

**PIERCE COUNTY BOARD OF SUPERVISORS**

Tuesday, October 27, 2020 – 7:00 p.m.  
Law Enforcement Facility – EOC Room  
555 Overlook Dr., Ellsworth, WI 54011

**Meeting at Law Enforcement Facility for all County Board members. All public, media, & staff may attend meeting at Courthouse Annex Conference Room (former EOC Room); 414 W. Main St., Ellsworth. Accessed from Oak Street (Across from Holiday gas station) County Board meeting will be linked via video & audio from that location.**

**\*\*\*or online\*\*\***

<https://countyofpierce.my.webex.com/countyofpierce.my/j.php?MTID=md81a216e021fd170c169fb450023764d>

**Meeting Number: 126 843 0487      Password: 951236**

**You can also dial in using your phone  
United States: + 1 (408) 418-9388      Access Code: 126 843 0487**

1.	<b>Call to order</b>
2.	<b>Call of the roll by the Clerk</b> 2a) Establish Quorum 2b) Adopt Agenda
3.	<b>Pledge of Allegiance to the flag</b>
4.	<b>Public Comment:</b> 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.	<b>CLOSED SESSION:</b> Board will convene into closed session pursuant to §19.85(1)(e) Wis. Stats. for the purpose of deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reason require a closed session, & pursuant to §19.85(1)(g), WI Stats for the purpose of conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved: Consideration of the Weber claim
6.	<b>OPEN SESSION:</b> Board will return to open session and take action on closed session item, if required
7.	<b>Board Update COVID19:</b> Public Health Director will give an update on status of COVID19 pandemic in Pierce County.
8.	<b>Election of Committee Member:</b> 8a) Law Enforcement Committee – 1 Seat (1 County Board Member)
9.	<b>Resolutions for consideration:</b> <b>First reading:</b> 9a) Resolution 20-11 Authorize Cancellation of Outstanding County Orders 9b) Resolution 20-12 Authorizing the Submission of a Community Development Block Grant (CDBG) Application 9c) Resolution 20-13 Establish 2021 Salaries & Benefits for Designated Employees 9d) Resolution 20-14 Approve 2021 Tax Levy & Budget 9e) Resolution 20-15 Disallowance of Claim-Heidi & Matthew Weber*
10.	<b>Resolutions for consideration:</b> <b>Second reading:</b> 10a) Resolution No. 20-10 Library Funding for 2021 and 2022

	<b>Ordinances for consideration:</b> <b>First reading:</b>
11.	11a) Ordinance No. 20-03 Amend Chapter 4, § 4-45 of the Pierce County Code 11b) Ordinance No. 20-04 To Repeal & Replace Ch. 238, Floodplain Zoning, of the Pierce County Code
12.	<b>Ordinances for consideration:</b> <b>Second reading:</b> 12a) None
13.	<b>Appointments:</b> 13a) None
14.	Future agenda items
15.	Next meeting: Nov. 10, 2020; 9 a.m. DAY MEETING
16.	Adjourn
Questions regarding this agenda may be made to Jamie Feuerhelm at 715-273-6744. Upon reasonable notice, efforts will be made to accommodate the needs of individuals with disabilities requiring special accommodations for attendance at the meeting. For additional information or to make a request, contact the Administrative Coordinator at 715-273-6851.	

\*Adoption requested on 1<sup>st</sup> Reading

jrf 10/15/2020

**9a.**

**Resolutions for First Reading:**

**Resolution 20-11 Authorize  
Cancellation of Outstanding  
County Orders**

**RESOLUTION NO. 20-11  
AUTHORIZE CANCELLATION OF  
OUTSTANDING COUNTY ORDERS**

**WHEREAS**, the county treasurer is required by Wis. Stats. § 59.25(3)(c) and (d) to pay all county orders as directed by the board and keep a true and correct account of the expenditure, specifying the person to whom the payment was made and the purpose of each particular payment; and

**WHEREAS**, pursuant to Wis. Stat. § 59.64(4)(d), the county board shall examine the county orders returned paid by the treasurer by comparing each order with the record of orders in the clerk's office and enter the date when the order was cancelled; and

**WHEREAS**, the clerk is further required by Wis. Stat. § 59.64(4)(e) to prepare and present to the board at each annual session a detailed list of all county orders which remain uncalled for (hereafter "outstanding") by the payee for two years, including the amount, date and payee; and

**WHEREAS**, the county board shall cause the list of outstanding orders to be compared to the county orders and, when found to be correct, cancel the orders; and

**WHEREAS**, attached hereto as Exhibit "A" is a list of all county orders for the year 2017 that remain outstanding for the last two years, which has been compared to the county orders and found to be correct; and

**WHEREAS**, the Finance and Personnel Committee, at its meeting on October 5, 2020 reviewed the list of outstanding county orders attached as Exhibit "A" and recommended that the County Board authorize the cancellation of said orders.

**NOW, THEREFORE BE IT RESOLVED**, that the Pierce County Board of Supervisors hereby finds the list of outstanding county orders attached hereto as Exhibit "A" to be correct, and authorizes the cancellation of said orders.

Dated this 27<sup>th</sup> day of October, 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

### CANCEL WARRANTS (OUTDATED CHECKS)

TO THE HONORABLE BOARD OF SUPERVISORS OF PIERCE COUNTY

Herewith report the following outlawed County order checks are still unpaid and remaining outstanding on July 31, 2020 and would respectfully ask you to cancel same as per Section 59.64 (4e) of the Wisconsin State Statutes:

2/3/2017	27887	MCLEES, CRAIG, ANDREW	\$23.14
2/17/2017	28274	STOESZ, HAYLEY	\$6.00
3/3/2017	28534	JURGENSEN, COLTON P	\$17.02
3/31/2017	29096	PETERMAN, EMMA	\$15.00
5/19/2017	30156	GROVE-THOMAS, ELIJAH MARCELL	\$22.80
6/2/2017	30349	BIERBRAUER, COURTNEY, LOU	\$28.24
6/2/2017	30353	BUSSE, ETHAN, JOSEF	\$26.20
6/2/2017	30364	GAGO, STEVEN, ANTHONY	\$22.68
6/16/2017	30762	STAFFORD, RIVER, SHANE	\$16.00
7/7/2017	31048	PREFERRED SENIOR LIVING ELLSWORTH	\$425.00
7/7/2017	31122	IRWIN, JEREMY, DAVID	\$32.32
7/28/2017	31664	MUNDT, INZA	\$52.35
7/28/2017	31668	STATE SIDE TRANSPORT	\$19.12
8/4/2017	31823	LIDDLE, SARA, MACKENZIE	\$34.04
8/4/2017	31824	MALLON, DEREK, QUINTON	\$34.04
8/4/2017	31836	REDDING, RACHEL, ANN	\$26.20
8/18/2017	32195	GRAY, LAUREN, P	\$16.00
9/8/2017	32634	FEYEREISEN, PAM	\$7.75
9/8/2017	32646	GERAETS, VIRGINIA	\$6.00
9/8/2017	32649	GIRDEEN, CHARLES	\$2.50
9/8/2017	32651	GIRDEEN, MATTHEW	\$6.00
9/8/2017	32680	KLECKER, ELIZABETH	\$4.00
9/8/2017	32715	PETAJA, EILEEN	\$8.00
9/8/2017	32717	PREFERRED SENIOR LIVING ELLSWORTH	\$5.00
9/8/2017	32751	TRUDEAU, MAYETTE	\$2.00
9/8/2017	32894	OAKIN, ANGEL	\$1.75
9/8/2017	33089	BRENNER, CAROL, J	\$18.30
9/8/2017	33133	PETERSON, JESSICA, MARIE	\$33.34
9/29/2017	33495	BAUER, GRACIE	\$15.50
9/29/2017	33526	BOYER, ALEC	\$14.25
9/29/2017	33527	BOYER, SYDNEY	\$45.75
9/29/2017	33543	CADY, GENEVIEVE	\$22.25
9/29/2017	33571	CULP, PEYTON	\$5.50
9/29/2017	33592	DRISCOLL, AUSTIN	\$11.00
9/29/2017	33612	FARNER, ANNELIESE	\$11.50
9/29/2017	33613	FARNER, KATELYNN	\$14.00
9/29/2017	33614	FARNER, LOGAN	\$4.75
9/29/2017	33640	GANNON, MARIE	\$2.00
9/29/2017	33657	GREENWOOD, SARAH	\$2.00
9/29/2017	33661	GUGALA, ABBEY	\$6.00
9/29/2017	33662	GUGALA, ANNA	\$6.75
9/29/2017	33663	GUGALA, WILLIAM	\$5.25
9/29/2017	33672	HANSON, KELCEY	\$25.00
9/29/2017	33706	HURON, CHRYSLER	\$8.75

9/29/2017	33745	KLEIST, AHSLEY	\$1.00
9/29/2017	33746	KLEIST, ELIZABETH	\$3.25
9/29/2017	33763	KUSILEK, BAILEY	\$16.25
9/29/2017	33827	MCKAHAN, KESLYN	\$12.00
9/29/2017	34033	VAUGHT, CLAIRE	\$8.25
9/29/2017	34037	WEHMAN, MOLLY	\$2.00
10/20/2017	34578	PREFERRED SENIOR LIVING ELLSWORTH	\$287.50
11/3/2017	34888	FLYNN, WADE, B	\$26.20
11/3/2017	34900	HOFACKER, JUSTIN, DONALD	\$37.42
11/3/2017	34954	ZMETRA, BRIAN, GUY	\$30.28
11/17/2017	35257	SHOPKO STORES OPERATING CO LLC	\$84.34
12/1/2017	35486	ROCKWORKS LANDSCAPING	\$220.00
12/15/2017	35918	DATCP-DAH	\$23.40
12/15/2017	35927	KEEPERS,BRADY,LEE	\$25.18
12/15/2017	35936	O GRADY, JODY, ELIZABETH	\$26.20
12/15/2017	35944	WEBB, KIMBERLY, JO	\$26.71
		TOTAL	\$1,941.02

Kathryn Fuchs  
 Pierce County  
 Treasurer  
 August 11, 2020



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

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## New form response

1 message

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Steve Gustafson <demo@fnsntp.addonsite.com>  
To: "Jamie.feuerhelm" <jamie.feuerhelm@co.pierce.wi.us>

Wed, Sep 9, 2020 at 12:44 PM

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

**Meeting Date** 2020-10-05

**Agenda Item** Outlawed County Checks

**Requesting Agency** Pierce County Treasurer

**Background** Section 59.64(4)(e) of the Wisconsin State Statutes outlines the procedure for cancellation and reissue of outstanding checks issued by the county so that the warrants can be cancelled and destroyed. The full list of outstanding 2017 checks was previously published in the local newspaper as required by statute, and has subsequently been available on the Pierce County website. We believe the remaining items, as described on the attached list, are ready to be cancelled and destroyed.

**Staff Recommendation** I recommend approval of cancelling and destroying the outdated Pierce County checks printed during the calendar year of 2017.

**Recommended Motion: (Motion by seconded by to approve and authorize)** Motion by \_\_\_\_\_ second by \_\_\_\_\_ to accept outlawed check list and to present it to the full board for resolution to authorize cancellation of outstanding county orders at their November 2020 daytime board meeting.

**Requestor's email address** kathy.fuchs@co.pierce.wi.us

Auto responded by Form Notifications SMTP add-on for Google Forms

Google \* (Forms + Calendar) = Scheduling System!

# **9b.**

## **Resolutions for First Reading:**

### **Resolution 20-12 Authorizing the Submission of a Community Development Block Grant (CDBG) Application**

**RESOLUTION NO. 20-12**  
**AUTHORIZING THE SUBMISSION OF A COMMUNITY DEVELOPMENT**  
**BLOCK GRANT (CDBG) APPLICATION**

**WHEREAS**, on March 24, 2020 the Pierce County Board of Supervisors adopted Resolution 19-27 to Authorize Community Development Block Grant (CDBG) Revolving Loan Fund (RLF) Close Out Option, Source of Funds and Authorize Payment; and

**WHEREAS**, through that Resolution, as part of closing the Revolving Loan Fund program, Pierce County chose to return all Revolving Loan Fund cash on hand and buy out existing loans and apply for a CDBG close grant in the amount of cash on hand plus the amount that the County loan principal amount was to the DOA (and continue to collect principal and interest on all active loans and use the funds any way the County desires); and

**WHEREAS**, Federal monies are available under the Community Development Block Grant program, administered by the Wisconsin Department of Administration (DOA) Division of Energy, Housing and Community Resources (DEHCR) for the purpose of the provision or improvement of public facilities (CDBG-PF); and

**WHEREAS**, the State DEHCR has approved the County's balance of available grant funds as \$1,421,571.74; and

**WHEREAS**, a public hearing was held before the Community Development Ad Hoc Committee on August 26, 2020, and after numerous public meetings and due consideration the Community Development Ad Hoc Committee has recommended that an application be submitted to the DOA for the following project:

A proposed County Highway reconstruct on 1.2 miles of CTH B in the Village of Spring Valley (Ave Daily Traffic of 1055) from Herb Avenue to the West Village Limits, with additional wide paved shoulders from Herb Avenue to Van Buren Road; and

**WHEREAS**, the Finance & Personnel Committee met on October 5, 2020 and recommended that the proposed project be approved and a CDBG grant application for the project to be authorized; and

**WHEREAS**, it is necessary for the Pierce County Board of Supervisors to approve the preparation and filing of an application for Pierce County to receive funds from this program; and

**WHEREAS**, the Pierce County Board of Supervisors has reviewed the need for the proposed project and the benefits to be gained therefrom.

**NOW, THEREFORE BE IT RESOLVED**, by the Pierce County Board of Supervisors that the Pierce County Board of Supervisors does hereby approve and authorize the preparation and filing of an application for the above-named project; and that the Board Chair is hereby authorized to sign all necessary documents on behalf of the County; and that authority is hereby granted to the Community Development Ad Hoc Committee to take the necessary steps to prepare and file the application for funds under this program in accordance with this resolution.

Dated this 27<sup>th</sup> day of October, 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: \_\_\_\_\_

**PIERCE COUNTY WISCONSIN**  
ADMINISTRATION DEPARTMENT  
414 W. MAIN STREET PO BOX 119  
ELLSWORTH, WISCONSIN 54011  
Phone: 715-273-6851  
Fax: 715-273-6853  
www.co.pierce.wi.us



September 29, 2020  
Community Development Block Grant- Close  
(CDBG)

The Wisconsin Department of Administration (DOA) developed a CDBG Close program for local units of government to utilize unspent loan funds, also referred to as “cash on hand” for an eligible project that would meet the low to moderate income (LMI) national objective. There are timelines with this closeout program for which Pierce County will have until January 31, 2021 to submit and receive approval of a project application. Approved projects will then have two years to be completed.

On March 24, 2020, the County Board approved resolution 19-27 to authorize payment to the Wisconsin Department of Administration which consisted of CDBG-RLF cash on hand and additionally to buy out the existing CDBG-RLF loans together totaling \$1,421,571.74 making this the amount that could be used to apply for an eligible project.

In September, 2019 the Finance and Personnel Committee authorized the creation of the Community Development Adhoc Committee to undertake the initiative of recommending an eligible project to the Pierce County Board for consideration and authorization to apply.

The Community Development Adhoc Committee has hosted public meetings as well as a recent Public Hearing to assist in identifying recommended projects from the community in (LMI) areas. The Committee has reviewed and considered three projects. (1) A 1.2-mile road reconstruct on a section of CTH B in the Village of Spring Valley from Herb Ave. to the west Village limits, (2) A 3.3-mile mill and repave project on a section of County road U in Maiden Rock Township, and (3) A request from the Village of Maiden Rock for assistance with funding for a municipal well #2 project in the Village.

Pierce County Economic Development Executive Director, Joe Folsom had submitted a letter on behalf of Pierce County Economic Development Corporation and Pierce Pepin Cooperative Services requesting the County Board to consider setting aside the levy funds that would have otherwise been used for the CTH B road improvement project for a broadband improvement grant fund.

After careful consideration of the funding and scope of each project, as well as the number of individuals that would benefit from each project, the Community Development Adhoc Committee met September 8<sup>th</sup> and approved unanimously to recommend to the County Board the CTH B/Herb Ave. road reconstruct project with the intent to use the full amount of funding available as identified by the DOA.

Jason Matthys  
Administrative Coordinator



**PIERCE COUNTY**  
— MEANS BUSINESS —

Pierce County Community Development  
AdHoc Committee  
414 W. Main Street  
Ellsworth, WI 54011

July 30, 2020

Re: Revolving Loan Fund Close Out

Dear Committee Members.

We appreciate the work this group has done in putting forth ideas to close out the revolving loan fund and applying under the CDBG closeout to use those funds. As many of you are aware, one of the key components of the RLF was its ability to provide for and fund economic development opportunities. We understand this committee was formed to discuss the close out process and application for the use of the funds. During the July 8<sup>th</sup>, 2020 meeting, discussion occurred that suggested two road projects should be considered as a use of the \$1.4 million fund. In previous meetings, it was discussed that funding broadband expansion should be reviewed.

The committee is recommending one of the two road projects be funded with the remaining funds. While infrastructure improvements benefit the public, it is highly unlikely other than short term construction jobs, there is lasting economic development from this project.

While, we do not stand in opposition to the proposed use of funds, the projects proposed were part of the county levy budget. The desire for high speed internet access is at an all-time high in Pierce County. Broadband will only occur with the right mixture of funding and commitment by community leaders to help see this through.

As a solution that compromises with the road improvement projects, **we strongly encourage this committee to recommend to the Industrial Committee through the Pierce County Board of Supervisors, the expansion of broadband funding.** The levy funds allocated for road improvement projects should be set aside as a grant fund for broadband improvement.

Creating a broadband grant fund that could be leveraged by participating providers, does two main things. First, it demonstrates the commitment of the county to aid in the development of broadband expansion. Two, it provides necessary funds to continue expanding broadband into Pierce County which is estimated to cost \$35 - \$50 million. By creating this fund and requesting interested parties apply for this grant, the county would continue to see broadband expansion. The grant should enable companies who are willing to invest in fiber and/or 5G technologies. The county will be well served by this in the future.

We encourage this group to not simply allocate the funds to the road improvement projects, but to make a statement to the county where the priorities of infrastructure needs lie in order to facilitate an innovative and connected future for our Pierce County residents and businesses.

Sincerely,

Joe Folsom  
Executive Director

Nate Boettcher  
President & CEO  
Pierce Pepin Cooperative Services

Dan Lytle  
Board Chair – Pierce Co. EDC

**RESOLUTION NO. 19-27**  
**AUTHORIZE COMMUNITY DEVELOPMENT BLOCK GRANT**  
**REVOLVING LOAN FUND (CDBG RLF) CLOSE OUT OPTION,**  
**SOURCE OF FUNDS, AND AUTHORIZE PAYMENT**

**WHEREAS**, the County has operated a Revolving Loan Fund (RLF) through a Community Development Block Grant (CDBG) for many years; and

**WHEREAS**, due to compliance issues as determined by the Federal Department of Housing and Urban Development (HUD), as well as low use of RLF funds for lending by local units of government around the state, the State Department of Administration (DOA) has developed a loan closing program that has been approved by HUD to undertake a process to close its CDBG RLF loan programs operated by local municipalities throughout the state; and

**WHEREAS**, said closing process options include:

- (1) Return all RLF cash on hand to the DOA and continue servicing all existing loans, return loan payment funds to the DOA as received, and apply for a CDBG Close Grant in the amount of cash on hand that the county returned to the DOA;
- (2) Return all RLF cash on hand to the DOA and reimburse the state for principal owed on all active loans (i.e. buy out), and apply for a CDBG Close Grant in the amount of cash on hand plus the amount that the County loan principal amount was to the DOA (and continue to collect principal and interest on all active loans and use the funds any way the County desires);
- (3) Turn all money back to the DOA and do not apply for a grant; and

**WHEREAS**, estimated as of March 25, 2020, the approximate cash on hand is \$1,308,194, and the approximate existing balance in principal for current active loans is \$108,568, for a total approximate amount of \$1,416,762; and

**WHEREAS**, the Pierce County Revolving Loan Fund Committee considered this matter at its meeting on December 19, 2019 and took action to recommend that the County exercise Option 2 above; and

**WHEREAS**, the County will potentially get the money returned to it via CDBG Close Grant if an application for CDBG eligible community development project(s) is approved by the State Department of Administration, which will greatly benefit the residents of Pierce County; and

WHEREAS, the proposed projects and applications for Close Out program grants for the available funds needs to be submitted to the DOA by no later than January 31, 2021, and pursuant to direction by the State DOA, the Finance & Personnel Committee on September 9, 2019 created the Pierce County Community Development Adhoc Committee for the purpose of considering and vetting and recommending qualified projects to the County Board of Supervisors for approval by the Board; and

WHEREAS, the approval of any CDBG eligible community development project(s) will come back to the Board for approval by Resolution prior to submission of any application(s) to the State; and

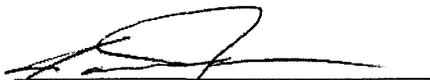
WHEREAS, in order to exercise Option 2 above, it is necessary for the County to "buy out" currently existing active loans with County money, and the Finance and Personnel Committee at its meeting on March 2, 2020 took action to recommend that the County Board authorize Option 2 and that the funds to buy out active loans will come from the General Fund, to authorize payment to the DOA accordingly, and that action be taken on a first reading.

**NOW, THEREFORE BE IT RESOLVED**, by the Pierce County Board of Supervisors that it (1) authorizes Option 2 above, and (2) authorizes that the funds to buy out active loans will come from the General Fund, and (3) authorizes payment to the DOA in accordance herewith.

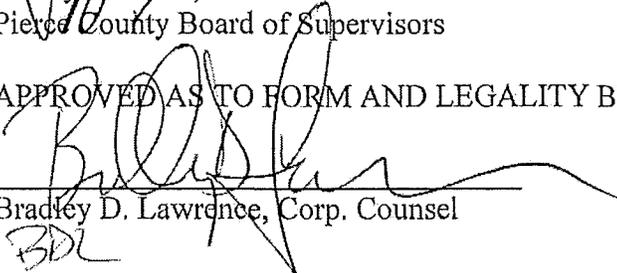
Dated this 24th day of March, 2020.

  
\_\_\_\_\_  
Jeffrey A. Holst, Chair  
Pierce County Board of Supervisors

ATTESTED TO BY:

  
\_\_\_\_\_  
Jamie Feuerhelm, County Clerk

APPROVED AS TO FORM AND LEGALITY BY:

  
\_\_\_\_\_  
Bradley D. Lawrence, Corp. Counsel  
BDL

Adopted: March 24, 2020

**9c.**

**Resolutions for First Reading:**

**Resolution 20-13 Establish 2021  
Salaries & Benefits for  
Designated Employees**

**RESOLUTION NO. 20-13  
ESTABLISH 2021 SALARIES AND BENEFITS  
FOR DESIGNATED EMPLOYEES**

**WHEREAS**, the Finance and Personnel Committee has duly considered the existing salaries for employees of Pierce County, excluding:

- a. the Administrative Coordinator (who was removed from the salary matrix November 18, 2003 pursuant to Resolution 03-34 and whose pay is addressed annually), and
- b. the employees in the Sheriff's Department unions (patrol / investigators / jailers) whose pay has been established by the respective collective bargaining agreement; and

**WHEREAS**, part and parcel of said analysis has been consideration of the 2015 Carlson Dettmann Salary Matrix and subsequent matrix adjustments, position reviews and reclassifications; and

**WHEREAS**, the Finance and Personnel Committee did meet on October 5, 2020, and recommends salary increases in the amount of 1.25% across the board to the Carlson Dettmann Salary Matrix system, as and for employees identified on the current Carlson Dettmann Salary Matrix, for the 2021 calendar year, effective January 1, 2021.

**NOW, THEREFORE BE IT RESOLVED**, by the Pierce County Board of Supervisors that the Carson Dettmann Salary Matrix and salaries of all employees identified on the matrix be adjusted by 1.25% across the board, calculated upon the basis of the Salary Matrix, for the 2021 calendar year, effective January 1, 2021.

**BE IT FURTHER RESOLVED** that effective January 1, 2021, employees on the self-funded plan will continue to contribute 10% toward the health insurance premiums if wellness initiatives are met and 15/18/20% if wellness initiatives are not met, and employees on the High Deductible Health Plan / Health Savings Account will contribute 5% toward premiums and 15/18/20% if wellness initiatives are not met.

Dated this 27<sup>th</sup> day of October, 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: \_\_\_\_\_

**PIERCE COUNTY WISCONSIN**  
ADMINISTRATION DEPARTMENT  
414 W. MAIN STREET PO BOX 119  
ELLSWORTH, WISCONSIN 54011  
Phone: 715-273-6851  
Fax: 715-273-6853  
www.co.pierce.wi.us



September 29, 2020  
TO: Finance and Personnel Committee  
FROM: Administrative Coordinator – Matthys  
Re: Salaries for non-represented, designated employees

Since 2015, Pierce County has been operating under the Carlson Dettmann wage grid that was developed after a rigorous review of submitted job description questionnaires (JDQ) collected by Carlson Dettmann Consultants and Administration. The grid consists of 11 steps from bottom to top. Employees are afforded a step increase based on a favorable review from their supervisor/manager performed annually on their anniversary date. Several employees were placed on the grid on a certain step but not necessarily at step 1. This grid has functioned appropriately since the time of inception, and cost of living adjustments are considered annually as part of the budget process.

Currently, Pierce County has about 85 employees that are either at the top of their scale or redlined above the current scale. This number does not include those employees who are union members (41) or elected (5). Employees that are redlined are not afforded the step increase or the annual COLA until such time that wage grid catches up to their redlined wage regardless of a favorable review.

The current, proposed budget accounts for a COLA of 1.25% as well as step increases that are applicable to those non-represented, designated employees.

Respectfully,

  
Jason Matthys  
Administrative Coordinator

**9d.**

**Resolutions for First Reading:**

**Resolution 20-14 Approve 2021  
Tax Levy & Budget**

**RESOLUTION 20-14**

**APPROVE 2021 TAX LEVY AND BUDGET**

**BE IT RESOLVED**, that there be a tax levied upon all taxable property in Pierce County for operation and maintenance for the 2021 budget in the amount of: County Operating Levy \$16,227,712, Debt Service \$3,223,138, County Library \$459,646, and County Aid Bridges \$200,000 for a total of \$20,110,496.

**BE IT FURTHER RESOLVED**, that in accordance with the tax levied in the total of \$20,110,496 the Pierce County Board of Supervisors hereby approves and authorizes the 2021 budget as set forth in the summary document attached hereto as Exhibit "A".

DATED this 27<sup>th</sup> day of October, 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: \_\_\_\_\_

SUMMARY OF 2021 INITIAL BUDGET WITH COMPARISON TO PRIOR YEAR BUDGETS

	2019 ADOPTED BUDGET	2020 ADOPTED BUDGET	2021 RECOMMENDED BUDGET	Percentage Change
<b>SUMMARY OF BUDGET:</b>				
Total Gov'l Funds Expenditures	46,821,381	46,401,786	43,135,633	-7.04%
Less Program Revenues/Carryovers	19,265,850	17,884,572	14,915,411	-16.60%
Net Gov'l Funds Budgeted Expenditures	27,555,531	28,517,214	28,220,222	-1.04%
Less Anticipated General Revenues	5,413,709	5,793,908	5,459,726	-5.77%
Gross Levy	22,141,822	22,723,306	22,760,496	0.16%
Loss County Sales Tax Applied	2,403,042	2,650,000	2,650,000	0.00%
Less Applied	-	-	-	#DIV/0!
Net County Levy	19,738,780	20,073,306	20,110,496	0.185%
<b>COUNTY TAX LEVY:</b>				
Operating Levy	15,836,367	16,155,611	16,227,712	0.45% <i>formula</i>
Debt Service Levy	3,227,164	3,240,988	3,223,138	-0.55%
Special Purpose Levies:				
County Library	475,249	476,707	459,646	-3.58%
County Aid Bridges	200,000	200,000	200,000	0.00%
	19,738,780	20,073,306	20,110,496	0.185%
Subject to Levy Limit-Operating	15,836,367	16,155,611	16,227,712	0.446% <i>from above</i>
Not Subject to Levy Limit-Library	475,249	476,707	459,646	<i>from above</i>
Not Subject to Levy Limit-Bridges	200,000	200,000	200,000	<i>from above</i>
Subject to Levy Limit-Debt Service	3,227,164	3,240,988	3,223,138	<i>from above</i>
	19,738,780	20,073,306	20,110,496	0.185%
<b>COUNTY MILL RATE:</b>				
Operating Levy	4.781626	4.600257	4.322075	
Debt Service Levy	0.974409	0.922861	0.858448	
Special Purpose Levies:				
County Library	0.143496	0.135741	0.122422	
County Aid Bridges	0.060388	0.056949	0.053268	
	5.959919	5.715808	5.356213	
<b>CHANGE FROM PRIOR YEAR:</b>				
<b>Dollars:</b>				
Amount	129,568	334,526	37,190	
Percent	0.66%	1.69%	0.19%	
<b>Mill Rate:</b>				
Mills	-0.252005	-0.244111	-0.359595	
Percent	-4.06%	-4.10%	-6.29%	
<b>COUNTY EQUALIZED VALUATION</b>				
<b>(Reduced by TID Increments):</b>				
Total Value	3,311,921,000	3,511,892,800	3,754,611,200	
Percentage Change from Prior Year	4.917039%	6.037940%	6.911327%	
% Change Due to Net New Construction and TID Terminations	1.330%	1.930%	0.370%	
<b>STATE LIMIT ON OPERATING TAX LEVY:</b>				
Amount Under (Over) Tax Levy Limit	15,836,367	16,155,611	16,227,712	

2021 BUDGET OF EXPENDITURES FOR OPERATION AND MAINTENANCE OF PIERCE COUNTY

Account Name	Account No.	Page	2019 Actual	Estimate 2020	2020 Budget			2021 Gross Recom'd	2021 Carryover/ Grant/Adj.	2021 Net Co. Budget Recom'd
					Gross Amounts	Prgm Rev/ Carryovers	Net Budgeted			
County Board	101 001 51110	1	50,366	46,801	63,567		63,567	63,567		63,567
Codification of Ordinances	101 001 51340	2	3,588	4,000	4,000		4,000	4,000		4,000
Other Legal-Negotiations	101 001 51390	3	9,215	10,000	10,000		10,000	10,000		10,000
Administration	101 001 51410	4	340,238	402,352	507,183		507,183	542,646		542,646
Human Resource	101 001 51430	5	181,828	204,003	205,003		205,003	211,239		211,239
Other General Admin & Postage	101 001 51490	6	10,723	12,100	12,100		12,100	12,100		12,100
Indirect Cost Study	101 001 51510	7	6,400	6,400	6,400		6,400	6,400		6,400
Independent Accounting & Auditing	101 001 51511	8	28,308	28,500	28,500		28,500	29,000		29,000
Illegal Taxes & Refunds	101 001 51910	9	294	15	-		-	-		-
Property & Liability Insurance	101 001 51930	10	65,610	74,500	72,100		72,100	77,500		77,500
Cafeteria Insurance	101 001 51932	11	5,097	5,000	5,500		5,500	5,100		5,100
Leave Liability	101 001 51940	12	44,657	134,563	50,000		50,000	-		-
Security	101 001 52910	13	45,999	46,000	46,000		46,000	46,000		46,000
West Cap	101 001 55140	14	3,000	3,000	3,000		3,000	3,000		3,000
Industrial Development	101 001 55220	15	-	-	14,000		14,000	-		-
Regional Planning	101 001 56310	16	20,250	20,810	20,810		20,810	20,810		20,810
Economic Development	101 001 56701	17	64,610	50,898	50,898		50,898	64,898		64,898
Pierce Co. Historical Society	101 001 56702	18	12,000	12,000	12,000		12,000	12,000		12,000
Circuit Court	101 002 51210	19-21	809,959	902,493	916,793		916,793	918,071		918,071
Law Library	101 002 51250	22	-	30	500		500	500		500
Criminal Justice Coordinating Council	101 002 51280	23	-	25,000	25,000		25,000	25,000		25,000
Mediation Fund (transfer to HS) (NL)	252 002 59220	24	-	-	7,600	(7,600)	-	7,800	(7,800)	-
Fines & Forfeiture Fund (transfer to HS) (NL)	253 002 59220	25	48,724	50,000	50,000	(50,000)	-	50,000	(50,000)	-
Register in Probate	101 003 51230	26-27	198,560	188,030	203,261		203,261	207,405		207,405
Medical Examiner	101 005 51270	28	178,893	198,909	183,027		183,027	203,042		203,042
County Clerk	101 006 51420	29	148,435	148,594	148,594		148,594	189,448		189,448
Elections	101 006 51440	30	21,066	120,750	120,800		120,800	54,150		54,150
Switchboard	101 006 51620	31	74,546	79,066	79,066		79,066	76,756		76,756
Tax Deed Expenses	101 006 51911	32	-	2,500	8,000		8,000	8,000		8,000
Care of Soldiers Graves	101 006 54720	33	7,218	7,536	7,536		7,536	7,536		7,536
Dog License Trust	805 006 52801	34	13,720	15,000	15,000	(15,000)		16,650	(16,650)	-
Information Services	101 007 51450	35-36	673,959	838,629	708,629		708,629	752,792		752,792
Central Duplication	101 007 51460	37	8,667	7,283	7,283		7,283	15,145		15,145
Data Processing Equipment Fund (NL)	262 007 51451	38	40,654	40,450	40,450	(40,450)		41,679	(41,679)	-
Treasurer	101 008 51520	39	264,149	274,944	284,327		284,327	293,122		293,122
Assessment of Property	101 008 51530	40	80,393	83,560	83,955		83,955	85,844		85,844
District Attorney	101 009 51310	41	264,568	252,209	290,126		290,126	241,239		241,239

2021 BUDGET OF EXPENDITURES FOR OPERATION AND MAINTENANCE OF PIERCE COUNTY

Account Name	Account No.	Page	2019 Actual	Estimate 2020	2020 Budget			2021 Gross Recom'd	2021 Carryover/ Grant/Adj.	2021 Net Co. Budget Recom'd
					Gross Amounts	Prgm Rev/ Carryovers	Net Budgeted			
Victim Witness	101 009 51312	42	70,600	75,048	75,029		75,029	77,488		77,488
Corporation Counsel	101 010 51320	43	364,263	388,893	388,893		388,893	399,247		399,247
Register of Deeds	101 011 51710	44-45	264,238	293,992	296,141		296,141	304,863		304,863
Land Records Modernization (NL)	101 011 51721	46	33,464	40,262	40,262	(40,262)		28,065	(28,065)	-
SSN Redaction	101 011 51722	47	16,331	33,718	37,370	(37,370)		3,653	(3,653)	-
Surveyor	101 012 51720	48	111,706	121,445	121,445		121,445	122,196		122,196
County Planner - Land Management	101 013 56300	49	316,836	329,744	329,744		329,744	301,333		301,333
Geographic Information System	101 013 56301	50	78,992	83,860	83,860		83,860	86,317		86,317
Land Information Grant	101 013 56302	51	95,883	87,000	87,000		87,000	90,000		90,000
Zoning	101 014 56400	52	287,504	308,688	308,688		308,688	312,939		312,939
WI Fund-Zoning Aids	806 014 56411	53	25,443	15,000	15,000	(15,000)	-	-		-
Courthouse & Buildings	101 015 51600	54	922,860	966,948	906,698		906,698	929,441		929,441
Fairgrounds	101 015 51604	55	259,035	197,046	229,543		229,543	236,881		236,881
Building Outlay (NL)	101 015 51610	56	275,894	78,636	78,636		78,636	78,636		78,636
Sheriff	101 016 52110	57-58	4,144,385	4,002,166	4,113,766		4,113,766	4,066,456		4,066,456
Law Enforcement Equipment Outlay	101 016 52113	59	-	5,927	5,927		5,927	-		-
Asset Forfeiture (NL)	101 016 52115	60	1,410	1,000	1,000		1,000	1,000		1,000
TraCs/Mobilization Equipment Grant	101 016 52120	61	890	890	-		-	890		890
Boat & Snowmobile Safety Patrol	101 016 52130	62	200,388	138,494	138,494		138,494	139,809		139,809
Emergency Communications	101 016 52602	63	1,114,344	962,349	962,349		962,349	940,806		940,806
Correction / Detention / Jail	101 016 52700	64	1,538,120	1,678,963	1,712,720		1,712,720	1,666,700		1,666,700
Correct / Detent / Training Aids	101 016 52701	65	-	8,000	8,000		8,000	8,000		8,000
Canteen Fund (NL)	101 016 52702	66	13,694	10,000	10,000		10,000	10,000		10,000
Jail Nurse	101 016 52704	67	102,634	106,349	106,349		106,349	107,194		107,194
Jail Maintenance Fund (NL)	251 016 52700	68	24,797	20,000	20,000	(20,000)	-	20,000	(20,000)	-
Local Emergency Planning	101 017 51893	69	24,040	26,189	26,264		26,264	16,151		16,151
Emergency Management	101 017 52510	70	102,419	105,421	105,421		105,421	110,707		110,707
XCEL Energy Reimbursement	101 017 52520	71	86,493	90,053	90,000		90,000	90,000		90,000
Hazard Mitigation Plan	101 017 52550	72	16,909	-	-		-	-		-
Emergency Medical Services	101 017 54691	73	800	800	800		800	800		800
C.V.S.O.	101 023 54700	74	237,584	227,844	303,815		303,815	231,510		231,510
Veteran's Relief (NL)	101 023 54710	75	17,635	2,200	2,200		2,200	2,200		2,200
Veteran's Treatment Court	101 023 54730	76	-	-	2,966		2,966	-		-
County Fair	101 025 55460	77-79	228,630	88,306	242,725		242,725	245,355		245,355
County Park	101 026 55200	80-81	373,830	393,416	399,244		399,244	389,499		389,499
County Park Canteen	101 026 55202	82	1,672	1,100	3,200		3,200	3,200		3,200
Park Development (NL)	101 026 55210	83	18,218	-	-		-	-		-

2021 BUDGET OF EXPENDITURES FOR OPERATION AND MAINTENANCE OF PIERCE COUNTY

Account Name	Account No.	Page	2019 Actual	Estimate 2020	2020 Budget			2021 Gross Recom'd	2021 Carryover/ Grant/Adj.	2021 Net Co. Budget Recom'd
					Gross Amounts	Prgm Rev/ Carryovers	Net Budgeted			
Snowmobile Trails	242 026 55401	84	128,364	130,475	228,248	(228,248)	-	204,570	(204,570)	-
Shooting Range	101 029 56143	85	8,788	9,271	9,468	-	9,468	9,552	-	9,552
Pesticide Certification	101 027 54910	86	225	-	-	-	-	-	-	-
Cooperative Extension	101 027 55620	87	213,326	212,711	226,061	-	226,061	227,822	-	227,822
Land Conservation	101 028 56130	88	455,097	478,696	477,763	-	477,763	483,702	-	483,702
Cost Sharing (NL)	101 028 56131	89	48,265	88,292	50,000	-	50,000	50,000	-	50,000
Multi Discharger Variance (MDV) (NL)	101 028 56132	90	-	20,000	20,000	(20,000)	-	30,000	-	30,000
Producer Lead Watershed Grant	101 028 56133	91	7,500	10,000	10,000	-	10,000	10,000	-	10,000
Land/Water Practice (NL)	101 028 56134	92	74,057	101,828	82,100	-	82,100	80,250	-	80,250
Watershed Maintenance (NL)	101 028 56135	93	1,885	13,419	3,000	-	3,000	3,000	-	3,000
Deer Damage	101 028 56136	94	20,813	22,672	22,672	-	22,672	22,672	-	22,672
Groundwater Cost Sharing	101 028 56138	95	12,477	-	15,000	-	15,000	15,000	-	15,000
Fish & Game (NL)	101 029 56137	96	317	3,556	3,780	-	3,780	3,780	-	3,780
Solid Waste	101 030 53630	97-99	116,318	113,730	125,677	-	125,677	124,155	-	124,155
Recycling Center	101 030 53633	100-103	937,252	989,746	1,182,570	-	1,182,570	942,247	-	942,247
Clean Sweep Program	101 030 53634	104-105	139,243	105,216	148,774	-	148,774	194,826	-	194,826
Revolving Loan	207 001 56704	106	18,994	9,421	9,000	(9,000)	-	9,421	-	9,421
WI CDBG Housing Program	208 001 56707	107	16,832	30,000	30,000	(30,000)	-	30,000	(30,000)	-
Human Services/Child Support	212 021 54	108-206	8,219,488	8,654,868	8,233,810	(5,641,622)	2,592,188	8,439,838	(5,702,270)	2,737,568
Office on Aging	231 54601 etc	207-225	657,993	541,552	676,667	(456,213)	220,454	616,260	(458,488)	157,772
Public Health	227 300 54120	226	706,685	393,525	627,170	(51,840)	575,330	631,270	(55,940)	575,330
Cities Readiness	227 301 54159	227	14,559	17,670	16,670	(16,670)	-	17,670	(17,670)	-
COVID19 Quarantine & Isolation	227 302 54143	228	-	12,000	-	-	-	12,000	(12,000)	-
Wisconsin WINS	227 304 54167	229	1,862	2,263	2,263	(2,263)	-	2,263	(2,263)	-
PH Emergency Preparedness	227 305 54165	230	41,818	31,920	31,921	(31,921)	-	32,296	(32,296)	-
BioT Preparedness	227 305 54168	231	5,225	3,900	1,500	(1,500)	-	3,900	(3,900)	-
Opioids	227 305 54169	232	5,800	-	-	-	-	-	-	-
License Fees DATCP	227 306 54171	233	-	90,000	95,000	(95,000)	-	95,000	(95,000)	-
Peer Counseling/Breastfeeding	227 307 54158	234	8,500	8,500	8,000	(8,000)	-	8,000	(8,000)	-
Home Care/Personal Care (NL)	227 308 54130	235	183,887	-	-	-	-	-	-	-
Prenatal Care Coordination (NL)	227 309 54131	236	4,399	800	17,700	(12,700)	5,000	15,000	(10,000)	5,000
Maternal Child Health	227 310 54160	237	40,875	40,930	41,140	(16,892)	24,248	40,930	(16,682)	24,248
Family Planning (NL)	227 311 54133	238	338,043	214,400	385,500	(385,500)	-	365,866	(365,866)	-
Birth to Three Outreach	227 312 54134	239	79	350	15,000	(15,000)	-	15,600	(15,600)	-
Birth to Three Admin & Support	227 312 54135	240	48,730	39,185	26,545	(26,545)	-	32,394	(32,394)	-
Birth to Three Intervention/Teacher	227 312 54136	241	65,657	55,420	73,000	(73,000)	-	76,856	(69,739)	7,117
Birth to Three Program Service Coordination	227 312 54137	242	51,309	117,948	120,536	(4,371)	116,165	109,048	-	109,048

2021 BUDGET OF EXPENDITURES FOR OPERATION AND MAINTENANCE OF PIERCE COUNTY

Account Name	Account No.	Page	2019 Actual	Estimate 2020	2020 Budget			2021 Gross Recom'd	2021 Carryover/ Grant/Adj.	2021 Net Co. Budget Recom'd
					Gross Amounts	Prgm Rev/ Carryovers	Net Budgeted			
WIC USDA Breastfeeding Promo/Sup	227 313 54138	243	7,270	3,080	9,644	(9,644)	-	5,843	(5,843)	-
WIC USDA Nutrition Education	227 313 54139	244	19,198	14,014	20,217	(20,217)	-	30,542	(30,542)	-
WIC USDA Client Services	227 313 54140	245	102,269	80,910	97,817	(97,817)	-	105,708	(105,708)	-
WIC Program Administration	227 313 54141	246	26,852	20,091	34,863	(34,863)	-	51,437	(51,437)	-
WIC Farmer's Market	227 313 54152	247	1,537	1,768	1,537	(1,537)	-	1,768	(1,768)	-
WIC Infrastructure	227 313 54153	248	4,090	5,668	5,000	(5,000)	-	10,000	(10,000)	-
WIC Creative Marketing Outreach	227 313 54154	249	2,988	2,982	2,995	(2,995)	-	2,982	(2,982)	-
Dental Health	227 314 54172	250	450	-	-	-	-	-	-	-
DNR-Environmental Hlth	227 315 54151	251	18,718	18,300	18,300	(18,300)	-	18,300	(18,300)	-
Immunizations	227 317 54128	252	9,467	9,414	9,467	(9,467)	-	9,414	(9,414)	-
Lead	227 318 54166	253	6,182	500	5,620	(5,620)	-	5,620	(5,620)	-
Fluoride	227 319 54146	254	868	-	868	(868)	-	-	-	-
COVID19 Response Cooperative	227 321 54147	255	-	43,601	-	-	-	-	-	-
Prevention Health	227 322 54148	256	6,956	7,631	6,956	(6,956)	-	6,131	(6,131)	-
COVID19 Epidemiology & Lab	227 324 54144	257	-	5,600	-	-	-	11,700	(11,700)	-
Fit Families - SNAP Ed	227 325 54161	258	5,544	8,194	8,194	(8,194)	-	8,194	(8,194)	-
Communicable Disease	227 326 54149	259	6,090	4,300	4,300	(4,300)	-	4,300	(4,300)	-
Birth to 3 Social Emotional Project	227 327 54132	260	-	2,000	-	-	-	53,486	(53,486)	-
COVID19 Local Testing Coord	227 328 54145	261	-	80,200	-	-	-	-	-	-
COVID19 Pandemic Preparedness	227 329 54129	262	-	30,000	-	-	-	-	-	-
COVID19 Contact Tracing & Disease	227 330 54155	263	-	354,057	-	-	-	-	-	-
Highway - Levy	101 001 53310 01	264-302	3,359,000	13,096,562	11,420,258	(8,061,258)	3,359,000	8,521,598	(5,162,598)	3,359,000
Highway - State Transportation Aids	101 001 53310 02		1,334,518		1,100,000	(1,100,000)	-	1,300,000	(1,300,000)	-
Highway - State CHIP Aids/Other	101 001 53310 03		123,928		231,900	(231,900)	-	90,000	(90,000)	-
Contingency Fund	102 001 59211	303	25,437	100,000	31,394		31,394	-		-
Jail/Sheriff Building Fund	431 001	304	22,889	-	-		-	-		-
Highway Improvement	441 001	305	4,605,465	2,320,650	-		-	-		-
County Sales Tax Transferred to Gen Fd	204 001 59110									
Solid Waste Fees Transferred to Gen Fd	205 001 59110	306	654,263	698,762	876,621	(876,621)		713,928	(713,928)	-
Budgeted Decreases in Fund Balances:										
Contingency Fund	102									-
Debt Service Levy	301									-
Budgeted Increases in Fund Balances:										
Data Processing Equipment Fund (NL)					1,150	(1,150)	-			-
Land Records Modernization (NL)					10,738	(10,738)		22,935	(22,935)	
Medication Fee (NL)					160	(160)				
CDBG Revolving Loan Fund					25,000	(25,000)				

2021 BUDGET OF EXPENDITURES FOR OPERATION AND MAINTENANCE OF PIERCE COUNTY

Account Name	Account No.	Page	2019 Actual	Estimate 2020	2020 Budget			2021 Gross Recom'd	2021 Carryover/ Grant/Adj.	2021 Net Co. Budget Recom'd
					Gross Amounts	Prgm Rev/ Carryovers	Net Budgeted			
WI CDBG Housing Program										
<b>SUB-TOTAL</b>			38,036,276	44,658,220	42,484,091	(17,884,572)	24,599,519	39,252,849	(14,915,411)	24,337,438
County Library	101 024 55110	307	475,249	476,707	476,707		476,707	459,646		459,646
Debt Service Levy	301 001	308	3,453,974	3,240,988	3,240,988		3,240,988	3,223,138		3,223,138
Debt Service Levy-Bond Premium	301 001									-
County Aid Bridges	101 001 53310 04	291	200,000	200,000	200,000		200,000	200,000		200,000
<b>TOTAL GOVERNMENTAL FUNDS</b>			42,165,499	48,575,915	46,401,785	(17,884,572)	28,517,214	43,135,633	(14,915,411)	28,220,222

2021 BUDGET OF EXPENDITURES FOR OPERATION AND MAINTENANCE OF PIERCE COUNTY

Account Name	Account No.	Page	2019 Actual	Estimate 2020	2020 Budget			2021 Gross Recom'd	2021 Carryover/ Grant/Adj.	2021 Net Co. Budget Recom'd
					Gross Amounts	Prgm Rev/ Carryovers	Net Budgeted			
<b>GOVERNMENTAL FUNDS - SUMMARY</b>										
General Fund - Operations	101		16,979,860	17,214,359	17,784,110	(108,370)	17,675,740	17,407,587	(54,653)	17,352,934
General Fund - Highway Operations	101a		4,817,446	13,096,562	12,752,158	(9,393,158)	3,359,000	9,911,598	(6,552,598)	3,359,000
General Fund - Highway Co Bridge Aids	101b		200,000	200,000	200,000	-	200,000	200,000	-	200,000
General Fund - Library	101c		475,249	476,707	476,707	-	476,707	459,646	-	459,646
General Fund - Contingency	102		25,437	100,000	31,394	-	31,394	-	-	-
<b>General Fund - Totals</b>			<b>22,497,992</b>	<b>31,087,628</b>	<b>31,244,369</b>	<b>(9,501,528)</b>	<b>21,742,841</b>	<b>27,978,831</b>	<b>(6,607,251)</b>	<b>21,371,580</b>
County Sales Tax Fund	204		-	-	-	-	-	-	-	-
Solid Waste Development Fund	205		654,263	698,762	876,621	(876,621)	-	713,928	(713,928)	-
CDBG Housing Grant #2	206		-	-	-	-	-	-	-	-
CDBG Revolving Loan Fund	207		18,994	9,421	34,000	(34,000)	-	9,421	-	9,421
WI CDBG Housing Fund	208		16,832	30,000	30,000	(30,000)	-	30,000	(30,000)	-
Human Services	212		8,219,488	8,654,868	8,233,810	(5,641,622)	2,592,188	8,439,838	(5,702,270)	2,737,568
Public Health	227		1,735,907	1,721,121	1,687,723	(966,980)	720,743	1,783,518	(1,062,775)	720,743
Office on Aging	231		657,993	541,552	676,667	(456,213)	220,454	616,260	(458,488)	157,772
Snowmobile Trails	242		128,364	130,475	228,248	(228,248)	-	204,570	(204,570)	-
Jail Maintenance Fund	251		24,797	20,000	20,000	(20,000)	-	20,000	(20,000)	-
Mediation Fund	252		-	-	7,760	(7,760)	-	7,800	(7,800)	-
Fines & Forfeiture Fund	253		48,724	50,000	50,000	(50,000)	-	50,000	(50,000)	-
Data Processing Equipment Fund	262		40,654	40,450	41,600	(41,600)	-	41,679	(41,679)	-
Debt Service Fund	301		3,453,974	3,240,988	3,240,988	-	3,240,988	3,223,138	-	3,223,138
Road Improvement Project	401		-	-	-	-	-	-	-	-
Recovery Zone Econ Development Bond	421		-	-	-	-	-	-	-	-
Jail/Sheriff Building Fund	431		22,889	-	-	-	-	-	-	-
Highway Improvements	441		4,605,465	2,320,650	-	-	-	-	-	-
Dog License Trust Fund	805		13,720	15,000	15,000	(15,000)	-	16,650	(16,650)	-
WI Fund-Zoning Aids Fund	806		25,443	15,000	15,000	(15,000)	-	-	-	-
<b>TOTAL GOVERNMENTAL FUNDS</b>			<b>42,165,499</b>	<b>48,575,915</b>	<b>46,401,786</b>	<b>(17,884,572)</b>	<b>28,517,214</b>	<b>43,135,633</b>	<b>(14,915,411)</b>	<b>28,220,222</b>
<i>variance with above</i>										
<b>HIGHWAY FUND BUDGET</b>	<b>701</b>		<b>13,463,810</b>	<b>13,096,562</b>	<b>12,952,158</b>	<b>(9,393,158)</b>	<b>3,559,000</b>	<b>10,111,598</b>	<b>(6,552,598)</b>	<b>3,559,000</b>

**BUDGET OF GENERAL REVENUES AND OTHER SOURCES FOR 2021**  
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					Gross Amounts	Prgm Rev/ Carryovers	Net Budgeted	Gross Recom'd	Prgm Rev/ Carryovers	Net Budgeted
Forest Crop Tax	101 001 41150	309	27,931	30,703	21,000		21,000	30,000		30,000
Retained Sales Tax	101 001 41220	309	114	129	129		129	129		129
County Sales Tax	101 001 49xxx	309	2,378,810	2,500,000	2,650,000		2,650,000	2,650,000		2,650,000
Ag Land Penalties	101 001 41820	309	5,409	3,168	1,500		1,500	2,500		2,500
Interest on Taxes	101 001 41900	309	251,252	260,000	260,000		260,000	260,000		260,000
Shared Taxes	101 001 43410	309	1,014,071	1,015,398	1,010,269		1,010,269	1,011,499		1,011,499
Personal Property Aid	101 001 43411	309	78,774	66,533	66,533		66,533	54,292		54,292
Unclaimed Property	101 001 43504	309	49	-	-		-	-		-
Computer Exempt Aid	101 001 43592	309	11,268	11,300	11,300		11,300	11,300		11,300
Trash Hauler License	101 001 44101	309	1,770	1,870	1,870		1,870	1,870		1,870
Administration Fees	101 001 46100	309	153	175	175		175	175		175
County Directories	101 001 46101	309	43	50	50		50	50		50
County-Vending Machine Revenue	101 001 46102	309	-	-	-		-	-		-
Refund National JPA-Staples	101 001 46112	309	-	-	100		100	-		-
Timber Sales Revenue	101 001 46810	309	58	20	20		20	20		20
CDL Revenue	101 001 47332	309	12	-	100		100	-		-
Drug Testing Revenue	101 001 47423	309	256	675	425		425	675		675
Interest & Dividends	101 001 48110	309	-	1,869	4,000		4,000	2,000		2,000
Interest-Insurance Deductible	101 001 48115	309	1,248	1,100	1,800		1,800	1,100		1,100
Rebate-Purchasing Card	101 001 48150	309	4,376	4,300	2,600		2,600	4,300		4,300
Rent from County Offices	101 001 48210	309	77,934	77,934	77,934		77,934	77,934		77,934
Rent of County Owned Property	101 001 48211	309	649	-	278		278	648		648
Sale of County Property	101 001 48310	309	278	1,722	600		600	600		600
Flex Spending Refund	101 001 48410	309	-	1,000	1,000		1,000	1,000		1,000
Unclaimed Trust Fund	101 001 48603	309	2,666	-	-		-	-		-
State Aid-GAL Fees	101 002 43510	311	15,755	15,466	15,000		15,000	15,929		15,929
State Court Grant	101 002 43518	311	57,577	59,166	52,274		52,274	60,940		60,940
Ordinances & Forfeitures	101 002 45110	311	52,189	35,000	74,000		74,000	75,000		75,000
State Fines for County	101 002 45120	311	30,166	20,000	33,000		33,000	33,000		33,000
Circuit Court Fees	101 002 46140	311	75,775	35,000	78,000		78,000	70,000		70,000
Resitution GAL Fees	101 002 46141	311	115,366	95,000	95,000		95,000	105,000		105,000
Interest - Clerk of Courts	101 002 48112	311	1,076	236	1,000		1,000	500		500
Register of Probate State G.A.L.	101 003 43510	313	17,928	9,000	9,000		9,000	15,000		15,000
Register in Probate-Restitution GAL	101 003 46141	313	18,616	20,000	20,000		20,000	25,000		25,000
Register in Probate Fees	101 003 46150	313	11,136	10,000	10,000		10,000	15,000		15,000
Register In Probate Intergovernmental	101 003 47440	313	-	12,000	-		-	15,000		15,000
Medical Examiner Fees	101 005 46108	314	26,448	23,000	22,500		22,500	23,500		23,500
Conservation Fees	101 006 44201	315	182	250	250		250	250		250
Clerk Fees	101 006 46110	315	8,853	8,500	8,500		8,500	8,500		8,500

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					Gross Amounts	Prgm Rev/ Carryovers	Net Budgeted	Gross Recom'd	Prgm Rev/ Carryovers	Net Budgeted
Passport Fees	101 006 46115	315	18,880	12,000	16,000		16,000	17,000		17,000
Statewide Voter Registration	101 006 47331	315	1,681	5,000	5,000		5,000	2,000		2,000
Payment in Lieu of Taxes-Districts	101 008 43690	316	23,798	23,500	23,500		23,500	23,500		23,500
Treasurer Fees	101 008 46120	316	16,134	15,200	16,000		16,000	15,000		15,000
Title Search Fees	101 008 46122	316	-	-	1,000		1,000	500		500
Interest on Gen. Fund Investments	101 008 48110	316	1,155,305	445,600	500,000		500,000	280,000		280,000
Interest on Checking	101 008 48112	316	26,773	11,100	25,000		25,000	25,000		25,000
State Aid - Victim/Witness	101 009 43514	317	33,443	36,764	36,764		36,764	37,499		37,499
District Attorney Fees	101 009 46165	317	11,499	13,250	13,250		13,250	13,500		13,500
Corporation Counsel Fees	101 010 46170	318	-	5,200	1,400		1,400	720		720
Real Estate Transfer Tax	101 011 41230	319	120,986	110,000	90,000		90,000	90,000		90,000
Register of Deeds Fees	101 011 46130	319	201,711	210,000	175,000		175,000	175,000		175,000
Land Records Modernization Fee (NL)	101 011 46131	319	56,024	61,000	51,000	(51,000)	-	51,000	(51,000)	-
SSN Redaction Revenue	101 011 46134	319	37,371	-	-	-	-	-	-	-
Monumentation Fees	101 012 46180	320	7,000	6,000	6,000		6,000	6,000		6,000
State Aid - Land Information Grant	101 013 43591	321	94,832	86,000	86,000		86,000	89,000		89,000
County Fines/Violations	101 013 45102	321	-	250	250		250	250		250
GIS Revenue	101 013 46190	321	1,719	1,500	1,500		1,500	1,500		1,500
Zoning Fees	101 014 44401	322	70,428	70,000	70,000		70,000	70,000		70,000
Sanitation Fees	101 014 44402	322	40,660	25,000	25,000		25,000	30,000		30,000
Land Record Fees-Zoning	101 014 46132	322	4,673	3,500	3,500		3,500	3,500		3,500
Winter Storage	101 015 46747	323	40,920	40,000	40,000		40,000	41,000		41,000
Fairgrounds Rental	101 015 46749	323	23,398	14,500	15,000		15,000	15,000		15,000
State Aid-Training & Standards	101 016 43507	324	7,680	7,200	7,200		7,200	7,500		7,500
State Aid - Sheriff Miscellaneous	101 016 43520	324	10,967	-	-		-	-		-
State Aid - Law Enforcement	101 016 43521	324	1,320	1,300	1,300		1,300	1,300		1,300
State Aid - Water Patrol	101 016 43524	324	68,766	51,000	51,000		51,000	60,000		60,000
State Aid - Snowmobile Patrol	101 016 43525	324	21,456	33,000	33,000		33,000	33,000		33,000
State Aid - TraCs Mobilization Grant	101 016 43526	324	890	890	-		-	890		890
State Aid - ATV Safety	101 016 43529	324	25,593	20,000	20,000		20,000	20,000		20,000
Sheriff Fees Accident Photo Fees	101 016 46210	324	1,034	1,400	1,400		1,400	1,400		1,400
Sheriff Fees - Paper Services	101 016 46211	324	24,150	20,000	25,000		25,000	20,000		20,000
Fingerprint Fees	101 016 46240	324	663	500	100		100	300		300
Board of Prisoners	101 016 46241	324	161,350	20,000	120,000		120,000	50,000		50,000
Home Monitor Revenue	101 016 46242	324	1,680	9,000	9,000		9,000	9,000		9,000
Canteen Fund Revenue (NL)	101 016 46243	324	14,195	10,000	10,000		10,000	10,000		10,000
Car Tow Reimbursement	101 016 46244	324	2,456	3,000	3,000		3,000	3,000		3,000
License Fees	101 016 46245	324	4,937	5,000	8,000		8,000	5,000		5,000
Reimbursement for Services	101 016 46246	324	14,863	10,000	15,000		15,000	10,000		10,000

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Asset Forfeiture	101 016 46774	324	2,526	8,000	1,000		1,000	1,000		1,000
Reimbursement Federal Gov	101 016 47101	324	600	1,000	1,000		1,000	1,000		1,000
State Restitution	101 016 47224	324	241	500	500		500	500		500
St. Croix Co. Task Force Grant	101 016 47320	324	6,907	6,000	6,000		6,000	6,000		6,000
D.A.R.E. Program	101 016 47422	324	15,120	10,000	12,000		12,000	12,000		12,000
Radio Tower Lease Revenue	101 016 48240	324	20,100	20,000	20,000		20,000	20,000		20,000
Sale of Squad Cars	101 016 48311	324	21,900	-	32,000		32,000	25,000		25,000
D.A.R.E. Sale of County Property	101 016 48515	324	250	-	-		-	-		-
Sheriff-Insurance Recovery	101 016 48400	324	19,292	19,291	20,000		20,000	-		-
Donations D.A.R.E.	101 016 48505	324	1,600	-	500		500	500		500
Donations ERU	101 016 48535	324	10,000	-	-		-	-		-
Law Enforcement Recoveries	101 016 48900	324	-	5,927	5,927		5,927	-		-
State Aid - L.E.P.C.	101 017 43527	325	10,929	12,045	12,045		12,045	13,012		13,012
State Aid - Emergency Mgmt	101 017 43528	325	42,236	38,040	38,040		38,040	37,595		37,595
State Aid - Hazard Mitigation	101 017 43542	325	16,779	-	-		-	-		-
Emergency Management Fees	101 017 46220	325	371	400	400		400	400		400
XCEL Energy - Reimbursement	101 017 48010	325	86,493	90,000	90,000		90,000	90,000		90,000
State Aid - C.V.S.O.	101 023 43562	326	10,000	15,693	16,500		16,500	16,500		16,500
C.V.S.O. Transportation	101 023 46601	326	6,334	2,000	4,500		4,500	4,500		4,500
Donations-Veteran Relief Fund	101 023 48506	326	13,601	1,400	-		-	-		-
Vet Relief-Golf Sponsorship	101 023 48534	326	4,669	2,900	2,900		2,900	2,900		2,900
State Aid for County Fair	101 025 43571	327	7,713	8,336	7,700		7,700	-		-
Motocross Revenue/Sponsors	101 025 46740	327	13,159	-	13,500		13,500	13,500		13,500
Fair Admission & Use Fees	101 025 46741	327	98,494	-	101,000		101,000	103,460		103,460
Grandstand	101 025 46742	327	13,863	-	12,825		12,825	14,000		14,000
Sponsors/Trophies	101 025 46743	327	11,763	-	3,000		3,000	5,395		5,395
Space/Priv/Rides	101 025 46744	327	68,071	-	65,800		65,800	69,000		69,000
Contest Entry Fees	101 025 46745	327	3,708	-	4,800		4,800	5,500		5,500
Exhibitor Fees	101 025 46746	328	6,340	-	7,000		7,000	8,000		8,000
Fair Administrative Income	101 025 46748	328	6,412	64	6,500		6,500	6,500		6,500
Social Garden Revenue	101 025 46751	328	12,997	-	20,000		20,000	20,000		20,000
Fair-Insurance Reimbursement	101 025 48400	328	840	-	600		600	-		-
Park Revenues	101 026 46720	329	144,055	145,000	171,550		171,550	162,805		162,805
Park Canteen	101 026 46723	329	3,620	2,600	5,500		5,500	5,500		5,500
Park-Sale of County Equipment	101 026 48310	329	-	-	1,000		1,000	-		-
Reimbursement-Snowmobile Admin	101 026 48950	329	7,967	7,000	7,000		7,000	7,000		7,000
State Aid-Penalty Mail Allotment	101 027 43596	330	1,842	921	1,842		1,842	1,842		1,842
UW Extension Revenues	101 027 46773	330	1,465	1,500	1,500		1,500	1,300		1,300
State Aid - Land Conservation	101 028 43580	331	134,932	141,006	141,006		141,006	139,885		139,885

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State Aid-LWRMP Practices	101 028 43583	331	72,357	100,328	80,600		80,600	78,750		78,750
State Aid-Producer Lead Watershed	101 028 43584	331	7,500	10,000	10,000		10,000	10,000		10,000
State Aid - Deer Damage (NL)	101 028 43585	331	20,813	22,672	22,672		22,672	22,672		22,672
Tree Sales	101 028 46812	331	16,783	14,000	14,000		14,000	14,000		14,000
Land Conservation Fees	101 028 46828	331	7,868	3,000	15,750		15,750	10,500		10,500
Multi Discharger Variance (MDV) (NL)	101 028 46829	331	19,712	40,059	9,750	(9,750)	-	30,000		30,000
Subdivision Review Fees	101 028 46830	331	6,300	15,060	-		-	-		-
USDA NRCS Agreement	101 028 47120	331	61,700	75,200	20,000		20,000	20,000		20,000
State Aid - Fish & Game (NL)	101 029 43586	332	-	3,556	1,559		1,559	1,559		1,559
Shooting Range Revenue	101 029 46827	332	2,777	2,500	2,500		2,500	2,500		2,500
State Aid - Recycling	101 030 43543	333	201,433	201,273	201,400		201,400	201,300		201,300
State Aid - Clean Sweep	101 030 43544	333	27,010	10,650	24,000		24,000	24,000		24,000
Clean Sweep Revenues	101 030 46430	333	91,694	106,500	87,500		87,500	120,000		120,000
Sale of Recycled Materials	101 030 46431	333	191,279	170,000	240,000		240,000	175,000		175,000
Solid Waste Revenue	101 030 46432	333	27,134	18,500	27,500		27,500	27,000		27,000
Carton Council Grant	101 030 47338	333	-	1,000	-		-	-		-
Sale of Recycling Machinery	101 030 48313	334	-	1,640	-		-	-		-
Insurance Recovery	101 030 48400	334	-	313	-		-	-		-
Stock Divident/Revenue	101 030 48532	334	-	53	-		-	-		-
State Transporation Aids	101 001 43531	-	1,334,518	1,300,000	1,100,000	(1,100,000)	-	1,300,000	(1,300,000)	-
CHIP Hwy Grants/Other	101 001 43538	-	123,928	137,700	231,900	(231,900)	-	90,000	(90,000)	-
Transfer to Gen Fd-Solid Waste Fd	101 001 49xxx	335	654,263	698,762	876,621		876,621	713,928		713,928
Transfer to Gen FdCounty Sales Tax Re	204 001 41211	-	-	-	-		-	-		-
Solid Waste User Fees	205 001 46400	335	400,096	400,000	399,000	(399,000)	-	401,000	(401,000)	-
Revolving Loan Interest	207 001 48110	336	29,276	4,689	14,000	(14,000)	-	40		40
Revolving Loan Repayment	207 001 48928	336	53,685	26,352	20,000	(20,000)	-	26,352		26,352
CDBG Interest	208 001 48110	337	122	-	-		-	-		-
Community Development-Housing Ref.	208 001 48513	337	48,875	30,000	30,000	(30,000)	-	30,000	(30,000)	-
Human Services Rev-Intergovernment	212 051 43	338-	4,853,859	8,304,386	5,641,622	(5,641,622)	-	5,702,270	(5,702,270)	-
Human Services Refunds	212 051 46	363	439,318				-			-
License Fees - DATCP	227 300 44103	364	97,471	-	-		-	-		-
Licensing fees - DSPS	227 300 44104	364	849	1,186	1,200	(1,200)	-	1,200	(1,200)	-
Immunization Revenue	227 300 46523	364	301	300	700	(700)	-	300	(300)	-
Public Health Revenue	227 300 46524	364	1,396	400	1,100	(1,100)	-	400	(400)	-
Mantoux	227 300 46537	364	859	250	800	(800)	-	-		-
Flu Shot Revenue	227 300 46538	364	18,307	19,000	19,000	(19,000)	-	19,000	(19,000)	-
Private Foundation Grants	227 300 47337	364	10,405	-	5,000	(5,000)	-	5,000	(5,000)	-
Donations	227 300 48607	364	2,395	2,075	2,040	(2,040)	-	2,040	(2,040)	-
St. Aid-Cities Readiness	227 301 43559	365	14,559	17,670	16,670	(16,670)	-	17,670	(17,670)	-

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St. Aid-Quarantine & Isolation	227 302 43540	366	-	12,000	-		-	12,000	(12,000)	-
St. Aid-Wisconsin WINS	227 304 43569	367	1,862	2,263	2,263	(2,263)	-	2,263	(2,263)	-
St. Aid-Opioids	227 305 43508	368	5,800	-	-		-	-		-
St. Aid-BioT Focus A Planning	227 305 43533	368	41,818	31,920	31,921	(31,921)	-	32,296	(32,296)	-
St. Aid-BioT Preparedness	227 305 43551	368	5,225	3,900	1,500	(1,500)	-	3,900	(3,900)	-
License Fees DATCP	227 306 44103	369	-	90,000	95,000	(95,000)	-	95,000	(95,000)	-
St. Aid-Peer Counseling/Breastfeeding	227 307 43535	370	8,500	8,500	8,000	(8,000)	-	8,000	(8,000)	-
Home Care-Medicare	227 308 46511	371	12,862	-	-		-	-		-
Home Care-Medical Assistance	227 308 46515	371	17,852	-	-		-	-		-
Home Care-VA	227 308 46516	371	46,205	-	-		-	-		-
Home Care-Insurance	227 308 46518	371	2,566	-	-		-	-		-
Home Care-Self Pay	227 308 46525	371	810	-	-		-	-		-
Home Care Inclusa	227 308 46535	371	57,314	-	-		-	-		-
Prenatal Care Coord-Med. Assistance	227 309 46512	372	4,156	500	3,000	(3,000)	-	2,000	(2,000)	-
Prenatal Care Coord.-United Way	227 309 48504	372	708	992	1,700	(1,700)	-	-		-
St. Aid-Maternal Child Health	227 310 43579	373	16,892	16,682	16,892	(16,892)	-	16,682	(16,682)	-
St. Aid Title X Services	227 311 43511	374	61,451	91,000	26,767	(26,767)	-	61,451	(61,451)	-
St. Aid-Family Planning	227 311 43552	374	63,038	44,070	63,038	(63,038)	-	63,038	(63,038)	-
Family Planning UWRF Student Health	227 311 46509	374	73,820	30,000	63,243	(63,243)	-	50,000	(50,000)	-
Family Planning-Gen. Income	227 311 46513	374	178,615	100,000	205,000	(205,000)	-	166,225	(166,225)	-
Family Planning Self Pay	227 311 46514	374	3,867	2,000	4,300	(4,300)	-	4,300	(4,300)	-
Family Planning UW-RF Rent	227 311 48214	374	6,319	8,852	8,852	(8,852)	-	8,852	(8,852)	-
Family Planning Private Foundation Gr	227 311 48511	374	10,000	10,000	10,000	(10,000)	-	10,000	(10,000)	-
Family Planning HCET	227 311 48520	374	4,622	2,170	4,300	(4,300)	-	2,000	(2,000)	-
St. Aid-Birth to Three	227 312 43519	375	62,773	73,997	62,773	(62,773)	-	62,773	(62,773)	-
Birth to Three Revenue	227 312 46519	375	53,853	10,000	24,443	(24,443)	-	10,000	(10,000)	-
Parental Cost Program	227 312 46520	375	4,930	800	5,700	(5,700)	-	5,700	(5,700)	-
MA Speech Therapy	227 312 46522	375	11,735	5,000	9,000	(9,000)	-	5,000	(5,000)	-
Speech Therapy Insurance	227 312 46536	375	1,237	-	-		-	-		-
United Way	227 312 48527	375	-	-	-		-	1,000	(1,000)	-
St. Aid WIC Infrastructure	227 313 43505	376	4,090	5,668	5,000	(5,000)	-	10,000	(10,000)	-
St. Aid WIC Creative Mkting Outreach	227 313 43547	376	2,988	2,982	2,995	(2,995)	-	2,982	(2,982)	-
St. Aid-Farmers Market	227 313 43553	376	1,537	1,768	1,537	(1,537)	-	1,768	(1,768)	-
State Aid- WIC	227 313 43558	376	158,146	116,095	162,541	(162,541)	-	191,530	(191,530)	-
St Aid WIC Interpreter	227 313 43563	376	-	2,000	-		-	2,000	(2,000)	-
Medicaid Dental Health	227 314 46527	377	1,000	-	-		-	-		-
St. Aid-DNR Environmental Health	227 315 43546	378	14,571	14,000	14,000	(14,000)	-	14,000	(14,000)	-
DNR Environmental Health	227 315 46529	378	5,390	4,300	4,300	(4,300)	-	4,300	(4,300)	-
St. Aid-Immunizations	227 317 43550	379	9,467	9,414	9,467	(9,467)	-	9,414	(9,414)	-

**BUDGET OF GENERAL REVENUES AND OTHER SOURCES FOR 2021**  
9/29/20 2:09 PM

Account Name	Account No.	Page	2019 Actual	Estimate 2020	2020 Budget			2021 Budget		
					Gross Amounts	Prgm Rev/ Carryovers	Net Budgeted	Gross Recom'd	Prgm Rev/ Carryovers	Net Budgeted
St. Aid-Lead	227 318 43536	380	2,820	500	2,820	(2,820)	-	2,820	(2,820)	-
MA-Childhood Lead Testing	227 318 46510	380	1,728	-	2,800	(2,800)	-	2,800	(2,800)	-
St. Aid-Fluoride	227 319 43509	381	868	-	868	(868)	-	-	-	-
St Aid -COVID19 Response Coop	227 321 43568	382	-	43,601	-	-	-	-	-	-
Prevention Health	227 322 43568	383	6,956	7,631	6,956	(6,956)	-	6,131	(6,131)	-
St Aid -COVID19 Epidemiology & Lab	227 324 43568	384	-	5,600	-	-	-	11,700	(11,700)	-
St Aid-Fit Families	227 325 43557	385	5,544	8,194	8,194	(8,194)	-	8,194	(8,194)	-
St Aid-Communicable Disease	227 326 43594	386	6,090	4,300	4,300	(4,300)	-	4,300	(4,300)	-
St Aid -Birth to 3 Social Emotional Proj	227 327 43561	387	-	2,000	-	-	-	53,486	(53,486)	-
St Aid -COVID19 Local Testing Coord	227 328 43568	388	-	60,200	-	-	-	-	-	-
St Aid -COVID19 Pandemic Prepared	227 329 43568	389	-	30,000	-	-	-	-	-	-
St Aid -COVID19 Contact Tracing &	227 330 43568	390	-	354,057	-	-	-	-	-	-
Office on Aging Grant Funds/Intergov.	231 022 43	391-	234,135	656,695	456,213	(456,213)	-	458,488	(458,488)	-
Office on Aging Program Income	231 022 46	408	117,898	-	-	-	-	-	-	-
Office on Aging Other/Interest	231 022 48	-	71	-	-	-	-	-	-	-
Snowmobile Trails (NL)	242 026 43573	409	94,824	130,475	228,248	(228,248)	-	204,570	(204,570)	-
Jail Maintenance Fund (NL)	251 016 45190	410	26,636	20,000	20,000	(20,000)	-	20,000	(20,000)	-
Family Mediation Fund (NL)	252 006 46111	411	4,520	4,000	4,760	(4,760)	-	4,800	(4,800)	-
Mediation Fund-Courts (NL)	252 002 46143	412	2,855	3,000	3,000	(3,000)	-	3,000	(3,000)	-
OWI Surcharge-Fines/Forfeiture (NL)	253 002 45121	413	32,722	40,000	40,000	(40,000)	-	40,000	(40,000)	-
Data Processing Equipment Fund (NL)	262 007 47411	414	41,600	41,600	41,600	(41,600)	-	41,600	(41,600)	-
Jail/Sheriff Building Fund	431 001	-	-	-	-	-	-	-	-	-
Highway Improvements	441 001	-	-	-	-	-	-	-	-	-
Dog License Collection (NL)	805 006 44202	415	13,720	15,000	15,000	(15,000)	-	16,650	(16,650)	-
WI Zoning Aids (NL)	806 014 43587	416	25,443	15,000	15,000	(15,000)	-	-	-	-
Highway	701	417-427	9,984,054	13,096,563	8,061,258	(8,061,258)	-	5,162,598	(5,162,598)	-
FUNDS APPLIED-Data Processing Equipment Outlay							-	79	(79)	-
FUNDS APPLIED-Redaction							-	3,653	(3,653)	-
FUNDS APPLIED-General Fund Unassigned							-	97,461		97,461
FUNDS APPLIED-Building Outlay							-			-
FUNDS APPLIED-Solid waste Fund				298,762	477,621	(477,621)	-	312,928	(312,928)	-
FUNDS APPLIED-Prenatal Care Coordination		372			8,000	(8,000)	-	8,000	(8,000)	-
FUNDS APPLIED-Family Planning							-			-
FUNDS APPLIED-Public Health		364					-	28,000	(28,000)	-
FUNDS APPLIED-Land Records Modernization					37,370	(37,370)	-			-
FUNDS APPLIED-Birth To Three		375			17,000	(17,000)	-	33,260	(33,260)	-
FUNDS APPLIED-Dental Health							-			-
FUNDS APPLIED-Public Health					22,000	(22,000)	-			-
FUNDS APPLIED-Multi-Discharger Variance					10,250	(10,250)	-			-

BUDGET OF GENERAL REVENUES AND OTHER SOURCES FOR 2021  
9/29/20 2:09 PM

Account Name	Account No.	Page	2019 Actual	Estimate 2020	2020 Budget			2021 Budget		
					Gross Amounts	Prgm Rev/ Carryovers	Net Budgeted	Gross Recom'd	Prgm Rev/ Carryovers	Net Budgeted
FUNDS APPLIED-Recovery Zone							-			-
FUNDS APPLIED-OWI Surcharge		413		10,000	10,000	(10,000)	-	10,000	(10,000)	-
FUNDS APPLIED-Contingency Fund							-			-
<b>TOTAL GOVERNMENTAL FUNDS</b>			27,861,957	33,554,966	26,328,480	(17,884,572)	8,443,908	23,025,137	(14,915,411)	8,109,726

**BUDGET OF GENERAL REVENUES AND OTHER SOURCES FOR 2021**  
9/29/20 2:09 PM

Account Name	Account No.	Page	2019 Actual	Estimate 2020	2020 Budget			2021 Budget		
					Gross Amounts	Prgm Rev/ Carryovers	Net Budgeted	Gross Recom'd	Prgm Rev/ Carryovers	Net Budgeted

**GOVERNMENTAL FUNDS - SUMMARY**

General Fund - Operations	101		7,298,608	5,981,845	6,320,187	(1,402,900)	4,917,287	6,062,945	(1,441,000)	4,621,945
General Fund - Highway Operations	101a		-	-	-	-	-	-	-	-
General Fund - Funds Applied	101b		-	-	-	-	-	-	-	-
General Fund - Transfer from Hwy	101c		9,984,054	13,096,563	8,061,258	(8,061,258)	-	101,193	(3,732)	97,461
General Fund - Trans - Sales Tax Fd	101d		2,378,810	2,500,000	2,650,000	-	2,650,000	5,162,598	(5,162,598)	-
General Fund - Trans - Solid Waste Fd	101e		654,263	698,762	876,621	-	876,621	713,928	-	2,650,000
<b>General Fund - Totals</b>			<b>20,315,735</b>	<b>22,277,170</b>	<b>17,908,066</b>	<b>(9,464,158)</b>	<b>8,443,908</b>	<b>14,690,664</b>	<b>(6,607,330)</b>	<b>713,928</b>
Contingency Fund	102		-	-	-	-	-	-	(6,607,330)	8,083,334
County Sales Tax Fund	204		-	-	-	-	-	-	-	-
Solid Waste Development Fund	205		400,096	698,762	876,621	(876,621)	-	-	-	-
CDBG Housing Grant #2	206		-	-	-	-	-	713,928	(713,928)	-
CDBG Revolving Loan Fund	207		82,991	31,041	34,000	(34,000)	-	-	-	-
WI CDBG Housing Fund	208		48,997	30,000	30,000	(30,000)	-	26,392	-	26,392
Human Services	212		5,293,177	8,304,386	5,641,622	(5,641,622)	-	30,000	(30,000)	-
State Grants (Public Health)	227		1,126,567	1,277,837	1,004,350	(1,004,350)	-	5,702,270	(5,702,270)	-
Office on Aging	231		352,104	656,695	456,213	(456,213)	-	1,062,775	(1,062,775)	-
Snowmobile Trails	242		94,824	130,475	228,248	(228,248)	-	458,488	(458,488)	-
Jail Maintenance Fund	251		26,636	20,000	20,000	(20,000)	-	204,570	(204,570)	-
Mediation Fund	252		7,375	7,000	7,760	(7,760)	-	20,000	(20,000)	-
Fines & Forfeiture Fund	253		32,722	50,000	50,000	(50,000)	-	7,800	(7,800)	-
Data Processing Equipment Fund	262		41,600	41,600	41,600	(41,600)	-	50,000	(50,000)	-
Debt Service Fund	301		-	-	-	-	-	41,600	(41,600)	-
Road Improvement Projects	401		-	-	-	-	-	-	-	-
Recovery Zone	421		-	-	-	-	-	-	-	-
Jail/Sheriff Building Fund	431		-	-	-	-	-	-	-	-
Highway Improvements	441		-	-	-	-	-	-	-	-
Dog License Trust Fund	805		13,720	15,000	15,000	(15,000)	-	-	-	-
WI Fund-Zoning Aids Fund	806		25,443	15,000	15,000	(15,000)	-	16,650	(16,650)	-
<b>TOTAL GOVERNMENTAL FUNDS</b>			<b>27,861,957</b>	<b>33,554,966</b>	<b>26,328,480</b>	<b>(17,884,572)</b>	<b>8,443,908</b>	<b>23,025,137</b>	<b>(14,915,411)</b>	<b>8,109,726</b>
			<i>variance with above</i>							

**HIGHWAY FUND BUDGET**

701	9,984,054	13,096,563	12,952,158	(9,393,158)	3,559,000	10,111,598	(6,552,598)	3,559,000
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**9e.**

**Resolutions for First Reading:**

**Resolution 20-15 Disallowance of  
Claim-Heidi & Matthew Weber**

**\*Adoption Requested on First Reading**

**RESOLUTION NO. 20-15**  
**DISALLOWANCE OF CLAIM – HEIDI AND MATTHEW WEBER**

**WHEREAS**, a Notice of Circumstances Giving Rise to Claim and Claim Pursuant to Wis. Stat. §893.80 was received by the Pierce County Clerk on September 24, 2020, from Attorney Warren Lee Brandt, who represents the claimants, Heidi and Matthew Weber; and

**WHEREAS**, the Claim alleges generally that the Pierce County Department of Human Services, in the process of a Temporary Physical Custody juvenile case, and subsequent CHIPS case in which claimants' child was removed and placed into foster care, impeded and obstructed the rights of the claimants; and

**WHEREAS**, the Claim further alleges generally that the Department of Human Services denied contact with the child, defamed the claimants' character, and caused foreseeable injury and harm to the parent child relationship; and

**WHEREAS**, said Claim is alleged by Heidi and Matthew Weber make in the amount of \$2,000,000; and

**WHEREAS**, the Finance and Personnel Committee took action on October 27, 2020 to recommend denial of this claim and pass the Resolution on to the County Board of Supervisors to deny the claim at the first reading of the Resolution.

**NOW, THEREFORE BE IT RESOLVED**, by the Pierce County Board of Supervisors that any and all claims submitted on behalf of Heidi and Matthew Weber are hereby denied and no action on this claim may be brought against Pierce County or any of its officers, officials, agents or employees after six months from the date of service of this Notice, pursuant to § 893.80.

**BE IT FURTHER RESOLVED**, that a copy of this Resolution be forwarded to claimants Heidi and Matthew Weber, N6912 County Road F, Prescott, WI 54021, by certified mail with return

receipt requested, and a copy to the attorney for claimants, Warren Lee Brandt, Brandt Law Office, S.C., W13105 635<sup>th</sup> Avenue, Prescott, WI 54021.

Dated this 27<sup>th</sup> day of October, 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: \_\_\_\_\_

**Pierce County**  
**Finance and Personnel Committee (Meeting Date: October 27, 2020)**  
**and**  
**County Board of Supervisors (Meeting Date: October 27, 2020)**

**Agenda Item:** Discuss and take action on Disallowance of Claim – Heidi and Matthew Weber

**Requesting Agency:** Office of Corporation Counsel

**Background:** A Notice of Circumstances Giving Rise to Claim and Claim Pursuant to Wis. Stat. §893.80 was received by the Pierce County Clerk on September 24, 2020, from Attorney Warren Lee Brandt, who represents the claimants, Heidi and Matthew Weber. The Claim alleges generally that the Pierce County Department of Human Services, in the process of a Temporary Physical Custody juvenile case, and subsequent CHIPS case in which claimants' child was removed and placed into foster care, impeded and obstructed the rights of the claimants. The Claim further alleges generally that the Department of Human Services denied contact with the child, defamed the claimants' character, and caused foreseeable injury and harm to the parent child relationship. The Claim is in the amount of \$2,000,000.

§893.80 Wis. Stats. is the relevant Statute with regard to claims made against governmental bodies, and acts as a statute of limitations. This statute states, in summary, that no action may be brought against a governmental body unless within 120 days after the event giving rise to the claim, written notice of circumstances of the claim is served on the governmental body, *and the claim is disallowed*. Thereafter notice of the Disallowance of Claim shall be served on the claimant. No action may be brought after 6 months from the date of service of the notice of disallowance of claim. In addition to the statute of limitations, which sets the time frame for which claims can be made against governmental agencies, the purposes of the statute is to apprise the governmental unit of the claim and general circumstances surrounding it, thereby allowing an opportunity to investigate the claim and possibly prevent similar incidents in the future. Finally, it gives the governmental unit the opportunity to compromise and settle the claim and to preserve bona fide claims.

In the instant case, this matter was tendered to the County's insurance company, Wisconsin County Mutual Insurance Company, who recommends that the matter be disallowed. The insurance company will in turn assigned counsel to represent the County's interests.

**Staff Recommendation:** Corporation Counsel recommends that the Committee/Board disallow the claim of Heidi and Matthew Weber.

**Recommended Motion:**

Motion by \_\_\_\_\_ seconded by \_\_\_\_\_ to approve the resolution to disallow the claim of Heidi and Matthew Weber and forward to the County Board with a recommendation for approval of the resolution on a first reading.

NOTICE OF CIRCUMSTANCES GIVING RISE TO CLAIM  
AND CLAIM PURSUANT TO WIS. STAT. § 893.80

BY PERSONAL SERVICE

TO: Jamie Feuerhelm, Clerk  
Pierce County, Wisconsin  
Courthouse Room 101, 414 W. Main street  
Ellsworth, WI 54011

CLAIMANT: Heidi Ann Weber and  
Matthew John Weber  
N6912 County Road F  
Prescott, WI 54021

Pierce County Department of Human Services  
Employees: Michelle Harris, Stephanie Olsem, Joylynn George,  
Jennelle Wolfe, Ron Schmidt

PLEASE TAKE NOTICE that Heidi Ann Weber and Matthew John Weber, by their attorney, states that the following circumstances give rise to a claim:

1. On May 14<sup>th</sup> 2020 a Temporary Physical Custody Request was filed in the Pierce County, circuit court commencing proceedings 2020JC000023 continuing abuse of power, negligence and intentional knowing false statements made and subscribed to by the agency, required as a prerequisite to taking official action, and under color of law, which impeded and obstructed the *guaranteed constitutional fundamental rights of parents and their liberty right to be free from unreasonable government interference.*
2. The basis of Department child intake was not immediate, known for ten days prior to the April 30<sup>th</sup>, 2020 involuntary removal of child from home and an ultimatum coercing voluntary parental cooperation for promised immediate investigation and assessment, which did not occur. The forced and coerced child removal from home by the department ended with immediate child endangerment, complaints for review of intake and obstruction of parents to retrieve daughter.
3. On May 11<sup>th</sup>, 2020 Matt Weber called City of Fridley MN Police Department for assistance in retrieving his daughter. Michelle Harris misrepresented she was a social worker and further lied that the parents were not cooperating with investigation and that it was not safe for child at home. She advised police that child was not to be returned to parent and officer reported Michelle made it sound like her protection plan was a child protection hold. Officer Brian J. Desjardins 178 reported he spoke to Julie at Pierce County Social services who advised that the Weber's child was not to be returned to parents for the safety concerns.

RECEIVED

SEP 24 2020

TIME: 1:15 p.m.  
PIERCE COUNTY CLERK

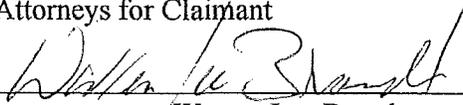
4. The Department wrongly forced capitulation of all parental authority demanding drug testing based upon unsubstantiated, uncorroborated, and unevaluated veracity of suspicion of illicit parental drug use unrelated to child abuse or neglect for which there were no existent facts.

5. The Department violated State and Federal guide lines failing to review intake decision, and parental complaint for reconsideration, violated declared mission statement to reunite families, provide services of reunification, communicate child well-being, failed to facilitate face-to-face family interaction including telephone calls and letters which must have occurred within 5 business days of placement and for which the agency was responsible for assuring that the family interaction occurs. The agency unilaterally denied contact with parent's child and defamed parents character, and caused foreseeable injury and harm to parent child relationship.

WHEREFORE, claimant, whose name and address are stated above, claims relief against governmental subdivision Pierce County Department of Human Services and Michelle Harris, Joylynn George, Jennelle Wolfe and Ron Schmidt whom claim is alleged for the sum of \$2,000,000, two million dollars.

Dated: September 23<sup>rd</sup>, 2020

BRANDT LAW OFFICE S. C.  
Attorneys for Claimant

  
Warren Lee Brandt

State Bar No. 1005597

W13105 635<sup>th</sup> Avenue Prescott WI 54021  
715/220-7483

# **10a.**

## **Resolutions for Second Reading:**

**Resolution No. 20-10 Library**

**Funding for 2021 & 2022**

**RESOLUTION NO. 20-10**  
**LIBRARY FUNDING FOR 2021 and 2022**

**WHEREAS**, Pierce County no longer provides direct library services to county residents as the Pierce County Library was discontinued effective December 31, 2009 and the Books-by-Mail program was discontinued effective December 31, 2011, and therefore all library services are provided through the public libraries within the county; and

**WHEREAS**, Pierce County approved an updated library plan in Resolution 14-10 pursuant to Wis. Stat. §43.11, which provides for library services to residents of those municipalities in the county not maintaining a public library; and

**WHEREAS**, Pierce County is obligated to pay each public library in the county an amount to reimburse the public library for services provided to county residents in accordance with 1997 Wisconsin Act 150, as well as payments to out of county libraries in accordance with 2005 Wisconsin Act 420, all pursuant to Wis. Stats §43.12(1); and

**WHEREAS**, in Resolution 14-10 the County library plan committed to providing funding at the level required by law (70%), and at the request of the Pierce County Library Directors the plan included language which indicated that the County should consider funding at a higher level; and

**WHEREAS**, any requests for funding beyond the minimum shall be made annually, and a request was made by the Pierce County Library Directors to maintain the increase in the County Act 150 contribution from the statutory minimum of 70% (which was 75% in 2017, and 80% in 2018, 2019, and 2020) at 80% for 2021 and 2022; and

**WHEREAS**, the Finance & Personnel Committee, at its meeting on August 3, 2020, took action to recommend that the County Board approve the Act 150 library contribution at 80% for 2021 and 2022.

**NOW, THEREFORE BE IT RESOLVED**, by the Pierce County Board of Supervisors that the County contribution for library services in accordance with §43.12(1) and 1997 Wisconsin Act 150 shall be in the amount of 80% for the 2021 and 2022 budget years, and shall revert to the statutory minimum of 70% thereafter unless action is taken by the County to the contrary, and that 2005 Wisconsin Act 420 funding shall remain at 70%.

Dated this 25<sup>TH</sup> day of August, 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: \_\_\_\_\_



# **11a.**

## **Ordinances for First Reading:**

**Ordinance No. 20-03 Amend  
Chapter 4, § 4-45 of the Pierce  
County Code**

**ORDINANCE NO. 20-03**  
**Amend Chapter 4, § 4-45 of the Pierce County Code**

PIERCE COUNTY BOARD OF SUPERVISORS DOES HEREBY ORDAIN AS FOLLOWS:

**SECTION 1: That Chapter 4, § 4-45 of the Pierce County Code is hereby revised as follows:**

§ 4-45. Rules of Practice.

The rules of parliamentary practice comprised in Robert's Rules of Order, Newly Revised, 11<sup>th</sup> ~~12<sup>th</sup>~~ Edition, ~~2011~~ 2020, shall govern the proceedings of the Board in all cases to which they are applicable and where they are consistent with the state laws and these rules.

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

Dated this 27<sup>th</sup> day of October, 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: \_\_\_\_\_

**Pierce County Finance and Personnel Committee**  
**Meeting Date: October 5, 2020**

**Agenda Item:** Discuss / Take Action on Ordinance No. 20-XX to Amend Ch. 4, §4-45 of the Pierce County Code – Rules of parliamentary practice

**Requesting Agency:** Corporation Counsel

**Background:** The County Board Rules portion of the Pierce County Code, Ch. 4, have adopted Robert's Rules of Order as the rules of parliamentary practice to govern the proceedings of the Board in all cases to which they are applicable and where they are consistent with state laws and the County Board rules. The Board rules identify the specific version of Robert's Rules of Order that are applicable. Every so often, an updated version of Robert's Rules of Order comes out making it necessary to update the Code. Robert's was last updated in 2011, and were just recently updated in 2020. The Code should be updated to reflect the 12<sup>th</sup> Edition, updated in 2020.

**Staff Recommendation:** Approve the Ordinance to keep the County Board rules in line with the most recent edition of Robert's Rules of Order.

**Recommended Motion:** Motion by \_\_\_\_, seconded by \_\_\_\_, to approve Ordinance No. 20-XX to Amend Ch. 4, §4-45 of the Pierce County Code – Rules of parliamentary practice, updating the County Board Rules to reflect the 12<sup>th</sup> Edition, updated in 2020.

# **11b.**

## **Ordinances for First Reading:**

**Ordinance No. 20-04 To Repeal  
& Replace Ch. 238, Floodplain  
Zoning, of the Pierce County  
Code**

**Meeting and Date**

Special Finance and Personnel Meeting - October 27, 2020

**Agenda Item**

Ordinance No. 20-XX: Ordinance to Repeal and Recreate Pierce County Code Chapter 238 Floodplain Zoning

**Requesting Agency**

Land Management Department and Committee

**Background**

Earlier this year, the Federal Emergency Management Agency (FEMA) updated the Flood Insurance Rate Maps (FIRMs) and the Flood Insurance Study (FIS) for Pierce County. FEMA and the Wisconsin Department of Natural Resources (WI DNR) have mandated that Pierce County adopt the new maps, as well as a new “model ordinance,” regulating floodplain areas within Pierce County prior to December 30<sup>th</sup> of this year. Failure to adopt the new ordinance by this date would result in Pierce County’s suspension from the National Flood Insurance Program.

The DNR’s model ordinance contains new language relating to the maintenance of nonconforming structures that is intended to ensure conformity with FEMA mandated minimum standards. This language requires that maintenance projects cannot, on a per project basis, exceed 50% of the equalized assessed value of a structure. Staff had concerns with the tracking of maintenance expenditures, as this type of activity does not require a Land Use Permit in Pierce County, and suggested alternative language that, ultimately, was not approved by the DNR or FEMA.

The ordinance proposed for adoption is consistent with the model ordinance and has been reviewed and approved by both the DNR and FEMA.

The Land Management Committee held a public hearing on October 7, 2020 to consider adoption of the proposed ordinance. Following the hearing, the LMC approved the ordinance and recommended approval by the Finance and Personnel Committee and adoption by the Pierce County Board of Supervisors.

**Staff Recommendation**

Staff recommends that the Finance and Personnel Committee approve the proposed ordinance and recommend adoption by the County Board of Supervisors.

**Recommended Motion**

Motion by \_\_\_\_\_ seconded by \_\_\_\_\_ to approve Ordinance 20-XX and to recommend adoption by the Pierce County Board of Supervisors.

**Requestors Email**

[apichott@co.pierce.wi.us](mailto:apichott@co.pierce.wi.us)

**ORDINANCE NO. 20-04**

**Repeal and Replace Chapter 238, Floodplain Zoning, of the Pierce County Code**

PIERCE COUNTY BOARD OF SUPERVISORS DOES HEREBY ORDAIN AS FOLLOWS:

**SECTION 1: That the Pierce County Code is hereby amended by deleting and repealing Chapter 238, Floodplain Zoning.**

**SECTION 2: That the Pierce County Code is hereby amended by adding thereto a new chapter, to replace Chapter 238 hereinabove repealed, to be Chapter 238, Floodplain Zoning, to read as follows:**

Chapter 238. Floodplain Zoning

Article I. General Provisions

§ 238-1. Statutory authorization.

This chapter is adopted pursuant to the authorization in §§ 59.69, 59.692 and 59.694; and the requirements in § 87.30, Wis. Stats.

§ 238-2. Finding of fact.

Uncontrolled development and use of the floodplains and rivers of Pierce County will impair the public health, safety, convenience, general welfare and tax base.

§ 238-3. Statement of purpose

This chapter is intended to regulate floodplain development to:

- A. Protect life, health and property;
- B. Minimize expenditures of public funds for flood control projects;
- C. Minimize rescue and relief efforts undertaken at the expense of the taxpayers;
- D. Minimize business interruptions and other economic disruptions;
- E. Minimize damage to public facilities in the floodplain;
- F. Minimize the occurrence of future flood blight areas in the floodplain;
- G. Discourage the victimization of unwary land and home buyers;
- H. Prevent increases in flood heights that could increase flood damage and result in conflicts between property owners; and
- I. Discourage development in a floodplain if there is any practicable alternative to locate the activity, use or structure outside of the floodplain.

§ 238-4. Title.

This chapter shall be known as the "Floodplain Zoning Ordinance for Pierce County, Wisconsin."

§ 238-5. Areas to be regulated.

This ordinance regulates all areas that would be covered by the regional flood or base flood as shown on the Flood Insurance Rate Map (FIRM) or other maps approved by DNR. Base

flood elevations are derived from the flood profiles in the Flood Insurance Study (FIS) and are shown as AE, A1-30, and AH Zones on the FIRM. Other regulatory zones are displayed as A and AO zones. Regional Flood Elevations (RFE) may be derived from other studies. If more than one map or revision is referenced, the most restrictive information shall apply.

§ 238-6. Official maps and revisions.

The boundaries of all floodplain districts are designated as A, AE, AH, AO or A1-30 on the maps based on the Flood Insurance Study (FIS) listed below. Any change to the base flood elevations (BFE) or any changes to the boundaries of the floodplain or floodway in the FIS or on the Flood Insurance Rate Map (FIRM) must be reviewed and approved by the DNR and FEMA through the Letter of Map Change process (see article VIII Amendments and Enforcement) before it is effective. No changes to RFE's on non-FEMA maps shall be effective until approved by the DNR. These maps and revisions are on file in the office of the Pierce County Land Management Department. If more than one map or revision is referenced, the most restrictive information shall apply.

A. OFFICIAL MAPS: Based on the FIS: Flood Insurance Rate Map (FIRM), panel numbers:

550953C0085E, 55093C0095E, 55093C0107E, 55093C0109E, 55093C0125E, 55093C0126E, 55093C0127E, 55093C0130E, 55093C0131E, 55093C0132E, 55093C0150E, 55093C0155E, 55093C0160E, 55093C0165E, 55093C0170E, 55093C0180E, 55093C0190E, 55093C0195E, 55093C0210E, 55093C0215E, 55093C0216E, 55093C0217E, 55093C0218E, 55093C0219E, 55093C0231E, 55093C0232E, 55093C0251E, 55093C0252E, 55093C0253E, 55093C0254E, 55093C0260E, 55093C0262E, 55093C0266E, 55093C0267E, 55093C0269E, 55093C0288E, 55093C0300E, 55093C0301E, 55093C0302E, 55093C0305E, 55093C0325E, 55093C0350E, 55093C0364E, 55093C0368E, 55093C0375E, 55093C0376E, 55093C0377E, 55093C0381E, 55093C0382E, 55093C0383E, 55093C0384E, 55093C0403E, 55093C0404E, 55093C0405E, 55093C0408E, 55093C0409E, 55093C0410E, 55093C0412E, 55093C0416E, 55093C0417E, 55093C0428E, 55093C0429E, 55093C0430E, 55093C0435E, 55093C0436E, 55093C0437E, 55093C0441E, 55093C0445E, 55093C0452E, 55093C0456E, 55093C0475E, dated 11/16/2011; and panels 55093C0205F and 55093C0185F dated 12/30/2020 with corresponding profiles that are based on the Flood Insurance study 55093CV000B, dated, 12/30/2020.

Approved by: The DNR and FEMA

B. OFFICIAL MAPS: Based on other studies. Any maps referenced in this section must be approved by the DNR and be more restrictive than those based on the FIS at the site of the proposed development.

- (1) St. Croix Regional Flood Analysis, St. Croix Falls to Mouth, dated March 1973, by the Minnesota Department of Natural Resources and Wisconsin Department of Natural Resources in cooperation with the United States Army Corp of Engineers.

- (2) Plum Creek #2 Dam Failure Analysis approved by the Department of Natural Resources on May 22, 1996, including:
  - (a) Map dated March 1996 and titled “Hydraulic Shadow Map,” Cross Sections 10 - 24
  - (b) Floodway data table dated March 1996 and titled “Table 4: Hydraulic Shadow Floodway Data” Maximum Stage Elevation Column, Cross Sections 10 - 24
  - (c) Flood profiles dated March 1996 and titled “Plum Creek Structure 2: Dam Break Flood Profiles,” Cross Sections 10 – 24
- (3) Plum Creek #3 Dam Failure Analysis approved by the Department of Natural Resources on May 20, 1996, including:
  - (a) Map dated March 1996 and titled “Hydraulic Shadow Map”
  - (b) Floodway data table dated March 1996 and titled “Table 4: Hydraulic Shadow Floodway Data” Maximum Stage Elevation Column
  - (c) Flood profiles dated March 1996 and titled “Plum Creek Structure 3: Dam Break Flood Profiles”
- (4) Plum Creek #19 Dam Failure Analysis approved by the Department of Natural Resources on May 22, 1996, including:
  - (a) Map dated March 1996 and titled “Hydraulic Shadow Map”
  - (b) Floodway data table dated March 1996 and titled “Table 4: Hydraulic Shadow Floodway Data” Maximum Stage Elevation Column,
  - (c) Flood profiles dated March 1996 and titled “Plum Creek Structure 19: Dam Break Flood Profiles”
- (5) Bay City Dam Structure No. 1 Dam Failure Analysis approved by the Department of Natural Resources on June 10, 1996, including:
  - (a) Map dated March 1996 and titled “Hydraulic Shadow Map”
  - (b) Floodway data table dated March 1996 and titled “Table 4: Hydraulic Shadow Floodway Data” Maximum Stage Elevation Column
  - (c) Flood profiles dated March 1996 and titled “Bay City Structure #1: Hydraulic Shadow Map,”
- (6) Letter of Map Revision 14-05-2976P-555571, 10/23/2014.

§ 238-7. Establishment of districts.

The regional floodplain areas are divided into three districts as follows:

- A. The Floodway District (FW) is the channel of a river or stream and those portions of the floodplain adjoining the channel required to carry the regional floodwaters and are contained in AE Zones as shown on the FIRM.
- B. The Floodfringe District (FF) is that portion of the floodplain between the regional flood limits and the floodway and displayed as AE zones on the FIRM.
- C. The General Floodplain District (GFP) is those areas that have been or may be covered by floodwater during the regional flood and does not have a BFE or floodway boundary determined, including A, AH and AO zones on the FIRM.

§ 238-8. Locating floodplain boundaries.

Discrepancies between boundaries on the Official Floodplain Zoning Map and actual field conditions shall be resolved using the criteria in Subsection A or B below. If a significant difference exists, the map shall be amended according to Article VIII, Amendments and Enforcement. The Zoning Administrator can rely on a boundary derived from a profile elevation to grant or deny a land use permit, whether or not a map amendment is required. The Zoning Administrator shall be responsible for documenting actual predevelopment field conditions and the basis upon which the district boundary was determined and for initiating any map amendments required under this section. Disputes between the Zoning Administrator and an applicant over the district boundary line shall be settled according to § 238-41 and the criteria in Subsections A and B below. Where the flood profiles are based on established base flood elevations from a FIRM, FEMA must approve any map amendment or revision pursuant to Article VIII, Amendments and Enforcement.

- A. If flood profiles exist, the map scale and the profile elevations shall determine the district boundary. The regional or base flood elevations shall govern if there are any discrepancies.
- B. Where flood profiles do not exist, the location of the boundary shall be determined by the map scale.

§ 238-9. Removal of lands from floodplain.

Compliance with the provisions of this chapter shall not be grounds for removing land from the floodplain unless it is filled at least two feet above the regional or base flood elevation, the fill is contiguous to land outside the floodplain, and the map is amended pursuant to Article VIII.

§ 238-10. Compliance.

Any development or use within the areas regulated by this chapter shall be in compliance with the terms of this chapter and other applicable local, state, and federal regulations.

§ 238-11. Municipalities and state agencies regulated.

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

§ 238-12. Abrogation and greater restrictions.

- A. This chapter supersedes all the provisions of any zoning ordinance enacted under §§ 59.69, 59.692 or 59.694; or § 87.30, Wis, Stats., which relate to floodplains. A more restrictive ordinance shall continue in full force and effect to the extent of the greater restrictions, but not otherwise.
- B. This chapter is not intended to repeal, abrogate or impair any existing deed restrictions, covenants or easements. If this chapter imposes greater restrictions, the provisions of this chapter shall prevail.

§ 238-13. Interpretation.

In their interpretation and application, the provisions of this chapter are the minimum requirements liberally construed in favor of the governing body and are not a limitation on or repeal of any other powers granted by the Wisconsin Statutes. If a provision of this chapter, required by Chapter NR 116 of Wisconsin Administrative Code is unclear, the provision shall be interpreted in light of the standards in effect on the date of the adoption of this chapter or in effect on the date of the most recent text amendment to this chapter.

§ 238-14. Warning and disclaimer of liability.

The flood protection standards in this chapter are based on engineering experience and research. Larger floods may occur or the flood height may be increased by man-made or natural causes. This chapter does not imply or guarantee that non-floodplain areas or permitted floodplain uses will be free from flooding and flood damages. This chapter does not create liability on the part of, or a cause of action against, the municipality or any officer or employee thereof for any flood damage that may result from reliance on this chapter.

§ 238-15. Severability

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

§ 238-16. Annexed areas for cities and villages.

The Pierce County floodplain zoning provisions in effect on the date of annexation shall remain in effect and shall be enforced by the municipality for all annexed areas until the municipality adopts and enforces an ordinance which meets the requirements of Chapter NR 116 of the Wisconsin Administrative Code and 44 CFR 59-72, National Flood Insurance Program (NFIP). These annexed lands are described on the municipality's Official Zoning Map. County floodplain zoning provisions are incorporated by reference for the purpose of administering this section and are on file in the office of the municipal Zoning Administrator. All plats or maps of annexation shall show the regional flood elevation and the location of the floodway.

Article II. General Standards Applicable to All Floodplain Districts

§ 238-17. General development standards.

- A. The County shall review all permit applications to determine whether proposed building sites will be reasonably safe from flooding. If a proposed building site is in a

flood-prone area, all new construction and substantial improvements shall be designed and anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads; be constructed with flood-resistant materials; be constructed to minimize flood damages and to ensure that utility and mechanical equipment is designed and/or located so as to prevent water from entering or accumulating within the equipment during conditions of flooding.

- B. Subdivisions shall be reviewed for compliance with the above standards. All subdivision proposals (including manufactured home parks) shall include regional flood elevation and floodway data for any development that meets the subdivision definition of this chapter and all other requirements in §238-37. Adequate drainage shall be provided to reduce exposure to flood hazards and all public utilities and facilities, such as sewer, gas, electrical, and water systems are located and constructed to minimize or eliminate flood damages.

§ 238-18. Hydraulic and hydrologic analyses.

- A. No floodplain development shall:

- (1) Obstruct flow, defined as development which blocks the conveyance of floodwaters by itself or with other development, causing any increase in the regional flood height; or

- (2) Cause any increase in the regional flood height due to floodplain storage area lost.

- B. The Zoning Administrator shall deny permits if it is determined the proposed development will obstruct flow or cause any increase in the regional flood height, based on the officially adopted FIRM or other adopted map, unless the provisions of Article VIII are met.

§ 238-19. Watercourse alterations.

- A. No land use permit to alter or relocate a watercourse in a mapped floodplain shall be issued until the local official has notified in writing all adjacent municipalities, the Department and FEMA regional offices, and required the applicant to secure all necessary state and federal permits. The standards of §238-18 must be met and the flood-carrying capacity of any altered or relocated watercourse shall be maintained.

- B. As soon as is practicable, but not later than six months after the date of the watercourse alteration or relocation and pursuant to Article VIII, the community shall apply for a Letter of Map Revision (LOMR) from FEMA. Any such alterations must be reviewed and approved by FEMA and the DNR through the LOMC process.

§ 238-20. Chapter 30,31 WIS. Stats., Development.

Development which requires a permit from the Department under Chapters 30 and 31, Wis. Stats., such as docks, piers, wharves, bridges, culverts, dams and navigational aids, may be allowed if the necessary permits are obtained and amendments to the Floodplain Zoning Ordinance are made according to Article VIII.

§ 238-21. Public or private campgrounds.

Public or private campgrounds shall have a low flood damage potential and shall meet the following provisions:

- A. The campground is approved by the Department of Health Services;
- B. A land use permit for the campground is issued by the Zoning Administrator;
- C. The character of the river system and the campground elevation are such that a 72-hour warning of an impending flood can be given to all campground occupants;
- D. There is an adequate flood warning procedure for the campground that offers the minimum notice required under this section to all persons in the campground. This procedure shall include a written agreement between the campground owner, the municipal emergency government coordinator and the chief law enforcement official which specifies the flood elevation at which evacuation shall occur, personnel responsible for monitoring flood elevations, types of warning systems to be used and the procedures for notifying at-risk parties, and the methods and personnel responsible for conducting the evacuation;
- E. This agreement shall be for no more than one calendar year, at which time the agreement shall be reviewed and updated - by the officials identified in Subsection D - to remain in compliance with all applicable regulations, including those of the State Department of Health Services and all other applicable regulations;
- F. Only camping units that are fully licensed, if required, and ready for highway use are allowed;
- G. The camping units shall not occupy any site in the campground for more than 180 consecutive days, at which time the camping unit must be removed from the floodplain for a minimum of 24 hours;
- H. All camping units that remain on site for more than 30 days shall be issued a limited authorization by the campground operator, a written copy of which is kept on file at the campground. Such authorization shall allow placement of a camping unit for a period not to exceed 180 days and shall ensure compliance with all the provisions of this section;
- I. The municipality shall monitor the limited authorizations issued by the campground operator to assure compliance with the terms of this section;
- J. All camping units that remain in place for more than 180 consecutive days, at which time the camping unit must be removed from the floodplain for a minimum of 24 hours; and must meet the applicable requirements in either Article III, Article IV or Article V for the floodplain district in which the structure is located;
- K. The campground shall have signs clearly posted at all entrances warning of the flood hazard and the procedures for evacuation when a flood warning is issued; and

- L. All service facilities, including but not limited to refuse collection, electrical service, gas lines, propane tanks, sewage systems and wells shall be properly anchored and placed at or floodproofed to the flood protection elevation.

### Article III. Floodway District (FW)

#### § 238-22. Applicability.

This section applies to all floodway areas on the floodplain zoning maps and those identified pursuant to § 238-32.

#### § 238-23. Permitted uses.

The following open space uses are allowed in the Floodway District and the floodway areas of the general floodplain district, if they are not prohibited by any other ordinance; they meet the standards in §§ 238-24 and 238-25; and all permits or certificates have been issued according to § 238-38:

- A. Agricultural uses, such as: farming, outdoor plant nurseries, horticulture, viticulture and wild crop harvesting.
- B. Nonstructural industrial and commercial uses, such as loading areas, parking areas and airport landing strips.
- C. Nonstructural recreational uses, such as golf courses, tennis courts, archery ranges, picnic grounds, boat ramps, swimming areas, parks, wildlife and nature preserves, game farms, fish hatcheries, shooting, trap and skeet activities, hunting and fishing areas and hiking and horseback riding trails, subject to the fill limitations of § 238-24D.
- D. Uses or structures accessory to open space uses, or classified as historic structures that comply with §§ 238-24 and 238-25.
- E. Extraction of sand, gravel or other materials that comply with § 238-24D.
- F. Functionally water-dependent uses, such as docks, piers or wharves, dams, flowage areas, culverts, navigational aids and river crossings of transmission lines, and pipelines that comply with Chapters 30, 31, Wis. Stats.
- G. Public utilities, streets and bridges that comply with § 238-24C.

#### § 238-24. Standards for developments in floodway areas.

##### A. General.

- (1) Any development in floodway area shall comply with Article II and have a low flood damage potential.
- (2) Applicants shall provide the following data to determine the effects of the proposal according to § 238-18 and 238-38(C):

- (a) A cross-section elevation view of the proposal, perpendicular to the watercourse, showing if the proposed development will obstruct flow; or
    - (b) An analysis calculating the effects of this proposal on regional flood height.
  - (3) The Zoning Administrator shall deny the permit application if the project will cause any increase in the flood elevations upstream or downstream, based on the data submitted for Subsection A(2) above.
- B. Structures. Structures accessory to permanent open space uses, including utility and sanitary facilities, or functionally dependent on a waterfront location may be allowed by permit if the structures comply with the following criteria:
- (1) Not designed for human habitation, does not have a high flood damage potential and is constructed to minimize flood damage;
  - (2) Shall either have the lowest floor elevated to or above the flood protection elevation and shall meet all the following standards:
    - (a) Be dry floodproofed so that the structure is watertight with walls substantially impermeable to the passage of water and completely dry to the flood protection elevation without human intervention during flooding;
    - (b) Have structural components capable of meeting all provisions of § 238-24B.(7) and;
    - (c) Be certified by a registered professional engineer or architect, through the use of a Federal Emergency Management Agency Floodproofing Certificate, that the design and methods of construction are in accordance with § 238-24B.(7)
  - (3) Must be anchored to resist flotation, collapse and lateral movement;
  - (4) Mechanical and utility equipment must be elevated or floodproofed to or above the flood protection elevation; and
  - (5) Must not obstruct the flow of floodwater or cause any increase in flood levels during the occurrence of the regional flood.
  - (6) For a structure designed to allow the automatic entry of floodwaters below the Regional Flood Elevation, the applicant shall submit a plan that meets or exceeds the following standards:
    - (a) The lowest floor must be elevated to or above the flood protection elevation;
    - (b) A minimum of two openings have a total net area of not less than one square inch for every square foot of enclosed area subject to flooding;
    - (c) The bottom of all openings shall be no higher than one foot above the lowest adjacent grade; openings may be equipped with screens, louvers, valves, or

other coverings or devices provided that they permit the automatic entry and exit of floodwaters, otherwise must remain open.

- (7) Certification: Whenever floodproofing measures are required, a registered professional engineer or architect shall certify that the following floodproofing measures will be utilized, where appropriate, and are adequate to withstand the food depths, pressures, velocities, impact and uplift forces and other factors associated with the regional flood:
- (a) Reinforcement of floors and walls to resist rupture, collapse, or lateral movement caused by water pressures or debris buildup;
  - (b) Construction of wells, water supply systems and waste treatment systems so as to prevent the entrance of flood waters in such systems and must be in accordance with provisions in §§ 238-24D.(d) and 238-24D.(e);
  - (c) Subsurface drainage systems to relieve external pressures on foundation walls and basement floors;
  - (d) Cutoff valves on sewer lines or the elimination of gravity flow basement drains; and
  - (e) Placement of utilities above the flood protection elevation.

C. Public utilities, streets and bridges may be allowed by permit, if:

- (1) Adequate floodproofing measures are provided to the flood protection elevation; and
- (2) Construction meets the development standards of § 238-18.

D. Fills or deposition of materials may be allowed by permit, if:

- (1) The requirements of § 238-18 are met;
- (2) No material is deposited in the navigable channel unless a permit is issued by the Department pursuant to Chapter 30, Wis. Stats., and a permit pursuant to § 404 of the Federal Water Pollution Control Act, Amendments of 1972, 33 U.S.C. 1344 has been issued, if applicable, and the other requirements of this section are met;
- (3) The fill or other materials will be protected against erosion by riprap, vegetative cover, sheet piling or bulkheading; and
- (4) The fill is not classified as a solid or hazardous waste material.

§ 238-25. Prohibited uses.

All uses not listed as permitted uses in § 238-23 are prohibited, including the following uses:

- A. Habitable structures, structures with high flood damage potential, or those not associated with permanent open-space uses;
- B. Storing materials that are buoyant, flammable, explosive, injurious to property, water quality, or human, animal, plant, fish or other aquatic life;
- C. Uses not in harmony with or detrimental to uses permitted in the adjoining districts;
- D. Any private or public sewage systems, except portable latrines that are removed prior to flooding and systems associated with recreational areas and Department-approved campgrounds that meet the applicable provisions of local ordinances and Chapter SPS 383 of the Wisconsin Administrative Code.
- E. Any public or private wells which are used to obtain potable water, except those for recreational areas that meet the requirements of local ordinances and Chapters NR 811 and NR 812, of the Wisconsin Administrative Code;
- F. Any solid or hazardous waste disposal sites;
- G. Any wastewater treatment ponds or facilities, except those permitted under Section NR 110.15(3)(b), Wisconsin Administrative Code; and
- H. Any sanitary sewer or water supply lines, except those to service existing or proposed development located outside the floodway which complies with the regulations for the floodplain area occupied.

#### Article IV. Floodfringe District (FF)

##### § 238-26. Applicability.

This section applies to all floodfringe areas shown on the floodplain zoning maps and those identified pursuant to § 238-32.

##### § 238-27. Permitted uses.

Any structure, land use, or development is allowed in the Floodfringe District if the standards in § 238-28 are met, the use is not prohibited by this or any other ordinance or regulation and all permits or certificates specified in §§ 238-38 through 238-40 have been issued.

##### § 238-28. Standards for development in floodfringe areas.

- A. § 238-18 shall apply in addition to the following requirements according to the use requested. Any existing structure in the floodfringe must meet the requirements of Article VI Nonconforming Uses;
  - (1) Residential uses. Any structure, including a manufactured home, which is to be newly constructed or moved into the floodfringe area, shall meet or exceed the following standards. Any existing structure in the floodfringe must meet the requirements of Article VI Nonconforming Uses;

- (a) The elevation of the lowest floor shall be at or above the flood protection elevation on fill unless the requirements of § 238-28(B)(2) can be met. The fill shall be one foot or more above the regional flood elevation extending at least 15 feet beyond the limits of the structure;
- (b) The basement or crawlway floor may be placed at the regional flood elevation if it is dry floodproofed to the flood protection elevation. No basement or crawlway floor is allowed below the regional flood elevation;
- (c) Contiguous dryland access shall be provided from a structure to land outside of the floodplain, except as provided in Subsection A(1)(d).
- (d) In developments where existing street or sewer line elevations make compliance with Subsection A(1)(c) impractical, the municipality may permit new development and substantial improvements where access roads are at or below the regional flood elevation, if:
  - 1. The municipality has written assurance from police, fire and emergency services that rescue and relief will be provided to the structure(s) by wheeled vehicles during a regional flood event; or
  - 2. The municipality has a DNR-approved emergency evacuation plan.
- (2) Accessory structures or uses. Accessory structures shall be constructed on fill with the lowest floor at or above the regional flood elevation.
- (3) Commercial uses. Any commercial structure which is erected, altered or moved into the floodfringe area shall meet the requirements of § 238-28A. Subject to the requirements of Subsection F, storage yards, surface parking lots and other such uses may be placed at lower elevations if an adequate warning system exists to protect life and property.
- (4) Manufacturing and industrial uses. Any manufacturing or industrial structure which is erected, altered or moved into the floodfringe area shall have the lowest floor elevated to or above the flood protection elevation or meet the floodproofing standards in § 238-47. Subject to the requirements of Subsection F, storage yards, surface parking lots and other such uses may be placed at lower elevations if an adequate warning system exists to protect life and property.
- (5) Storage of materials. Materials that are buoyant, flammable, explosive, or injurious to property, water quality or human, animal, plant, fish or aquatic life shall be stored at or above the flood protection elevation or floodproofed in compliance with § 238-47. Adequate measures shall be taken to ensure that such materials will not enter the water body during flooding.
- (6) Public utilities, streets and bridges. All utilities, streets and bridges shall be designed to be compatible with comprehensive floodplain development plans; and
  - (a) When failure of public utilities, streets and bridges would endanger public health or safety, or where such facilities are deemed essential, construction or

repair of and substantial improvements to such facilities may only be permitted if they are floodproofed in compliance with § 238-47;

- (b) Minor roads or nonessential utilities may be constructed at lower elevations if they are designed to withstand flood forces to the regional flood elevation.
- (7) Sewage systems. All sewage disposal systems shall be designed to minimize or eliminate infiltration of flood water into the system, pursuant to § 238-47C, to the flood protection elevation and meet the provisions of all local ordinances and Chapter SPS 383 of the Wisconsin Administrative Code.
- (8) Wells. All wells shall be designed to minimize or eliminate infiltration of flood water into the system, pursuant to § 238-47C, to the flood protection elevation and shall meet the provisions of Chapters NR 811 and NR 812 of the Wisconsin Administrative Code.
- (9) Solid waste disposal sites. Disposal of solid or hazardous waste is prohibited in flood-fringe areas.
- (10) Deposition of materials. Any deposited material must meet all the provisions of this chapter.
- (11) Manufactured homes.
  - (a) Owners or operators of all manufactured home parks and subdivisions shall provide adequate surface drainage to minimize flood damage and prepare, secure approval and file an evacuation plan, indicating vehicular access and escape routes, with local emergency management authorities.
  - (b) In existing manufactured home parks, all new homes, replacement homes on existing pads, and substantially improved homes shall:
    - 1. Have the lowest floor elevated to the flood protection elevation; and
    - 2. Be anchored so they do not float, collapse or move laterally during a flood.
  - (c) Outside of existing manufactured home parks, including new manufactured home parks and all single units outside of existing parks, all new, replacement and substantially improved manufactured homes shall meet the residential development standards for the flood-fringe in § 238-28A.
- (12) Mobile recreational vehicles. All mobile recreational vehicles that are on site for 180 consecutive days or more or are not fully licensed and ready for highway use shall meet the elevation and anchoring requirements in § 238-28L(2) and (3). A mobile recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick-disconnect utilities and security devices and has no permanently attached additions.

#### Article V. General Floodplain District (GFP)

§ 238-29. Applicability.

The provisions for this district shall apply to all floodplains mapped as A, AO or AH zones.

§ 238-30. Permitted uses.

- A. Pursuant to § 238-32, it shall be determined whether the proposed use is located within a floodway or floodfringe area.
- B. Those uses permitted in Floodway (§ 238-23) and Floodfringe (§ 238-27) Districts are allowed within the General Floodplain District, according to the standards of § 238-31, provided that all permits or certificates required under §§ 238-38 through 238-40 have been issued.

§ 238-31. Standards for development in the General Floodplain District.

Article III applies to floodway areas; Article IV applies to floodfringe areas. The rest of this chapter applies to either district.

§ 238-32. Determining floodway and flood-fringe limits.

Upon receiving an application for development within the General Floodplain District, the Zoning Administrator shall:

- A. Require the applicant to submit two copies of an aerial photograph or a plan which shows the proposed development with respect to the General Floodplain District limits, stream channel, and existing floodplain developments, along with a legal description of the property, fill limits and elevations, building floor elevations and floodproofing measures; and the flood zone as shown on the FIRM.
- B. Require the applicant to furnish any of the following information deemed necessary by the Department to evaluate the effects of the proposal upon flood height and flood flows, regional flood elevation and to determine floodway boundaries:
  - (1) A hydrologic and hydraulic study as specified in § 238-38C.
  - (2) Plan (surface view) showing elevations or contours of the ground; pertinent structure, fill or storage elevations; size, location and layout of all proposed and existing structures on the site; location and elevations of streets, water supply, and sanitary facilities; soil types and other pertinent information;
  - (3) Specifications for building construction and materials, floodproofing, filling, dredging, channel improvement, storage, water supply and sanitary facilities.

Article VI. Nonconforming Uses

§ 238-33. General provisions.

- A. Applicability. If these standards conform with §87.30, Wis. Stats., ch. NR 116.15 Wis. Adm. Code and 44 CFR 59-72, they shall apply to all modifications or additions to any nonconforming use or structure and to the use of any structure or premises which was lawful before the passage of this chapter or any amendment thereto.

- B. The existing lawful use of a structure or its accessory use which is not in conformity with the provisions of this chapter may continue, subject to the following conditions:
- (1) No modifications or additions to a nonconforming use or structure shall be permitted unless they comply with this ordinance. The words "modification" and "addition" include, but are not limited to, any alteration, addition, modification, rebuilding or replacement of any such existing use, structure or accessory structure or use. Maintenance is not considered a modification; this includes painting, decorating, paneling and the replacement of doors, windows and other nonstructural components and the maintenance, repair or replacement of existing private sewage or water supply systems or connections to public utilities. Any costs associated with the repair of a damaged structure are not considered maintenance.
  - (2) The construction of a deck that does not exceed 200 square feet and that is adjacent to the exterior wall of a principal structure is not an extension, modification, or addition. The roof of the structure may extend over a portion of the deck in order to provide safe ingress and egress to the principal structure.
  - (3) If a nonconforming use or the use of a nonconforming structure is discontinued for 12 consecutive months, it is no longer permitted and any future use of the property, and any structure or building thereon, shall conform to the applicable requirements of this chapter;
  - (4) The municipality shall keep a record which lists all nonconforming uses and nonconforming structures, their present equalized assessed value, the cost of all modifications or additions which have been permitted, and the percentage of the structure's total current value those modifications represent;
  - (5) No modification or addition to any nonconforming structure or any structure with a nonconforming use, which over the life of the structure would equal or exceed 50% of its present equalized assessed value, shall be allowed unless the entire structure is permanently changed to a conforming structure with a conforming use in compliance with the applicable requirements of this ordinance. Contiguous dry land access must be provided for residential and commercial uses in compliance with § 238-28A.(1). The costs of elevating the lowest floor of a nonconforming building or a building with a nonconforming use to the flood protection elevation are excluded from the 50% provisions of this subsection;
  - (6) No maintenance to any nonconforming structure or any structure with a nonconforming use, the cost of which would equal or exceed 50% of its present equalized assessed value, shall be allowed unless the entire structure is permanently changed to a conforming structure with a conforming use in compliance with the applicable requirements of this ordinance. Contiguous dry land access must be provided for residential and commercial uses in compliance with § 238-28A.(1).
  - (7) If on a per event basis the total value of the work being done as described above equals or exceeds 50% of the present equalized assessed value the work shall not

be permitted unless the entire structure is permanently changed to a conforming structure with a conforming use in compliance with the applicable requirements of this ordinance. Contiguous dry land access must be provided for residential and commercial uses in compliance with §§ 238-28A.(1).

(8) Except as provided in Subsection B(8) , if any nonconforming structure or any structure with a nonconforming use is destroyed or is substantially damaged, it cannot be replaced, reconstructed or rebuilt unless the use and the structure meet the current ordinance requirements. A structure is considered substantially damaged if the total cost to restore the structure to its pre-damaged condition equals or exceeds 50% of the structure's present equalized assessed value.

(9) For nonconforming buildings that are damaged or destroyed by a nonflood disaster, the repair or reconstruction of any such nonconforming building may be permitted in order to restore it to the size and use in effect prior to the damage event, provided that the minimum federal code requirements below are met and all required permits have been granted prior to the start of construction.

(a) Residential Structures

1. Shall have the lowest floor, including basement, elevated to or above the base flood elevation using fill, pilings, columns, posts or perimeter walls. Perimeter walls must meet the requirements of §238-47(B).
2. Shall be anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy and shall be constructed with methods and materials resistant to flood damage.
3. Shall be constructed with electrical, heating, ventilation, plumbing, air conditioning equipment and other services that are designed and/or elevated so as to prevent water from entering or accumulating within the components during conditions of flooding.
4. In A Zones, obtain, review and utilize any flood data available from a federal, state, or other source.

(b) Nonresidential Structures

1. Shall meet the requirements of §238-33B.(7)(a)1-4.
2. Shall either have the lowest floor, including basement, elevated to or above the regional flood elevation; or, together with attendant utility and sanitary facilities, shall meet the standards in §238-47(A) or (B).

C. A nonconforming historic structure may be altered if the alteration will not preclude the structures continued designation as a historic structure, the alteration will comply with § 238-24A, flood-resistant materials are used, and construction practices and floodproofing methods that comply with § 238-47 are used. Repair or rehabilitation of historic structures shall be exempt from the development standards of §238-32B.(7)(a) if it is determined that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and is the minimum necessary to preserve the historic character and design of the structure.

§ 238-34. Floodway District.

- A. No modification or addition shall be allowed to any nonconforming structure or any structure with a nonconforming use in the Floodway District, unless such modification or addition:
- (1) Has been granted a permit or variance which meets all ordinance requirements;
  - (2) Meets the requirements of § 238-33;
  - (3) Shall not increase the obstruction to flood flows or regional flood height;
  - (4) Any addition to the existing structure shall be floodproofed, pursuant to § 238-47, by means other than the use of fill, to the flood protection elevation; and
  - (5) If any part of the foundation below the flood protection elevation is enclosed, the following standards shall apply:
    - (a) The enclosed area shall be designed by a registered architect or engineer to allow for the efficient entry and exit of floodwaters without human intervention. A minimum of two openings must be provided with a minimum net area of at least one square inch for every one square foot of enclosed area. The lowest part of the opening can be no more than 12 inches above the adjacent grade;
    - (b) The parts of the foundation located below the flood protection elevation must be constructed of flood-resistant materials;
    - (c) Mechanical and utility equipment must be elevated or floodproofed to or above the flood protection elevation; and
    - (d) The use must be limited to parking, building access or limited storage.
- B. No new on-site sewage disposal system or addition to an existing on-site sewage disposal system, except where an addition has been ordered by a government agency to correct a hazard to public health, shall be allowed in the Floodway District. Any replacement, repair or maintenance of an existing onsite sewage disposal system in a floodway area shall meet the applicable requirements of all municipal ordinances, §238-47(C) and Chapter SPS 383 of the Wisconsin Administrative Code.
- C. No new well or modification to an existing well used to obtain potable water shall be allowed in the Floodway District. Any replacement, repair or maintenance of an existing well in the Floodway District shall meet the applicable requirements of all municipal ordinances, §238-47(C) and Chapters NR 811 and NR 812 of the Wisconsin Administrative Code.

§ 238-35. Floodfringe District.

- A. No modification or addition shall be allowed to any nonconforming structure or any structure with a nonconforming use unless such modification or addition has been granted a permit or variance by the municipality, and meets the requirements of § 238-28, except where Subsection B is applicable.
- B. Where compliance with the provisions of Subsection A would result in unnecessary hardship and only where the structure will not be used for human habitation or be associated with a high flood damage potential, the Board of Adjustment, using the procedures established in § 238-43, may grant a variance from those provisions of Subsection A for modifications or additions, using the criteria listed below. Modifications or additions which are protected to elevations lower than the flood protection elevation may be permitted if:

- (1) No floor is allowed below the regional flood elevation for residential or commercial structures;
  - (2) Human lives are not endangered;
  - (3) Public facilities, such as water or sewer, will not be installed;
  - (4) Flood depths will not exceed two feet;
  - (5) Flood velocities will not exceed two feet per second; and
  - (6) The structure will not be used for storage of materials as described in § 238-28(F).
- C. If neither the provisions of Subsection A or B above can be met, one addition to an existing room in a nonconforming building or a building with a nonconforming use may be allowed in a floodfringe area on a one time basis only, if the addition:
- (1) Meets all other regulations and has been granted by permit or variance;
  - (2) Does not exceed 60 square feet in area; and
  - (3) In combination with other previous modifications or additions to the building, does not equal or exceed 50% of the present equalized assessed value of the building.
- D. All new private sewage disposal systems, or addition to, replacement, repair or maintenance of a private sewage disposal system, shall meet all the applicable provisions of all local ordinances, § 238-47C and Chapter SPS 383 of the Wisconsin Administrative Code.
- E. All new wells, or addition to, replacement, repair or maintenance of a well shall meet the applicable provisions of this chapter, § 238-47C. and Chapter NR 811 and NR 812, of the Wisconsin Administrative Code.

## Article VII. Administration; Appeals; Floodproofing

### § 238-36. Administration.

The Zoning Administrator, appointed to administer the Zoning Ordinance adopted under §§ 59.69, 59.692, Wis. Stats., shall also administer this chapter.

### § 238-37. Zoning Administrator.

The Zoning Administrator is authorized to administer this chapter and shall have the following duties and powers:

- A. Advise applicants of the ordinance provisions, assist in preparing permit applications and appeals, and assure that the regional flood elevation for the proposed development is shown on all permit applications.

- B. Issue permits and inspect properties for compliance with provisions of this chapter and issue certificates of compliance where appropriate.
- C. Inspect all damaged floodplain structures to determine if substantial damage to the structure has occurred.
- D. Keep records of all official actions such as:
  - (1) All permits issued, inspections made, and work approved;
  - (2) Documentation of certified lowest floor and regional flood elevations;
  - (3) Floodproofing certificates;
  - (4) Water surface profiles, floodplain zoning maps and ordinances, nonconforming
  - (5) uses and structures including changes, appeals, variances and amendments;
  - (6) All substantial damage assessment reports for floodplain structures;
  - (7) List of nonconforming structures and uses.
- E. Submit copies of the following items to the Department Regional office:
  - (1) Within 10 days of the decision, a copy of any decisions on variances, appeals for map or text interpretations, and map or text amendments;
  - (2) Copies of any case-by-case analyses, and any other required information including an annual summary of the number and types of floodplain zoning actions taken;
  - (3) Copies of substantial damage assessments performed and all related correspondence concerning the assessments.
- F. Investigate, prepare reports, and report violations of this chapter to the municipal zoning agency and attorney for prosecution. Copies of the reports shall also be sent to the Department Regional office.
- G. Submit copies of text and map amendments and biennial reports to the FEMA Regional office.

§ 238-38. Land use permit.

A land use permit shall be obtained before any new development or any repair, modification or addition to an existing structure; or change in the use of a building or structure, including sewer and water facilities, may be initiated. Application to the Zoning Administrator shall include:

- A. General information.

- (1) Name and address of the applicant, property owner and contractor;
  - (2) Legal description, proposed use, and whether it is new construction or a modification.
- B. Site development plan. A site plan drawn to scale shall be submitted with the permit application form and shall contain:
- (1) Location, dimensions, area and elevation of the lot;
  - (2) Location of the ordinary high-water mark of any abutting navigable waterways;
  - (3) Location of any structures with distances measured from the lot lines and street center lines;
  - (4) Location of any existing or proposed onsite sewage systems or private water supply systems;
  - (5) Location and elevation of existing or future access roads;
  - (6) Location of floodplain and floodway limits as determined from the Official Floodplain Zoning Maps;
  - (7) The elevation of the lowest floor of proposed buildings and any fill using the vertical datum from the adopted study - either National Geodetic Vertical Datum (NGVD) or North American Vertical Datum (NAVD);
  - (8) Data sufficient to determine the regional flood elevation in NGVD or NAVD at the location of the development and to determine whether or not the requirements of Article III and Article IV are met; and
  - (9) Data to determine if the proposed development will cause an obstruction to flow or an increase in regional flood height or discharge according to § 238-18. This may include any of the information noted in § 238-24(A).
- C. Hydraulic and hydrologic studies to analyze development. All hydraulic and hydrologic studies shall be completed under the direct supervision of a professional engineer registered in the State. The study contractor shall be responsible for the technical adequacy of the study. All studies shall be reviewed and approved by the Wisconsin Department of Natural Resources.
- (1) Zone A floodplains
    - a. Hydrology. The appropriate method shall be based on the standards in ch. NR 116.07(3), Wis. Admin. Code, *Hydrologic Analysis: Determination of Regional Flood Discharge*.

b. Hydraulic modeling. The regional flood elevation shall be based on the standards in ch. NR 116.07(4), Wis. Admin. Code, *Hydraulic Analysis: Determination of Regional Flood Elevation* and the following:

1. determination of the required limits of the hydraulic model shall be based on detailed study information for downstream structures (dam, bridge, culvert) to determine adequate starting WSEL for the study.
2. channel sections must be surveyed.
3. minimum four foot contour data in the overbanks shall be used for the development of cross section overbank and floodplain mapping.
4. a maximum distance of 500 feet between cross sections is allowed in developed areas with additional intermediate cross sections required at transitions in channel bottom slope including a survey of the channel at each location.
5. the most current version of HEC\_RAS shall be used.
6. a survey of bridge and culvert openings and the top of road is required at each structure.
7. additional cross sections are required at the downstream and upstream limits of the proposed development and any necessary intermediate locations based on the length of the reach if greater than 500 feet.
8. standard accepted engineering practices shall be used when assigning parameters for the base model such as flow, Manning's N values, expansion and contraction coefficients or effective flow limits. The base model shall be calibrated to past flooding data such as high water marks to determine the reasonableness of the model results. If no historical data is available, adequate justification shall be provided for any parameters outside standard accepted engineering practices.
9. the model must extend past the upstream limit of the difference in the existing and proposed flood profiles in order to provide a tie-in to existing studies. The height difference between the proposed flood profile and the existing study profiles shall be no more than 0.00 feet.

c. Mapping. A work map of the reach studied shall be provided, showing all cross section locations, floodway/floodplain limits based on best available

topographic data, geographic limits of the proposed development and whether the proposed development is located in the floodway.

1. If the proposed development is located outside of the floodway, then it is determined to have no impact on the regional flood elevation.
2. If any part of the proposed development is in the floodway, it must be added to the base model to show the difference between existing and proposed conditions. The study must ensure that all coefficients remain the same as in the existing model, unless adequate justification based on standard accepted engineering practices is provided.

(2) Zone AE Floodplains

- a. Hydrology. If the proposed hydrology will change the existing study, the appropriate method to be used shall be based on ch. NR 116.07(3), Wis. Admin. Code, *Hydrologic Analysis: Determination of Regional Flood Discharge*.
- b. Hydraulic modeling. The regional flood elevation shall be based on the standards in ch. NR 116.07(4), Wis. Admin. Code, *Hydraulic Analysis: Determination of Regional Flood Elevation* and the following:
  1. Duplicate Effective Model. The effective model shall be reproduced to ensure correct transference of the model data and to allow integration of the revised data to provide a continuous FIS model upstream and downstream of the revised reach. If data from the effective model is available, models shall be generated that duplicate the FIS profiles and the elevations shown in the Floodway Data Table in the FIS report to within 0.1 foot.
  2. Corrected Effective Model. The Corrected Effective Model shall not include any man-made physical changes since the effective model date, but shall import the model into the most current version of HEC-RAS for Department review.
  3. Existing (Pre-Project Conditions) Model. The Existing Model shall be required to support conclusions about the actual impacts of the project associated with the Revised (Post-Project) Model or to establish more up-to-date models on which to base the Revised (Post-Project) Model.
  4. Revised (Post-Project Conditions) Model. The Revised (Post-Project Conditions) Model shall incorporate the Existing Model and any proposed changes to the topography caused by the proposed development. This model shall reflect proposed conditions.

5. All changes to the Duplicate Effective Model and subsequent models must be supported by certified topographic information, bridge plans, construction plans and survey notes.
  6. Changes to the hydraulic models shall be limited to the stream reach for which the revision is being requested. Cross sections upstream and downstream of the revised reach shall be identical to those in the effective model and result in water surface elevations and topwidths computed by the revised models matching those in the effective models upstream and downstream of the revised reach as required. The Effective Model shall not be truncated.
- c. Mapping. Maps and associated engineering data shall be submitted to the Department for review which meet the following conditions:
1. Consistency between the revised hydraulic models, the revised floodplain and floodway delineations, the revised flood profiles, topographic work map, annotated FIRMs and/or Flood Boundary Floodway Maps (FBFMs), construction plans, bridge plans.
  2. Certified topographic map of suitable scale, contour interval, and a planimetric map showing the applicable items. If a digital version of the map is available, it may be submitted in order that the FIRM may be more easily revised.
  3. Annotated FIRM panel showing the revised 1% and 0.2% annual chance floodplains and floodway boundaries.
  4. If an annotated FIRM and/or FBFM and digital mapping data (GIS or CADD) are used then all supporting documentation or metadata must be included with the data submission along with the Universal Transverse Mercator (UTM) projection and State Plane Coordinate System in accordance with FEMA mapping specifications.
  5. The revised floodplain boundaries shall tie into the effective floodplain boundaries.
  6. All cross sections from the effective model shall be labeled in accordance with the effective map and a cross section lookup table shall be included to relate to the model input numbering scheme.
  7. Both the current and proposed floodways shall be shown on the map.

8. The stream centerline, or profile baseline used to measure stream distances in the model shall be visible on the map.

D. Expiration. All permits issued under the authority of this chapter shall expire 180 days after issuance. The permit may be extended for a maximum of 180 days for good and sufficient cause.

§ 238-39. Certificate of compliance.

No land shall be occupied or used, and no building which is hereafter constructed, altered, added to, modified, repaired, rebuilt or replaced shall be occupied until a certificate of compliance is issued by the Zoning Administrator, except where no permit is required, subject to the following provisions:

- A. The certificate of compliance shall show that the building or premises or part thereof, and the proposed use, conform to the provisions of this chapter;
- B. Application for such certificate shall be concurrent with the application for a permit;
- C. If all ordinance provisions are met, the certificate of compliance shall be issued within 10 days after written notification that the permitted work is completed;
- D. The applicant shall submit a certification signed by a registered professional engineer or registered land surveyor that the fill, lowest floor and floodproofing elevations are in compliance with the permit issued. Floodproofing measures also require certification by a registered professional engineer or architect that floodproofing measures meet the requirements of § 238-47.

§ 238-40. Other permits.

Prior to obtaining a floodplain development permit the applicant must secure all necessary permits from federal, state, and local agencies, including but not limited to those required by the U.S. Army Corps of Engineers under Section 404 of the Federal Water Pollution Control Act, Amendments of 1972, 33 U.S.C. § 1344.

§ 238-41. Zoning agency.

- A. The Land Management Committee shall:
  - (1) Oversee the Office of the Zoning Administrator; and
  - (2) Review and advise the County Board on all proposed amendments to this chapter, maps and text.
- B. This zoning agency shall not:
  - (1) Grant variances to the terms of the chapter in place of action by the Board of Adjustment; or
  - (2) Amend the text or zoning maps in place of official action by the County Board.

§ 238-42. Board of Adjustment.

- A. The Board of Adjustment, created under § 59.694, Wis. Stats., is hereby authorized or shall be appointed to act for the purposes of this chapter. The Board shall exercise the powers conferred by Wisconsin Statutes and adopt rules for the conduct of business. The Zoning Administrator shall not be the Secretary of the Board.
- B. Powers and duties. The Board of Adjustment shall:
- (1) Appeals. Hear and decide appeals where it is alleged there is an error in any order, requirement, decision or determination made by an administrative official in the enforcement or administration of this chapter;
  - (2) Boundary disputes. Hear and decide disputes concerning the district boundaries shown on the Official Floodplain Zoning Map; and
  - (3) Variances. Hear and decide, upon appeal, variances from the ordinance standards.

§ 238-43. Appeals process.

- A. Appeals to the Board may be taken by any person aggrieved, or by any officer or department of the municipality affected by any decision of the Zoning Administrator or other administrative officer. Such appeal shall be taken within 30 days, unless otherwise provided by the rules of the Board, by filing with the official whose decision is in question, and with the Board, a notice of appeal specifying the reasons for the appeal. The official whose decision is in question shall transmit to the board all records regarding the matter appealed.
- B. Notice and hearing for appeals including variances.
- (1) Notice. The Board shall:
    - (a) Fix a reasonable time for the hearing;
    - (b) Publish adequate notice pursuant to Wisconsin Statutes, specifying the date, time, place and subject of the hearing;
    - (c) Assure that notice shall be mailed to the parties in interest and the Department Regional office at least 10 days in advance of the hearing.
  - (2) Hearing. Any party may appear in person or by agent. The Board shall:
    - (a) Resolve boundary disputes according to § 238-44.
    - (b) Decide variance applications according to § 238-45.
    - (c) Decide appeals of permit denials according to § 238-46.
- C. Decision. The final decision regarding the appeal or variance application shall:
- (1) Be made within a reasonable time;
  - (2) Be sent to the Department Regional office within 10 days of the decision;
  - (3) Be a written determination signed by the Chairman or Secretary of the Board;

- (4) State the specific facts which are the basis for the Board's decision;
- (5) Either affirm, reverse, vary or modify the order, requirement, decision or determination appealed, in whole or in part, dismiss the appeal for lack of jurisdiction or grant or deny the variance application; and
- (6) Include the reasons for granting an appeal, describing the hardship demonstrated by the applicant in the case of a variance, clearly stated in the recorded minutes of the Board proceedings.

§ 238-44. Boundary disputes.

The following procedure shall be used by the Board in hearing disputes concerning floodplain district boundaries:

- A. If a floodplain district boundary is established by approximate or detailed floodplain studies, the flood elevations or profiles shall prevail in locating the boundary. If none exist, other evidence may be examined;
- B. The person contesting the boundary location shall be given a reasonable opportunity to present arguments and technical evidence to the Board; and
- C. If the boundary is incorrectly mapped, the Board should inform the Zoning Committee or the person contesting the boundary location to petition the governing body for a map amendment according to Article VIII.

§ 238-45. Variances.

- A. The Board may, upon appeal, grant a variance from the standards of this chapter if an applicant convincingly demonstrates that:
  - (1) Literal enforcement of the ordinance will cause unnecessary hardship;
  - (2) The hardship is due to adoption of the Floodplain Ordinance and unique property conditions, not common to adjacent lots or premises. In such case, the ordinance or map must be amended;
  - (3) The variance is not contrary to the public interest; and
  - (4) The variance is consistent with the purpose of this chapter in § 238-3.
- B. In addition to the criteria in Subsection A, to qualify for a variance under FEMA regulations, the following criteria must be met:
  - (1) The variance may not cause any increase in the regional flood elevation;
  - (2) Variances can only be granted for lots that are less than one-half acre and are contiguous to existing structures constructed below the RFE;

- (3) Variances shall only be granted upon a showing of good and sufficient cause, shall be the minimum relief necessary, shall not cause increased risks to public safety or nuisances, shall not increase costs for rescue and relief efforts and shall not be contrary to the purpose of the ordinance.

C. A variance shall not:

- (1) Grant, extend or increase any use prohibited in the zoning district.
- (2) Be granted for a hardship based solely on an economic gain or loss.
- (3) Be granted for a hardship which is self-created.
- (4) Damage the rights or property values of other persons in the area.
- (5) Allow actions without the amendments to this chapter or map(s) required in Article VIII.
- (6) Allow any alteration of an historic structure, including its use, which would preclude its continued designation as an historic structure.

D. When a floodplain variance is granted, the Board shall notify the applicant in writing that it may increase flood insurance premiums and risks to life and property and flood insurance premiums could increase up to \$25.00 per \$100.00 of coverage. A copy shall be maintained with the variance record.

§ 238-46. Appeal of permit denials.

A. The Board shall review all data related to the appeal. This may include:

- (1) Permit application data listed in § 238-38.
- (2) Floodway/floodfringe determination data in § 238-32.
- (3) Data listed in § 238-24A(2) , where the applicant has not submitted this information to the Zoning Administrator.
- (4) Other data submitted with the application, or submitted to the Board with the appeal.

B. For appeals of all denied permits, the Board shall:

- (1) Follow the procedures of § 238-43;
- (2) Consider zoning agency recommendations; and
- (3) Either uphold the denial or grant the appeal.

C. For appeals concerning increases in regional flood elevation the Board shall:

- (1) Uphold the denial where the Board agrees with the data showing an increase in flood elevation. Increases may only be allowed after amending the flood profile and map and all appropriate legal arrangements are made with all adversely affected property owners as per the requirements of Article VIII; and
- (2) Grant the appeal where the Board agrees that the data properly demonstrates that the project does not cause an increase, provided no other reasons for denial exist.

§ 238-47. Floodproofing

- A. No permit or variance shall be issued until the applicant submits a plan certified by a registered professional engineer or architect that the floodproofing measures will protect the structure or development to the flood protection elevation and submits a FEMA Floodproofing Certificate.
- B. For a structure designed to allow the entry of floodwaters, no permit or variance shall be issued until the applicant submits a plan either:
  1. Certified by a professional engineer or architect, or
  2. Meeting or exceeding the following standards:
    - (a) A minimum of 2 openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding;
    - (b) The bottom of all openings shall be no higher than one foot above grade; and
    - (c) Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.
- C. Floodproofing measures shall be designed, as appropriate to:
  - (1) Withstand flood pressures, depths, velocities, uplift and impact forces and other regional flood factors;
  - (2) Protect structures to the flood protection elevation;
  - (3) Anchor structures to foundations to resist flotation and lateral movement; and
  - (4) Minimize or eliminate infiltration of flood waters; and
  - (5) Minimize or eliminate discharges into flood waters.
- D. In addition to meeting subparagraphs B and C Floodproofing measures could include:

- (1) Reinforcing walls and floors to resist rupture or collapse caused by water pressure or floating debris.
- (2) Adding mass or weight to prevent flotation.
- (3) Placing essential utilities above the flood protection elevation.
- (4) Installing surface or subsurface drainage systems to relieve foundation wall and basement floor pressures.
- (5) Constructing water supply wells and waste treatment systems to prevent the entry of floodwaters.
- (6) Putting cutoff valves on sewer lines or eliminating gravity-flow basement drains.

§ 238-48. Public information.

- A. Place marks on structures to show the depth of inundation during the regional flood.
- B. All maps, engineering data and regulations shall be available and widely distributed.
- C. Real estate transfers should show what floodplain district any real property is in.

Article VIII. Amendments and Enforcement

§ 238-49. Amendments.

Obstructions or increases may only be permitted if amendments are made to this ordinance, the official floodplain zoning maps, floodway lines and water surface profiles, in accordance with §238-50.

- A. In AE zones with a mapped floodway, no obstructions or increases shall be permitted unless the applicant receives a Conditional Letter of map Revision from FEMA and amendments are made to this ordinance, the official floodplain zoning maps, floodway lines and water surface profiles, in accordance with §238-50. Any such alterations must be reviewed and approved by FEMA and the DNR.
- B. In A Zones increases equal to or greater than 1.0 foot may only be permitted if the applicant receives a Conditional Letter of Map Revision from FEMA and amendments are made to this ordinance, the official floodplain maps, floodway lines, and water surface profiles, in accordance with §238-50.

§ 238-50. General provisions.

The governing body may change or supplement the floodplain zoning district boundaries and this chapter in the manner outlined in § 238-51 below. Actions which require an amendment to the ordinance and/or submittal of a Letter of Map Change (LOMC) include, but are not limited to, the following:

- A. Any fill or floodway encroachment that obstructs flow causing any increase in the regional flood height.
- B. Any change to the floodplain boundaries and/or watercourse alterations on the FIRM.
- C. Any changes to any other officially adopted floodplain maps listed in § 238-6B
- D. Correction of discrepancies between the water surface profiles and floodplain zoning maps.
- E. Any fill in the floodplain which raises the elevation of the filled area to a height at or above the flood protection elevation and is contiguous to land lying outside the floodplain.
- F. Any upgrade to a Floodplain Zoning Ordinance text required by Section NR 116.05 of the Wisconsin Administrative Code, or otherwise required by law, or for changes by the municipality.
- G. All channel relocations and changes to the maps to alter floodway lines or to remove an area from the floodway or the flood-fringe that is based on a base flood elevation from a FIRM requires prior approval by FEMA.

§ 238-51. Procedures.

Ordinance amendments may be made upon petition of any party according to the provisions of § 59.69, Wis. Stats. The petitions shall include all necessary data required by §§ 238-32 and 238-38. The Land Use Permit shall not be issued until a Letter of Map Revision is issued by FEMA for the proposed changes.

- A. The proposed amendment shall be referred to the zoning agency for a public hearing and recommendation to the governing body. The amendment and notice of public hearing shall be submitted to the Department Regional office for review prior to the hearing. The amendment procedure shall comply with the provisions of § 59.69, Wis. Stats.
- B. No amendments shall become effective until reviewed and approved by the Department.
- C. All persons petitioning for a map amendment that obstructs flow, increasing regional flood height 0.01 foot or more, shall obtain flooding easements or other appropriate legal arrangements from all adversely affected property owners and notify local units of government before the amendment can be approved by the governing body.

§ 238-52. Enforcement and penalties.

Any violation of the provisions of this chapter by any person shall be unlawful and shall be referred to the municipal attorney who shall expeditiously prosecute all such violators. A violator shall, upon conviction, forfeit to the municipality a penalty of not more than \$50.00 (fifty dollars), together with a taxable cost of such action. Each day of continued violation shall constitute a separate offense. Every violation of this chapter is a public

nuisance, and the creation may be enjoined and the maintenance may be abated by action at suit of the municipality, the state, or any citizen thereof, pursuant to § 87.30, Wis. Stats.

## Article IX. Definitions

### § 238-53. Definitions and word usage.

Unless specifically defined below, words and phrases used in this chapter shall have their common law meaning and shall be applied in accordance with their common law usage. Words used in the present tense include the future; the singular number includes the plural and the plural number includes the singular. The word "may" is permissive; "shall" is mandatory and not discretionary.

### A ZONES

Those areas shown on the Official Floodplain Zoning Map which would be inundated by the regional flood. These areas may be numbered or unnumbered A Zones. The A Zones may or may not be reflective of flood profiles, depending on the availability of data for a given area.

### AH ZONE

See "AREA OF SHALLOW FLOODING".

### AO ZONE

See "AREA OF SHALLOW FLOODING".

### ACCESSORY STRUCTURE OR USE

A facility, structure, building or use which is accessory or incidental to the principal use of a property, structure or building.

### ALTERATION

An enhancement, upgrading or substantial change or modifications other than an addition or repair to a dwelling or to electrical, plumbing, heating, ventilating, air conditioning and other systems within a structure.

### AREA OF SHALLOW FLOODING

A designated AO, AH, AR/AO, AR/AH, or VO zone on a community's Flood Insurance Rate Map (FIRM) with a 1 percent or greater annual chance of flooding to an average depth of 1 to 3 feet where a clearly defined channel does not exist, where the path of flooding is unpredictable, and where velocity flood may be evident. Such flooding is characterized by ponding or sheet flow.

### BASE FLOOD

Means the flood having a 1% chance of being equaled or exceeded in any given year, as published by FEMA as part of an FIS and depicted on an FIRM.

### BASEMENT

Any enclosed area of a building having its floor subgrade, i.e., below ground level, on all sides.

### BUILDING

See "structure."

### BULKHEAD LINE

A geographic line along a reach of navigable water that has been adopted by a municipal ordinance and approved by the Department pursuant to § 30.11, Wis. Stats., and which allows limited filling between this bulkhead line and the original ordinary high-water mark, except where such filling is prohibited by the floodway provisions of this chapter.

### CAMPGROUND

Any parcel of land which is designed, maintained, intended or used for the purpose of providing sites for nonpermanent overnight use by four or more camping units, or which is advertised or represented as a camping area.

**CAMPING UNIT**

Any portable device, no more than 400 square feet in area, used as a temporary shelter, including but not limited to a camping trailer, motor home, bus, van, pickup truck, tent that is fully licensed, if required, and ready for highway use.

**CERTIFICATE OF COMPLIANCE**

A certification that the construction and the use of land or a building, the elevation of fill or the lowest floor of a structure is in compliance with all of the provisions of this chapter.

**CHANNEL**

A natural or artificial watercourse with definite bed and banks to confine and conduct normal flow of water.

**CRAWLWAYS OR CRAWL SPACE**

An enclosed area below the first usable floor of a building, generally less than five feet in height, used for limited access to plumbing and electrical utilities.

**DECK**

An unenclosed exterior structure that has no roof or sides, but has a permeable floor which allows the infiltration of precipitation.

**DEPARTMENT**

The Wisconsin Department of Natural Resources.

**DEVELOPMENT**

Any artificial change to improved or unimproved real estate, including but not limited to the construction of buildings, structures or accessory structures; the construction of additions or alterations to buildings, structures or accessory structures; the repair of any damaged structure or the improvement or renovation of any structure, regardless of percentage of damage or improvement; the placement of buildings or structures; mining, dredging, filling, grading, paving, excavation or drilling operations; the storage, deposition or extraction of materials or equipment; and the installation, repair or removal of public or private sewage disposal systems or water supply facilities.

**DRYLAND ACCESS**

A vehicular access route which is above the regional flood elevation and which connects land located in the floodplain to land outside the floodplain, such as a road with its surface above regional flood elevation and wide enough for wheeled rescue and relief vehicles.

**ENCROACHMENT**

Any fill, structure, equipment, building, use or development in the floodway.

**EXISTING MANUFACTURED HOME PARK OR SUBDIVISION**

A parcel of land, divided into two or more manufactured home lots for rent or sale, on which the construction of facilities for servicing the lots is completed before the effective date of this chapter. At a minimum, this would include the installation of utilities, the construction of streets and either final site grading or the pouring of concrete pads

**EXPANSION TO EXISTING MOBILE/MANUFACTURED HOME PARK**

The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed. This includes installation

of utilities, construction of streets and either final site grading, or the pouring of concrete pads.

**FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA)**

The federal agency that administers the National Flood Insurance Program.

**FLOOD INSURANCE RATE MAP (FIRM)**

A map of a community on which the Federal Insurance Administration has delineated both the floodplain and the risk premium zones applicable to the community. This map can only be amended by the Federal Emergency Management Agency.

**FLOOD OR FLOODING**

A general and temporary condition of partial or complete inundation of normally dry land areas caused by one of the following conditions:

A. The overflow or rise of inland waters;

B. The rapid accumulation or runoff of surface waters from any source;

C. The inundation caused by waves or currents of water exceeding anticipated cyclical levels along the shore of Lake Michigan or Lake Superior; or

D. The sudden increase caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as a seiche, or by some similarly unusual event.

**FLOOD FREQUENCY**

The probability of a flood occurrence which is determined from statistical analyses. The frequency of a particular flood event is usually expressed as occurring, on the average, once in a specified number of years or as a percent chance of occurring in any given year.

**FLOODFRINGE**

That portion of the floodplain outside of the floodway which is covered by floodwaters during the regional flood and associated with standing water rather than flowing water.

**FLOOD HAZARD BOUNDARY MAP**

A map designating approximate flood hazard areas. Flood hazard areas are designated as unnumbered A Zones and do not contain floodway lines or regional flood elevations. This map forms the basis for both the regulatory and insurance aspects of the National Flood Insurance Program (NFIP) until superseded by a Flood Insurance Study and a Flood Insurance Rate Map.

**FLOOD INSURANCE STUDY**

A technical engineering examination, evaluation, and determination of the local flood hazard areas. It provides maps designating those areas affected by the regional flood and provides both flood insurance rate zones and base flood elevations and may provide floodway lines. The flood hazard areas are designated as numbered and unnumbered A Zones. Flood Insurance Rate Maps that accompany the Flood Insurance Study form the basis for both the regulatory and the insurance aspects of the National Flood Insurance Program.

**FLOODPLAIN**

Land which has been or may be covered by floodwater during the regional flood. It includes the floodway and the floodfringe, and may include other designated floodplain areas for regulatory purposes.

**FLOODPLAIN ISLAND**

A natural geologic land formation within the floodplain that is surrounded, but not covered, by floodwater during the regional flood.

**FLOODPLAIN MANAGEMENT**

Policy and procedures to insure wise use of floodplains, including mapping and engineering, mitigation, education, and administration and enforcement of floodplain regulations.

**FLOOD PROFILE**

A graph or a longitudinal profile line showing the relationship of the water surface elevation of a flood event to locations of land surface elevations along a stream or river.

**FLOODPROOFING**

Any combination of structural provisions, changes or adjustments to properties and structures, water and sanitary facilities and contents of buildings subject to flooding, for the purpose of reducing or eliminating flood damage.

**FLOOD PROTECTION ELEVATION**

An elevation of two feet of freeboard above the water surface profile elevation designated for the regional flood. (Also see "freeboard.")

**FLOOD STORAGE**

Those floodplain areas where storage of floodwaters has been taken into account during analysis in reducing the regional flood discharge.

**FLOODWAY**

The channel of a river or stream and those portions of the floodplain adjoining the channel required to carry the regional flood discharge.

**FREEBOARD**

A safety factor expressed in terms of a specified number of feet above a calculated flood level. Freeboard compensates for any factors that cause flood heights greater than those calculated, including ice jams, debris accumulation, wave action, obstruction of bridge openings and floodways, the effects of watershed urbanization, loss of flood storage areas due to development and aggregation of the river or stream bed.

**HABITABLE STRUCTURE**

Any structure or portion thereof used or designed for human habitation.

**HEARING NOTICE**

Publication or posting meeting the requirements of Chapter 985, Wis. Stats. For appeals, a Class 1 notice, published once at least one week (7 days) before the hearing, is required. For all zoning ordinances and amendments, a Class 2 notice, published twice, once each week consecutively, the last at least a week (7 days) before the hearing. Local ordinances or bylaws may require additional notice exceeding these minimums.

**HIGH FLOOD DAMAGE POTENTIAL**

Damage that could result from flooding that includes any danger to life or health or any significant economic loss to a structure or building and its contents.

**HIGHEST ADJACENT GRADE**

The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

## **HISTORIC STRUCTURE**

Any structure that is either:

A. Listed individually in the National Register of Historic Places or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;

B. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;

C. Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or

D. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either by an approved state program, as determined by the Secretary of the Interior, or by the Secretary of the Interior in states without approved programs.

## **HUMAN HABITATION**

A human residence or dwelling.

## **INCREASE IN REGIONAL FLOOD HEIGHT**

A calculated upward rise in the regional flood elevation equal to or greater than 0.00 foot, based on a comparison of existing conditions and proposed conditions, which is directly attributable to development in the floodplain but not attributable to manipulation of mathematical variables such as roughness factors, expansion and contraction coefficients and discharge.

## **LAND USE**

Any nonstructural use made of unimproved or improved real estate. (Also see "development.")

## **LOWEST ADJACENT GRADE**

Elevation of the lowest ground surface that touches any of the exterior walls of a building.

## **LOWEST FLOOR**

The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of 44 CFR 60.3.

## **MAINTENANCE**

The act or process of restoring to original soundness, including redecorating, refinishing, non structural repairs, or the replacement of existing fixtures, systems or equipment with equivalent fixtures, systems or structures.

## **MANUFACTURED HOME**

A structure transportable in one or more sections, which is built on a permanent chassis and is designed to be used with or without a permanent foundation when connected to required utilities. The term "manufactured home" includes a mobile home but does not include a "mobile recreational vehicle."

**MOBILE/MANUFACTURED HOME PARK OR SUBDIVISION**

A parcel (or contiguous parcels) of land, divided into two or more manufactured home lots for rent or sale.

**MOBILE/MANUFACTURED HOME PARK OR SUBDIVISION, EXISTING**

A parcel of land, divided into two or more manufactured home lots for rent or sale, on which the construction of facilities for servicing the lots is completed before the effective date of this ordinance. At a minimum, this would include the installation of utilities, the construction of streets and either final site grading or the pouring of concrete pads.

**MOBILE/MANUFACTURED HOME PARK, EXPANSION TO EXISTING**

The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed. This includes installation of utilities, construction of streets and either final site grading, or the pouring of concrete pads.

**MOBILE RECREATIONAL VEHICLE**

A vehicle which is built on a single chassis, 400 square feet or less when measured at the largest horizontal projection, designed to be self-propelled, carried or permanently towable by a licensed, light-duty vehicle, is licensed for highway use if registration is required and is designed primarily not for use as a permanent dwelling, but as temporary living quarters for recreational, camping, travel or seasonal use. Manufactured homes that are towed or carried onto a parcel of land, but do not remain capable of being towed or carried, including park model homes, do not fall within the definition of "mobile recreational vehicles."

**MODEL, CORRECTED EFFECTIVE**

A hydraulic engineering model that corrects any errors that occur in the Duplicate Effective Model, adds any additional cross sections to the Duplicate Effective Model, or incorporates more detailed topographic information than that used in the current effective model.

**MODEL, DUPLICATE EFFECTIVE**

A copy of the hydraulic analysis used in the effective FIS and referred to as the effective model.

**MODEL, EFFECTIVE**

The hydraulic engineering model that was used to produce the current effective Flood Insurance Study.

**MODEL, EXISTING (PRE-PROJECT)**

A modification of the Duplicate Effective Model or Corrected Effective Model to reflect any man made modifications that have occurred within the floodplain since the date of the effective model but prior to the construction of the project for which the revision is being requested. If no modification has occurred since the date of the effective model, then this model would be identical to the Corrected Effective Model or Duplicate Effective Model.

**MODEL, REVISED (POST-PROJECT)**

A modification of the Existing or Pre-Project Conditions Model, Duplicate Effective Model or Corrected Effective Model to reflect revised or post-project conditions.

**MUNICIPALITY OR MUNICIPAL**

The county, city or village governmental units enacting, administering and enforcing this Zoning Ordinance.

**NAVD or NORTH AMERICAN VERTICAL DATUM**

Elevations referenced to mean sea level datum, 1988 adjustment.

**NGVD OR NATIONAL GEODETIC VERTICAL DATUM**

Elevations referenced to mean sea level datum, 1929 adjustment.

**NEW CONSTRUCTION**

For floodplain management purposes, "new construction" means structures for which the start of construction commenced on or after the effective date of floodplain zoning regulations adopted by this community and includes any subsequent improvements to such structures. For the purpose of determining flood insurance rates, it includes any structures for which the "start of construction" commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures.

**NONCONFORMING STRUCTURE**

An existing lawful structure or building which is not in conformity with the dimensional or structural requirements of this chapter for the area of the floodplain which it occupies. (For example, an existing residential structure in the Floodfringe District is a conforming use. However, if the lowest floor is lower than the flood protection elevation, the structure is nonconforming.)

**NONCONFORMING USE**

An existing lawful use or accessory use of a structure or building which is not in conformity with the provisions of this chapter for the area of the floodplain which it occupies. (Such as a residence in the floodway.)

**OBSTRUCTION TO FLOW**

Any development which blocks the conveyance of floodwaters such that this development alone or together with any future development will cause an increase in regional flood height.

**OFFICIAL FLOODPLAIN ZONING MAP**

That map, adopted and made part of this chapter, as described in § **238-6**, which has been approved by the Department and FEMA.

**OPEN SPACE USE**

Those uses having a relatively low flood damage potential and not involving structures.

**ORDINARY HIGH-WATER MARK**

The point on the bank or shore up to which the presence and action of surface water is so continuous as to leave a distinctive mark, such as by erosion, destruction or prevention of terrestrial vegetation, predominance of aquatic vegetation, or other easily recognized characteristic.

**PERSON**

An individual, or group of individuals, corporation, partnership, association, municipality or state agency.

**PRIVATE SEWAGE SYSTEM**

A sewage treatment and disposal system serving one structure, with a septic tank and soil absorption field located on the same parcel as the structure. It also means an alternative sewage system approved by the Department of Safety and Professional Services, including a substitute for the septic tank or soil absorption field, a holding tank, a system serving more than one structure or a system located on a different parcel than the structure.

**PUBLIC UTILITIES**

Those utilities using underground or overhead transmission lines, such as electric, telephone and telegraph, and distribution and collection systems, such as water, sanitary sewer and storm sewer.

#### **REASONABLY SAFE FROM FLOODING**

Means base flood waters will not inundate the land or damage structures to be removed from the floodplain and that any subsurface waters related to the base flood will not damage existing or proposed buildings.

#### **REGIONAL FLOOD**

A flood determined to be representative of large floods known to have occurred in Wisconsin. A regional flood is a flood with a 1% chance of being equaled or exceeded in any given year, and if depicted on the FIRM, the RFE is equivalent to the BFE.

#### **START OF CONSTRUCTION**

The date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond initial excavation, or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling, nor does it include the installation of streets and/or walkways, nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms, nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For an alteration, the actual start of construction means the first alteration of any wall, ceiling, floor or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

#### **STRUCTURE**

Any man-made object with form, shape and utility, either permanently or temporarily attached to, placed upon or set into the ground, stream bed or lake bed, including but not limited to roofed and walled buildings, gas or liquid storage tanks, bridges, dams and culverts.

#### **SUBDIVISION**

Reference definition in § 236.02(12), Wis. Stats.

#### **SUBSTANTIAL DAMAGE**

Damage of any origin sustained by a structure, whereby the cost of restoring the structure to its pre-damaged condition would equal or exceed 50% of the equalized assessed value of the structure before the damage occurred.

#### **SUBSTANTIAL IMPROVEMENT**

Any repair, reconstruction, rehabilitation, addition or improvement of a building or structure, the cost of which equals or exceeds 50 percent of the equalized assessed value of the structure before the improvement or repair is started. If the structure has sustained substantial damage, any repairs are considered substantial improvement regardless of the work performed. The term does not, however, include either any project for the improvement of a building required to correct existing health, sanitary or safety code violations identified by the building official and that are the minimum necessary to assure safe living conditions; or any alteration of a historic structure provided that the alteration will not preclude the structure's continued designation as a historic structure.

**UNNECESSARY HARDSHIP**

Where special conditions affecting a particular property, which were not self-created, have made strict conformity with restrictions governing areas, setbacks, frontage, height or density unnecessarily burdensome or unreasonable in light of the purposes of the ordinance.

**VARIANCE**

An authorization by the Board of Adjustment or Appeals for the construction or maintenance of a building or structure in a manner which is inconsistent with dimensional standards (not uses) contained in the Floodplain Zoning Ordinance.

**VIOLATION**

The failure of a structure or other development to be fully compliant with the Floodplain Zoning Ordinance. A structure or other development without required permits, lowest floor elevation documentation, floodproofing certificates or required floodway encroachment calculations is presumed to be in violation until such time as that documentation is provided.

**WATERSHED**

The entire region contributing runoff or surface water to a watercourse or body of water.

**WATER SURFACE PROFILE**

A graphical representation showing the elevation of the water surface of a watercourse for each position along a reach of river or stream at a certain flood flow. A water surface profile of the regional flood is used in regulating floodplain areas.

**WELL**

An excavation opening in the ground made by digging, boring, drilling, driving or other methods, to obtain groundwater regardless of its intended use.

**SECTION 3: That this Ordinance shall become effective upon its adoption and publication as required by law.**

Dated this 27<sup>th</sup> day of October, 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: \_\_\_\_\_