

PIERCE COUNTY BOARD OF SUPERVISORS

Tuesday, July 28, 2020 – 7:00 p.m.
Law Enforcement Facility – EOC Room
555 Overlook Dr., Ellsworth, WI 54011

Please note change in venue! Meeting at Law Enforcement Facility for all County Board members. All public, media, & staff may attend meeting at the Seyforth Building located on the Fairgrounds; 364 N. Maple St., Ellsworth. County Board meeting will be linked via video & audio from that location.

1.	Call to order
2.	Call of the roll by the Clerk 2a) Establish Quorum 2b) Adopt Agenda
3.	Pledge of Allegiance to the flag
4.	Public Comment: County Board will receive public comments on any issue not related to agenda items, discussion by board members may take place but no action will be taken on any item raised.
5.	Election of Committee Member: Human Services Board – 1 Seat (Cindy Symes-Citizen Member)
6.	Resolutions for consideration: First reading: 6a) Resolution No. 20-06 Commendation to Former County Board Supervisor Cecil Bjork 6b) Resolution No. 20-07 Authorize Sale of County-Owned Property in the Town of Union 6c) Resolution No. 20-08 Amend Personnel Policy to Eliminate Home Care Language, Clarify Holidays, & Eliminate Highway Employee Dual Rate Language 6d) Resolution No. 20-09 Declaration of State of Emergency & Ratification of Proclamation Declaring State of Emergency due to Torrential Rain*
7.	Resolutions for consideration: Second reading: 7a) None
8.	Ordinances for consideration: First reading: 8a) Ordinance No. 20-02 Map Amendment (Rezone) for 29.25 Acres from General Rural Flexible-8 to Commercial in the town of Oak Grove (Zeverino Investments)
9.	Ordinances for consideration: Second reading: 9a) Ordinance No. 20-01 To Amend Ch. 1, Art. IV Sections 1-29 & 1-31 of, and to Create Ch. 120 "Communicable Diseases - Authority and Duties of Local Health Officer" in the Pierce County Code
10.	Appointments: 10a) None
11.	Future agenda items
12.	Next meeting: Aug. 25, 2020; 7 p.m.
13.	Adjourn
<p>Questions regarding this agenda may be made to Jamie Feuerhelm at 715-273-6744. Upon reasonable notice, efforts will be made to accommodate the needs of individuals with disabilities requiring special accommodations for attendance at the meeting. For additional information or to make a request, contact the Administrative Coordinator at 715-273-6851.</p>	

*Adoption requested on First Reading

jrf 07/17/2020

5.

**Election of Committee Member:
Human Services Board – 1 Seat
(Cindy Symes-Citizen Member)**



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

HS Board Citizen Member Nominee for CB election

Ronald Schmidt <ronald.schmidt@co.pierce.wi.us>

Fri, Jun 26, 2020 at 9:10 AM

To: Jamie Feuerhelm <jamie.feuerhelm@co.pierce.wi.us>, Jason Matthys <jmatthys@co.pierce.wi.us>

Cc: Cynthia Symes <ccsymeslnc@gmail.com>

Hi Jamie,

At its meeting last night, the Human Services Board acted to nominate Cindy Symes as a Citizen Member of the Pierce County Human Services Board.

I have copied Ms. Symes in here and attached her resume.

I spoke with Cindy after the board meeting last night and indicated that the matter will be requested to be placed on the next county board agenda. I indicated that she may or may not be in person for the full board election of her citizen member position.

Please forward to Chairperson Holst for inclusion on the next County Board agenda.

Thanks

Welcome Cindy!

R

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Ronald Schmidt
Director
Pierce County Human Services Department
Office (715) 273-6777
Cell (715) 307-1883

Thank you for your email. Due to our active response to Coronavirus (COVID-19), my ability to reply to your email may be delayed.

NOTICE: This email, and any attachments, may contain confidential information. Use and further disclosure of the information by the recipient must be consistent with applicable laws, regulations and agreements. If you received this email in error, please notify the sender; delete the email; and do not use, disclose or store the information it contains.

 **Cynthia Kay Symes.docResume.pdf**
118K

Cynthia Kay Symes
N4959 970th St
Hager City, WI 54014
651-353-5759

Experience:

Legal Nurse Consultant

2013-Present

Medtronic Technical Consultant

August 25, 2003-Present

Provide knowledge and expertise to physicians, ancillary staff and company representatives regarding Medtronic pacemakers.

Regions Hospital-St Paul, Minnesota

July 1996- August 2003

Arrhythmia/Device Clinic RN

Responsible for monitoring and programming of various devices from several different companies. Transtelephonic monitoring of pacemakers. Computer documentation. Pre and post procedure teaching and preparation of patients scheduled for: electrophysiology studies, tilt table testing, radiofrequency ablation, pacemaker and ICD implantation. Amiodarone monitoring. Phone triage. Direct communication with physicians and device company representatives.

Cardiac Non-Invasive Lab-RN

12 lead EKG interpretation and monitoring. Treadmill stress testing, Dobutamine stress echo. IV insertion and monitoring. Obtained patient history. Sedation and monitoring of patients during transesophageal echo. .

Healthstaff-Minneapolis, Minnesota

Feb. 1996-Dec. 1998

Float Pool Nurse within the Twin Cities Metropolitan area. Responsible for the nursing care of patients in various facilities ICU, surgical and medical wards.

Review Works-Bloomington, Minnesota

Dec.1995-March 1996

Medical Review Specialist RN

Responsible for reviewing bills submitted for Minnesota No Fault and Liability claims. Evaluation of documentation to determine relatedness of treatment to known injuries. Utilized ICD-9 and CPT codes.

Mayo Clinic-St Mary's Hospital-Rochester Minnesota July 1988-Dec. 1995

Intensive Care Nurse in the 7 bed cardiac, heart and lung transplant Unit. Immediate post-operative care of patients. Arterial line monitoring and care. Swann Ganz care, monitoring and removal. Hemodynamic monitoring and application of temporary pacemakers. Ventilator management. Assisted in balloon pump management.

Step Down Unit Day and Night Charge Nurse. 14 bed intermediate care area for cardiac surgical, cardiac and lung transplant, pediatric kidney transplant patients.

RN and LPN on a 48 bed general surgery, trauma, thoracic and vascular surgery unit.

Licensed Practical Nurse-Geriatric care facilities
Stewartville-Stewartville, Minnesota
Comfort Home Health Care-Rochester Minnesota
St. Croix Care Center-Prescott, Wisconsin

Education:

New York Institute of Technology: Ellis College
Degree: Bachelors Degree in Interdisciplinary Studies- October 2006
Focus: Life Science, Behavioral Science, and Social Science

Mayo clinic St. Mary's Hospital
Critical Care Nurse Internship

University of the State of New York-Regents College
Degree: Associate in Applied Science Nursing

Rochester Community College
General Education Courses

Red Wing Vocational College
Degree: Practical Nursing

6a.

Resolutions for First Reading:

Resolution No. 20-06

**Commendation to Former County
Board Supervisor Cecil Bjork**

Resolution 20-06
Commendation to Former
County Board Supervisor Cecil Bjork

WHEREAS, Cecil Bjork has served on numerous committees as well as participated in many sessions of the Pierce County Board of Supervisors; and

WHEREAS, as a member of the Pierce County Board of Supervisors he has given a great deal of his time and efforts for the citizens of Pierce County.

NOW, THEREFORE BE IT RESOLVED that the Pierce County Board of Supervisors go on record commending Cecil Bjork for his years of public service for the advancement of Pierce County.

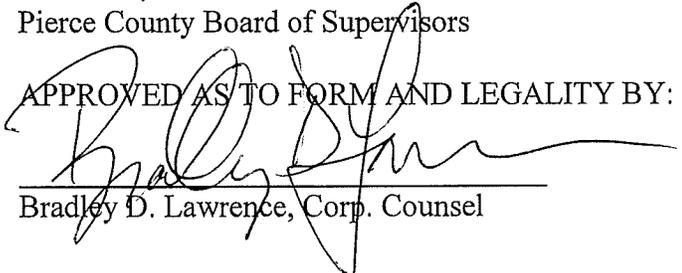
DATED this 28th day of July, 2020.

Jeff Holst, Chairman
Pierce County Board of Supervisors

ATTESTED TO BY:

APPROVED AS TO FORM AND LEGALITY BY:

Jamie Feuerhelm, County Clerk



Bradley D. Lawrence, Corp. Counsel

6b.

Resolutions for First Reading:

**Resolution No. 20-07 Authorize
Sale of County-Owned Property
in the Town of Union**

RESOLUTION NO. 20-07
AUTHORIZE SALE OF COUNTY-OWNED PROPERTY
IN THE TOWN OF UNION

WHEREAS, Pierce County owns approximately 1.176 acres of land in Section 28, Township 25 N, Range 15 W, Town of Union, which was utilized by the Highway Department as its Plum City Shop; and

WHEREAS, the Highway Department has taken occupancy of its Range Line Shop, which combines the Plum City Shop and the Elmwood Shop. The Elmwood Shop property was previously sold; and

WHEREAS, the Highway Committee, at its meeting on June 18, 2020, determined the Plum City Shop was no longer usable for County Highway purposes and thus declared the property as surplus property; and

WHEREAS, the Finance & Personnel Committee took action on July 6, 2020 to recommend that the County Board of Supervisors authorize the sale of approximately 1.176 acres of County-owned property as set forth herein.

NOW, THEREFORE BE IT RESOLVED, that the Pierce County Board of Supervisors authorizes the sale of approximately 1.176 acres of County-owned property as described above, and that the Finance & Personnel Committee is authorized to proceed consistent with §40-19 of the Pierce County Code.

Dated this 28th day of July, 2020.

Jeffrey A. Holst, Chair
Pierce County Board of Supervisors

ATTESTED TO BY:

APPROVED AS TO FORM AND LEGALITY BY:

Jamie Feuerhelm, County Clerk

Bradley D. Lawrence, Corp. Counsel

BDL

Adopted: _____



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

New form response

1 message

Steve Gustafson <demo@fnsmtpl.addonsite.com>

Mon, Jun 22, 2020 at 9:18 AM

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

Request for F & P Action has received a new response:

Meeting Date 2020-07-06

Agenda Item Discuss and take action on surplus real estate: Highway Department Plum City Shop

Requesting Agency Highway Department

Background The Highway Department has taken occupancy of its Range Line Shop, which combines the Plum City Shop and the Elmwood Shop. The Elmwood Shop was previously sold to Countryside Cooperative. The Plum City Shop (W1442 CTH S) was declared surplus by the Highway Committee at its meeting on June 18, 2020. Per County Code 40-19, the next action to be taken is by Finance and Personnel.

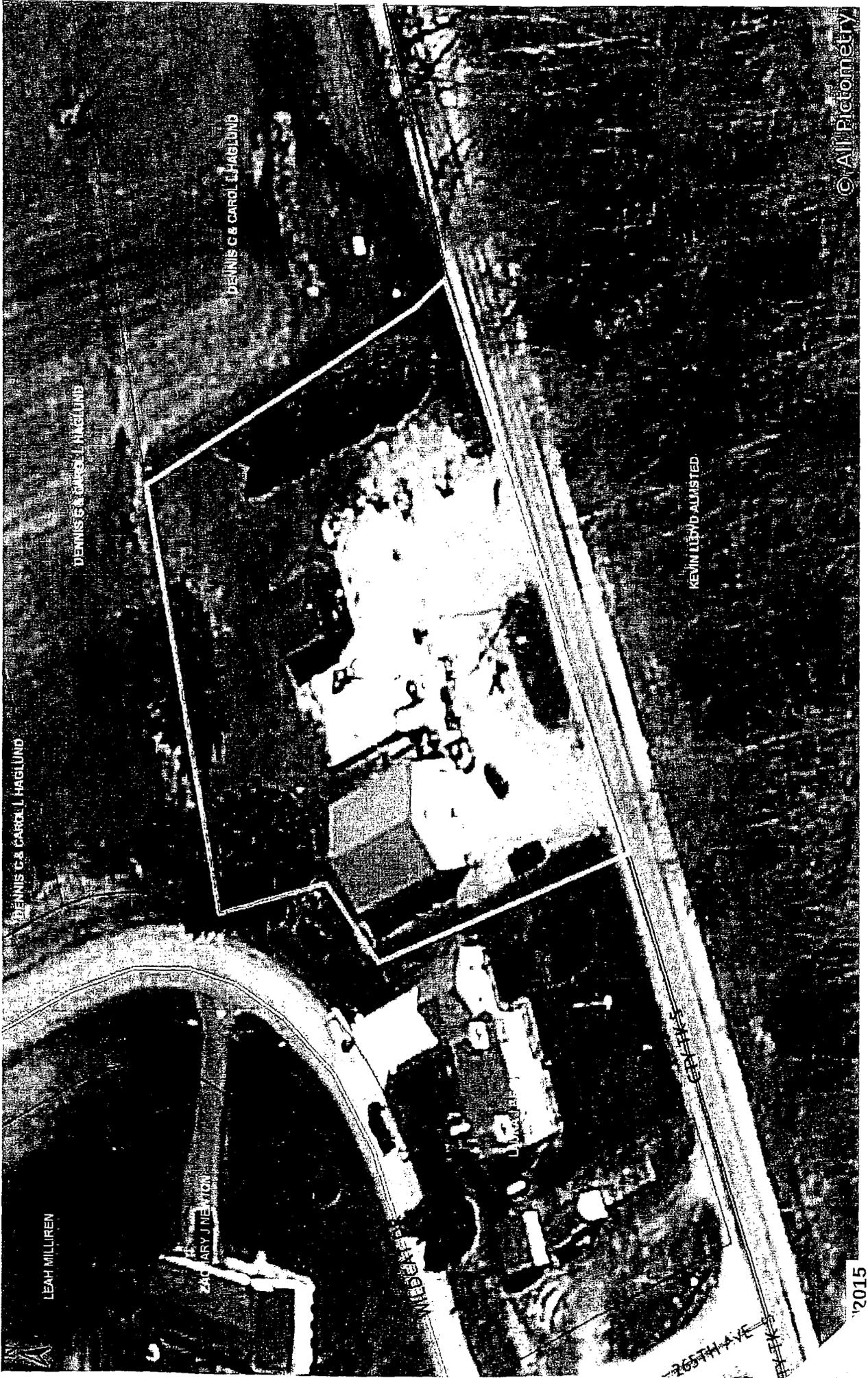
Staff Recommendation Recommend to the full board the sale of the Plum City Shop.

Recommended Motion: (Motion by seconded by to approve and authorize) Recommend to the full board the sale of the Plum City Shop.

Requestor's email address chad.johnson@co.pierce.wi.us

Auto responded by Form Notifications SMTP add-on for Google Forms
Send mass emails from Sheets: Mail Merge SMTP

PCHD Plum City Shop



6c.

Resolutions for First Reading:

**Resolution No. 20-08 Amend
Personnel Policy to Eliminate
Home Care Language, Clarify
Holidays, & Eliminate Highway
Employee Dual Rate Language**

RESOLUTION NO. 20-08
AMEND PERSONNEL POLICY TO
ELIMINATE HOME CARE LANGUAGE, CLARIFY HOLIDAYS, AND ELIMINATE
HIGHWAY EMPLOYEE DUAL RATE LANGUAGE

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

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

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

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

WHEREAS, the County desires to amend the home care on-call pay as follow up to the elimination of the County’s Home Care program by the Board of Health Policy as set forth in the attached Exhibit A; and

WHEREAS, the County desires to amend the Holiday schedule to address a unique situation with consecutive weekend holidays not currently in the policy as set forth in the attached Exhibit B; and

WHEREAS, the County desires to amend the Highway Employees compensation which is no longer applicable due to changes in the grade placements of Highway employees, as set forth in the attached Exhibit C; and

WHEREAS, the Finance and Personnel Committee, at its meetings on June 1, 2020 and July 6, 2020, reviewed the proposed policy revisions and recommended that the County Board amend the Personnel Policy as set forth in the attached Exhibit C.

NOW THEREFORE, BE IT RESOLVED, that the Pierce County Board of Supervisors hereby approves and authorizes amending the Pierce County Personnel Policy as recommended by the Finance and Personnel Committee, as set forth in the attached Exhibits A, B and C.

Dated this 28th day of July, 2020.

Jeffrey A. Holst, Chair
Pierce County Board of Supervisors

ATTESTED TO BY:

APPROVED AS TO FORM AND LEGALITY BY:

Jamie Feuerhelm, County Clerk

Bradley D. Lawrence, Corp. Counsel



Adopted: _____

EXHIBIT A

Proposed amendments to the Pierce County Personnel Policy, Article X, Section B:

Article X. OVERTIME, COMPENSATORY TIME, AND OTHER COMPENSATION

B. Reporting and Other Call-Out Pay

1. Call-in/reporting time pay: In the event any employee reports or is called in to work and is sent home, he/she shall receive a minimum of two (2) hours pay. In the event an employee is called back to work outside their regular work day, the employee shall be eligible to receive a minimum of two (2) hours pay. If an employee is called back to work on a day in which reporting time pay was already received, he/she shall again be eligible to receive a minimum of two (2) hours pay.
2. Employees in classifications of Mental Health Therapist I or II; CSP Clinical Coordinator; Lead Social Worker; Social Worker I, II or III, AODA Counselor I, II or III, Drug Court Coordinator and Human Services Worker shall be compensated as follows:
 - a. Employees may be on call-out status at the request of the Director. Employees in positions that are not classified as 40-hour per week who are called out during other than working hours shall receive pay at the straight time rate of hours between thirty-five (35) and forty (40) hours per week and pay at time and one-half (1 ½) for hours worked in excess of forty (40) hours per week.
 - b. Employees will be assigned to on-call status as needed on a weekly basis. Employees will be paid two dollars (\$2.00) per regular week hour (\$2.25 per weekend hour and \$3.75 per holiday hour) while assigned to on-call and must have a pager or cell phone in their possession at all times. They must respond to a page within thirty (30) minutes.

When called out the employee shall be paid for a minimum of two (2) hours. All employees will receive compensatory time for actual time logged for telephone calls taken or made during on-call status.

- ~~3. On Call. Home Care RN's and LPN's may be assigned on-call duty. They shall be reimbursed as follows:
 - a. RN's and LPN's shall receive \$10 per day plus pay for time worked on non-holiday Fridays, Mondays, Tuesdays, Wednesdays, and Thursdays after 5:00 p.m. and before 8:00 a.m. for each day with scheduled visits. When no scheduled visits are made, on-call RN's and LPN's shall not receive the \$10 stipend.~~

- b. ~~RN's and LPN's will receive one and a half (1.5) hours plus pay for time worked on Saturdays, Sundays, and Pierce County approved holidays for each day with scheduled visits. When no scheduled visits are made, on-call RN's and LPN's will receive one (1) hour pay on Saturdays, Sundays, and Pierce County approved holidays.~~
- c. Scheduled LPN's and HHA's are not on-call pay eligible.

EXHIBIT B

Proposed amendments to the Pierce County Personnel Policy, Article IX, Section D:

Article IX. EMPLOYEE BENEFITS

D. Paid Holidays

The County will observe the following 10 paid holidays:

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

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

*Note: the following observed holiday schedule, if Christmas Eve and/or Christmas Day fall on the weekend:

<u>Thurs</u>	<u>Fri</u>	<u>Sat</u>	<u>Sun</u>	<u>Mon</u>	<u>Tues</u>
<u>Dec. 23</u> <i>Christmas Eve (Observed)</i>	<u>Dec. 24</u> <i>Christmas Eve (Observed)</i>	<u>Dec. 25</u> <i>Christmas Day</i>	<u>Dec. 26</u>	<u>Dec. 27</u>	<u>Dec. 28</u>
<u>Dec. 22</u>	<u>Dec. 23</u> <i>Christmas Eve (Observed)</i>	<u>Dec. 24</u> <i>Christmas Eve</i>	<u>Dec. 25</u> <i>Christmas Day</i>	<u>Dec. 26</u> <i>Christmas Day (Observed)</i>	<u>Dec. 27</u>
<u>Dec. 21</u>	<u>Dec. 22</u>	<u>Dec. 23</u>	<u>Dec. 24</u> <i>Christmas Eve</i>	<u>Dec. 25</u> <i>Christmas Day (Observed)</i>	<u>Dec. 26</u> <i>Christmas Day (Observed)</i>

Eligibility: All regular full time or part time employees are eligible to receive compensation for the paid holiday benefit. In order to receive holiday pay, employees must work the day before and the day after each holiday with the exception of normal days off or excused paid absences for the full shift. Part time

employees will be compensated on a prorated basis consistent with their annual percentage of full time equivalency with proration to be calculated to the 10th (0.10) place. Employees receiving Worker's Compensation benefits are not eligible for compensation for holidays that fall during their period of disability.

Civilian Dispatch employees and non-represented certified corrections officers shall accrue holiday pay at a rate of 3.077 hours per pay period. Holiday accruals may be used as time off or up to 48 hours may be paid out on the employee's anniversary date if the employee notifies payroll in writing at least 30 days prior to the anniversary date and the employee has a balance equivalent to the requested payout amount at the time the payment is requested. The maximum amount of holiday that an employee can accrue is 85 hours. Once the maximum is reached, any additional accrual hours will be forfeited.

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

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

EXHIBIT C

Proposed amendments to the Pierce County Personnel Policy, Article X, Section A:

Article X. OVERTIME, COMPENSATORY TIME, AND OTHER COMPENSATION

- A. For payroll purposes, the work week shall run from Sunday through Saturday. Under the provisions of the Fair Labor Standards Act (FLSA) as applied to public employees, overtime and/or compensatory time may be accrued by employees in the non-exempt status. All nonexempt employees are eligible for overtime and/or compensatory time for any time worked in excess of 40 hours in a week. Paid time off shall not be considered hours worked for purposes of computing overtime. Holiday hours shall be considered hours worked for purposes of computing overtime. Employees who are scheduled or called in to work on a holiday shall be paid one and one-half (1 ½) times their regular rate of pay for all hours worked on the holiday. A non-exempt employee accrues one and one half (1 1/2) times his/her regular rate of pay or is granted compensatory time at one and one half (1 1/2) times his/her regular hours for all time worked in excess of forty (40) hours in a work week. Overtime work requires the prior-approval of the employee's supervisor. Employees may request compensatory time in lieu of overtime. County departments may choose to limit the compensatory time accrual and pay out one and one-half (1 ½) times the straight rate. If approved, employees may accrue up to a maximum of forty (40) hours on the basis of one and one-half hours of compensatory time for each hour of overtime worked. The schedule of the use of compensatory time should be subject to the approval of the employee's supervisor. Compensatory time not used during the year shall be paid out on the last payroll of the year and cannot be carried over from year-to-year.

~~Highway employees who are compensated at a higher rate during the winter months and a lower rate during the summer months are not eligible to accrue compensatory time during the months at the lower rate. (Any hours worked in excess of 40 in a week shall be paid out as overtime.) However, these highway employees may use previously accrued compensatory time in the summer months but it shall be used at the summer rate of pay.~~

Law enforcement personnel are subject to special provisions under FLSA.

Employees determined to be exempt under the executive, administrative, or professional status provisions of the FLSA are not eligible for overtime/compensatory time. They do not accrue work hours beyond the regular workweek in anticipation of additional compensation or leave time. Exempt employees are expected to work whatever hours are necessary beyond the regular workweek to assure that a complete and adequate job is done. However, Department Heads may use discretion in granting time-off to exempt employees

in recognition of their work efforts. Extraordinary situations are referred to the Finance and Personnel Committee for review.

Department Heads are required to maintain auditable records on compensatory time. No compensatory time may be earned during a working day. Work outside the normal workday requires prior approval for non-exempt employees. Compensatory time cannot be used beyond five (5) consecutive days at a time.

6d.

Resolutions for First Reading:

Resolution No. 20-09

Declaration of State of Emergency & Ratification of Proclamation Declaring State of Emergency due to Torrential Rain*

(Adoption Requested on 1st Reading)

RESOLUTION NO. 20-09
DECLARATION OF STATE OF EMERGENCY AND RATIFICATION OF
PROCLAMATION DECLARING STATE OF EMERGENCY
DUE TO TORRENTIAL RAIN

WHEREAS, the Wisconsin Disaster Fund is a state-funded reimbursement program intended to assist local units of government recoup costs incurred in responding to, and recovering from natural disasters; and

WHEREAS, the State reimburses up to 70% of eligible costs, with the local government responsible for the remaining share; and

WHEREAS, in order to be eligible for funding three steps must occur: (1) the County has declared a state of emergency (i.e. declared a disaster), (2) the County must show that Federal Disaster Assistance is not available, and (3) recovery costs must meet or exceed the countywide per capita damage threshold; and

WHEREAS, on June 29, 2020 Pierce County suffered heavy winds and torrential rainfall which caused extensive flash flooding and damage to roads and bridges located in the county; and

WHEREAS, the Pierce County Emergency Management Director has advised that Federal Disaster Assistance is not available to Pierce County, that recovery costs exceed the countywide per capita damage threshold, and having considered the facts and circumstances regarding the June 29th storm event, recommends that the County declare a disaster, thereby making Pierce County eligible to apply for Wisconsin Disaster Funds; and

WHEREAS, the State defines disaster in Sec. 323.02(6) Wis. Stats. as a severe or prolonged, natural or human-caused, occurrence that threatens or negatively impacts life, health, property, infrastructure, the environment, the security of this state or a portion of this state, or critical systems, including computer, telecommunications, or agricultural systems; and

WHEREAS, the County Board can, pursuant to Secs. 323.11 and 323.14 Wis. Stats., declare by ordinance or resolution an emergency whenever conditions arise by reason of a disaster that impairs transportation, food or fuel supplies, medical care, fire, health or police protection, or other critical systems of local government, and the emergency power of the county includes whatever is necessary and expedient for the health, safety, protection and welfare of persons or property within the county; and

WHEREAS, if because of emergency conditions the County Board is unable to meet promptly, the County Board Chair can exercise by proclamation all of the powers of the governing body, however, that proclamation shall be subject to ratification by the County Board as soon as the governing body can meet; and

WHEREAS, on June 30, 2020 the Pierce County Board Chairperson executed a Proclamation of Emergency (i.e. disaster declaration), a copy of which is attached hereto as Exhibit A, and incorporated herein; and

WHEREAS, pursuant to Sec. 323.11 Wis. Stats., the period of emergency shall be limited to the time during which the emergency conditions exist or are likely to exist; and

WHEREAS, the Finance and Personnel Committee, at its meeting on July 6, 2020, considered the impact of the storm event, and the recommendation of the Emergency Management Director, and took action to recommend that the County Board adopt a resolution ratifying the Proclamation by the County Board Chair, to allow Pierce County to apply for Wisconsin Disaster Funds, and that action be taken on a first reading.

NOW, THEREFORE BE IT RESOLVED, by the Pierce County Board of Supervisors that pursuant to Wis. Stat. § 323.11 the Board finds and declares that an emergency exists within the County by reason of the circumstances on June 29, 2020 whereby Pierce County suffered heavy winds and torrential rainfall which caused extensive flash flooding and damage to roads and bridges located in the county; and

BE IT FURTHER RESOLVED, that during the period of emergency prescribed by this Resolution, the Board may order, by ordinance or resolution, whatever is necessary and expedient for the health, safety, protection, and welfare of persons and property within the County; and

BE IT FURTHER RESOLVED, that the County Administrative Coordinator is hereby authorized and directed by the Board to coordinate and administer the County's emergency management response and to carry out the orders of the Board related thereto.

BE IT FURTHER RESOLVED, that the Head of Emergency Management of the County is authorized and directed to carry out his or her duties under the County's Emergency Management Plan under the supervision and direction of the County Administrative Coordinator and perform such other duties as may be directed by further resolution of the Board.

BE IT FURTHER RESOLVED, that, pursuant to §323.11 Wis. Stats., the period of emergency shall be limited to the time during which the emergency conditions exist or are likely to exist.

BE IT FURTHER RESOLVED, that all actions heretofore taken by the Board and other appropriate public officers and agents of the County with respect to the matters contemplated under this Resolution, including the Proclamation declaring that a state of emergency exists in Pierce County dated June 30, 2020, are hereby ratified, confirmed and approved.

Dated this 28th day of July, 2020.

Jeffrey A. Holst, Chair
Pierce County Board of Supervisors

ATTESTED TO BY:

APPROVED AS TO FORM AND LEGALITY BY:

Jamie Feuerhelm, County Clerk

Bradley D. Lawrence, Corp. Counsel

BDL

Adopted: _____

EXHIBIT A

**PIERCE COUNTY
PROCLAMATION DECLARING THE EXISTENCE
OF A COUNTY EMERGENCY DUE TO TORRENTIAL RAIN**

WHEREAS, commencing on June 29, 2020 a disaster, namely heavy winds, and torrential rainfall caused extensive damage and flash flooding, with damage to roads and bridges located in Pierce County, Wisconsin; and

WHEREAS, because of emergency conditions, the County Board is unable to meet with promptness; and

WHEREAS, Ch. 323 Wis. Stats. empowers the County to proclaim the existence or threatened existence of local emergency whenever conditions arise by reason of a riot or civil commotion, a disaster, or an imminent threat of disaster, that impairs transportation, food or fuel supplies, medical care, fire, health or police protection or other critical systems of the local unit of government and the County Board is not in session; and

WHEREAS, pursuant to sections 323.11 and 323.14(4)(b) of the Wisconsin Statutes Pierce County is authorized to do what is necessary and expedient for the health, safety, welfare and good order of the county and to proclaim that emergency conditions exist; and

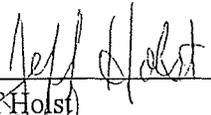
WHEREAS, the county requests State assistance, and advises the State of Wisconsin of our emergency conditions.

NOW, THEREFORE BE IT PROCLAIMED, by the Pierce County Board Chair and the Pierce County Administrative Coordinator, that a local emergency now exists throughout Pierce County and proclaim until such earlier time as a quorum of the county board convenes; and

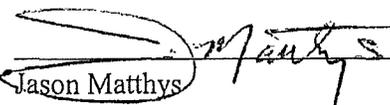
IT IS FURTHER PROCLAIMED AND ORDERED, by the Pierce County Board Chair and the Administrative Coordinator, that during the existence of said local emergency the powers, functions and duties of this County shall be pursuant to this Proclamation, and as prescribed by State law, and by ordinances and resolutions of this County; and

IT IS FURTHER PROCLAIMED AND ORDERED, by the Pierce County Board Chair and the Administrative Coordinator, acting under the powers granted pursuant to §323.14(4)(b) Wis. Stats., for and on behalf of the employees and residents of Pierce County, that they will do whatever is necessary and expedient to protect the health and well-being of Pierce County, including the issuance of Administrative Orders and other directives as may be required.

Dated this 30th day of June, 2020.



Jeff Holst
Pierce County Board Chair



Jason Matthys
Pierce County Administrative Coordinator

8a.

Ordinances for First Reading:

**Ordinance No. 20-02 Map Amendment
(Rezone) for 29.25 Acres from General
Rural Flexible-8 to Commercial in the
town of Oak Grove (Zeverino
Investments)**

ORDINANCE 20-02

**MAP AMENDMENT (REZONE) FOR 29.25-ACRES FROM
GENERAL RURAL FLEXIBLE-8 TO COMMERCIAL IN THE TOWN OF OAK GROVE
(ZEVERINO INVESTMENTS LLC)**

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

Section 1: The Official Pierce County Zoning Map for the Town of Oak Grove is amended to change the zoning from General Rural Flexible-8 to Commercial on a parcel that is part of the NW ¼ of the NE ¼ of Section 1, Township 26 North, Range 20 West, Town of Oak Grove, Pierce County, Wisconsin, more fully described as follows: Commencing at the North ¼ corner of said Section 1, thence S01°53'42"W (assumed bearing on the North-South ¼ line of said Section 1) a distance of 143.80 feet to the South right-of-way line of S.T.H. 29-35 and the Point of Beginning of the parcel to be herein described; thence Southeasterly on said right-of-way line of curve concave to the South, having a radius of 3,759.72 feet, whose chord bears S70°53'29"E a distance of 624.68 feet; thence continue on said line S62°37'40"E 327.64 feet; thence continue on said line S66°07'39"E 469.09 feet to the East line of said NW ¼ of the NE ¼; thence S01°48'20"W 666.13 feet on said line; thence N88°35'50"W 1,328.58 feet on the South line of said NW ¼ of the NE ¼; thence N01°53'42"E 1,178.49 feet on the North/South quarter line of said Section 1, to the point of beginning (PIN 020-01087-0600).

Section 2: That this ordinance shall not be codified.

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

Dated this 28th day of July, 2020.

Jeffrey A. Holst, Chair
Pierce County Board of Supervisors

ATTESTED TO BY:

APPROVED AS TO FORM AND LEGALITY BY:

Jamie Feuerhelm, County Clerk

Bradley D. Lawrence, Corp. Counsel

BDL

Adopted: _____

Rezone application was approved by Land Management Committee on July 1, 2020.

STAFF REPORT LAND MANAGEMENT COMMITTEE

Land Management Committee Meeting,

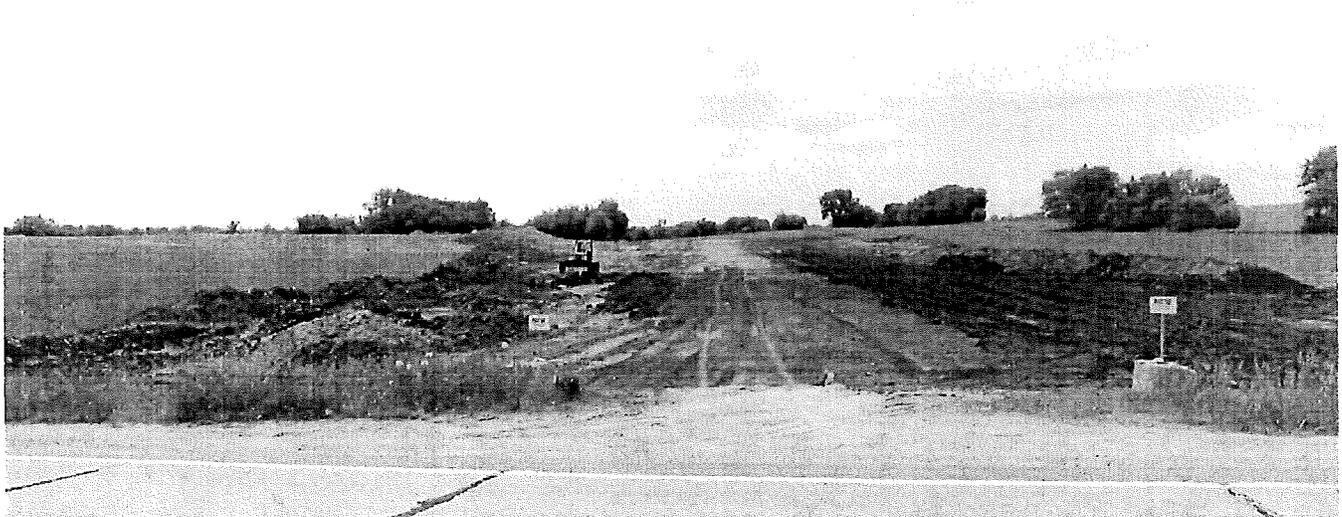
July 1, 2020

Agenda Item 7

Applicant: Zeverino Investments LLC (Crystal & David Zeverino)

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

Background: The applicants received a Conditional Use Permit from the LMC on 12/18/2019 for a Farm & Home Based Business for their Trucking Company on this parcel. The applicants are now proposing to rezone the 29.25-acre property from General Rural Flexible-8 to Commercial.



Issues Pertaining to the Request:

- The parcel is in part of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Sec. 1, T26N, R20W in the Town of Oak Grove. The parcel is located on the South side of Highway 29 approximately 1.5 miles outside of Prescott.
- Current land use is agricultural. Adjacent land uses are agricultural and residential.
- The parcel is currently in the General Rural Flexible-8 zoning district. Adjacent zoning districts are General Rural Flexible-8 and Rural Residential-12.
- Pierce County Zoning Code §240-15 Purpose and Intent of Zoning Districts states:
General Rural (GR) is established to maintain and enhance agricultural operations in the county. The district also provides for low-density residential development which is consistent with a generally rural environment and allows for nonresidential uses which require relatively large land areas and/or are compatible with surrounding rural land.

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

Applicant: Zeverino Investments LLC (Crystal & David Zeverino)
Map Amendment (Rezone)
July 1, 2020

Commercial (C) is established to provide for retail shopping and personal service uses to be developed either as a unit or in individual parcels to serve the needs of nearby residential neighborhoods as well as the entire county. The purpose of the district is to provide sufficient space in appropriate locations for certain commercial and other nonresidential uses while affording protection to surrounding properties from excessive noise, traffic, drainage or other nuisance factors.

- Pierce County’s adopted Comprehensive Plan states: “The County will approve re-zonings or map amendments only when the proposed change is consistent with an adopted or amended town comprehensive plan. In cases where a town has not adopted a comprehensive plan, rezoning will be approved only when consistent with the Pierce County Plan (encouraged vs. discouraged). In such cases, Pierce County will solicit a non-binding town recommendation regarding the proposed rezone.”
- The Town of Oak Grove recommended approval of this request on 5-18-2020. They stated, “See Town of Oak Grove Comp. Plan, Revised 10/18/2012. Policies & Programs #9, Goal #2, Objectives 1 & 2 of Chapter 7, page 10 (Economic Development).” A copy is attached.
- The value of land for agricultural use according to the USDA Web Soil Survey is as follows:

Soil Map Unit Name	Slope	% Area	Capability Unit	New Farmland Classification
Dakota Loam (401A)	0-3%	42.8%	2s	All areas are prime farmland.
Kasson Silt Loam (866B)	2-6%	3.8%	2e	All areas are prime farmland.
Rockton Silt Loam (170B)	1-6%	53.4%	2e	All areas are prime farmland.

Staff Recommendation:

Given that the Oak Grove Town Board has determined that this proposed map amendment (rezone) of 29.25 acres from General Rural Flexible-8 to Commercial is consistent with their Comprehensive Plan, staff recommends that the LMC approve this map amendment (rezone) and forward a recommendation to the County Board of Supervisors.

Submitted By: Emily Lund
Assistant Zoning Administrator

PIERCE COUNTY WISCONSIN
DEPARTMENT OF LAND MANAGEMENT & RECORDS
Zoning: 715/273-6747
Planning: 715/273-6746 Fax: 715/273-6864

Pierce County Courthouse
414 W. Main Street P.O. BOX 647
Ellsworth, Wisconsin 54011
www.co.pierce.wi.us

Town Recommendation Form

Request: Conditional Use Permit Plat Approval - Concept, Preliminary, Final (Circle One)
 Map Amendment - (Rezone) Other- _____

Applicant/Agent:
Name David Zeverino
Site Address (if applicable) _____
Property Description: 40n 1/4 of the 160r 1/4, or Gov. Lot # _____, Section 1, T26 N, R20 W, Lot _____,
Block _____, Subdivision _____ Town of OAK GROVE
Computer # 020 01087 0600 Parcel # 020226200112U632
Zoning District RURAL FLEX 8 Acreage 29.25

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

Pierce County will seek to further each town's planning goals and objectives when considering the establishment of conditionally permitted uses, and will consider adherence to established goals and objectives to be consistent with the "public interest" for that town. In cases where an adopted plan gives guidance regarding the establishment of a proposed conditional use, the specific portion of the plan relating to the request should be referenced. If a town plan is silent regarding the establishment of a proposed use, or a town has not adopted a comprehensive plan, the recommendation will be advisory in nature.

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

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

Town Recommendation: Approval Denial

Justification/Plan Reference: See town's Oak Grove Comp. Plan, Revised 10/18/2012. Policies + Programs - # 9, Goal # 2, Objectives 1 + 2 of Chapter 7, page 10 (Economic Development).

Concerns/Suggested Conditions: _____

Please attach additional information as necessary.

Town Chair Signature: Jung Rosen Meeting Date: 5-18-2020

MINUTES (Draft—June Meeting Package)
OAK GROVE TOWN BOARD MEETING
Monday, May 18, 2020

Call to Order/Roll Call. Chair Jerry Kosin called the meeting to order at 7:30 p.m. in the town hall. Officials present: J Kosin; supervisors Gary Huppert, Daniel Johnson, Michelle Huber, Debra McClure; treasurer Bruce Borgerding, clerk Andria Hayday. (Absent: None.). Also present: D. Zeverino.

Minutes. MSC McClure/Huppert to approve 4-20 regular board meeting minutes as presented; no nays. MSC Huppert/Johnson to approve 4-29 special board meeting minutes as presented; no nays.

Public Comments. *Brief comments from members of the public regarding items not on the current agenda. Items may be submitted for future agenda. No formal action.*

G. Huppert and clerk related separate inquiries from Amy Hildebrandt/Ridgetop about potentially reducing alcohol license fees for 2020-2021 in light of COVID-19. Huppert noted he had recommended she attend the May meeting to make Public Comments. Topic was earmarked for the June agenda.

J. Kosin noted an inquiry about possible Town plowing of a private segment of road near 1240th (Town does not maintain any private roads). D. Johnson expressed concern over apparent lack of a private road agreement for landowners impacted, foreseeing potential issues in future. G. Huppert noted ties to Boles family trust (lot sales); suggested follow-up letter to Boles.

Zeverino Rezone: *Discuss/take action on the request by David Zeverino to rezone parcel ID 020-0187-0600, encompassing approx. 29 acres on Hwy. 29 (Sec 01, T26, R 20), from General Rural Flexible-8 to Commercial zoning, for a trucking business and related building.* The board reviewed the written rezone application submitted by Mr. Zeverino. The chair noted the plan commission had recommended approval. Mr. Zeverino was present. He stated he'd discussed his operational plans with direct neighbors and had heard no objections. Michelle Huber remarked that a neighbor (Truax) had also contacted her for information on the rezone; neighbor had voiced no objections. Mr. Zeverino recapped the reason for his application and explained that his plans to potentially expand his proposed building to 9,000 square feet to encompass both personal use and commercial use would not meet SBA loan requirements without the land being rezoned. The CUP he currently has limits the building size to 5,000 square feet. Additionally, appraisals for the property were under the price paid by the Zeverinos, hindering loan prospects.

MOTION by Johnson to recommend Town approval of the rezone application as presented; second by Gary Huppert; no nays.

The chair stated he would sign and complete the associated Town Recommendation Form after the board meeting to include a reference to the Town's Comprehensive Plan and then forward it so Mr Zeverino could complete his rezone application to the county.

Duffy Kennel: *Discuss/take action on the request by Tom and Cheryl Duffy for a Private Kennel license (keeping 4 to 5 dogs) purs. to OG Code sec. 12.04, N6109 988th St., 54011.* Deb McClure recapped the related history, including a 2020 incident documented by the Town's Animal Control officer. She noted the Duffies own four unlicensed dogs as house pets (spay/neutered, no breeding operation); they were taking steps to address prior "loose dog" issues by installing invisible fencing. Treasurer noted the \$100 annual fee for a private kennel license was paid in full. The clerk noted the application materials including copies of proof-of-vaccination (statutory requirement for both individual dog licenses and kennel licenses) were still being gathered by Ms. Duffy. MSC Johnson/Huppert to approve the Duffy Private Kennel License pending receipt of all required paperwork; no nays.

Fire & EMS Association: *Discuss/take action on appointment of two citizen members to Commission.* Possible appointees were suggested (including D. Chadima, Gene Schommer). Johnson noted distinctions between the Association's Board of Commissioners (which convenes as needed, to review disciplinary questions) and the Operations Committee (aka the "operations board," which typically meets monthly and

Goals, Objectives, Policies, Programs, and Actions

Goal 1: Support economic activity and development that does not detract from the rural way of life in the Town of Oak Grove.

Objectives:

1. Promote agricultural based businesses.
2. Avoid conflicts between farmland and residential areas.
3. Support Oak Grove remaining as an agricultural community.
4. Promote local and regional tourism that supports local businesses, artists communities, natural scenic locations.

Policies, Programs, and Actions:

1. Support existing farms and their continued operation.
2. Encourage businesses that assist the farming community.
3. Promote the development of specialty farming and/or small businesses that produce food/beverages for sale.
4. Support Eco-tourism that promotes the enjoyment of our natural resources in ways that do not degrade them.
5. Ensure that businesses, no matter what size, do not adversely affect the Town's natural resources and quality of life of residents.
6. Continue to encourage the organic growth of locally owned businesses and artists.
7. Work with surrounding communities to support, coordinate, and promote cultural events.
8. Support businesses that do not detract from the enjoyment of the Great River Road.
9. Guide future commercial and light industrial type activities away from areas where residential development exists or has a residential zoning classification if potential negative impacts exist.
10. Support the use of open space for recreation and tourist activity.

Goal 2: Support the development of new commercial and light industrial businesses in the Town of Oak Grove.

Objectives:

1. Promote the development of commercial or light industrial business.
2. Increase the local tax base.

Policies, Programs, and Actions:

1. Explore the feasibility of creating incentives to help attract commercial or light industrial businesses.
2. Work with the Piece County Economic Development Corporation to bring new business into Oak Grove.
3. Encourage residents to provide support to new businesses by shopping locally.

Land Management Committee

David Zeverino
(July 1, 2020)

**REZONE -
GRF-8 to Commercial**

Legend

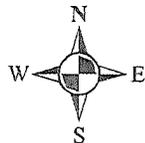
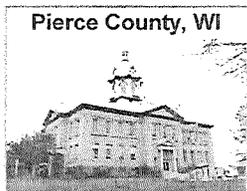
-  Dwellings
-  Contours (10ft)
-  CUP Parcel
-  Proposed Buildings
-  Building Footprints

Zoning

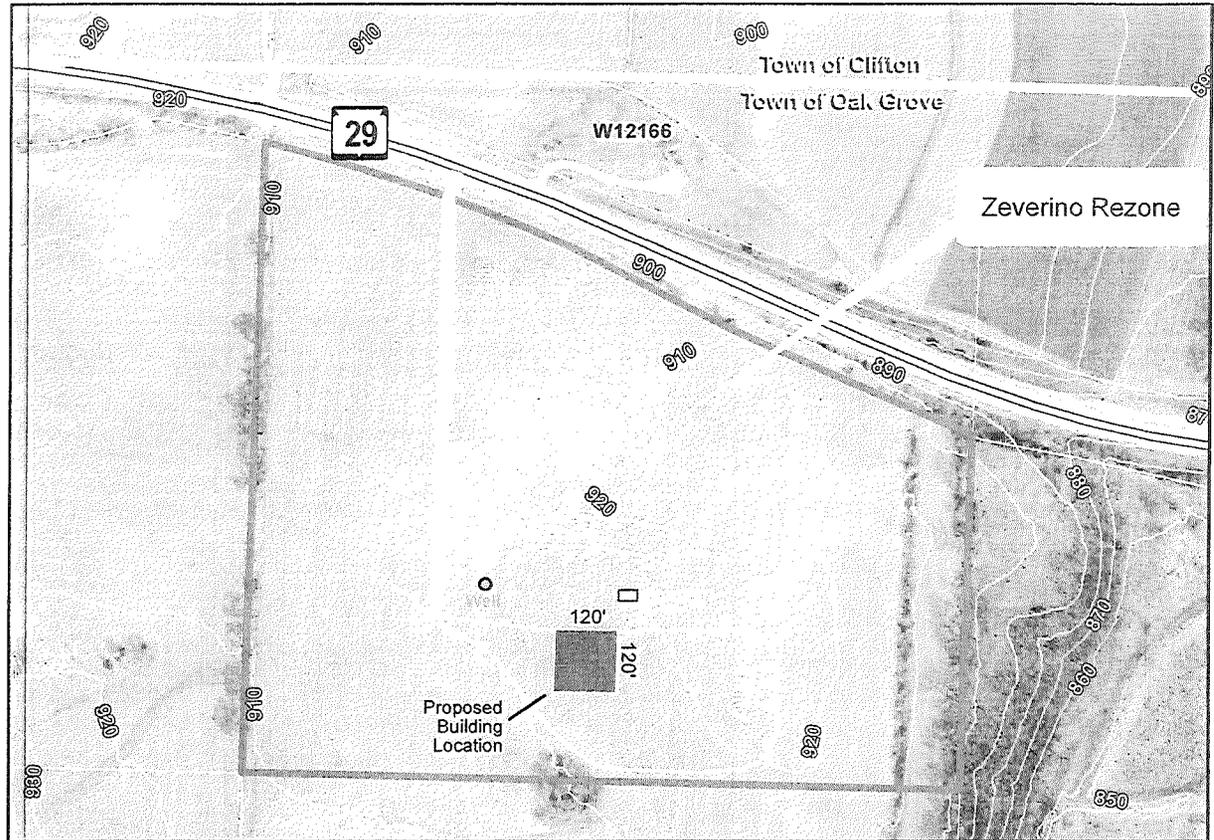
-  General Rural Flexible - 8
-  Light - Industrial
-  Primary Agriculture
-  Rural Residential - 12

-  Zeverino Owned Parcels
-  100 Yr Floodway/
No Base Elev. Det

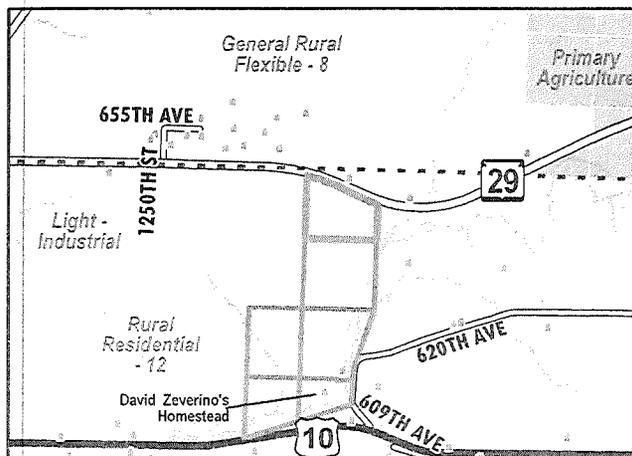
Orthophotography - 2015 Pierce County



Prepared by the Department of Land Management

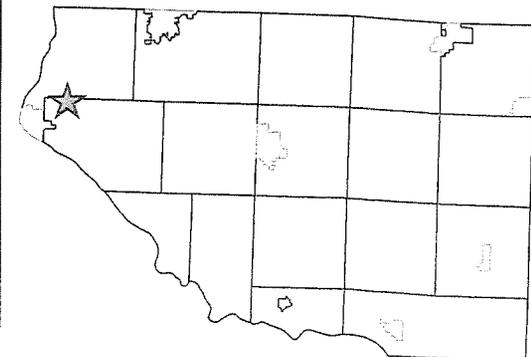


500 250 0 500 Feet



1 0.5 0 1 Miles

Site Location
STATE HWY 29
TOWN OF OAK GROVE



9a.

Ordinances for Second Reading:

**Ordinance No. 20-01 To Amend Ch. 1,
Art. IV Sections 1-29 & 1-31 of, and to
Create Ch. 120 "Communicable
Diseases - Authority and Duties of
Local Health Officer" in the Pierce
County Code***

(Adoption Requested on 1st Reading)

County Board of Supervisors – Meeting Date: July 14, 2020

Agenda Item: Ordinance No. 20-01 To Amend Ch. 1, Art. IV Sections 1-29 & 1-31 of, and to Create Ch. 120 "Communicable Diseases - Authority and Duties of Local Health Officer" in the Pierce County Code

Requesting Agency: Public Health Department

Background:

- Pierce County is considering whether to adopt a communicable disease ordinance.
- On May 13, 2020, the Wisconsin Supreme Court decided the *Legislature vs. Palm* case, finding that the State Department of Health Services did not have authority to issue the Stay at Home Order. This meant the State DHS was not able to issue any orders relating to the COVID-19 pandemic without going through a rulemaking procedure and working with the legislature. This did not occur, and therefore it was up to each local health department to deal with the situation in their jurisdiction.
- One of the primary concerns of the Supreme Court decision, was with the criminal penalty involved. Therefore, it is recommended to have a civil penalty, not a criminal penalty, with any local ordinance. To have an applicable civil penalty, Pierce County needs to adopt a local ordinance.
- Absent having an ordinance in place with the civil penalty, there has been no local health order in place, but rather, a health advisory.
- A public health order would not be issued without fully considering all of the issues and existing circumstances, only after consulting with necessary individuals and entities (e.g. public officials, law enforcement, corporation counsel, etc.), and would be utilized only if specific circumstances warrant it. Should the need arise to issue a public health order, it is necessary to have a civil penalty, which provides the basis for enforcement of the health order. Without the ability to enforce, a public health order is meaningless.
- Given that the State DHS is unable to issue orders from a statewide perspective, the only means for addressing communicable diseases is through the Public Health Department via a local ordinance. Without the enforceability of a local ordinance, there is little ability for the Pierce County Public Health Department to take any substantive and meaningful measures to prevent, suppress, and control communicable diseases, beyond a simple advisory.
- The substance of the proposed ordinance mirrors §252.03 Wis. Stats., with the sole exception that the penalty is civil, not criminal.
- The origins of §252.03 go back to 1883, and the language of the statute in its current form has been in place since May, 1982.
- The adoption of this ordinance is not tied to any funding mechanism; there are no grant funds or any other funds tied to adopting this ordinance. Pierce County does not stand to gain financially by putting in place this ordinance.
- There are also no new personnel positions tied to this ordinance. In other words, it is not necessary to hire anyone if this ordinance is adopted.
- The Public Health Director / Local Health Officer is an appointive position, and is the person appointed to oversee and administer the local health department under §251.06 Wis. Stats. The Pierce County Public Health Director is the appointed local health officer.

- There are various methods of oversight tied to the local health officer, including but not limited to, the following:
 - Reporting Obligation: The local health officer, under §252.03 Wis. Stats., and the proposed ordinance, has the obligation to make full reports to the appropriate governing body (Pierce County Board of Health and/or the County Board of Supervisors), as well as the State of Wisconsin Department of Health Services.
 - Appointment Authority:
 - The Personnel Policy, which can only be amended by Resolution, in Articles III(B) and V(G) require that non-elected department head appointments and department administrators need to be confirmed by the full County Board
 - §13-1 of the Pierce County Code regarding Appointive Positions states that all appointments to county positions shall be subject to approval of the full body of the County Board of Supervisors.
 - §251.06(4) Wis. Stats. (and §251.03(2) Wis. Stats.) states that a county's local health officer shall be appointed by the chairperson of the Board of Supervisors, subject to confirmation by the Board of Supervisors.
 - The ability of the County Board to appoint a local health officer would also include the ability to rescind that appointment.
 - The Public Health Director / Local Health Officer is further directly supervised by the Board of Health pursuant to §4-16 of the Pierce County Code regarding the Board of Health: The Board of Health shall have supervision of the Public Health Department and jurisdiction over all matters relating to public health.
 - Any civil forfeiture citations issued or civil injunctive relief sought as part of enforcement of the ordinance would be prosecuted by the Corporation Counsel Office pursuant to §59.43 Wis. Stats.; the prosecutor has broad prosecutorial discretion in the enforcement of ordinances. *Locklear v. State*, 86 Wis.2d 603, 273 N.W.2d 334 (1979). Further, a prosecutor has great discretion in determining whether or not to prosecute. *State ex rel. Kurkierewicz v. Cannon*, 42 Wis.2d 368, 378, 166 N.W.2d 255 (1969).
 - The Circuit Court would be a check and balance to any forfeiture citation or injunctive relief sought, which only the court could grant.

The proposed ordinance was considered by the Pierce County Board of Health on June 10, 2020, and the Pierce County Finance & Personnel Committee on June 23, 2020, and recommended for approval by the County Board.

Staff Recommendation: To adopt Ordinance 20-01 as presented.

Recommended Motion: Motion by ____, seconded by ____, to adopt Ordinance 20-01.

ORDINANCE NO. 20-01
Amend Chapter 1, Article IV Sections 1-29 and 1-31 of, and
Create Chapter 120 “Communicable Diseases – Authority and
Duties of Local Health Officer” in, the Pierce County Code

PIERCE COUNTY BOARD OF SUPERVISORS DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: That Chapter 1, Section 1-29 of the Pierce County Code is hereby revised as follows:

§ 1-29. Cash deposits and assessments.

[Amended by Ord. No. 95-2; Ord. No. 98-11; 4-17-2001 by Ord. No. 00-15]

The following schedule of cash deposits is established for use with citations issued under this article. The total of each deposit shall include a forfeiture, the penalty assessment under § 757.05, Wis. Stats., the jail assessment under § 302.46(1), Wis. Stats., any applicable domestic abuse assessment imposed under § 973.055(1), Wis. Stats., the crime laboratories and drug law enforcement assessment imposed under § 165.755, Wis. Stats., and any applicable consumer information assessment imposed under § 100.261, Wis. Stats.

Code Chapter or Section	Subject Matter	Amount of Cash Forfeiture
Ch. 97	Alarm Systems	\$100
Ch. 101	Animals	
Art. I	Animal Control	\$10 capture fee \$2 day
Art. III	Beekeeping	\$200
Art. IV	Animal Waste Management	\$200
Ch. 105	Assemblies, Mass Public	\$10,000
Ch. 111	Boating	
	First offense	\$50
	Second offense	\$100
Ch. 115	Buildings and Roads, Numbering of	\$500
<u>Ch. 120</u>	<u>Communicable Diseases – Authority and Duties of Local Health Officer</u>	<u>\$500</u>
Ch. 129	Fraudulent Checks	\$500
Ch. 142	Intoxicating Liquor and Fermented Malt Beverages	
Art. I	Sale of Intoxicating Beverages	\$500
Art. II	Intoxicating Liquor in Vehicles	\$100
Art. III	Alcohol Offenses Involving Underage Persons	

Code Chapter or Section	Subject Matter	Amount of Cash Forfeiture
§ 142-12	Presence of underage person in places of sale	
	Licensee or permittee	\$500
	Underage person	\$25
§ 142-13	Sale to underage person	\$500
§ 142-14	Misrepresentation of age to procure alcohol	\$25
§ 142-15	Possession or consumption in public by underage person	\$25
§ 142-16	Possession of alcoholic beverage on school grounds	\$200
§ 142-18	Procuring alcoholic beverage by underage person	\$25
Ch. 155	Minors	
Art. I	Curfew	\$25
Art. II	Truancy	
	First offense	\$50
	Second offense	\$100
	Habitual truancy	\$500
Ch. 158	Misuse of Public Assistance	\$500
Ch. 172	Parks and Recreation	\$200
Ch. 176	Peace and Good Order	
Art. I	Disorderly Conduct	\$200
Art. II	Marijuana	\$500
Art. III	Theft	\$500
Art. IV	Littering	\$200
Art. V	Damage to Property	\$500
Art. VI	Loitering	
§ 176-16	Loitering or prowling	\$300
§ 176-17	Obstruction of traffic by loitering	\$300
§ 176-18	Obstruction of entryways by loitering	\$300
§ 176-19	Loitering in places of public assembly or use	\$300
§ 176-20	Loitering on private premises	\$300
Art. VII	Trespassing	\$500
Art. VIII	Obstructing an Officer	\$500
Art. IX	Causing Bodily Harm	\$500
Art. X	Concealed Weapons	\$500
Ch. 180	Public Health Nuisances and Human Health Hazards	\$500
Ch. 184	Retail Food Establishments and Public Accommodations	\$1,000
Ch. 191	Sewage Disposal	

Code Chapter or Section	Subject Matter	Amount of Cash Forfeiture
Art. II	Holding tanks for private domestic sewage systems	\$200
Art. III	Private sewage system	\$100
Ch. 195	Shooting Range	\$200
Ch. 201	Solid Waste Collection and Transportation	
§ 201-2	General provisions	\$2,000
§ 201-4	Solid waste storage	\$2,000
§ 201-5	Solid waste collection and transportation of solid waste	\$2,000
§ 201-6	Intermediate solid waste facilities	\$2,000
§ 201-7	Incineration	\$2,000
§ 201-8	Solid waste land disposal facility	\$2,000
§ 201-9	Recycling and composting facility	\$2,000
§ 201-10	Separation and processing of recyclables	\$2,000
§ 201-11	White goods, waste tires and/or lead acid battery collection; interim storage, processing, salvage and disposal facilities	\$2,000
§ 201-13	Disposal of solid waste on private property	\$2,000
§ 201-16	Unlawful disposal of solid waste	\$2,000
Ch. 212	Tattooing and Body Piercing	\$500
Ch. 221	Vehicles and Traffic	
Art. I	Traffic Regulations	
§ 221-6B	First offense	\$200
	Second offense	\$500
§ 221-6C	Drinking in motor vehicle on highway	\$500
	Negligent operation of vehicle off highway	\$500
Art. IV	Snowmobile Trails	\$50
Art. V	Harmful Operation of Motor Vehicles	\$200
Art. VI	Abandonment of Vehicles	\$300
Ch. 225	Disposal of vehicles	\$100
Ch. 237	Subdivision of land	\$500
Ch. 238	Floodplain Zoning	
Art. III	General standards applicable to all floodplain districts	\$200
Art. IV	Floodway district	\$200
Art. V	Flood-fringe district	\$200
Art. VI	General floodplain district	\$200
Art. VII	Nonconforming uses	\$200
Ch. 239	St. Croix Riverway Zoning	

Code Chapter or Section	Subject Matter	Amount of Cash Forfeiture
Art. I	General provisions	\$200
Art. III	Zoning permit	\$200
Art. IV	Performance standards	\$200
Art. V	Permitted and conditional uses	\$200
Art. VI	Substandard lots and nonconforming uses and structures	\$200
Ch. 240	Zoning	\$500

SECTION 2: That Chapter 1, Section 1-31 of the Pierce County Code is hereby revised as follows:

§ 1-31. Persons authorized to issue citations.

[Amended by Ord. No. 90-2; Ord. No. 93-8; Ord. No. 95-12; Ord. No. 98-11; 10-22-2002 by Ord. No. 02-13]

- A. Any law enforcement officials employed by Pierce County may issue citations for the enforcement of any ordinances authorized under this article.

- B. In addition, each of the following County officials may issue citations for the violation of ordinances directly related to his or her official responsibilities: Pierce County Solid Waste Administrator, Pierce County Zoning Administrator, Assistant Zoning Administrator, Pierce County Land Management Director/Land Use Coordinator, Zoning Specialist, the Pierce County Public Health Director, Local Health Officer, Environmental Health Specialist, Land Conservation Supervisor, Conservation Engineering Technician, Soil Conservationist, Pierce County Parks Superintendent and park personnel delegated authority by the Pierce County Parks Superintendent.

[Amended 6-26-2012 by Ord. No. 12-06]

- (1) In the event that the position of Solid Waste Administrator, Zoning Administrator, Assistant Zoning Administrator, Land Management Director/Land Use Coordinator, or Zoning Specialist is vacant, his or her authority under this article may be assumed by the Land Management Department and/or solid waste management personnel designated by the Land Management Committee and/or Solid Waste Management Board.

- (2) In the event that the position of Public Health Director or Environmental Health Specialist is vacant, his or her authority under this article may be assumed by personnel designated by the Board of Health.

- (3) In the event that the position of Land Conservation Supervisor, Conservation Engineering Technician, or Soil Conservationist is vacant, his or her authority under this article may be assumed by Land Management Department personnel designated by the Land Management Committee and the Land Conservation Committee.

C. The official named in Subsection B may submit to the County Board written nominations of employees within his office who should be delegated authority to issue citations for violations of ordinances related to his official responsibilities. If the nominations are affirmatively approved by vote of the County Board, the persons so named shall have authority to issue citations with respect to ordinances directly related to their responsibilities.

D. Citation issuance authority may be revoked in the same manner in which it was conferred.

SECTION 3: That Chapter 120, Communicable Diseases – Authority and Duties of Local Health Officer, of the Pierce County Code is hereby created as follows:

§ 120-1. Local Health Officer’s Duties and Authority [Sec. 252.03, Wis. Stats.]

A. Sec. 252.03, Wis. Stats. (as it currently exists or is hereafter revised) is incorporated herein by reference as if fully set forth.

(1) The Pierce County health officer, upon the appearance of any communicable disease in Pierce County, shall immediately investigate all the circumstances and make a full report to the appropriate governing body and Wisconsin Department of Health Services.

(2) The Pierce County health officer shall promptly take all measures necessary to prevent, suppress and control communicable diseases, and shall report to the appropriate governing body the progress of the communicable diseases and the measures used against them, as needed to keep the appropriate governing body fully informed, or at such intervals as the Wisconsin Secretary of Health may direct.

(3) The Pierce County health officer may inspect schools and other public buildings within his or her jurisdiction as needed to determine whether the buildings are kept in a sanitary condition.

(4) The Pierce County health officer may do what is reasonable and necessary for the prevention and suppression of disease; may forbid public gatherings when deemed necessary to control outbreaks or epidemics and shall advise the Wisconsin Department of Health Services of measures taken.

(5) No person may interfere with the investigation under this chapter of any place or its occupants by the Pierce County health officer or their assistants.

§ 120-2. Violation, Penalty and Enforcement Procedures

A. Any person who violates or obstructs this chapter or an order of the Pierce County Health Officer under §120-1(A)(2) or (4) above is subject to:

(1) The issuance of a citation pursuant to Ch. 1 of the Pierce County Code and Sec. 66.0113, Wis. Stats. A citation may be issued by the local health officer or law enforcement officers.

(2) A forfeiture of not more than \$500 for each violation.

(3) The issuance of a summons and complaint, and entry of a civil judgment for a forfeiture and (temporary or permanent) injunctive relief.

B. A separate offense shall be deemed committed each day during or on which a violation occurs or continues.

C. The initiation of one action or penalty under this section does not exempt the apparent violator from any additional actions and/or penalties.

D. Proceeding under any other ordinance or law relating to the same or any other matter shall not preclude enforcement under this ordinance.

§ 120-3. **Severability.**

A. Should any portion of this ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected.

§ 120-4. **Purpose.**

A. The purpose and intent of this chapter is to promote the public health, safety, convenience, and general welfare and to prevent, suppress, and control communicable diseases.

SECTION 4: That this Ordinance shall become effective upon its adoption and publication as required by law.

Dated: July 14, 2020.

Jeffrey A. Holst, Chair
Pierce County Board of Supervisors

ATTESTED TO BY:

APPROVED AS TO FORM AND LEGALITY BY:

Jamie Feuerhelm, County Clerk

Bradley D. Lawrence, Corp. Counsel

Adopted: _____

BDC