycle, as defined under §18.03, by use of the certified survey map process. Additional lots or building sites must be created through the subdivision process. Certified survey maps shall be prepared in accordance with §18.01 through §18.17 and §18.60 through §18.94.

The subdivider shall submit the final Certified survey map and a review fee to the Department. A digital copy of the map in a format approved by the Department, may also be submitted to the County. The Department or Committee shall review the map for conformance with this code and plans adopted by the County.

(2) Approval.

(a) Certified survey maps, which do not contain dedications to the public, may be reviewed and approved by the Department. Staff review shall consist of conformance to the requirements of §18.01 through §18.17, §18.60 through §18.94 and other applicable ordinances. The Department shall approve, conditionally approve or reject the map within 20 days from the date of filing of the map unless the time is extended by agreement with the subdivider. Failure to act within the 20-day time limit shall constitute approval.

(b) The Department shall refer the certified survey to the Committee and municipality for review if dedications are present or unusual conditions exist.

(c) When referred by the Department, the Committee shall approve, conditionally approve or reject the map within 40 days from the date of filing of the map unless the time is extended by agreement with the subdivider. Failure to act within the 40-day time limit shall constitute approval. If the map is approved, the Committee shall cause it to be so stamped on its face and the map returned to the subdivider. If conditionally approved or rejected, the conditions applied or the reasons for rejection shall be so stated in the minutes of the meeting and the subdivider notified in writing. Any conditions applied by the Committee shall be satisfied prior to the recordation of the map. Failure by either the Committee or Department to act within the 40-day limit shall constitute approval.

(3) **Recording.** The certified survey map shall be submitted to the Register of Deeds for recording within 6 months of the date of approval by the Committee or Department. Prior to recording, the subdivider shall obtain the signatures on the accompanying certificates as required by §236.34, Wis. Stats. The stamp of

approval by the Department shall be the last signature obtained prior to recording.

PRELIMINARY PLAT

18.40 PLAT DATA. A preliminary plat shall be required for all subdivisions and shall be based upon a survey by a registered land surveyor and prepared on tracing cloth or paper of good quality at a scale of not more than 100' to the inch. A digital copy in a format approved by the Department may also be submitted. The preliminary plat shall include the following:

- (1) Name of the proposed subdivision.
- (2) Location of the proposed subdivision by government lot, quarter-quarter section, township, range, County and State, date, graphic scale and north point.
- (3) Name of the owner, subdivider and land surveyor preparing the plat.
- (4) The area contiguous to the proposed plat owned or controlled by the subdivider shall be indicated on the preliminary plat even though only a portion of the plat is proposed for subdivision development.
- (5) Length of the exterior boundaries of the subdivision and the total acreage encompassed thereby.
- (6) Locations of all existing property boundary lines, structures, drives, streams and watercourses, marshes, rock outcrops, wooded areas and other significant features within the tract being subdivided or immediately adjacent thereto.
- (7) Location, right-of-way width and name of all existing roads, alleys or other public ways, easements, railroad and utility rights-of-way and all section, quarter section and quarter-quarter section lines within the exterior boundaries of the plat or immediately adjacent thereto.
- (8) Location and names of any adjacent subdivisions, parks or cemeteries and the owners of record of abutting unplatted lands.
- (9) Type, width and elevation of any existing road pavements within the exterior boundaries of the plat or immediately adjacent thereto together with any legally established centerline elevations.
- (10) Location, size and invert elevation of any existing sanitary or storm sewers, culvert and drain pipes, manholes, catchbasins, hydrants, electrical and communication facilities, whether overhead or underground and the location and size of any existing water or gas mains within the exterior boundaries of the plat or immediately adjacent thereto. If no sewer or water mains are located on or adjacent to the tract, any such service within 1,320' of the plat shall be noted.
- (11) Corporate limit lines within the exterior boundaries of the plat or immediately adjacent thereto.
- (12) Existing zoning on and adjacent to the proposed subdivision.

(13) Contours within the exterior boundaries of the plat and extending to the centerline of adjacent public roads at vertical intervals of not more than 5' where the slope of the ground surface is less than 30%. Areas where the slope of the ground is greater than 30% shall be indicated. Elevation shall be marked on such contours based on mean sea level datum or where in the judgment of the County Planning and Zoning Committee undue hardship would result because of the remoteness of the parcel from a mean sea level reference elevation, another datum may be used, provided, a permanent bench mark is established, and shown on the Preliminary Plat.

(14) High water elevation of all ponds, streams, lakes, flowages and wetlands located within the boundaries of the plat referenced to mean sea level datum.

(15) Floodplain and Shoreland boundaries and the contour line lying a vertical distance of 2' above the elevation of the 100 year recurrence flood. If the elevation of the 100-year flood has not been determined, the subdivider shall cause those calculations to be made by a registered engineer or a registered surveyor. Methodology and calculations shall be submitted with the plat as accompanying data.

(16) For lots or building sites not served by public sewer facilities, location and results of soil evaluation pits, conducted by a CST (Certified Soil Tester), done with a backhoe to a depth of 6' or 3' below the bottom of a proposed seepage system, whichever is greater, shall be furnished to the Department. At least one soil evaluation pit per three acres or per lot, whichever is less, shall meet the standards for approval in Ch. COMM 83 and 85, Wis. Adm. Code and any County Code that may pertain. If lots are less than one and a half acres in size adequate area within the boundaries of the proposed subdivision in the common area or an outlot shall be designated for a septic system to serve the projected building(s).

(17) Location, width and proposed names of all roads and proposed public rights-of-way such as alleys and easements.

(18) Dimensions of all lots together with proposed lot and block numbers.

(19) Location and approximate dimensions of any site proposed to be reserved or dedicated for parks, playgrounds, drainage ways or other public use or which are to be used for group housing, shopping centers, church sites or other public or quasi-public use.

(20) Radii of all curves.

(21) Location and dimensions of any proposed lake or stream access.

(22) Any proposed lake or stream improvement or relocation and notice of application for approval, where applicable, by the Department of Natural Resources.

(23) Distances from any Town or County landfill old or active that is within one mile of the proposed subdivision.

(24) Distances from any municipal water supply that is within 1,200' of the proposed subdivision.

18.41 ADDITIONAL INFORMATION.

(1) Erosion Control Plan.

(a) The Committee may require erosion and sedimentation control plans upon determining from a review of the sketch plan or the preliminary plat that the soil, slope, vegetation and drainage characteristics of the site will require substantial cutting, clearing, grading or other site alterations that will present severe erosion hazards. Erosion and sedimentation control plans shall be prepared by a registered engineer and approved by the County Land Conservation Committee or its designee. When required, erosion and sedimentation control plans shall be submitted to the Committee which shall transmit them to the County Land Conservation Committee for review and approval.

These comments shall be available to the Committee for review 2 weeks prior to submittal of the final plat and before any land surfaces are disturbed. Guidelines, standards and specifications, which should provide the framework for the development, review and implementation of erosion controls, are contained in the Wisconsin Department of Natural Resources publication Wisconsin Construction Site Best Management Practice Hand Book (1989) and guidelines developed by the County Land Conservation Committee.

(2) Utilities.

(a) The surveyor may show on the Preliminary Plat, or he/she may submit a letter accompanying the Plat, detailing the nature of the proposed utilities that will be included in the Plat, and in which manner the utilities are to be installed, and shall include sanitary sewers, storm sewers, water systems, natural gas mains, and electrical and telephone transmission lines.

(b) If no sewer or water system is located on or immediately adjacent to the Plat, the developer shall describe the feasibility of extending the nearest sewer and water main to the Plat.

(3) On a majority vote, the Committee may require the subdivider to submit other reasonable and pertinent information necessary to review the plat.

18.42 AFFIDAVIT. The surveyor preparing the Preliminary Plat shall certify on the face of the Plat that it is a correct representation of all existing land divisions and features; and that the Plat has fully complied with the provisions of this Chapter.

FINAL PLAT

18.50 GENERAL. A final plat prepared by a registered land surveyor shall be required for all subdivisions. It shall comply in all respects with the requirements of §236.20, Wis. Stats.

18.51 ADDITIONAL INFORMATION. The final plat shall show correctly on the face of the plat or as accompanying documents the following information in addition to that required by §236.20, Wis. Stats.:

(1) Additional building setback lines or yards required by the zoning district in which the plat is located or which are proposed by the subdivider and are to be included in recorded restrictive covenants. It is not the responsibility of the County to enforce anything included in a recorded restrictive covenant.

(2) Any unbuildable areas of parcels, due to lot dimensions, shall be noted on the face of the plat.

(3) Normal high-water elevation, date of survey information and the contour line lying at a vertical distance of 2' above the elevation of the 100-year recurrence flood. If the elevation of the 100-year flood has not been determined, the subdivider shall cause those calculations to be made by a registered engineer or registered surveyor. Methodology and calculations shall be submitted with the plat as accompanying data.

(4) Provisions and plans for the use and maintenance, including a schedule for construction and performance bonds or other guarantee instruments required by the Committee or town for all property reserved for common use of all property owners in the subdivision.

(5) Special restrictions required by the Committee and any other approving or objecting agency relating to access control, the provision of planting strips or shorelands and floodplains.

(6) Acreage of roads shall be noted on the face of the plat.

(7) Any other information required by the Committee.

(8) Bonds and contracts required by §18.92 to guarantee the installation of improvements.

18.52 DEED RESTRICTIONS. Any deed restrictions attached to the subdivision shall be recorded with, or placed on the face of the Final Plat.

18.53 SURVEYING AND MONUMENTING. All final plats shall meet all the surveying and monumentation requirements of §18.15 of this chapter.

18.54 CERTIFICATES. All final plats shall contain the certificates required by §236.21, Wis. Stats., and in addition, the surveyor shall certify that he has fully complied with all the provisions of this Chapter.

CERTIFIED SURVEY MAP

18.60 GENERAL. All certified survey maps shall be prepared by a land surveyor registered in the State of Wisconsin and comply in all respects to §236.34, Wis. Stats. Certified survey maps shall comply with §18.01 through §18.17 and §18.60 through §18.94.

18.61 ADDITIONAL INFORMATION. The certified survey map shall show correctly on the face of the map or on accompanying documents the following information in addition to that required by §236.34. Wis. Stats.

- (1) Date of map, graphic scale and name of owner, subdivider and surveyor.
- (2) Building(s) of primary residence, well, septic location. Any other building or structure that might conflict with lot setbacks where applicable.
- (3) Names and location of adjoining roads, highways, parks, cemeteries, subdivisions, ponds, streams, lakes, flowages and wetlands.
- (4) Additional building setback lines or yards required by the Committee or Department, which are more restrictive than the regulations of the zoning district in which the plat is located or are proposed by the subdivider and are to be included in recorded protective covenants.
- (5) All lands reserved for future public acquisition.
- (6) If particular problems are posed by topography or drainage, the Committee or Department may require the subdivider to furnish topographic information at 5' contours for part of all of the certified survey.
- (8) Floodplain and Shoreland boundaries and the contour line lying a vertical distance of 2' above the elevation of the 100-year recurrence flood. If the elevation of the 100-year flood has not been determined, the subdivider shall cause those calculations to be made by a registered engineer or registered surveyor. Methodology and calculations shall be submitted with the plat as accompanying data.
- (9) Certified survey maps, which contain lots not designed for building purposes shall note on the face of the survey map, "This lot is not approved for building purposes. No land use or sanitary permits for habitable structures shall be issued until this lot meets all of the criteria for a building lot as defined by Chs. 15, 16, 17 and 20 of the General Code of Monroe County." Permission to build shall not be granted by the Department or Committee until the lot has been reviewed under the terms of this chapter and other applicable ordinances.
- (10) Any unbuildable areas of parcels, due to lot dimensions, shall be noted on the face of the CSM.
- (11) Where the Committee or Department finds it needs additional information relative to a particular problem presented by a proposed development to review the certified survey map, it shall have the authority to request in writing such information from the subdivider, including the information required in §18.40.

18.62 CERTIFICATES.

- (1) The surveyor shall certify on the face of the map that he has fully complied with all the provisions of this chapter. The Department shall stamp its approval on the face of the map.

- (2) Dedication of roads and other public areas shall require in addition, the owners certificate, mortgagee's certificate and certification of approval by the town board in substantially the same form as required by §236.21(2)(a), Wis. Stats.

18.63 RECORDING. The certified survey map shall be recorded with the County Register of Deeds only after certifications and/or stamps of the Department or Committee (if dedications are made), the surveyor and the municipality (if dedications are made) are placed on the face of the map.

DESIGN STANDARDS

18.70 ROAD ARRANGEMENT.

- (1) The subdivider shall dedicate land for and improve roads as provided herein. In any new subdivision the road, block and lot layouts shall conform to the arrangement, width and location indicated on an official map or comprehensive plan component adopted by the County or municipality. In areas where no such plan exists the road layout shall recognize the functional classification system and shall be developed in proper relation to existing and proposed roads, the topography, such natural features as streams and tree growth, public convenience and safety, the proposed use of the land and the most advantageous development of adjoining property. The subdivision shall be so designed to provide each lot with satisfactory access to a public road.
- (2) Proposed roads shall extend to the boundary lines of the tract being subdivided unless prevented by topography or other physical conditions or unless the Committee finds that such extension is not necessary or desirable for the coordination of the layout of the subdivision or for the advantageous development of the adjacent tracts.
- (3) Whenever possible access to lots shall be off of a lower traveled road. Whenever a proposed subdivision contains or is adjacent to an existing road or highway; adequate protection of residential properties, limitation of access and separation of through traffic shall be provided by reversed frontage lots. Provisions for screen plantings, nonaccess reservations and frontage roads shall be used to protect the integrity of the exiting road or highway.
- (4) Reserve strips shall not be provided on any plat to control access to roads, except where control of such strips is placed with the municipality or County under conditions approved by the Committee to protect the integrity of a road or highway.
- (5) Alleys shall be provided in industrial and commercial districts for off-street loading and service access, but alleys in residential districts and dead-end alleys shall be prohibited.
- (6) Roads shall be named following the County's naming standard. Road names shall be approved by the town board and shall not duplicate or be similar to existing road names. New roads, which are projections of existing roads, shall have the same name as the existing road.

(7) All proposed lots are to be developed with frontage to a dedicated public road. If an easement or private road is proposed, the Committee must approve it and the following will be required:

- (a) The access easement or private road must be part of the plat or Certified Survey Map.
- (b) All access easements or private roads must be a minimum of 66 feet in width.
- (c) The party responsible for the maintenance of the access easement or private road shall be recorded on the CSM or Plat.
- (d) All private roads shall follow the design standards outlined in 18.72, 18.73, 18.80 and 18.81 of this Chapter.

18.71 LIMITED ACCESS HIGHWAY AND RAILROAD RIGHT-OF-WAY TREATMENT.

Whenever a proposed land division contains or is adjacent to a limited access highway as herein defined or railroad right-of-way, the design shall provide the following treatment:

(1) When lots within a proposed residential subdivision back unto the right-of-way of an existing or proposed limited access highway or railroad, a planting strip at least 30' in depth in addition to the normal lot depth shall be provided. The strip shall be a part of the platted lots, but shall have the following restriction lettered on the face of the plat; "This strip reserved for the planting of trees and shrubs and the building of all structures, except for public and private utility structures hereon is prohibited."

(2) Plats within commercial and industrial districts shall have provided, on each side of the limited access highway or railroad, service or frontage roads approximately parallel to and at a suitable distance, but not less than 150', from such highway or railroad for the appropriate use of the land between the limited access road or railroad and the service road.

(3) Roads parallel to a limited access highway or railroad right-of-way, when intersecting a major road, a highway or collector road which crosses said railroad or highway, shall be located at a minimum distance of 250 feet from said highway or railroad right-of-way. Such distance, where desirable and practicable, shall be determined with due consideration of the minimum distance required for the future separation of grades by means of appropriate approach gradients.

(4) Minor roads immediately adjacent and parallel to railroad rights-of-way should be avoided.

18.72 ROAD DESIGN STANDARDS.

(1) **General.** Road layouts shall conform to the arrangement, width and location indicated on any applicable official map or comprehensive plan of a municipality or County. Roads shall be designed considering the topography and

bearing capacity of the land, potential for erosion and obstruction to flow of surface water, and least disturb the existing terrain, flora, fauna and water regimen. Care should be taken to insure adequate provisions for public services such as access for police and fire vehicles, snowplowing and for pedestrian traffic.

(2) **Width.** Unless specified by a comprehensive plan or official map, town roads shall have a right-of-way width of 66'. The Committee shall have the option of requiring greater right-of-way widths for arterial or collector roads or roads designed to serve industrial or commercial areas.

(3) **Alignment.** When a continuous road centerline deflects at any point by more than 100, a circular curve shall be introduced having a centerline radius of 200'. A tangent at least 100' in length shall be provided between reverse curves.

(4) **Permanent Cul-de-Sacs.** Maximum length shall be 1,000'.

(5) **Temporary Cul-de-Sacs.** Temporary cul-de-sacs may be required by the Committee to insure continuity of the road pattern between adjoining subdivisions. The Committee shall determine maximum length, turnaround dimensions and design.

(6) **Half Roads.** The platting of half roads shall not be permitted. However, where an existing dedicated or platted half road is adjacent to the tract being subdivided, the other half of the road shall be dedicated by the subdivider.

(7) **Elevations.** Roads passing through floodplain areas shall be situated at least 2' above the 50-year recurrence flood level. Such roads shall be constructed in a manner that will not impede the flow of floodwaters.

18.73 ROAD INTERSECTION STANDARDS.

(1) Roads shall intersect each other at as nearly right angles as topography and other limiting factors permit.

(2) No more than 2 roads shall converge at an intersection.

(3) The number of road intersections along higher traveled town and County roads shall be held to a minimum. Whenever practical, the distance between such intersections shall not be less than 1,320'.

(4) Road jogs with centerline offsets of less than 125' shall not be approved.

18.74 BLOCK STANDARDS.

(1) **General.** The width, length and shape of blocks shall be suited to the planned use of the land, zoning requirements, need for convenient access control and safety of road traffic and topography.

(2) **Length.** Blocks in residential areas shall not be shorter than 600' or longer than 1,500' in length unless otherwise dictated by exceptional topography or other limiting factors of good design.

(3) **Width.** Blocks shall have sufficient width to allow 2 tiers of lots of appropriate depth except where greater depth is required to separate residential development from through traffic, public parks, cemeteries, railroad rights-of-way bulkhead lines, shorelines, waterways or extreme topography.

(4) **Pedestrian Ways.** In blocks over 900' long, the Committee may require paved pedestrian ways through blocks as deemed necessary for access to streams, lakeshores, public parks, schools or other public and quasi-public areas.

18.75 LOT STANDARDS.

(1) **General.** The size, shape and orientation of lots shall be appropriate for the location of the subdivision and for the type of development and use contemplated.

(2) **Size.** Lot sizes shall conform to the minimum standards as set in Chs. 16, 17 and 20 of the County Code of Ordinances and the State Administrative Code. The County Planning and Zoning Committee reserves the right to alter the minimum standards for appropriate development to meet local standards.

(3) **Lot Lines.** Side lot lines shall generally be at right angles to road lines or radial to curved roads or cul-de-sacs.

(4) **Access.** Every lot shall front on a public road or approved private road for the minimum lot width required by the Zoning Code. Lots located on cul-de-sacs shall have at least 66' frontage and shall have the full lot frontage within 50' of the right-of-way line.

(5) **Depth.** Lots shall have a minimum average depth of 200' at the building site. Lots shall have a maximum average length to width ratio of 4:1. The Committee must approve lots having a length to width ratio greater than 4:1.

(6) **Width.** Lots shall have a minimum average width of 150' at the building site. Corner lots shall be designed with extra width to permit adequate building setback from both roads.

(7) **Lots Of Five Acres Or Less.** Whenever a parcel is divided into lots of 5 acres or less in area and more than twice the minimum required for the local zoning district or other applicable ordinance in which it is located, the Committee may require such lots to be arranged and dimensioned so as to allow resubdivision.

(8) **Abutting A Lake Or Stream.** In any plat or certified survey abutting a lake or stream, lands lying between the meander line and the water's edge and any otherwise unplattable land which lies between the proposed subdivision and the water's edge shall be included as parts of lots, common open space if in a planned unit development or public dedications.

(9) **Commercial Or Industrial Use.** Size, depth and width of parcels designed for commercial or industrial use shall be adequate to provide for off-street parking and loading.

(10) **Building Sites Occupied By More Than One Family.** The size of lots that are not served by public sewer and occupied by 2 families shall be increased 50% above the required areas specified in the County Zoning Ordinance or Town Board Resolution. In unzoned areas the minimum lot size for parcels not served by public sewer and occupied by 2 families shall be 2.25 acres. For each additional family occupying a lot or parcel, the size shall be increased by 5,000 sq.ft.

18.76 EASEMENTS.

(1) The Committee may require easements for electric power and communication facilities, storm and sanitary sewers, gas, water and other utility lines. Easements shall be of sufficient width for the proposed use and shall be placed wherever feasible along lot lines. All easements shall be noted on the final plat followed by a reference to the use or uses for which they are intended.

(2) Where a subdivision is traversed by a watercourse, drainageway or stream, an adequate drainageway or easement may be required to handle stormwater runoff. The location, width, alignment and improvement of such drainageway or easement shall be approved by the Committee.

18.77 PLANNED UNIT DEVELOPMENT DESIGN.

(1) **General.** The subdivider may elect to apply for approval of a plat employing a planned unit development design. Under such a plan, dwelling units may be grouped on lots below the minimum size specified in Chs. 16, 17 and 20 of this Code or by Town Board resolution and the remaining land in the plat shall be reserved for common open space or recreational uses.

(2) Standards For Planned Unit Development Design.

(a) The maximum number of lots or dwellings permitted in the development shall be determined by dividing the total area of the subdivision by the minimum lot sizes required by Chs. 16, 17 and 20 of this Code or by a Town Board resolution whichever is greater.

(b) Excess land not used for lots and roads shall be dedicated for open space purposes. This may be accomplished by conveyance in common to each of the owners of lots in the development or by dedication to the County or town. Lands dedicated to the public must be accepted by appropriate action of the governing body of the accepting unit of government. If the land is to be conveyed to owners of lots in the development, a homeowners association or similar legally constituted body shall be created to maintain the open space land.

(c) Any restriction placed on platted land by covenant, grant of easement or any other manner which was required by a public body or which names a public body as grantee, promisee or beneficiary, shall vest in the public body the right to enforce the restriction at law or in equity against anyone who has or acquires an interest in the land subject to the restriction. These restrictions shall be subject to acceptance of the County Planning

and Zoning Committee.

(d) Water supply and sewage disposal plans for the subdivision shall meet the standards of Chs. 15, 16 and 20 of this Code, NR 812 and COMM 83 and 85, Wis. Adm. Code, and other applicable County codes, State laws and administrative rules.

(e) Plats submitted under this section shall be reviewed by the Committee and shall be approved if found to conform to applicable standards of this Code and State law, and shall effect on the carrying capacity of the land and water, impact on neighboring land and ability of the design to accommodate sewage disposal.

REQUIRED IMPROVEMENTS

18.80 ROAD DESIGN STANDARDS. In order to provide for roads of suitable location, width and improvement and to accommodate anticipated traffic and afford satisfactory access to police, fire fighting, snow removal, sanitation and road maintenance equipment, the following design standards are required. Road classification shall be determined by the Committee if not indicated on an official map or plan adopted by the Town or County. The following design standards shall apply. Where a municipality has road design standards of its own, those standards shall apply.

<u>IMPROVEMENT</u>	<u>RESIDENTIAL</u>	<u>COMMERCIAL/INDUSTRIAL</u>
<u>Minimum R.O.W.</u>	66'	66'
<u>Minimum Width of Base Coarse (including Shoulders)</u>		
Local	28'	32'
Collector	32'	50'
<u>Minimum Width of Pavement</u>		
Local	22'	24'
Collector	22'	30'
<u>Maximum Grade (percent)</u>		
Local	10	8
Collector	8	6
Minimum Grade	0.5	0.5
<u>Minimum Radius of Curve</u>		
Local	100'	200'
Collector	100'	200'
<u>Corner Radius at Intersections</u>	30'	30'

<u>IMPROVEMENT</u>	<u>RESIDENTIAL</u>	<u>COMMERCIAL/INDUSTRIAL</u>
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Minimum Length of Tangents Between Reverse Curves

Local	100'	200'
Collector	100'	200'

Minimum Sight Distance

Local	200'	200'
Collector	250'	250'

Minimum Length of Vertical Curve

Local - 100', but not less than 20' for each algebraic difference in grade.
Collector - 200', but not less than 50' for each one percent.

Cul-De-Sacs (permanent)

<u>IMPROVEMENT</u>	<u>RESIDENTIAL</u>	<u>COMMERCIAL/INDUSTRIAL</u>
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Maximum length - 1,000'

Minimum R.O.W. Radius

Local	60'	60'
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Minimum Base Coarse Radius

Local	42'	42'
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Minimum Pavement Radius

Local	40'	40'
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18.81 ROAD CONSTRUCTION. The subdivider shall grade all roadways to subgrade and ditches to the gradient shown on approved plans. Cut and fill lands shall be graded to a maximum slope of 1:4 or the soil's angle of repose, whichever is less. All unpaved graded areas shall be sodded or seeded and mulched with appropriate permanent vegetation.

(1) Road construction, including type and depth of base coarse and paving material shall be subject to town board approval. The town board shall have the power to inspect material for conformance to standards contained in its applicable ordinances.

(2) The town board may require the subdivider to construct concrete curb and gutters in accordance to the plans and standard specifications approved by the town board.

18.82 STORM WATER DRAINAGE.

(1) Subdivisions shall be designed with a storm water drainage system to accommodate the maximum potential flow during a 10-year, 24-hour rainstorm. The system shall drain the land in a manner which will present no hazards to property or life, minimize soil erosion and sedimentation, permit unimpeded flow of natural watercourses and assure drainage away from on-site sewage disposal systems. Facilities to achieve these results may include, but are not limited to, curbs and gutters, road ditches and open channels, easements, dedicated drainage ways and catch basins.

(2) Drainage systems shall utilize maximum infiltrations into the soil and efficient, soil conserving runoff facilities and shall utilize natural watercourses whenever possible.

(3) Road ditches and waterways shall be shaped and seeded or mulched as grass waterways. Where the velocity of flow is in excess of 4' per second on soils having severe or very severe erosion hazard or in excess of 6' per second on soils having moderate or slight erosion hazard, the subdivider shall install paved invert or check dams, flumes or other energy dissipating devices.

(4) If the subdivision is located where it can feasibly be served by an existing storm sewer system, the subdivider shall cause an extension of the system to adequately drain the subdivision. The size of the facilities to be installed shall be determined by the Committee taking into account the extent of the watershed, existing drainage patterns, existing and planned land uses and zoning. Costs for the extension shall be borne by the subdivider. However, if an area larger than the subdivision is to be served by the extension and larger facilities required, the cost of excess capacity shall be borne either by the town or sanitary district or assessed by the governmental unit against the additional territory for which the excess capacity is required.

(5) Plans for the storm sewer facilities shall be approved by the town board and the governmental agency with jurisdiction over the sewer system.

18.83 WATER SUPPLY FACILITIES.

(1) When a public water system is available to a subdivision, the subdivider shall construct all water main laterals and appurtenances necessary for the provision of adequate water service to each lot.

(2) The size of the facilities to be installed shall be determined by the Committee taking into account the water system service area adopted water plans, existing and planned land use and zoning. Costs for the extension shall be borne by the subdivider. However, if an area larger than the subdivision is to be served by the extension and larger facilities required, the cost of excess capacity shall be borne either by the town or water district or assessed by the governmental unit against the additional territory for which the excess capacity is required.

(3) Plans for water facilities shall be reviewed by the town board and the governmental agency with jurisdiction over the water extension.

18.84 SANITARY SEWER FACILITIES.

(1) When public sanitary sewer facilities are available to the subdivision, the subdivider shall construct sanitary sewer facilities so as to make adequate sewer available to each lot.

(2) The size of the facilities to be installed shall be determined by the Committee taking into account the sewer system service area, adopted sewer plans, existing and planned land use and zoning. Costs for the extension shall be borne by the subdivider. However, if an area larger than the subdivision is to be served by the extension and larger facilities required, the cost of excess capacity shall be borne either by the town or sanitary district or assessed by the governmental unit against the additional territory for which the excess capacity is required.

(3) Plans for sewer facilities shall be reviewed by the town board and the governmental agency with jurisdiction over the sewer extension.

18.85 EROSION CONTROL AND SEDIMENTATION MEASURES.

(1) All public rights-of-way shall be sodded or seeded at the time of construction or mulch applied to protect the soil until a permanent seeding can be established. This shall conform to standards acceptable to the Land Conservation Committee and the USDA Natural Resource Conservation Service Staff.

(2) Any other measures or practices necessary to comply with the requirements established during the review process shall be completed prior to approval of the final plat or may be assured by posting a bond sufficient to accomplish the work agreed upon as well as correction of the damages to adjoining public or private property likely to occur because the necessary measures were not accomplished.

SUBDIVISION IMPROVEMENT GUARANTEES

18.90 INTENT. It is the intent of this Chapter to insure that all improvements required by the Committee or the town are installed in a timely fashion at the expense of the subdivider.

18.91 COMMENCEMENT. No construction or installation of improvements shall commence and no land use, building and/or zoning permit shall be issued until the final plat has been approved by all reviewing authorities and recorded in the Office of the Register of Deeds.

18.92 IMPROVEMENT GUARANTEES.

(1) **County** Prior to the approval of a final plat or certified survey map, the County Zoning Committee may require the subdivider to enter into a contract with the County agreeing to install all improvements and structures required as outlined in the Erosion Control and Storm Water Management Plan. The subdivider shall file with said contract a bond, certificate of deposit, irrevocable letter

of credit, certified check or other approved security in an amount equal to the estimate of the cost determined by the County Planning and Zoning Committee as a guarantee that such improvements will be completed by the subdivider at a date mutually agreed upon between the County Planning and Zoning Committee and the subdivider. The duration of the guarantees shall be until the installation is completed and accepted by the Committee.

(2) Town The town may require an instrument guaranteeing the installation of the required improvements. If the town requires such an instrument at the time of final certified survey map and plat approval, the Committee shall accept a letter from the town board of the town in which the land is located, indicating that an instrument guaranteeing installation of the required improvements has been filed with and approved of by the town. The instrument shall be in the form of one or more of those listed below for an amount sufficient to cover the cost of improvements as estimated by the subdivider and approved by the town. The duration of the guarantees shall be until the installation is completed and accepted by the town.

(a) **SURETY PERFORMANCE BOND.** The subdivider may obtain a security bond from a surety bonding company authorized to do business in the State, payable to the town.

(b) **ESCROW ACCOUNT.** The subdivider may deposit cash or other instrument readily convertible to cash at face value, including real estate, either with the town Treasurer or in an approved bank escrow account. The use of any instrument other than cash shall be subject to the approval of the town board when its value is insufficient or unsubstantiated. In the case of an escrow account, the subdivider shall file with the town board an agreement between the bank or town Treasurer and himself/herself guaranteeing that funds in or from the account will be held in trust until released by the town board and may not be pledged by the subdivider as security in any other matter during that period. In the case of failure on the part of the subdivider to complete required improvements, the bank or town Treasurer shall immediately make the funds available to the town for use in the completion of the required improvements. Any unused funds shall be returned to the subdivider.

(c) **LETTER OF CREDIT.** The subdivider shall provide, from a bank or other reputable institution or individual subject to the approval of the town board, a letter of credit and shall execute and file with the town board documents guaranteeing the following:

- (1) The creditor guarantees funds in the amount equal to the cost of completing all required improvements.
- (2) In case of failure on the part of the subdivider to complete the specified improvements within the required time period, the creditor shall pay to the town Treasurer and without further action, such funds as are necessary to finance the completion of improvements up to the limit of credit stated in the letter.
- (3) The letter of credit may not be withdrawn or reduced in amount, until

released by the town board.

18.93 TIME LIMITS. The subdivider and the Committee and/or town shall agree upon a deadline for the completion of all required improvements not exceeding 2 years from the date of final plat approval. Extensions may be made only upon mutual agreement between the subdivider and the Committee and/or town board.

18.94 INSPECTION AND CERTIFICATION.

(1) County

(a) Prior to commencement of any work within the subdivision, such as grading, excavating, clearing of land, etc., for which erosion control measures were to be provided, the subdivider shall notify the Department so that inspection of those measures can be accomplished. The inspection shall be completed within 5 workdays from the time the request is made of the Department. The Department or its designee shall file with the Committee a report regarding the improvements which have been made in accordance with the provisions of this subtitle or any additional requirements made of the subdivider by the Committee or a listing of uncompleted or defective work. If the work has been completed in a satisfactory manner, the Committee shall release any performance guarantees placed on the subdivision.

(b) If upon the completion date, improvements have not been installed or have been installed in an unsatisfactory manner, the Committee shall cause the security to be forfeited. Upon forfeiture of these securities, the Department shall use them or receipts from their sale, to finance the construction or correction of required improvements. Unused portions of these securities shall be returned to the subdivider, bonding company or crediting institution, as appropriate.

(2) Town

(a) Upon completion of any work required within the subdivision, the subdivider shall notify the town. The town or its designee may inspect the improvements and file with the town board a report regarding the improvements which have been made in accordance with the provisions of this subtitle or any additional requirements made of the subdivider by the town or a listing of uncompleted or defective work. If the work has been completed in a satisfactory manner, the town board shall release any performance guarantees placed on the subdivision.

(b) If upon the completion date, improvements have not been installed or have been installed in an unsatisfactory manner, the town board shall cause the security to be forfeited. Upon forfeiture of these securities, the town shall use them or receipts from their sale, to finance the construction or correction of required improvements. Unused portions of these securities shall be returned to the subdivider, bonding company or crediting institution, as appropriate.

The foregoing resolution was introduced and moved for adoption by Supervisor J Kuhn, second by Supervisor Nicosia. Supervisor Wensel recognized Wes Bangsberg who introduced Alison Phillips, Sanitation & Zoning Officer who explained the reasons with a power point presentation. Motion by Supervisor Wensel, second by Supervisor Pfaff to call the question. The motion carried on a voice vote. The resolution was adopted on a voice vote.

RESOLUTION NO. 7-01-7

**AMENDING CHAPTER 8 OF THE MONROE COUNTY CODE OF ORDINANCES,
PUBLIC WORKS**

WHEREAS, the Monroe County Highway Committee has reviewed existing ordinances 8.03 and 8.04, and

WHEREAS, County subsidized new driveways and field entrances benefit a few but are assessed to all taxpayers, and

WHEREAS, this change would cease subsidized new driveways and field entrances.

NOW, THEREFORE, BE IT RESOLVED, that the Monroe County Board of Supervisors do hereby ordain as follows:

8.03 of the General Code of Monroe County shall be amended as follows:

PRIVATE ACCESS TO COUNTY TRUNK HIGHWAYS.

1. A written permit from the County Highway Commissioner or his designee shall be required for all new driveways and/or field entrances and the improvement of existing driveways/field entrances. A permit fee of \$25.00 per driveway or field entrance shall be charged.
2. All new driveways/field entrances shall be constructed at the location for the safest highway access include provide a culvert pipe, if needed, in the size and length necessary for adequate drainage on the site and along the highway, as determined by the County Highway Commissioner or his designee.
3. All costs for the installation of new driveways/field entrances shall be the responsibility of the landowner.
4. Replacement costs for existing driveway/field entrance culvert pipes shall be the responsibility of the landowner.
5. All costs for the replacement of existing driveways/field entrances due to a County Trunk Highway improvement project shall be the responsibility of the County Highway Department.

8.04 of the General Code of Monroe County, **INSTALLATION OF CULVERTS**

FOR PRIVATE DRIVEWAYS., shall be deleted.

Dated this 9th day of July, 2001.

Recommended for introduction by the Monroe County Highway Committee on June 14, 2001, Monroe County, Wisconsin

Loren Pierce
Cedric Schnitzler
Chuck Bluske
Dennis Hubbard
Aaron Pasch

Committee Vote: 4 yes, 0 no

Fiscal note: No additional funds required

The foregoing resolution was introduced and moved for adoption by Supervisor Schnitzler, second by Supervisor Wensel. Jack Dittmar, Highway Commissioner explained the reasons. Motion by Supervisor Schnitzler, second by Supervisor Pierce to amend the resolution in 2. changing the word "provide" to "include". The motion carried on a voice vote. Motion by Supervisor Culpitt, second by Supervisor Sund to call the question. The amended resolution was adopted on a voice vote.

RESOLUTION NO. 7-01-8

**APPROVING CENTRALIZATION OF COUNTY GOVERNMENT SERVICES
IN FUTURE FACILITY PLANNING**

WHEREAS, the Monroe County Property & Purchasing Committee over the years has been working on space needs and facility planning; and

WHEREAS, on June 7, 2000, the Monroe County 2020 Space Needs Study Committee issued its final report; and

WHEREAS, the Property & Purchasing Committee has gone on record at their meeting on July 3, 2001, in favor of any future facility planning to include centralization of services for reasons to include, but not limited to the following:

- 1) It was found that 39% of the county departments are located in space that does not meet their current needs; and
- 2) 45% of the county departments believe they are not located near other departments which they have regular contact with; and
- 3) Technology is changing the way departments do business and serve the county's citizens and is less costly if equipment is concentrated; and
- 4) Work is less efficient due to the multiple location of related county service sites; and
- 5) The public is confused by the many locations of services; and
- 6) There is not enough meeting room and storage space; and
- 7) Service access (parking) is a serious problem; and
- 8) Maintenance of old buildings is becoming increasingly expensive; and
- 9) Doing nothing is becoming more and more expensive.

NOW, THEREFORE, BE IT RESOLVED by the full Monroe County Board of

Supervisors that any future facility planning provide for a centralization of county services.

Dated this 9th day of July, 2001

OFFERED BY THE PROPERTY & PURCHASING COMMITTEE:

LaVern Betthausen
Albert H. Wensel
Tom Anderson
Mahlon Denter
J. V. Pfaff

Committee vote: 5-0

The foregoing resolution was introduced and moved for adoption by Supervisor Wensel, second by Supervisor Nicosia. Supervisor Betthausen explained the reasons. Motion by Supervisor Wensel, second by Supervisor Sund to call the question. The motion carried on a voice vote. Roll was called with the following 14 Supervisors voting yes: Sund, Wensel, Pfaff, Pierce, M Kuhn, Culpitt, B Anderson, Zastoupil, Denter, J Kuhn, Brown, Beatty, T Anderson, Betthausen; the following nine Supervisors voting no: Selz, Westphal, Nicosia, Schnitzler, C Anderson, Wells, Hubbard, Schreier, Isbell; Supervisors VanWychen, Pasch, Bluske, Kenyon and Helming were absent. The resolution was adopted.

Supervisor Betthausen, as Chair of the Property & Purchasing Committee called for a motion to suspend the rules to allow reconsideration of a previous motion re. Giraud property. Motion by Supervisor Culpitt, second by Supervisor T Anderson to suspend the rules. Roll was called with the following ten Supervisors voting yes: Wensel, Nicosia, Pfaff, Pierce, B Anderson, Zastoupil, Denter, Brown, T Anderson, Betthausen; the following 13 Supervisors voting no: Sund, Westphal, Schnitzler, M Kuhn, Culpitt, C Anderson, Wells, Hubbard, J Kuhn, Schreier, Beatty, Isbell, Selz; Supervisors VanWychen, Pasch, Bluske, Kenyon and Helming were absent. The motion failed.

At approximately 2:30 P.M. on a motion by Supervisor Wensel, second by Supervisor Nicosia and carried on a voice vote, the meeting adjourned.

Chris Williams, Recorder
County Clerk

I, Christine M. Williams, Monroe County Clerk certify that to the best of my knowledge the foregoing is a true and correct copy of the July session of the Monroe County Board of Supervisors held on July 9, 2001.

Note is made that several Supervisors viewed the "Rolling Hills" and "Dog Pound" facility site options prior to the start of the County Board session.

AUGUST 2001

The August meeting of the Monroe County Board of Supervisors convened at the Courthouse in the City of Sparta, Wisconsin, on Wednesday, August 1, 2001, at 9:30 a.m. Chair LaVern Betthausen presided. Roll was called with 27 Supervisors present, one (Supervisor Kenyon) absent. The Pledge of Allegiance to the Flag was recited. Motion by Supervisor Wensel, second by Supervisor T Anderson to approve the minutes of the June 9, 2001, meeting as printed and mailed. The motion carried on a voice vote.

Chair Betthausen announced the following appointments:

MUSEUM BOARD LIAISON – Kay Bender, replacing Terry Brown, expires 5/02
HUMAN SERVICES CITIZENS' ADVISORY COMMITTEE - Celesta Leis, expires 5/02
HUMAN SERVICES W-2 COMMUNITY STEERING COMMITTEE - Ed Stigen, expires 5/02

Annette Erickson presented the June County Treasurer's report. Reporting of the General Fund balance was discussed; Supervisor Isbell issued an open invitation to attend the next Finance Committee meeting on August 28th when they will consider different wording of break down categories for the General Fund.

Gene Phillips, Human Services Director, presented an overview of 2000 department activities.

Tom Weber, Justice Systems Coordinator, reviewed his department's 2000 annual report.

Sparta Mayor John Gomez, along with city employees Steve Peterson, Todd Fahning and Jordan Skiff, presented information on two sites that the county owns in relation to a centralized government facility. In addition to various Supervisors expressing opinions, District Attorney Dan Hellman presented an option. The next meeting of the Property & Purchasing Committee is August 21 and an open invitation to attend was extended by Supervisor Betthausen.

RESOLUTION NO. 8-01-1

AUTHORIZING THE BORROWING OF \$2,105,000; PROVIDING FOR THE ISSUANCE AND SALE OF GENERAL OBLIGATION REFUNDING BONDS THEREFOR; AND LEVYING A TAX IN CONNECTION THEREWITH

WHEREAS, pursuant to Resolution No. 7-01-1 adopted on July 9, 2001, as amended (the "Initial Resolution") the County Board of Supervisors of Monroe County, Wisconsin (the "County") authorized the issuance of not to exceed \$2,105,000 general obligation bonds for the public purpose of refunding obligations of the County, including interest on them, to wit: refunding the County's Bond Anticipation Notes dated May 18, 2001 (the "2001 Notes") (hereinafter the refunding of the County's 2001 Notes shall be referred to as the "Refunding");

WHEREAS, the 2001 Notes were issued to provide interim financing for the costs of Sand Creek Landfill remediation (the "2001 Project")

WHEREAS, the County Board of Supervisors deems it to be necessary, desirable and in the best interest of the County to refund the 2001 Notes for the purpose of providing permanent financing for the 2001 Project;

WHEREAS, counties are authorized by the provisions of Chapter 67 of the Wisconsin Statutes to borrow money and to issue general obligation refunding bonds to refinance their outstanding obligations; and

WHEREAS, the County Board of Supervisors now deems it to be necessary, desirable and in the best interest of the County to authorize the issuance of and to award

the sale of its general obligation refunding bonds to Robert W. Baird & Co. Incorporated, Milwaukee, Wisconsin;

WHEREAS, none of the proceeds of the general obligation refunding bonds shall be used to fund operating expenses of the general fund of the County or to fund operating expenses of any special revenue fund of the County that is supported by property taxes.

NOW, THEREFORE, BE IT RESOLVED by the County Board of Supervisors of the County that:

Section 1A. Authorization of the Bonds. For the purpose of paying the cost of the Refunding, there shall be borrowed pursuant to Chapter 67 of the Wisconsin Statutes, the principal sum of TWO MILLION ONE HUNDRED FIVE THOUSAND DOLLARS (\$2,105,000) from Robert W. Baird & Co. Incorporated, Milwaukee, Wisconsin (the "Purchaser") in accordance with the terms and conditions of its purchase proposal (the "Proposal") attached hereto as Exhibit A and incorporated herein by this reference.

Section 1B. Sale of the Bonds. To evidence such indebtedness, the Chairperson and County Clerk are hereby authorized, empowered and directed to make, execute, issue and sell to the Purchaser for, on behalf of and in the name of the County, General Obligation Refunding Bonds aggregating the principal amount of TWO MILLION ONE HUNDRED FIVE THOUSAND DOLLARS (\$2,105,000) (the "Bonds") for the sum set forth on the Proposal, plus accrued interest to the date of delivery.

Section 2. Terms of the Bonds. The Bonds shall be designated "General Obligation Refunding Bonds"; shall be dated August 15, 2001; shall be in the denomination of \$5,000 or any integral multiple thereof; shall be numbered 1 and upward; shall bear interest at the rates set forth below; and shall mature on March 1 of each year, in the years and principal amounts as follows:

<u>Year of Maturity</u>	<u>Principal Amount</u>	<u>Interest Rate</u>
2003	\$ 25,000	_____ %
2004	65,000	_____
2005	80,000	_____
2006	90,000	_____
2007	90,000	_____
2008	90,000	_____
2009	95,000	_____
2010	100,000	_____
2011	105,000	_____
2012	110,000	_____
2013	115,000	_____
2014	120,000	_____
2015	125,000	_____
2016	130,000	_____
2017	140,000	_____
2018	145,000	_____
2019	150,000	_____
2020	160,000	_____
2021	170,000	_____

Interest is payable semi-annually on March 1 and September 1 of each year commencing on March 1, 2002.

Section 3. Redemption Provisions. At the option of the County, the Bonds maturing on March 1, 2013 and thereafter shall be subject to redemption prior to maturity on March 1, 2012 or on any date thereafter. Said Bonds shall be redeemable as a whole or in part, and if in part, from maturities selected by the County and within each maturity by lot, at the principal amount thereof, plus accrued interest to the date of redemption.

Section 4. Form of the Bonds. The Bonds shall be issued in registered form and shall be executed and delivered in substantially the form attached hereto as Exhibit B and incorporated herein by this reference.

Section 5. Direct Annual Irrepealable Tax Levy. For the purpose of paying the principal of and interest on the Bonds as the same becomes due, the full faith, credit and resources of the County are hereby irrevocably pledged, and there is hereby levied upon all of the taxable property of the County a direct annual irrepealable tax in the years and in the amounts as follows:

<u>Levy Year</u>	<u>Amount</u>
2001	\$ _____
2002	_____
2003	_____
2004	_____

on the Bonds, shall be maintained for such purpose until such indebtedness is fully paid or otherwise extinguished, and shall at all times be invested in a manner that conforms with the provisions of the Internal Revenue Code of 1986, as amended (the "Code"), and any applicable income tax regulations (the "Regulations").

Section 7. Borrowed Money Fund. The proceeds of the Bonds (the "Bond Proceeds") (other than any premium and accrued interest which must be paid at the time of the delivery of the Bonds into the Debt Service Fund Account created above) shall be deposited into an account separate and distinct from all other funds and disbursed solely for the purposes for which borrowed or for the payment for the principal of and the interest on the Bonds.

Section 8. Arbitrage Covenant. The County shall not take any action with respect to the Bond Proceeds which, if said action had been reasonably expected to have been taken, or had been deliberately and intentionally taken on the date of delivery of and payment for the Bonds (the "Closing") would have caused the Bonds to be "arbitrage bonds" within the meaning of Section 148 of the Code and the Regulations.

The Bond Proceeds may be temporarily invested in legal investments until needed, provided however, that the County hereby covenants and agrees that so long as the Bonds remain outstanding, moneys on deposit in any fund or account created or maintained in connection with the Bonds, whether such moneys were derived from Bond Proceeds or from any other source, will not be used or invested in a manner which would cause the Bonds to be "arbitrage bonds" within the meaning of the Code or Regulations. The County covenants that it will not invest in any obligation if such investment would violate the "prohibited payment" requirement of Section 148 of the Code.

The County Clerk, or other officer of the County charged with responsibility for issuing the Bonds, shall provide an appropriate certificate of the

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The direct annual irrevocable tax hereby levied shall be carried onto the tax roll and collected in addition to all other taxes and in the same manner and at the same time as other taxes of the County for said years are collected. So long as any part of the principal of or interest on the Bonds remains unpaid, the tax hereinabove levied shall be and continues irrevocable except that the amount of tax carried onto the tax roll may be reduced in any year by the amount of any surplus in the Debt Service Fund Account for the Bonds created below.

Section 6. Segregated Debt Service Fund Account. There is hereby established in the County treasury a fund account separate and distinct from all other funds or accounts of the County designated "Debt Service Fund Account for \$2,105,000 Monroe County General Obligation Refunding Bonds dated August 15, 2001", which fund account shall be used solely for the purpose of paying the principal of and interest on the Bonds. There shall be deposited in said fund account all accrued interest paid on the Bonds at the time the Bonds are delivered to the Purchaser, any premium, all money raised by taxation pursuant to Section 5 hereof, and all other sums as may be necessary to pay principal of and interest on the Bonds as the same become due. Said fund account shall be used for the sole purpose of paying the principal of and interest County, for inclusion in the transcript of proceedings, setting forth the reasonable expectations of the County regarding the amount and use of the Bond Proceeds and the facts and estimates on which such expectations are based, all as of the Closing.

Section 9. Additional Tax Covenants: Six Month Expenditure Exemption from Rebate: qualified Tax-Exempt Obligation Status. The County hereby further covenants and agrees that it will take all necessary steps and perform all obligations required by the Code and Regulations (whether prior to or subsequent to the issuance of the Bonds) to assure that the Bonds are obligations described in Section 103(a) of the Code, the interest on which is excluded from gross income for federal income tax purposes, throughout their term. The County further covenants that it will not take any action, omit to take any action or permit the taking or omission of any action within its control (including, without limitation, making or permitting any use of the proceeds of the Bonds)

if taking, permitting or omitting to take such action would cause any of the Bonds to be an arbitrage bond or a private activity bond within the meaning of the Code or would otherwise cause interest on the Bonds to be included in the gross income of the recipients thereof for federal income tax purposes. The County Clerk or other officer of the County charged with the responsibility of issuing the Bonds, shall provide an appropriate certificate of the County as of the Closing, for inclusion in the transcript of proceedings, certifying that it can and covenanting that it will comply with the provisions of the Code and Regulations.

Further, it is the intent of the County to take all reasonable and lawful actions to comply with any new tax laws enacted so that the Bonds will continue to be obligations described in Section 103(a) of the Code, the interest on which is excluded from gross income for federal income tax purposes throughout their term.

The County covenants that it is a governmental unit with general taxing powers and that the Bonds are not "private activity bonds" as defined in Section 141 of the Code.

In accordance with Section 148(f) (4) (B) of the Code, the County covenants that ninety-five percent (95%) or more of the net proceeds of the Bonds are to be used for local governmental activities of the County and that 100% of the proceeds of the Bonds will be expended for the governmental purposes of the issue within six months of the Closing. If for any reason the County did not qualify for the six month exemption from the rebate requirements of the Code, the County covenants that it would take all necessary steps to comply with such requirements.

The County Board of Supervisors hereby designates the Bonds to be "qualified tax-exempt obligations" pursuant to the provisions of Section 265(b) (3) of the Code and in support of such designation, the County Clerk or other officer of the County charged with the responsibility for issuing the Bonds, shall provide an appropriate certificate of the County, all as of the Closing.

Section 10. Execution of the Bonds. The Bonds shall be prepared in typewritten or printed form, executed on behalf of the County by the manual or facsimile signatures of the Chairperson and County Clerk, authenticated, if required, by its fiscal agent appointed herein, if any, sealed with its official or corporate seal, if any, or a facsimile thereof and delivered to the Purchaser upon payment to the County of the purchase price thereof, plus accrued interest to the date of delivery. In the event that either of the officers whose signatures appear on the Bonds shall cease to be such officers before the delivery of the Bonds, such signatures shall, nevertheless, be valid and sufficient for all purposes to the same extent as if they had remained in office until such delivery. The aforesaid officers are hereby authorized to do all acts and execute all documents as may be necessary and convenient for effectuating the Closing.

Section 11. Payment of the Bonds. The principal of and interest on the Bonds shall be paid in lawful money of the United States of America by the County Clerk or County Treasurer.

Section 11A. Persons Treated as Owners: Transfer of Bonds. The County shall keep books for the registration and for the transfer of the Bonds. The person in whose name any Bond shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes and payment of either principal or interest on any Bond shall be made only to the registered owner thereof. All such payments shall be valid and

effectual to satisfy and discharge the liability upon such Bond to the extent of the sum or sums so paid.

Any Bond may be transferred by the registered owner thereof by surrender of the Bond at the office of the County Clerk, duly endorsed for the transfer or accompanied by an assignment duly executed by the registered owner or his attorney duly authorized in writing. Upon such transfer, the Chairperson and County Clerk shall execute and deliver in the name of the transferee or transferees a new Bond or Bonds of a like aggregate principal amount, series and maturity and the County Clerk shall record the name of each transferee in the registration book. No registration shall be made to bearer. The County Clerk shall cancel any Bond surrendered for transfer.

The County shall cooperate in any such transfer, and the Chairperson and County Clerk are authorized to execute any new Bond or Bonds necessary to effect any such transfer.

The fifteenth day of each calendar month next preceding each interest payment date shall be the record date for the Bonds. Payment of interest on the Bonds on any interest payment date shall be made to the registered owners of the Bonds as they appear on the registration book of the County at the close of business on the corresponding record date.

Section 12. Utilization of The Depository Trust Company Book-Entry-Only System. In order to make the Bonds eligible for the services provided by The Depository Trust Company, New York, New York ("DTC"), the County agrees to the applicable provisions set forth in the Blanket Issuer Letter of Representations previously executed on behalf of the County and on file in the County Clerk's office.

Section 13. Undertaking to Provide Continuing Disclosure. The County hereby covenants and agrees, for the benefit of the holders of the Bonds, to enter into a written undertaking (the "Undertaking") required by SEC Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities and Exchange Act of 1934 (the "Rule") to provide continuing disclosure of certain financial information and operating data upon request and timely notices of the occurrence of certain events in accordance with the Rule. The Undertaking shall be enforceable by the holders of the Bonds or by the Purchaser on behalf of such holders (provided that the rights of the holders and the Purchaser to enforce the Undertaking shall be limited to a right to obtain specific performance of the obligations thereunder and any failure by the County to comply with the provisions of the Undertaking shall not be an event of default with respect to the Bonds)

The County Clerk, or other officer of the County charged with the responsibility for issuing the Bonds shall provide a Continuing Disclosure Certificate for inclusion in the transcript of proceedings, setting forth the details and terms of the County's Undertaking.

Section 14. Bond Insurance. The Chairperson and County Clerk are authorized to agree to such additional provisions as any municipal bond insurer which makes a commitment accepted by the County to insure the Bonds may reasonably request and which are acceptable to the Chairperson and County Clerk, including provisions regarding restrictions on investment of Bond Proceeds, the payment procedure under the municipal bond insurance policy, the rights of the bond insurer in the event of default and payment of the Bonds by the bond insurer and notices to be given to the bond insurer. In

addition, appropriate reference to the municipal bond insurance policy shall be made in the form of Bond provided herein.

Section 15. Redemption of the 2001 Notes. The County Board of Supervisors hereby calls the 2001 Notes for redemption on or about November 15, 2001. The County hereby directs its financial advisor, Robert W. Baird & Co. Incorporated, to cause a notice of redemption, in substantially the form attached hereto as Exhibit C to be provided at the times, to the parties and in the manner provided thereon.

Section 16. Conflicting Resolutions: Severability; Effective Date. All prior resolutions, rules or other actions of the County Board of Supervisors or any parts thereof in conflict with the provisions hereof shall be, and the same are, hereby rescinded insofar as the same may so conflict. In the event that any one or more provisions hereof shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions hereof. The forgoing shall take effect immediately upon adoption and approval in the manner provided by law

Adopted and recorded August 1, 2001.

LaVern Betthausen, Chairperson
Attest: Christine M. Williams, County Clerk

The foregoing resolution was introduced and moved for adoption by Supervisor Westphal, second by Supervisor Sund. Paul Patrie, Baird & Co. presented issue data. Motion by Supervisor Sund, second by Supervisor Pierce to call the question. The motion carried on a voice vote. Roll was called with all 26 Supervisors in attendance (Supervisor Kenyon was absent and Supervisor Culpitt was momentarily absent) voting yes.

RESOLUTION NO. 8-01-2

IN SUPPORT OF FOUR YEAR TERMS FOR COUNTY BOARD SUPERVISORS

WHEREAS, the Monroe County Administrative/Executive Committee did discuss the issue of supervisor terms; and

WHEREAS, Wisconsin State Statutes 59.10(b) provides that "The term of office of supervisors is two years."

WHEREAS, the present two year term is not long enough to see major projects within the county completed; and

WHEREAS, it would be in the best interest of the citizenry, i.e. taxpayer, if supervisory district elections costs were incurred once in every four years.

NOW, THEREFORE, BE IT RESOLVED by the Monroe County Board of Supervisors, that Monroe County state legislators be advised of the desire to change legislation to allow supervisory district elections every four years.

BE IT FURTHER RESOLVED that this resolution be sent to the other 71 counties asking for support in this endeavor.

Dated this 1st day of August, 2001

OFFERED BY THE ADMINISTRATIVE/EXECUTIVE COMMITTEE:

Dennis Hubbard
Albert H. Wensel
Warren H. Isbell

Committee vote: 3-1, one absent

The foregoing resolution was introduced and moved for adoption by Supervisor Wensel, second by Supervisor Nicosia. Supervisor Hubbard explained the reasons. Note is made that the correct committee vote was 3-1, 1 absent. Various supervisors addressed the issue, pro and con. Motion by Supervisor Wensel, second by Supervisor Brown to call the question. The motion carried on a voice vote. Roll was called with the following 16 Supervisors voting yes: Helming, Westphal, Nicosia, Pfaff, Pierce, VanWychen, Culpitt, Wells, Hubbard, Denter, Schreier, Pasch, Bluske, Isbell, Sund, Wensel; the following 11 Supervisors voting no: Schnitzler, M Kuhn, C Anderson, B Anderson, Zastoupil, J Kuhn, Brown, Beatty, T Anderson, Selz, Bethhauser. Supervisor Kenyon was absent. The resolution was adopted.

RESOLUTION NO. 8-01-3

AN ORDINANCE PERTAINING TO ZONING (TOWN OF TOMAH)

That portion of the County of Monroe, State of Wisconsin, described as a .870 acre parcel of land, lot of record September 12, 1975, and located in the SW ¼ of NE ¼, Section 10, T17N, R1W, Tomah Township and described as commencing at the NW corner of said Section 10; thence S0°-34'E, 1327.54 feet along the West line of the NW ¼ of Section 10 to the NW corner of the S ½ of the NW ¼; thence N89°-06'E, 2635.30 feet along the North line of the S ½ of the NW ¼ of Section 10 to the NW corner of the S ½ of the NE ¼ of Section 10; thence N89°-12'E, 402.45 feet along the North line of the S ½ of the NE ¼ of Section to the point of beginning; thence continuing N89°-12'E, 346.72 feet along the said S ½ of the NE ¼ to the intersection with the Northwesterly R/W line of Interstate Highway "90" West; thence Southwesterly along said R/W line S56°-50'W, 410.49 feet; thence N0°-48'W, 219.75 feet to the point of beginning, excepting therefrom the North 33 feet which is being used for Roadway purposes, which heretofore has been designated General Agriculture District shall hereafter be designated Business District and the official zoning map of the County of Monroe pertaining to such district shall be forthwith changed accordingly.

Dated this 1st day of August, 2001

OFFERED BY: SANITATION, PLANNING & ZONING, FORESTRY COMMITTEE

Albert H. Wensel
Leo Selz
Loren Pierce
James Kuhn
James V. Pfaff

Committee Vote: 4-0 in favor, 1 absent

To: The Honorable County Board of Supervisors

We the undersigned Zoning Committee held a public hearing on July 16, 2001 to take testimony for or against the application of Donald Grimshaw, 25635 Grain Ave, Tomah WI to change the official county zoning map from General Agriculture District to Business District on a .870 acre parcel of land, lot of record September 12, 1975, and located in the SW ¼ of NE ¼, Section 10, T17N, R1W, Tomah Township and described as commencing at the NW corner of said Section 10; thence S0°-34'E, 1327.54 feet along the West line of the NW ¼ of Section 10 to the NW corner of the S ½ of the NW ¼; thence N89°-06'E, 2635.30 feet along the North line of the S ½ of the NW ¼ of Section 10 to the NW corner of the S ½ of the NE ¼ of Section 10; thence N89°-12'E, 402.45 feet along the North line of the S ½ of the NE ¼ of Section to the point of beginning; thence continuing N89°-12'E, 346.72 feet along the said S ½ of the NE ¼ to the intersection with the Northwesterly R/W line of Interstate Highway "90" West; thence Southwesterly along said R/W line S56°-50'W, 410.49 feet; thence N0°-48'W, 219.75 feet to the point of beginning, excepting therefrom the North 33 feet which is being used for Roadway purposes.

Said change would allow a trucking business and repair of trucks owned by said business.

Mr. Grimshaw was present for the hearing.

The Tomah Town Board was notified and represented at the hearing by Howard Hanson, Tomah Town Chairman, who stated that they have received no objections to this application from anyone and that there are other businesses located in this same area.

No one was present in opposition.

After discussion, we, the undersigned Zoning Committee, recommend that your honorable body grant this change to Business District.

Dated this 1st day of August, 2001

OFFERED BY: SANITATION, PLANNING & ZONING, FORESTRY COMMITTEE

Albert H. Wensel
Leo Selz
Loren Pierce
James Kuhn
James V. Pfaff

Committee Voted: 4-0 in favor, 1 absent

The foregoing resolution was introduced and moved for adoption by Supervisor Selz, second by Supervisor Pfaff. Supervisor Wensel explained the reasons. Motion by Supervisor Pierce, second by Supervisor Schnitzler to call the question. The motion carried on a voice vote. The resolution was adopted on a voice vote.

RESOLUTION NO. 8-01-4

APPROVING FARMLAND PRESERVATION APPLICATION

WHEREAS, the County of Monroe has received an application from an individual named below for a farmland preservation agreement from 10 to 25 years pursuant to Chapter 91 of the Wisconsin Statutes and,

WHEREAS, such application has been reviewed by the Monroe County Land Conservation Committee pursuant to their responsibility to coordinate the operation of the agricultural land preservation program and,

WHEREAS, such application received for farmland preservation is as follows:

<u>Name of Applicant</u>	<u>Location of Farm</u>	<u>Township</u>	<u>Acreage</u>
Leo J. Snider	12797 Grover Rd., Tomah	Byron	88.8

WHEREAS, 91.13 (4) of the Wisconsin Statutes provides that such application be approved by the County Board of Supervisors as a whole;

THEREFORE, BE IT RESOLVED, by the Monroe County Board of Supervisors that this application for farmland preservation as set forth hereinabove be and the same are hereby approved by the Monroe County Board of Supervisors.

Dated the 1st day of August, 2001

OFFERED BY THE LAND CONSERVATION COMMITTEE

Mahlon Denter
Dennis Hubbard
Robert Helming
Oris Hall
Nodji Van Wychen

Land Conservation Committee vote: 5-0

The foregoing resolution was introduced and moved for adoption by Supervisor Schnitzler, second by Supervisor J Kuhn. Supervisor Denter and County Conservationist Al Hoff, explained the reasons. Motion by Supervisor Sund, second by Supervisor Pfaff to call the question. The motion carried on a voice vote. The resolution was adopted on a voice vote.

Chair Betthausser announced that it would be necessary to hold a closed session per Chapter 19.85(1)(g) to confer with legal counsel re. Sand Creek remediation/City of Sparta. Motion by Supervisor Pierce, second by Supervisor Bluske to move to closed session per the announcement of the Chair. Roll was called with 24 Supervisors voting yes; Supervisors Culpitt and Wensel voting no; Supervisor Kenyon was absent and Supervisor C Anderson was momentarily absent.

Attorney Azar by telephone and Corporation Counsel Kerry Sullivan-Flock worked with the Board on remaining issues.

At approximately 12:25 p.m. on a motion by Supervisor Wensel, second by Supervisor Pfaff and carried on a unanimous roll call vote, the Board moved from closed to open session.

The motion by Supervisor Nicosia, second by Supervisor M Kuhn to adjourn carried on a voice vote.

Chris Williams, Recorder
County Clerk

I, Christine M. Williams, Monroe County Clerk certify that to the best of my knowledge the foregoing is a true and correct copy of the August session of the Monroe County Board of Supervisors held on August 1, 2001.

SEPTEMBER 2001

The September meeting of the Monroe County Board of Supervisors convened at the Courthouse in the City of Sparta, Wisconsin, on Wednesday, September 5, 2001, at 8:30 a.m. Chair LaVern Betthausser presided. Roll was called with all 27 Supervisors present, Supervisor Culpitt arrived at 9:10 a.m. The Pledge of Allegiance to the Flag was recited.

Chair Betthausser announced that the Board would come together as a Committee of the Whole to conduct a Public Hearing regarding the redistricting plan. Redistricting Committee Chair, Supervisor Hubbard, conducted the session calling three times for public input. There was no participation. Chair Betthausser declared the Public Hearing closed.

Motion by Supervisor Wensel, second by Supervisor Nicosia to approve the minutes of the August 1, 2001, meeting as printed and mailed. The motion carried on a voice vote.

The Mississippi River Regional Planning Commission (MRRPC) annual report has been placed in Supervisor's mailboxes. Supervisor J Kuhn who represents the County on the Commission stated his availability to address any concerns.

Chair Betthausser announced that the special meeting re. facility sites called for September 17th is cancelled. Rule 17 states that a majority of supervisors must request in writing to the Clerk for a special meeting to be held. This has not always been followed in the past, but would be in this instance.

Colonel Michael R Staszak, Fort McCoy Commander, presented an overview of activities and provided several promotional items to the Supervisors. Linda M Fournier, Public Affairs Officer, was also present.

Annette Erickson presented the July County Treasurer's report. The effect of lower interest rates was considered.

Chair Betthausser gave an update on state ITBEC activity.

A short recess was called until 10:30 a.m.

Discussion was held on 2001 Resolutions of the Wisconsin Counties Association. The following will be "no" votes by Monroe County, as a result in most instances of a show of hands and with input from a committee of jurisdiction:

- #8-Alcohol & Cigarette Tax for Rehabilitation Programs
- #9-Support Policy Improvements to the Federal Food Stamp Program...
- #13-Support Tobacco Control Fund Bill
- #15-Support Best Practices for Child, Youth & Families...
- #17-Encourage Producers of Medical Sharps to Cover the Cost...

#18-Support Welcome Home Baby Legislation
 #36-Request to Exempt Employee Health Care Cost Increases from the Operating Levy Rate Calculation
 #39-Request for Amendment to Limit Tax Exemption for Non-Profit Medical Research Foundations
 #40-Support Fair & Uniform Application of Sales Tax Laws
 #42-Support Maximum Speed Limit on Snowmobile Trails
 #43 & #44-Support Eliminating Immunity ... for Insufficiency or Want of Repair of a Highway
 Several other resolutions were redundant since the budget has been passed.

RESOLUTION NO. 9-01-1

AMENDING THE MONROE COUNTY CODE OF ORDINANCES, SEC. 2.10, ESTABLISHING SUPERVISORY DISTRICTS

WHEREAS, the Monroe County Board of Supervisors did approve a tentative redistricting plan at its May 9, 2001, meeting and said plan was provided to municipalities in Monroe County; and

WHEREAS, the municipalities have reviewed the plan and each, except for the Town of Angelo, did adopt by resolution said plan; and

WHEREAS, a public hearing is set for Wednesday, September 5, 2001, to review the final redistricting plan for Monroe County.

NOW, THEREFORE, the Monroe County Board of Supervisors does hereby ordain and establish and amend Monroe County Ordinance 2.10 as follows:

2.10 SUPERVISORY DISTRICTS.

- (1) DESCRIBED. Pursuant to Chapter 59, Wis. Stats., and after public hearing, the Board of Supervisors of the County of Monroe shall consist of 24 Supervisors to be elected from the 24 supervisory districts which are hereby created, numbered and described as follows:
 - (a) District 1: shall contain a population of 1,723 and shall consist of the Towns of Little Falls, New Lyme, and LaFayette Ward 1
 - (b) District 2: shall contain a population of 1,713 and shall consist of the Towns of Grant, Lincoln, and Scott, and the Village of Warrens.
 - (c) District 3: shall contain a population of 1,692 and shall consist of the Town of Sparta Wards 1 and 2.
 - (d) District 4: shall contain a population of 1,693 and shall consist of the Towns of Angelo Ward 1, and Sparta Wards 3 and 4.
 - (e) District 5: shall contain a population of 1,700 and shall consist of the Towns of Greenfield, Adrian, Angelo Ward 2, and LaFayette Ward 2.

- (f) District 6: shall contain a population of 1,652 and shall consist of the Town of LaGrange Wards 1 and 2.
- (g) District 7: shall contain a population of 1,649 and shall consist of the Towns of Byron, LaGrange Ward 3, and the Village of Wyeville.
- (h) District 8: shall contain a population of 1,748 and shall consist of the Towns of Tomah, and Wilton Ward 1.
- (i) District 9: shall contain a population of 1,669 and shall consist of the Towns of Oakdale, Clifton, and the Village of Oakdale.
- (j) District 10: shall contain a population of 1,701 and shall consist of the Towns of Leon, Wells, and Angelo Ward 3.
- (k) District 11: shall contain a population of 1,727 and shall consist of the Towns of Ridgeville, Wilton Ward 2, and the Villages of Norwalk and Wilton.
- (l) District 12: shall contain a population of 1,691 and shall consist of the Town of Portland, and the Village of Cashton.
- (m) District 13: shall contain a population of 1,738 and shall consist of the Towns of Jefferson, Sheldon, Wellington Ward 1, and the Village of Melvina.
- (n) District 14: shall contain a population of 1,736 and shall consist of the Towns of Glendale, Wilton Ward 3, Wellington Ward 2, and the Village of Kendall.
- (o) District 15: shall contain a population of 1,706 and shall consist of Wards 9, 11, 12, and 14, City of Sparta.
- (p) District 16: shall contain a population of 1,751 and shall consist of Wards 13, 16, and 17, City of Sparta.
- (q) District 17: shall contain a population of 1,736 and shall consist of Wards 3, 5, and 15, City of Sparta.
- (r) District 18: shall contain a population of 1,727 and shall consist of Wards 1,2,4, and 6, City of Sparta.
- (s) District 19: shall contain a population of 1,728 and shall consist of Wards 7, 8, and 10, City of Sparta.
- (t) District 20: shall contain a population of 1,714 and shall consist of Wards 1, 2, and 3, City of Tomah.
- (u) District 21: shall contain a population of 1,697 and shall consist of Wards 4, 5, 6, and 7, City of Tomah.
- (v) District 22: shall contain a population of 1,672 and shall consist of Wards 10, 13, 14, 15, City of Tomah.
- (w) District 23: shall contain a population of 1,703 and shall consist of Wards 9, 11 and

12, City of Tomah.

- (x) District 24: shall contain a population of 1,633 and shall consist of Wards 8 and 16, City of Tomah.
- (2) SUPERVISORS. One supervisor shall be elected from each district commencing with the spring election of 2002.
- (3) COUNTY DISTRICTS AND WARDS. References in this section to the districts and wards are further described and designated in a district population breakdown by tract and block, which is incorporated herein and made a part hereof and on file in the office of the County Clerk.

Dated this 5th day of September, 2001.

OFFERED BY THE REDISTRICTING COMMITTEE:

Dennis Hubbard
James B. Kuhn
Cedric Schnitzler
Nodji Van Wychen
Warren H. Isbell
Al Wensel
Janice E. Foss
JoAnn Cram

Committee vote: 8-0

The foregoing resolution was introduced and moved for adoption by Culpitt, second by Supervisor Sund. Supervisor Hubbard explained the reasons. On August 16, 2001, a suit was filed by Monroe County against the Township of Angelo, the only municipality to not accept the County's plan. Motion by Supervisor Sund, second by Supervisor Wensel to call the question. The motion carried on a voice vote. The resolution was adopted on a voice vote.

RESOLUTION NO. 9-01-2

SUPPORTING FEDERAL LEGISLATION TO REQUIRE IMPORTERS OF FOREIGN DAIRY PRODUCTS TO CONTRIBUTE TO THE COSTS OF U.S. DAIRY PROMOTIONS

WHEREAS, Dairy Farming contributes approximately \$100 million dollars a year to the economy of Monroe County and \$1.3 billion overall to the economy of the State of Wisconsin, and;

WHEREAS, American dairy farmers annually contribute 15 cents (\$.15) per 100 pounds of milk to their State and/or National Dairy Promotion and Research Boards, and;

WHEREAS, Importers of foreign dairy products into the U.S. do not contribute to the program yet receive the same promotional benefits, therefore; the American dairy farmer is subsidizing the promotion of foreign dairy products, and;

WHEREAS, the USDA estimates that by introducing legislation to mandate check-

offs of foreign dairy products, an approximate \$8 million in additional revenue would be generated for the National Dairy Promotion and Research Board, and;

NOW, THEREFORE, BE IT RESOLVED that the Monroe County Board of Supervisors supports the introduction of federal legislation that would subject all importers of foreign dairy products to pay into the National Dairy Promotion and Research Board Program at the same rate as American dairy producers, and;

BE IT FURTHER RESOLVED that copies of this resolution be forwarded to Senators Herb Kohl, Russ Feingold, Representatives Tom Petri, Ron Kind, State Senators Rodney Moen, Mark Meyer, State Assembly persons Michael Huebsch and Terry Musser.

SUBMITTED BY: AGRICULTURE AND EXTENSION EDUCATION COMMITTEE:

Simon J. Wells
Mahlon Denter
Bob Helming
Nodji Van Wychen
Tom Zastoupil

Committee vote: 5-0

The foregoing resolution was introduced and moved for adoption by Supervisor Wells, second by Supervisor Zastoupil. Supervisor Wells explained the reasons. Motion by Supervisor Pierce, second by Supervisor Wensel to call the question. The motion carried on a voice vote. The resolution was adopted on a voice vote.

RESOLUTION NO. 9-01-3

ESTABLISHING A \$50.00 PETTY CASH FUND FOR THE UW-EXTENSION OFFICE

WHEREAS, the Extension Office has requested a petty cash fund to be established in the amount of \$50.00 for said office to cover necessary small expenditures; and

WHEREAS, the Finance Committee recommends that said petty cash fund be established.

NOW, THEREFORE, BE IT RESOLVED by the Monroe County Board of Supervisors that they do hereby authorize and establish a \$50.00 petty cash fund for the UW-Extension Office, said amount to come from the contingency fund.

DATED this 5th day of September, 2001.

OFFERED BY THE FINANCE, CLAIMS & INSURANCE COMMITTEE:

Keith E. Kenyon
Warren H. Isbell
Carl E. Anderson
Simon J. Wells
M. J. Sund

Ag & Extension Committee vote: 5-0

Committee vote:
Fiscal note included above

The foregoing resolution was introduced and moved for adoption by Supervisor Culpitt, second by Supervisor Wensel. Supervisor Wells and the County Clerk explained the reasons. Motion by Supervisor Pierce, second by Supervisor Sund to call the question. The motion carried on a voice vote. The resolution was adopted on a voice vote.

RESOLUTION NO. 9-01-4

RATIFYING 2001-2002 COLLECTIVE BARGAINING AGREEMENT WITH THE ROLLING HILLS UNION, AFSCME LOCAL 1947

WHEREAS, the Bargaining Committee of the Monroe County Board of Supervisors met with representatives of the Rolling Hills union during the past year in order to negotiate a successor collective bargaining agreement for the calendar years of 2001 and 2002; and

WHEREAS, a voluntary settlement was reached on August 8, 2001, which included two percent wage increases on January 1 and September 1 for each of the two years; instituting a \$10 office visit co-pay on the Gundersen Lutheran health plan; continuing the \$.26 per hour wage pass-through pay for Certified Nursing Assistants through December 31, 2002; raising the classification of the union maintenance employees by one grade effective January 1, 2002; adjusting the vacation attainment schedule by one year; and other minor language changes.

NOW, THEREFORE, BE IT RESOLVED by the Monroe County Board of Supervisors that the Bargaining Committee be authorized and empowered to enter into a two year agreement for 2001-2002 with the Rolling Hills union on behalf of the County of Monroe, State of Wisconsin.

Dated this 5th day of September, 2001.

OFFERED BY THE BARGAINING COMMITTEE:
Allan Beatty
Joyce A. Schreier
Edward Westphal

Fiscal note: For 2001, 2% increases on January 1 and September 1 equals a 2.67% increase for the year, or an additional \$72,826 in wages, \$14,499 in wage-related benefits, and \$92,494 in additional health and dental insurance costs, for a total of \$179,819 from the contingency fund if needed.

Bargaining Committee vote: 3-0
Finance Committee vote: 4 yes, 0 no, 1 absent

The foregoing resolution was introduced and moved for adoption by Supervisor Brown, second by Supervisor Pfaff. Supervisor Beatty and the Personnel Director explained the reasons. Supervisor Beatty noted that the Committee eliminated three words from the fiscal note: "to be transferred", and that the vote was 3-0. Motion by Supervisor Helming, second by Supervisor Pierce to call the question. The motion carried on a voice vote.

The resolution was adopted on a voice vote.

RESOLUTION NO. 9-01-5

AUTHORIZING THE ESTABLISHMENT OF AN ADDITIONAL PART-TIME PARK RANGER AT McMULLEN PARK

WHEREAS, the Monroe County Sanitation, Zoning & Forestry Committee requests the establishment of an additional part-time 1,560-hour per year Park Ranger position at McMullen Park to meet the growing demand for services and security at the park; and

WHEREAS, the position would maintain park grounds and facilities, assist campers, and work on projects with the current Park Ranger under the supervision of the Sanitation, Zoning & Forestry Administrator.

NOW, THEREFORE, BE IT RESOLVED by the Monroe County Board of Supervisors that they do hereby authorize the establishment of an additional Park Ranger position at McMullen Park at a salary grade 3 effective January 1, 2002.

Dated this 5th day of September, 2001.

OFFERED BY THE SANITATION, ZONING & FORESTRY COMMITTEE:
Albert H. Wensel
Leo Selz
Loren Pierce
J. V. Pfaff
James B. Kuhn
Sanitation, Zoning & Forestry Committee vote: 4 yes, 0 no, 1 absent
Personnel & Bargaining Committee vote: 4 yes, 1 no
Finance Committee vote: no vote

Fiscal note: \$26,866 in wages, wage-related benefits and insurance coverage to be included in 2002 budget.

The foregoing resolution was introduced and moved for adoption by Supervisor Wensel, second by Supervisor Pfaff. Supervisor Wensel, Wes Bangsberg and Jim Berberich explained the reasons. Motion by Supervisor Culpitt, second by Supervisor Sund to table the resolution, sending it back to the Personnel Committee for better figures and bringing it back next month. Roll was called with the following 12 Supervisors voting yes: Schnitzler, M Kuhn, Culpitt, C Anderson, Zastoupil, Wells, Brown, Kenyon, Isbell, Sund, Westphal, Nicosia; the following 16 Supervisors voting no: Pfaff, Pierce, VanWychen, B Anderson, Hubbard, Denter, J Kuhn, Schreier, Pasch, Beatty, Bluske, T Anderson, Selz, Wensel, Helming, Betthausen. The motion failed. Motion by Supervisor Wensel, second by Supervisor Sund to call the question. The motion failed on a voice vote. Further discussion took place. Motion by Supervisor Sund, second by Supervisor Selz to call the question. The motion carried on a voice vote. Roll was called on the resolution with the following 21 Supervisors voting yes: Pierce, VanWychen, M Kuhn, B Anderson, Zastoupil, Wells, Hubbard, Denter, J Kuhn, Schreier, Pasch, Beatty, Bluske, T Anderson, Selz, Sund, Wensel, Helming, Nicosia, Pfaff, Betthausen; the following 7 Supervisors voting no: Schnitzler, Culpitt, C. Anderson, Brown, Kenyon, Isbell, Westphal. The resolution

was adopted.

RESOLUTION NO. 9-01-6

AUTHORIZING THE ESTABLISHMENT OF TWO ONE ADDITIONAL DISPATCHER POSITIONS IN THE MONROE COUNTY POLICE DEPARTMENT

WHEREAS, the Public Safety & Justice Coordinating Committee has approved the establishment of two one dispatcher positions in the Monroe County Police Department. These are full-time positions requested to enhance public safety by providing telecommunication services for police, fire and emergency medical personnel; and

WHEREAS, the positions will monitor radio, telephone and TIME System computers for incoming calls; answer and dispatch personnel on the radio for police, fire, ambulance and first responders; and record information to include accident reports, notices, warrants and missing person reports.

NOW, THEREFORE, BE IT RESOLVED by the Monroe County Board of Supervisors that they do hereby authorize the establishment of two one Full-time dispatcher position in the Monroe County Police Department effective January 1, 2002.

Dated this 5th day of September, 2001

OFFERED BY THE PUBLIC SAFETY & JUSTICE COORDINATING COMMITTEE:

Simon J. Wells
A. O. Bluske
Joyce A. Schreier
Tom Anderson
M. J. Sund
Cedric Schnitzler

Public Safety & Justice Coordinating Committee Vote: 3 yes, 1 no, 3 absent
Personnel & Bargaining Committee Vote: 5 yes, 0 no
Finance Committee Vote: 4 yes, 0 no, 1 absent to approve putting one additional Dispatch position in the 2002 budget - \$47,892.50

Fiscal note: Budgeted cost for the two positions in 2002 would be \$95,785 to include wages, all wage-related benefits, insurance coverage and uniform allowance.

The foregoing resolution was introduced and moved for adoption by Supervisor Wells, second by Supervisor Schreier. Supervisor Wells, Sheriff Amundson and Lieutenant Loether explained the reasons. Motion by Supervisor C Anderson, second by Supervisor Nicosia to amend the resolution to read "one" additional dispatch position. Lieutenant Loether says he is working to find the reason that Dispatchers are Deputy Sheriffs in Monroe County. Sheriff Amundson gave several reasons that it helps to have them deputized. Motion by Supervisor Wensel, second by Supervisor Sund to call the question on the amendment. The motion carried on a voice vote. Roll was called with the following 15 Supervisors voting yes: VanWychen, Schnitzler, M Kuhn, Culpitt, C Anderson, Hubbard, J Kuhn, Brown, Kenyon, Isbell, Sund, Westphal, Nicosia, Pfaff, Pierce; the following 13 Supervisors voting no: B Anderson, Zastoupil, Wells, Denter, Schreier, Pasch, Beatty, Bluske, T Anderson, Selz, Wensel, Helming, Betthausen. The amendment car-

ried. Motion by Supervisor Sund, second by Supervisor Pfaff to call the question on the amended resolution. Roll was called with 25 Supervisors voting yes; Supervisors Selz, Wensel and Betthausen voting no. The amended resolution was adopted.

RESOLUTION NO. 9-01-7

AUTHORIZING TEN ADDITIONAL HOURS FOR THE RECEPTIONIST POSITION IN THE MONROE COUNTY POLICE DEPARTMENT

WHEREAS, the Public Safety & Justice Coordinating Committee has requested the establishment of full-time status for the Receptionist position in the Monroe County Police Department. The ten additional hours per week added to the 30-hour per week Receptionist position will allow the Sheriff to restructure office duties to function more effectively; and

WHEREAS, the additional ten hours per week will allow the Receptionist to assist the Administrative Assistant with clerical duties, thereby allowing the Administrative Assistant to assist the Sheriff with financial duties, which will allow the Sheriff to focus more of his efforts on department management and public service activities. The Police Department is the only large county department that does not have a bookkeeper position.

NOW, THEREFORE, BE IT RESOLVED by the Monroe County Board of Supervisors that they do hereby authorize ten additional hours per week for the Receptionist position in the Monroe County Police Department effective January 1, 2002.

Dated this 5th day of September, 2001.

OFFERED BY THE PUBLIC SAFETY & JUSTICE COORDINATING COMMITTEE:

Simon J. Wells
A. O. Bluske
Joyce A. Schreier
Tom Anderson
M. J. Sund
Cedric Schnitzler

Public Safety & Justice Coordinating Committee vote: 4 yes, 0 no, 3 absent
Personnel & Bargaining Committee: 5 yes, 0 no
Finance Committee Vote: 4 yes, 0 no, 1 absent

Fiscal note: Budgeted cost for the ten additional hours in 2002 would be \$7,978 to include wages, all wage-related benefits and insurance coverage.

The foregoing resolution was introduced and moved for adoption by Supervisor Schnitzler, second by Supervisor Wells. Supervisor Wells and Sheriff Amundson explained the reasons. Motion by Supervisor Wensel, second by Supervisor Sund to call the question. The motion carried on a voice vote. The resolution was adopted on a voice vote.

RESOLUTION NO. 9-01-8

**OPPOSING STATE BUDGET PROPOSAL TO INCREASE LANDFILL
TIPPING FEE FROM THIRTY CENTS TO THREE DOLLARS PER TON
FOR THE PURPOSE OF FUNDING THE STATE RECYCLING PROGRAM**

WHEREAS, the current Budget Bill before Governor McCullum includes languages that change the method of distributing Grants to Responsible Units for Recycling and mechanisms for deriving funds to support the State Recycling Program; and

WHEREAS, the current Budget Bill includes language to change the formula for awarding grants to Responsible Units for Recycling from an expense based to a per capita base; and

WHEREAS, the proposed per capita formula would provide Monroe County with approximately \$190,000 in annual recycling grant funds to help support local municipal recycling programs in Monroe County; and

WHEREAS, the current Budget Bill includes language to increase the current landfill tipping fee assessed by the State to provide a portion of the funds for the State Recycling Program from thirty cents to three dollars per ton; and

WHEREAS, the State Assessed fee would result in approximately an \$80,000 annual payment to the State of Wisconsin to fund the State Recycling Program; and

WHEREAS, this annual payment would have significant impacts on the availability of landfill revenues for use on County and Local Municipal Recycling Programs and other Solid Waste Department funded activities in Monroe County; and

WHEREAS, the net effect of the increase in State assessed fees for Recycling would be that the Solid Waste Department would only have approximately \$110,000 available to support local recycling programs; and

WHEREAS, the current State Recycling Grant program provides approximately \$172,000 in annual funds to Monroe County with a very limited contribution from the Solid Waste Department Landfill Revenues.

NOW, THEREFORE, BE IT RESOLVED by the Monroe County Board of Supervisors does hereby go on record opposing the proposed increase in landfill tipping fee to be assessed by the State of Wisconsin and to be used for funding the State Recycling Program.

FURTHER BE IT RESOLVED, that the Monroe County Board of Supervisors do hereby urge Governor McCullum to veto the proposed increase in Landfill Tipping Fees to fund the State Recycling Program and costs associated with the increase in State assessed fees.

Dated this 5th day of September, 2001.

OFFERED BY THE SOLID WASTE MANAGEMENT COMMITTEE:
Bert Anderson
Nodji Van Wychen
M. J. Sund

Committee Vote: 4 yes, 1 absent.

Fiscal Note: Implementation of the proposed changes to the State Recycling Program as included in the current Budget Bill would result in an additional \$75,000 being added to the appropriate line item for the Solid Waste Management Budget for 2002.

The foregoing resolution was withdrawn by Solid Waste Committee Chair, Supervisor B Anderson, since passage of the budget makes the resolution obsolete.

At approximately 11:40 a.m. on a motion by Supervisor Schnitzler, second by Supervisor Pfaff and carried on a voice vote, the Board adjourned.

Chris Williams, Recorder
County Clerk

I, Christine M. Williams, Monroe County Clerk certify that to the best of my knowledge the foregoing is a true and correct copy of the September session of the Monroe County Board of Supervisors held on September 5, 2001.

ANNUAL MEETING

The Annual Meeting of the Monroe County Board of Supervisors convened at the Courthouse in the City of Sparta, Wisconsin, on Wednesday, November 7, 2001, at 8:30 A.M. Chair LaVern Betthausser presided. Roll was called with all 28 Supervisors present. The Pledge of Allegiance to the Flag was recited.

Chair Betthausser announced that the Board would come together as a Committee of the Whole pursuant to Chapter 65.90(3) to conduct the Public Hearing of the proposed 2002 budget. There was no public input which was called for three times. Chair Betthausser declared the Public Hearing closed and the Annual Meeting was continued at approximately 8:35 A.M.

Supervisors Kenyon and Sund, Finance Committee Chair and Vice Chair, led a review by item of the proposed 2002 budget. The proposed budget was then open for consideration according to categories: General Government, Public Safety, Health & Human Services, Highway, Education & Recreation, Debt Service, Conservation, Capital Projects, and Other Revenues.

Motion by Supervisor Culpitt, second by Supervisor Schnitzler to suspend Rule 7 regarding speaking only twice to an issue. The motion was adopted on a voice vote.

General Government:
Accounts discussed with no change made were: Corporation Counsel, Property & Liability Insurance, Property & Purchasing's \$50,000 (now \$25,000) account.

Public Safety:
Motion by Supervisor M Kuhn, second by Supervisor Culpitt to cut the Dog Control capital line item \$15,000 (replacement truck). After discussion on this and other departments' trucks, motion by Supervisor Culpitt, second by Supervisor Brown to call the question. The motion carried on a voice vote. Roll was called with the following 6 supervisors voting yes: M Kuhn, Culpitt, Brown, Westphal, Nicosia, Schnitzler; the following 22 supervisors voting no: C Anderson, B Anderson, Zastoupil, Wells, Hubbard, Denter, J

Kuhn, Schreier, Pasch, Beatty, Bluske, Kenyon, Isbell, T Anderson, Selz, Sund, Wensel, Helming, Pfaff, Pierce, VanWychen, Betthausen. The motion failed.

Health & Human Services:

Mr. Gene Phillips, Human Services Director, addressed the Board concerning \$300,000 revenue added to his department's budget by the Finance Committee. After considerable discussion, motion by Supervisor Beatty, second by Supervisor Culpitt to subtract \$300,000 from proposed revenue and add \$300,000 to the county appropriation for Human Services. Motion by Supervisor C Anderson, second by Supervisor Sund to amend the motion to state that the funds would come from the general fund rather than new county appropriation. Supervisor Beatty called a point of order that the amendment did not relate to the motion and should be handled in a later portion of the budget. A ten minute break was called for appropriate parties to consider the issue. The 11/7/01-Annual Meeting Corporation Counsel concurred with the point of order and Chair Betthausen ruled Supervisor C Anderson's motion out of order. Motion by Supervisor Culpitt, second by Supervisor Brown to call the question. Roll was called with the following 5 supervisors voting yes: Culpitt, J. Kuhn, Beatty, T Anderson, Wensel; the following 23 supervisors voting no: C Anderson, B Anderson, Zastoupil, Wells, Hubbard, Denter, Schreier, Pasch, Brown, Bluske, Kenyon, Isbell, Selz, Sund, Helming, Westphal, Nicosia, Pfaff, Pierce, VanWychen, Schnitzler, M Kuhn, Betthausen. The motion failed.

Motion by Supervisor Brown, second by Supervisor T Anderson to reinstate \$35,000 to the Rolling Hills capital line item. Motion by Supervisor Schnitzler, second by Supervisor M Kuhn to call the question. The motion carried on a voice vote. Roll was called with the following 11 supervisors voting yes: Brown, Beatty, T Anderson, Selz, Helming, Westphal, Nicosia, Pierce, M Kuhn, Culpitt, Betthausen; the following 17 supervisors voting no: C Anderson, B Anderson, Zastoupil, Wells, Hubbard, Denter, J Kuhn, Schreier, Pasch, Bluske, Kenyon, Isbell, Sund, Wensel, Pfaff, VanWychen, Schnitzler. The motion failed.

The Solid Waste account was discussed, no action was taken. Supervisors were encouraged to attend a Solid Waste Management Board meeting.

Highway:

It was noted that \$200,000 was taken from Highway's cash assets and applied to offset the entire county appropriation.

Education & Recreation, Conservation, Debt Service, Capital Projects, Contingent Fund, Other Revenues:
No changes

RESOLUTION NO. 11a-01-1

AUTHORIZING 2002 HIGHWAY DEPARTMENT BUDGET

WHEREAS, The Monroe County Highway Commissioner and the Monroe County Highway Committee have developed the Monroe County Highway Department budget for highway expenditures in the year 2002 under the provisions of Wisconsin Statutes Chapter 83 and Wisconsin Statutes Section 20.395 which include funding sources from the federal, state, county, city, village and township governments and such additional sums as may be further appropriated.

WHEREAS, General Transportation Aids estimated to be Eight Hundred Ninety Six Thousand Eight Hundred Ninety Dollars (\$896,890) will become available in four equal payments throughout calendar year 2002 under appropriations pursuant to Wisconsin Statutes Section 20.395 for the purposes of Wisconsin Statutes Chapter 83 and as prescribed by the formulas specified under Chapter 86 for the county trunk highway system in Monroe County and the actual amount will not be known until 2002.

WHEREAS, Wisconsin Statutes Section 83.03 (2) authorizes the County Board to improve any portion of the county trunk highway system with county funds and it may assess not more than 40 (forty) percent of the cost of the improvement and not over One Thousand Dollars (\$1,000.00) in any year against the town, village or city in which the improvement is located and the County Clerk is to certify such special tax to the town, village or city who shall put the same in the next tax roll to be collected and paid into the County Treasury.

WHEREAS, it is determined that certain additional highway improvements and maintenance in the County are necessary and warranted which includes sums appropriated for Highway Administration, Highway Committee, Maintenance CTH's, CTH Winter Maintenance, CTH Supplemental, CTH Bridges, Federal Aid Projects, Angelo Dam Operation, Town Road Name Signs, and Buildings & Grounds Maintenance Fund.

WHEREAS, Monroe County needs to make appropriations in amounts in addition to the General Transportation Aids under Wisconsin Statutes Section 20.395 and said amounts are to be included in the Monroe County 2002 budget where taxes are to be levied to cover those costs which include those authorized under Wisconsin Statutes Section 83.03(2) and other amounts as described above.

NOW, THEREFORE, BE IT RESOLVED, by the Monroe County Board of Supervisors that the Monroe County Highway Committee is authorized and directed to expend sums to the extent required to match and supplement federal aid for construction, right-of-way, and other costs on any federal project located on the Monroe County Highway system which are not recovered from federal funds and to expend any balance for construction, repairing and maintaining such county trunk highway system and the bridges thereon including snow and ice removal and control as directed by Wisconsin Statutes Section 83.015 and to reimburse any of the expenditures that are to be made therefrom pursuant to Wisconsin Statutes Section 83.01 (6)(7).

NOW, THEREFORE, BE IT RESOLVED, by the Monroe County Board of Supervisors that the Monroe County Highway Committee is authorized and directed to expend sums to the extent required to match and supplement state aid for construction, right-of-way, and other costs on any Local Roads Improvement Program project located on the Monroe County Trunk Highway system which are not recovered from state funds under Wisconsin Statutes Section 86.31 and the estimated amount of said Local Roads Improvement Program Aids includes One Hundred Fifty Thousand Dollars (\$150,000) for the construction of the county trunk highway system.

BE IT FURTHER RESOLVED, that pursuant to Wisconsin Statutes Section 83.03 (2) the following improvements have been made on the county trunk highway system with the following assessments:

2002 BRIDGE & CULVERT REPORT FOR COUNTY TRUNK HIGHWAYS

TOWN OR VILLAGE	CTH	BRIDGE OR CULVERT NAME	YEAR CONSTRUCTED	TOTAL COST (Final or Estimated to end of 2001)	TOWN OR VILLAGE SHARE (40%)	PAID BY TOWN OR VILLAGE TO DATE	TO BE PAID BY TOWN OR VILLAGE AT TAX TIME IN 2002	BALANCE DUE FOR FUTURE TAX PURPOSES
Byron	PP	Federal Aid	1994-1995	\$52,571	\$21,029	\$6,000	\$1,000	\$14,029
Clifton	A	Br. Lemonweir (Fed. Aid)	1998-1999	\$36,000	\$14,400	\$3,000	\$1,000	\$10,400
Clifton	W	Br. Lemonweir (Fed. Aid)	1998-1999	\$25,000	\$10,000	\$3,000	\$1,000	\$6,000
Jefferson	F	Joyce Bridge	1990	\$44,823	\$17,929	\$11,000	\$1,000	\$5,929
Jefferson	F	Little LaX R. (Fed. Aid)	2002	\$8,000	\$3,200	\$2,000	\$1,000	\$200
LaFayette	Q	Rowan	1992	\$24,534	\$9,814	\$9,000	\$814	\$0
LaFayette	I & BB	Aluminum Box	1997	\$28,683	\$11,473	\$4,000	\$1,000	\$6,473
LaGrange	E	Abbs Bridge	1992	\$34,653	\$13,861	\$9,000	\$1,000	\$3,861
Leon	Y	Everson Hole Box Culvert	1994	\$28,444	\$11,378	\$7,000	\$1,000	\$3,378
Leon	X	Leis/Mlsna	1997-1998	\$121,434	\$48,574	\$4,000	\$1,000	\$43,574
Little Falls	S	Schober Bridge	1989-1990	\$40,112	\$16,045	\$12,000	\$1,000	\$3,045
Little Falls	S	Merow	1995-1996	\$60,862	\$24,345	\$6,000	\$1,000	\$17,345
Little Falls	B	Sopher Creek (Fed. Aid)	1997-1998	\$66,000	\$26,400	\$4,000	\$1,000	\$21,400
Little Falls	S	Duslin Creek	2001	\$110,000	\$44,000	\$0	\$1,000	\$43,000
Oakdale	C	Bear Creek Bridge	1994	\$65,261	\$26,104	\$7,000	\$1,000	\$18,104
Ridgeville	T	Br. Morris Creek (Fed. Aid)	2003	\$7,000	\$2,800	\$1,000	\$1,000	\$800
Sheldon	T	Leland Bridge	1976-1977	\$64,279	\$25,712	\$24,000	\$1,000	\$712
Sheldon	T	Morris Creek (Fed. Aid)	1995-1996	\$71,303	\$28,521	\$6,000	\$1,000	\$21,521
Sheldon	F	Br. Morris Creek (Fed. Aid)	2002	\$8,000	\$3,200	\$1,000	\$1,000	\$1,200
Tomah	CM	Lemonweir Ck. (Fed. Aid)	2000-2001	\$51,000	\$20,400	\$2,000	\$1,000	\$17,400
Wells	XX	J. Hyatt Timber Bridge	1987	\$37,059	\$14,824	\$14,000	\$824	\$0
Wells	XX	Pottinger	1992	\$51,894	\$20,757	\$9,000	\$1,000	\$10,757
Wells	XX	Kowitz	1997 & 2001	\$38,000	\$15,200	\$5,000	\$1,000	\$9,200
V. of Kendall	P	Brandau	1990-1991	\$113,615	\$45,446	\$11,000	\$1,000	\$33,446
TOTALS				\$1,188,526	\$475,412	\$160,000	\$23,638	\$291,774

BE IT FURTHER RESOLVED, that for budgetary purposes the following customer accounts be added with revenues offsetting expenditures for no net affect to the County operating tax levy: Maintenance & Construction for - State Highways, Local Governments, County Departments, Federal Government, Non-Government; and Bicycle Trail Projects.

BE IT FURTHER RESOLVED, that the Monroe County Highway Committee is hereby authorized and directed to expend available funds for the following matters as detailed below:

2002 MONROE COUNTY HIGHWAY DEPARTMENT BUDGET				
EXP ACCT. #(S)	DESCRIPTION	BUDGET	REVENUE	OPERATING LEVY
53112 & 53190	Highway Administration	\$440,000	\$150,000	\$290,000
53111	Highway Committee	\$11,000	\$0	\$11,000
53311	Maintenance CTH's	\$1,370,000	\$896,890	\$473,110
53312	CTH Winter Maintenance	\$600,000	\$0	\$600,000
53319	CTH Supplemental	\$1,539,980	\$150,000	\$1,389,980
53318	CTH Bridges (includes Fed-Aid bridges)	\$153,638	\$23,638	\$130,000
53315	Federal Aid Projects (non-bridge)	\$15,000	\$0	\$15,000
53317	Angelo Dam Operation	\$3,500	\$0	\$3,500
53311 proj. 319	Town Road Name Signs	\$2,500	\$0	\$100,000
53283	Buildings & Grounds Maintenance Fund	\$100,000	\$0	\$100,000

53281	New Machinery Fund	\$670,000	\$670,000	\$0
53320	State Highways Maint. & Constr.	\$1,500,000	\$1,500,000	\$0
53330	Local Governments Maint. & Constr.	\$150,000	\$150,000	\$0
53340	County Departments Maint. & Constr.	\$10,000	\$10,000	\$0
53350	Federal Government Maint. & Constr.	\$5,000	\$5,000	\$0
53360	Non-Government Maint. & Constr.	\$25,000	\$25,000	\$0
53550	Bicycle Trail Projects (bridges)	\$10,000	\$10,000	\$0
TOTAL OPERATION		\$6,605,528	\$3,590,528	\$3,015,000
			2001 Operating Levy	\$2,820,000
2001-2002 OPERATING LEVY INCREASE				6.91%

Salaries and benefits are included in above figures

As Revised and Approved by the Finance Committee on October 8, 2001

BE IT FURTHER RESOLVED, that the Monroe County Board of Supervisors will in their yearly budget procedure levy a tax to cover the county's share of the various programs and purposes as stated above of Three Million Fifteen Thousand Dollars (\$3,015,000).

BE IT FURTHER RESOLVED, that the various activities for which provision is made in this resolution are continuous from year to year and that any balance remaining in any appropriation for any specific highway improvement after the same shall be completed may be used by the County Highway Committee to make up any deficit that may occur in any improvement which is part of the same item in the county budget for which provision has been made.

BE IT FURTHER RESOLVED, that for any balance remaining at the end of the year for any specific highway improvement or category in the Highway budget it shall remain and be available for the same purpose in the ensuing year.

BE IT FURTHER RESOLVED, that the exact amount of General Transportation Aids that will become available from the State of Wisconsin for highway purposes in Monroe County under Wisconsin Statutes Section 20.395 will not be known until 2002. The Monroe County Treasurer is hereby authorized and directed to make the payments for the highway department purposes for which such funds are to be used, as here before authorized, from any funds in the County Treasury, that are not required for the purpose for which appropriated prior to August 31, 2002, and to have reimbursed such funds in the County Treasury for the same received under Wisconsin Statutes Section 20.395.

Dated this 7th day of November 2001.

RECOMMENDED FOR INTRODUCTION BY THE MONROE COUNTY HIGHWAY COMMITTEE ON NOVEMBER 01, 2001.
 MONROE COUNTY, WISCONSIN
 Loren Pierce, Chairman
 Cedric Schnitzler
 Chuck Bluske
 Aaron Pasch
 Dennis Hubbard

Fiscal Note:
 Total 2001 Budget: \$6,605,528

Anticipated Revenues: **\$3,590,528**
 County Operating Tax Levy: **\$3,015,000**

Approved to forward to County Board by the Finance Committee
 Highway Committee Vote:
 5 - yes 0 - no

The foregoing resolution (as made available and revised from that mailed a week ago) was introduced and moved for adoption by Supervisor Pierce, second by Supervisor Bluske. Motion by Supervisor Wensel, second by Supervisor Sund to call the question. The motion carried on a voice vote. The resolution was adopted on a voice vote.

RESOLUTION NO. 11a-01-2

AUTHORIZING COUNTY AID FOR BRIDGE OR CULVERT CONSTRUCTION AND REPAIR UNDER WI STATUTES SECTION 81.38

WHEREAS, the various towns and villages hereinafter named have filed petitions for county aid in the construction or repair of bridges or culverts under Wisconsin Statutes Section 81.38:

TOWNSHIP OR VILLAGE	BRIDGE OR CULVERT	BRIDGE/CULVERT LOCATION	TOTAL AMOUNT	AMOUNT RAISED BY LOCAL UNITS	AMOUNT COUNTY AID GRANTED
Town of Adrian	Culvert	Flatiron Ave.	\$5,292	\$2,646	\$2,646
Town of Adrian	Culvert	Helium Rd.	\$2,564	\$1,282	\$1,282
Town of Adrian	Bridge	Incline Rd.	\$2,188	\$1,094	\$1,094
Town of Angelo	Culvert	Hazelwood Rd.	\$7,587	\$3,794	\$3,793
Town of Greenfield	Culvert	Elder Rd.	\$12,514	\$6,257	\$6,257
Town of Scott	Culvert	Crescent Rd.	\$1,156	\$750	\$406
Town of Scott	Bridge	Buckley Ave.	\$995	\$750	\$245
Town of Sheldon	Culvert	Mercury Ave.	\$4,726	\$2,363	\$2,363
Town of Sheldon	Culvert	Mercury Ave.	\$3,900	\$1,950	\$1,950
Town of Wilton	Culvert	Lithium Rd.	\$2,928	\$1,464	\$1,464
TOTALS			\$43,850	\$22,350	\$21,500

WHEREAS, The Monroe County Highway Committee has reviewed said petitions and requests that said petitions be granted and provisions have been made in the 2002 budget for the amount of the county aid which is to be apportioned to all Towns and Villages in Monroe County (except the Village of Cashton) based on equalized value.

NOW, THEREFORE, BE IT RESOLVED, by the Monroe County Board of Supervisors that said petitions are hereby granted and the county aid is appropriated as follows:

TOWNSHIP OR VILLAGE	BRIDGE OR CULVERT	BRIDGE/CULVERT LOCATION	AMOUNT OF COUNTY AID
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VILLAGE	CULVERT	LOCATION	GRANTED
Town of Adrian	Culvert	Flatiron Ave.	\$2,646
Town of Adrian	Culvert	Helium Rd.	\$1,282
Town of Adrian	Bridge	Incline Rd.	\$1,094
Town of Angelo	Culvert	Hazelwood Rd.	\$3,793
Town of Greenfield	Culvert	Elder Rd.	\$6,257
Town of Scott	Culvert	Crescent Rd.	\$406
Town of Scott	Bridge	Buckley Ave.	\$245
Town of Sheldon	Culvert	Mercury Ave.	\$2,363
Town of Sheldon	Culvert	Mercury Ave.	\$1,950
Town of Wilton	Culvert	Lithium Rd.	\$1,464
TOTAL			\$21,500

Dated this 7th day of November, 2001.

RECOMMENDED FOR INTRODUCTION BY THE MONROE COUNTY HIGHWAY COMMITTEE ON NOVEMBER 01, 2001.
 MONROE COUNTY, WISCONSIN

Loren Pierce, Chairman
 Cedric Schnitzler
 Chuck Bluske
 Aaron Pasch
 Dennis Hubbard

Fiscal Note:

Special Purpose Levy: **\$21,500**
 County Operating Tax Levy: **\$0**

Approved to forward to County Board by the Finance Committee
 Highway Committee Vote:
 - yes - no

The foregoing resolution was introduced and moved for adoption by Supervisor Wensel, second by Supervisor Sund. Motion by Supervisor Wensel, second by Supervisor Sund to call the question. The motion carried on a voice vote. The resolution was adopted on a voice vote.

RESOLUTION NO. 11a-01-3

ADOPTING THE BUDGET FOR 2002

WHEREAS, the Monroe County Finance Committee of the Monroe County Board of Supervisors has submitted and filed their budget for the County of Monroe for the ensuing calendar year; and

WHEREAS, a summary of said budget and notice of time, place and hearing thereon has been complied with and it has been determined after such hearing that said budget be adopted after alterations as have heretofore been determined by the

Monroe County Board.

GENERAL GOVERNMENT	2001 BUDGET EXPENDITURES	2002 BUDGET REVENUE	2001 COUNTY APPROPRIATION	2002 BUDGET EXPENDITURES	2002 BUDGET REVENUE	2002 COUNTY APPROPRIATION
5110 Justice Admin	243,020	13,000	230,020	259,861	9,000	250,861
5111 County Board	116,312	0	116,312	122,889	0	122,889
5112 Info Systems	330,788	0	330,788	593,884	121,888	471,996
5121 Clerk of Courts	444,939	448,800	(3,861)	473,980	460,270	13,710
5123 Circuit Court	287,549	156,100	131,449	312,042	153,175	158,867
5124 Family Ct Comm	27,641	0	27,641	27,641	0	27,641
5127 Medical Examiner	70,819	4,000	66,819	76,714	6,000	70,714
5141 County Clerk	187,422	9,100	178,322	196,934	9,300	187,634
5142 Elections	8,500	0	8,500	19,400	0	19,400
5143 Personnel	116,920	150	116,770	125,841	150	125,691
5144 Data Processing	19,000	0	19,000	5,000	0	5,000
5145 Section 125	1,000	0	1,000	1,000	0	1,000
5146 Indirect Cost Shar	6,050	13,233	(7,183)	6,320	18,284	(11,964)
5154 Supv of Assessment	1,150	0	1,150	1,150	0	1,150
5156 Treasurer	144,291	46,500	97,791	158,626	35,250	123,376
5159 Audit	48,000	0	48,000	48,000	0	48,000
5161 District Attorney	239,164	7,500	231,664	265,568	15,500	250,068
5162 Domestic Abuse	2,000	2,000	0	1,000	1,000	0
5163 Victim Witness	81,697	70,538	11,159	87,769	69,590	18,179
5114 ITBEC	0	0	0	5,000	0	5,000
5164 Corp Counsel	130,229	0	130,229	136,763	0	136,763
5171 Register of Deeds	167,228	160,000	7,228	180,153	170,000	10,153
5172 Surveyor	33,488	0	33,488	33,671	0	33,671
5173 Real Prop Lister	72,111	300	71,811	0	0	0
5174 Land Records Mod	134,991	84,254	50,737	90,428	2,800	87,628
5175 Land Records RF				102,510	102,510	0
5181 Regional Planning	11,105	0	11,105	11,792	0	11,792
5183 Zoning	50,876	18,000	32,876	57,280	15,000	42,280
5184 Zoning Bd of Adjust	2,500	0	2,500	3,300	0	3,300
5188 Safety Training	4,000	0	4,000	4,000	0	4,000
5189 Emp Assist Prog	3,000	0	3,000	3,000	0	3,000
5191 ITP Admin Cost	8,000	0	8,000	6,500	0	6,500
5192 County Admin Bldg	13,500	0	13,500	12,500	0	12,500
5193 Museum Complex	15,650	0	15,650	16,350	0	16,350
5194 Courthouse	138,100	0	138,100	147,800	0	147,800
5195 Prprty & Liability In	150,000	0	150,000	130,000	0	130,000
5196 Tax Deed	30,000	75,000	(45,000)	5,000	91,800	(86,800)
5417 Maintenance	230,929	21,038	209,891	227,556	18,570	208,986
5418 Comm Serv Bldg D	12,700	0	12,700	14,850	0	14,850
5419 Jail Maintenance	4,000	0	4,000	10,000	0	10,000
6834 Environ Cleanup	15,000	75,000	(60,000)	33,000	33,000	0
6843 (P&P) Maintenance	50,000	0	50,000	25,000	0	25,000
TOTALS	3,653,66	1,204,513	2,449,156	4,040,072	1,333,087	2,706,985
PUBLIC SAFETY	2001 BUDGET EXPENDITURES	2002 BUDGET REVENUE	2001 COUNTY APPROPRIATION	2002 BUDGET EXPENDITURES	2002 BUDGET REVENUE	2002 COUNTY APPROPRIATION
5210 Police Department	1,927,771	42,100	1,885,671	2,108,249	56,500	2,051,749
5211 Dare	10,000	10,000	0	6,000	6,000	0
5212 Drug	10,000	10,000	0	10,000	10,000	0
5213 Dispatch/911	452,690	45,000	407,690	474,143	0	474,143

5214 NET	5,000	5,000	0	5,000	5,000	0
5216 Jail	1,169,848	137,500	1,032,348	1,416,809	137,500	1,279,309
5241 Emergency Mgmt	69,971	11,000	58,971	76,943	11,000	65,943
5242 SARA	38,881	22,824	16,057	40,822	22,935	17,887
5473 Dog Control	72,471	31,000	41,471	94,176	31,000	63,176
72 Communications	85,296	34,000	51,296	78,066	78,066	0
TOTALS	3,841,928	48,424	3,493,504	4,310,208	358,001	3,952,207
HEALTH & HUMAN SERVICES	2001 BUDGET EXPENDITURES	2002 BUDGET REVENUE	2001 COUNTY APPROPRIATION	2002 BUDGET EXPENDITURES	2002 BUDGET REVENUE	2002 COUNTY APPROPRIATION
5414 Comm Serv Center	153,150	0	153,150	169,750	0	169,750
5487 Septic System Grant	60,000	60,000	0	60,000	60,000	0
5488 Sanitation Dept.	126,366	85,000	41,366	123,493	85,000	38,493
5550 Veterans Relief	2,000	0	2,000	2,000	0	2,000
5551 Vet Service Officer	85,102	10,000	75,102	88,690	10,000	78,690
5552 Care of Vet Graves	11,400	0	11,400	11,700	0	11,700
21 Human Services	11,474,908	9,031,457	2,443,451	11,576,831	9,485,323	2,091,508
22 Senior Services	881,991	786,440	95,551	989,057	846,388	142,669
23 Child Support	281,109	281,109	0	318,798	318,798	0
24 Public Health	423,981	155,191	268,790	465,163	194,410	270,753
24 Health Check	24,668	24,668	0	0	0	0
24 WIC	105,959	105,959	0	105,933	105,933	0
24 Home Health	304,703	250,600	54,103	336,719	238,300	98,419
24 Loan Closet	392	392	0	448	448	0
29 Solid Waste Oper Maint. & Recycling	1,000,000	1,000,000	0	1,175,000	1,175,000	0
61 Rolling Hills	6,716,982	5,655,046	1,061,936	6,802,535	5,936,374	866,161
62 County Farm	128,800	128,800	0	139,100	139,100	0
TOTALS	21,781,511	17,574,662	4,206,849	22,365,217	18,595,074	3,770,143
HIGHWAY & RELATED FAC.	2001 BUDGET EXPENDITURES	2002 BUDGET REVENUE	2001 COUNTY APPROPRIATION	2002 BUDGET EXPENDITURES	2002 BUDGET REVENUE	2002 COUNTY APPROPRIATION
71 Highway Dept	6,502,437	3,641,609	2,860,828	6,618,304	3,590,528	3,027,776
71 Sec 81.38 aid	0	0	0	21,500	0	21,500
TOTALS	6,502,437	3,641,609	2,860,828	6,639,804	3,590,528	3,049,276
EDUCATION & RECREATION	2001 BUDGET EXPENDITURES	2002 BUDGET REVENUE	2001 COUNTY APPROPRIATION	2002 BUDGET EXPENDITURES	2002 BUDGET REVENUE	2002 COUNTY APPROPRIATION
5611 Grants to Pub Lib	185,562	0	185,562	189,811	0	189,811
5612 Local History Rm	70,151	17,840	52,311	87,737	26,610	61,127
5614 Fair	14,000	0	14,000	14,000	0	14,000
5615 Tourism Pro -- Mktg	46,410	0	46,410	38,102	0	38,102
5644 Snowmobile Trails	30,000	30,000	0	30,000	30,000	0
5651 County Park	187,737	99,328	88,409	167,659	75,000	92,659
5670 Extension Office	133,691	500	133,191	133,859	500	133,359
5677 UW Ext Agents	127,330	0	127,330	120,604	0	120,604
TOTALS	794,881	147,668	647,213	781,772	132,110	649,662
CONSERVATION	2001 BUDGET EXPENDITURES	2002 BUDGET REVENUE	2001 COUNTY APPROPRIATION	2002 BUDGET EXPENDITURES	2002 BUDGET REVENUE	2002 COUNTY APPROPRIATION
5711 Forestry	35,883	2,650	33,233	49,915	10,650	39,265
5713 Fire Suppression	5,000	0	5,000	5,000	5,000	0
5721 Lake Tomah Watershed	35,000	35,000	0	42,000	42,000	0
5722 Watershed Maintenance	4,425	300	4,125	4,425	300	4,125
5723 Mdle Kickapoo Watershed	50,000	50,000	0	50,000	50,000	0
5724 Envir/Constr & Dev	63,250	35,250	28,000	90,500	62,500	28,000
5725 Tri-Creek Watershed	non lapsing	non lapsing	0	non lapsing	non lapsing	0
5733 Wildlife Abatement	30,000	30,000	0	30,000	30,000	0

5741 Land Conservation	218,134	115,013	103,121	232,806	124,513	108,293
TOTALS	441,692	288,213	173,479	504,646	324,963	179,683

	2001 BUDGET EXPENDITURES	2002 BUDGET REVENUE	2001 COUNTY APPROPRIATION	2002 BUDGET EXPENDITURES	2002 BUDGET REVENUE	2002 COUNTY APPROPRIATION
DEBT SERVICE						
31 Principal on Bonds & Loans	450,000	0	450,000	470,000	0	470,000
31 Interest on Bonds/Loans	103,438	0	103,438	304,652	0	304,652
31 Principal State Trust	12,561	12,561	0	289,116	13,245	275,871
31 Interest State Trust	2,765	2,765	0	211,471	2,08	209,390
TOTALS	568,764	15,326	553,438	1,275,239	15,326	1,259,913

	2001 BUDGET EXPENDITURES	2002 BUDGET REVENUE	2001 COUNTY APPROPRIATION	2002 BUDGET EXPENDITURES	2002 BUDGET REVENUE	2002 COUNTY APPROPRIATION
CAPITAL PROJECTS						
6837 Huber/Jail Remodel	non lapsing	non lapsing	0	non lapsing	non lapsing	0
6847 Sand Creek Investigation	non lapsing	non lapsing	0	25,900	0	25,900
6857 Boys & Girls	100,000	0	100,000	0	0	0
6858 RAP	12,500	0	12,500	0	0	0
TOTALS	112,500	0	112,500	25,900	0	25,900

	2001 BUDGET EXPENDITURES	2002 BUDGET REVENUE	2001 COUNTY APPROPRIATION	2002 BUDGET EXPENDITURES	2002 BUDGET REVENUE	2002 COUNTY APPROPRIATION
CONTINGENT FUND						
5101 Contingent	1,200,000	0	1,200,000	400,000	0	400,000
TOTALS	1,200,000	0	1,200,000	400,000	0	400,000

	2001 BUDGET REVENUES	2002 BUDGET REVENUES
OTHER REVENUES		
5199 Interest on taxes	200,000	150,000
5221 State Shared Revenue	2,652,816	2,704,584
5363 ITP Monies	811,936	650,000
5811 Interest on Investments	400,000	350,000
5113 Managed Forest Land Tax District	2,800	3,800
5114 Forest Crop Tax District	1,000	750
5238 Federal Aid		40,000
5841 Misc. County Revenues	1,000	1,000
84 Jail Assessment Fund	71,000	61,000
5822 Forestry - Fort McCoy Agreement	750	750
Act 11 Retirement Credit Applied		252,471
Department Cash Balances Applied		306,000
Contingency		400,000
General Fund Surplus Applied	982,212	0
TOTALS	5,123,514	4,920,355
5120 County Sales Tax Revenue	1,999,553	2,031,054
GRAND TOTALS	7,123,067	6,951,409

1999 Equalized Value	1,370,520,600	2001 Equalized Value	1,459,118,800
2001 Expenditures	38,897,382	2002 Expenditures	40,342,858
2001 Revenues	30,323,482	2002 Revenues	31,300,498
2000 Levy	8,573,900	2001 Levy	9,042,360
2000 Mill Rate	6.26	2001 Mill Rate	6.20

NOW, THEREFORE, BE IT RESOLVED by the Monroe County board of Supervisors that the budget for the County of Monroe for the year 2002, setting the anticipated expenditures and revenues, is hereby adopted.

Dated this 7th day of November, 2001.

OFFERED BY THE FINANCE COMMITTEE:

- Keith E. Kenyon
- Warren H. Isbell
- Carl E. Anderson
- Simon J. Wells
- M. J. Sund

Committee vote: 5-0

The foregoing resolution was introduced and moved for adoption by Supervisor Culpitt, second by Supervisor Nicosia. Motion by Supervisor Sund, second by Supervisor Wells to call the question. The motion carried on a voice vote. The resolution carried on a voice vote.

RESOLUTION NO. 11a-01-4

DETERMINING AND LEVYING TAX FOR THE COUNTY OF MONROE, STATE OF WISCONSIN

BE IT RESOLVED by the Monroe County Board of Supervisors for the County of Monroe, State of Wisconsin, that the sum of \$9,042,360 for county purposes, state special charges and debt service is hereby levied and is to be apportioned upon all taxable property in the County of Monroe for the year 2002, with a corresponding mill rate of \$6.20.

Dated this 7th day of November, 2001.

OFFERED BY THE FINANCE COMMITTEE:

- Keith E. Kenyon
- Warren H. Isbell
- Carl E. Anderson
- Simon J. Wells
- M. J. Sund

Committee vote: 5-0

The foregoing resolution was introduced and moved for adoption by Supervisor Wells, second by Supervisor Denter. Motion by Supervisor Beatty, second by Supervisor Culpitt to accept a substitute resolution as attached to the file copy of these minutes along with today's resolutions. Motion by Supervisor Beatty, second by Supervisor Hubbard to table the resolution until tomorrow's meeting. Roll was called on the motion to table with the following 6 supervisors voting yes: Hubbard, Schreier, Beatty, T Anderson, Schnitzler, Culpitt; and the following 22 supervisors voting no: B Anderson, Zastoupil, Wells, Denter, J Kuhn, Pasch, Brown, Bluske, Kenyon, Isbell, T Anderson Setz, Sund, Wensel, Helming, Westphal, Nicosia, Pfaff, Pierce, VanWychen, M Kuhn, Bethausser. The motion failed. The County Clerk explained that there can only be one (and not an average) mill rate for

a county, that apportionments are done starting once that base has been approved. Motion by Supervisor Sund, second by Supervisor Kenyon to call the question. The motion carried on a voice vote. Roll was called on the substitute resolution with the following five Supervisors voting yes: Hubbard, Schreier, Beatty, T Anderson, Culpitt; the following 23 Supervisors voting no: Zastoupil, Wells, Denter, J Kuhn, Pasch, Brown, Bluske, Kenyon, Isbell, Selz, Sund, Wensel, Helming, Westphal, Nicosia, Pfaff, Pierce, VanWychen, Schnitzler, M Kuhn, C Anderson, B Anderson, Betthausen. The substitute resolution failed. Motion by Supervisor Wensel, second by Supervisor Brown to call the question on the original resolution. The motion carried on a voice vote. Roll was called on the original resolution with 26 Supervisors voting yes; Supervisors Beatty and T Anderson voting no. The resolution was adopted.

At approximately 11:50 A.M. on a motion by Supervisor Selz, second by Supervisor Kenyon and carried on a voice vote, the Annual Meeting adjourned.

Chris Williams, Recorder
County Clerk

I, Christine M. Williams, Monroe County Clerk certify that to the best of my knowledge the foregoing is a true and correct copy of the Annual Meeting of the Monroe County Board of Supervisors held on November 7, 2001.

NOVEMBER 2001

The November meeting of the Monroe County Board of Supervisors convened at the Courthouse in the City of Sparta, Wisconsin, on Thursday, November 8, 2001, at 8:30 A.M. Chair LaVern Betthausen presided. Roll was called with 27 Supervisors present, Supervisor Culpitt was absent. The Pledge of Allegiance to the Flag was recited. Motion by Supervisor Selz, second by Supervisor J Kuhn to approve the minutes as printed and mailed for the 9/5/01 meeting. The motion carried on a voice vote.

Appointments:

Community Action Planning

Helen Stark & Boyd Zietlow - reappointments - two year terms, expiring 10/1/03

W-2 Steering

This appointment was delayed until next month at the request of the Human Services Board Chair

Announcements:

-Chair Betthausen read a letter of resignation from Supervisor Isbell who has moved from the district he represents; Mr. Isbell still resides in the county.

-Gene Phillips recognized Cindy White for 25 years of service to the county. Ms. White was not able to be present when others were recognized in July.

-The County Clerk explained that yesterday's response that the county can have only one mill rate was totally correct according to the Department of Administration and Department of Revenue; that apportionments will be completed using the rate authorized at yesterday's meeting.

Darla Hium, WCA Deputy Director and Wisconsin County Mutual Corporate Management, presented a dividend check in the amount of \$56,145. She also announced that the Monroe County Highway Department received honorable mention in 2000 for their Loss Control Program efforts.

Annette Erickson presented the September County Treasurer's report.

Committee chairs gave an activity report.

RESOLUTION NO. 11-01-3

FOR SITE APPROVAL AND CONSTRUCTION OF A MONROE COUNTY JUSTICE COMPLEX

WHEREAS, the Monroe County Public Safety & Justice Coordinating Committee has recently reviewed serious incidents and serious security concerns that have recently occurred in the Monroe County Jail; and

WHEREAS, as a part of this review of the current Monroe County Jail population, Monroe County Jail security issues, and dangerous circumstances presented in the Monroe County Jail; and

WHEREAS, as a part of this review process, the Monroe County Law Enforcement Committee did make a determination that it was in the best interests of Monroe County to finally reach a conclusion with respect to a site for future Monroe County construction, said construction to include options to alleviate the overcrowding and serious safety situations currently presented in the Monroe County Jail.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Monroe County Board of Supervisors does hereby approve: 1. the building site option commonly referred to as the "dog pound" site 2. the condition that the Highway Department be "made whole" with non-Highway Department funds for the loss of land and existing buildings/infrastructure as a result of development of a Monroe County Justice Complex on the "dog pound" site 3. the creation of a site design & development sub-committee consisting of one member from each of the following committees: Public Safety & Justice Coordinating, Property & Purchasing, Highway and Finance.

Dated this 8th day of November, 2001.

OFFERED BY PUBLIC SAFETY & JUSTICE COORDINATING COMMITTEE:

A. O. Bluske
Joyce A. Schreier
Simon J. Wells
M. J. Sund
Tom Anderson
Cedric Schnitzler

OFFERED BY THE PROPERTY & PURCHASING COMMITTEE:

La Vern Betthausen
Albert H. Wensel
Mahlon Denter
James V. Pfaff
Tom Anderson

Public Safety & Justice Coordinating Committee Vote: 4 yes, 1 no, 2 absent
Property & Purchasing Committee Vote: 3 yes, 2 no

The foregoing resolution was introduced and moved for adoption by Supervisor Wells, second by Supervisor Wensel. Chair Betthausen called on Phil Twohig (PTD) and Jim Howley (CPC) to present an overview of site development cost and a footprint for a building project concept with three phases.

-Dan Hellman was recognized and presented a temporary jail facilities proposal. No action was taken on the proposal.

-Supervisor Westphal called a point of order, that there was a resolution on record to build on the courthouse site and that this discussion was out of order. Chair Betthausen ruled that the discussion was in order and would proceed. Motion by Supervisor Westphal, second by Supervisor Beatty to appeal the ruling. Discussion followed. Motion by Supervisor Wensel, second by Supervisor Brown to call the question. The motion carried on a voice vote. Roll was called on the appeal with the following 7 supervisors voting yes: Beatty, Kenyon, Isbell, Westphal, Nicosia, M Kuhn, C Anderson; the following 20 supervisors voting no: Hubbard, Denter, J Kuhn, Schreier, Pasch, Brown, Bluske, T Anderson, Selz, Sund, Wensel, Helming, Pfaff, Pierce, VanWychen, Schnitzler, B Anderson, Zastoupil, Wells, Betthausen; Supervisor Culpitt was absent. The appeal was not successful, the ruling of the Chair stood.

-Supervisor Beatty called a point of order, that the discussion was in violation of Rule 13. Chair Betthausen ruled the discussion not in violation and called for the discussion to continue. Motion by Supervisor Beatty, second by Supervisor Westphal to appeal the ruling. Discussion followed. Motion by Supervisor Wensel, second by Supervisor Zastoupil to call the question. The motion carried on a voice vote. Roll was called with the following 10 Supervisors voting yes: Pasch, Beatty, Kenyon, Isbell, Westphal, Nicosia, Schnitzler, M Kuhn, C Anderson, Hubbard; the following 17 Supervisors voting no: Denter, J Kuhn, Schreier, Brown, Bluske, T Anderson, Selz, Sund, Wensel, Helming, Pfaff, Pierce, VanWychen, B Anderson, Zastoupil, Wells, Betthausen; Supervisor Culpitt was absent. The appeal was not successful, the ruling of the Chair stood and discussion continued.

-Motion by Supervisor Brown, second by Supervisor Schreier to amend the resolution in the last paragraph to read: "... does further rescind the resolution regarding building on the courthouse square and does authorize the future construction of a Monroe County Justice Complex to be approved by the County Board on that site to include ..." (underlined amendment addition). Discussion followed. Motion by Supervisor Wensel, second by Supervisor Pfaff to call the question. The motion carried on a voice vote. Roll was called on the "Brown" amendment with the following 20 Supervisors voting yes: J Kuhn, Schreier, Pasch, Brown, Bluske, T Anderson, Sund, Wensel, Helming, Nicosia, Pfaff, Pierce, VanWychen, M Kuhn, B Anderson, Zastoupil, Wells, Hubbard, Denter, Betthausen; the following 7 Supervisors voting no: Beatty, Kenyon, Isbell, Selz, Westphal, Schnitzler, C Anderson; Supervisor Culpitt was absent. The amendment was adopted.

-Motion by Supervisor Pierce, second by Supervisor Sund to amend the resolution by adding the following after the current last paragraph: "NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Monroe County Board of Supervisors does hereby approve: 1. the building site option commonly referred to as the "dog pound" site 2. the condition that the Highway Department be "made whole" with non-Highway Department funds for the loss of land and existing buildings/infrastructure as a result of development of a Monroe County Justice Complex on the "dog pound" site 3. the creation of a site design & development sub-committee consisting of one member from each of the following committees: Public Safety & Justice Coordinating, Property & Purchasing, Highway and Finance." Discussion followed. Motion by Supervisor Sund, second by Supervisor Brown to call the question. The motion carried on a voice vote. Roll was called on the "Pierce" amendment with the following 24 supervisors voting yes: Schreier, Pasch, Brown, Bluske, Isbell, T Anderson, Selz, Sund, Wensel, Helming, Nicosia, Pfaff, Pierce,

VanWychen, Schnitzler, M Kuhn, C Anderson, B Anderson, Zastoupil, Wells, Hubbard, Denter, J Kuhn, Betthausen; the following 3 supervisors voting no: Beatty, Kenyon, Westphal; Supervisor Culpitt was absent. The amendment was adopted.

-Motion by Supervisor Kenyon, second by Supervisor Beatty to strike the words "authorize construction" from the last paragraph and title. Discussion followed. Motion by Supervisor Wensel, second by Supervisor Helming to call the question. The motion carried on a voice vote. Roll was called on the "Kenyon" amendment with the following 11 supervisors voting yes: Beatty, Kenyon, Isbell, Selz, Westphal, Nicosia, Schnitzler, M Kuhn, C Anderson, Zastoupil, Wells; the following 16 supervisors voting no: Pasch, Brown, Bluske, T Anderson, Sund, Wensel, Helming, Pfaff, Pierce, VanWychen, B Anderson, Hubbard, Denter, J Kuhn, Schreier, Betthausen. The amendment failed.

-Motion by Supervisor Wensel, second by Supervisor Sund to call the question on the twice amended resolution. The motion carried on a voice vote. Roll was called with the following 23 Supervisor voting yes: Brown, Bluske, T Anderson, Selz, Sund, Wensel, Helming, Nicosia, Pfaff, Pierce, VanWychen, Schnitzler, M Kuhn, C Anderson, B Anderson, Zastoupil, Wells, Hubbard, Denter, J Kuhn, Schreier, Pasch, Betthausen; the following 4 supervisors voting no: Beatty, Kenyon, Isbell, Westphal; Supervisor Culpitt was absent. The amended resolution was adopted.

RESOLUTION NO. 11-01-1

AMENDING MONROE COUNTY ORDINANCE, CHAPTER 17

WHEREAS, the Monroe County Sanitation, Planning & Zoning and Forestry Committee has met and considered changes and revision to Chapter 17 of the Monroe County General Code, the Monroe County Zoning Code; and

WHEREAS, a public hearing was held on these changes on October 15, 2001, at which time all of the below outlined Ordinance changes were publicly discussed; and

WHEREAS, action was taken on these proposed zoning amendments and the Monroe County Sanitation, Planning & Zoning and Forestry Committee did vote yes, no to recommend these below outlined changes to the Monroe County Board of Supervisors and to recommend the amendments to Chapter 17 of the Monroe County General Code;

NOW, THEREFORE, BE IT RESOLVED by the Monroe County Board of Supervisors that the General Code for Monroe County, specifically, Chapter 17, is amended as follows:

The Monroe County Board of Supervisors does hereby Ordain as follows:

Chapter 17 of the Monroe County General Code of Ordinances shall be amended to read as follows:

On The Index Page Under

GENERAL PROVISIONS

Add:

17.18

Planned Unit Developments

Under INTRODUCTION

Section 17.08 **DEFINITIONS.**

Renumber definitions to accommodate additions.

Add:

(16) **COMMON OPEN SPACE.** *Undeveloped land within a planned unit development that has been designated, dedicated, reserved, or restricted in perpetuity from further development and is set aside for the use and enjoyment by residents of the development. Common open space shall not be part of individual residential lots. It shall be substantially free of structures, but may contain historic structures and archaeological sites including Indian mounds and/or such recreational facilities for residents.*

(19) **CONDOMINIUM.** *A community association combining individual unit ownership with shared use or ownership of common property or facilities, established in accordance with the requirements of the Condominium Ownership Act, Chapter 703 of the Wisconsin Statutes. A condominium is a legal form of ownership of real estate and not a specific building type or style.*

(20) **CONSERVATION EASEMENT.** *The grant of a property right or interest from the property owners to a unit of government or nonprofit conservation organization stipulating that the described land shall remain in its natural, scenic, open or wooded state, precluding future or additional development.*

(23) **DEVELOPMENT ENVELOPE(S).** *Area within which grading, lawns, pavement and buildings will be located.*

(48) **HOMEOWNERS ASSOCIATION.** *A community association, incorporated or not incorporated, combining individual home ownership with shared use or ownership of common property or facilities.*

(71) **NONPROFIT CONSERVATION ORGANIZATION.** *Any charitable corporation, charitable association or charitable trust (such as land trust), the purposes or powers of which include retaining or protecting the natural, scenic or open space values of real property, assuring the availability of real property for agricultural, forest, recreational or open space use, protection natural resources, maintaining or enhancing air or water quality, or preserving the historical, architectural, archaeological or cultural aspects of real property.*

Under GENERAL PROVISIONS

Section 17.12 **ZONING PERMIT.**

(5) amend "A zoning permit shall be required for all new buildings exceeding (from \$500 to) \$1,000 fair market value and for all major repairs that involve exterior enlargement which would increase the fair market value of the building by more than (from \$500 to) \$1,000."

Section 17.13 **SITE RESTRICTIONS.**

delete "...abut upon a public street for a minimum distance of 66'" and add "...have a minimum 66' access to a public road."

delete: all of (2)

Create Section 17.18 **PLANNED UNIT DEVELOPMENTS.**

Planned unit developments are allowed in any district that allows residential housing as a principle use. Planned unit developments shall be subject to the following regulations. Any regulations not specifically mentioned in this section shall be the same as non-planned unit developments.

(1) **GENERAL.** *Under such a plan, dwelling units may be grouped on lots below the minimum size specified in Chs. 16, 17 and 20 of this Code or by Town Board resolution and the remaining land in the plat shall be reserved for common open space or recreational uses.*

(2) **DENSITY.** *The maximum number of lots or dwellings permitted in the development shall be determined by dividing the total area of the subdivision by the minimum lot sizes required by Chs. 16, 17 and 20 of this Code or by a Town Board resolution whichever is greater.*

(3) **RESIDENTIAL LOT REQUIREMENTS**

(a) **Minimum Lot Size**

Septic on-site: 1 acre

Septic off-lot: ½ acre

(b) **Principal Building Setbacks**

Front lot line: 30 feet

Side lot line: 10 feet

Rear lot line: 20 feet

(c) **Accessory Building Setbacks**

Side lot line: 15 feet

Rear lot line: 10 feet

(d) **Maximum Building Height:** *Three stories or 35 feet*

(e) *Development envelopes should not be located on ridges, hilltops, along peripheral public roads or in other visually prominent areas.*

(f) *A 30-foot native vegetation buffer shall be maintained around open water areas or along streams, unless a specific common beach or grassed area is identified.*

(4) **RESIDENTIAL CLUSTER SITING STANDARDS**

(a) *Prevent downstream impacts due to runoff through adequate on-site storm water management practices.*

Protect scenic views of open land from adjacent roads. Visual impact should be minimized through use of landscaping or other features.

(5) **OPEN SPACE DESIGN**

(a) *Open space shall be designated as part of the development. The minimum required open space is 60% of the gross acreage.*

(b) *No more than 50% of the required open space may consist of navigable water bodies, floodplain, or wetlands.*

(c) *No more than 50% of the required open space may consist of steep slopes or ridges unsuitable for building.*

(d) *That portion of open space designed to provide plant and animal habitat shall be kept as intact as possible. Trails shall be designed to avoid fragmenting these*

areas.

(6) OWNERSHIP AND MAINTENANCE OF OPEN SPACE AND COMMON FACILITIES

- (A) Alternatives. The designated common open space and common facilities may be owned and managed by one or a combination of the following:
- (1) A homeowners' association.
 - (2) A condominium association established in accordance with the Condominium Ownership Act, (3) Chapter 703 of the Wisconsin Statutes.
 - (3) A nonprofit conservation organization.
 - (4) A governmental body empowered to hold an interest in real property.
 - (5) An individual who will use the land for open space purposes as provided by a conservation easement.
- (B) Homeowners' Association. A homeowners' association shall be established if the common open space is proposed to be owned by a homeowners' association. Membership in the association is mandatory for all purchasers of homes or parcels in the development and their successors.
- (C) Condominium Association. If the common open space and facilities is to be held under the Condominium Ownership Act, Chapter 703 Wisconsin Statutes, the condominium instruments shall identify the restrictions placed upon the use and enjoyment of the common open space. All common open space shall be held as a "common element" as defined in section 703.01(2) of the Wisconsin Statutes.
- (D) A Nonprofit Conservation Organization. The conveyance to the nonprofit conservation organization must contain appropriate provision for reversion in the event that the organization becomes unwilling or unable to uphold the terms of the conveyance.
- (E) Public Dedication of Open Space and Streets.
- (1) The County or town may accept the common open space provided.
 - (2) The common open space is accessible to the resident of the County or town;
 - (3) The County or town agrees to and has access to maintain the common open space.
- (F) Individual Ownership. An individual may hold fee title to the land while a nonprofit conservation organization or other qualified organization holds a conservation easement prescribing the acceptable uses for the common open space.

Under ZONING DISTRICTS

Section 17.20 ESTABLISHMENT OF DISTRICTS.

- (1) add Wetland District W-1

Section 17.25 ZONING CONTROLS.

(4) B BUSINESS.

- (d) Conditional Uses. add "...mini-ware house storage unit(s)..."

(9) AO AGRICULTURE ONLY.

Reletter to accommodate additions.

- (b) Principal Uses. delete "...mineral extraction and processing...solid waste disposal operation, incinerator and salvage yard; public and semipublic uses; construction yard,...stockyard; saw mill of a commercial nature permanently fixed to the ground;"

Add: (c) Conditional Uses. Mineral extraction and processing, solid waste disposal operation, incinerator and salvage yard; public and semipublic uses; construction yard, stockyard; sawmill of a commercial nature permanently fixed to the ground.

(11) GF GENERAL FORESTRY.

(b) Principal Uses. delete "...public and semipublic uses". and "Poultry farm housing 10,000 birds or less."

(d) Conditional Uses. delete "Poultry farm housing more than 10,000 birds." And add "...public and semipublic uses."

(12) EF EXCLUSIVE FORESTRY.

(b) Principal Uses. delete "...public and semipublic uses."

(d) Conditional Uses. add "...public and semipublic uses."

Create (15) W-1 WETLAND DISTRICT.

(a) Purpose. to identify critical wetland areas based upon hydric soil, wetland vegetation and shallow groundwater, to protect groundwater recharge areas and prevent water pollution. To prevent filling, grading or dredging and control soil erosion. To protect spawning grounds, preserve sensitive fish, waterfowl, amphibian and aquatic habitat, to prohibit development in critical groundwater/surface water and natural habitat areas.

(b) Principal Uses. Parks and recreation uses such as: hiking, cross country skiing, wildlife viewing, hunting, trapping, fishing, silvicultural practices and pasturing of livestock.

(c) Conditional Uses. Fish hatcheries, public utility transmission lines.

Under NONCONFORMING USES, STRUCTURES AND LOTS.

Section 17.65 EXISTING NONCONFORMING USES.

(2) Delete "...at the time of its becoming a nonconforming use" and add "...County's current assessed value..."

Dated this 8th day of November, 2001.

OFFERED BY THE SANITATION/PLANNING & ZONING/FORESTRY COMMITTEE

Albert H. Wensel

Leo Selz

James V. Pfaff

Loren Pierce

James B. Kuhn

Committee vote: 5 yes, 0 no

The foregoing resolution was introduced and moved for adoption by Supervisor Wensel, second by Supervisor Helming. Alison Phillips, Sanitation and Zoning Officer, was recognized and reviewed the proposed changes and answered questions. Motion by Supervisor Sund, second by Supervisor Wensel to call the question. The motion carried on a voice vote. The resolution was adopted on a voice vote.

RESOLUTION NO. 11-01-2

APPROVING MONROE COUNTY EMERGENCY MANAGEMENT ROAD NAMING AND UNIFORM ADDRESSING SYSTEM POLICY

WHEREAS, the Monroe County Emergency Management Department has compiled a Uniform Road Naming and Addressing System Policy to provide for control and uniformity in the Rural Addressing System in Monroe County (see attached Policy); and

WHEREAS, at its meeting on Wednesday, October 10, 2001, the Monroe County Public Safety & Justice Coordinating Committee did review and approve the attached Road Naming and Uniform Addressing System Policy, and does recommend that this Policy be adopted and approved for use throughout Monroe County.

NOW, THEREFORE, BE IT RESOLVED by the full Monroe County Board of Supervisors that they do hereby approve the attached Monroe County Emergency Management Road Naming and Uniform Addressing System Policy. A complete copy of which is hereby attached and incorporated by reference into this Resolution.

Dated this 8th day of November, 2001.

OFFERED BY THE PUBLIC SAFETY & JUSTICE COORDINATING COMMITTEE:

A. O. Bluske
Joyce A. Schreier
Tom Anderson
Simon J. Wells
M. J. Sund
Cedric Schnitzler

Committee Vote: 5 yes, 0 no, 2 absent

**MONROE COUNTY
EMERGENCY MANAGEMENT
DEPARTMENT**

**ROAD NAMING AND UNIFORM
ADDRESSING SYSTEM POLICY**

Monroe County Emergency Management Department
112 S Court Street Room 108
Sparta WI 54656
Office: (608) 269-8711/8761 or (608) 372-8711/8761
Fax: 608-269-8985
E-mail: cstruve@co.monroe.wi.us

**MONROE COUNTY
ROAD NAMING AND UNIFORM
ADDRESSING SYSTEM POLICY**

PURPOSE

The Monroe County Board passed resolution number 95-6-3 on June 7, 1995 to promote the orderly and logical identification of buildings and the naming of roads within the towns of Monroe County and to facilitate the location of residences and businesses by emergency service providers, mail, delivery services, utilities, travelers and others dependent on addresses. To this end, a uniform system of naming roads and numbering of building or building sites, as authorized by ss 59.54(4)(4m) was adopted.

UNIFORM NUMBERING SYSTEM

A uniform system of numbering properties and principal buildings and county roads, as authorized by ss. 59.07(65) is hereby adopted for use in the unincorporated areas of Monroe County. All residences, principal buildings, and other buildings or structures potentially requiring emergency service response, whether accessed by public or private road within the unincorporated area of Monroe County, shall hereafter be identified by reference to the 911 Master Street Addressing Guide.

JURISDICTION

1. The county shall be the lead coordinator in administering this policy. The towns shall cooperate with the County in the implementation of numbering and naming. The Emergency Management Coordinator, who shall work under the direction of the Public Safety and Justice Coordinating Committee, shall implement the system defined below.

ASSIGNMENT OF ROAD NAMES

1. All existing public roads, and those private roads serving more than 2 addressed structures, not currently in conformance with the provisions of this policy shall be changed to conform to the system herein adopted as soon as practicable and without delay.
2. All roads having a primarily north-south orientation shall be designated as "Roads".
3. All roads having a primarily east-west orientation shall be designated as "Avenues".
4. All roads not having a primarily north-south or east-west orientation shall be given an arbitrary designation as a "Road" or an "Avenue" by the Emergency Management Department.
5. All new public roads, and those private roads serving more than 2 residences or lots shall be named in conformance with the county rural addressing system.
6. The Emergency Management Department, upon notification from the Town, shall be responsible for submitting a list of suggested road names to the Town for adoption. A Town may select a road name not on the selected list as long as it conforms to the naming conventions of the county rural addressing system. The name that has been chosen by the Town Board shall be submitted to the Emergency Management Department for final approval.
7. The assignment of road names to private roads in no way obligates the town or county to maintain said private road or indicates the private road is suitable for access by emergency response vehicles.

8. If disputes arise concerning road names the Emergency Management Department shall have the final authority over road name selection.
9. Duplication of road names within the County shall not be permitted.
10. Roads that run continuously from one town into another town within the county shall bear the same name.
11. The county shall prepare and maintain a Master Road Name List of all road names in the County and such list shall be consistent with the names in the 911 Master Street Address Guide.

ROAD NAME SIGNAGE

1. Road name signs shall be placed at the intersection of town roads, at the intersection of county highways and town roads, at the intersection of state highways and town roads, and at the intersection of named private roads and public roads.
2. Road signs shall be of a uniform pattern and color, mounted on a suitable post and erected at a uniform height throughout the Town. (Do we have more specific guidelines here?)
3. Towns are responsible for maintaining the signs and ensuring the signs are clearly visible. Damaged, faded or missing signs must be replaced by the Town and at such time shall include a sign for both intersecting town roads unless the town road intersects with a county or state highway this is then the responsibility of the County Highway Department. Town will notify Emergency Management, who then will notify the Monroe County Highway Department, which will then order the new sign.
4. The exact spelling, prefix and suffix of a road as listed on the County's Master list shall be lettered on the sign.
5. Landowners are prohibited from placing signs resembling a road sign within the right-of-way of a road or easement.

ASSIGNMENT OF NUMBERS

1. All existing addresses of property and buildings not currently in conformance with the provisions of this policy shall be changed to conform to the system herein adopted as soon as practicable and without delay.

All properties on the east side of a primarily north-south road and all properties on the north side of a primarily east-west road shall be assigned even numbers. All properties on the west side of a primarily north-south road and all properties on the south side of primarily east-west road shall be assigned odd numbers.

The Monroe County Emergency Management Department shall be responsible for maintaining the uniform numbering system maps.

The county shall provide a standardized application for Residential Rural Address Assignment and Sign form and instructions for completion to be used by all towns, landowners or applicants. In most cases, this will be accomplished when new property owners obtain a sanitary permit. The landowner will be furnished an application form when they receive the sanitary permit. If the address is for a structure that does not require a sanitary permit, or if the landowner did not

receive an application with a sanitary permit, an application form can be obtained from the Sanitation, Zoning & Forestry Department.

- a. Property owners must file a completed and signed Residential Rural Address Assignment and Sign Application with the town clerk.
- b. The Town Clerk will forward the application to the Emergency Management Department at which time the application will be reviewed to determine if all the required information is contained therein. Providing all of the information is sufficient and fees have been paid, a number will then be assigned.
- c. Emergency Management Department shall evaluate the application and make an address assignment consistent with the county address system taking into consideration existing addresses.
- d. The property owner shall pay the cost of the new sign and or associated materials. The property owner or agent is responsible for the upkeep and maintenance of the sign and post.
- e. The sign will not be ordered until the property owner notifies the Emergency Management Department after receiving their address assignment that all information and map location are correct.
- f. The county shall not issue a number in Towns where a driveway permit is required from the Town, Department of Transportation or County Highway Department unless the application indicates the permit has been issued.
- g. Incorrect assignment of an address due to incomplete or incorrect information on the application form or an error on the part of the person issuing the address shall be corrected immediately.
- h. If the location of an existing driveway access point changes, the present address number may remain unless the County determines the change disrupts the orderly and uniform sequence of the addressing system. If the location of the driveway access point is moved to a different roadway, the property shall be required to be readdressed.
- i. The town must provide the County with the name, address and phone number of the Town's contact person for address or road naming coordination within the Town.

ADDRESS SIGNAGE

1. Address signs shall be of a uniform pattern and color, mounted on a suitable post and erected at a uniform height throughout the town.
2. The minimum sign and post specifications are
3. The town or their designee shall be responsible for the physical placement of the address sign within (30) thirty-days of receiving the sign.
4. The sign shall be placed at the intersection of the driveway with the named road and be clearly visible from the road.
5. The landowner is responsible for maintaining sign visibility and upkeep of the sign

- The landowner is responsible for notifying the Town Clerk if the address sign needs to be replaced due to damage, theft or deterioration. The cost of sign replacement is the responsibility of the landowner.

FEES

- The Towns or their designee may charge the applicant or landowner reasonable and necessary fees for placement of addresses, cost of the sign, cost of the post or cost of a replacement sign or post. Such fee must be set by an official action of the Town.

SEVERABILITY

- Should any portion of this policy conflict with the Wisconsin State Statutes or Administrative Codes, only those provisions of the policy in conflict are affected and the remainder of this policy shall remain in full force and effect.

Supervisor Wells, Public Safety & Justice Coordinating Committee Chair, asked that this resolution be withdrawn, stating that it will be going back to committee for further consideration before presentation. The Chair allowed the withdrawal.

At approximately 1:00 P.M. on a motion by Supervisor Sund, second by Supervisor Selz and carried on a voice vote, the Board adjourned.

Chris Williams, Recorder
County Clerk

I, Christine M. Williams, Monroe County Clerk certify that to the best of my knowledge the foregoing is a true and correct copy of the November session of the Monroe County Board of Supervisors held on November 8, 2001.

DECEMBER 2001

The December meeting of the Monroe County Board of Supervisors convened in the County Board Room of the Courthouse in the City of Sparta, Wisconsin, on Wednesday, December 5, 2001, at 8:35 a.m. Chair LaVern Betthausser presided. Roll was called with 26 Supervisors present, Supervisor Beatty was absent, District 21 is vacant. The Pledge of Allegiance to the Flag was recited. Motion by Supervisor Wensel, second by Supervisor Nicosia to approve the minutes of the November 7, and November 8, 2001, meetings as printed and mailed. The motion carried on a voice vote.

The following appointments were announced:

VETERANS SERVICE COMMISSION

3 year term, expires 12/31/04 – Dick Laxton, reappointment

WINDING RIVERS LIBRARY BOARD

3 year term, expires 12/31/04 – Warren Isbell, replacing Thomas Reiland

W-2 STEERING COMMITTEE

Joe Greene, filling one of three vacancies, term expires 5/02

Administrative Committee: Supervisor Pierce, replacing former Supervisor Isbell

Finance Committee: Supervisor Westphal, replacing former Supervisor Isbell

Senior Services: appointee to District 21 who will be announced and sworn in at the January meeting

Annette Erickson presented the October County Treasurer's report.

Committee representatives gave activity updates.

RESOLUTION NO. 12-01-1

REGARDING CANCELLATION OF OUTSTANDING 1999 CHECKS

WHEREAS, checks listed below have been outstanding and demand special accounting and require considerable extra work listing same each month as outstanding; and

WHEREAS, the following checks have not been presented for payment for a period of two years or more; and

NOW, THEREFORE, BE IT RESOLVED that the County Clerk be instructed to cancel same and the amount of aid outstanding checks to be credited to the general fund and that if said checks, as listed, be presented at a later date, a new check be issued in payment thereof in accordance with Chapter 59.81(4)(5) of the Wisconsin Statutes.

see attached

Dated this 5th day of December, 2001.

OFFERED BY THE FINANCE COMMITTEE:

Keith E. Kenyon
Carl E. Anderson
Simon J. Wells
M. J. Sund

Committee vote: 4-0, one absent

**1999 Outstanding Checks
State Bank of Sparta
Voucher Checks**

Check#	Amount	Name	Voucher #	Department	Date
132247	46.00	Charity Brooks	69	Clerk of Courts	01-08-99
132493	22.80	Dawn L. Cole	146	Clerk of Courts	01-15-99
132540	6.00	Lance Heilman	141	District Attorney	01-15-99
133272	40.00	Lewis Grimshaw	190	Human Services	01-22-99
133933	15.00	Terry Gough	350	Emergency Mgmt	02-12-99
134143	20.00	Jennifer Lehman	410	Human Services	02-12-99
134554	21.60	CenturyTel	471	Human Services	02-19-99
134761	26.80	Officer Joe Smith	539	Clerk of Courts	02-26-99
135061	47.02	Julie Cobb	584	Human Services	03-05-99
135259	34.24	Karl B. Reimann	595	Clerk of Courts	03-12-99
136191	2.10	Rachel Rogerson	755	Insurance Refund	03-26-99
136836	25.58	Vicki L. La Due	941	Clerk of Courts	04-16-99
137829	27.30	Patricia Jerman	1099	Human Services	05-07-99
138052	26.70	Gary Jolin	1116	Circuit Court	05-14-99

138093	27.28	Nicholas A. Mlsna	1154	Clerk of Courts	05-14-99
138259	296.00	Donskey Foster Home	1174	Human Services	05-14-99
139116	29.60	Howard J. Sanders	1251	Clerk of Courts	05-28-99
139281	30.00	C P Rail	1331	Human Services	6-04-99
139375	450.00	UW - River Falls	1331	Human Services	06-04-99
139664	34.00	David Hollman Ins	1354	Human Services	06-11-99
140778	18.58	Victoria L. Hanke	1608	Clerk of Courts	07-09-99
140816	27.86	John P. Laufenberg	1608	Clerk of Courts	07-09-99
141338	10.00	Larry Smith	1663	Human Services	07-16-99
141366	20.00	Wisc Dept of Transpor	1661	Human Services	07-16-99
141408	215.40	Tony Nelson	1610	Senior Services	07-16-99
141468	108.00	Lead-Away	1609	Health Dept	07-16-99
142404	15.00	Ron Woodard	1825	Emergency Mgmt	08-13-99
142513	97.30	Cindy Lovas Averbeck	1890	Human Services	08-13-99
142601	1,509.25	Comm Base Employ	1821	Senior Services	08-13-99
142943	33.00	Syverson's Mobile Ser	1918	Dog Control	08-20-99
142947	25.58	Douglas E. Urban	1910	Clerk of Courts	08-20-99
142961	86.40	Nelson Drinkwine	1937	Human Services	08-20-99
143936	50.00	R.E. Davis, Estate	2105	Treasurer Refund	09-17-99
144348	16.40	Johnni L. Zebell	2182	Clerk of Courts	09-24-99
144574	18.58	Terry L. Shepardson	2230	Clerk of Courts	10-01-99
144956	29.60	David N. Baggot	2297	Clerk of Courts	10-15-99
146294	15.00	Mon Co Child Support	2537	Corp Council	11-12-99
146706	4.75	Lois Bloom	2490	Health Dept	11-12-99
146953	204.00	Mon Co Publishers	2584	Rolling Hills	11-19-99
147153	2.10	Cedric Schnitzler	2606	County Board	11-24-99
147707	43.00	Wisc Juvenile	2756	Corp Council	12-10-99
148670	74.37	Mon Co Health Dept	2883	Highway Dept	12-30-99

Payroll Checks

Check#	Amount	Name	Voucher #	Department	Date
650175	27.00	Christy Storandt	Payroll	Rolling Hills	07-15-99
650681	30.93	Yolanda Grimmus	Payroll	Rolling Hills	08-12-99
654010	1.65	Coleen A. Bell	Payroll	Rolling Hills	12-16-99
654015	.38	Patsy A. Bias	Payroll	Rolling Hills	12-16-99
654123	18.96	Rachel A. Rogerson	Payroll	Rolling Hills	12-16-99
654147	1.46	April Thompson	Payroll	Rolling Hills	12-16-99
654198	.58	Linda Clough	Payroll	Rolling Hills	12-16-99
654370	14.83	Paul J. Mitchell	Payroll	Police-Jail	12-16-99
654479	.80	Margaret Peacock	Payroll	Senior Services	12-16-99

Total - \$3,948.78

The foregoing resolution was introduced and moved for adoption by Supervisor Wensel, second by Supervisor Wells. Supervisor Kenyon explained the reasons. Motion by Supervisor Culpitt, second by Supervisor Zastoupil to call the question. The motion carried on a voice vote. The resolution was adopted on a voice vote.

RESOLUTION NO. 12-01-2

**APPROVING REQUEST FOR LAW ENFORCEMENT AID
FOR THE WISCONSIN HO-CHUNK NATION POPULATION**

WHEREAS, Monroe County has within its borders federally recognized Indian reservation lands having a significant Wisconsin Ho-Chunk Nation population; and

WHEREAS, the State of Wisconsin and the County of Monroe have joint responsibility for providing law enforcement services upon said Indian reservation lands; and

WHEREAS, pursuant to Sections 20.455(2)(d) and 165.90 of the Wisconsin Statutes, Monroe County, having federally recognized Indian reservation lands, within its borders, may apply to the State of Wisconsin for law enforcement aid to help defray the expense of performing law enforcement duties upon said reservations lands; and

NOW, THEREFORE, BE IT RESOLVED by the Monroe County Board of Supervisors that the Monroe County Sheriff is hereby authorized to make application to the State of Wisconsin/Department of Justice for aid to assist the enforcement of laws of the State of Wisconsin on Indian reservation lands in the County of Monroe in the Townships of Byron, LaGrange and Oakdale, in the eastern part of Monroe County.

Dated this 5th day of December, 2001

OFFERED BY THE PUBLIC SAFETY & JUSTICE COORDINATING
COMMITTEE:

Simon J. Wells
Cedric Schnitzler
A. O. Bluske
Tom Anderson
Joyce A. Schreier
James B. Kuhn
M. J. Sund

Committee Vote: unanimous

Fiscal Note: State funded program.

The foregoing resolution was introduced and moved for adoption by Supervisor Schnitzler, second by Supervisor Wells. Supervisor Wells recognized Sheriff Amundson who explained the reasons. Motion by Supervisor Sund, second by Supervisor Helming to call the question. The motion carried on a voice vote. The resolution was adopted on a voice vote.

RESOLUTION NO. 12-01-3

**IN SUPPORT OF THE MISSISSIPPI RIVER REGIONAL PLANNING COMMISSION'S
ECONOMIC DEVELOPMENT PLANNING EFFORTS AND CONCURRENCE WITH
COMPREHENSIVE ECONOMIC DEVELOPMENT STRATEGY (CEDS) REPORT**

WHEREAS, the CEDS Report is prepared to maintain a perspective of evolving potentials and constraints affecting economic development in the County and the nine county region, and

WHEREAS, this CEDS Report maintains the County's eligibility and communities

and businesses within the county eligible for funding from the U.S. Department of Commerce-Economic Development Administration for public works grants, business loans, and technical assistance research grants that lead to business expansion and job creation in the nine county region, and

WHEREAS, the process used in preparing this CEDS Report involving economic research, regional commission meetings, county and community survey work, and telephone interviews on economic development issues and projects leads to an increased level of understanding and cooperation between units of government and improves opportunities for economic development, and

WHEREAS, this report also serves as an economic database to assist development investment decisions and delivery of public and private services and products, and

WHEREAS, the Monroe County Board of Supervisors actively supports and currently participates in the Economic Development District activities of the Mississippi River Regional Planning Commission (MRRPC), and

WHEREAS, as a result of the participation and cooperative efforts of the nine participating MRRPC counties the Commission is eligible for Economic Development Planning Funds from the U.S. Department of Commerce Economic Development Administration, which benefit the entire nine county region.

NOW THEREFORE BE IT RESOLVED, that the Monroe County Board of Supervisors hereby concur with the 2001 Comprehensive Economic Development Strategy (CEDS) Report and supports the Mississippi River Regional Planning Commission's application to the Economic Development Administration for planning funds,

BE IT FURTHER RESOLVED, that a copy of this Resolution be transmitted to the office of the Mississippi River Regional Planning Commission to document Monroe County's desire to cooperate with the other counties in the Mississippi River Regional Planning Commission.

Dated this 5th day of December, 2001

OFFERED BY: AGRICULTURE AND EXTENSION EDUCATION COMMITTEE

Simon J. Wells
Tom Zastoupil
Nodji Van Wychen
Mahlon Denter
Robert Helming

Committee Vote: 5 yes, 0 no

The foregoing resolution was introduced and moved for adoption by Supervisor Wells, second by Supervisor Helming. Supervisor Wells and Supervisor J Kuhn, MRRPC representative, explained the reasons. Motion by Supervisor Wensel, second by Supervisor T Anderson to call the question. The motion carried on a voice vote. The resolution was adopted on a voice vote.

RESOLUTION NO. 12-01-4

AUTHORIZING TRANSPORTATION GRANT AND APPROPRIATION FOR SPECIALIZED TRANSPORTATION SERVICES

WHEREAS, Section 85.21 of the Wisconsin Statutes authorizes the Wisconsin Department of Transportation to make grants to the counties of Wisconsin for the purpose of assisting them in providing specialized transportation services to the elderly and the disabled; and

WHEREAS, each grant must be matched with a local share of not less than 20% of the grant; and

WHEREAS, this body considers that the provision of specialized transportation services would improve and promote the maintenance of human dignity and self-sufficiency of the elderly and the disabled.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Monroe County on this 5th day of December, 2001, authorizes Monroe County Senior Services to prepare and submit to the Wisconsin Department of Transportation an application for assistance during 2002 under Section 85.21 of the Wisconsin Statutes, in conformance with the requirements issued by that Department and also authorizes the obligation of county funds in the amounts needed in order to provide the required local match.

BE IT FURTHER RESOLVED that the Board of Supervisors of Monroe County authorizes Monroe County Senior Services to execute a state aid contract with the Wisconsin Department of Transportation under Section 85.21 of the Wisconsin Statutes on behalf of Monroe County.

Dated this 5th day of December, 2001

OFFERED BY THE SENIOR SERVICES COMMITTEE:

Thomas Zastoupil
Cedric Schnitzler
Warren H. Isbell
La Vern Cramer
James J. Arena
Lois Newman
Boyd Zietlow
Howard B. Garves

Fiscal Note: 20% match is included in the 2002 Budget
Committee Vote: 8 yes

The foregoing resolution was introduced and moved for adoption by Supervisor Sund, second by Supervisor Schnitzler. Supervisor Schnitzler recognized Noreen Kuroski, Senior Services Director, who explained the reasons. Motion by Supervisor Culpitt, second by Supervisor Sund to call the question. The motion carried on a voice vote. The resolution was adopted on a voice vote.

At approximately 10:00 a.m. on a motion by Supervisor Culpitt, second by Supervisor

Sund and carried on a voice vote, the Board adjourned.

Chris Williams, Recorder
County Clerk

I, Christine M. Williams, Monroe County Clerk certify that to the best of my knowledge the foregoing is a true and correct copy of the December session of the Monroe County Board of Supervisors held on December 5, 2001.

FEBRUARY 2002

The February meeting of the Monroe County Board of Supervisors convened at the Courthouse in the City of Sparta, Wisconsin, on Wednesday, February 6, 2002 at 8:30 a.m. Chair LaVern Betthausen presided. Circuit Judge Steven L. Abbott swore in appointed District 21 Supervisor, Andrea G. Hansen. The oath of office was signed. Roll was called with all 28 Supervisors present (Supervisor C Anderson arrived at 9:05). The Pledge of Allegiance to the Flag was recited.

Chair Betthausen announced that the Board would come together as a Committee of the Whole to conduct a Public Hearing regarding the redistricting plan - Town of Angelo. Input was called for three times. There was no public participation. Chair Betthausen declared the Public Hearing closed and that the action in this regard would be taken under Resolution 2-02-1.

Motion by Supervisor Bluske, second by Supervisor Wensel to approve the minutes of the December 5, 2001, meeting as printed and mailed. The motion carried on a voice vote.

The following appointments were announced:

ETHICS BOARD

3 year term, expiring 1/31/05, Ralph Gosselin, reappointment

LOCAL HISTORY ROOM BOARD

3 year terms, expiring 2/1/05, Edwina Morton & Cheryl Roscovius, reappointments

SHELTER CARE

Dennis Schultz & Amy Winger replacing Ed Lanier & Mike Donahue

SENIOR SERVICES

3 year term, expiring 12/31/04, Laverne Cramer, reappointment

TOURISM & ECONOMIC DEVELOPMENT PROMOTIONS

Joyce Schreier replacing Warren Isbell & Bernie Arena replacing Steve Peterson

HIDDEN VALLEYS

Bernie Arena, replacing Warren Isbell

Of the nine non-incumbent candidates for Supervisor District seats in the April Spring Election, the following were present and introduced: Stephen Klein, Elizabeth Gleiss, Ed Miller, Dale Greeno, Robert Keller, Allan Martin.

Randy Gillen, new Communication Technician, was introduced by Supervisor Wells and Sheriff Amundson.

Annette Erickson presented the December County Treasurer's report. A sales tax update graph was distributed.

Chairs of standing committee gave status reports.

RESOLUTION NO. 2-02-1

ADOPTING TENTATIVE REDISTRICTING PLAN

WHEREAS, on May 9, 2001, the Monroe County Board of Supervisors approved Resolution No. 5-01-3 setting forth the Monroe County Tentative Redistricting Plan;

WHEREAS, pursuant to § 5.15(1)(b), *Wis. Stats.*, the Town of Angelo was to adjust its wards in a good faith effort to accommodate the Monroe County Tentative Redistricting Plan;

WHEREAS, the Town of Angelo failed to adjust its wards in a manner consistent with § 5.15(1)(b), *Wis. Stats.*;

WHEREAS, on August 16, 2001, Monroe County filed a lawsuit requesting that the Court adopt Monroe County's Tentative Redistricting Plan as the temporary ward plan for the Town of Angelo;

WHEREAS, the Town of Angelo responded to Monroe County's lawsuit by raising several constitutional and statutory defenses;

WHEREAS, Monroe County moved the Court for temporary relief to allow the Spring, 2002, elections to proceed on the basis of the Monroe County Tentative Redistricting Plan;

WHEREAS, on November 7, 2001, the Court entered an Order providing that the Spring, 2002, elections would proceed consistent with the Monroe County Tentative Redistricting Plan, that the Town of Angelo's wards must comport with such Plan and that the matter was set for further proceedings regarding the adoption of a final ward plan;

WHEREAS, on January 3, 2002, the Town of Angelo passed a resolution consistent with § 5.15, *Wis. Stats.*, adopting the Monroe County Tentative Redistricting Plan as the Town of Angelo's final ward plan provided that Monroe County does not alter the proposed ward plan as set forth in Exhibit A attached to Monroe County's Complaint and further provided that Monroe County agrees to dismiss its action against the Town and Angelo, with prejudice and without costs;

WHEREAS, because the Town of Angelo has now complied with § 5.15, *Wis. Stats.*, it is in Monroe County's best interests to adopt a final plan pursuant to § 5.15, *Wis. Stats.*, and terminate its lawsuit against the Town of Angelo;

WHEREAS, pursuant to § 59.10(3)(b)2., *Wis. Stats.*, on February 6, 2002, Monroe County held a public hearing regarding adoption of a final supervisory district plan;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1 That the Monroe County Tentative Redistricting Plan is hereby adopted as the final supervisory district plan pursuant to § 59.10(3)(b)2., *Wis. Stats.* A copy of such final supervisory district plan is attached hereto.

2. That the attorneys representing Monroe County in the matter of *Monroe County v. Town of Angelo*, Case No. 01-CV-236 are hereby instructed to stipulate to the dismissal of such action, with prejudice and without costs.

I, the undersigned, as Clerk of Monroe County, do hereby certify that the County Board is composed of 28 members, of whom 17, constituting a quorum, were present at a regular meeting, duly called, noticed, convened and held on the 6th day of February, 2002, and that the foregoing resolution was duly adopted at said meeting by an affirmative voice vote of members, against, abstaining and that said resolution has not been rescinded or amended.

Dated this 6th day of February, 2002.
Christine M. Williams, County Clerk, Monroe County

OFFERED BY THE ADMINISTRATIVE/EXECUTIVE COMMITTEE:

Loren Pierce
Allan Beatty
Keith E. Kenyon
Albert H. Wensel
Dennis Hubbard

Committee Vote: 5 yes, 0 no.

The foregoing resolution was introduced and moved for adoption by Supervisor Wensel, second by Supervisor Culpitt. Supervisor Hubbard explained the reasons. Motion by Supervisor Wensel, second by Supervisor Pierce to call the question. The motion carried on a voice vote. The resolution was adopted on a voice vote.

RESOLUTION NO. 2-02-2

ESTABLISHING A FEE FOR DEATH CERTIFICATE CERTIFICATION THROUGH THE MONROE COUNTY MEDICAL EXAMINER'S OFFICE

WHEREAS, the Monroe County Medical Examiner has advised the Monroe County Public Safety & Justice Committee that in such instances where deaths are not under investigation, and a physician is not available to sign a Death Certificate, that it is required by law that the Monroe County Medical Examiner sign and certify that Death Certificate; and

WHEREAS, the Monroe County Public Safety & Justice Committee has recommended that Monroe County establish a rate of \$25 for each case in which it is required that the Medical Examiner sign such a Death Certificate.

NOW, THEREFORE, BE IT RESOLVED by the Monroe County Board of Supervisors that the Monroe County Medical Examiner be and is hereby authorized to charge a fee of \$25 for each Death Certificate that is signed and certified by the Medical Examiner to be effective February 1, 2002.

Dated this 6th day of February, 2002.

OFFERED BY THE PUBLIC SAFETY & JUSTICE

Simon J. Wells
M. J. Sund
Tom Anderson
A. O. Bluske
Cedric Schnitzler
Committee Vote: 6 yes, 1 no

The foregoing resolution was introduced and moved for adoption by Supervisor Wells, second by Supervisor Sund. Supervisor Wells and Penny Brueggen, Medical Examiner Clerical Assistant, explained the reasons. Motion by Supervisor Culpitt, second by Supervisor M Kuhn to call the question. The motion carried on a voice vote. Roll was called on the resolution with the following 13 Supervisors voting yes: Bluske, Kenyon, T Anderson, Sund, Westphal, Pierce, VanWychen, Schnitzler, M Kuhn, C Anderson, Wells, Hubbard, Betthausen; the following 15 Supervisor voting no: Beatty, Hansen, Selz, Wensel, Helming, Nicosia, Pfaff, Culpitt, B Anderson, Zastoupil, Denter, J Kuhn, Schreier, Pasch, Brown. The resolution failed.

RESOLUTION NO. 2-02-3

AN ORDINANCE PERTAINING TO ZONING (TOWN OF TOMAH)

That portion of the County of Monroe, State of Wisconsin, described as an approximately 13.77 acre parcel of land located in the SE ¼ of SE ¼ and the NE ¼ of SE ¼, Section 2, T17N, R1W, Tomah Township and described as follows: Commencing at the SE corner of said Section 2; thence N0°10'26"E along the East line of the SE ¼, 679.03 ft.; thence S89°44'35"W 66.00 ft. to the West line of Graphite Rd., also being the point of beginning; thence continuing S89°44'35"W, 900.00 ft.; thence N0°10'26"E, 850.00 ft.; thence N89°44'35"E, 900.00 ft. to the West line of Graphite Rd.; thence S0°10'26"W along the West line of said Graphite Rd., 850.00 ft. to the point of beginning, which heretofore has been designated General Agriculture District shall hereafter be designated Rural Residential District and the official zoning map of the County of Monroe pertaining to such district shall be forthwith changed accordingly.

Dated this 6th day of February, 2002

OFFERED BY: SANITATION, ZONING & FORESTRY COMMITTEE
Committee vote: 5-0 in favor

To: The Honorable County Board of Supervisors

We the undersigned Zoning Committee held a public hearing on Jan. 21, 2002 to take testimony for or against the application of John C. Brady, 27052 U. S. Hwy 12 & 16E, Tomah WI to change the official county zoning map from General Agriculture District to Rural Residential District on an approximately 13.77 acre parcel of land located in part of the SE ¼ of SE ¼ and in part of the NE ¼ of SE ¼, of Section 2, T17N, R1W, Tomah Township, Monroe County, Wisconsin, described as follows: Commencing at the SE corner of said Section 2; thence N0°10'26"E along the East line of the SE ¼, 679.03 ft.; thence S89°44'35"W 66.00 ft. to the West line of Graphite Rd., also being the point of beginning; thence continuing S89°44'35"W, 900.00 ft.; thence N0°10'26"E, 850.00 ft.; thence N89°44'35"E, 900.00 ft. to the West line of Graphite Rd.; thence S0°10'26"W along the West line of said Graphite Rd., 850.00 ft. to the point of beginning.

This change would allow a mobile home park as a Conditional Use.

Mr. & Mrs. Brady were present for the hearing and explained their plans. The Tomah Town Board was notified of the hearing and replied by letter that they had voted unanimously to approve the zoning change. No one appeared at the hearing in opposition.

After discussion, we the undersigned Zoning Committee, recommend that your honorable body grant this change to Rural Residential District.

Dated this 6th day of February, 2002

OFFERED BY: SANITATION, ZONING & FORESTRY COMMITTEE
Committee vote: 5-0 in favor

The foregoing resolution was introduced and moved for adoption by Supervisor Pfaff, second by Supervisor Selz. Supervisor Wensel explained the reasons. Motion by Supervisor Pfaff, second by Supervisor Pierce to call the question. The motion carried on a voice vote. The resolution was adopted on a voice vote.

RESOLUTION NO. 2-02-4

AUTHORIZING THE PETITION OF MONROE COUNTY FOR DIRECT ANNEXATION OF CERTAIN PROPERTIES TO THE CITY OF SPARTA BOUNDARIES

WHEREAS, the Monroe County Property & Purchasing and Site Development Subcommittee has reviewed the site development requirements for the site commonly referred to as the "dog pound" cite for building development for Monroe County; and

WHEREAS, these committees have recommended annexation of this property to the boundaries to the City of Sparta for purposes of further development; and

WHEREAS, it will require the majority support of the full Monroe County Board of Supervisors to petition the City of Sparta for a direct annexation of these parcels of property.

NOW, THEREFORE BE IT RESOLVED by the full Monroe County Board of Supervisors that they do hereby authorize the Monroe County Clerk to execute the Petition for Annexation and they do hereby approve the attached Petition for Direct Annexation of the following described property to the City of Sparta:

PARCEL 1

A parcel of land located in the NE ¼ -SE ¼ and SE ¼-SE ¼, Section 18, T17N, R3W, Town of Angelo, Monroe County, Wisconsin, described as follows: Beginning at the East ¼ corner of said Section 18; thence S0 degrees 55'23"W, along the East line of the said NE ¼-SE ¼, a distance of 281.68 feet, to the Northwesterly R/W line of the former railroad property; thence S44 degrees 37'10"W, along said Northwesterly R/W line, a distance of 1920.33 feet, to the West line of the said SE ¼-SE ¼; thence N0 degrees 36'28"E, along said West line and the West line of the said NE ¼ -SE ¼, a distance of 1648.54 feet, to the CE1/16 corner of said Section 18; thence N89 degrees 59'S0"E, a distance of 1335.88 feet, to the point of beginning. Said parcel contains 29.566 acres of

land more or less and is subject to any and all easements, covenants, restrictions and rights-of-way of record.

PARCEL 2

A parcel of land located in the NE ¼ -SE ¼, SE ¼ -SE ¼ and SW ¼-SE ¼, Section 18 and in the NE ¼-NE ¼ and NW ¼-NE ¼, Section 19, all in T17N, R3W, Town of Angelo, Monroe County, Wisconsin, described as follows: Commencing at the South ¼ corner of said Section 18; thence S89 degrees 31'11"E, along the South line of the said SW ¼-SE ¼, a distance of 498.29 feet, to the Southeasterly R/W line of the former railroad property and the point of beginning; thence N44 degrees 37' 10"E, along said Southeasterly R/W line, a distance of 3104.91 feet, to the East line of the said NE ¼-SE ¼; thence S0 degrees 55'23"W, along said East line, a distance of 900.98 feet, to the E1/16SE corner of said Section 18; thence S0 degrees 53'24"W, along the East line of the said SE ¼-SE ¼, a distance of 271.47 feet; thence N89 degrees 32'05"W, a distance of 165.00 feet; thence S0 degrees 53'24"W, a distance of 1050.52 feet, to the Northerly R/W line of STH "16"; thence S89 degrees 50'23"W, along said Northerly R/W line, a distance of 393.66 feet; thence S0 degrees 01'45"W, along said Northerly R/W line, a distance of 66.00 feet; thence S81 degrees 31'45"W, along said Northerly R/W line, a distance of 471.00 feet; thence S75 degrees 49'07"W, along said Northerly R/W line, a distance of 201.00 feet; thence S81 degrees 31'45"W, along said Northerly R/W line, a distance of 430.45 feet; thence N0 degrees 28'48"E, a distance of 256.25 feet, to the South line of the said SW ¼-SE ¼; thence N89 degrees 31'11"W, along said South line, a distance of 502.82 feet, to the point of beginning. Said parcel contains 54.840 acres of land more or less and is subject to any and all easements, covenants, restrictions and rights-of-way of record.

PARCEL 3

~~A parcel of land located in the Southeast Quarter of the Southeast Quarter (SE ¼ of SE ¼) of Section Eighteen (18), Township Seventeen (17), North, Range Three (3) West, described as follows: Commencing at the SE corner of SE ¼ of SE ¼; thence North along the Section line 64 rods; thence West 10 rods; thence South 64 rods to the South line of said forty; thence East along said South line to the place of beginning, excepting lands used for highway purposes.~~

PARCEL 4

A strip of land 100 feet in width extending over and across the NE ¼ -SE ¼ and the SE ¼- SE ¼, Section 18, T17N, R3W, being part of a property conveyed to Wisconsin Department of Natural Resources in Vol. 1, Records page 117, Document No. 347259 recorded in Monroe County Register of Deeds.

The current population of such territory is zero. Parcels 1 and 2 owned by Monroe County. Parcel 3 owned by Mr. Albert Werner. Parcel 4 owned by State of Wisconsin, Department of Natural Resources.

BE IT FURTHER RESOLVED and attested by the full Monroe County Board of Supervisors that the approximate total acreage of all of the above referenced parcels is 88.406 acres, of which Monroe County is the sole owner of 84.406 acres, which is over 50% of the property in such territory requested to be annexed.

BE IT FURTHER RESOLVED by the full Monroe County Board of Supervisors that they do hereby request direct annexation of the above-described property and do hereby authorize the Monroe County Clerk to forward the attached Petition for Direct Annexation, publish all required Notifications of Intent to Annex and circulate required Petitions for

Annexation with the support of the full Monroe County Board of Supervisors.

Dated this 6th day of February, 2002.

**OFFERED BY THE PROPERTY & PURCHASING SITE DEVELOPMENT
SUBCOMMITTEE:**

Property & Purchasing Committee

LaVern Betthausen

Tom Anderson

Mahlon Denter

Jim Pfaff

Al Wensel

Keith Kenyon, Finance

Loren Pierce, Highway

Simon Wells, Public Safety & Justice

Committee Vote: 8 yes, 0 no

PETITION OF PROPERTY OWNERS FOR DIRECT ANNEXATION

We, the undersigned, constituting the owners of at least one-half of the land in the area in the following territory of the Town of Angelo, Monroe County, Wisconsin, lying contiguous to the City of Sparta, respectfully petition the Common Council for the City of Sparta to annex the territory described below and shown on the attached scale map to the City of Sparta, Monroe County, Wisconsin:

PARCEL 1

A parcel of land located in the NE ¼ -SE ¼ and SE ¼-SE ¼, Section 18, T17N, R3W, Town of Angelo, Monroe County, Wisconsin, described as follows: Beginning at the East ¼ corner of said Section 18; thence S0 degrees 55'23"W, along the East line of the said NE ¼-SE ¼, a distance of 281.68 feet, to the Northwesterly R/W line of the former railroad property; thence S44 degrees 37'10"W, along said Northwesterly R/W line, a distance of 1920.33 feet, to the West line of the said SE ¼-SE ¼; thence N0 degrees 36'28"E, along said West line and the West line of the said NE ¼ -SE ¼, a distance of 1648.54 feet, to the CE1/16 corner of said Section 18; thence N89 degrees 59'S0"E, a distance of 1335.88 feet, to the point of beginning. Said parcel contains 29.566 acres of land more or less and is subject to any and all easements, covenants, restrictions and rights-of-way of record.

PARCEL 2

A parcel of land located in the NE ¼ -SE ¼, SE ¼ -SE ¼ and SW ¼-SE ¼, Section 18 and in the NE ¼-NE ¼ and NW ¼-NE ¼, Section 19, all in T17N, R3W, Town of Angelo, Monroe County, Wisconsin, described as follows: Commencing at the South ¼ corner of said Section 18; thence S89 degrees 31'11"E, along the South line of the said SW ¼-SE ¼, a distance of 498.29 feet, to the Southeasterly R/W line of the former railroad property and the point of beginning; thence N44 degrees 37' 10"E, along said Southeasterly R/W line, a distance of 3104.91 feet, to the East line of the said NE ¼-SE ¼; thence S0 degrees 55'23"W, along said East line, a distance of 900.98 feet, to the E1/16SE corner of said Section 18; thence S0 degrees 53'24"W, along the East line of the said SE ¼-SE ¼, a distance of 271.47 feet; thence N89 degrees 32'05"W, a distance of 165.00 feet; thence S0 degrees 53'24"W, a distance of 1050.52 feet, to the Northerly R/W line of STH "16"; thence S89 degrees 50'23"W, along said Northerly R/W line, a distance of 393.66 feet; thence S0 degrees 01'45"W, along said Northerly R/W line, a distance of 66.00 feet;

thence S81 degrees 31'45"W, along said Northerly R/W line, a distance of 471.00 feet; thence S75 degrees 49'07"W, along said Northerly R/W line, a distance of 201.00 feet; thence S81 degrees 31'45"W, along said Northerly R/W line, a distance of 430.45 feet; thence N0 degrees 28'48"E, a distance of 256.25 feet, to the South line of the said SW ¼-SE ¼; thence N89 degrees 31'11"W, along said South line, a distance of 502.82 feet, to the point of beginning. Said parcel contains 54.840 acres of land more or less and is subject to any and all easements, covenants, restrictions and rights-of-way of record.

PARCEL 3

A parcel of land located in the Southeast Quarter of the Southeast Quarter (SE ¼ of SE ¼) of Section Eighteen (18), Township Seventeen (17), North, Range Three (3) West, described as follows: Commencing at the SE corner of SE ¼ of SE ¼; thence North along the Section line 64 rods; thence West 10 rods; thence South 64 rods to the South line of said forty; thence East along said South line to the place of beginning, excepting lands used for highway purposes.

PARCEL 4

A strip of land 100 feet in width extending over and across the NE ¼ -SE ¼ and the SE ¼ -SE ¼, Section 18, T17N, R3W, being part of a property conveyed to Wisconsin Department of Natural Resources in Vol. 1, Records page 117, Document No. 347259 recorded in Monroe County Register of Deeds

The current population of such territory is zero. Parcels 1 and 2 owned by Monroe County. Parcel 3 owned by Mr. Albert Werner. Parcel 4 owned by State of Wisconsin, Department of Natural Resources.

We, the undersigned, elect that this annexation shall take effect to the full extent consistent with outstanding priorities of other annexation, incorporation or consolidation proceedings, if any. We, the petitioners, affirm that within five days of the filing of this petition, we will mail a copy of the notice of intent, scale map and legal description of the territory proposed to be annexed to the Department of Administration.

Christine M. Williams, Monroe County Clerk on behalf of the Municipality of Monroe County, petitioner and owner

Date:

The foregoing resolution, a copy with the addition of a 4th parcel belonging to the DNR was distributed prior to the meeting, was introduced and moved for adoption by Supervisor Pierce, second by Supervisor Denter. The Corporation Counsel explained the reasons. Many spoke pro and con to the issue. Motion by Supervisor M Kuhn, second by Supervisor Sund to amend the resolution by removing the four-acre parcel, #3 in resolution and petition, from the document. Motion by Supervisor Wensel, second by Supervisor Kenyon to call the question. Roll was called on the motion with the following 18 Supervisors voting yes: Bluske, Kenyon, Selz, Sund, Wensel, Westphal, Nicosia, VanWychen, Schnitzler, M Kuhn, Culpitt, C Anderson, Wells, Hubbard, J Kuhn, Schreier, Pasch, Beatty; the following 10 Supervisors voting no: Hansen, T Anderson, Helming, Pfaff, Pierce, B Anderson, Zastoupil, Denter, Brown, Betthausen. The amendment was adopted. Motion by Supervisor Kenyon, second by Supervisor Nicosia to table the amended resolution until the March County Board meeting. A recess was called to study the intent of the motion concerning "table" and "postpone to a stated time". A motion to postpone can have debate, a motion to table has no debate. Supervisor Kenyon said it

was a postponement; however, there was no debate as a motion to call the question was made by Supervisor Wensel, second by Supervisor Kenyon and carried on a voice vote. Roll was called on the motion to postpone the amended resolution until the March County Board meeting. Roll was called with the following 16 Supervisors voting yes: Kenyon, Hansen, Selz, Westphal, Nicosia, VanWyche, Schnitzler, M Kuhn, Culpitt, C Anderson, Hubbard, J Kuhn, Pasch, Beatty, Bluske, Betthausen; the following 12 Supervisors voting no: T Anderson, Sund, Wensel, Helming, Pfaff, Pierce, B Anderson, Zastoupil, Wells, Denter, Schreier, Brown. The amended resolution is postponed until the March County Board meeting.

RESOLUTION NO. 2-02-5

**DECLARING OFFICIAL INTENT TO
REIMBURSE EXPENDITURES FROM PROCEEDS OF BORROWING**

WHEREAS, Monroe County, Wisconsin (the "Municipality") plans to construct improvements to the justice complex (the "Project"); and

WHEREAS, the Municipality expects to finance the Project on a long-term basis by issuing tax-exempt bonds or promissory notes (the "Bonds"); and

WHEREAS, because the Bonds will not be issued prior March of 2002, the Municipality must provide interim financing to cover costs of the Project incurred prior to receipt of the proceeds of the Bonds; and

WHEREAS, it is necessary, desirable, and in the best interests of the Municipality to advance moneys from its funds on hand on an interim basis to pay the costs of the Project the Bonds are issued.

NOW, THEREFORE, BE IT RESOLVED by the County Board of Supervisors of Monroe County, Wisconsin, that:

Section 1. Expenditure of Funds. The Municipality shall make expenditures as needed from its funds on hand to pay the costs of the Project until Bond proceeds become available

Section 2. Declaration of Official Intent. The Municipality hereby officially declares its intent under Treas. Regs. Section 1.150-2 to reimburse said expenditures with proceeds of the Bonds, the principal amount of which is not expected to exceed \$200,000.

Section 3. Unavailability of Long-Term Funds. No funds for payment of the Project from sources other than the Bonds are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside by the Municipality pursuant to its budget or financial policies.

Section 4. Public Availability of Official Intent Resolution. This Resolution shall be made available for inspection at the Municipal Clerk's office within 30 days its approval in compliance with applicable State law governing the availability of records of official acts including subchapter II of Chapter 19, and shall remain available for public inspection until the Bonds are issued.

Section 5. Effective Date. This Resolution shall be effective upon its adoption and approval.

Adopted and recorded February 6, 2002
Approved February 6, 2002
LaVern Betthausen, Chairperson

ATTEST:
Christine M. Williams, County Clerk

OFFERED BY THE FINANCE COMMITTEE:
Keith E. Kenyon
M. J. Sund
Simon J. Wells

Fiscal Note: All annexation and highway/dog pound relocation issues are to be determined before any money is spent from the account.

Finance Committee vote: 5-0

The foregoing resolution was introduced and moved for adoption by Supervisor Kenyon, second by Supervisor T Anderson. The County Clerk stated that the resolution was being offered by the Property & Purchasing Committee as the posted list of resolutions for today's meeting stated, not the Finance Committee as found on the resolution. Supervisor Beatty called for two points of order, first that Chair Betthausen as Chair of the Property & Purchasing Committee turn the Chair over to the Vice Chair in this matter since he is the Chair of the Property & Purchasing Committee, and second that minutes of the Property & Purchasing Committee did not show a vote taken to present this resolution. Chair Betthausen turned the Chair over to Vice Chair Hubbard. Supervisor Denter read committee minutes and it was found that appropriate action had taken place. Acting-Chair Hubbard then ruled the resolution out of order since the proper signatures were not on the resolution stating the resolution could be brought back.

RESOLUTION NO. 2-02-6

**OPPOSING UNFUNDED STATE MANDATES AND
THE GOVERNOR'S REFORM BUDGET PROPOSAL**

WHEREAS, counties are charged with carrying out state programs such as the court system, juvenile justice and human service programs, and

WHEREAS, Monroe County has supported the Wisconsin Counties Association resolution for unfunded mandate relief, and

WHEREAS, on July 2, 1997, the Monroe County Board of Supervisors adopted a resolution calling for a review of the current formula and a move made toward a more equitable distribution of shared revenue funds, and

WHEREAS, Governor McCallum has proposed budget reform to eliminate shared revenue by the year 2004, and

WHEREAS, this proposal would have a significant detrimental impact on the operations of local municipalities, Monroe County in particular, since shared revenue received is 6.7% of the operating budget, and

WHEREAS, this proposal further contains a restriction on the amount of increase to the tax levy, thus cutting off an avenue to replace shared revenue, and

WHEREAS, balancing the state budget by passing the deficient on to local government is not the solution, and

WHEREAS, the attached figures show the effect of unfunded state mandates on Monroe County.

NOW, THEREFORE, BE IT RESOLVED by the Monroe County Board of Supervisors to request the Governor and legislative members of both political parties at the state level work with local officials to find solutions that put citizens first.

Dated this 6th day of February, 2002.

OFFERED BY THE FINANCE COMMITTEE:

Keith E. Kenyon
Edward Westphal
Simon J. Wells
M. J. Sund

Committee vote: 5-0 (1/31/02)

The foregoing resolution, distributed prior to the meeting, was introduced and moved for adoption by Supervisor Westphal, second by Supervisor Nicosia. Supervisor Kenyon explained the reasons. Motion by Supervisor Helming, second by Supervisor Sund to call the question. The motion carried on a voice vote. The resolution was adopted on a voice vote.

Motion by Supervisor Westphal, second by Supervisor Selz to adjourn. The motion carried on a voice vote. There was concern that the UW-Extension Resource Agent had a presentation in regard to resolution 2-02-6; however, at this point there were no items on the posted agenda; final action had been taken on 2-02-6. A roll call vote on the motion to adjourn was requested with the following 12 Supervisors voting yes: Wensel, Helming, Westphal, Pfaff, Schnitzler, Culpitt, C Anderson, Zastoupil, Denter, J Kuhn, Brown, Betthausen; The following 16 Supervisors voting no: Hansen, T Anderson, Selz, Sund, Nicosia, Pierce, VanWychen, M Kuhn, B Anderson, Wells, Hubbard, Schreier, Pasch, Beatty, Bluske, Kenyon. There were no items remaining on the agenda and it was determined that Supervisors wishing to stay and hear the educational presentation could after adjournment; however, no action could be taken because the presentation was not on the agenda. Motion by Supervisor Schreier, second by Supervisor Hubbard to reconsider the motion to adjourn. The motion carried on a voice vote. There were no items remaining on the agenda. Motion by Supervisor Pfaff, second by Supervisor Brown to adjourn. The motion carried on a voice vote. Most Supervisors stayed for the presentation.

Chris Williams, Recorder
County Clerk

I, Christine M. Williams, Monroe County Clerk, certify that to the best of my knowledge

the foregoing is a true and correct copy of the February session of the Monroe County Board of Supervisors held on February 6, 2002.

MARCH 2002

The March meeting of the Monroe County Board of Supervisors convened at the Courthouse in the City of Sparta, Wisconsin, on Wednesday, March 6, 2002, at 8:30 a.m. Chair LaVern Betthausen presided. Roll was called with 27 Supervisors present, Supervisor Culpitt was absent. The Pledge of Allegiance to the Flag was recited. Motion by Supervisor Wensel, second by Supervisor Bluske to approve the minutes of the February 6, 2002, meeting as printed and mailed. The motion carried on a voice vote.

The following appointments were announced:

HOUSING AUTHORITY: Rose Bartholomew, filling unexpired term of Darwin Schendel, expires 3/13/04; Hubert VonTol, replacing Rev. Del Begalka, 5 years, expires 3/31/076
SENIOR SERVICES: Supervisor Hansen replacing Supervisor Isbell, expires 5/03
JOINT REVIEW BOARD: City of Tomah, amending TIF No. 2, Supervisor Sund

Sam Skemp, on behalf of the Wisconsin Chapter of the Soil and Water Conservation Society, presented an award to Bob Micheel, Monroe County Soil and Water Conservationist.

Chair Betthausen recognized that this is the last meeting for Supervisors Bert Anderson, Tom Anderson, Aaron Pasch and Tom Zastoupil who chose not to seek reelection.

The Chair gave brief remarks including that Rule 7 (speaking twice to an issue) would be followed during today's meeting.

Annette Erickson presented the January County Treasurer's report. By consensus, the Finance Committee will review the format of the Treasurer's monthly report.

Committee activity updates were presented.

Chair Betthausen called for a 10 minute recess.

RESOLUTION NO. 3-02-1

PERTAINING TO TRANSFER OF FUNDS FOR CERTAIN 2001 BUDGETS

WHEREAS, appropriations for the year 2001 for the following accounts were not sufficient to cover necessary expenditures.

NOW, THEREFORE, BE IT RESOLVED by the Monroe County Board of Supervisors that they do hereby authorize a transfer from the general fund to the respective balance of the accounts as set forth below:

*** 5110	Justice	7,968.78
5111	County Board	18,828.88
5123	Circuit Court	1,900.12
5127	Medical Examiner	3,778.61
5141	County Clerk	2,204.91
5144	Data Processing	267.27

5145	Section 125 Adm	76.25
5183	Zoning	756.69
5184	Zoning Bd Adj	723.56
5210	Police	82,792.76
5216	Jail	134,698.37
5241	Emerg Manage	7,610.87
5242	SARA	9,329.55
5418	Bldg D	593.57
5419	Jail Maintenance	2,124.16
5488	Sanitation	2,278.29
5552	Veterans Graves	1,410.00
5651	Parks	5,921.26
5711	Forestry	703.99
5741	Land Conservation	2,954.22
6834	PECFA	22,235.76
6847	Sand Creek	18,694.48
Fund 22	Senior Services	7,300.00

Dated this 6th day of March, 2002.

OFFERED BY THE FINANCE COMMITTEE:

Keith E. Kenyon
Edward Westphal
Simon J. Wells
Carl E. Anderson
M. J. Sund

Finance Committee vote: 5-0

Fiscal note: Approval of this resolution will authorize the transfer of \$335,152.35 from the General Fund to the accounts as listed.

NOTE:

Some of these amounts are offset from other accounts in the affected department and/or revenue may have been over to make up for the overage. Department heads will be available to give an update. If you want to call a department before the meeting, please do so.

Also, there may be changes to this on County Board day...

The foregoing resolution was introduced and moved for adoption by Supervisor Westphal, second by Supervisor Bluske. Supervisor Kenyon explained the reasons. Motion by Supervisor Westphal, second by Supervisor Wensel to call the question. The motion carried on a voice vote. The resolution was adopted on a unanimous (2/3rds required) roll call vote with one absent.

RESOLUTION NO. 3-02-2

IMPOSING MORATORIUM ON PERMITS FOR TELECOMMUNICATIONS FACILITIES

WHEREAS, Monroe County Sanitation, Planning & Zoning and Forestry Committee is currently reviewing changes in the Monroe County Zoning Code, which affect telecommunication facilities, specifically towers, to provide a uniform set of standards to regulate the development and installation of towers and facilities in Monroe County; and

WHEREAS, there is a growing demand for telecommunication facilities due to the increased use of cellular phones and similar devices; and

WHEREAS, it is in the best interest of Monroe County to have a moratorium on the granting of any permits for new telecommunication towers, facilities or locations until further study occurs and a comprehensive ordinance plan can be developed; and

WHEREAS, it is desirable that such facilities are designed and located to minimize safety and aesthetic concerns, including the effect on neighboring properties and the community as a whole; and

WHEREAS, said moratorium shall not affect co-location of antennas on already existing telecommunication towers and will not affect the ability of entities to make applications for such facilities.

NOW, THEREFORE, BE IT RESOLVED by the full Monroe County Board of Supervisors that they do hereby authorize the imposition of a six month moratorium on the granting of any permits from the Monroe County Sanitation, Planning & Zoning and Forestry Committee for any telecommunication facilities, including any towers, facilities, structures, or sites, with the exception of permits for co-location of telecommunications antenna on existing telecommunication towers.

Dated this 6th day of March, 2002.

OFFERED BY THE SANITATION, PLANNING & ZONING and FORESTRY COMMITTEE:

Albert H. Wensel
Leo Selz
James B. Kuhn
James V. Pfaff
Loren Pierce

Committee Vote: 4 yes, 1 no

The foregoing resolution was introduced and moved for adoption by Supervisor Pfaff, second by Supervisor Pierce. Supervisor Wensel explained the reasons. Motion by Supervisor Helming, second by Supervisor Nicosia to call the question. The motion carried on a voice vote. The resolution was adopted on a voice vote.

RESOLUTION NO. 3-02-3

AUTHORIZING THE PETITION OF MONROE COUNTY FOR DIRECT ANNEXATION OF CERTAIN PROPERTIES TO THE CITY OF SPARTA BOUNDARIES

WHEREAS, the Monroe County Property & Purchasing and Site Development Subcommittee has reviewed the site development requirements for the site commonly

referred to as the "dog pound" cite for building development for Monroe County; and

WHEREAS, these committees have recommended annexation of this property to the boundaries to the City of Sparta for purposes of further development; and

WHEREAS, it will require the majority support of the full Monroe County Board of Supervisors to petition the City of Sparta for a direct annexation of these parcels of property.

NOW, THEREFORE BE IT RESOLVED by the full Monroe County Board of Supervisors that they do hereby authorize the Monroe County Clerk to execute the Petition for Annexation and they do hereby approve the attached Petition for Direct Annexation of the following described property to the City of Sparta:

PARCEL 1

A parcel of land located in the NE ¼ -SE ¼ and SE ¼-SE ¼, Section 18, T17N, R3W, Town of Angelo, Monroe County, Wisconsin, described as follows: Beginning at the East ¼ corner of said Section 18; thence S0 degrees 55'23"W, along the East line of the said NE ¼-SE ¼, a distance of 281.68 feet, to the Northwesterly R/W line of the former railroad property; thence S44 degrees 37'10"W, along said Northwesterly R/W line, a distance of 1920.33 feet, to the West line of the said SE ¼-SE ¼; thence N0 degrees 36'28"E, along said West line and the West line of the said NE ¼ -SE ¼, a distance of 1648.54 feet, to the CE1/16 corner of said Section 18; thence N89 degrees 59'S0"E, a distance of 1335.88 feet, to the point of beginning. Said parcel contains 29.566 acres of land more or less and is subject to any and all easements, covenants, restrictions and rights-of-way of record.

PARCEL 2

A parcel of land located in the NE ¼ -SE ¼, SE ¼ -SE ¼ and SW ¼-SE ¼, Section 18 and in the NE ¼-NE ¼ and NW ¼-NE ¼, Section 19, all in T17N, R3W, Town of Angelo, Monroe County, Wisconsin, described as follows: Commencing at the South ¼ corner of said Section 18; thence S89 degrees 31'11"E, along the South line of the said SW ¼-SE ¼, a distance of 498.29 feet, to the Southeasterly R/W line of the former railroad property and the point of beginning; thence N44 degrees 37' 10"E, along said Southeasterly R/W line, a distance of 3104.91 feet, to the East line of the said NE ¼-SE ¼; thence S0 degrees 55'23"W, along said East line, a distance of 900.98 feet, to the E1/16SE corner of said Section 18; thence S0 degrees 53'24"W, along the East line of the said SE ¼-SE ¼, a distance of 271.47 feet; thence N89 degrees 32'05"W, a distance of 165.00 feet; thence S0 degrees 53'24"W, a distance of 1050.52 feet, to the Northerly R/W line of STH "16"; thence S89 degrees 50'23"W, along said Northerly R/W line, a distance of 393.66 feet; thence S0 degrees 01'45"W, along said Northerly R/W line, a distance of 66.00 feet; thence S81 degrees 31'45"W, along said Northerly R/W line, a distance of 471.00 feet; thence S75 degrees 49'07"W, along said Northerly R/W line, a distance of 201.00 feet; thence S81 degrees 31'45"W, along said Northerly R/W line, a distance of 430.45 feet; thence N0 degrees 28'48"E, a distance of 256.25 feet, to the South line of the said SW ¼-SE ¼; thence N89 degrees 31'11"W, along said South line, a distance of 502.82 feet, to the point of beginning. Said parcel contains 54.840 acres of land more or less and is subject to any and all easements, covenants, restrictions and rights-of-way of record.

PARCEL 3

~~A parcel of land located in the Southeast Quarter of the Southeast Quarter (SE ¼ of SE ¼) of Section Eighteen (18), Township Seventeen (17), North, Range Three (3) West,~~

~~described as follows: Commencing at the SE corner of SE ¼ of SE ¼; thence North along the Section line 64 rods; thence West 10 rods; thence South 64 rods to the South line of said forty; thence East along said South line to the place of beginning, excepting lands used for highway purposes.~~

PARCEL 4

A strip of land 100 feet in width extending over and across the NE ¼ -SE ¼ and the SE ¼- SE ¼, Section 18, T17N, R3W, being part of a property conveyed to Wisconsin Department of Natural Resources in Vol. 1, Records page 117, Document No. 347259 recorded in Monroe County Register of Deeds.

The current population of such territory is zero. Parcels 1 and 2 owned by Monroe County. Parcel 3 owned by Mr. Albert Werner. Parcel 4 owned by State of Wisconsin, Department of Natural Resources.

BE IT FURTHER RESOLVED and attested by the full Monroe County Board of Supervisors that the approximate total acreage of all of the above referenced parcels is 88.406 acres, of which Monroe County is the sole owner of 84.406 acres, which is over 50% of the property in such territory requested to be annexed.

BE IT FURTHER RESOLVED by the full Monroe County Board of Supervisors that they do hereby request direct annexation of the above-described property and do hereby authorize the Monroe County Clerk to forward the attached Petition for Direct Annexation, publish all required Notifications of Intent to Annex and circulate required Petitions for Annexation with the support of the full Monroe County Board of Supervisors.

Dated this 6th day of February, 2002.

OFFERED BY THE PROPERTY & PURCHASING SITE DEVELOPMENT SUBCOMMITTEE:

Property & Purchasing Committee

LaVern Bethausser

Tom Anderson

Mahlon Denter

Jim Pfaff

Al Wensel

Keith Kenyon, Finance

Loren Pierce, Highway

Simon Wells, Public Safety & Justice

Committee Vote: 8 yes, 0 no

PETITION OF PROPERTY OWNERS FOR DIRECT ANNEXATION

We, the undersigned, constituting the owners of at least one-half of the land in the area in the following territory of the Town of Angelo, Monroe County, Wisconsin, lying contiguous to the City of Sparta, respectfully petition the Common Council for the City of Sparta to annex the territory described below and shown on the attached scale map to the City of Sparta, Monroe County, Wisconsin:

PARCEL 1

A parcel of land located in the NE ¼ -SE ¼ and SE ¼-SE ¼, Section 18, T17N, R3W, Town of Angelo, Monroe County, Wisconsin, described as follows: Beginning at the East

¼ corner of said Section 18; thence S0 degrees 55'23"W, along the East line of the said NE ¼-SE ¼, a distance of 281.68 feet, to the Northwesterly R/W line of the former railroad property; thence S44 degrees 37'10"W, along said Northwesterly R/W line, a distance of 1920.33 feet, to the West line of the said SE ¼-SE ¼; thence N0 degrees 36'28"E, along said West line and the West line of the said NE ¼ -SE ¼, a distance of 1648.54 feet, to the CE1/16 corner of said Section 18; thence N89 degrees 59'S0"E, a distance of 1335.88 feet, to the point of beginning. Said parcel contains 29.566 acres of land more or less and is subject to any and all easements, covenants, restrictions and rights-of-way of record.

PARCEL 2

A parcel of land located in the NE ¼ -SE ¼, SE ¼ -SE ¼ and SW ¼-SE ¼, Section 18 and in the NE ¼-NE ¼ and NW ¼-NE ¼, Section 19, all in T17N, R3W, Town of Angelo, Monroe County, Wisconsin, described as follows: Commencing at the South ¼ corner of said Section 18; thence S89 degrees 31'11"E, along the South line of the said SW ¼-SE ¼, a distance of 498.29 feet, to the Southeasterly R/W line of the former railroad property and the point of beginning; thence N44 degrees 37' 10"E, along said Southeasterly R/W line, a distance of 3104.91 feet, to the East line of the said NE ¼-SE ¼; thence S0 degrees 55'23"W, along said East line, a distance of 900.98 feet, to the E1/16SE corner of said Section 18; thence S0 degrees 53'24"W, along the East line of the said SE ¼-SE ¼, a distance of 271.47 feet; thence N89 degrees 32'05"W, a distance of 165.00 feet; thence S0 degrees 53'24"W, a distance of 1050.52 feet, to the Northerly R/W line of STH "16"; thence S89 degrees 50'23"W, along said Northerly R/W line, a distance of 393.66 feet; thence S0 degrees 01'45"W, along said Northerly R/W line, a distance of 66.00 feet; thence S81 degrees 31'45"W, along said Northerly R/W line, a distance of 471.00 feet; thence S75 degrees 49'07"W, along said Northerly R/W line, a distance of 201.00 feet; thence S81 degrees 31'45"W, along said Northerly R/W line, a distance of 430.45 feet; thence N0 degrees 28'48"E, a distance of 256.25 feet, to the South line of the said SW ¼-SE ¼; thence N89 degrees 31'11"W, along said South line, a distance of 502.82 feet, to the point of beginning. Said parcel contains 54.840 acres of land more or less and is subject to any and all easements, covenants, restrictions and rights-of-way of record.

PARCEL 3

A parcel of land located in the Southeast Quarter of the Southeast Quarter (SE ¼ of SE ¼) of Section Eighteen (18), Township Seventeen (17), North, Range Three (3) West, described as follows: Commencing at the SE corner of SE ¼ of SE ¼; thence North along the Section line 64 rods; thence West 10 rods; thence South 64 rods to the South line of said forty, thence East along said South line to the place of beginning, excepting lands used for highway purposes.

PARCEL 4

A strip of land 100 feet in width extending over and across the NE ¼ -SE ¼ and the SE ¼- SE ¼, Section 18, T17N, R3W, being part of a property conveyed to Wisconsin Department of Natural Resources in Vol. 1, Records page 117, Document No. 347259 recorded in Monroe County Register of Deeds

The current population of such territory is zero. Parcels 1 and 2 owned by Monroe County. Parcel 3 owned by Mr. Albert Werner. Parcel 4 owned by State of Wisconsin, Department of Natural Resources.

We, the undersigned, elect that this annexation shall take effect to the full extent consistent with outstanding priorities of other annexation, incorporation or consolidation

proceedings, if any. We, the petitioners, affirm that within five days of the filing of this petition, we will mail a copy of the notice of intent, scale map and legal description of the territory proposed to be annexed to the Department of Administration.

Christine M. Williams, Monroe County Clerk on behalf of the Municipality of Monroe County, petitioner and owner.

Date:

The foregoing resolution was introduced and moved for adoption by Supervisor T.Anderson, second by Supervisor Denter. The Corporation Counsel advised that the parcel belonging to the DNR be satisfied in regard to intent to annex. Motion by Supervisor Wensel, second by Supervisor Brown to refer the resolution back to the Property & Purchasing Committee for one month. Motion by Supervisor Pfaff, second by Supervisor Brown to call the question. The resolution was tabled.

RESOLUTION NO. 3-02-4

DECLARING OFFICIAL INTENT TO REIMBURSE EXPENDITURES FROM PROCEEDS OF BORROWING

WHEREAS, Monroe County, Wisconsin (the "Municipality") plans to construct improvements to the justice complex (the "Project") and

WHEREAS, the Municipality expects to finance the Project on a long-term basis by issuing tax-exempt bonds or promissory notes (the "Bonds"); and

WHEREAS, because the Bonds will not be issued prior to March of 2002, the Municipality must provide interim financing to cover costs of the Project incurred prior to receipt of the proceeds of the Bonds; and

WHEREAS, it is necessary, desirable, and in the best interests of the Municipality to advance moneys from its funds on hand on an interim basis to pay the costs of the Project until the Bonds are issued.

NOW, THEREFORE, BE IT RESOLVED by the County Board of Supervisors of Monroe County, Wisconsin, that:

Section 1. Expenditure of Funds. The Municipality shall make expenditures as needed from its funds on hand to pay the costs of the Project until Bond proceeds become available.

Section 2. Declaration of Official Intent. The Municipality hereby officially declares its intent under Treas Regs. Section 1.150-2 to reimburse said expenditures with proceeds of the Bonds, the principal amount of which is not expected to exceed \$200,000.

Section 3. Unavailability of Long-Term Funds. No funds for payment of the Project from sources other than the Bonds are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside by the Municipality pursuant to its budget or financial policies.

Section 4. Public Availability of Official Intent Resolution. This Resolution shall be made available for public inspection at the Municipal Clerk's office within 30 days after its approval in compliance with applicable State law governing the availability of records of official acts including subchapter II of Chapter 19, and shall remain available for public inspection until the Bonds are issued.

Section 5. Effective Date. This Resolution shall be effective upon its adoption and approval.

Adopted and recorded March 6, 2002

Approved March 6, 2002.

LaVern Betthausen, Chairperson

ATTEST:

Christine M. Williams, County Clerk

OFFERED BY THE PROPERTY & PURCHASING AND SITE DEVELOPMENT SUB (STEERING) COMMITTEE:

LaVern Betthausen
Mahlon Denter
Albert H. Wensel
Jim Pfaff
Tom Anderson
Keith Kenyon
Loren Pierce
Simon Wells

Fiscal note: All annexation and highway/dog pound relocation issues are to be determined before any money is spent from the account.

Finance Committee vote: 3-2 (1/22/02)

The foregoing resolution was introduced and moved for adoption by Supervisor Pfaff, second by Supervisor T.Anderson. It is noted that the correct Finance Committee vote for the fiscal note is 3-2. Supervisor Westphal called for a point of order: that because Supervisor Betthausen is the Chair of Property & Purchasing that he turn the Chair over to the Vice Chair. This was done. Motion by Supervisor Westphal, second by Supervisor Beatty to table the resolution. Roll was called with the following 17 Supervisors voting yes: Selz, Westphal, Nicosia, VanWychen, Schnitzler, M.Kuhn, C.Anderson, B.Anderson, Zastoupil, Hubbard, Schreier, Pasch, Brown, Beatty, Bluske, Kenyon, Hansen; the following 10 Supervisors voting no: Sund, Wensel, Helming, Pfaff, Pierce, Wells, Denter, J.Kuhn, T.Anderson, Betthausen; Supervisor Culpitt was absent. The motion carried, the resolution was tabled.

RESOLUTION NO. 3-02-5

**AUTHORIZING APPLICATION FOR WISCONSIN
CONSERVATION RESERVE ENHANCEMENT PROGRAM**

WHEREAS, the Monroe County Agriculture & Extension Education Committee did discuss the possibility of the Monroe County Agriculture & Extension Education Departments to apply for a Wisconsin Conservation Reserve Enhancement Program, which would provide funding for a perpetual conservation easement plan for approximately 28.4 acres on what is commonly referred to as the Monroe County Farm property; and

WHEREAS, the income from these monies would be designated to the Monroe County Agriculture & Extension Education Committee to be used for conservation purposes; and

WHEREAS, this same income would be placed in a non-lapsing fund to be utilized for the above-mentioned purposes; and

WHEREAS, it was the determination of the Monroe County Agriculture & Extension Education Committee that it would be in Monroe County's best interest to apply for monies from the Wisconsin Conservation Reserve Enhancement Program for purposes of obtaining these incomes for the purposes of conservation.

NOW, THEREFORE, BE IT RESOLVED by the full Monroe County Board of Supervisors that they do hereby authorize the Monroe County Agriculture & Extension Education Committee to apply for the Wisconsin Conservation Reserve Enhancement Program, monies for purposes of conservation enhancement for Monroe County.

Dated this 6th day of March, 2002.

OFFERED BY THE AG & EXTENSION EDUCATION COMMITTEE:

Simon J. Wells
Mahlon Denter
Robert Helming
Nodji Van Wychen
Tom Zastoupil

Committee Vote: 5 yes, 0 no.

Fiscal note: If adopted, non-lapsing account approved by Finance Committee 2/26/02.

vote: 3-2

The foregoing resolution was introduced and moved for adoption by Supervisor Wells, second by Supervisor Zastoupil. Supervisor Wells and Al Hoff, County Conservationist, explained the reasons. Motion by Supervisor Sund, second by Supervisor Zastoupil to call the question. The motion carried on a voice vote. Roll was called with the following 18 Supervisors voting yes: Sund, Helming, Nicosia, Pfaff, VanWychen, Schnitzler, Zastoupil, Wells, Hubbard, Denter, Schreier, Pasch, Beatty, Bluske, Hansen, T.Anderson, Selz, Betthausen; the following 9 Supervisors voting no: Wensel, Westphal, Pierce, M.Kuhn, C.Anderson, B.Anderson, J.Kuhn, Brown, Kenyon; Supervisor Culpitt was absent. The resolution was adopted.

Supervisor Westphal left the meeting at 11:00.

RESOLUTION NO. 3-02-6

APPROVING THE MERGER OF THE MONROE COUNTY LAND CONSERVATION COMMITTEE AND THE MONROE COUNTY AGRICULTURE & EXTENSION EDUCATION COMMITTEE

WHEREAS, the Monroe County Administrative/Executive Committee, at its meeting of November 21, 2001, did review the possibility of combining certain Monroe County Committees; and

WHEREAS, it was determined by the Administrative/Executive Committee for the sake of efficiency, as well as management of departments, that certain committees be combined; and

WHEREAS, one of the combinations recommended was a merger of the Monroe County Land Conservation Committee and the Monroe County Agriculture & Extension Education Committee as those two committees do often times deal with similar subject matter.

NOW, THEREFORE, BE IT RESOLVED by the full Monroe County Board of Supervisors that they do hereby authorize and ordain an amendment to Monroe County Ordinance Code, Sec. 1.20, entitled Standing Committees and Boards, to reflect a merger of the Monroe County Land Conservation Committee and the Monroe County Agriculture & Extension Committee into one Monroe County Standing Committee, effective with the committee appointments after the April 2002 election.

Dated this 6th day of March, 2002.

OFFERED BY THE ADMINISTRATIVE/EXECUTIVE COMMITTEE:

Allan Beatty
Albert H. Wensel
Loren Pierce
Keith E. Kenyon
Dennis Hubbard

Committee Vote: 5 yes, 0 no.

The foregoing resolution was introduced and moved for adoption by Supervisor Wensel, second by Supervisor Helming. Supervisor Wensel explained the reasons. Motion by Supervisor Helming, second by Supervisor Pierce to call the question. The motion carried on a voice vote. Roll was called with the following 8 Supervisors voting yes: Wensel, C.Anderson, Hubbard, J.Kuhn, Brown, Beatty, Kenyon, Sund; the following 18 Supervisors voting no: Helming, Nicosia, Pfaff, Pierce, VanWychen, Schnitzler, M.Kuhn, B.Anderson, Zastoupil, Wells, Denter, Schreier, Pasch, Bluske, Hansen, T.Anderson, Selz, Betthausen; Supervisors Culpitt and Westphal were absent. The resolution failed.

RESOLUTION NO. 3-02-7

APPROVING THE MERGER OF THE MONROE COUNTY HEALTH BOARD AND THE MONROE COUNTY SENIOR SERVICES BOARD

WHEREAS, the Monroe County Administrative/Executive Committee, at its meeting of November 21, 2001, did review the possibility of combining certain Monroe County Committees; and

WHEREAS, it was determined by the Administrative/Executive Committee for the sake of efficiency, as well as management of departments, that certain committees be combined; and

WHEREAS, one of the combinations recommended was a merger of the Monroe County Health Board and the Monroe County Senior Services Board as those two committees do other times deal with similar subject matter.

NOW, THEREFORE, BE IT RESOLVED by the full Monroe County Board of Supervisors that they do hereby authorize and ordain an amendment to Monroe County Ordinance Code, Sec. 1.20, entitled Standing Committees and Boards, to reflect a merger of the Monroe County Health Board and the Monroe County Senior Services Board into one Monroe County Standing Committee, effective with the committee appointments after the April 2002 election.

Dated this 6th day of March, 2002.

OFFERED BY THE ADMINISTRATIVE/EXECUTIVE COMMITTEE:

Allan Beatty
Albert H. Wensel
Loren Pierce
Keith E. Kenyon
Dennis Hubbard

Committee Vote: 5 yes, 0 no.

The foregoing resolution was introduced and moved for adoption by Supervisor Nicosia, second by Supervisor Helming. Supervisor Wensel explained the reasons. Motion by Supervisor Beatty, second by Supervisor Schnitzler to call the question. The motion failed on a voice vote. Discussion continued. Supervisor M.Kuhn recognized Sharon Nelson, Health Department Director and Noreen Kuroski, Senior Services Director, who provided information. Motion by Supervisor Brown, second by Supervisor Pierce to call the question. The motion carried on a voice vote. Roll was called with the following 7 Supervisors voting yes: C.Anderson, Hubbard, Beatty, Kenyon, Selz, Wensel, Betthausen; the following 19 Supervisors voting no: Helming, Nicosia, Pfaff, Pierce, VanWychen, Schnitzler, M.Kuhn, B.Anderson, Zastoupil, Wells, Denter, J.Kuhn, Schreier, Pasch, Brown, Bluske, Hansen, T.Anderson, Sund; Supervisors Culpitt and Westphal were absent. The resolution failed.

RESOLUTION NO. 3-02-8

APPROVING THE MERGER OF THE MONROE COUNTY FINANCE, INSURANCE & CLAIMS COMMITTEE AND THE MONROE COUNTY PERSONNEL & BARGAINING COMMITTEE

WHEREAS, the Monroe County Administrative/Executive Committee, at its meeting of November 21, 2001, did review the possibility of combining certain Monroe County Committees; and

WHEREAS, it was determined by the Administrative/Executive Committee for the sake of efficiency, as well as management of departments, that certain committees be combined; and

WHEREAS, one of the combinations recommended was a merger of the Monroe County Finance, Claims & Insurance Committee and the Monroe County Personnel & Bargaining Committee as those two committees do often times deal with similar subject matter.

NOW, THEREFORE, BE IT RESOLVED by the full Monroe County Board of Supervisors that they do hereby authorize and ordain an amendment to Monroe County Ordinance Code, Sec. 1.20, entitled Standing Committees and Boards, to reflect a merger of the Monroe County Finance, Claims & Insurance Committee and the Monroe County Personnel & Bargaining Committee into one Monroe County Standing Committee, effective with the committee appointments after the April 2002 election.

Dated this 6th day of March, 2002.

OFFERED BY THE ADMINISTRATIVE/EXECUTIVE COMMITTEE:

Albert H. Wensel
Loren Pierce
Keith E. Kenyon
Dennis Hubbard

Committee Vote: 3 yes, 2 no

The foregoing resolution was introduced and moved for adoption by Supervisor Wensel, second by Supervisor Nicosia. Motion by Supervisor Pfaff, second by Supervisor Beatty to table the resolution. Roll was called with the following 15 Supervisor voting yes: Pfaff, Pierce, Schnitzler, C.Anderson, B.Anderson, Wells, Hubbard, J.Kuhn, Pasch, Brown, Beatty, Kenyon, Hansen, Sund, Bethauser; the following 11 Supervisors voting no: Nicosia, VanWychen, M.Kuhn, Zastoupil, Denter, Schreier, Brown, Bluske, Selz, Wensel, Helming; Supervisors Culpitt and Westphal were absent. The resolution was tabled.

RESOLUTION NO. 3-02-9

APPROVING THE MERGER OF THE MONROE COUNTY PROPERTY & PURCHASING COMMITTEE AND THE MONROE COUNTY SOLID WASTE MANAGEMENT BOARD

WHEREAS, the Monroe County Administrative/Executive Committee, at its meeting of November 21, 2001, did review the possibility of combining certain Monroe County Committees; and

WHEREAS, it was determined by the Administrative/Executive Committee for the sake of efficiency, as well as management of departments, that certain committees be combined; and

WHEREAS, one of the combinations recommended was a merger of the Monroe County Property & Purchasing Committee and the Monroe County Solid Waste Management Board as those two committees do often times deal with similar subject

matter.

NOW, THEREFORE, BE IT RESOLVED by the full Monroe County Board of Supervisors that they do hereby authorize and ordain an amendment to Monroe County Ordinance Code, Sec. 1.20, entitled Standing Committees and Boards, to reflect a merger of the Monroe County Property & Purchasing Committee and the Monroe County Solid Waste Management Board into one Monroe County Standing Committee, effective with the committee appointments after the April 2002 election.

Dated this 6th day of March, 2002.

OFFERED BY THE ADMINISTRATIVE/EXECUTIVE COMMITTEE:

Allan Beatty
Albert H. Wensel
Loren Pierce
Keith E. Kenyon
Dennis Hubbard

Committee Vote: 4 yes, 1 no.

Supervisor Bethauser turned the Chair over to Vice Chair Hubbard. Supervisor Bethauser asked that the resolution be pulled because the Property & Purchasing Committee had not discussed the proposed merger. Acting Chair Hubbard pulled the resolution.

At approximately 11:50 a.m. on a motion by Supervisor Wells, and second by Supervisor Pasch, the Board adjourned on a voice vote.

Chris Williams, Recorder
County Clerk

I, Christine M. Williams, Monroe County Clerk, certify that to the best of my knowledge the foregoing is a true and correct copy of the March session of the Monroe County Board of Supervisors held on March 6, 2002.