

**WASHBURN COUNTY BOARD OF SUPERVISORS AGENDA – DRAFT**

**February 19, 2019**

**6:00 p.m.**

**County Board Room – Ed Elliott Building - Shell Lake, Wisconsin**

1. Call Meeting to Order – Chair Mackie
2. Moment of Silent Meditation and Pledge of Allegiance – Supv. Masterjohn
3. Notice of Meeting - County Clerk Olson
4. Roll Call – County Clerk Olson
5. Approval of November 13, 2018 County Board Proceedings
6. Concerned Citizens
7. Presentation re: Spooner Schools After School Program – Karen Collins
8. **Consent Agenda Resolutions:**
  - A. Rezone Petition and Amendatory Ordinances – November & December
  - B. Resolution Amending Washburn County Code of Ordinances, Chapter 38, Article IV, Zoning Regulations
  - C. Resolution Amending Guidelines for Youth on the County Board Program
  - D. Resolution on Authority for Closing County During an Emergency and Update of A-6 and 3.13  
Emergency Conditions Policies related thereto
  - E. Resolution Approving New Employee Handbook Policy re: Gifting of Sick Pay
  - F. Resolution for Annual Update of Employee Handbook
  - G. Resolution re: Holding of Meetings as May be Necessary to Conduct Business
  - H. Resolution Updating Purchasing Policy in re: Contracting Authority (Unit on Aging Purchasing of Client Services re: Nutrition Program) with short video re: Sustainable Kitchens by Justin Johnson, CEO/Founder of Sustainable Kitchens
9. **Other Resolutions and Ordinances:**
  - A. Resolution to Use Aging Fund Balance to Purchase an Oven for the Spooner Senior Center – Supv. Sather
  - B. Resolution to Increase the 2018 Unit on Aging Dept Budget – Grant Funding – Supv. Sather
  - C. Resolution to Increase the 2019 Unit on Aging Dept Budget – Grant Funding – Supv. Sather
  - D. Resolution Denying Jesse & Stacy Sondreal Claim – Chair Mackie
  - E. Resolution Ordering Issuance of Tax Deeds by the County Clerk to the County for Certain Unredeemed Properties – Supv. Sather
  - F. Resolution Approving New Position of Nutrition Director (revised from current position) – Supv. Wilson
  - G. Resolution to Increase the 2019 Public Property Courthouse Budget due to the Jail Laundry Capital Project Completion – Supv. Sather
  - H. Resolution to Accept Funds from the Dept of Agriculture, Trade and Consumer Protection – Supv. Sather
  - I. Resolution to Increase the 2019 Land Information/Surveyor Budget re: 2019 WLIP Grants – Supv. Sather
  - J. Resolution to Carry Over FY 2018 Grant/Fund Balance to FY 2019 Emergency Management Budget – Supv. Sather
  - K. Resolution to Increase the 2018 Emergency Dept Budget re: 2018 Enbridge Grant – Supv. Sather
10. Update on Building Project
11. Committee Reports
12. Chair Appointments – Richard Coquette to Housing Authority of Washburn County
13. Citizen Comments
14. Chair Comments
15. Possible Future Agenda Items
16. Audit Per Diems
17. Adjourn

# WASHBURN COUNTY BOARD OF SUPERVISORS MINUTES

November 13, 2018

9:00 a.m.

County Board Room, Elliott Building, Shell Lake, Wisconsin

## PLEASE NOTE THAT THIS IS A DAYTIME MEETING.

1. Call Meeting to Order at 9:00 a.m. by Chair Mackie.
2. Moment of Silent Meditation and Pledge of Allegiance was lead by Supv. Masterjohn.
3. Notice of Meeting was read by County Clerk Olson.
4. Roll Call was done by County Clerk Olson. Present: (20), Excused: (1) Radzak; no Youth Representatives present.
5. Approval of September 18, 2018 County Board Proceedings on motion by Dohm, 2<sup>nd</sup> by Ford; MC.
6. Concerned Citizens – None at this time.
7. **Resolution 81-18 for 2018 Tax Levy and 2019 Budget** – Motion to approve by Sather, 2<sup>nd</sup> by Masterjohn. Motion by Haessig to amend the 2019 budget to remove \$5000 given to FISH, 2<sup>nd</sup> by Featherly. Thompson, Masterjohn and Dohm spoke on the merits of this budget item. Stephen Smith asked for Roll Call vote. Roll Vote on amendment: Yes (6) Featherly, Johnson, Wood, Haessig, Quinn, Stariha; No (14); amendment fails. Roll Vote on original resolution: Yes: (20), No (0); MC.
8. **Resolution 82-18 in Recognition of Ken Schultz Property Donation** – Chair Mackie presented the resolution. Motion to approve by S. Smith, 2<sup>nd</sup> by Wood. MC on voice vote.
9. **Resolution 83-18 in Recognition of Web Macomber, Zoning Administrator** – Chair Mackie presented the resolution. Motion to approve by Ford, 2<sup>nd</sup> by Haessig. MC on voice vote.
10. Annual Tourism Report – Michelle Martin, Exec. Director, Washburn County Tourism. 2018 County Board Report on Tourism was given by Martin and Asst Director Kaitlin Hanson. Youth arrived during the presentation. Highlights included discussion on tourism impact to sales, sales tax and jobs, marketing, county contribution through IT-BEC, video library, Namekagon River Grant, website and social media impact, recent accomplishments and future goals. Videos were shown. Supv. Wilson recognized Michelle’s appointment to the Wisconsin Governor’s Council on Tourism.
11. Youth Government Day Introduction – Chair Mackie welcomed students. Lisa Powers, CVSO, along with Kent Wabrowitz, presented information on Youth Government Day. Credit was given to Jill Matthys, Deputy County Clerk, for coordination & planning. Students and teachers introduced themselves, representing Spooner, Shell Lake, Northwood, and Birchwood School Districts. Chair Mackie spoke about serving the public and asked several board members to share how they became county board members. Members of the Veterans Service Committee were asked to stand; committee members were thanked.
12. CVSO Annual Report was given by Lisa Powers, Veterans Service Officer. Lisa thanked the county board supervisors for their support for the Veteran community and all that is done for the county. Introduction and recognition were also given to George Cusick, the VA committee members, the Veterans Service Commission members and to the Assistant CVSO, Ella Parker. Highlights of report included that the county is up over 2 million in one year alone for compensation & pension coming to Veterans; transportation needs; Tomb of the Unknown project. Supv. Wilson commended Lisa and Ella for their hard work.

Students were given an opportunity to ask questions of the board; Supv. Quinn asked students to apply to serve as a Youth Representative for Washburn County. A short break was taken after which Chair Mackie called the meeting back into session.

13. **Consent Agenda Resolutions:** Motion to approve by Wilson, 2<sup>nd</sup> by Dohm (no rezone under A); MC on voice vote.
  - A. Rezone Petitions and Amendatory Ordinances (none at this time)
  - B. **Resolution 84-18 Requesting Increased Funding and Oversight Reforms for Wisconsin’s Child Protective Services Program**

**C. Resolution 85-18 Designating Public Depository and Authorizing Withdrawal of County Moneys – CCF Bank**

**14. Other Resolutions and Ordinances:**

- A. **Resolution 86-18 to Adopt ATV Route Ordinance for Portion of Hwy D for Township of Long Lake** – Motion to approve by Thompson, 2<sup>nd</sup> by Quinn. MC on voice vote.
  - B. **Resolution 87-18 to Increase the 2018 Highway Dept Budget due to State PBM Over-Recovery Dollars** – Motion to approve by Sather, 2<sup>nd</sup> by Johnson. Wilson requested clarification of Highway fund balance. Roll Vote: Yes (20); No (0); MC.
  - C. **Resolution 88-18 for Ratification of the 2019 Sheriff Deputies Local 225 Labor Agreement** – Motion to approve by Wilson, 2<sup>nd</sup> by Graber. Thompson asked about fiscal impact; it was estimated to be an increase of approximately \$34,000 over the two year period of time, which would include the decreases in health insurance of approximately \$2694.60 for 2019 and \$4042.08 for 2020. Per the labor agreement, part of the contract includes a side letter to continue the 10 hour shifts for 2019 and 2020. Roll Vote: Yes (20), No (0); MC.
  - D. **Resolution 89-18 to Approve New RSVP Van Driver Position** – Motion to approve by Wilson, 2<sup>nd</sup> by Olsgard. Reviewed the potential for development of a pool for drivers. Roll Vote: Yes (20), No (0); MC.
  - E. **Resolution 90-18 Updating Drug/Alcohol Prevention Resolution 30-88** – Motion to approve by Wilson, 2<sup>nd</sup> by Johnson. Discussed amount being asked for in 1988 vs today, impact of drug-related issues and the needed engagement from all involved. MC on voice vote.
  - F. **Resolution 91-18 Approving 2019 County Forest Variable Acreage Share Payments** – Presented by Quinn; motion to approve by Dohm, 2<sup>nd</sup> by Masterjohn. Roll Vote: Yes (20), No (0); MC.
  - G. **Resolution 92-18 2019 County Forest Work Plan** – Motion to approve by Quinn, 2<sup>nd</sup> by Dohm. Overview of plan was given by Mike Peterson, Forest Administrator. Highlight on Totogatic Park, still waiting on approval from Joint Finance since it's over 250,000 – work schedule is dependent on this approval. Updated given on Forestry building project. Roll Vote: Yes (20), No (0); MC.
  - H. **Resolution 93-18 Regarding Aquatic Invasive Species Grant** – Motion to approve by Sather, 2<sup>nd</sup> by Masterjohn. Roll Vote: Yes (20), No (0); MC
- 15. Committee Reports – Finance** – Budget complete for 2019; **HHS** – no mtg; **IT** – Act 65, facebook pages; **Personnel** – no mtg; **AG/LCC** – USDA contracts, grant funding, GIS replacement, potential restructuring of dept; **Forestry** – work plan presented; **Highway** – no mtg; winter work is already here, Minong Dam repair project has been postponed due to weather; **Law Enforcement** – fire number project, lack of room at jail (30 cell jail); will request dollars for professional study for long range planning; discussed potential needs/juvenile facility; **Public Property** – Hwy H property disposition; all property acquired for building project; Senior Center s/b ready by Dec 1; need to look into water-sewer issue at hwy shop, importance of Hwy H/53 intersection (will ask Highway Commissioner to do presentation at next board meeting); **Solid Waste** – town cleanup days almost complete; **UWExt** – mtg will be scheduled re: changing requirements of youth on board so students that attend high schools within the county would be eligible regardless of residency; future report to board on Extension update being planned; **VA** – presentation today; **Aging/ADRC** – driver updates, new kitchen at center; **Zoning** – mtg later this month, administrator retirement; grant money for Land Info Council; **Transit** – plan to move rail line south of the depot, yard expansion; **Ad Hoc** – 1<sup>st</sup> set of plans reviewed, security issues addressed.
- 16. Chair Appointments** – Charles (Chuck) Warner to HHS Board; Sandra Mackie to NWLS Board; Masterjohn, 2<sup>nd</sup> by Reiter; MC. Linda Featherly is approved for appointment to the CAP program.
- 17. Citizen Comments** – Sharon Kindle reviewed the Highway Fund Balance at the end of 2017 was 4.5 million; budget for 2018 included use of approximately half of those funds.
- 18. Chair Comments** – Have a good safe hunt, good Thanksgiving.
- 19. Possible Future Agenda Items** – when the government center plans get more concrete those will be brought to county board for review; presentation of Highway H/53 intersection plans.
- 20. Audit Per Diems** on approval by Masterjohn, 2<sup>nd</sup> by C. Masterjohn; MC on voice vote.
- 21. Adjourn** at 11:21 a.m. on motion by Wilson, 2<sup>nd</sup> by Dohm; MC on voice vote.

Respectfully submitted this 19<sup>th</sup> day of November 2018  
Lolita Olson, County Clerk

Copy via Email: County Clerk; Department Heads; News Media. Individuals with qualifying disabilities under the Americans with Disabilities Act, in need of accommodations, should contact the County Clerk's office at 468-4600 at least 24 hours prior to the meeting.



**REZONING PETITIONS**

Washburn County Board of Supervisors

Rezoning petitions were filed with the Washburn County Zoning Office for changes in the Zoning districts.  
Notices were sent that a public hearing would be held on November 27, 2018.

The Zoning Committee did conduct the public hearings, considered the following and recommend as:

Birchwood Township Richard Zemaitis Birchwood WI. PROPERTY: 23.15 acres, Tax Id#4738 – PT GOV LOT 8 N OF TN RD, Section 10-37-10, in the Town of Birchwood, to rezone 23.15 acres described above from Forestry to Residential Recreational 1 to make 4 lots for 4 family members.

The Zoning Committee recommends APPROVAL of the request to rezone 23.15 acres of Forestry to Residential Recreational 1.

Interested persons were given the opportunity to be heard.

\_\_\_\_\_  
Dated

\_\_\_\_\_  
David Haessig, Chairman  
Washburn County Zoning Committee

**AMENDATORY ORDINANCE**

**WHEREAS**, the Washburn County Board of Supervisors has heretofore been petitioned to amend the Washburn County Zoning Ordinance and Maps; and

**WHEREAS**, the rezoning petitions have been referred to the zoning district boundaries, pursuant to Wisconsin Statute Chapter 59.69, and;

**THEREFORE BE IT RESOLVED that the Washburn County Zoning Ordinance and maps, adopted in 1977** be and the same are hereby amended and designated as;

BIRCHWOOD Township Richard Zemaitis Birchwood WI. PROPERTY: 23.15 acres, Tax Id#4738 – PT GOV LOT 8 N OF TN RD, Section 10-37-10, in the Town of Birchwood, to rezone 23.15 acres described above from Forestry to Residential Recreational 1 to make 4 lots for 4 family members.

Interested persons were given the opportunity to be heard.

Supervisor \_\_\_\_\_ move to \_\_\_\_\_ rezonings,  
second by \_\_\_\_\_

Supervisor \_\_\_\_\_, motion carried

\_\_\_\_\_  
Dated

\_\_\_\_\_  
Thomas Mackie , Chairman  
Washburn County Board of Supervisors

Rezonepetitions112718

**REZONING PETITIONS**

Washburn County Board of Supervisors

Rezoning petitions were filed with the Washburn County Zoning Office for changes in the Zoning districts. Notices were sent that a public hearing would be held on December 18, 2018.

The Zoning Committee did conduct the public hearings, considered the following and recommend as:

Bass Lake Township: ML Holst LLC, Amery WI. Tax ID#3372 - 40 Acres, NE SE, Section 31-40-10, Town of Bass Lake, to rezone 40 acres as described above from Forestry to Residential Agricultural to make smaller parcels

The Zoning Committee recommends APPROVAL of the request to rezone 40 acres of Forestry to Residential Agricultural.

Interested persons were given the opportunity to be heard.

\_\_\_\_\_  
Dated

\_\_\_\_\_  
David Haessig, Chairman  
Washburn County Zoning Committee

**AMENDATORY ORDINANCE**

**WHEREAS**, the Washburn County Board of Supervisors has heretofore been petitioned to amend the Washburn County Zoning Ordinance and Maps; and

**WHEREAS**, the rezoning petitions have been referred to the zoning district boundaries, pursuant to Wisconsin Statute Chapter 59.69, and;

**THEREFORE BE IT RESOLVED** that the **Washburn County Zoning Ordinance and maps, adopted in 1977** be and the same are hereby amended and designated as;

Bass Lake Township: ML Holst LLC, Amery WI. Tax ID#3372 - 40 Acres, NE SE, Section 31-40-10, Town of Bass Lake, to rezone 40 acres as described above from Forestry to Residential Agricultural to make smaller parcels.

Interested persons were given the opportunity to be heard.

Supervisor \_\_\_\_\_ move to \_\_\_\_\_ rezonings,  
second by \_\_\_\_\_

Supervisor \_\_\_\_\_, motion carried

\_\_\_\_\_  
Dated

\_\_\_\_\_  
Thomas Mackie , Chairman  
Washburn County Board of Supervisors

Rezonepetitions121818

**A resolution amending multiple sections of the Washburn County Code of Ordinances, Chapter 38, Article IV, Zoning Regulations**

**Whereas**, Washburn County currently administers a comprehensive zoning ordinance pursuant to Chapter 59.69 Wisconsin Stats. and,

**Whereas**, State law changes affected by 2017 Wisconsin Act 67, Act 68, and BroadBand Forward! Community Model Ordinance and

**Whereas**, these changes has caused certain sections of the comprehensive ordinance to become redundant, invalid or inappropriate and,

**Whereas**, said language needs to be amended to replace, eliminate, and correct certain sections of the zoning ordinance and that various other sections of the comprehensive ordinance need to be further clarified and,

**Whereas**, the required majority of townships did approve of the amendments and the Zoning Committee did hold a public hearing on the proposed amendments and properly publish and notice the same, and is recommending said amendments to the Board of Supervisors for approval.

**Therefore, be it resolved** that the attached zoning ordinance amendments be adopted this day.

**Be if further resolved** that said amendments be incorporated in the Washburn County Code of Ordinances, Chapter 38, Article IV, in accordance with Chapter 66.0103.

Fiscal Impact: None

Recommended for adoption by the Zoning Committee at a public hearing held on November 27, 2018.

\_\_\_\_\_  
David Haessig, Chair

\_\_\_\_\_  
Jocelyn Ford, Vice Chair

\_\_\_\_\_  
Mark Radzak

\_\_\_\_\_  
Bob Olsgard

\_\_\_\_\_  
Jerry Smith

## Zoning Ordinance text amendments 2018

Page	Code Reference	Reason for Change	Comments
5	38-342(2)	shoreland no longer has class standards	
6	38-352(3)	see above	
7	38-362(2)	see above	
22	38-482 (1)	Grammar error	
29	38-523	Added language regarding conditional use permits based on changes from 2017 Wis. Act 67	Changes the basis for approval by the committee
30	38-531(2)	Clean up and added language regarding nonconforming structures (not conforming to shoreland setbacks), based on changes from 2017 Wis. Act 67	Allows for expansion of non-conforming structures to certain provisions without a variance
35	38-563(9)	Removed the word "permanent"	The ordinance doesn't distinguish between permanent and portable structures
36	38-563(9)e	Removed the word "nonpermanent"	See above
36	38-563(9)e	Changed wording for time frame	Zoning committee changed time frame that campers are allowed on property outside of a campground
36	38-563	Removed language in table "Parameters for Campgrounds & Resorts"	Navigable Waters Classifications no longer apply due to Act 55
57	38-600	Added/removed language per 2017 Wisconsin Act 68	Now allows for illegally placed non-conforming structures to be maintained, repaired, replaced, restored, rebuilt or remodeled if it meets the guidelines that the violation can't be enforced
58	38-601	see above	
60	38-603(3)	making language more clear	not a new provision
64	38-610(4)	Clarified language previously added	If a lot already has a guest cabin, a bunkhouse is not allowed
65	38-610(7)©	Clarified language	Took out bunkhouse space replaced with living space
65	38-611(4)	Clarified language previously added	A lot having a bunkhouse, may not have a guest cabin
66	38-630(2)(a)(b)(c)	Changed and added language per 2017 Wisconsin Act 67	Clarified some guidelines for applicants and duties/guidelines of the Board of Adjustments.
68	38-661	Fixed typo	
69	38-670	Added two definitions per 2017 Wisconsin Act 67	Added Definitions of Area Variance and Use Variance
75	38-670	Corrected a definition removed a word put in by mistake	
75	38-670	Added a definition per 2017 Wisconsin Act 67	Added definition of Substantial Evidence
82	38-705	Added language and fee per "BroadBand Forward"	Collation related exclusively to installation of BroadBand Equipment shall be \$100 fee

RESOLUTION # \_\_\_\_\_

**RESOLUTION CHANGING YOUTH ON THE COUNTY BOARD PROGRAM**

**WHEREAS**, the Washburn County Board has supported Youth Service on the County Board since April 2006, and

**WHEREAS**, this program is offered by Washburn County UW-Extension to all youth who *live in* Washburn County and who are in grades 9, 10, and 11 and

**WHEREAS**, a similar program is offered by Burnett County School System for their students, regardless of where they live – but they must *attend* Burnett County Schools, and

**WHEREAS**, there are some students currently not eligible for either the Washburn County or Burnett County program as they attend school in Washburn County but live in Burnett County, and

**WHEREAS**, the Washburn County UW-Extension Committee has recently voted to approve changing the program to allow all students that live in Washburn County “and/or attend school in Washburn County” the ability to apply for the program.

**THEREFORE, BE IT RESOLVED**, that the Washburn County Board approves extending the Youth on the County Board Program to all students who live in and/or attend school in Washburn County.

**FISCAL IMPACT:** None

Recommended for adoption by the Washburn County UW-Extension Committee on the 19<sup>th</sup> day of November, 2018 and approved by the Washburn County Board of Supervisors on this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
David Haessig, Chair

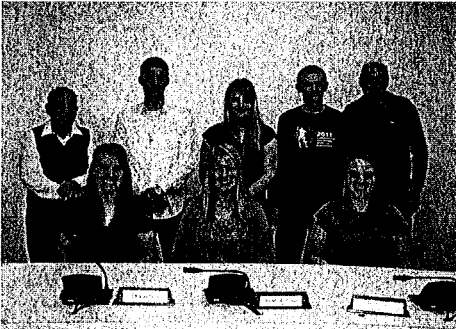
\_\_\_\_\_  
Stephen Smith, Vice Chair

\_\_\_\_\_  
Cristina Masterjohn, Member

\_\_\_\_\_  
James Dohm, Member

\_\_\_\_\_  
Dennis Wood, Member

# YOUTH SERVICE ON THE WASHBURN COUNTY BOARD



"I learned about what is important in government and how government officials need to handle any obstacle that comes at them. I also learned how you need to choose words carefully in government."

*Isaac, Youth Representative, 2012-2013*

"I gained an understanding of how the county government operates and how it works with other levels of government to accomplish goals."

*Calista, Youth Representative, 2012-2015*

"I learned that our county government is more complex than many may realize. Our county government is the one who makes sure that decisions made at higher government levels are implemented in our community. Our county workers are the ones to thank for the many things we take for granted."

*McLain, Youth Representative, 2015-2017*

## Have a Voice In Local Government

The Washburn County Board of Supervisors welcomes Washburn County youth in grades 9, 10, and 11 to apply to serve as youth representatives on the County Board.

This initiative provides Washburn County students an opportunity to play a valuable and active leadership role in the governance of their county.

Youth involvement on the County Board requires enthusiasm, energy, and a commitment of time. Youth representatives will be expected to attend County Board meetings scheduled for the third Tuesday evenings of most months.

## What's In It for YOU?

- Your knowledge and perspectives contribute to better county decisions and productive actions.
- You learn about citizenship, how decisions are made, and how to better communicate with adults.
- You have a voice in decisions that affect you.
- You become an informed and thoughtful citizen.
- You become a stakeholder and change agent in your community.



## Application Process

1. Applications and two references are due by April 2 and can be found at: [goo.gl/G66gwp](http://goo.gl/G66gwp)
2. One reference is to be from your parent/guardian and the second from an individual in your school or community. Reference forms should be sent directly from the individuals providing the reference.
3. Selections will be made on or around April 5.
4. An initial training session will be held in April prior to the County Board meeting.
5. Youth representatives will start their board terms at the April 2019 County Board meeting.

## Youth In Governance

Youth and adults working together in positions of authority to make decisions and take action to strengthen organizations, communities, and our democratic society.

## Questions?

Contact Anna DeMers, 4-H Youth Development Educator, [anna.demers@ces.uwex.edu](mailto:anna.demers@ces.uwex.edu) or 715-635-4444



RESOLUTION # \_\_\_\_\_

**AUTHORITY FOR CLOSING COUNTY DURING AN EMERGENCY –  
POLICY A-6 and UPDATING SECTION 3.13 of the COUNTY HANDBOOK  
- EMERGENCY CONDITIONS**

**WHEREAS**, questions have arisen regarding the authority to close any or all county buildings during emergency situations, and

**WHEREAS**, there may be events taking place in the courthouse involving trials or other court-related issues, and

**WHEREAS**, the authority to postpone such events comes from the 10<sup>th</sup> Judicial District Chief Judge, and

**WHEREAS**, the County Board Chair, along with the Administrative Coordinator, will issue the authorization to close the courthouse after consulting with the 10<sup>th</sup> Judicial District Chief Judge, and

**WHEREAS**, for county building(s) other than the courthouse, the Administrative Coordinator, with concurrence of the County Board Chair and consulting other Department Head(s) as necessary, will issue the authorization to close, and

**WHEREAS**, questions also have arisen regarding the payment of time for hours under such emergency conditions and such language will be clarified under Section 3.13 of the Employee Handbook.

**THEREFORE, BE IT RESOLVED**, that the A-6 policy be revised as indicated under #4, attached, and to incorporate language clarifying payment of regular scheduled hours under emergency conditions as indicated under Section 3.13 of the Employee Handbook, also attached.

**FISCAL IMPACT:** Unknown

Recommended for adoption by the Washburn County Executive Committee on the 13th day of February, 2019 and approved by the Washburn County Board of Supervisors on this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Tom Mackie, Chair

\_\_\_\_\_  
David Wilson, Member

\_\_\_\_\_  
David Masterjohn, 1<sup>st</sup> Vice Chair

\_\_\_\_\_  
Romaine Quinn, Member

\_\_\_\_\_  
David Haessig, 2<sup>nd</sup> Vice Chair

Policy A-6

**PURPOSE:** To provide guidance and information on emergency closing of county facilities.

**APPLICABILITY:** This policy applies to all county offices and departments except the Sheriff's Department, Highway crew and Clerk of Circuit Court's office.

Questions have been posed on the few times inclement weather either will or has threatened to interrupt working hours. This is to advise you of the County's policy on this matter.

1. Work Continues. Fundamentally, it is the County's policy to maintain all work schedules without interruption regardless of weather. As a local government entity, we have that obligation and that requirement for both twenty-four hour a day operations and daytime work.
2. Coming to Work. If weather conditions make it not possible for an employee to come to work as scheduled, this absence is to be charged to unused vacation, compensatory time, or absence without pay. Sick leave may not be used.
3. Leaving Work. If department heads allow employees to leave work schedules early because of weather conditions, such absences are to be charged to unused vacation, compensatory time, or absence without pay. Sick leave may not be used.
4. Authorization to Close the Courthouse and other Building(s). Under this Policy Section, **the County Board Chair, along with the Administrative Coordinator, may close places of work the courthouse for the unusual circumstances of inclement weather with the concurrence of the County Board Chairman and/or Vice Chairman 10<sup>th</sup> Judicial District Chief Judge. For county building(s) other than the courthouse, the Administrative Coordinator, with concurrence of the County Board Chair and consultation of other Department Head(s) as necessary, will issue the authorization to close.**
5. Notification: The County will provide notice of closing by informing local radio stations, using the County's Emergency Message Voice Mail system and County email sent to all employees.

The following radio stations will be informed (assuming they have staff available):

Shell Lake (715-245-5875) Radio Stations – WGMO, WCSW and KING Country

Rice Lake (715-234-9059) Radio Stations – WJMC, WAQE and all others

Hayward (715-634-4871) Radio Stations – WRLS

County Emergency Message Voice Mail can be accessed from home. Dial 715-468-4777.

County email can be accessed from home. The instructions can be found on the "s" drive with the following path; Information Technology\Helpdesk-Quick Tips\How to ..... or contact IT for help.

6. Payment if Facilities are Closed. If the above authorization has been given to close work places because of weather conditions, employees will be paid in accordance with the personnel handbook.
7. Program Closings: Under this policy, the County Administrative Coordinator delegate's authority to cancel programs due to inclement weather to the respective department heads.
8. **Other Closings: Closing for other unexpected events will be handled in a similar fashion.**
9. Understanding and Acceptance. Such unscheduled work variances because of weather will likely result in perceptions of unequal treatment in terms of work time. This is as regrettable as it is unavoidable. The public safety and general welfare of Washburn County may require extra effort and unequal work times, which is our responsibility as employees to accept.

**Policy A-6**

LAST REVISED: 9/2007, 12/18/13, 2/19/2019

APPROVAL:

\_\_\_\_\_/s/\_\_\_\_\_

Lolita Olson  
Administrative Coordinator



### 3.13 EMERGENCY CONDITIONS

The purpose of this policy is to promptly notify employees of any emergency conditions that may require the closing of a work site, the reassignment of staff to alternative work sites or other emergency measures.

Incident Weather. Weather conditions affecting only the ability to commute will generally not be considered a reason for closing a facility. Employees who do not report to work will generally be given a choice between the use of vacation pay or comp time, or flexible schedule to cover the absence.

Other Emergency Conditions. In conjunction with local health and/or public safety authorities, Washburn County may decide to close a work site or take other emergency measures in order to safeguard the health and welfare of employees and the public and/or because a situation exists affecting the ability of employees to perform their job. Examples of emergency conditions might include power outages, a natural disaster, or a quarantine imposed by health officials. The authorization to close any County facilities will rest with the County Board Chair or designee **as per resolution and associated policies**. All **Employees who are asked to stay home or are report to work but are turned away or sent home** under such circumstances will be compensated for ~~a full day's work~~ **their normal scheduled hours for that day**. ~~Employees who are absent from work for one or more full days due to inclement weather, including due to transportation difficulties or other emergency conditions, are considered to be absent for personal reasons and would be eligible to utilize vacation or compensatory time.~~

Procedures during Emergency Situations. **WASHBURN COUNTY EMPLOYEE MESSAGE NUMBER.** In order to ensure the most effective, efficient and timely information is provided to all of our employees during an initial emergency, the Administration/Personnel Department has approved the following for providing and receiving information during an emergency for all County employees.

There will be **ONE** phone number for all County employees to phone into during an emergency. The number is **715-468-4777**. This number will contain messages to all employees about what is happening with an emergency and what the employees should expect to do. The message will be updated periodically for employees to gain more information throughout the emergency.

**RESOLUTION # \_\_\_\_\_**

**RESOLUTION APPROVING NEW EMPLOYEE HANDBOOK POLICY RE:  
GIFTING OF SICK PAY**

**WHEREAS**, Washburn County offers sick pay benefits to all eligible employees, and

**WHEREAS**, on occasion there have been employees who have experienced a serious health condition or have had an immediate family member who has experienced a serious health condition or may face such a circumstance in the future, and

**WHEREAS**, there may be times that an employee will have exhausted all available paid leave, including vacation, sick, compensatory time, etc., resulting in potential financial hardship, and

**WHEREAS**, other employees have asked if they may be able to donate some of their sick time to such a county employee who is facing a qualifying serious medical condition or circumstance, and

**WHEREAS**, a Voluntary Sick Leave Donation Program has been developed that addresses the guidelines, eligibility, application and donation procedures proposed and is attached to this resolution.

**THEREFORE BE IT RESOLVED**; that the Washburn County Board of Supervisors approve the authorization of the Voluntary Sick Leave Donation Program and to include the policy in the Employee Handbook, to be effective immediately.

**FISCAL IMPACT: no fiscal impact**

Recommended for adoption by the Washburn County Personnel Committee this 4<sup>th</sup> day of February, 2019 and approved by the Washburn County Board of Supervisors this 19<sup>th</sup> day of February, 2019.

\_\_\_\_\_  
Dave Wilson, Chair

\_\_\_\_\_  
Hank Graber, Vice Chair

\_\_\_\_\_  
Jocelyn Ford, Member

\_\_\_\_\_  
Romaine Quinn, Member

\_\_\_\_\_  
David Masterjohn, Member

# Voluntary Sick Leave Donation Program

## Guidelines

1. The Voluntary Sick Leave Donation Program (hereinafter called the "Program") is intended to be used by employees with an FMLA qualifying personal serious medical condition or the serious medical condition of an immediate family member as defined under the Family Medical Leave Act (FMLA), and which qualifies as a medical emergency as described in #2 below.
2. The Program is applicable in connection with medical conditions of the applying employee or his/her family member that will require the prolonged absence (including intermittent absences) of the employee from work and that will result in significant/substantial loss of income to the employee due to exhausting all available paid leave, aside from the Program. The Program does not apply to incidental, normal, and/or short-term medical conditions or illnesses; such as short-term, sporadic recurrence of chronic allergies or conditions; short-term or sporadic absences due to contagious disease; or short-term, recurring medical or therapeutic treatments. These examples are illustrative only and are not intended to be all inclusive. Each case will be examined and decided based on its conformity to policy intent.
3. Donated hours may be used while an employee is on a Family and Medical Leave or Medical Leave as described in applicable Policies or Contracts. When an employee is on unpaid Medical Leave and using donated paid leave under this Program, the use of such paid leave shall comply with the applicable provision of use of accrued leave time in the governing policy or contract.
4. The Program does not limit or extend the time available under the FMLA, if any
5. Program participation is limited to 12 weeks (prorated for part time employees) either continuously or, if for the same condition, on a recurring basis. Additional verification from the physician may be required.
6. Employees on worker's compensation are not eligible to participate in the Program as a recipient.
7. The employee must exhaust all available Vacation, Sick Leave, Compensatory Time, and Bereavement Leave, if applicable, before using any donated hours. Although the employee is not eligible to use donated hours under this Program until all other forms of paid time off have been exhausted, the employee may request a donation in anticipation of exhausting all other accumulated paid time off.
8. Donated leave ends when the employee returns to work.
9. The establishment of a donated Sick Leave "bank" for use by unnamed employees is prohibited. Sick Leave must be donated on a one-to-one personal basis.
10. An employee may not directly or indirectly make any attempt to intimidate, threaten or coerce any other employee for the purpose of soliciting donations. Such action is considered a personal conduct issue and subject to disciplinary action, including dismissal.
11. If multiple donations are received for a specific recipient, the donations shall occur in the order in which the donations were submitted.

## Eligibility

### *Donor*

1. Donor should retain a minimum balance of sixty (60) hours in their Sick Leave Accrual.
2. Donor may not donate more than forty (40) hours annually to any one or combination of individuals.

### *Recipient*

1. Any county employee who is eligible to accrue Sick Leave may participate in this program and may apply to receive sick leave donations at any time when faced with a qualifying serious medical condition that satisfies all conditions of the Program.
2. Employee must have a minimum of 3 months employment with Washburn County.
3. Employees are not eligible to accrue sick, vacation, or compensatory time while using donated sick time.

## Application Procedure

1. A qualifying recipient may apply to receive shared leave by submitting a completed Application to Receive Voluntary Sick Leave Donation form to the Human Resources Department.
2. Only those applicants who currently have a "zero balance" of all paid leave accounts, e.g., Vacation, Sick Leave and Compensatory Time will be considered.
3. The employee requesting the sick leave donations must provide a Family and Medical Leave Health Care Provider Certification form and attach it to the application. The HR Department reserves the right to request additional information regarding the applicant's basis for application as needed, as well as reserving the right to request additional information or recertification throughout the duration of the applicant's participation in this program.

## Donation Procedure

1. Any eligible donor as defined under the "Eligibility" section of this procedure, may donate Sick Leave to a similarly defined eligible recipient.
2. An employee may donate sick leave by submitting a completed Voluntary Sick Leave Donation Form to the HR Department.
3. The minimum allowable donation is seven and a half (7.5) hours.
4. At no time will a recipient be paid for more than the number of normally scheduled hours. In all cases, donations will be paid out in order of receipt of time and under the same terms and conditions as provided for under the recipient's governing policy or contract.
5. The sick leave donations shall be subtracted from the donor and paid out to the recipient on an hour per hour basis. The donor's hours shall not be debited until they have been credited to the recipient. Any donated but unused hours shall remain in the donor's account and shall not count against the donor's annual forty (40) hour maximum leave donation.
6. Donations may only be used to compensate the recipient for approved time off. Neither the donor nor the recipient may request or receive the equivalent monetary value of the time off in lieu of taking paid time off under the Program. In addition, donated sick days may not be used for unapproved absences.
7. Once a specific donation has been submitted, the donor may not withdraw the donation.

# Washburn County Voluntary Sick Leave Donation Program - Form A

## Application to Receive Donated Sick Leave

### Part A: Employee Information (To be completed by Employee)

Full Name:				Date:	
	<i>Last</i>	<i>First</i>	<i>M.I.</i>		
Phone (work):	(      )		Phone (home):	(      )	
Department:			Position:		
Leave Requested For:	Own Serious Health Condition:				
	Immediate Family Member's Serious Health Condition:				
<p>I understand that I am applying to receive sick leave transferred from another employee's account. If approved, any donated leave will be done on a strictly voluntary basis. I understand that I will need to complete the necessary serious medical condition verifications as required under the terms of the program and furnish updates or re-verification as requested to continue participation.</p>					
Signature:				Date:	
<p>I have reviewed the <i>Voluntary Sick Leave Donation Program Procedures</i> and agree to comply with the requirements as outlined within the program document.</p>					
Signature:				Date:	

### Part B: Authorization and Approval (To be completed by Human Resources Director)

Approved:	<input type="checkbox"/>	Disapproved:	<input type="checkbox"/>	Comments:	
Administrator's Signature:				Date:	

### Part C: For Human Resources Use Only

Date of current accrued Leave expiration:		Maximum hours eligible to receive/week:	
Medical Authorization Received:	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Date of expiration of Physician's Authorization:
Signature of Human Resources Rep:			Date:



# Washburn County Voluntary Sick Leave Donation Program

## Form B– Donation of Sick Leave

Part A: Recipient Information (To be completed by Employee)			
Full Name:			
	<i>Last</i>	<i>First</i>	<i>M.I.</i>

Part B: Donor Information (To be completed by Employee)			
Full Name:			Date:
	<i>Last</i>	<i>First</i>	<i>M.I.</i>
Phone (work):	(     )	E-mail (work):	
Department:		Position:	
Amount of Sick Leave Donated (must be between 7.5 and 40 hours):			
<p>I understand that I am donating sick leave to be transferred from my leave account to the above named approved recipient's account. I understand that my decision to transfer leave is not revocable. I have reviewed the <i>Voluntary Sick Leave Donation Program Procedures</i> and agree to comply with the requirements as outlined within the policy. As of the date of this form, my donation is compliant with the guidelines as set forth in the <i>Program Procedures</i>. I understand and accept that the approval of this donation may be denied if all conditions of donation as set forth within the <i>Program Procedures</i> are not met.</p>			
Signature:			Date:

Part C: For Human Resources Use Only			
Approved:	<input type="checkbox"/>	Not approved:	<input type="checkbox"/>
Comments:			
Hours eligible for transfer:		Date eligible to transfer hours:	
Human Resources Representative Signature:			Date:

Part D: For Human Resources and Payroll Use Only			
Date of transfer:		Hours transferred:	
		Initials:	
Date of transfer:		Hours transferred:	
		Initials:	

RESOLUTION # \_\_\_\_\_

**RESOLUTION FOR ANNUAL UPDATE OF EMPLOYEE HANDBOOK**

WHEREAS, from time to time County policies need to be revised and updated to ensure currency with law, best practices and language updates, and

WHEREAS, terminology in the employee handbook has been updated to remove redundancies, clarify language, add definitions and to fix typos as indicated in the 2019.1 version attached.

THEREFORE, BE IT RESOLVED, that the 2019.1 Employee Handbook as attached will be effective upon approval by the Washburn County Board of Supervisors.

**FISCAL IMPACT: None**

RECOMMENDED FOR ADOPTION, THIS 11<sup>th</sup> DAY OF FEBRUARY, 2019 BY THE PERSONNEL COMMITTEE.

\_\_\_\_\_  
David Wilson, Chair

\_\_\_\_\_  
Hank Graber, Vice Chair

\_\_\_\_\_  
David Masterjohn, Member

\_\_\_\_\_  
Romaine Quinn, Member

\_\_\_\_\_  
Jocelyn Ford, Member

RESOLUTION # \_\_\_\_\_

**HOLDING OF MEETINGS AS MAY BE NECESSARY TO CONDUCT BUSINESS**

**WHEREAS**, Wisconsin Statute §59.13(2)(a) limits counties containing less than 25,000 population, to 20 days of which not more than 10 shall be for services on any one committee, and

**WHEREAS**, the Board may increase the number of committee meetings under §59.13(2)(b) and similarly fix the compensation of the members for the additional meetings, and

**WHEREAS**, the committees of the Washburn County Board of Supervisors are required to conduct business of said Washburn County, and hold/conduct committee meetings in excess of number permitted by Wisconsin Statute §59.13(2)(a), and

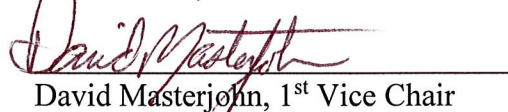
**WHEREAS**, by action of the Washburn County Board of Supervisors, the number of meetings of said committees beyond the statutory limit may be extended, and compensation of members for each meeting shall be fixed at the established per diem rate.

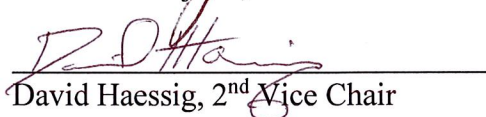
**THEREFORE, BE IT RESOLVED**, that the Washburn County Board of Supervisors agree that the committees of the Washburn County Board of Supervisors are hereby authorized to hold such meetings as may be necessary to conduct the business of said Washburn County.

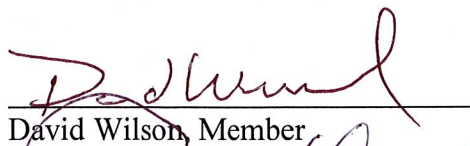
**FISCAL IMPACT:** Unknown

Recommended for adoption by the Washburn County Executive Committee on the 9<sup>th</sup> day of January, 2019 and approved by the Washburn County Board of Supervisors on this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

  
\_\_\_\_\_  
Tom Mackie, Chair

  
\_\_\_\_\_  
David Masterjohn, 1<sup>st</sup> Vice Chair

  
\_\_\_\_\_  
David Haessig, 2<sup>nd</sup> Vice Chair

  
\_\_\_\_\_  
David Wilson, Member

  
\_\_\_\_\_  
Romaine Quinn, Member

RESOLUTION # \_\_\_\_\_

RESOLUTION UPDATING COUNTY PURCHASING POLICY RE: CONTRACTING  
AUTHORITY

**WHEREAS**, Section 2-103 – Contracting Authority, of the Washburn County Purchasing Policy, states that the “Health & Human Services Department is exempt from the provision of this policy whenever contracting for client services”, and

**WHEREAS**, the Washburn County Unit on Aging also contracts for client services, and

**WHEREAS**, there are very specific regulations that the Unit on Aging has to follow for spending, reimbursement and reporting of funds through GWAAR and SAMS for example, and

**WHEREAS**, an opportunity has come up for the various Units on Aging throughout the state to participate in a group purchasing for a Nutrition Program vendor, which has been bid out with the assistance of GWAAR and Sustainable Kitchens, and

**WHEREAS**, current county policy would require the Washburn County Unit on Aging to obtain separate bids for a food vendor due to the fact that the annual cost is over \$20,000, regardless of group purchasing efforts or State of Wisconsin vendor pricing, and

**WHEREAS**, this current county requirement hampers the ability of the Unit on Aging to contract for client services in a timely and cost effective manner and is not a requirement of those programs.

**THEREFORE, BE IT RESOLVED**, that the last sentence in Section 2-103 is hereby amended to state: “The Health and Human Services Department and the Unit on Aging are exempt from the provisions of this policy whenever contracting for client services.”

**FISCAL IMPACT:** Estimated 6% Savings on Food Costs/year – approximately \$5000+

Recommended for adoption this 3rd day of January, 2019, by the Washburn County Finance Committee and approved by the Washburn County Board of Supervisors this 3rd day of January, 2019.

\_\_\_\_\_  
Steven Sather, Chair

\_\_\_\_\_  
Chris Thompson, Member

\_\_\_\_\_  
Linda Featherly, Member

\_\_\_\_\_  
David Haessig, Vice Chair

\_\_\_\_\_  
David Masterjohn, Member



## 2 COUNTY CLERK'S RESPONSIBILITIES

### 2-101 – County Clerk

The County Clerk is the principle purchasing official of the County. The primary responsibility of this position is to purchase only those supplies, services, equipment and leasehold improvement type construction needed to carry out the programs; functions and services required and budgeted by the County Board in accordance with the County Policies. Purchases are to be made in the most efficient and effective manner and at the lowest possible cost from a responsible vendor consistent with the quality and quantity needed.

### 2-102 - Delegation

Authority to purchase certain supplies, services or construction items may be extended to other County officials or employees for the effective purchasing of those items. The delegation to purchase shall be a Memo of Understanding written to that specific individual or department with a copy on file.

### 2-103-Contracting Authority

Only the County Board Chair, County Clerk, Administrative Coordinator or Department Heads/Supervisors with Committee approval can legally bind the County to any total lease valued or contract valued at or above \$12,000, unless the law requires the signature of the County Treasurer or the County Clerk in order to legally bind the County to a contract. **The Health and Human Services Department and the Unit on Aging Department are exempt from the provisions of this policy whenever contracting for client services.**

## PROCUREMENT LEVELS

### 3-101 – Standard Purchasing Levels

This Section will outline the buying levels and when a bid or request for proposal is necessary.

#### **A. Orders under \$5,000.**

1. If the expected cost of the requisition is less than \$5,000.00, **and the items are not offered on standard contracts**, the County Clerk may place the order directly with the vendor using best judgment as the basis for vendor selection. The use of purchase orders is optional for orders less than \$1,000.00.

#### **B. Orders over \$5,000 to \$20,000.**

1. The department determines the need for products or services and is instructed to obtain the necessary three (3) informal price quotes. For sole source purchases, prepare the necessary documentation on why the purchase should be considered sole source. Please see Section 4-104 for details.

RESOLUTION # \_\_\_\_\_

**RESOLUTION TO USE AGING FUND BALANCE TO PURCHASE  
AN OVEN FOR THE SPOONER SENIOR CENTER**

WHEREAS, the Unit on Aging had an unanticipated need to purchase an oven for the Spooner Senior Center; and,

WHEREAS, the purchase was not budgeted in the 2018 Aging budget; and,

WHEREAS, the Unit on Aging has Aging Fund Balance Committee funds available in the amount of \$6500 for this Aging purpose;

WHEREAS, the purchase of the oven has been paid for through the CIP Capital Improvement program account 400-57141 with the original Aging Spooner Kitchen Remodel that was budgeted for \$45,000 for 2018;


WHEREAS, this item was not originally budgeted in the CIP Project;

THEREFORE BE IT RESOLVED; that the purchase of the oven in the amount of \$6500 be approved and be reimbursed to the CIP fund 400-57141 from the Aging Fund Balance account cover the cost of the oven.

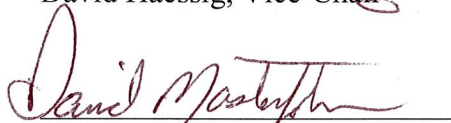
**FISCAL IMPACT: \$6500.00**


Recommended for adoption by the Washburn County Finance Committee

this 6<sup>th</sup> day of December, 2018.

  
Steven Sather, Chair

  
David Haessig, Vice-Chair

  
David Masterjohn

  
Christopher Thompson

  
Linda Featherly



**RESOLUTION TO INCREASE THE 2018 UNIT ON AGING DEPARTMENT BUDGET**

WHEREAS, the Unit on Aging Department receives funding from the State of Wisconsin for various programs, and throughout the year the State will amend the amount of grants; and,

THEREFORE BE IT RESOLVED, the Washburn County Aging and Disability Services Committee recommends to increase the 2018 Unit on Aging budget in the amount of \$12,539.00;

THEREFORE BE IT FURTHER RESOLVED; that the 2018 Unit on Aging budget shall be increased \$12,539.00 for the additional grant funding received in the specific accounts listed in the table below.

Account Number	Payment/Funding Description	Original	Amendment	Change
240.61110.46563	3B Aging/GWAAR 3B	\$ 24,969.00	\$ 26,543.00	\$ 1574.00
240.61200.46563	3D PI/GWAAR 3D PI - Prev. Health	\$ 1,756.00	\$ 2,183.00	\$ 427.00
240.61500.46563	3E Aging/GWAAR 3E - NFCSP	\$ 8,669.00	\$ 10,692.00	\$ 2,023.00
240.61600.46563	ALZ Aging/GWAAR ALZ - AFCSP	\$ 9,581.00	\$ 9,437.00	\$ (144.00)
240.62555.46563	C2 HDM/GWAAR HDM	\$ 14,707.00	\$ 15,549.00	\$ 842.00
240.62555.46563 NSIP	NSIP HDM/GWAAR NSIP - HDM	\$ 23,801.00	\$ 24,570.00	\$ 769.00
240.63101.46563	C1 Birchwood/GWAAR Congregate/NSIP	\$ 13,163.00	\$ 14,140.00	\$ 977.00
240.64101.46563	C1 Minong/GWAAR Congregate/NSIP	\$ 13,163.00	\$ 14,140.00	\$ 977.00
240.65101.46563	C1 Shell Lake/GWAAR Congregate/NSIP	\$ 11,981.00	\$ 13,433.00	\$ 1452.00
240.66101.46563	C1 Spooner/GWAAR Congregate/NSIP	\$ 16,319.00	\$ 17,675.00	\$ 1356.00
240.67101.46563	C1 Economart/GWAAR Congregate/NSIP	\$ 11,152.00	\$ 11,312.00	\$ 160.00
240.62160.46563	Transportation 85.21 State Grant	\$ 68,844.00	\$ 70,970.00	\$ 2,126.00


Total Change: \$12,539.00

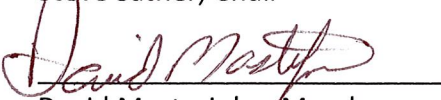
**FISCAL IMPACT: \$12,539.00**

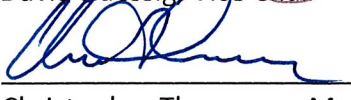
Recommended for adoption by the Washburn County Finance Committee


this 6th day of December, 2018.

  
Steve Sather, Chair

  
David Haessig, Vice Chair

  
David Masterjohn, Member

  
Christopher Thompson, Member

  
Linda Featherly, Member

**RESOLUTION TO INCREASE THE 2019 UNIT ON AGING DEPARTMENT BUDGET**

WHEREAS, the Unit on Aging Department receives funding from the State of Wisconsin for various programs, and was awarded a grant for Medical Improvement for Patients and Providers Act (MIPPA); and,

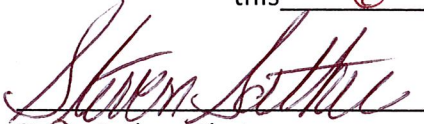
THEREFORE BE IT RESOLVED, the Washburn County Aging and Disability Services Committee recommends to increase the 2019 Unit on Aging budget in the amount of \$1,604;


THEREFORE BE IT FURTHER RESOLVED; that the 2019 Unit on Aging budget shall be increased \$1,604.00 for the additional MIPPA grant.


**FISCAL IMPACT: \$1,604.00**

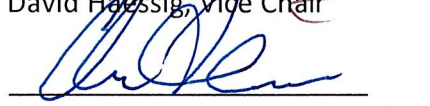
Recommended for adoption by the Washburn County Finance Committee

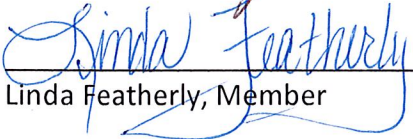
this 6th day of December, 2018.

  
Steve Sather, Chair

  
David Hassig, Vice Chair

  
David Masterjohn, Member

  
Christopher Thompson, Member

  
Linda Featherly, Member



RESOLUTION # \_\_\_\_\_

**A RESOLUTION DENYING A CLAIM**

**JESSE & STACY SONDREAL –vs- WASHBURN COUNTY**

**WHEREAS**, Jesse and Stacy Sondreal, by their attorney John L. Kirtley, delivered to Washburn County Clerk the letter regarding claim and circumstances pursuant to Wis. Stats. § 893.80, on October 24, 2018; and

**WHEREAS**, the matter has been submitted to the County’s insurance company, Aegis/Wisconsin County Mutual Ins. Corporation who, after consultation with the Washburn County Corporation Counsel, recommends that the claim be disallowed; and

**WHEREAS**, notice will be provided to Jesse and Stacy Sondreal that no action on this claim may be brought against Washburn County after six months from the date of service of the notice pursuant to Section 893.30 of the Wisconsin Statutes.

**THEREFORE, BE IT RESOLVED**, that the claim of Jesse & Stacy Sondreal is disallowed in its entirety.

**THEREFORE, BE IT FURTHER RESOLVED**, that notice of disallowance be served on the claimant and their attorney by certified mail pursuant to Wis. Stat. §893.80(1g).

**FISCAL IMPACT:** None

The foregoing resolution was adopted by the Washburn County Executive Committee at its meeting on December 12, 2018 and Passed/Defeated by a vote of \_\_\_\_ to \_\_\_\_ by the Washburn County Board of Supervisors on this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Tom Mackie, Chair

\_\_\_\_\_  
David Masterjohn, 1st Vice Chair

\_\_\_\_\_  
David Haessig, 2<sup>nd</sup> Vice Chair

\_\_\_\_\_  
David Wilson, Member

\_\_\_\_\_  
Romaine Quinn, Member

RESOLUTION # \_\_\_\_\_

**ORDERING ISSUANCE OF TAX DEEDS BY THE COUNTY CLERK  
TO THE COUNTY FOR CERTAIN UNREDEEMED PROPERTIES**

**WHEREAS**, several properties, descriptions of which are attached hereto, are the subject of tax certificates; and,

**WHEREAS**, the County Clerk has carefully compared the advertised descriptions of tax delinquent properties with tax certificates thereto and found no errors or omissions in said advertised descriptions and further found none of said properties were yet redeemed. The time prescribed for redemption shall be no later than 4:30 p.m. on Friday, March 22, 2019. Payments shall be made to the Washburn County Treasurer,

**THEREFORE BE IT RESOLVED THAT**, upon presentation of the tax certificate and proof of service of notice, the County Clerk is ordered, pursuant to Section 75.14 of the Wisconsin Statutes, to issue to Washburn County, a deed of said lands remaining unredeemed as of the end of the above described redemption period.

**FISCAL IMPACT: None**

Recommended for adoption by the Washburn County Public Property/Land Sale Committee the 7th day of January, 2019.

\_\_\_\_\_  
Chris Thompson, Chair

\_\_\_\_\_  
Linda Featherly, Vice Chair

\_\_\_\_\_  
Jim Dohm

\_\_\_\_\_  
Mark Radzak

\_\_\_\_\_  
Clint Stariha

**RESOLUTION # \_\_\_\_\_**

**RESOLUTION APPROVING THE CREATION OF THE POSITION OF NUTRITION DIRECTOR IN THE UNIT ON AGING**

WHEREAS, the position of “Nutrition & Prevention Program Supervisor” has been requested to be updated with changes to Title and Duties, and

WHEREAS, according to the State of Wisconsin Nutrition Operation Policies Chapter 8.2.1 the classification should be Nutrition Director, and

WHEREAS, with this state mandate, the requirement to change duties will result in the elimination of the responsibilities of the Stepping On and Health Prevention Program Supervisor and a decision will need to be made as to how those duties will be fulfilled, and

WHEREAS, this position fits into the long-range and strategic plans of the department and county as the responsibilities of the position will continue to grow as the number of older adults grow in the county, and

WHEREAS, since the new job description has a title change, along with responsibility changes, as well as the State requirement to include 8.2.1, it has been deemed to meet the parameters of a “new position” as per policy guidelines, and

THEREFORE BE IT RESOLVED; that a new position of Nutrition Director be approved according to policy by the Washburn County Board of Supervisors, to be effective immediately.

**FISCAL IMPACT: No change to fiscal impact; same as current position**

Recommended for adoption by the Washburn County Personnel Committee on this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
Dave Wilson, Chair

\_\_\_\_\_  
Hank Graber, Vice-Chair

\_\_\_\_\_  
David Masterjohn, Member

\_\_\_\_\_  
Jocelyn Ford, Member

\_\_\_\_\_  
Romaine Quinn, Member

# Washburn County Personnel Requisition Form

Date: 11.1.2018	<input checked="" type="checkbox"/> New Position	<input type="checkbox"/> Position Vacancy	<input type="checkbox"/> Position Change
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**POSITION INFORMATION:**

Position Title: Nutrition Director	Department: Unit on Aging
Effective Date: January 2019	
Position Type: <input checked="" type="checkbox"/> Full Time <input type="checkbox"/> Part Time <input type="checkbox"/> LTE <input type="checkbox"/> Casual	
Reason for Request: Updated Position Description with changes to Title and Duties.	
Why is position required or why can't present employees complete the work or why can't position be contracted? This position is already being filled. The duties had been changed but not updated. In addition we are requesting that the Health Prevention duties be removed.	
Is office space, furniture and office equipment available? <input checked="" type="checkbox"/> Y <input type="checkbox"/> N	
If not, explain plan to obtain:	

**WAGES/BENEFITS/FUNDING:**

Wage/Hr	Hrs/Yr	Wage/Yr	WRS	Taxes	W/C	Health Insurance (Single)	Total	
19.99	2080	41,579.20	2785.81	3180.81	1742.96	8804.64	58,093.41	No change to fiscal impact. Same as current position

Total cost for other equipment and/or training?

Is this request budgeted?     YES     NO    List the funding source:

**FISCAL ANALYSIS (from above):**

CATEGORIES	BUDGET ESTIMATES (EST.)
Other operating expenditures (include costs to hire – advertising, interviewing, testing/reviewing applicants)	0
Wages and Benefits	58,093.41
Personal Equipment (e.g. tools, uniforms, safety equipment)	0
Mileage & Meals	0
Training Expenses (Including memberships)	0
Computer Equipment (e.g. hardware, software, wiring, etc.)	0
Office Furniture and Supplies	0
Renovation/Relocation Costs	0
Revenues (Use Negative #)	0
<b>TOTAL:</b>	

## DISCUSSION AND JUSTIFICATION OF PROPOSED POSITION

*Cells will expand as you type.*

<p>Does this position already have a position classification and position description? If yes, please attach appropriate documentation. If no, has a <i>Position Questionnaire</i> been completed?</p>	<p>This position was previously classified as Nutrition &amp; Prevention Program Supervisor. According to the State of WI Nutrition Operation Policies Chapter 8.2.1 the classification should be Nutrition Director. The latest update of the position was done 12/2015. It previously required that the staff member be responsible for both the Washburn Nutrition Program and the Health Promotion Programs for the regional ADRC's of Barron, Rusk &amp; Washburn. The position was changed to only be responsible for Washburn Stepping On Health Promotion Program, but the Position Description was not updated. It has also been found that the Nutrition Director responsibilities require full-time attention and does not leave time for the Health Promotions Program position. Since the description had a Title change, along with responsibility changes and the State requirement to include 8.2.1, it is requested to classify this as a new position.</p>
<p>What are the major functions or examples of work performed of the proposed position?</p>	<p style="text-align: center;">Please see updated Position Description.</p>
<p>Minimum Educational Requirements and minimum experience for this position?</p>	<p>This position requires a Bachelor of Science Degree in Health Care, Dietetics, and Nutrition Science OR Bachelor's Degree in related field plus (3) year's experience in job related field. Experience or training in quantity food handling; completion of a course in food service sanitation desirable; or an equivalent combination of training and experience which provides the required knowledge, skills and abilities. Experience supervising staff and volunteers preferred.</p>
<p>Knowledge Skills and Abilities?</p>	<p>Knowledge of services available and programs provided in an active senior center; a basic knowledge of quantity food handling and sanitation; knowledge of problems, needs and concerns of the elderly and persons with disabilities; ability to communicate both orally and in writing; tact, courtesy and the ability to get along well with people, especially the elderly; ability to keep records and prepare reports; ability to plan, coordinate and monitor the work of others.</p>
<p>What caused the need for this position? (i.e. State or Federal initiatives/mandates, increased workload, etc.)</p>	<p style="text-align: center;">State mandate, change to required duties and workload.</p>
<p>What/Who generates the work which is to be done? The public? The department itself? Another department within the County?</p>	<p style="text-align: center;">The work is generated by the need from the public, which will continue to increase with the growing number of older adults in Washburn County.</p>
<p>Is this work currently being performed by someone else? If yes, how and by whom?</p>	<p style="text-align: center;">No</p>
<p>How does this position fit into the organizational structure of the Department? (Please attach an organizational chart.)</p>	<p style="text-align: center;">Currently on the organization chart. By taking away the responsibilities of the Stepping On and Health Prevention Program Supervisor, we will no longer have someone filling that position for Washburn County.</p>
<p>How will this position affect other employees in the department? (e.g. supervision, subordinates, etc.)</p>	<p style="text-align: center;">Will not.</p>
<p>Who would perform the duties of this position when the incumbent is on vacation or using sick time?</p>	<p style="text-align: center;">It would be the responsibility of the Aging Director and site managers.</p>

Are there alternatives to the services that this individual would provide? If yes, explain.	No.
What will be the effect or where would the impact be felt if this position is not created or not replaced? Please explain.	There will not be someone to fill the position of Stepping On or Health Prevention Program Supervisor.
Can the position costs be offset by eliminating or reducing a lower priority function? Please explain.	No.
Is there a workspace available for this employee? If yes, where? If no, what needs to be done to accommodate the requested position?	Yes.
How does this position fit into the long-range and strategic plans of the Department and/or County?	The responsibilities of this position will continue to grow as the number of older adults grows in Washburn County. We will need to decide how we will fulfill the duties associated with the Health Prevention Program in Washburn County.

Justification for request or general remarks/comments about the position:

Approvals:

<b>DEPARTMENT HEAD:</b>	I hereby certify that the above information is correct.	<b>DATE:</b>	
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Committee of Jurisdiction:

<b>COMMITTEE:</b>	Approved                      Denied Comments	<b>DATE:</b>	
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**HUMAN RESOURCE DIRECTOR APPROVAL:**

Filling of position is:  Approved     Not Approved

Comments:

Human Resources Director: \_\_\_\_\_ Date: \_\_\_\_\_

**COMMITTEE APPROVALS:**

<b>PERSONNEL COMMITTEE:</b>	Approved                      Denied Comments	<b>DATE:</b>	
<b>COUNTY BOARD (IF NECESSARY)</b>	Approved                      Denied Comments	<b>DATE:</b>	

<b>POSITION DESCRIPTION</b>		FLSA Status: Exempt
Class Title: Nutrition Director		Grade: 10-2080
Department: Unit on Aging	Location: Annex Building – Spooner	Date: 11/2018

**GENERAL STATEMENT OF DUTIES:** Under the supervision of the Aging Director, directly supervises the activities of the Washburn County Nutrition Program for all county meal sites and performs related work as required by the State of WI Nutrition Operation Policies Chapter 8.2.1. The Nutrition Director is responsible for organizing and monitoring the safe and sanitary service of meals and all other related nutrition program activities carried out at the Washburn County meal sites.

**DISTINGUISHING FEATURES OF CLASS:** This position requires understanding of the overall county Nutrition Program. It also requires understanding and sensitivity to the needs of older adults and persons with disabilities. Independent judgment and discretion is required. Important skills and qualities of the Nutrition Director include but are not limited to food handling experience, first aid/CPR/AED certification, group leadership experience, supervisory experience, problem-solving skills, and a warm, non-judgmental personality.

**EXAMPLES OF DUTIES PERFORMED:** (Illustrative Only)

- Supervises, plans, coordinates, monitors, and carries out the nutrition program for the county Senior Center meal sites in Minong, Spooner, Shell Lake, Birchwood, and Rise 'N Dine located at Economart in Spooner.
- Supervises all of the nutrition staff (FT, PT, LTE, and Substitute) at each of the senior meal sites.
- Regularly provides nutrition education and outreach to community members and providers by publicly speaking at local venues.
- Oversees sites housekeeping and sanitation, ensuring compliance with Federal, State and County regulations by making periodic scheduled visits to each of the dining sites.
- Participates and gives a monthly nutrition program report at the Washburn County Aging & Disability Services Committee meeting.
- Periodically attends the Senior Center meal sites meetings to provide input and receive feedback on the nutrition program, as needed.
- Leads a quarterly Nutrition Advisory Committee meeting where appointed citizen advisors for each meal site and Meals on Wheels, along with site managers, will review comment cards, discuss menu options, and discuss other orders of business that best support and maximize the Washburn County Aging nutrition program.
- Increase consistency and quality of the food served at each of the meal sites.
- Increase the number of congregate meal participants at each of the meal sites.

- Must be ServSafe Compliant and follow the guidelines outlined by the Greater Wisconsin Agency on Aging Resources (GWAAR) within 90 days of hire.
- Compile and analyze data and develop reports so the Aging Director and Board can review.
- Be proficient with various computer programs such as Microsoft Word, Outlook, Power Point, Publisher, etc.
- Collects, reviews, and provides Congregate and Meals on Wheels participant meal assessment data to assigned office staff to input into the WI State reporting program SAMs, in a timely manner as required.
- Prepares daily, monthly and annual program reports for the nutrition sites as required.
- Supervises and assigns work to nutrition staff and volunteers of meal sites.
- Provides initial training to new hires and volunteers. Assigns ongoing and additional training duties to site managers for local supervision as needed.
- Supervises the Home Delivered Meals Program and completes intake forms on new referrals and annual assessments on existing clients. May delegate these intake and annual assessment duties to other nutrition staff or volunteers as needed to facilitate and improve overall services.
- Responsible for coordinating the Home Delivered Meal routes and ensuring the volunteer drivers receive education and training on an annual basis. May delegate these coordinating duties to the local site managers for the communities being served.
- Responsible for overseeing all of the food orders to ensure we are within our annual budget for food costs.
- Performs tasks of the nutrition staff site managers, cooks and other nutrition staff if needed.
- Recruitment of substitute nutrition staff and volunteers, so that current staff have relief workers available when taking time off, in case of emergency, or when there are special events needing additional staffing.
- Demonstrates professional, courteous customer service to clients and other staff, consistent with County Core Values.
- Has the ability to work flexible schedule/hours to best support the nutrition program.
- Performs other tasks as assigned by the Aging Director.
- Performs and complies to Nutrition Program Director duties as required by the State of WI Nutrition Operation Policies Chapter 8:



### **8.2.1 Nutrition Program Director**

Nutrition Directors are responsible for ensuring that the following are accomplished:

- Plan, develop, implement, and coordinate all programs and services included within the Nutrition program.
- Prepare and enforce local nutrition program policies.
- Develop and maintain good working communication with the AAA for all aspects of this program.
- Advocate on behalf of older adults with community members, governing agencies and policy makers as well as local, state and federal legislators and lawmakers.
- Attend public hearings and meetings relating to legislative proposals for older adults as directed by the aging unit.
- Develop and maintain a good public relations program including outreach via public appearances and local newspapers, radio and other media.
- Obtain input from older adult participants regarding service delivery, including listening and responding to concerns.
- Maintain, inform, and seek advice from the nutrition advisory council. Ensure that the members of the council are active in advocating for and promoting the program, as well as assisting with decisions that affect service delivery.
- Recruit, screen, interview, hire, train and supervise all part-time and full-time personnel affiliated with this program.
- Recruit, train and recognize volunteers for the nutrition program.
- Prepare contract applications, job descriptions, bid specifications and proposals, and budget proposals in a timely and proper manner as directed.
- Contract for provision of food stuffs, food service equipment, supplies, and facilities according to the procurement procedures of the designated authority and as described in this manual (8.5.11 and 13.3).
- Develop and provide training programs for nutrition program staff and volunteers.
- Participate in the planning of and ensure all appropriate staff and volunteers attend regional annual nutrition program staff/volunteer training.
- Ensure the ongoing practice of safe food handling by developing and enforcing local policies and procedures related to food safety and sanitation and by ensuring all training and certification requirements are met (See Section – Food Safety).
- Ensure that all required assessments for home-delivered meal participants are completed.
- Develop fiscal procedures for the nutrition program.
- Maintain all accounts and records required by this program.
- Compile, organize, and prepare written reports and materials for the aging unit and other key agencies as directed (this includes the county or tribal aging unit, the AAA and BADR). (See Chapter 14 – NAPIS?)
- Coordinate the development and provision of supportive services for this program.
- Implement auditing controls to continuously measure program effectiveness and costs.
- Monitor each dining center annually to evaluate the provision of nutrition services.
- Identify program problems and recommend remedial measures.
- Carry out all other duties and activities of this position as assigned to the holder of this position.

**ESSENTIAL KNOWLEDGE, SKILLS AND ABILITIES:** Knowledge of services available and programs provided in an active senior center; a basic knowledge of quantity food handling and sanitation; knowledge of problems, needs and concerns of the elderly and persons with disabilities; ability to communicate both orally and in writing; tact, courtesy and the ability to get along well with people, especially the elderly; ability to keep records and prepare reports; ability to plan, coordinate and monitor the work of others.

**EXPERIENCE AND TRAINING REQUIRED:** This position requires a Bachelor of Science Degree in Health Care, Dietetics, and Nutrition Science OR Bachelor's Degree in related field plus (3) years experience in job related field. Experience or training in quantity food handling; completion of a course in food service sanitation desirable; or an equivalent combination of training and experience which provides the required knowledge, skills and abilities. Experience supervising staff and volunteers preferred.

**PHYSICAL DEMANDS:** The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee is frequently required to walk; turn at the waist; use hands to finger, handle, or feel objects, tools, or controls; and reach with hands and arms. The employee must regularly lift and/or move up to 25 pounds. The employee must occasionally lift and/or move up to 50 pounds

Specific vision abilities required by this job include close vision and the ability to adjust focus.

**TOOLS AND EQUIPMENT USED:** Calculator, Computer, Stove, Microwave, Refrigerator, Freezer, Mixers, Slicers, Dishwasher, Commercial Kitchen Tools and Utensils, Cleaning Instruments, Sanitation Supplies.

**WORK ENVIRONMENT:** The work environment characteristics described here are representative of those employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

The employee routinely works in a kitchen, dining facility environment. The noise level in the work environment is usually moderately loud.

**SELECTION GUIDELINES:** Formal application, rating of education and experience; oral interview and reference check; job related tests may be required.

The duties listed above are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar related or a logical assignment to the position.

The position of Washburn County Nutrition Director is required to comply with the Policies of Chapter 8 Nutrition Operations for the State of WI. Any revision or changes to this Policy would also constitute a change to the job description for the Washburn County Nutrition Director.

The job description does not constitute an employment agreement between the employer and employee and is subject to change by the employer as the needs of the employer and requirements of the job change.

Approval: \_\_\_\_\_/s/\_\_\_\_\_  
Personnel/Benefits Director

\_\_\_\_\_  
Date

\_\_\_\_\_  
Employees Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Supervisor's Signature

\_\_\_\_\_  
Date

(Revised 6/2000, 2006, 9/2006 and 9/2010, 02/2014, 12/2015, 11/2018)

**RESOLUTION # \_\_\_\_\_**

**RESOLUTION TO INCREASE THE 2019 PUBLIC PROPERTY COURTHOUSE BUDGET DUE TO THE JAIL LAUNDRY CAPITAL PROJECT COMPLETION**

WHEREAS, the Public Property Courthouse Budget does not contain budget consideration for increased usage of electricity, gas & water due to the anticipated completion of the Jail Laundry Project; and

WHEREAS, the 2019 Jail Budget no longer includes the contracted amount for the outside service of laundry (\$30,000); and

WHEREAS, the Jail Laundry project should be completed the end of 2018; and

WHEREAS, an approximation of increased utility usage for electricity, gas & water is \$7,000; and

WHEREAS, the General Fund Contingency fund has levy dollars to cover the \$7,000 needed for the Public Property Courthouse Budget;

THEREFORE BE IT RESOLVED, that \$7,000 be transferred from the 2019 Contingency Fund to the 2019 Public Property Courthouse Budget, affecting the accounts:

100.51600-50221 +\$1050  
100.51600-50222 +\$5250  
100.51600-50223 +\$700


**FISCAL IMPACT: \$7,000.00**

Recommended for adoption by the Washburn County Finance Committee this  
24<sup>th</sup> day of Jan 2019

\_\_\_\_\_  
Steven Sather, Chair

  
\_\_\_\_\_  
David Masterjohn

  
\_\_\_\_\_  
Linda Featherly

  
\_\_\_\_\_  
David Haessig, Vice Chair

\_\_\_\_\_  
Christopher Thompson

## RESOLUTION # \_\_\_\_\_

THIS IS A RESOLUTION TO ACCEPT FUNDS FROM THE DEPARTMENT OF AGRICULTURAL TRADE AND CONSUMER PROTECTION.

WHEREAS, The Washburn County Land and Water Conservation Department applied for The Producer Led – Watershed Protection Grant for the Shell Lake - Yellow River Farmer-Led Watershed Council in 2018 and was awarded a grant in the amount of \$15,600; and,

WHEREAS, the goal of the grant is to improve Washburn County's soil and water quality by encouraging **producer-led conservation decision making**; and,

WHEREAS, the grant runs from January 1, 2019 and terminates December 31, 2019; and

WHEREAS, these funds will be used by the council to provide outreach activities of conferences, workshops, field days, and demonstration projects highlighting conservation practices; and,

WHEREAS, these funds may be used to provide incentive payments to producers to implement conservation practices, such as soil testing, cover crops, nutrient and manure management planning, no-till, buffer strips, grassed waterways, manure composting, or low-disturbance manure injection or other innovative conservation practices; and,

WHEREAS, these funds may be used to measure and promote economic and environmental benefits of conservation practices; and,

WHEREAS, it is a collaborative effort where assembled is a technical support group consisting of staff from UW Extension, Wisconsin DNR, Washburn County Land, and Water Conservation Department, and the Northwest Graziers that will assist the council; and,

WHEREAS, this is a matching fund grant where the match must be at least equal to the total requested grant funds; and,

WHEREAS, \$3,000 from the grant will be upfront money that will be used on startup costs associated with: work planning, mission development, goal setting or learning days to have experts discuss conservation topics; and,

WHEREAS, the remaining portion the fiscal manager will seek reimbursement for costs incurred by submitting payment requests to the Department of Agricultural, Trade and Consumer Protection; and

WHEREAS, the Washburn County Land and Water Conservation Department will use \$9,000 from its 2019, Soil and Water Resource Management Grant allocation they will get from the Department of Agricultural, Trade and Consumer Protection for the installation of conservation practices within the Shell Lake – Yellow River Watershed as match; and,

WHEREAS, 604 hours at a rate of \$25 per hour which includes the time of staff, council and farmer's time, devoted to implementation of this grant as match; and,

WHEREAS, these funds will be administered by the Washburn County Land and Water Conservation Department on behalf of the Shell Lake - Yellow River Farmer-Led Watershed Council; and,

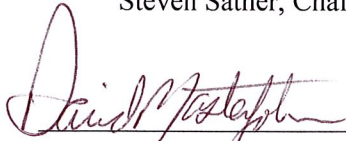
THEREFORE BE IT RESOLVED; as the Grant Recipient that \$15,600 will be transferred into the Land and Water Conservation Department's 2019 budget.

THIS IS A RESOLUTION TO ACCEPT FUNDS FROM THE DEPARTMENT OF AGRICULTURAL  
TRADE AND CONSUMER PROTECTION.

**FISCAL IMPACT: \$ 15,600**

Recommend for adoption by the Washburn County Finance Committee this 7<sup>th</sup> day of  
February 2019.

\_\_\_\_\_  
Steven Sather, Chair



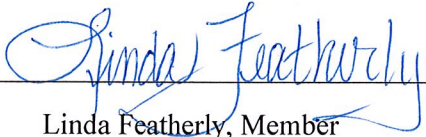
\_\_\_\_\_  
David Masterjohn, Member



\_\_\_\_\_  
David Haessig, Vice Chair



\_\_\_\_\_  
Christopher Thompson, Member



\_\_\_\_\_  
Linda Featherly, Member

**RESOLUTION # \_\_\_\_\_**

**RESOLUTION TO INCREASE THE 2019 LAND INFORMATION/COUNTY SURVEYORS BUDGET – 2019 WISCONSIN LAND INFORMATION PROGRAM (WLIP) GRANTS.**

WHEREAS, Washburn County will receive 2019 WLIP grant dollars from the State of Wisconsin in the amount totaling \$114,600.00; and

WHEREAS, The 2019 WLIP Training and Education Grant award portion is \$1,000.00; and

WHEREAS, The 2019 WLIP Strategic Grant award portion is \$50,000.00; and

WHEREAS, The 2019 WLIP Base Budget Grant award portion is \$63,600.00; and

WHEREAS, The Training and Educational Grant of \$1,000.00 has already been budgeted for 2019 and has been placed in the Land Information/Surveyors Budget (100.51720-50331.WLIA); and

THEREFORE BE IT RESOLVED; that the Land Information/Surveyors Office will use the Base Budget and Strategic Grant dollars to increase their 2019 budget in the amount of \$113,600 (Revenue account 100.51720-43512 & Expense 100.51720-various accounts)

**FISCAL IMPACT: State funded 113,600**

Recommended for adoption by the Washburn County Finance Committee this <sup>7</sup>~~24~~<sup>512</sup> day of

~~January~~ 2019.

February

\_\_\_\_\_  
Steve Sather, Chair

  
\_\_\_\_\_  
David Haessig, Vice Chair

  
\_\_\_\_\_  
David Masterjohn, Member

  
\_\_\_\_\_  
Linda Featherly, Member

  
\_\_\_\_\_  
Christopher Thompson, Member



RESOLUTION # \_\_\_\_\_

RESOLUTION TO CARRY OVER FY 2018 GRANT & FUND BALANCE TO  
THE FY 2019 EMERGENCY GOVERNMENT DEPARTMENT BUDGET

WHEREAS, the Emergency Government Department received funding from Polk Burnett Electric, Barron Electric and Enbridge as a grant or donation in FY 2018 for use towards the purchase of a generator and/or radio equipment for the Incident Command Post (ICP); and,

WHEREAS, the Emergency Government Department anticipates FY 2018 grant funding yet to be received in the amount of \$12,898.41. Of this amount, \$3,500 is designated for the specific use of the ICP Build-out and Generator Project; and,

WHEREAS, Emergency Government has unspent FY 2018 Fund Balance in the amount of \$2,500 which is to be carried into FY 2019 for the specific use of the ICP Build-out and Generator Project; and,

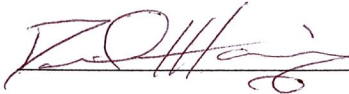
WHEREAS, Emergency Management has the support of the Law Enforcement / Emergency Management Committee to carry forward FY 2018 Grant Funds and Fund Balance into Fiscal Year 2019 for expenditure towards the Incident Command Post Build-out and Generator Project;

THEREFORE, BE IT RESOLVED that the aforementioned Grant Funds and Fund Balance be carried into the FY 2019 Emergency Government Budget #52910 and \$6,000 specifically applied towards the ICP Build-out and Generator Project.

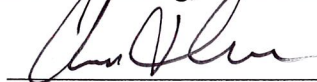
**FISCAL IMPACT: Carryover of Funds, up to \$ \$15,398.41**

Recommended for adoption by the Washburn County Finance Committee this 7th \_\_\_ day of February, 2019.

\_\_\_\_\_  
Steven Sather, Chair



David Haessig, Vice Chair



Chris Thompson



David Masterjohn

\_\_\_\_\_  
Steven Sather



Linda Featherly



**RESOLUTION # \_\_\_\_\_**

**RESOLUTION TO INCREASE THE  
2018 EMERGENCY GOVERNMENT DEPARTMENT BUDGET ADJUSTMENT  
DUE TO ENBRIDGE GRANT AWARD FOR FISCAL YEAR 2018**

WHEREAS, the Emergency Management Department has received an Enbridge grant funding in the amount of \$2,500.00 towards radio equipment for the Incident Command Post (ICP); and,

WHEREAS, Emergency Management only budgeted for a potential grant award of \$750.00; and,

WHEREAS, Emergency Management was awarded \$1,750.00 more than budgeted in the approved FY 2018 Budget Process; and,

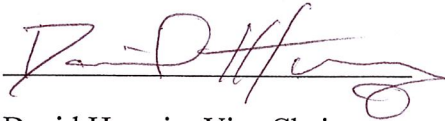
WHEREAS, the Law Enforcement/Emergency Management Committee approved Emergency Management's application and receipt of award from Enbridge; and,

THEREFORE BE IT RESOLVED; that the FY 2018 Emergency Government (#52910) budget be increased \$1,750.00 for this grant award.

**FISCAL IMPACT: Grant \$1,750.00**

Recommended for adoption by the Washburn County Finance Committee this  
7<sup>th</sup> day of February 2018.

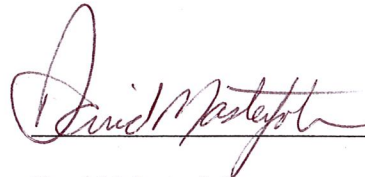
\_\_\_\_\_  
Steven Sather, Chair



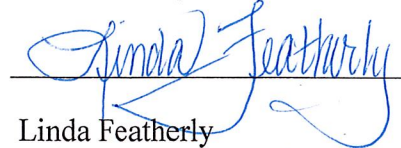
David Haessig, Vice Chair



Chris Thompson



David Masterjohn



Linda Featherly

## ARTICLE IV. - ZONING REGULATIONS<sup>3</sup>

Footnotes:

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**Editor's note**— Statute numbers used in this article are 1999—2000 Wisconsin Statutes.

### DIVISION 1. - INTRODUCTION AND STATUTORY AUTHORIZATION

Sec. 38-310. - Statutory authorization.

For the purposes listed in the Wis. Stats. §§ 59.70(1), 59.69, 59.692, 59.694, 87.30 and 281.31 the Board of Supervisors of Washburn County in regular session, this 14th day of February, 1977, do hereby, ordain and enact this comprehensive revision as follows.

(Ord. of 3-19-2002, Art. I, § 10)

Sec. 38-311. - Purpose and intent.

The purpose of this article is to promote and to protect the public health, morals, safety, and general welfare of the county. It is intended to encourage the use of lands and natural resources in Washburn County in accordance with their character and adaptability; to promote orderly development; to secure safety to health, life and property; to prevent highways from economic suffocation by encroaching uses; to preserve land values and insure a quality environment for future generations. This article is intended to accomplish this purpose by providing for the proper locations, construction and use of buildings, structures, and the use of land, shorelands, air, and water within the unincorporated areas of Washburn County.

(Ord. of 3-19-2002, Art. I, § 11)

Sec. 38-312. - Applicability.

Pursuant to Wis. Stats. §§ 59.692 and 87.30, all of the unincorporated areas of Washburn County are subject to county shoreland and floodplain zoning within the shoreland and floodplain areas described in divisions 2, 27 and 34 of this article.

(Ord. of 3-19-2002, Art. I, § 11.5; Res. No. 47-17, 6-20-2017)

Sec. 38-313. - Interpretation.

The provisions of this article shall be held to be minimum requirements, adopted for the promotion and protection of the public health, morals, safety, and general welfare of the county. Whenever the requirements of this article are at variance with the requirements of any other lawfully adopted regulations, ordinances, or private covenants, the most restrictive, or that imposing the higher standards shall govern.

In their interpretation and application, the provisions of this article shall be held to be minimum requirements and shall be liberally construed in favor of the county and shall not be deemed a limitation or repeat of any other powers granted by Wisconsin Statutes. Where a provision of this article is required by a standard in Wis. Admin. Code ch. NR 115, and where the ordinance provision is unclear, the provision shall be interpreted in light of the Wis. Admin. Code ch. NR 115 standards in effect on the date of adoption of this article, or in effect on the date of the most recent text amendment to this article.

(Ord. of 3-19-2002, Art. I, § 12)

Sec. 38-314. - Reserved.

**Editor's note**— Res. No. 47-17, adopted June 20, 2017, repealed former § 38-314 which pertained to land division review and sanitary regulations, and derived from an ordinance adopted March 19, 2002, Art. I, § 13.

Secs. 38-315—38-319. - Reserved.

## DIVISION 2. - ZONING DISTRICTS

Sec. 38-320. - District establishment.

For the purposes of this article, the unincorporated areas of Washburn County are hereby divided into the following use districts and shall be placed into such districts in accordance with their best use, efficiency and in general continuity with existing land use:

- (1) Residential (R) District—Dark Blue
- (2) Residential Mobile (RM) District—Orange
- (3) Residential-Recreational 1 (RR-1) District—Light Blue
- (4) Residential-Recreational 2 (RR-2) District—Brown
- (5) Residential-Agricultural (RA) District—Pink
- (6) Agricultural (A) District—Yellow
- (7) Forestry (F) District—Green
- (8) Commercial (C) District—Purple Lined
- (9) Commercial Highway (CH) District- Black Lined
- (10) Industrial (I) District—Black
- (11) Planned Unit Development (PUD) District\*
- (12) Shoreland-Wetland District—Designated by state wetland map
- (13) Planned Residential Development (PRD) District\*

\* No color assignment; district added to ordinance after creation of original maps.

(Ord. of 3-19-2002, Art. II, § 20; Res. No. 47-17, 6-20-2017)

Sec. 38-321. - Zoning district map and district boundaries.

The locations and boundaries of the aforesaid districts, except shoreland-wetland districts, are shown on separate maps of each township and these maps collectively with the county wetlands map, shall make up the official Zoning Map of Washburn County, Wisconsin, and shall be made part of this article. United States Geological Survey quadrangle maps, and flood hazard boundary maps, and general floodplain maps for Washburn County are also adopted as aids in determination of navigability, shoreland boundaries, and for topographical information necessary to properly administer the provisions of this article.

District boundaries, except shoreland-wetlands, are generally located in conjunction with the center lines of roadways, railways, section lines, quarter section lines and lot lines. Questions regarding the

exact location of district boundaries shall be determined by the zoning administrator in accordance with the following interpretive rules:

- (1) Unless otherwise indicated on the map, district boundaries are the center lines of highways, streets and other roadways or railroads; section lines, quarter section lines, lot lines, or such lines extended. Where different dimensions of depth or length of a boundary are indicated, either by figures shown on the zoning map or by an attached legend or by attached maps such as enlargements U.S.G.S. Maps (R.C. District) or other maps for clarification, such dimensions and material shall be controlling.
- (2) Districts located at the intersections of roadways or roadways and railroads, shall be measured from the center point of such intersections.
- (3) Where a district boundary is indicated as paralleling a roadway or railroad and a definite depth is not given, the district boundary line shall be measured at right angles to the roadway or railroad and shall be 300 feet in depth, or the depth necessary to meet the district area requirement when multiplied by the minimum width, whichever is greater. The length of each such district shall be taken as what is shown on the map.
- (4) Where a district boundary is indicated as paralleling the edge of a watercourse and a definite depth is not given, the district boundary line shall be measured at right angles to the watercourse and shall be 300 feet in depth, or the depth necessary to satisfy the minimum area required when multiplied by the minimum district width requirement, whichever is greater. The length of each district shall be taken as what is shown on the map.
- (5) Where a district boundary line divides a lot or parcel of less than the required area, which is in single ownership at the time of enactment of this article, the requirements of the district in which the greatest proportion of the lot or parcel lies, shall apply to the entire lot or parcel.
- (6) The boundary of a shoreland-wetland district is presumed to be the edge of a wetlands as defined in the ordinance, or the landward edge to which shoreland regulations apply. The zoning administrator shall determine shoreland-wetland district boundaries by visual inspection and may request any necessary assistance from the department of natural resources.
- (7) All other cases of interpretation of district boundaries and appeals from the determination of the zoning administrator shall be determined by the board of adjustments.

(Ord. of 3-19-2002, Art. II, § 21; Res. No. 47-17, 6-20-2017)

Sec. 38-322. - Dimensional standards.

Districts and Requirements	R	RM	RR1	RR2	RA	A	F	C	CH	I
Minimum lot area(a), (c)	20,000 sf(b)	20,000 sf(b)	20,000 sf(b)	3 acres	5 acres	20 acres(e)	20 acres (e)	20,000 sf	1 acre	20,000 sf
Minimum lot width(c)	100 ft	100 ft	100 ft	200 ft	250 ft	400 ft	400 ft	100 ft	n/a	100 ft
Side yard/principal building(c)	10 ft	10 ft	10 ft	10 ft	10 ft	20 ft	20 ft	10 ft	n/a	30 ft

Side yard/accessory building(c)	5 ft	5 ft	5 ft	5 ft	5 ft	10 ft	10 ft	10 ft	20 ft	20 ft
Rear yard	40 ft	40 ft	40 ft	40 ft	40 ft	50 ft	50 ft	20 ft	n/a	50 ft
Principal building height	35 ft	35 ft	35 ft	35 ft	40 ft	60 ft(d)	35 ft	35 ft	3 stor.	60 ft
Accessory building height	25 ft	25 ft	25 ft	25 ft	25 ft	60 ft	25 ft	25 ft	n/a	25 ft

*Notes:*

- (a) Plus any area required by H-85, Wis. Admin. Code.
- (b) Airport approach protection-required by Wis. Stats. § 114.136.2(b).
- (c) Shoreland Ordinance dimensional requirements may be more restrictive.
- (d) Silos: 100-foot limitation.
- (e) Forestry and agricultural districts: The minimum lot or parcel area shall be 20 acres, except where the initial parcel is a government lot, or quarter, quarter section which is less than 40 acres. In such cases, the divided parcels shall be a minimum of 17 acres, or one-half of the initial parcel size, whichever is greater.

(Res. No. 2006-111, § 2, 1-23-2007; Res. No. 47-17, 6-20-2017)

Secs. 38-323—38-329. - Reserved.

DIVISION 3. - EFFECT OF REGULATIONS

Sec. 38-330. - Effect of regulations.

No land, shorelands, water, or premises shall be used unless in accordance with the provisions of this article and such use shall conform to the regulations prescribed herein for the use district in which such land, shorelands, water or premises is located.

No building, structure or part thereof, shall be erected, constructed, reconstructed, moved, enlarged or structurally altered unless in accordance with the provisions of this article and such building, structure or part thereof, shall conform to the regulations prescribed herein for the use district in which such building, structure or part thereof, is located.

(Ord. of 3-19-2002, Art. III)

Secs. 38-331—38-339. - Reserved.

#### DIVISION 4. - RESIDENTIAL (R) DISTRICT

##### Sec. 38-340. - Purpose.

The purpose of this district is to protect areas having suitable characteristics for prime year-round residential development from uses which would prove detrimental to residential values. It is intended to encourage such development around existing residential areas where soil conditions are suitable for such development and in those which can be economically and readily served with the required facilities and services.

(Ord. of 3-19-2002, Art. IV, § 40)

##### Sec. 38-341. - Permitted uses.

- (1) One- or two-family dwelling (not to exceed two dwelling units).
- (2) Accessory buildings and uses incidental to customary residential use.
- (3) Customary home occupation. Home occupations which involve automobile or other motor vehicle or engine repair are not permitted.
- (4) Gardening for home use.
- (5) Essential services and utilities intended to serve the residential and accessory uses.
- (6) Signs, subject to the provisions of division 18.
- (7) Single guest cabin, subject to the provisions of division 28.
- (8) Single bunkhouse, subject to the provisions of division 28.

(Ord. of 3-19-2002, Art. IV, § 41; Res. No. 64-10, 7-27-2010; Res. No. 25-15, 3-24-2015; Res. No. 47-17, 6-20-2017)

##### Sec. 38-342. - Conditional uses.

- (1) Expanded home occupation. Expanded home occupations which involve automobile or other motor vehicle or engine repair are not permitted.
- (2) Multiple-family dwellings. ~~Subject to Washburn County Shorelands Class Development Standards.~~
- (3) Boarding and lodging house.
- (4) Public and semipublic uses including, but not limited to, the following: museums, churches, public and private schools, clinics, hospitals, rest homes, funeral homes; recreation areas such as: playgrounds, tennis courts, pools, and public and private parks.
- (5) Telephone exchanges, telephone, telegraph, and power transmission lines, poles, towers, and substations with accessory buildings and equipment.

(Ord. of 3-19-2002, Art. IV, § 42; Res. No. 64-10, 7-27-2010; Res. No. 25-15, 3-24-2015)

##### Secs. 38-343—38-349. - Reserved.

#### DIVISION 5. - RESIDENTIAL-MOBILE HOME (RM) DISTRICT

##### Sec. 38-350. - Purpose.

The purpose of this district is to provide for an area for the accommodation of both conventional residential dwellings and single mobile homes. It is intended to encourage such development around existing areas of mobile home development where soil conditions are suitable for such development and in those areas which can be economically and readily served with the required facilities and services.

(Ord. of 3-19-2002, Art. V, § 50)

Sec. 38-351. - Permitted uses.

- (1) One- or two-family dwelling (not to exceed two dwelling units).
- (2) Single mobile home per lot or parcel.
- (3) Accessory buildings and uses incidental to the principle residential use.
- (4) Customary home occupation. Home occupations which involve automobile, motor vehicle or other engine repair are not permitted.
- (5) Gardening for home use.
- (6) Essential services and utilities intended to serve the residential and the accessory uses.
- (7) Signs, subject to the provisions of division 18.
- (8) Single guest cabin, subject to the provisions of division 28.
- (9) Single bunkhouse, subject to the provisions of division 28.

(Ord. of 3-19-2002, Art. V, § 51; Res. No. 64-10, 7-27-2010; Res. No. 25-15, 3-24-2015; Res. No. 47-17, 6-20-2017)

Sec. 38-352. - Conditional uses.

- (1) Expanded home occupation. Expanded home occupations which involve automobile or other motor vehicle or engine repair are not permitted.
- (2) Mobile home parks.
- (3) Multiple-family dwellings. ~~Subject to Washburn County Shorelands Class Development Standards.~~
- (4) Boarding and lodging house.
- (5) Public and semipublic uses including, but not limited to, the following: museums, churches, public and private schools, clinics, hospitals, rest homes, funeral homes; recreational areas such as: playgrounds, tennis courts, pools, and public and private parks.
- (6) Telephone exchanges, telephone, telegraph, and power transmission lines, poles, towers, and substations with accessory buildings and equipment.

(Ord. of 3-19-2002, Art. V, § 52; Res. No. 64-10, 7-27-2010; Res. No. 25-15, 3-24-2015)

Secs. 38-353—38-38-359. - Reserved.

DIVISION 6. - RESIDENTIAL-RECREATIONAL 1 (RR-1) DISTRICT (High Density)

Sec. 38-360. - Purpose.

The purpose of this district is to provide for both seasonal and year-round residential development and to encourage the orderly development of the recreation industry in areas having a high recreational

value, where the soil conditions and other physical features will economically support such development without depleting or destroying natural resources.

(Ord. of 3-19-2002, Art. VI, § 60)

Sec. 38-361. - Permitted uses.

- (1) One- or two-family dwelling (not to exceed two dwelling units).
- (2) Accessory buildings and uses incidental to the principle residential use.
- (3) Customary home occupation. Home occupations which involve automobile, motor vehicle or other engine repair are not permitted.
- (4) Gardening for home use or sale.
- (5) Essential services and utilities intended to serve the residential and accessory uses.
- (6) Historical, geological and religious markers and monuments.
- (7) Signs, subject to the provisions of division 18.
- (8) Single guest cabin, subject to the provisions of division 28.
- (9) Single bunkhouse, subject to the provisions of division 28.

(Ord. of 3-19-2002, Art. VI, § 61; Res. No. 64-10, 7-27-2010; Res. No. 25-15, 3-24-2015; Res. No. 47-17, 6-20-2017)

Sec. 38-362. - Conditional uses.

- (1) Public and semipublic uses including, but not limited to, the following: museums, churches, public and private schools, clinics, hospitals, rest homes, funeral homes; recreational areas such as playgrounds, tennis courts, pools, and public and private parks.
- (2) Multiple-family dwellings. ~~Subject to Washburn County Shorelands Class Development Standards.~~
- (3) Boarding and lodging houses.
- (4) Resorts, hotels, motels, and small apartments.
- (5) Restaurants, dinner clubs, taverns, dance halls, and other private clubs.
- (6) Gift and specialty shops.
- (7) Bait stores, sporting goods stores, and small general merchandise stores.
- (8) Expanded home occupation. Expanded home occupations which involve automobile, motor vehicle or other engine repair are not permitted.
- (9) Single mobile home.
- (10) Telephone exchanges, telephone, telegraph, and power transmission lines, poles, towers, and substations with accessory buildings and equipment.
- (11) Mini-storage units.

(Ord. of 3-19-2002, Art. VI, § 62; Res. No. 82-05, 12-21-2004; Res. No. 64-10, 7-27-2010; Res. No. 25-15, 3-24-2015)

Secs. 38-363—38-369. - Reserved.



DIVISION 7. - RESIDENTIAL-RECREATIONAL 2 (RR-2) DISTRICT (Low Density)

Sec. 38-370. - Purpose.

The purpose of this district is to provide for both seasonal and rear-round residential development, yet insure a rural atmosphere and the preservation of open space by requiring larger lot development. The soil conditions and other physical features must be suitable for such use and these areas shall be located in such a way as to be economically feasible to provide such development with the necessary facilities and services.

(Ord. of 3-19-2002, Art. VII, § 70)

Sec. 38-371. - Permitted uses.

- (1) Two seasonal or year-round dwellings (not to exceed four dwelling units).
- (2) Accessory buildings and uses incidental to the principle residential use.
- (3) Customary home occupation. Home occupations which involve automobile, motor vehicle or other engine repair are not permitted.
- (4) Essential services and utilities intended to serve the residential and accessory uses.
- (5) Gardening for home use or sale.
- (6) Conservation trails and natural resources management programs.
- (7) Historical, geological, and religious markers and monuments.
- (8) Fire control and detection structures.
- (9) Signs, subject to the provisions of division 18.
- (10) Horses. Not to exceed two animals, with an exception for a mare with a colt for up to two years. Fencing is the liability of the horse owner.
- (11) Single guest cabin, subject to the provisions of division 28.
- (12) Single bunkhouse, subject to the provisions of division 28.

(Ord. of 3-19-2002, Art. VII, § 71; Res. No. 64-10, 7-27-2010; Res. No. 25-15, 3-24-2015; Res. No. 47-17, 6-20-2017)

Sec. 38-372. - Conditional uses.

- (1) Campgrounds, public and private parks and other recreational camps and parks.
- (2) Resorts, motels, small apartments, dinner clubs, taverns, dance halls, and other private clubs.
- (3) Gift shops, bait and sporting goods stores, and small general merchandise stores.
- (4) Marinas and boat storage.
- (5) Sportsman's clubs and shooting ranges.
- (6) Game and fish farms and fish hatcheries.
- (7) Riding stables, golf courses, and similar recreational facilities.
- (8) Institutions of a philanthropic or educational nature.
- (9) Single mobile home.

- (10) Expanded home occupation. Expanded home occupations which involve automobile, motor vehicle or other engine repair are not permitted.
- (11) Nurseries and greenhouses when used for other than a home use.
- (12) Telephone, telegraph, and power transmission lines, poles, towers, and substations with accessory buildings and equipment.
- (13) Mini-storage units.

(Ord. of 3-19-2002, Art. VII, § 72; Res. No. 82-05, 12-21-2004; Res. No. 64-10, 7-27-2010; Res. No. 25-15, 3-24-2015)

Secs. 38-373—38-379. - Reserved.

#### DIVISION 8. - RESIDENTIAL-AGRICULTURAL (RA) DISTRICT

Sec. 38-380. - Purpose.

The purpose of this district is to provide for some residential development in those areas which have been or are partially being used for agriculture and associated uses and that are not included within the agricultural district due to their marginal production capabilities. Such area's primary use may be a residential use with a subsidiary agricultural use.

(Ord. of 3-19-2002, Art. VIII, § 80)

Sec. 38-381. - Permitted uses.

- (1) Two seasonal or year-round dwellings (not to exceed four dwelling units).
- (2) General farming provided that buildings in which farm animals are kept shall be at least 100 feet away from any adjoining property line or building designated for human habitation other than the residence of the owner of the property, owner's agent or lessee.
- (3) Accessory buildings and uses incidental to the principal permitted use.
- (4) Essential services and uses incidental to the principal permitted and accessory uses.
- (5) Customary home occupation. Home occupations which involve automobile, motor vehicle, or other engine repair are permitted only by conditional use.
- (6) Roadside stands provided sufficient parking is available.
- (7) Greenhouses and nurseries.
- (8) Trails and wildlife refuges.
- (9) Wood lots and tree farms.
- (10) Production and harvesting of wild crops.
- (11) Fire control detection structures.
- (12) Historical, geological, and religious markers and monuments.
- (13) Signs, subject to the provisions of article 18.
- (14) Single guest cabin, subject to the provisions of division 28.
- (15) Single bunkhouse, subject to the provisions of division 28.

(Ord. of 3-19-2002, Art. VIII, § 81; Res. No. 64-10, 7-27-2010; Res. No. 25-15, 3-24-2015; Res. No. 47-17, 6-20-2017)

Sec. 38-382. - Conditional uses.

- (1) Single mobile home.
- (2) Expanded home occupation, or any home occupation involving automobile, motor vehicle, or other engine repair.
- (3) Public and private schools and churches.
- (4) Cemeteries.
- (5) Airports and landing strips.
- (6) Drive-in theaters.
- (7) Storage of junked automobiles, salvage yards, and scrap storage and processing. Also subject to provisions of the Wisconsin Administrative Code.
- (8) Stockyards.
- (9) Portable sawmills and appurtenant equipment, and that such length of stay shall not exceed 30 days in any one one-year period.
- (10) Telephone, telegraph, and power transmission lines, poles, towers, and substations with accessory buildings and equipment.
- (11) Campgrounds.
- (12) Game and fish farms.
- (13) Kennels, when located no less than 100 feet from any adjoining property line, and no less than 500 feet from any existing residence.
- (14) Riding stables and similar recreational facilities.
- (15) Mini-storage units.

(Ord. of 3-19-2002, Art. VIII, § 82; Res. No. 82-05, 12-21-2004)

Secs. 38-383—38-389. - Reserved.

DIVISION 9. - AGRICULTURAL (A) DISTRICT

Sec. 38-390. - Purpose.

The purpose of this district is to provide for the continuation of general farming and related activities and to preserve in agriculture, those lands suited for such uses. It is intended to avoid the problems of the mixing of farm and nonfarm uses. Due to the excessive costs of providing urban-type services in rural areas, a low density population should be maintained.

(Ord. of 3-19-2002, Art. IX, § 90)

Sec. 38-391. - Permitted uses.

- (1) General farming provided that buildings in which farms animals are kept shall be at least 100 feet from any adjoining property line or building designated for human habitation other than the residence of the owner of the property, his/her agent, or lessee.

- (2) Two seasonal or year-round dwellings (not to exceed four dwelling units).
- (3) Accessory buildings and uses incidental to the farming and residential use.
- (4) Essential services and utilities intended to serve the farming, residential, and accessory uses.
- (5) Customary home occupation. Home occupations which involved automobile, motor vehicle, or other engine repair are permitted only by conditional use.
- (6) Roadside stands, provided sufficient parking is available.
- (7) Greenhouses and nurseries.
- (8) Riding stables and other similar recreational uses.
- (9) Production and harvesting of wild crops.
- (10) Game and fish farms, trails, and wildlife refuges.
- (11) Soil and water conservation programs.
- (12) Wood lots and tree farms.
- (13) Portable sawmills for personal use.
- (14) Fire control and detection structures.
- (15) Signs, subject to the provisions of division 18.
- (16) Kennels, when located not less than 100 feet from any adjoining property line, and no less than 500 feet from existing residence.
- (17) Single guest cabin, subject to the provisions of division 28.
- (18) Single bunkhouse, subject to the provisions of division 28.

(Ord. of 3-19-2002, Art. IX, § 91; Res. No. 2006-111, § 8, 1-23-2007; Res. No. 64-10, 7-27-2010; Res. No. 25-15, 3-24-2015; Res. No. 47-17, 6-20-2017)

Sec. 38-392. - Conditional uses.

- (1) Mobile homes, no more than two. A conditional use permit is required for each.
- (2) Public and private schools and churches.
- (3) Cemeteries.
- (4) Airports and landing strips.
- (5) Drive-in theaters.
- (6) Stockyards and slaughter houses.
- (7) Sawmills, planing mills, and other primary forest products processing plants.
- (8) Telephone, telegraph, and power transmission lines, poles, towers, and substations with accessory buildings and equipment.
- (9) Communications. Radio and T.V. towers, microwave relay stations, and other similar structures.
- (10) Expanded home occupation, or any home occupation involving automobile, motor vehicle, or other engine repair.
- (11) Nonmetallic mining, including the stripping of top soil.
- (12) Storage of junking automobiles, salvage yards, and scrap storage and processing. Also subject to the provisions of the Wisconsin Administrative Code.

- (13) On land disposal operations for garbage, refuse, and other solid waste materials. Also subject to provisions of the Wisconsin Administrative Code.
- (14) Agricultural machinery dealership and repairs.

(Ord. of 3-19-2002, Art. IX, § 92; Res. No. 47-17, 6-20-2017)

Secs. 38-393—38-399. - Reserved.

#### DIVISION 10. - FORESTRY (F) DISTRICT

Sec. 38-400. - Purpose.

The purpose of this district is to protect and foster the development and multiple use of the forest lands and associated resources. It is intended to encourage forest management practices and to recognize the recreational value of the forest when such uses are compatible. Isolated settlement with its cost to government and hardship to the individual is regulated by providing for year-round residences only within reasonable access of necessary residential services.

(Ord. of 3-19-2002, Art. X, § 100)

Sec. 38-401. - Permitted uses.

- (1) Production and harvesting of forest crops.
- (2) Forest, soil, and water management programs.
- (3) Conservation reserves, trails, and wildlife refuges.
- (4) Fire control and detection structures.
- (5) Historical, geological, and religious markers and monuments.
- (6) Seasonal cabins with no more than one unit per lot or parcel.
- (7) Accessory buildings and uses incidental to the principle permitted use.
- (8) Portable sawmills, planing mills, debarking operations, and similar equipment such that length of stay shall not exceed 90 days within any one-year period.
- (9) Signs, subject to the provisions of division 18.
- (10) One- or two-family dwelling when located within reasonable access of school and mail routes, and other necessary residential services (not to exceed two dwelling units).
- (11) Customary home occupation. Home occupations which involve automobile, motor vehicle, or other engine repair are permitted only by conditional use.
- (12) Single guest cabin, subject to the provisions of division 28.
- (13) Single bunkhouse, subject to the provisions of division 28.

(Ord. of 3-19-2002, Art. X, § 101; Res. No. 64-10, 7-27-2010; Res. No. 25-15, 3-24-2015; Res. No. 47-17, 6-20-2017)

Sec. 38-402. - Conditional uses.

- (1) Permanent forest industries such as sawmills, planing mills, and other primary forest products processing plants.

- (2) Hunting and fishing clubs and shooting ranges.
- (3) Licensed game, fur, and fish farms and fish hatcheries.
- (4) Public and private parks and campgrounds.
- (5) Single mobile home when located within reasonable access of school and mail routes and other residential services.
- (6) Expanded home occupation, automobile, motor vehicle, or other engine repair or other such business which may involve year-round employment, except the harvesting of forest crops.
- (7) Nonmetallic mining, including the stripping of top soil.
- (8) Pipelines.
- (9) Power dams, power plants, and flowages.
- (10) Telephone, telegraph, and power transmission lines, poles, towers, and substations with accessory buildings and equipment.
- (11) Communications. Radio and T.V. towers, microwave relay stations, and other similar structures.
- (12) Storage of junked automobiles, salvage yards, and scrap storage and processing. Also subject to the provisions of the Wisconsin Administrative Code.

(Ord. of 3-19-2002, Art. X, § 402)

Secs. 38-403—38-409. - Reserved.

DIVISION 11. - RESERVED<sup>[4]</sup>

Footnotes:

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**Editor's note**— Res. No. 47-17, adopted June 20, 2017, repealed former div. 11, §§ 38-410—38-412, which pertained to the resource conservation (RC) district, and derived from an ordinance adopted March 19, 2002, Art. XI, §§ 110—112.

Secs. 38-410—38-419. - Reserved.

DIVISION 12. - COMMERCIAL (C) DISTRICT

Sec. 38-420. - Purpose.

The purpose of this district is to provide for the orderly grouping at appropriate locations of retail business and service establishments and other similar commercial operations in order to avoid the problems and costs of mixed and scattered land use. It is also intended to provide a measure of control for those commercial uses which may possibly present a problem due to excessive traffic, parking, noise, smoke, dust, or other such detrimental effects of operation.

(Ord. of 3-19-2002, Art. XII, § 120)

Sec. 38-421. - Permitted uses.

- (1) A residential dwelling (one dwelling unit) or a mobile home in conjunction with and accessory to the uses permitted, provided that occupancy is restricted to owner, or one employee.
- (2) Bank, savings and loan, or other financial institutions.
- (3) Barber shops and beauty parlors.
- (4) Book and stationery stores, and newsstands.
- (5) Business and professional offices, and studios.
- (6) Clothing stores, department stores, shoe stores, and shoe repair shops.
- (7) Drug stores and soda fountains.
- (8) Florist shops and greenhouses.
- (9) Food products (retail), fruit and vegetable store, grocery store, meat and fish market, supermarket, and bakeries.
- (10) Furniture store, household furnishings, office equipment, and upholstery
- (11) Hardware, appliances, plumbing, heating, and electrical supplies, and sporting goods.
- (12) Jewelry stores and antique shops.
- (13) Restaurants and cafes.
- (14) Music, radio, and television stores.
- (15) Paint store and interior decorating.
- (16) Taverns.
- (17) Clubs and lodges.
- (18) Hotels and motels.
- (19) Drive-in establishments offering in-car service to customers.
- (20) Farm implement sales.
- (21) Laundry establishments.
- (22) Funeral homes.
- (23) Telephone exchanges, telephone, telegraph, and power transmission lines, poles, towers, and substations with accessory buildings and equipment.
- (24) Filling stations, new and used car sales establishments, and auto repair shops.
- (25) Accessory buildings and uses when clearly incidental to the conduct of a retail business on the premises.
- (26) Print shops and publishing houses.
- (27) Signs, subject to the provisions of division 18.

(Ord. of 3-19-2002, Art. XII, § 121; Res. No. 64-10, 7-27-2010)

Sec. 38-422. - Conditional uses.

- (1) Warehousing, storage, and trucking terminal.
- (2) Dance halls, skating rinks, and bowling alleys.
- (3) Miniature golf, go-karts, amusement parks, and outdoor theaters.
- (4) Race tracks of various types.

- (5) Dyeing and cleaning establishments.
- (6) Animal hospital, pet shop, and veterinary clinic.
- (7) Sawmills and planing mills, and other forest products processing plants.
- (8) Bulk fertilizer and feed mill storage.
- (9) Storage of recreational equipment and vehicles, and shall meet the requirements as provided in division 25.
- (10) Mini-storage units.

Any other commercial use not enumerated in the above sections shall require a conditional use permit.

(Ord. of 3-19-2002, Art. XII, § 122; Res. No. 82-05, 12-21-2004)

Secs. 38-423—38-429. - Reserved.

DIVISION 12-A. - COMMERCIAL HIGHWAY (CH) DISTRICT

Sec. 38-430. - Purpose.

To provide an area for commercial development to serve the traveling public along major arterial and collector highways in such a manner as to minimize interruption of traffic flow, safeguard pedestrian movement, and optimize the aesthetic appearance to passing motorists.

(Ord. of 3-19-2002, Art. XII-A, § 120-A)

Sec. 38-431. - Permitted uses.

- (1) Police station.
- (2) Underground utility lines.
- (3) Parks.
- (4) Nonintensive agriculture.
- (5) Accessory uses (not involving open storage).

(Ord. of 3-19-2002, Art. XII-A, § 121-A)

Sec. 38-432. - Conditional uses.

A site plan showing the lot size, building size and setbacks, setback access points, signing, easements, landscaping, fencing, and drainage will be required as part of all conditional use applications.

- (1) Businesses of a retail or service nature, unless specifically listed elsewhere in this section.
- (2) Clubs (nonprofit).
- (3) Community centers.
- (4) Recreational uses.
- (5) Community service agencies.
- (6) Wholesaling of products.



- (7) Fabrication or assembling incidental to retail sales.
- (8) Governmental, business, professional, and semiprofessional offices.
- (9) Electrical substations and gas regulator stations.
- (10) Water reservoirs, water storage tanks, water pumping stations, and sewer lift stations.
- (11) Overhead utility lines.
- (12) Hotels, motels, and lodges.
- (13) Automobile filling stations.
- (14) Automobile service stations.
- (15) Parking lots.
- (16) Mini-storage units.
- (17) Enterprises or businesses of the same nature or class as those listed this district which in the opinion of the zoning committee, are not more disruptive or detrimental to the welfare of the area than those listed.

(Ord. of 3-19-2002, Art. XII-A, § 122-A; Res. No. 82-05, 12-21-2004)

Sec. 38-433. - Area regulations.

- (1) *Minimum lot size required for rezoning.* The minimum lot size for classification into the commercial highway district shall be five acres. No tracts shall be rezoned without a minimum of five acres and without an overall access plan.
- (2) *Maximum floor area.*
  - (a) Other uses by right: 30 percent of the total lot area.
  - (b) Conditional uses: 30 percent of the total lot area.
- (3) *Minimum lot area.*
  - (a) Uses by right: One acre.
  - (b) Automotive filling stations: 10,000 square feet.
  - (c) Automotive service stations: 13,000 square feet plus an additional 2,000 square feet for each service bay over two.
  - (d) Other conditional uses: No minimum requirements unless otherwise specified by the zoning committee.
- (4) *Minimum setback from property lines.* Twenty feet, except that buildings shall be setback as per sections of this article.
- (5) *Maximum building height.* Three stories.
- (6) *Landscaping.* At least ten percent of the total land area shall be landscaped in accordance with a landscaping plan approved by the zoning committee.
- (7) *Access.* There shall be no more than two access points from any tract that has been rezoned to this zone. All internal lot accesses shall be by either internal access road or frontage roads. The access plans shall be approved by the zoning committee before conditional use approval and permit issuance.
- (8) *Outside storage areas.* Outside storage of goods and supplies shall only be allowed in screened and fenced areas that have been designated on the conditional use site plan.

All uses by right and conditional uses shall be subject to all provisions of this article with regard to signs, parking and loading access, vision clearance, floodplains and wetlands.

(Ord. of 3-19-2002, Art. XII-A, § 123-A)

Secs. 38-434—38-439. - Reserved.

#### DIVISION 13. - INDUSTRIAL (I) DISTRICT

Sec. 38-440. - Purpose.

The purpose of this district is to provide for manufacturing and industrial operations which, on the basis of actual physical and operational characteristics would not be detrimental to surrounding areas or public, by reason of smoke, noise, dust, odor, traffic, physical appearance, air, water, or thermal pollution, or any other environmental degradation. Industries requiring outdoor storage of raw materials and/or finished products, may be required to provide fencing or screening in accordance with division 25 of this article.

(Ord. of 3-19-2002, Art. XIII, § 130)

Sec. 38-441. - Permitted uses.

- (1) A residential dwelling (one dwelling unit) or a mobile home in conjunction with and accessory to the uses permitted, provided that occupancy is restricted to the owner or one employee.
- (2) General warehousing and storage connected with the following permitted use under this section.
- (3) Metal and wood assembly, fabrication, and manufacturing.
- (4) Electronics assembly, fabrication, and manufacturing.
- (5) Clothing manufacturing.
- (6) Signs, subject to the provisions of division 18.

(Ord. of 3-19-2002, Art. XIII, § 131; Res. No. 64-10, 7-27-2010)

Sec. 38-442. - Conditional uses.

- (1) Storage and/or disposal of toxic and hazardous materials.
- (2) Bulk storage of gasoline, propane, chemicals, and other materials of an explosive nature.
- (3) Chemical manufacturing.
- (4) Foundaries.
- (5) Food processing.
- (6) Meat processing and the processing and disposal of the wastes from such.
- (7) Fertilizer processing.
- (8) Tool and die manufacturing.
- (9) Mining and quarry operation.
- (10) Ready-mix concrete and gravel production.

Any other industrial use not enumerated in the above sections or any industrial use which is determined to be objectionable by the zoning committee on the basis of its potential of detrimental harmful effects to the surrounding area or public, may be permitted only upon the issuance of a conditional use whereby the zoning committee may set performance standards, pollution standards, aesthetic controls, and dimensional and site requirements in order to ensure the public health, safety, and general welfare of this county.

(Ord. of 3-19-2002, Art. XIII, § 132)

Secs. 38-443—38-449. - Reserved.

#### DIVISION 14. - PLANNED UNIT DEVELOPMENT (PUD) DISTRICT

Sec. 38-450. - Purpose.

The purpose of this district is to provide for a larger scale project type development which, when viewed in entirety, may involve multiple districts and have an interrelationship of uses within those districts. This development may be of a recreational, residential, or commercial nature or a combination of such. This district is intended to provide for such development in an orderly manner and avoid the confusion of potentially numerous zoning changes.

This district shall have no definite boundaries until such are approved by the county board by order of zoning change to the PUD district. Plans for the proposed development shall be submitted in triplicate and shall show the location, size, and proposed use of all structures and land included in the areas involved.

(Ord. of 3-19-2002, Art. XIV, § 140)

Sec. 38-451. - Uses.

The uses within this district shall be determined by the plan as approved by the county board and shall conform to the requirements of the related district involved insofar as practicable. The specific uses within any particular PUD district shall be formulated by the zoning committee and the respective developer prior to the county board action.

(Ord. of 3-19-2002, Art. XIV, § 141)

Sec. 38-452. - Consideration.

In considering an application for a change to the PUD district, the zoning committee shall consider the following factors in evaluating the effect of such a change and development:

- (1) The location, nature, and size of the proposed area.
- (2) The size of the site in relation to the proposed use.
- (3) Existing topographic and drainage features, and vegetative cover.
- (4) The maintenance of safe and healthful conditions and control of pollution.
- (5) The location of the site with respect to the existing roads and other facilities and the impact upon such.
- (6) Its compatibility with the existing uses on land adjacent thereto.
- (7) Its compatibility with the immediate and surrounding environment and the possibility for reclamation, if needed.

- (8) Its impact upon and harmony with the future environment and the future development of the area.
- (9) Its relationship to the public interest, the purpose and intent of this article, and substantial justice to all parties concerned.

(Ord. of 3-19-2002, Art. XIV, § 142)

Secs. 38-453—38-459. - Reserved.

DIVISION 14-A. - RESERVED<sup>[6]</sup>

Footnotes:

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**Editor's note**— Res. No. 47-17, adopted June 20, 2017, repealed former div. 14-A, §§ 38-460—38-462, which pertained to the planned residential development, and derived from an ordinance adopted March 19, 2002, Art. XIV-A, §§ 143—145.

Secs. 38-460—38-469. - Reserved.

DIVISION 15. - RESERVED<sup>[6]</sup>

Footnotes:

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**Editor's note**— Res. No. 47-17, adopted June 20, 2017, repealed former div. 15, §§ 38-470—38-472, which pertained to the residential shorelands district, and derived from Res. No. 2006-111, § 3, adopted Jan. 23, 2007; Res. No. 64-10, adopted July 27, 2010; and Res. No. 25-15, adopted March 24, 2015.

Secs. 38-470—38-479. - Reserved.

DIVISION 16. - HIGHWAY ACCESS VISION AND SETBACKS

Sec. 38-480. - Highway setbacks.

For the purpose of determining the distance buildings and other structures shall be set back from streets and highways, the highways of Washburn County are divided into the following classes:

- (1) *Class A highways.*
  - a. All arterial highways classified as expressways are hereby designated as Class A highways.
  - b. The setback from expressways shall be 190 feet from the center line of a two lane facility, or 190 feet from the center of the median of a divided facility, or 50 feet from the right-of-way line, whichever is greater.
- (2) *Class B highways.*

- a. All state highways not designated as Class A highways.
  - b. The setback from Class B highways shall be 150 feet from the center line of such highway or 100 feet from the right-of-way line, whichever is greater.
- (3) *Class C highways.*
- a. All lettered county highways are hereby designated as Class C highways.
  - b. The setback from Class C highways shall be 133 feet from the center line of such highway or 100 feet from the right-of-way line, whichever is greater.
- (4) *Class D highways.*
- a. Town roads may be designated as Class D highways by concurrent action of the town board and the Washburn County Zoning Committee.
  - b. The setback from Class D highways shall be 133 feet from the center line of such highways or 100 feet from the right-of-way line, whichever is greater.
- (5) *Class E highways.*
- a. All town roads, unless otherwise designated, are designated Class E highways.
  - b. The setback from Class E highways shall be 75 feet from the center line of the road or 50 feet from the right-of-way line, whichever is greater.
  - c. In the event a Class A, B, C, or D highway traverses or passes on the edge of a major subdivision, the setback standard for that class highway shall apply.

(Ord. of 3-19-2002, Art. XVI, § 160)

Sec. 38-481. - Vision triangles.

In each quadrant of every public street intersection there shall be a visual clearance triangle bounded by the street center lines and a line connection point on them 300 feet from a Class A or Class B highway intersection 200 feet from a Class C, D, or E highway intersection.

Nothing shall block the vision triangle from two and one-half feet above the ground to ten feet above the ground. Open fences, telephone, telegraph, and power transmission poles, field and forest crops excepted.

- (1) *At highway intersections with transitional widening.* At all intersections of highways with other highways provided with transitional widening of pavement or surfacing, such transitional widening shall be considered as additional width and the setback lines on the side which is widened shall be increased by an amount equal to the width of the additional pavement.
- (2) *Access driveways and road spacing.*
  - a. Access driveways to highways from abutting properties shall comply with the following requirements:
    - 1. *Class A highway:* No access driveways are allowed.
    - 2. *Class B highway:* A recommended minimum distance of 500 feet spacing of highway frontage between access driveways for separate land uses. A minimum distance of 500 feet spacing access driveways may be located to the right-of-way line of an intersecting highway. Discretion shall be granted to the D.O.T. to permit driveway at a lesser setback for safety reasons. Also subject to Wis. Admin. Code Trans. 233.
    - 3. *Class C highway:* A recommended minimum of 300 feet spacing between access driveways; adjoining driveways permitted to accomplish same. A minimum distance of 300 feet spacing between access driveways and the right-of-way line of an

intersecting highway. Discretion shall be granted to the Washburn County Highway Department to permit driveway at a lesser setback for safety reasons.

4. *Class D and E highways:* A recommended minimum of 200 feet spacing between access driveways; adjoining driveways permitted. To accomplish same, minimum distance of 200 feet spacing between access driveways and the right-of-way line of an intersecting Class A, B, or C highway, otherwise the spacing is the same as between two driveways. Discretion is granted to the towns to permit driveways at a lesser setback for safety reasons.
- b. Where there are two or more lots in less than 500 feet of frontage on a Class B highway, a service road of not less than 66 feet of right-of-way shall be provided across the entire frontage of each lot.
  - c. The maximum number and width of access driveways to highways and service roads shall be as follows:
    1. Commercial and industrial land use driveways: A maximum of two access driveways with a maximum of 35 feet of width.
    2. Other land use driveways: A maximum of one access driveway with a maximum of 24 feet of width.
    3. Driveways shall be at least a minimum of 20 feet wide, unobstructed into the driveway to a height of 15 feet.
    4. Driveways shall have a turn around 20 feet wide and 40 feet long or equivalent, within 100 feet of the building.
    5. Driveways are described as serving no more than two residential or commercial buildings. All driveways which serve new residential or commercial buildings that are greater than 100 feet from a public or private road shall meet the following within 60 days of zoning permit issuance:
      - (i) Driveways shall have a clearance of no less than 20 feet in width. Any curves in driveways must not be less than 100-foot radius.
      - (ii) Overhead clearance shall be established at a minimum height of 15 feet.
      - (iii) Driveways exceeding 150 feet in length must provide an adequate turnaround area that will accommodate a 30-foot long fire truck.
      - (iv) Existing driveways shall be brought into compliance with this section as a condition of approval of issuance of a zoning permit when an addition or improvements to an existing dwelling exceeding a 25 percent increase in enclosed living space is constructed, or an attached or detached garage is constructed.
      - (v) The turnaround space can be provided by one of the following methods and shall be within 100 feet of the principal building:
        - A. If a circle drive is constructed, it must have a radius of no less than 35 feet to the centerline; or
        - B. A turnaround space free of trees and other obstructions may be provided if it has the dimensions of not less than 60 feet by 50 feet; or
        - C. A turnout may be provided with the following dimensions: The length shall be a minimum of 30 feet. The width at the entrance shall also be a minimum of 30 feet. The turnout may be trapezoidal in shape, thereby tapering down to a minimum of 20 feet at the rear. In addition, a minimum of 40 feet of driveway must be provided between the building and the turnout to allow enough room to back a 30-foot fire truck into the turnout.

Exemptions from the provisions of this article would include:

1. New buildings that are 100 feet or less from a public road or a private road.
  2. Those portions of both private roads and driveways which are restricted by an existing easement of less than 20 feet in width.
- d. Where crossovers in median strips have been provided, access driveways shall be directly opposite these crossovers.
  - e. In addition to the above standards, a permit E-M-04-68 or its subsequent revision must be filed with the Wisconsin State Department of Transportation for access to all state highways. Approval must be given by the above agency before the county will consider and give approval to the applicant's request. Access to county highways must be approved by the Washburn County Highway Department prior to construction of a driveway connecting to a county highway.
  - f. Private roads are described as those serving more than two residential or commercial buildings. All private roads serving multiple buildings, constructed after the enactment of this article, shall be a minimum width of two rods, four-rod easements are recommended.
  - g. Where crossovers in median strips have been provided, access driveways shall be directly opposite these crossovers.
  - h. In addition to the above standards, a permit E-M-04-68 or its subsequent revision must be filed with the Wisconsin State Department of Transportation for access to all state highways. Approval must be given by the above agency before the county will consider and give approval to the applicant's request.

(Ord. of 3-19-2002, Art. XVI, § 161; Res. No. 2006-111, § 7, 1-23-2007)

Sec. 38-482. - Roadway setback averaging.

A roadway setback may be reduced to the average of roadway setbacks for existing structures on adjacent properties where such structures are within 100 feet of the building site provided:

- (1) The resulting roadway setback is not less than two-thirds the required roadway setback. ~~;~~ and

(Ord. of 3-19-2002, Art. XVI, § 162; Res. No. 47-17, 6-20-2017)

Secs. 38-483—38-489. - Reserved.

#### DIVISION 17. - OFF-STREET PARKING AND LOADING

Sec. 38-490. - Loading space.

All commercial and industrial uses shall provide sufficient maneuvering and loading space on the premises for pickup, delivery, and service vehicles necessary for normal operations.

(Ord. of 3-19-2002, Art. XVII, § 170)

Sec. 38-491. - Off-street parking.

Each use shall provide the following minimum off-street parking spaces. Each parking space shall be at least 200 square feet in area.

- (1) Dwellings: One space for each dwelling unit.



- (2) Restaurants, taverns, and similar establishments: One space for each 50 square feet of floor space devoted to patrons.
- (3) Drive-in eating stands offering in-car service: Five spaces for each person employed to serve customers.
- (4) Motels, mobile home parks, and camping grounds: One space for each unit.
- (5) Retail business and service establishments: One space for each 200 square feet of floor area.
- (6) Industrial uses and warehouses: One space for each two employees on the premises at a maximum employment on the main shift.
- (7) Service stations: Parking for all vehicles used directly in the conduct of the business, plus two spaces for each gas pump, plus three spaces for each grease rack.
- (8) Any use not specifically named shall be assigned to the most appropriate classification by the zoning administrator subject to appeal to the board of adjustments.

(Ord. of 3-19-2002, Art. XVII, § 171)

Secs. 38-492—38-499. - Reserved.

#### DIVISION 18. - SIGNS

Sec. 38-500. - General provisions.

- (1) *Permit required.* Except as otherwise specifically authorized, no sign shall be located, erected, moved, reconstructed, extended, enlarged, or structurally altered in Washburn County until a permit has been issued by the county zoning administrator. A permit shall only be issued for a sign in conformity with the size, type, number, location, and use regulations affecting each zoning district.
- (2) *Exceptions.* A permit shall not be required for the following classes of signs:
  - (a) *Class A signs:* Official traffic control signs and informational or directional notices erected by federal, state, or local units of government.
  - (b) *Class B signs:* Type 1 on-premises real estate signs, residential identification, warning, and similar signs not greater than four square feet in area.
  - (c) *Class B signs:* Type 2 on-premises signs or bulletin boards for public, charitable, or religious institutions. Such signs shall not exceed 32 square feet in area, and no more than one sign for each such highway upon which the property faces shall be located outside of the right-of-way of the property.
  - (d) *Class B signs:* Type 3 on-premises signs advertising the sale of farm products. Such signs shall not be in use for more than six months or exceed 32 square feet in area. No more than one sign in the approaching direction along any one highway shall be permitted.
- (3) *Prohibited characteristics of signs.*
  - (a) No sign shall resemble, imitate, or approximate the shape, size, form, or color of railroad or traffic signs, signals, or devices, except required signs on multiple use trails.
  - (b) No sign shall be so located as to interfere with the visibility or effectiveness of any official traffic sign or signal or with driver vision at any access point or intersection.
  - (c) No sign shall be erected, relocated, or maintained so as to prevent free ingress or egress from any door, window, or fire escape, and no sign shall be attached to a standpipe or fire escape.
  - (d) No sign shall contain any rotating or moving parts, or be illuminated by flashing lights.
  - (e) No sign shall exceed the maximum height limitations of the district in which it is located.

- (f) No sign shall be located on a lot so as to reduce the required dimensional setback and side yard requirements of the district in which it is located.
- (g) No sign shall be erected upon trees, or painted or drawn upon rocks or other natural features, or truck vans or trailers.
- (h) No sign shall be located, erected, moved, reconstructed, extended, enlarged, or structurally altered except in conformity with Wis. Stats. ch. 84.30 and Wis. Admin. Code ch. H-19.
- (i) No sign shall be allowed to remain up for more than three months after the business has ceased to operate; the business owner or land owner shall be responsible for its removal.
- (j) All signs must be maintained in good repair. This includes that the message must be current and all signs must be painted. If a sign is found to be not in good repair, the zoning administrator may order the sign either repaired or removed within 90 days. After this time, such unrepaired signs shall constitute a violation of the zoning ordinance.
- (k) Signs are not subject to normal building setbacks; however, all signs along public roadways must be located outside of the official road right-of-way. Permitted and exempt signs that are improperly placed within the right-of-way of a county highway will be removed by the Washburn County Highway Department and stored at their department headquarters. Sign owners may reclaim removed signs at a cost of \$25.00 per sign, payable to the highway department. The highway department reserves the right to impose a forfeiture up to \$500.00 for habitual repeat offenders.

(Ord. of 3-19-2002, Art. XVIII, § 180; Res. No. 55-17, 7-18-2017)

Sec. 38-501. - Classification of signs requiring permit.

- (1) *Class C signs.* On-premises signs which advertise a business activity or service performed on the property.
  - (a) *Type 1:* Signs advertising a permitted home occupation or professional office. Such signs shall not exceed 12 square feet in area, and no more than one such sign for each highway upon which the property faces shall be permitted.
  - (b) *Type 2:* Signs advertising a business activity or service available in a commercial or industrial area. Such signs shall not exceed 80 square feet in area where non-lighted, and if illuminated, shall not exceed 40 square feet in area. Not more than one such sign for each story may be attached to a building facade, and no sign may project more than six feet beyond a building when attached thereto or be higher than four feet above the top roof line. Freestanding signs shall not exceed 20 feet in height from the ground.
  - (c) *Type 3:* Signs advertising a resort or recreational business activity or product available. Such signs shall not exceed 32 square feet in area and no more than one such sign for each highway upon which the property faces shall be permitted.
- (2) *Class D signs.* Signs or billboards which advertise a general brand of product, an area of interest, a business activity, or a service available which is not in direct relation to the use of the premises on which it is located. Such signs shall not exceed 300 square feet in area. Free standing signs shall be erected outside a line parallel to and 50 feet from the right-of-way of the highway and shall not exceed 20 feet in height above the ground or be located within 300 feet of an existing residence.
- (3) *Class E signs.* Off-premises directory signs in the specific interest of the traveling public which advertise a business activity, an area of interest, or service available at a specific location shall be within 25 air-miles of the premises on which it is located.
  - (a) *Type 1:* Directory signs indicating the direction to a resort or recreational business activity. No more than two such signs relating to any one use shall be permitted in the approaching directions along any one highway.

Signs located on Class A and B highways shall not exceed 50 square feet in area or be located within 300 feet of an existing residence. Such signs shall be placed outside of the right-of-way line of the highway subject to Wis. Admin. Code Trans 233.

Signs located on Class C, D, and E highways shall not exceed four square feet in area. When common posting is provided, all such signs shall be attached thereto.

- (b) *Type 2:* Directory signs indicating the direction to a business activity, area of interest, or logo. No more than two such signs relating to any one use shall be permitted in the approaching direction along any one highway.

Signs located on a Class A highway shall not exceed 50 square feet in area or be placed within 300 feet of an existing residence. Such signs shall be placed outside of the right-of-way of the highway subject to Wis. Admin. Code Trans 233.

Signs located on Class B and C highways shall not exceed 12 square feet. Class B Highways are subject to Wis. Admin. Code Trans 233.

- (c) *Type 3:* Directory signs to a cottage or residence. Such signs shall not exceed four square feet in area, and when common posting is provided, all such signs shall be attached thereto.

(Ord. of 3-19-2002, Art. XVIII, § 181)

Sec. 38-502. - Class and type of signs permitted in various zone districts.

Class and Type of Sign	Zone District
Class A Signs	All
Class B Signs	
Type 1	All
Type 2	All
Type 3	RR-2, Residential Agriculture, Agriculture
Class C Signs	
Type 1	All except Industrial
Type 2	Commercial, Highway Commercial, Industrial
Type 3	All districts except Forestry, Residential

Class D Signs	Commercial, Commercial Highway, Industrial
Class E Signs	
Type 1	All
Type 2	All except Forestry and Residential
Type 3	All

(Ord. of 3-19-2002, Art. XVIII, § 182; Res. No. 47-17, 6-20-2017)

Sec. 38-503. - Reserved.

**Editor's note**— Res. No. 47-17, adopted June 20, 2017, repealed former § 38-503 which pertained to shoreland signage, and derived from an ordinance adopted March 19, 2002, Art. XVIII, § 183.

Secs. 38-504—38-509. - Reserved.

#### DIVISION 19. - ZONING PERMITS

Sec. 38-510. - Cases where zoning permit is required.

- (1) Land use permits are required when a building is erected, placed, moved, or structurally altered so as to change its use or increase its footprint or outer dimensions.
- (2) Land use permits are also required for other structures such as signs, decks, patios, retaining walls, walkways, stairs, fire pits, mobile homes (conditional use permit also needed), recreational vehicles outside of a licensed campground\* and for most agricultural structures such as silos, outbuildings, manure storage facilities, grain storage bins, etc.

\*Note: recreational vehicles are allowed in shoreland areas for a limited number of months with no permit. See section 38-564.

- (3) Land use permits are required for structures even if the structure is movable.

(Ord. of 3-19-2002, Art. XIX, § 190; Res. No. 47-17, 6-20-2017)

Sec. 38-511. - Cases where zoning permit is not required.

- (1) For any accessory building which has a floor area of less than 65 square feet provided such structures conform to all setbacks, yard, and open space requirements of this article.
- (2) For any improvements, alterations, or repairs to an existing building which shall not affect a structural change or increase floor area.

(Ord. of 3-19-2002, Art. XIX, § 191)

Sec. 38-512. - Application for a zoning permit.

An application for a zoning permit shall be made to the zoning office upon forms furnished and shall include, for the purpose of proper enforcement of these regulations, the following data:

- (1) A diagram of the property sufficient to assure compliance with the dimensional requirements set forth within this article. Such a diagram shall clearly show the following:
  - a. The exterior boundaries of the property involved.
  - b. The location on the lot or parcel of existing structures.
  - c. The location of private on-site wastewater treatment system on the lot or parcel.
  - d. The distance from the center line of any road (or the right-of-way, whichever is greater) and the distance from the ordinary high-water mark of any water body.
- (2) Name and address of owner, legal description, lot or parcel area, zoning district classification, use intended, structure or building details, and other data listed upon the application form.
- (3) No zoning permit will be issued for a structure designed or intended for human occupancy before a sanitary permit is issued, except it the structure will be connected to a municipal sewer system.

Privies require a sanitary permit and are permitted subject to chapter 56, Washburn County Code. Setbacks of 100 feet from adjoining property residence, or 75 feet from side yard lot boundary, whichever is greater. A one-boring soil test must be filed to obtain a pit privy permit.

Other nonplumbing systems are subject to the requirements of Wis. Admin. Code SPS. 91.

(Ord. of 3-19-2002, Art. XIX, § 192; Res. No. 47-17, 6-20-2017)

Sec. 38-513. - Display of zoning permit.

It shall be the responsibility of the owner, his/her agent, or other persons engaged in construction upon the property, to display and maintain a zoning permit upon the property and in a place which is readily visible for inspection from the time work is started until such work is completed.

(Ord. of 3-19-2002, Art. XIX, § 193)

Sec. 38-514. - Refusal to work.

It shall be the responsibility of all workers, builders, and contractors to refuse to work upon a property until a zoning permit has been properly displayed if a permit is required for such construction.

(Ord. of 3-19-2002, Art. XIX, § 194)

Sec. 38-515. - Public services.

It shall be the responsibility of a municipality, governmental agency contractor worker, or public utility to refuse to connect any electric, water, gas sewer or other service to property or structure or to provide an entrance to the same unless a zoning permit has been properly displayed if a permit is required for such construction or activity.

(Ord. of 3-19-2002, Art. XIX, § 195)

Sec. 38-516. - Expiration.

A zoning permit shall expire one year from the date of issuance if no activity or construction has commenced, with regard to such permit for such premises. If such activity or construction has not proceeded to a point of exterior completion within a period of one year, a new permit will be required.

(Ord. of 3-19-2002, Art. XIX, § 196; Res. No. 47-17, 6-20-2017)

Secs. 38-517—38-519. - Reserved.

DIVISION 20. - CONDITIONAL USE PERMITS

Sec. 38-520. - General provisions.

Any use listed as a conditional use in this article shall be permitted only upon application to the zoning administrator and issuance of a conditional use permit by the zoning committee. A conditional use permit shall be issued only upon satisfaction of the requirements listed herein, in addition to all other requirements of this article. All such uses are hereby declared to possess such unique and special characteristics that each specific use shall be considered as an individual case.

(Ord. of 3-19-2002, Art. XX, § 200)

Sec. 38-521. - Required information.

In order to secure evidence upon which to base its determination, the zoning committee may require in addition to the information required for a zoning permit, the submission of plans of buildings, arrangement of operations, plat of grounds showing location of buildings, stockpiles, equipment storage, fences or screens, specification of operations, parking areas, traffic access, open spaces, landscaping, and pertinent information that may be necessary to determine if the proposed use meets the requirements of this article.

(Ord. of 3-19-2002, Art. XX, § 201)

Sec. 38-522. - Standards applicable to all conditional uses.

In passing upon a conditional use permit application, the zoning committee shall consider the following factors:

- (1) The location, nature, and size of the proposed use.
- (2) The size of the site in relation to the proposed use.
- (3) The location of the site with respect to existing or future roads giving access to it.
- (4) Its compatibility with existing uses on land adjacent thereto.
- (5) Its compatibility with the immediate and surrounding environment and the possibility for reclamation, if needed.
- (6) Its impact upon and harmony with the future environment and the future development of the district.
- (7) Existing topographic and drainage features and vegetative cover.
- (8) Its relationship to the public interest and the purpose and intent of this article.

(Ord. of 3-19-2002, Art. XX, § 202; Res. No. 47-17, 6-20-2017)

Sec. 38-523. - Conditions attached to conditional use permit.

- (1) Upon consideration of the factors listed above, the zoning committee may attach such conditions in addition to those otherwise specifically listed, that it deem necessary in furthering the purposes of this article. Such conditions may include landscaping, type of construction, sureties, lighting, fencing, planting screens, operational control, period of operation, improved traffic circulation, deed restrictions, or parking requirements necessary to fulfill the purpose and content of this article. Violation of any of these conditions shall be deemed a violation of this article.
- (2) If an applicant for a conditional use permit meets or agrees to meet all of the requirements and conditions specified in the county ordinance or those imposed by the county zoning committee, the county shall grant the conditional use permit. Any condition imposed must be related to the purpose of the ordinance and be based on substantial evidence.
- (3) The requirements and conditions described under subd.1. must be reasonable and, to the extent practicable, measurable and may include conditions such as the permit's duration, transfer, or renewal. The applicant must demonstrate that the application and all requirements and conditions established by the county relating to the conditional use are or shall be satisfied, both of which must be supported by substantial evidence. The county's decision to approve or deny the permit must be supported by substantial evidence.

(Ord. of 3-19-2002, Art. XX, § 203)

Sec. 38-524. - Notice and public hearing.

Before issuing a conditional use permit, the zoning committee shall hold a public hearing. Notice of such public hearing specifying the time, place, and matters to come before the committee, and shall be given in the manner that is specified in division 32.

(Ord. of 3-19-2002, Art. XX, § 204)

Sec. 38-525. - Termination.

Where a conditional use is granted by the zoning committee and such conditional use does not continue in conformity with the requirement of this article, or with any conditions that were attached to such conditional use at the time of approval, the conditional use permit shall be terminated by action of the zoning committee. If such conditional use continues in conformity with this article and does not violate any of the conditions established at the time of approval or produce a hazard to the surrounding public, then such conditional use shall be allowed to continue. Conditional use approvals which have not been initiated shall expire two years from the date of approval, unless extended by action of the zoning committee.

(Ord. of 3-19-2002, Art. XX, § 205)

Secs. 38-526—38-529. - Reserved.

DIVISION 21. - NONCONFORMING USES AND STRUCTURES (General Zoning)[\[Z\]](#)

Footnotes:

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**Editor's note**— Res. No. 47-17, adopted June 20, 2017, repealed former div. 21 in its entirety and enacted a new div. 21 to read as herein set out. Former div. 21, §§ 38-530—38-534 pertained to similar subject matter, and derived from an ordinance adopted March 19, 2002, Art. XXI, §§ 210—214.

Sec. 38-530. - Nonconforming uses.

- (1) Property uses that are not in compliance with applicable provisions of this article may continue, subject to the following conditions:
  - (a) The property owner can prove that the use was legally established and in place prior to the adoption of this article.
  - (b) The use predated the section(s) of this article which render the use nonconforming.
  - (c) The nonconforming use is not discontinued or interrupted for a period of more than one year.
  - (d) The nonconforming use has not had a documented history of being classified as a nuisance.
  - (e) The expansion of a building containing a nonconforming use may be altered or expanded, subject to the provisions of section 38-532. Ordinary maintenance and repair of the building is allowable.
  - (f) When a structure or a building containing a nonconforming use is damaged by fire, explosion, act of God, or public enemy to the extent that more than 50 percent of its building footprint is permanently destroyed, it shall not be restored except in compliance with division 22, or upon the issuance of a conditional use permit. In addition to the standards generally required for a conditional use permit, the zoning committee shall also consider the hardship to the applicant and feasibility of requiring that restoration conform to this article.
  - (g) Any expansion of a nonconforming use activity shall require a conditional use permit.
  - (h) A nonconforming use which is changed to a conforming use, shall not revert back to nonconforming.
  - (i) Classification of a nonconforming use under this section does not eliminate the necessity for issuance of a zoning permit or other permits as required in section 38-510 for activities specific in that section, as requiring permits.

(Res. No. 47-17, 6-20-2017)

Sec. 38-531. - Nonconforming structures (not nonconforming to shoreland setbacks).

- (1) *Purpose.* It is the intent of these provisions to balance the public objectives of this article with the interests of owners of nonconforming structures by:
  - (a) Treating structures which are most nonconforming and therefore most contrary to the objectives of this article more restrictively than structures which are more nearly in compliance with ordinance provisions; and
  - (b) By allowing for the improvement or expansion of principal structures essential to the reasonable use of a property provided the adverse effects of such improvement or expansion are adequately mitigated.
- (2) *General provisions.*
  - (a) ~~Ordinary maintenance and repair shall be allowed for all nonconforming structures.~~ Any repair, maintenance, renovation, rebuilding or remodeling of a nonconforming structure or any part of nonconforming structure is allowed within the same structure envelope as long as a permit is obtained (if required) prior to the activity taking place.



- (b) ~~Nonconforming accessory structures are limited to ordinary maintenance and repair and shall not be improved or expanded.~~ Nonconforming principal structures may be expanded maintained, repaired, improved provided that the lifetime total of all expansions is limited to 50 percent of the structure's area which existed at the time the structure became nonconforming.
- (c) A structure that is nonconforming as to structural or dimensional standards may not be expanded or enlarged so as to increase its dimensional nonconformity. Where practicable, additions to nonconforming structures shall conform to all applicable provisions of this article.

(Res. No. 47-17, 6-20-2017)

Sec. 38-532. - Temporary uses.

The following temporary uses may be established in an area from which they otherwise excluded by the regulations of this article:

- (1) A house trailer or mobile home to be occupied by an owner or builder while residential construction is in progress, except in residential districts. Permits for such uses shall be required. The permit shall allow the temporary use for a period of one year. Extensions of the use beyond one year shall require a conditional use permit.
- (2) For the placement of temporary living quarters or other necessary structures involved in logging operations or utility and construction operations, placement not to exceed one year, except by the granting of a conditional use permit.

(Res. No. 47-17, 6-20-2017)

Secs. 38-533—38-539. - Reserved.

DIVISION 22. - SUBSTANDARD LOTS OR PARCELS (General Zoning)<sup>[8]</sup>

Footnotes:

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**Editor's note**— Res. No. 47-17, adopted June 20, 2017, added "(General Zoning)" to the title of div. 22.

Sec. 38-540. - Use of substandard and nonconforming properties for a dwelling.

A lot or parcel which does not contain sufficient area to conform to the dimensional requirements of the Ordinance but which meets the requirements set forth in sections 38-541 and 38-542 of this division may be used as a building site for a single-family dwelling and garage upon issuance of a zoning permit subject to the conditions listed in division 19.

(Ord. of 3-19-2002, Art. XXII, § 220)

Sec. 38-541. - Conditions attached to use of substandard property.

- (1) Such use is permitted in the zoning district.
- (2) The lot or parcel is of record in the county register of deeds office prior to effective date of this article (February 14, 1977).

- (3) The lot is in separate ownership from abutting lands. If abutting lands and the substandard lot or parcel have the same ownership, they shall be considered as one parcel and shall conform to the requirements of this article.
- (4) To comply with all other district and dimensional requirements.
- (5) No lot or parcel shall be reduced to be substandard or such lot shall not be usable.
- (6) Such lot or parcel shall be able to satisfy the minimum area requirement for the installation of a private on-site waste water treatment system.

(Ord. of 3-19-2002, Art. XXII, § 221; Res. No. 47-17, 6-20-2017)

Sec. 38-542. - Minimum lot or parcel requirements.

Zoning Districts	Minimum Width (in feet)	Total Sq. Ft. in Area
Residential	60	12,000
Residential-Mobile	60	12,000
RR-1	60	12,000
RR-2	100	20,000
Residential-Agriculture	100	1 acre
Agriculture	100	1 acre
Forestry	100	1 acre
Commercial	60	12,000
Industrial	100	20,000

(Ord. of 3-19-2002, Art. XXII, § 222; Res. No. 47-17, 6-20-2017)

Sec. 38-543. - Use of substandard lots for other purposes.

All other uses of substandard lots shall require a variance from the board of adjustments, subject to the conditions listed in section 38-541.

(Ord. of 3-19-2002, Art. XXII, § 223)

Secs. 38-544—38-549. - Reserved.

#### DIVISION 23. - PROVISIONS APPLICABLE TO MOBILE HOMES

Sec. 38-550. - Mobile homes.

Minimum standards for placement of mobile homes:

- (1) Manufactured under Code of Federal Regulations, Title 24, part of 3280, 3282, 3283, and Title 42 U.S.C.A., 5401, et seq., as administered by the U.S. Department of Housing and Urban Development, effective June 15, 1976.
- (2) The mobile home shall be substantially affixed to the property by means of piers with skirting, a foundation, or a basement. The mobile home shall be served with sewer and water facilities.
- (3) Placement of any mobile home manufactured prior to June 15, 1976 is prohibited.
- (4) The placement of a mobile home requires a conditional use permit unless the parcel is zoned Residential Mobile or the mobile home is being placed in an authorized mobile home park.

(Ord. of 3-19-2002, Art. XXIII, § 230; Res. No. 47-17, 6-20-2017)

Sec. 38-551. - Mobile home parks.

Mobile home parks are allowed in Washburn County only under a conditional use and provided the following minimum standards are met:

- (1) The minimum size of a mobile home park shall be ten acres.
- (2) The maximum number of mobile homes shall be six per acre.
- (3) Minimum dimension of a mobile home site shall be 50 feet wide by 100 feet long.
- (4) There shall be a minimum distance of 20 feet between units.
- (5) There shall be a minimum distance of 15 feet between units and service roads.
- (6) All drives, parking areas, and walkways shall be hard surfaced before occupancy; stage development being allowed.
- (7) Two off-street parking spaces for each mobile home unit.
- (8) There shall be a minimum yard setback of 40 feet at all lot lines of the mobile home park.
- (9) Sanitary facilities subject to Wis. Admin. Code SPS 383 83.
- (10) Open space: Minimum of ten percent of the total lot area of development of park, exclusive of required yard and access drives.
- (11) Provide: Temporary planting of fast growing vegetation capable of reaching a height of 15 feet or more. Permanent evergreen planting; the trees to be such a number and so arranged that within ten years, they will have formed a screen equivalent in opacity to a solid fence or wall. Such permanent planting shall be grown or maintained to a height of not less than 15 feet.
- (12) Mobile homes in mobile home parks shall be authorized by a land use permit and shall be subject to the provisions in section 38-550(1) of this article.

- (13) No unit classified as a recreational vehicle shall be used in place of a mobile home in a mobile home park.

(Ord. of 3-19-2002, Art. XXIII, § 231; Res. No. 47-17, 6-20-2017)

Secs. 38-552—38-559. - Reserved.

#### DIVISION 24. - CAMPGROUNDS AND RESORTS<sup>9</sup>

Footnotes:

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**Editor's note**— Resolution No. 61-08, adopted June 17, 2008, repealed Div. 24, Recreational Equipment/Vehicles, in its entirety and enacted similar provisions to read as herein set out. Former Div. 24 was comprised of § 38-560, and derived from Art. XXIV of an ordinance adopted March 19, 2002.

Sec. 38-560. - Purpose.

The purpose of this division of chapter 38 of the Washburn County Code is to regulate campgrounds and resorts in order to protect the health, safety, and welfare of the citizens, and the natural, historical and cultural resources of Washburn County. These land uses are encouraged by Washburn County because of their importance in providing the general public access to recreational opportunities and the public waters in accord with the Wisconsin Public Trust Doctrine. It is also recognized that such land uses promote tourism and contribute to the general economic welfare of the county.

(Res. No. 61-08, 6-17-2008)

Sec. 38-561. - Applicability.

The provisions of this division shall apply to all campgrounds and resorts within the unincorporated areas of Washburn County that are created, expanded, require a new conditional use permit, or require an amendment to an existing conditional use permit after the effective date of this division of the Washburn County Code.

All previous requirements contained in division 24 of chapter 38 of the Washburn County Code are hereby repealed after the effective date of this division of the Washburn County Code.

(Res. No. 61-08, 6-17-2008)

Sec. 38-562. - Definitions.

*Campground* means a publicly or privately owned parcel of land that has a valid permit issued under Wis. Stats. § 254.47 and Wis. Admin. Code ch. ATCP 79, if applicable, open to the general public, with or without a daily fee that is used primarily for the purpose of providing camping sites for use by camping units. A campground may also provide resort units containing dwelling units.

*Camping site* means a portion of land within a campground or resort for placing a camping unit. A camping site is classified as a large camping site or a small camping site depending on the size of the camping unit that can be accommodated by the camping site.

*Camping unit* means a portable device or enclosure, no more than 400 square feet in area, including but not limited to a tent, camping trailer, bus, van, pick-up truck, park model or other mobile recreational vehicle used for human habitation.

*Density point* means a measure of land that is used, in conjunction with acreage to determine the density of large and small camping sites and dwelling units in campgrounds and resorts.

*Dwelling unit* means a permanent structure or part thereof having one or more rooms and optionally providing bathroom and kitchen facilities designed and constructed as a unit for either temporary or permanent residential occupancy by one family.

*Large camping site* means a camping site accommodating camping units between 200 and 400 square feet in area. Mobile recreational vehicles, buses, large camping trailers and park models are typical examples of camping units suitable for a large camping site.

*Mobile recreational vehicle* means a recreational vehicle no more than 400 square feet in area that is carried, towed, or self-propelled including but not limited to an RV, bus, van, and pickup truck; and is, or may be, licensed for highway use, if registration is required. A mobile recreational vehicle is a camping unit for purposes of this division.

*Primary residence* means the residence, whether owned or rented, is used as a primary dwelling for income and property tax purposes.

*Resort* means a publicly or privately owned parcel of land that has a valid permit issued under Wis. Stats. § 254.47 and Wis. Admin. Code ch. ATCP 79, if applicable, open to the general public, with or without a daily fee, that is used primarily for the purpose of providing resort units and dwelling units. A resort may also provide camping sites.

*Resort unit* means a permanently placed structure (e.g., building or cabin) in a resort or campground used for human habitation. A resort unit contains one or more dwelling units.

*Small camping site* means a camping site accommodating camping units less than 200 square feet in area. Tents, small camping trailers, and pick-up trucks are typical examples of camping units suitable for a small camping site.

(Res. No. 61-08, 6-17-2008; Res. No. 47-17, 6-20-2017)

Sec. 38-563. - Campgrounds and resorts.

Campgrounds and resorts shall be subject to the following provisions:

- (1) Nothing in this division shall apply to the placement of mobile homes, which are regulated by federal and state authorities and division 23 of chapter 38 of the Washburn County Code.
- (2) A campground or resort shall be allowed only in Residential-Recreation 1, Residential-Recreation 2, Residential-Agriculture, Agriculture, and Forestry zoning districts by conditional use. An application for a conditional use permit for a campground or resort shall include a detailed description of the proposed campground or resort including camping site and dwelling unit densities, resort units, and all accessory structures and facilities (e.g., sheds, decks, sanitary facilities, wash houses, etc.) associated with a campground or resort following the provisions of this division.
- (3) A campground or resort shall have a valid permit issued under Wis. Stats. § 254.47 and Wis. Admin. Code ch. ATCP 79 if applicable.
- (4) A campground or resort may be any combination of camping sites, resort units, and dwelling units.
- (5) Camping sites shall be restricted to permitted campgrounds or resorts.
- (6) All roads in a campground or resort shall be no less than 20 feet wide and have an unobstructed overhead clearance of no less than 15 feet.

- (7) All structures, including camping units, resort units, and accessory structures and facilities (e.g., sheds, decks, sanitary facilities, wash houses, etc.) associated with a campground or resort shall conform to all dimensional and setback requirements of the zoning district in which they are located.
- (8) Land-use permits shall not be required for individual camping units.
- (9) Land-use permits shall be required for all resort units and all accessory structures and facilities (e.g., sheds, decks, sanitary facilities, wash houses, etc.) associated with a campground or resort including those ~~permanent~~ accessory structures (decks, sheds, etc.) associated with each individual camping site and camping unit.
- (10) A campground or resort abutting navigable waters shall be subject to the additional provisions:
  - a. The minimum standards specified in Wis. Admin. Code ch. NR 115 and ch. NR 116 shall be satisfied.
  - b. Shoreline setbacks for all structures including camping units, resort units, and accessory structures and facilities (e.g., sheds, decks, sanitary facilities, wash houses, etc.) associated with a campground or resort shall conform to the provisions of division 27 of chapter 38 of the Washburn County Code.
  - c. The shoreline viewing corridor, the access pathway, and the vegetative protection buffer shall conform to the provisions of division 27 of chapter 38 of the Washburn County Code. Multiple access pathways and viewing corridors, depending on the total parcel area and shoreline frontage, may be permitted.
  - d. Campgrounds/resorts created after October 1, 2016 that are located on navigable lakes, rivers, creeks or streams shall comply with the impervious surface provisions of division 27 of this article.
  - e. Small, ~~nonpermanent~~ seasonal items such as benches, chairs, picnic tables, fire rings, etc. in the shoreline setback area, access corridor, and buffer are allowed.

All docks and piers shall conform to Wisconsin Department of Natural Resources (DNR) regulations and guidelines for docks and piers.
- (11) Only a permitted campground or resort may permit camping units to be located at a camping site ~~beyond the dates of April 1 to November 30. longer than 120 consecutive days in a 12-month period.~~ No camping unit or resort unit may be used as a primary residence. See section 38-564 of division 24, chapter 38 of the Washburn County Code for provisions for placing camping units outside of a permitted campground or resort.
- (12) All camping units located at camping sites for three or more consecutive weeks shall be served with suitable sanitary facilities in accordance with the Washburn County Private Sewage Systems Ordinance (chapter 56 of Washburn County Code) and Wis. Admin. Code ch. SPS 383. All proposals for expansion of existing campgrounds and/or resorts shall include an inspection and evaluation of the private sewage system. Modifications to existing sanitary systems may be required by the zoning committee as a condition of the conditional use permit.
- (13) A campground or resort shall have a minimum area, and if abutting navigable waters, a minimum shoreline measured at the ordinary high-water mark, according to the following table:

PARAMETERS FOR CAMPGROUNDS AND RESORTS			
Zoning District/ <del>Navigable Waters Classification</del>	Minimum Area	Minimum Shoreline	Density Factor

Residential-Recreational 1	4 acres	NA	6
Residential-Recreational 2	6 acres	NA	10
Residential Agriculture	8 acres	NA	10
Agriculture	10 acres	NA	12
Forestry	10 acres	NA	12
Navigable Lakes	5 acres	300 ft.	10
Streams, Rivers and Creeks	6 acres	600 ft.	6

(14) The number of camping sites and dwelling units permitted in a campground or resort shall not exceed, and may be less than by condition of the conditional use permit, the least of that established by the following procedure, Wis. Admin. Code chs. ATCP 79, NR 115, or NR 116 if applicable:

- a. Density of large and small camping sites and dwelling units shall be determined by density points.
- b. The allowable number of density points for a campground or resort shall be determined by multiplying the total acreage by the density factor in the above table. Fractional numbers shall be rounded down.
- c. The allowable density points thusly obtained shall be allocated as follows until the number of density points has been exhausted:
  1. One small camping site: One density point.
  2. One large camping site: Two density points.
  3. One dwelling unit: Three and one-half density points.
  4. Dwelling units may be separate or combined into a single resort unit (for example: one structure—a resort unit—may contain three separate dwelling units for three separate families).

*Example:* A proposed campground or resort contains 12 acres in a Forestry District. Total density points are  $12 \times 12 = 144$ .

Divide the total density points by the number required for each type of usage. Round down fractional numbers. This example campground or resort may contain 144 small camping sites (1 point per site), or 72 large camping sites (2 points per site), or 41 dwelling units (3.5 points per dwelling unit) as an illustration.

Alternatively, the 144 points may be used in any combination, such as 42 small camping sites (1 point per site), 30 large camping sites (2 points per site) and 12 dwelling units (3.5 points per dwelling unit) as another illustration.

As an example of the relationship between resort units and dwelling units: One resort unit containing accommodations for four families would be considered four dwelling units and utilize 14 density points.

- d. For a campground or resort abutting a navigable waterway, the density of resort units, which contain one or more dwelling units, shall conform to the multiunit attached or detached Shorelands Class Development Standards of division 27 of this article.
  - e. The proposed number of camping sites and dwelling units in a new campground or resort, or in the expansion area of an existing campground or resort, established by this procedure shall be verified by the zoning office prior to applying for a conditional use permit or applying to amend an existing conditional use permit.
- (15) When a campground or resort existing before the effective date of this division of the Washburn County Code wishes to expand (e.g., add camping sites, resort units, dwelling units, or any combination thereof), or change of use within the campground or resort (e.g., convert from camping sites to resort units), the number of density points shall be adjusted accordingly. The existing campground or resort and the expansion area will be considered as a whole to determine the allowable density points.
- (16) Provisions applicable to condominium ownership:
- a. A new campground or resort created in condominium ownership shall conform to the density standards of this division of the Washburn County Code and shall be operated with valid state and county permits if the campground or resort contains any camping sites.
  - b. Any campground or resort with camping sites regardless of ownership must be operated with valid state and county permits. Any campground or resort that ceases to operate with valid state and county permits shall not be allowed any camping sites and shall be restricted to resort units.

(Res. No. 61-08, 6-17-2008; Res. No. 25-15, 3-24-2015; Res. No. 47-17, 6-20-2017)

Sec. 38-564. - Camping units outside of permitted campgrounds and resorts.

Camping units including mobile recreational vehicles located outside of a state-licensed and permitted campground or resort shall be subject to the following provisions:

- (1) A camping unit outside of a permitted campground or resort shall be allowed only in Residential, Residential Mobile, Residential-Recreational 1, Residential-Recreational 2, Residential-Agricultural, Agricultural, and Forestry zoning districts, unless such unit is being stored in accordance with subsection (8) herein below.
- (2) No more than two camping units shall be allowed on any parcel at the same time, unless authorized by special permit issued by the zoning department in accordance with the conditions described in subsection (9) herein below.
- (3) A camping unit shall not be used as a primary residence.
- (4) The following time limitations shall apply to the use\* of camping units:
  - a. In areas classified as shoreland, camping units may remain on the property from April 1 through November 30, unless such unit is being stored in accordance with subsection (8) herein below.
  - b. In areas under comprehensive zoning that are non-shoreland, campers may remain on the property indefinitely if authorized by a land use permit issued by the zoning department.

\*Note—It is presumed that camping units in this situation are being used on parcels that are undeveloped and therefore cannot be stored in accordance with subsection (8) herein below.



- (5) A camping unit shall conform to all dimensional and setback requirements of the zoning district in which it is located.
- (6) A camping unit located on a parcel abutting navigable waters shall conform to shoreline setbacks as specified in division 27 of the Washburn County Code.
- (7) A camping unit occupied for a period of three or more consecutive weeks shall be served with suitable sanitary facilities in accordance with the Washburn County Private Sewage Systems Ordinance (chapter 56) and Wis. Admin. Code ch. SPS 383.
- (8) A camping unit may be stored within a pole barn, garage, carport, or other similar structure, or in conjunction with a residential dwelling if placed in the rear or side yard area and located in accordance with all applicable setbacks. A conditional use permit shall be required for the storage of more than two mobile recreational vehicles or camping units.
- (9) More than two camping units may be placed on a parcel for no more than nine consecutive days when authorized by a special event permit issued by the zoning department. Such permit is designed for family reunions and events, etc., and shall be available no more than once in a calendar year per parcel.

(Res. No. 61-08, 6-17-2008; Res. No. 64-10, 7-27-2010; Res. No. 25-15, 3-24-2015; Res. No. 47-17, 6-20-2017)

Secs. 38-565—38-569. - Reserved.

#### DIVISION 25. - SCREENING AND FENCING

Sec. 38-570. - Provisions.

Screening and/or fencing which may be required by this article or by the zoning committee shall be subject to the following provisions:

- (1) Any use or conditional use listed in this article requiring screening or fencing shall be permitted only when authorized by the county zoning committee and subject to its approval of a screening or fencing plan for that particular use.
- (2) Planting or other suitable screening, including fences or freestanding walls shall be required when deemed necessary for the screening or enclosure purposes by the county zoning committee; such as around outdoor storage yards, industrial property lines, salvage yards, refuse disposal sites, quarries, mines, mobile home parks, trailer camps, and campgrounds. Such provisions shall be required to the extent needed to provide for:
  - a. Screening of objectionable views.
  - b. Enclosure of storage materials.
  - c. Public health and safety.
  - d. A suitable setting for the particular use or other facilities.
- (3) Screen planting.
  - a. Adequate to screen objectionable views effectively within a reasonable time; in some cases, temporary screening devices may be required until suitable screen planting can be achieved.
  - b. Other planting: For mobile home parks and campgrounds, other planting should be adequate in size, quantity, and character to other improvements, to provide adequate privacy and pleasant outlook for living units to minimize reflected glare.

- c. Existing planting: Acceptable as required planting to the extent that it is equivalent, suitable, and preserved in good condition.
- d. Fences and walls: Appropriately designed for the function intended and shall be substantially constructed to withstand conditions of soil, weather, and use.
- e. All screening, fences, and walls required by this article shall be maintained so as not to provide an objectionable view by themselves.

(Ord. of 3-19-2002, Art. XXV, § 250)

Secs. 38-571—38-579. - Reserved.

#### DIVISION 26. - QUARRIES AND NONMETALLIC MINING

Sec. 38-580. - Application information.

In addition to the information required in an application for a conditional use permit, and the considerations involved, an application for a quarry or mine operation must have the following:

- (1) A description of all phases of the contemplated operation including types of machinery and equipment which will or might be necessary to carry on the operation.
- (2) Topographic maps and/or aerial photos of the proposed site, and the area beyond the site to a minimum distance of 300 feet on all sides, and information as to the soils and other geographic features that are located within the area.
- (3) An estimation of the quantity and type of material to be removed and its effect on the surrounding area.
- (4) Where the operation is to include sand and gravel washing, the estimated daily quantity of water required, its source, and its disposal shall be identified.
- (5) Where the operation is to include a hot or cold blacktop mix plant, a description of the type of equipment to be used and an estimate of use frequency.
- (6) An approved reclamation plan pursuant to Wis. Admin. Code NR 135.

(Ord. of 3-19-2002, Art. XXVI, § 260; Res. No. 25-15, 3-24-2015)

Sec. 38-581. - Restoration plan and/or financial guarantee.

The county zoning committee shall not grant a conditional use for a quarry or nonmetallic mining operation without the reclamation permit and financial assurance required under Wis. Admin. Code NR 135 and this division of this article.

(Ord. of 3-19-2002, Art. XXVI, § 261; Res. No. 25-15, 3-24-2015)

Sec. 38-582. - Conditions for approval.

The county zoning committee may set forth special conditions prior to granting such use to insure the health, safety, and general welfare of the user, neighbor, community or general public. Such conditions shall be considered dependent upon the type and size of such operations.

(Ord. of 3-19-2002, Art. XXVI, § 262)

Sec. 38-583. - Duration of conditional grant.

The zoning committee may set limits on the duration of the nonmetallic mining operation as a condition of approval. The operation of all nonmetallic mines in Washburn County is subject to Wis. Admin. Code NR 135 and this division of this article.

(Ord. of 3-19-2002, Art. XXVI, § 263; Res. No. 25-15, 3-24-2015)

Sec. 38-584. - Existing quarry operations.

The operation of all nonmetallic mines in Washburn County is subject to Wis. Admin. Code NR 135 and this division of this article.

(Ord. of 3-19-2002, Art. XXVI, § 264; Res. No. 25-15, 3-24-2015)

Secs. 38-585—38-589. - Reserved.

DIVISION 27. - SHORELAND PROTECTION<sup>(10)</sup>

Footnotes:

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**Editor's note**— Res. No. 72-16, adopted Sept. 20, 2016, repealed div. 27 in its entirety and enacted new provisions to read as herein set out. Former div. 27, §§ 38-590—38-605 pertained to shoreland regulations, and derived from an ordinance adopted March 19, 2002, Art. XXVII, §§ 270—279.2.

Sec. 38-590. - Statutory authorization, finding of fact, statement of purpose and title.

- (a) *Statutory authorization.* This division is adopted pursuant to the authorization in Wis. Stats. § 59.692, to implement Wis. Stats. §§ 59.692 and 281.31.
- (b) *Finding of fact.* Uncontrolled use of the shorelands and pollution of the navigable waters of Washburn County will adversely affect the public health, safety, convenience, and general welfare and impair the tax base. The legislature of Wisconsin has delegated responsibility to the counties to further the maintenance of safe and healthful conditions; prevent and control water pollution; protect spawning grounds, fish and aquatic life; control building sites, placement of structures and land uses; and to preserve shore cover and natural beauty. This responsibility is hereby recognized by Washburn County, Wisconsin.
- (c) *Purpose and intent.* (NR 115.01) For the purpose of promoting the public health, safety, convenience and welfare, and promote and protect the public trust in navigable waters this division has been established to:
  - (1) Further the maintenance of safe and healthful conditions and prevent and control water pollution through:
    - a. Limiting structures to those areas where soil and geological conditions will provide a safe foundation.
    - b. Establishing minimum lot sizes to provide adequate area for private on-site waste treatment systems.
    - c. Controlling filling and grading to prevent soil erosion problems.

- d. Limiting impervious surfaces to control runoff which carries pollutants.
  - (2) Protect spawning grounds, fish and aquatic life through:
    - a. Preserving wetlands and other fish and aquatic habitat.
    - b. Regulating pollution sources.
    - c. Controlling shoreline alterations, dredging and lagooning.
  - (3) *Control building sites, placement of structures and land uses through:*
    - a. Prohibiting certain uses detrimental to the shoreland-wetlands.
    - b. Setting minimum lot sizes and widths.
    - c. Setting minimum building setbacks from waterways.
    - d. Setting the maximum height of near shore structures.
  - (4) Preserve and restore shoreland vegetation and natural scenic beauty through:
    - a. Restricting the removal of natural shoreland cover.
    - b. Preventing shoreline encroachment by structures.
    - c. Controlling shoreland excavation and other earth moving activities.
    - d. Regulating the use and placement of boathouses and other structures.
- (d) *Title.* Shoreland Protection Ordinance for Washburn County, Wisconsin.

(Res. No. 72-16, 9-20-2016)

Sec. 38-591. - General provisions.

- (a) *Areas to be regulated.* Areas regulated by this division shall include all the lands (referred to herein as shorelands) in the unincorporated areas of Washburn County which are:
- (1) Within 1,000 feet of the ordinary high-water mark of navigable lakes, ponds or flowages. (NR 115.03(8)) Lakes, ponds or flowages in Washburn County shall be presumed to be navigable if they are listed in the Wisconsin Department of Natural Resources publication FH-800 2009 "Wisconsin Lakes" book available electronically at the following web site: <http://dnr.wi.gov/lakes/lakebook/wilakes2009bma.pdf> or are shown on United States Geological Survey quadrangle maps (1:24,000 scale), or other zoning base maps.
  - (2) Within 300 feet of the ordinary high-water mark of navigable rivers or streams, or to the landward side of the floodplain, whichever distance is greater. (NR 115.03(8)) Rivers and streams in Washburn County shall be presumed to be navigable if they are designated as perennial waterways or intermittent waterways on United States Geological Survey quadrangle maps (1:24,000). Flood hazard boundary maps, flood insurance rate maps, flood boundary-floodway maps, county soil survey maps or other existing county floodplain zoning maps shall be used to delineate floodplain areas.
  - (3) The provisions of this chapter apply to regulation of the use and development of unincorporated shoreland areas. Unless specifically exempted by law, all cities, villages, towns, counties and, when Wis. Stats. § 13.48(13), applies, state agencies are required to comply with, and obtain all necessary permits under, local shoreland ordinances. The construction, reconstruction, maintenance or repair of state highways and bridges carried out under the direction and supervision of the Wisconsin Department of Transportation is not subject to local shoreland zoning ordinances if Wis. Stats. § 30.2022(1), applies. (NR 115.02) Shoreland zoning requirements in annexed or incorporated areas are provided in Wis. Stats. §§ 61.353 and 62.233.

- (4) Determinations of navigability and ordinary high-water mark location shall initially be made by the zoning administrator. When questions arise, the zoning administrator shall contact the appropriate office of the department for a final determination of navigability or ordinary high-water mark. The county may work with surveyors with regard to Wis. Stats. § 59.692(1h).
- (5) Under Wis. Stats. § 281.31(2m), notwithstanding any other provision of law or administrative rule promulgated thereunder, this shoreland zoning ordinance does not apply to:
  - a. Lands adjacent to farm drainage ditches if:
    1. Such lands are not adjacent to a natural navigable stream or river;
    2. Those parts of such drainage ditches adjacent to such lands were not navigable streams before ditching; and
  - b. Lands adjacent to artificially constructed drainage ditches, ponds or stormwater retention basins that are not hydrologically connected to a natural navigable water body.
- (b) *Shoreland-wetland maps.* The most recent version of the Wisconsin Wetland Inventory as depicted on the department of natural resources surface water data viewer is made part of this division. The maps can be viewed at <http://dnrmaps.wi.gov/SL/Viewer.html?Viewer=SWDV&runWorkflow=Wetland>
- (c) *Compliance.* The use of any land; the size, shape and placement of lots; the use, size, type and location of structures on lots; the installation and maintenance of water supply and waste disposal facilities; the filling, grading, lagooning, and dredging of any lands; the cutting of shoreland vegetation; and the subdivision of lots shall be in full compliance with the terms of this division and other applicable local, state or federal regulations. Buildings and other structures shall require a permit unless otherwise expressly excluded by a provision of this division. Property owners, builders and contractors are responsible for compliance with the terms of this division.
- (d) *Municipalities and state agencies regulated.* Unless specifically exempted by law, all cities, villages, towns, and counties are required to comply with this division and obtain all necessary permits. State agencies are required to comply when Wis. Stats. § 13.48(13), applies. The construction, reconstruction, maintenance and repair of state highways and bridges by the Wisconsin Department of Transportation are exempt when Wis. Stats. § 30.2022, applies.
- (e) *Abrogation and greater restrictions.* (Wis. Stats. § 59.692(5)) The provisions of this division supersede any provisions in a county zoning ordinance that solely relate to shorelands. In other words if a zoning standard only applies to lands that lie within the shoreland and applies because the lands are in shoreland, then this division supersedes those provisions. However, where an ordinance adopted under a statute other than Wis. Stats. § 59.692, does not solely relate to shorelands and is more restrictive than this division, for example a floodplain ordinance, that ordinance shall continue in full force and effect to the extent of the greater restrictions.
  - (1) (Wis. Stats. § 59.692(2)(a)) This division shall not require approval or be subject to disapproval by any town or town board.
  - (2) (Wis. Stats. § 59.692(2)(b)) If an existing town ordinance relating to shorelands is more restrictive than this division or any amendments thereto, the town ordinance continues in all respects to the extent of the greater restrictions but not otherwise.
  - (3) This division is not intended to repeal, abrogate or impair any existing deed restrictions, covenants or easements. However, where this division imposes greater restrictions, the provisions of this division shall prevail.
  - (4) The following provisions of the Washburn County Zoning Ordinance are hereby incorporated by reference. These provisions shall only apply to the shoreland area where they impose greater restrictions than this division otherwise imposes.
  - (5) (Wis. Stats. § 59.692(1d)(b)) This division may establish standards to regulate matters that are not regulated in NR 115, but that further the purposes of shoreland zoning as described in section 38-590(c) of this division.

- (6) (Wis. Stats. § 59.692(1k)(a)1) Counties may not establish shoreland zoning standards in a shoreland zoning ordinance that requires any of the following:
- a. Approval to install or maintain outdoor lighting in shorelands, impose any fee or mitigation requirement to install or maintain outdoor lighting in shorelands, or otherwise prohibits or regulates outdoor lighting in shorelands if the lighting is designed or intended for residential use.
  - b. Requires any inspection or upgrade of a structure before the sale or other transfer of the structure may be made.
- (7) (Wis. Stats. § 59.692(7)) the construction and maintenance of a facility is considered to satisfy the requirements of a shoreland zoning ordinance if:
- a. The department has issued all required permits or approvals authorizing the construction or maintenance under Wis. Stats. chs. 30, 31, 281, or 283.
- A "facility" means any property or equipment of a public utility, as defined in Wis. Stats. § 196.01(5), or a cooperative association organized under Wis. Stats. ch. 185 for the purpose of producing or furnishing heat, light, or power to its members only, that is used for the transmission, delivery, or furnishing of natural gas, heat, light, or power.
- (f) *Interpretation.* (Wis. Stats. § 59.69(13)) In their interpretation and application, the provisions of this division shall be liberally construed in favor of the county and shall not be deemed a limitation or repeal of any other powers granted by Wisconsin Statutes. Where a provision of this division is required by statute and a standard in ch. NR 115, Wis. Adm. Code, and where the ordinance provision is unclear, the provision shall be interpreted in light of the statute and ch. NR 115 standards in effect on the date of the adoption of this division or in effect on the date of the most recent text amendment to this division.
- (g) *Severability.* If any portion of this division is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this division shall not be affected.

(Res. No. 72-16, 9-20-2016)

Sec. 38-592. - Shoreland-wetland district (NR 115.04).

- (a) *Designation.* This district shall include all shorelands within the jurisdiction of this division which are designated as wetlands on the most recent version of the Wisconsin Wetland Inventory as depicted on the department of natural resources surface water data viewer.
- (1) *Locating shoreland-wetland boundaries.* (NR 115.04(b)2. note) Where an apparent discrepancy exists between the shoreland-wetland district boundary shown on the Wisconsin Wetland Inventory and actual field conditions, the county shall contact the department to determine if the map is in error. If the department determines that a particular area was incorrectly mapped as wetland or meets the wetland definition but was not shown as wetland on the map, the county shall have the authority to immediately grant or deny a shoreland zoning permit in accordance with the applicable regulations based on the department determination as to whether the area is wetland. In order to correct wetland mapping errors on the official zoning map, an official zoning map amendment must be initiated within a reasonable period of time.
- (b) *Purpose.* This district is created to maintain safe and healthful conditions, to prevent water pollution, to protect fish spawning grounds and wildlife habitat, to preserve shore cover and natural beauty and to control building and development in wetlands whenever possible. When development is permitted in a wetland, the development should occur in a manner that minimizes adverse impacts upon the wetland.

- (c) *Permitted uses.* (NR 115.04(3)) The following uses shall be allowed, subject to general shoreland zoning regulations contained in this division, the provisions of Wis. Stats. chs. 30, 31, and § 281.36, and the provisions of other applicable local, state and federal laws:
- (1) Activities and uses which do not require the issuance of a zoning permit, but which must be carried out without any filling, flooding, draining, dredging, ditching, tiling or excavating:
    - a. Hiking, fishing, trapping, hunting, swimming, and boating;
    - b. The harvesting of wild crops, such as marsh hay, ferns, moss, wild rice, berries, tree fruits, and tree seeds, in a manner that is not injurious to the natural reproduction of such crops;
    - c. The pasturing of livestock;
    - d. The cultivation of agricultural crops;
    - e. The practice of silviculture, including the planting, thinning, and harvesting of timber; and
    - f. The construction or maintenance of duck blinds.
  - (2) Uses which do not require the issuance of a zoning permit and which may include limited filling, flooding, draining, dredging, ditching, tiling, or excavating but only to the extent specifically provided below:
    - a. Temporary water level stabilization measures necessary to alleviate abnormally wet or dry conditions that would have an adverse impact on silvicultural activities if not corrected;
    - b. The cultivation of cranberries including flooding, dike and dam construction or ditching necessary for the growing and harvesting of cranberries;
    - c. The maintenance and repair of existing agricultural drainage systems including ditching, tiling, dredging, excavating and filling necessary to maintain the level of drainage required to continue the existing agricultural use. This includes the minimum filling necessary for disposal of dredged spoil adjacent to the drainage system provided that dredged spoil is placed on existing spoil banks where possible;
    - d. The construction or maintenance of fences for the pasturing of livestock, including limited excavating and filling necessary for such construction or maintenance;
    - e. The construction or maintenance of piers, docks or walkways built on pilings, including limited excavating and filling necessary for such construction and maintenance; and
    - f. The maintenance, repair, replacement or reconstruction of existing town and county highways and bridges, including limited excavating and filling necessary for such maintenance, repair, replacement or reconstruction.
  - (3) Uses which require the issuance of a zoning permit and which may include limited filling, flooding, draining, dredging, ditching, tiling or excavating, but only to the extent specifically provided below:
    - a. The construction and maintenance of roads which are necessary to conduct silvicultural activities or agricultural cultivation, provided that:
      1. The road cannot as a practical matter be located outside the wetland;
      2. The road is designed and constructed to minimize adverse impact upon the natural functions of the wetland enumerated in section 38-592(e)(2);
      3. The road is designed and constructed with the minimum cross-sectional area practical to serve the intended use; and
      4. Road construction activities are carried out in the immediate area of the roadbed only.
    - b. The construction or maintenance of nonresidential buildings, provided that:

1. The building is essential for and used solely in conjunction with the raising of waterfowl, minnows or other wetland or aquatic animals; or some other use permitted in the shoreland-wetland district;
  2. The building cannot, as a practical matter, be located outside the wetland;
  3. Such building is not designed for human habitation and does not exceed 500 square feet in floor area; and
  4. Only limited filling or excavating necessary to provide structural support for the building is authorized.
- c. The establishment of public and private parks and recreation areas, natural and outdoor education areas, historic and scientific areas, wildlife refuges, game bird and animal farms, fur animal farms, fish hatcheries, and public boat launching ramps and attendant access roads, provided that:
1. Any private development is used exclusively for the permitted use and the applicant has received a permit or license under Wis. Stats. ch. 29, where applicable;
  2. Filling or excavating necessary for the construction or maintenance of public boat launching ramps or attendant access roads is allowed only where such construction or maintenance meets the criteria in section 38-592(c)(3)a.; and
  3. Ditching, excavating, dredging, or dike and dam construction in public and private parks and recreation areas, natural and outdoor education areas, historic and scientific areas, wildlife refuges, game bird and animal farms, fur animal farms, and fish hatcheries is allowed only for the purpose of improving wildlife habitat and to otherwise enhance wetland values.
- d. The construction or maintenance of electric, gas, telephone, water and sewer transmission and distribution facilities, by public utilities and cooperative associations organized for the purpose of producing or furnishing heat, light, power or water to their members and the construction or maintenance of railroad lines provided that:
1. The transmission and distribution facilities and railroad lines cannot, as a practical matter, be located outside the wetland;
  2. Such construction or maintenance is done in a manner designed to minimize adverse impact upon the natural functions of the wetland enumerated in section 38-592 (e)(2).
- (d) Prohibited uses. (NR 115.04(4)) Any use not listed in sections 38-592(c)(1), (2) or (3) is prohibited, unless the wetland or portion of the wetland has been rezoned by amendment of this division in accordance with section 38-592(e) of this division and Wis. Stats. § 59.69(5)(e).
- (e) Rezoning of lands in the shoreland-wetland district. (NR 115.04(2)).
- (1) For all proposed text and map amendments to the shoreland-wetland provisions of this division, the appropriate office with the department shall be provided with the following:
- a. A copy of every petition for a text or map amendment to the shoreland-wetland provisions of this division, within five days of the filing of such petition with the county clerk. Such petition shall include a copy of the Wisconsin Wetland Inventory map adopted as part of this division describing any proposed rezoning of a shoreland-wetland;
  - b. Written notice of the public hearing to be held on a proposed amendment at least ten days prior to such hearing;
  - c. A copy of the county zoning agency's findings and recommendations on each proposed amendment within ten days after the submission of those findings and recommendations to the county board; and
  - d. Written notice of the county board's decision on the proposed amendment within ten days after it is issued.



- (2) A wetland, or a portion thereof, in the shoreland-wetland district shall not be rezoned if the proposed rezoning may result in a significant adverse impact upon any of the following:
- a. Storm and floodwater storage capacity;
  - b. Maintenance of dry season stream flow, the discharge of groundwater to a wetland, the recharge of groundwater from a wetland to another area, or the flow of groundwater through a wetland;
  - c. Filtering or storage of sediments, nutrients, heavy metals or organic compounds that would otherwise drain into navigable waters;
  - d. Shoreline protection against soil erosion;
  - e. Fish spawning, breeding, nursery or feeding grounds;
  - f. Wildlife habitat; or
  - g. Wetlands both within the boundary of designated areas of special natural resource interest and those wetlands which are in proximity to or have a direct hydrologic connection to such designated areas as defined in NR 103.04, Wis. Adm. Code, which can be accessed at the following web site: <http://www.legis.state.wi.us/rsb/code/nr/nr103.pdf>.
- (3) If the department notifies the county zoning agency that a proposed text or map amendment to the shoreland-wetland provisions of this division may have a significant adverse impact upon any of the criteria listed in section 38-592(e)(2) of this division, that amendment, if approved by the county board, shall contain the following provision:

"This amendment shall not take effect until more than 30 days have elapsed after written notice of the county board's approval of this amendment is mailed to the department of natural resources. During that 30-day period the department of natural resources may notify the county board that it will adopt a superseding shoreland ordinance for the county under Wis. Stats. § 59.692(6). If the department does so notify the county board, the effect of this amendment shall be stayed until the Wis. Stats. § 59.692(6), adoption procedure is completed or otherwise terminated."

(Res. No. 72-16, 9-20-2016)

Sec. 38-593. - Land division review and sanitary regulations (NR 115.05(2)).

- (a) *Land division review.* (NR 115.05(2)) Washburn County shall review, pursuant to Wis. Stats. § 236.45, all land divisions in shoreland areas which create three or more parcels or building sites of five acres each or less within a five-year period. In such review all of the following factors shall be considered:
- (1) Hazards to the health, safety or welfare of future residents.
  - (2) Proper relationship to adjoining areas.
  - (3) Public access to navigable waters, as required by law.
  - (4) Adequate stormwater drainage facilities.
  - (5) Conformity to state law and administrative code provisions.
- (b) *Sanitary regulations.* (NR 115.05(3)) The county shall adopt sanitary regulations for the protection of health and the preservation and enhancement of water quality.
- (1) Where public water supply systems are not available, private well construction shall be required to conform to ch. NR 812, Wis. Adm. Code.
  - (2) Where a public sewage collection and treatment system is not available, design and construction of private on-site waste treatment system shall, prior to July 1, 1980, be required to

comply with SPS 383, Wis. Adm. Code, and after June 30, 1980 be governed by a private sewage system ordinance adopted by the county under Wis. Stats. § 59.70(5).

- (c) *Development of islands.* Standards for the development of these natural features are hereby established to preserve and protect the characteristics of the island and the adjacent body of water.
- (1) Islands with sufficient area to meet setbacks in section 38-595(a) may be developed, subject to the following standards:
- a. The proposed use shall be a permitted or conditional use for the underlying zoning district.
  - b. A developed island shall be provided with at least one mainland access lot, on that same waterbody, for ingress, egress, and parking areas and sanitary maintenance on the island. The construction or placement of any structure on an access lot is prohibited with the exception of piers, docks, wharfs, boat hoists and boat shelters in conformance with Wisconsin Administrative Code NR 115 and NR 326, and Wis. Stats. ch. 30.
  - c. The total number of principal structures on an island shall be based on the surface area, minimum average lot width and setbacks as prescribed by the applicable zoning district and/or minimum requirements in sections 38-594 and 38-595 for one principal structure.
  - d. A structure with plumbing shall only be allowed on an island with an approved sanitary permit including a viable maintenance agreement and contingency plan, including a suitable maintenance contract signed by a licensed service provider. A holding tank septic system shall not be allowed as an acceptable waste disposal system due to the frequent service interval requirements. If a road access to the island is authorized by permit and constructed, a holding tank may be considered for waste treatment at that time.
  - e. Cutting of vegetation within the required shoreland buffer shall be consistent with section 38-596 of this division.
- (2) Islands shall not be developed if any of the following exist:
- a. Insufficient upland area.
  - b. Insufficient areas that meet setbacks.
  - c. The island is subject to flooding.
  - d. There is no viable access lot.
  - e. Other significant environmental limitations exist, including steep slopes or inadequate soil.
  - f. There is documented cultural, historic or ecological value on the island.
- (d) *Back lot access to waters.* The use of waterfront lots to provide deeded access to back lots is specifically prohibited in all districts that allow single-family residential use. No land division shall be recorded and no zoning permit shall be issued for a waterfront parcel unless the minimum lot area, width and water frontage are provided for each dwelling unit which is or proposed to be located on the waterfront property or located on a back lot where the owner has a deeded interest in the waterfront property.

(Res. No. 72-16, 9-20-2016)

Sec. 38-594. - Minimum lot size (NR 115.05(1)).

- (a) *Purpose.* (NR115.05(1)(a)) Minimum lot sizes in the shoreland area shall be established to afford protection against danger to health, safety and welfare, and protection against pollution of the adjacent body of water. In calculating the minimum area or width of a lot, the beds of navigable waters shall not be included.
- (b) *Sewered lots.* (NR 115.05(1)(a)1) Minimum area and width for each lot. The minimum lot area shall be 10,000 square feet and the minimum average lot width shall be 65 feet.

- (1) The width shall be calculated by averaging the measurements at the following locations:
  - a. The ordinary high water mark.
  - b. The building setback line.
  - c. The rear lot line.
- (c) *Unsewered lots.* (NR 115.05(1)(a) 2) Minimum area and width for each lot. The minimum lot area shall be 20,000 square feet and the minimum average lot width shall be 100 feet with at least 100 feet of frontage at the ordinary high-water mark.
  - (1) The width shall be calculated by averaging the measurements at the following locations:
    - a. The ordinary high water mark.
    - b. The building setback line.
    - c. The rear lot line.
- (d) *Substandard lots.* (NR 115.05(1)(a)3) A legally created lot or parcel that met minimum area and minimum average width requirements when created, but does not meet current lot size requirements, may be used as a building site if all of the following apply:
  - (1) The substandard lot or parcel was never reconfigured or combined with another lot or parcel by plat, survey, or consolidation by the owner into one property tax parcel.
  - (2) The substandard lot or parcel has never been developed with one or more of its structures placed partly upon an adjacent lot or parcel.
  - (3) The substandard lot or parcel is developed to comply with all other ordinance requirements.
- (e) *Other substandard lots.* Except for lots which meet the requirements of section 38-594(d), a building permit for the improvement of a lot having lesser dimensions than those stated in section 38-594(b) and (c) shall be issued only if a variance is granted by the board of adjustment.

(Res. No. 72-16, 9-20-2016)

Sec. 38-595. - Shoreland setbacks (NR 115.05(1)(b)).

Permitted building setbacks shall be established to conform to health, safety and welfare requirements, preserve natural beauty, reduce flood hazards and avoid water pollution.

- (a) *Shoreland setbacks.* (NR115.05 (1) (b) 1) Unless exempt under section 38-595(a)(1), reduced under section 38-595(b), or increased under section 38-595(c), a setback of 75 feet from the ordinary high-water mark of any navigable water to the nearest part of a building or structure shall be required for all buildings and structures.
  - (1) *Exempt structures.* (NR 115.05(1)(b)1m) and Wis. Stats. § 59.692(1k)(a)(6). All of the following structures are exempt from the shoreland setback standards in section 38-595(a):
    - a. Boathouses may be constructed according to the following provisions:
      1. The entire boathouse must be located above the ordinary high-water mark and entirely within the viewing and access corridor.
      2. Boathouses shall be designed and constructed solely for the storage of boats and related equipment.
      3. Boathouses shall not contain plumbing components or be used for human habitation.
      4. One boathouse is permitted per lot. Lots in contiguous ownership shall be considered one lot for purposes of this exemption.

5. Boathouses shall be constructed in conformity with local floodplain zoning standards.
  6. Boathouses shall not exceed one story and 300 square feet in size (outside dimensions).
  7. The roof of a boathouse may be used as a deck provided that:
    - a. The boathouse has a flat roof.
    - b. The roof has no side walls or screens.
    - c. The roof may have a railing that meets the department of safety and professional services standards.
  8. Boathouses constructed after the effective date of this division shall have a pitched roof that is no flatter than 4/12 pitch, and shall not be designed or used as deck, observation platform or for other similar uses.
  9. Earth toned non-reflective color shall be required for all exterior surfaces of a boathouse.
  10. The main door shall face the water.
  11. Patios, patio doors, decks, fireplaces and other features inconsistent with the use of the structure exclusively as a boathouse are not permitted.
  12. The boathouse shall be of wood construction. Concrete footings are allowed provided that they do not extend more than six inches above grade.
- b. Open sided and screened structures such as gazebos, decks, patios and screen houses in the shoreland setback area that satisfy the requirements in Wis. Stats. § 59.692(1v).
1. Exempt open sided and screened structures may be constructed with an approved permit at less than minimum setback required in section 6.1, pursuant to Wis. Stats. § 59.692(1v), subject to the following standards:
    - a. The part of the structure that is nearest to the water is located at least 35 feet landward from the ordinary-high water mark.
    - b. The floor area of all the structures in the shoreland setback area will not exceed 200 square feet, excluding those exempt under section 38-595(a)(1)a., c., d. and f.
    - c. The structure that is the subject of the request for special zoning permission has no sides or has open or screened sides.
    - d. The county must approve a plan, consistent with section 38-596(c) of this chapter that will be implemented by the owner of the property to preserve or establish a vegetative buffer zone that covers at least 70 percent of the half of the shoreland setback area that is nearest to the water.
    - e. The structure, if freestanding, may not have a wall height exceeding ten feet.
    - f. An affidavit shall be signed by the owner requesting the section 59.692 permit which acknowledges the shoreland buffer requirements. Said affidavit will also be recorded in the Washburn County Register of Deeds and serve as official notice of this requirement to future property owners.
- c. Broadcast signal receivers, including satellite dishes or antennas that are one meter or less in diameter and satellite earth station antennas that are two meters or less in diameter.

- d. Utility transmission and distribution lines, poles, towers, water towers, pumping stations, well pump house covers, private on-site wastewater treatment systems that comply SPS 383 and other utility structures that have no feasible alternative location outside of the minimum setback and that employ best management practices to infiltrate or otherwise control stormwater runoff from the structure.
  - e. Walkways, stairways or rail systems that are necessary to provide pedestrian access to the shoreline and are a maximum of 60 inches in width.
    - 1. Pedestrian access to the shoreline. A stairway, walkway or lift is allowed in the shoreland setback area only when it is necessary to provide pedestrian access to the shoreline because of steep slopes or unstable soils. The construction is subject to the following standards:
      - a. Canopies, roofs, and sides are prohibited. Open railings may be provided.
      - b. A maximum width of five feet (outside dimensions) is allowed for a stairway, walkway, or lift.
      - c. Landings are allowed where required for safety purposes and shall not exceed a cumulative total of 40 square feet. The stairway shall not terminate with a landing unless it is necessary for access or connection to a dock.
      - d. A stairway, walkway, or lift shall be constructed and surfaced to effectively control erosion and minimize stormwater runoff directly into a waterway.
      - e. Walkways, stairways or lifts shall be located within the allowable viewing and access corridor to the extent practicable.
      - f. Any filling, grading or excavation that is proposed must meet the requirements of section 38-597 of this division.
    - 2. Accommodations for disabled or elderly persons. Where access to the water would not otherwise be possible, a power lift may be installed in addition to a walkway and/or a stairway provided that both structures are located in the viewing and access corridor to the extent practicable.
  - f. Devices or systems used to treat runoff from impervious surfaces.
- (2) *Existing exempt structures.* (Wis. Stats. § 59.692(1k)(a)2m) Existing exempt structures may be maintained, repaired, replaced, restored, rebuilt and remodeled provided the activity does not expand the footprint and does not go beyond the three-dimensional building envelope of the existing structure. Expansion of a structure beyond the existing footprint is allowable if the expansion is necessary to comply with applicable state or federal requirements.
- (b) *Reduced principal structure setback.* (Wis. Stats. § 59.692(1n)) A setback less than the 75-foot required setback from the ordinary high water mark shall be permitted for a proposed principal structure and shall be determined as follows:
- (1) Where there are existing principal structures in both directions, the setback shall equal the average of the distances the two existing principal structures are set back from the ordinary high water mark provided all of the following are met:
    - a. Both of the existing principal structures are located on adjacent lot to the proposed principal structure.
    - b. Both of the existing principal structures are located within 250 feet of the proposed principal structure and are the closest structure.
    - c. Both of the existing principal structures are located less than 75 feet from the ordinary high water mark.

- d. The average setback shall not be reduced to less than 35 feet from the ordinary high water mark of any navigable water.
- (c) *Increased principal structure setback.* (Wis. Stats. § 59.692(1n)(c)) A setback greater than the required 75 feet from the ordinary high water mark may be required for a proposed principal structure and determined as follows:
  - (1) Where there are existing principal structures in both directions, the setback shall equal the average of the distances the two existing principal structures are set back from the ordinary high water mark provided all of the following are met:
    - a. Both of the existing principal structures are located on adjacent lot to the proposed principal structure.
    - b. Both of the existing principal structures are located within 200 feet of the proposed principal structure.
    - c. Both of the existing principal structures are located greater than 75 feet from the ordinary high water mark.
    - d. Both of the existing principal structures were required to be located at a setback greater than 75 feet from the ordinary high water mark.
    - e. The increased setback does not apply if the resulting setback limits the placement to an area on which the structure cannot be built.
  - (d) *Other setbacks.*
    - (1) In areas classified as shoreland, the side property-line setback (both sides) on riparian lots shall be a minimum of ten feet for all structures.
    - (2) All buildings and structures shall be set back at least ten feet from the high-water mark of non-navigable streams and drainageways. The high-water mark is that point up to which the presence and action of surface water is so continuous as to leave a distinctive mark by erosion, destruction or prevention of terrestrial vegetation, predominance of aquatic vegetation, or other easily recognized characteristics. Roadways, recreational trails and pedestrian walkways shall be permitted to cross non-navigable streams and drainageways provided such construction allows for the free passage of waters and that runoff is controlled so as to prevent erosion and transport of sediment and pollutants to nearby waters.
    - (3) All buildings and structures except for those permitted to be located within shoreland wetlands (see section 38-592) regarding wetland protection standards shall be set back at least 25 feet landward from the boundary of mapped wetlands. This setback area is subject to the provisions of section 38-592.
  - (e) *Floodplain structures.* (NR 115.05(1)(b)2) Buildings and structures to be constructed or placed in a floodplain shall be required to comply with any applicable floodplain zoning ordinance.

(Res. No. 72-16, 9-20-2016)

Sec. 38-596. - Vegetation (NR 115.05(1)(c)).

- (a) *Purpose.* To protect natural scenic beauty, fish and wildlife habitat, and water quality, Washburn County shall regulate removal of vegetation in shoreland areas with standards that consider sound forestry and soil conservation practices, the effect of vegetation removal on water quality including soil erosion and the flow of effluents, sediments and nutrients.
- (b) *Shoreland buffer.* To protect water quality, fish and wildlife habitat and natural scenic beauty, and to promote preservation and restoration of native vegetation, this division shall designate all land that extends from the ordinary high water mark to a minimum of 35 feet inland as a shoreland buffer and

prohibit removal of vegetation in the shoreland buffer. A compliant shoreland buffer shall contain three distinct layers including a native tree canopy, shrub layer, and groundcover layer, except for closed canopy forest types such as pine and hemlock. The following activities are allowed within the shoreland buffer, subject to the following standards:

- (1) The removal of trees and shrubs in the shoreland buffer to create a viewing and access corridor per Wis. Stats. § 59.692(1f)(b).
    - a. The viewing and access corridor may be up to 35 feet wide for every 100 feet of shoreline frontage.
    - b. The viewing and access corridor may run contiguously for the entire maximum allowed width per shoreline frontage owned.
    - c. The allowable viewing and access corridor shall be determined by the amount of shoreline frontage listed on a certified survey map, Washburn County GIS parcel map, or other reasonably accurate assessment tool in use in the zoning, surveying or land records departments.
    - d. The viewing and access corridor must be maintained with some form of vegetation that prevents bank erosion and sedimentation of the waterway. Sand, gravel, rock or other similar materials shall be prohibited as an alternative to vegetation unless otherwise allowed by this division.
  - (2) The removal of damaged, dead, diseased or dying trees and tree branches provided they present a safety hazard to structures or persons, and provided they are replaced with native vegetation or approved cultivars of native stock that is equally effective in fulfilling the purposes of the shoreland buffer.
  - (3) The removal of trees and shrubs in the shoreland buffer on a parcel with ten or more acres of forested land consistent with "generally accepted forestry management practices" as defined in NR 1.25(2)(b), and described in the Wisconsin Department of Natural Resources publication "Wisconsin Forest Management Guidelines," provided that vegetation removal be consistent with these practices.
  - (4) The removal of vegetation within the shoreland buffer to manage exotic or invasive species provided that any vegetation removed be replaced with native vegetation or approved cultivars of native stock that is equally effective in fulfilling the purposes of the shoreland buffer.
  - (5) Any path, road or passage within the required shoreland buffer, including the allowable viewing and access corridor, shall be constructed and surfaced so as to effectively control erosion and minimize stormwater runoff directly into a waterway.
  - (6) Protection of shoreland buffer vegetation during times of construction. Except where construction within the shoreland buffer is authorized, all vegetation within the required shoreland buffer shall be protected by fencing to exclude construction activities. Such vegetation shall be maintained so as to maximize the soil stabilization and filtering functions of the shoreland buffer.
- (c) *Shoreland buffer restoration standards.* Where shoreland buffer restoration is required [in] section 38-595(a)(1)b. or proposed under section 38-601(a), the restoration shall meet the following criteria:
- (1) *Passive restoration (natural recovery).* When all mowing, pruning, and vegetation cutting ceases within the shoreland buffer, with the exception of activities allowed by section 38-596(b) of this division, and existing vegetation is then allowed to grow naturally, this shall be known as a passive shoreland buffer restoration. A passive shoreland buffer may only serve as the restoration if tree, shrub and ground cover layers are already present in acceptable densities, as outlined in section 38-596(b)(2) and (3), and the site is suited for natural regeneration.
  - (2) *Active restoration (accelerated recovery).* When all mowing, pruning, and vegetation cutting ceases, with exception of activities allowed by section 38-596(b) of this division, and native species or approved cultivars of native stock are planted at required densities within the

shoreland buffer this shall be known as an active shoreland buffer restoration. All active shoreland buffer restorations shall meet the following standards:

- a. Planting shall be species native to Wisconsin and approved by the Washburn County Land and Water Conservation Department (LWCD). Cultivars of these native species may be used if approved by the LWCD.
  - b. Trees shall be planted to restore a density of at least one stem per 100 square feet of shoreland buffer area.
  - c. Shrubs shall be planted to restore a density of at least two stems per 100 square feet of shoreland buffer area, except for closed canopy forest types.
  - d. Ground cover shall be restored to the extent practicable.
- (3) *Shoreland buffer restoration plan requirements.* A plan for the restoration of an active shoreland buffer shall include:
- a. An inventory of plant species currently present and an indication of their density within the required shoreland buffer.
  - b. A list of desired native, site-adapted species (or approved cultivars of native species), size or age of species and a schedule for their planting. A minimum size or age of species may be required depending on site conditions.
  - c. A sketch showing no mow areas and/or the placement and densities of each species planned for the restored shoreland buffer.
  - d. A description of how the applicant intends to carry out the project including a watering plan and the erosion control measures that will be used during restoration.
  - e. A description of the proposed method for removal of existing turf grass or other non-native species. Landscape cloth, plastic, mill felt or other barriers similar in nature may only be used on a temporary basis to facilitate the removal of non-native species.
  - f. A replacement schedule for restoration plantings. Any vegetation required as mitigation but subsequently dies due to neglect, lack of watering, planting errors, deer browse, etc., shall be replaced and maintained.
  - g. All buffer restoration plans shall be approved by the LWCD.

(Res. No. 72-16, 9-20-2016)

Sec. 38-597. - Filling, grading, lagooning, dredging, ditching and excavating (NR 115.05(1)(d)).

- (a) *General standards.* Filling, grading, lagooning, dredging, ditching or excavating which does not require a permit under section 38-597(b) may be permitted in the shoreland area provided that:
- (1) It is not done within the vegetative buffer zone unless necessary for establishing or expanding the vegetative buffer.
  - (2) It is done in a manner designed to minimize erosion, sedimentation and impairment of fish and wildlife habitat.
  - (3) Filling, grading, lagooning, dredging, ditching or excavating in a shoreland wetland district meets the requirements of section 38-592(c) of this division.
  - (4) All applicable federal, state and local authority is obtained in addition to a permit under this division.
  - (5) Any fill placed in the shoreland area is protected against erosion by the use of riprap, vegetative cover or a bulkhead.
- (b) *Permit required.* Except as provided in section 38-597(a), a permit is required:



- (1) For any filling or grading of any area which is within 300 feet landward of the ordinary high water mark of navigable water and which has surface drainage toward the water and on which there is either:
    - a. Any filling or grading on slopes of more than 20 percent.
    - b. Filling or grading of more than 1,000 square feet on slopes of 12 percent, 20 percent.
    - c. Filling or grading of more than 2,000 square feet but less than one acre on slopes less than 12.
  - (2) For any construction or dredging commenced on any artificial waterway, canal, ditch, lagoon, pond, lake or similar waterway which is within 300 feet landward of the ordinary high water mark of a navigable body of water or where the purpose is the ultimate connection with a navigable body of water.
- (c) *Permit conditions.* In granting a permit under section 38-597(b), the county shall attach the following conditions, where appropriate.
- (1) The smallest amount of bare ground shall be exposed for as short a time as feasible.
  - (2) Temporary ground cover (such as mulch or jute netting) shall be used and permanent vegetative cover shall be established.
  - (3) Diversion berms or bales, silting basins, terraces, filter fabric fencing, and other methods shall be used to prevent erosion.
  - (4) Lagoons shall be constructed to avoid fish trap conditions.
  - (5) Fill shall be stabilized according to accepted engineering standards.
  - (6) Filling shall comply with any local floodplain zoning ordinance and shall not restrict a floodway or destroy the flood storage capacity of a floodplain.
  - (7) Channels or artificial watercourses shall be constructed with side slopes of two units horizontal distance to one unit vertical or flatter which shall be promptly vegetated, unless bulkheads or riprap are provided.

(Res. No. 72-16, 9-20-2016)

Sec. 38-598. - Impervious surface standards (NR 115.05(1)(e)).

- (a) *Purpose.* To establish impervious surface standards to protect water quality, fish and wildlife habitat and to protect against pollution of navigable waters. Washburn County impervious surface standards shall apply to the construction, reconstruction, expansion, replacement or relocation of any impervious surface on a riparian lot or parcel and any non-riparian lot or parcel that is located entirely within 300 feet of the ordinary high-water mark of any navigable waterway.
- (b) *Calculation of percentage of impervious surface.* Percentage of impervious surface shall be calculated by dividing the surface area of the existing and proposed impervious surfaces on the portion of a lot or parcel that is within 300 feet of the ordinary high-water mark by the total surface area of that lot or parcel, and multiplied by 100. Impervious surfaces described in section 38-598(e) shall be excluded from the calculation of impervious surface on the lot or parcel.
  - (1) If an outlot lies between the ordinary high water mark and the developable lot or parcel and both are in common ownership, the lot or parcel and the outlot shall be considered one lot or parcel for the purposes of calculating the percentage of impervious surface.
  - (2) For properties under alternative forms of ownership such as condominiums, cooperatives and associations, the limits to expansion on structures and caps on impervious surfaces shall be attributable to the total number of units within the development. For example: If owners within a three-unit condominium development have 1,500 square feet of expansion opportunity available

to the units under the impervious surface limitations and they want to expand their structures, then the expansion opportunity for principal or accessory structures shall be split equally amongst the three units so that no more than 500 feet of expansion to impervious surfaces is afforded to each unit.

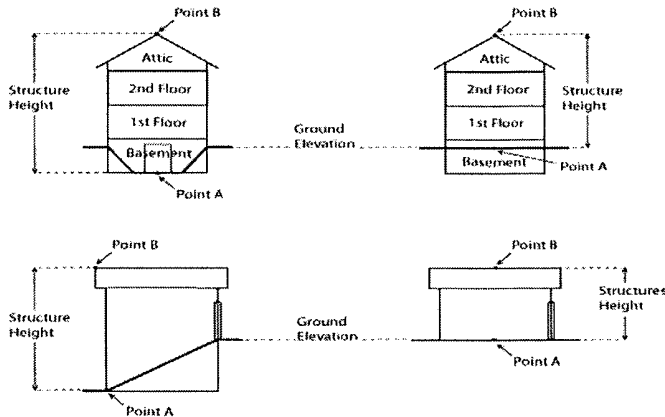
- (c) *General impervious surface standard.* Except as authorized in section 38-598(d) and (e), up to 15 percent impervious surfaces are allowed on the portion of a lot or parcel that is within 300 feet of the ordinary high-water mark.
- (d) *Maximum impervious surface.* A property may exceed the impervious surface standard under section 38-598(c), provided the following standards are met:
  - (1) A property owner may have more than 15 percent impervious surface but not more than 30 percent impervious surface on the portion of a lot or parcel that is within 300 feet of the ordinary high-water mark.
  - (2) For properties that exceed the standard under section 38-598(c), but do not exceed the maximum standard under 38-598(d), a permit can be issued for development with a mitigation plan that meets the standards found in section 38-601(a).
- (e) *Treated impervious surfaces.* Impervious surfaces that can be documented to show they meet either of the standards in 38-598(d) of this section shall be excluded from the impervious surface calculations under section 38-598(b).
  - (1) The impervious surface is treated by devices such as stormwater ponds, constructed wetlands, infiltration basins, rain gardens, bio-swales or other engineered systems.
  - (2) The runoff from the impervious surface discharges to an internally drained pervious area that retains the runoff on or off the parcel and allows infiltration into the soil.
  - (3) To qualify for the statutory exemption, property owners shall submit a complete permit application that is reviewed and approved by the county. The application shall include the following:
    - a. Calculations showing how much runoff is coming from the impervious surface area.
    - b. Documentation that the runoff from the impervious surface is being treated by a proposed treatment system, treatment device or internally drained area.
    - c. An implementation schedule and enforceable obligation on the property owner to establish and maintain the treatment system, treatment devices or internally drained area. The enforceable obligations shall be evidenced by an instrument recorded in the office of the register of deeds prior to the issuance of the permit.
- (f) *Existing impervious surfaces.* For existing impervious surfaces that were lawfully placed when constructed but that do not comply with the impervious surface standard in section 38-598(c), or the maximum impervious surface standard in section 38-598(d), the property owner may do any of the following:
  - (1) Maintain and repair the existing impervious surfaces;
  - (2) Replace existing impervious surfaces with similar surfaces within the existing building envelope;
  - (3) Relocate or modify an existing impervious surface with similar or different impervious surface, provided that the relocation or modification does not result in an increase in the percentage of impervious surface that existed on the effective date of the county shoreland ordinance, and the impervious surface meets the applicable setback requirements in section 38-595(a) and (b).

(Res. No. 72-16, 9-20-2016)

Sec. 38-599. - Height (NR 115.05(1)(f)).

In order to protect and preserve wildlife habitat and natural scenic beauty, on or after February 1, 2010, Washburn County shall not permit any construction that result in a structure taller than 35 feet within 75 feet of the ordinary high-water mark of any navigable waters.

- (a) *Structure height* is the measurement of the vertical line segment starting at the lowest point of any exposed wall and it's intersect with the ground (Point A in the following diagram) to a line horizontal to the highest point of a structure (Point B in the following diagram), unless specified under other sections of this Code.



(Res. No. 72-16, 9-20-2016)

Sec. 38-600. - Nonconforming uses and structures (NR 115.05(1)(g)).

- (a) *Discontinued nonconforming use.* (NR 115.05(1)(g)3) If a nonconforming use is discontinued for a period of 12 months, any future use of the building, structure or property shall conform to the ordinance.
- (b) *Maintenance, repair, replacement or vertical expansion of nonconforming structures.* (Wis. Stats. § 59.692(1k)(a)2, 4 and (b)) An existing structure that was lawfully placed when constructed but that does not comply with the required shoreland setback, or that is in violation of the county zoning ordinance, that under chapter 59.692(lt), may not be enforced, may be maintained, repaired, replaced, restored, rebuilt or remodeled if the activity does not expand the footprint of the nonconforming structure. Further, an existing structure that was lawfully placed when constructed but that does not comply with the required shoreland setback may be vertically expanded unless the vertical expansion would extend more than 35 feet above grade level. Counties may allow expansion of a structure beyond the existing footprint if the expansion is necessary to comply with applicable state or federal requirements.
- (c) *Lateral expansion of nonconforming principal structures within the setback.* (NR 115.05(1)(g)5) an existing principal structure that was lawfully placed when constructed but that does not comply with the required building setback per section 38-595(a) may be expanded laterally, provided that all of the following requirements are met:
- (1) The use of the structure has not been discontinued for a period of 12 months or more if a nonconforming use.
  - (2) The existing principal structure is at least 35 feet from the ordinary high-water mark.
  - (3) Lateral expansions are limited to a maximum of 200 square feet over the life of the structure. No portion of the expansion may be any closer to the ordinary high-water mark than the closest point of the existing principal structure.

- (4) The county shall issue a permit that requires a mitigation plan that shall be approved by the county and implemented by the property owner by the date specified in the permit. The mitigation plan shall meet the standards found in section 38-602.
- (5) All other provisions of the shoreland ordinance shall be met.
- (d) *Expansion of a nonconforming principal structures beyond setback.* (NR 115.05(1)(g)5m) an existing principal structure that was lawfully placed when constructed but that does not comply with the required building setback under section 38-595(a), may be expanded horizontally, landward, or vertically provided that the expanded area meets the building setback requirements per section 38-595(a), and that all other provisions of the shoreland ordinance are met. A mitigation plan is not required solely for expansion under this paragraph, but may be required per section 38-598.
- (e) *Relocation of nonconforming principal structures.* (NR 115.05(1)(g)6) an existing principal structure that was lawfully placed when constructed but that does not comply with the required building setback per section 38-595(a) may be relocated on the property provided all of the following requirements are met:
  - (1) The use of the structure has not been discontinued for a period of 12 months or more if a nonconforming use.
  - (2) The existing principal structure is at least 35 feet from the ordinary high-water mark.
  - (3) No portion of the relocated structure is located any closer to the ordinary high-water mark than the closest point of the existing principal structure.
  - (4) The county determines that no other location is available on the property to build a principal structure of a comparable size to the structure proposed for relocation that will result in compliance with the shoreland setback requirement per section 38-595(a).
  - (5) The county shall issue a permit that requires a mitigation plan that shall be approved by the county and implemented by the property owner by the date specified in the permit. The mitigation plan shall meet the standards found in section 38-602, and include enforceable obligations of the property owner to establish or maintain measures that the county determines are adequate to offset the impacts of the permitted expansion on water quality, near-shore aquatic habitat, upland wildlife habitat and natural scenic beauty. The mitigation measures shall be proportional to the amount and impacts of the replaced or relocated structure being permitted. The obligations of the property owner under the mitigation plan shall be evidenced by an instrument recorded in the office of the county register of deeds.
  - (6) All other provisions of the shoreland ordinance shall be met.

(Res. No. 72-16, 9-20-2016)

Sec. 38-601. - Maintenance, repair, replacement or vertical expansion of structures that were authorized by variance (Wis. Stats. § 59.692(1k)(a) 2 and (a)4).

A structure of which any part has been authorized to be located within the shoreland setback area by a variance granted before July 13, 2015 may be maintained, repaired, replaced, restored, rebuilt or remodeled ~~if the activity does not expand the footprint of the authorized structure~~. Additionally, the structure may be vertically expanded unless the vertical expansion would extend more than 35 feet above grade level. Counties may allow expansion of a structure beyond the existing footprint if the expansion is necessary to comply with applicable state or federal requirements.

Note: Wis. Stats. § 59.692(1k)(a)2. prohibits counties from requiring any approval or imposing any fee or mitigation requirement for the activities specified in section 38-601. However, it is important to note that property owners may be required to obtain permits or approvals and counties may impose fees under ordinances adopted pursuant to other statutory requirements, such as floodplain zoning, general zoning, sanitary codes, building codes, or even stormwater erosion control.

(Res. No. 72-16, 9-20-2016)

Sec. 38-602. - Mitigation. (NR 115.05(1)(e)3, (g)5, (g)6).

(a) For purposes of this division, mitigation means balancing measures that are designed, implemented and function to restore natural functions and values that are otherwise lost through development and human activities. When the county issues a permit requiring mitigation under sections 38-600(c), (e) or 38-598(d)(2), the property owner must submit a complete plan that is reviewed and approved by the county. The plan shall include the following:

(1) A description of the measure(s) that will be implemented to restore natural functions lost through development of the permitted project. The mitigation measure(s) must be selected from the choices in subsection (b) below, and shall be proportional in scope to the projected impacts on water quality, near-shore aquatic habitat, upland wildlife habitat and natural scenic beauty.

(2) An affidavit\* to be recorded with the register of deeds which will serve as an enforceable obligation on the property owner to establish and maintain the mitigation measure(s). The affidavit must be recorded prior to issuance of the permit authorizing construction.

\*Note—This form may be provided by the zoning department.

(3) An implementation schedule outlining the phases of installation or implementation. Mitigation projects involving actual construction of a device (e.g., rain garden) shall be completed within two years of permit issuance.

(b) Mitigation requirements and measures.

(1) Mitigation points are required for developing property under the following conditions:

a. Impervious surface coverage is greater than 15 percent but less than 20 percent—Two points.

b. Impervious surface coverage is from 20 percent to 30 percent—Three points.

c. Lateral expansion of nonconforming principal structure within the shoreland setback section 38-600(c)—Three points.

d. Relocation of nonconforming principal structure within the shoreland setback section 38-600(e)—One point.

(2) The following mitigation measures are available to satisfy the point requirements noted above. Point requirements are cumulative (a project may require mitigation due to more than one circumstance in subsections (b)(1)a.—d. above), in which case the points should be combined.

a. Removal of a structure within the shoreland setback—Up to three points.

b. Installation of a rain garden sized to properly treat runoff created by the project (see notes below)—Up to three points.

c. Installation of a stormwater infiltration system sized to properly treat runoff created by the project (see notes below)—Three points.

d. Recording an affidavit that ensures the preservation of an existing compliant shoreland buffer—Two points.

e. Active restoration (accelerated recovery) of a compliant shoreland buffer—Four points, section 38-596(c)(2).

f. Passive restoration (natural recovery) of a compliant shoreland buffer—One point, section 38-596(c)(1).

g. Increasing depth of an existing compliant shoreland buffer—Two points for every 15 feet of depth.

- h. Reducing width of allowable viewing and access corridor(s)—One point for every 15-foot reduction.
- i. Sea wall removal and natural bank stabilization—Three points.
- j. Increasing shoreland setback—One point for every 15-foot increase beyond required (maximum of three points).
- k. Installation of a new private onsite wastewater treatment system—Three points, bringing an existing operating system to code—Two points.

Notes: Plans that involve the active restoration/creation of a shoreland buffer must be approved by the LWCD. The LWCD is also available to create or design buffer restoration plans. There will be a fee charged by LWCD for these services. The fees are set and periodically adjusted by the zoning and agriculture and land conservation committees. Items (b)(2)b. and c. above may also require plans to be prepared and certified by a professional engineer.

(Res. No. 72-16, 9-20-2016)

Sec. 38-603. - Administrative provisions (NR 115.05(4)).

This division shall require all of the following:

- (1) The appointment of an administrator and such additional staff as the workload may require.
- (2) The creation of a zoning agency as authorized by Wis. Stats. § 59.69, a board of adjustment as authorized by Wis. Stats. § 59.694, and a county planning agency as defined in Wis. Stats. § 236.02(3), and required by Wis. Stats. § 59.692(3).
- (3) A system of permits in accordance with a fee schedule approved by the Zoning committee, for all new construction, development, reconstruction, structural alteration or moving of buildings and structures. A copy of applications shall be required to be filed in the office of the county zoning administrator, unless prohibited by Wis. Stats. § 59.692(1k).
- (4) Regular inspection of permitted work in progress to insure conformity of the finished structures with the terms of the ordinance.
- (5) A variance procedure which authorizes the board of adjustment to grant such variance from the terms of the ordinance as will not be contrary to the public interest where, owing to special conditions and the adoption of the shoreland zoning ordinance, a literal enforcement of the provisions of the ordinance will result in unnecessary hardship as long as the granting of a variance does not have the effect of granting or increasing any use of property which is prohibited in that zoning district by the shoreland zoning ordinance.
- (6) A special exception (conditional use) procedure for uses presenting special problems.
- (7) The county shall keep a complete record of all proceedings before the board of adjustment, zoning agency and planning agency.
- (8) Written notice to the appropriate office of the department at least ten days prior to any hearing on a proposed variance, special exception or conditional use permit, appeal for a map or text interpretation, map or text amendment, and copies of all proposed land divisions submitted to the county for review under section 4.0.
- (9) Submission to the appropriate office of the department, within ten days after grant or denial, copies of any decision on a variance, special exception or conditional use permit, or appeal for a map or text interpretation, and any decision to amend a map or text of an ordinance.
- (10) Development and maintenance of an official map of all mapped zoning district boundaries, amendments, and recordings.

- (11) The establishment of appropriate penalties for violations of various provisions of the ordinance, including forfeitures. Compliance with the ordinance shall be enforceable by the use of injunctions to prevent or abate a violation, as provided in Wis. Stats. § 59.69(11).
- (12) Pursuing the prosecution of violations of the shoreland ordinance.
- (13) Shoreland wetland map amendments according to NR 115.04. Every petition for a shoreland-wetland map amendment filed with the county clerk shall be referred to the county zoning agency. A copy of each petition shall be provided to the appropriate office of the department within five days of the filing of the petition with the county clerk. Written notice of the public hearing to be held on a proposed amendment shall be provided to the appropriate office of the department at least ten days prior to the hearing. A copy of the county board's decision on each proposed amendment shall be forwarded to the appropriate office of the department within ten days after the decision is issued.

(Res. No. 72-16, 9-20-2016)

Sec. 38-604. - Definitions.

- (a) Several of the terms of subsection (c) below are also defined in division 34 of the article. Where terms are duplicated, the definitions in subsection (c) are more applicable to this division and shall prevail.
- (b) For the purpose of administering and enforcing this division, the terms or words used herein shall be interpreted as follows: Words used in the present tense include the future; words in the singular number include the plural number; and words in the plural number include the singular number. The word "shall" is mandatory, not permissive. All distances unless otherwise specified shall be measured horizontally.
- (c) The following terms used in this division mean:

*Access and viewing corridor* (NR 115.03(1d)) means a strip of vegetated land that allows safe pedestrian access to the shore through the vegetative buffer zone.

*Accessory structure* means a subordinate structure on the same property as the principal structure which is devoted to a use incidental to the principal use of the property. Accessory structures include, but are not limited to, detached garages, sheds, barns, gazebos, patios, decks, swimming pools, hot tubs, fences, retaining walls, driveways, parking lots, sidewalks, detached stairways and lifts.

*Boathouse* (NR 115.03(1h)) means a permanent structure used for the storage of watercraft and associated materials and includes all structures which are totally enclosed, have roofs or walls or any combination of these structural parts.

*Building envelope* (NR 115.03(1p)) means the three-dimensional space within which a structure is built (still used in section 38-598, impervious surface section).

*County zoning agency* (NR 115.03(2)) means that committee or commission created or designated by the county board under Wis. Stats. § 59.69(2)(a), to act in all matters pertaining to county planning and zoning.

*Department* (NR 115.03(3)) means the department of natural resources.

*Drainage system* means one or more artificial ditches, tile drains or similar devices which collect surface runoff or groundwater and convey it to a point of discharge.

*Existing development pattern* (NR 115.03(3m)) means that principal structures exist within 250 feet of a proposed principal structure in both directions along the shoreline.

*Fire pit* means a structure that is constructed of metal, brick and/or stone, held together with mortar, and is considered to be permanently placed and not portable. Such structures may have fire boxes and ovens. For purposes of this division, fire pits must meet setbacks as described in section 38-595(a).

*Fire ring* means a temporary portable structure made of metal, bricks or rocks that are not held together with mortar, or by any other method to cause it to be unmovable. Fire rings are generally recognized as a "circle of rocks" or may be a decorative metal ring that is purchased for the purpose of containing a campfire.

*Floodplain* (NR 115.03(4)) means the land which has been or may be hereafter covered by floodwater during the regional flood. The floodplain includes the floodway and the flood fringe as those terms are defined in NR 116, Wis. Adm. Code.

*Footprint* means the land area covered by a structure at ground level measured on a horizontal plane. The footprint of a residence or building includes the horizontal plane bounded by the furthest exterior wall and eave if present, projected to natural grade. For structures without walls (decks, stairways, patios, carports) — a single horizontal plane bounded by the furthest portion of the structure projected to natural grade. Note: For the purposes of replacing or reconstructing a nonconforming building with walls, the footprint shall not be expanded by enclosing the area that is located within the horizontal plane from the exterior wall to the eaves projected to natural grade. This constitutes a lateral expansion under NR 115 and would need to follow NR 115.05(1)(g)5.

*Generally accepted forestry management practices* (NR 1.25(2)(b), Wis. Adm. Code) means forestry management practices that promote sound management of a forest. Generally accepted forestry management practices include those practices contained in the most recent version of the department publication known as Wisconsin Forest Management Guidelines and identified as PUB FR-226.

*Impervious surface* (NR 115.03(4g)) means an area that releases as runoff all or a majority of the precipitation that falls on it. "Impervious surface" excludes frozen soil but includes rooftops, sidewalks, driveways, parking lots, and streets unless specifically designed, constructed, and maintained to be pervious. Roadways as defined in section 340.01(54), Wis. Adm. Code, or sidewalks as defined in section 340.01(58), Wis. Adm. Code, are not considered impervious surfaces.

*Lot* means a continuous parcel of land, not divided by a public right-of-way, and sufficient in size to meet the lot width and lot area provisions of this division.

*Lot area* means the area of a horizontal plane bounded by the front, side, and rear lot lines of a lot, but not including the area of any land below the ordinary high water mark of navigable waters.

*Lot of record* means any lot, the description of which is properly recorded with the Register of Deeds, which at the time of its recordation complied with all applicable laws, ordinances, and regulations.

*Mitigation* (NR 115.03(4r)) means balancing measures that are designed, implemented and function to restore natural functions and values that are otherwise lost through development and human activities.

*Navigable waters* (NR 115.03(5)) means Lake Superior, Lake Michigan, all natural inland lakes within Wisconsin and all streams, ponds, sloughs, flowages and other waters within the territorial limits of this state, including the Wisconsin portion of boundary waters, which are navigable under the laws of this state. Under Wis. Stats. § 281.31(2)(d), notwithstanding any other provision of law or administrative rule promulgated thereunder, shoreland ordinances required under Wis. Stats. § 59.692, and ch. NR 115, Wis. Adm. Code, do not apply to lands adjacent to:

- (a) Farm drainage ditches where such lands are not adjacent to a natural navigable stream or river and such lands were not navigable streams before ditching; and
- (b) Artificially constructed drainage ditches, ponds or stormwater retention basins that are not hydrologically connected to a natural navigable water body.

*Ordinary high-water mark* (NR 115.03(6)) means the point on the bank or shore up to which the presence and action of surface water is so continuous as to leave a distinctive mark such as by erosion, destruction or prevention of terrestrial vegetation, predominance of aquatic vegetation, or other easily recognized characteristics.

*Previously developed* means a lot or parcel that was developed with a structure legally placed upon it.



*Regional flood* (NR 115.03(7)) means a flood determined to be representative of large floods known to have generally occurred in Wisconsin and which may be expected to occur on a particular stream because of like physical characteristics, once in every 100 years.

*Routine maintenance of vegetation* (NR 115.03(7m)) means normally accepted horticultural practices that do not result in the loss of any layer of existing vegetation and do not require earth disturbance.

*Shoreland* (NR 115.03(8)) means lands within the following distances from the ordinary highwater mark of navigable waters: 1,000 feet from a lake, pond or flowage; and 300 feet from a river or stream or to the landward side of the floodplain, whichever distance is greater.

*Shoreland setback* also known as the "shoreland setback area" in Wis. Stats. § 59.692(1)(bn), means an area in a shoreland that is within a certain distance of the ordinary high-water mark in which the construction or placement of structures has been limited or prohibited under an ordinance enacted under Wis. Stats. § 59.692.

*Shoreland-wetland district* (NR 115.03(9)) means a zoning district, created as a part of a county zoning ordinance, comprised of shorelands that are designated as wetlands on the Wisconsin wetland inventory maps prepared by the department.

*Special exception* (conditional use) (NR 115.03(10)) means a use which is permitted by this division provided that certain conditions specified in the ordinance are met and that a permit is granted by the board of adjustment or, where appropriate, the planning and zoning committee or county board.

*Structure* (Wis. Stats. § 59.692(1)(e)) means a principal structure or any accessory structure including a garage, shed, boathouse, sidewalk, walkway, patio, deck, retaining wall, porch or fire pit.

*Substandard lots* means a legally created lot or parcel that met minimum area and minimum average width requirements when created, but does not meet current requirements for a new lot.

*Unnecessary hardship* (NR 115.03(11)) means that circumstance where special conditions, which were not self-created, affect a particular property and make strict conformity with restrictions governing area, setbacks, frontage, height or density unnecessarily burdensome or unreasonable in light of the purposes of this division.

*Wetlands* (NR 115.03(13)) means those areas where water is at, near or above the land surface long enough to be capable of supporting aquatic or hydrophytic vegetation and which have soils indicative of wet condition.

(Res. No. 72-16, 9-20-2016)

Secs. 38-605—38-609. - Reserved.

DIVISION 28. - PROVISIONS APPLICABLE TO GUEST CABINS AND BUNKHOUSES<sup>[11]</sup>

Footnotes:

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**Editor's note**— Res. No. 25-15, adopted March 24, 2015, amended div. 28 in its entirety and enacted new provisions to read as herein set out. Former div. 28, § 38-610 pertained to provisions applicable to bunkhouses, and derived from Res. No. 64-10, adopted July 27, 2010.

Sec. 38-610. - Guest cabins.

(1) Guest cabins are authorized as a permitted use in residential, residential mobile, residential recreational one and two, residential agriculture, agriculture and forestry zoning districts.

- (2) Guest cabins are intended to be used for overflow guest accommodations etc., and are accessory to the principal structure. A parcel must contain a principal dwelling before a guest cabin can be authorized.
- (3) Guest cabins shall be subject to all provisions of the Wisconsin State Uniform Dwelling Code, as appropriate.
- (4) One guest cabin shall be allowed per lot (lots in contiguous ownership shall be considered one lot for purposes of this use). **A lot containing a guest cabin may not also contain a bunkhouse.**
- (5) All applicable setbacks shall be maintained.
- (6) Reserved.
- (7) Guest cabins shall not exceed the following size limitations:
  - (a) Free-standing guest cabins shall be one story and shall not exceed 400 square feet in floor area.
  - (b) Guest cabins that are within an accessory structure (e.g., pole shed) shall be limited to 50 percent of the structure floor area, or 400 square feet, whichever is lesser.
  - (c) Guest cabins utilizing the loft space (attic truss type construction) above a garage may be the full floor area size of the garage building footprint; however, a garage may not contain two full stories to create **living bunkhouse** space. No external knee walls shall be allowed above the first story. Dormer windows, if installed, shall not exceed 30 percent (fractional numbers shall be rounded down to the nearest whole number) of the lineal distance of the roof.
- (8) Guest cabins containing plumbing shall be subject to the requirements of Wis. Stats. ch. 145, DSPS 383 Wis. Admin. Code and chapter 74, Washburn County Code.
- (9) When a previously permitted accessory structure is converted to a guest cabin, the size limitations noted in [section] 38-610(7) do apply and a "change of use" permit must be obtained from the zoning office.
- (10) Guest cabins are subject to internal inspection by the zoning department.

(Res. No. 25-15, 3-24-2015; Res. No. 47-17, 6-20-2017)

#### Sec. 38-611. - Bunkhouses.

- (1) Bunkhouses are authorized as a permitted use in residential, residential mobile, residential recreational one and two, residential agriculture, agriculture and forestry zoning districts.
- (2) Bunkhouses are intended to be used for overflow sleeping only and are accessory to the principal structure. A parcel must contain a principal dwelling before a bunkhouse can be authorized.
- (3) Bunkhouses shall be subject to all provisions of the Wisconsin State Uniform Dwelling Code, as appropriate.
- (4) One bunkhouse shall be allowed per lot (lots in contiguous ownership shall be considered one lot for purposes of this use). **A lot containing a bunkhouse may not also contain a guest cabin.**
- (5) All applicable setbacks shall be maintained.
- (6) A bunkhouse shall not contain any plumbing.
- (7) Bunkhouses shall not exceed 400 square feet in floor area and must be free standing. Bunkhouses shall be limited to one story.
- (8) A bunkhouse shall not be located within an existing structure (i.e., pole shed, garage).
- (9) Bunkhouses are subject to internal inspection by the zoning department.

(Res. No. 25-15, 3-24-2015; Res. No. 47-17, 6-20-2017)

Secs. 38-612—38-619. - Reserved.

DIVISION 29. - ADMINISTRATION

Sec. 38-620. - County zoning administrator.

The county zoning administrator shall administer and enforce the provisions of this article. The county zoning committee may also authorize designation of assistant zoning administrator to assist in the enforcement and administration of this article.

(Ord. of 3-19-2002, Art. XXIX, § 290)

Sec. 38-621. - Duties of zoning administrator.

In administering and enforcing this article, the county zoning administrator and any of his or her assistants, shall perform the following duties:

- (1) Provide necessary forms and applications for permits.
- (2) Issue zoning permits where the provisions of this article have been complied with.
- (3) Issue conditional use permits when authorized by the county zoning committee.
- (4) Survey the county upon adoption of this article, and when necessary upon passage of amendments, identify and record information relative to nonconforming uses and structures.
- (5) Maintain files and applicants, permits, and other relevant information.
- (6) Make an annual report of his or her activities to the county zoning committee and to the county board.

(Ord. of 3-19-2002, Art. XXIX, § 291)

Sec. 38-622. - Powers of zoning administrator.

The county zoning administrator and his or her assistant, shall have powers and authority, including but not limited to the following:

- (1) Access to any structure or premises for the purpose of performing his or her duties between 8:00 a.m. and 6:00 p.m. by the permission of the owner or upon issuance of a special inspection warrant. Additionally, by signing a land use permit application, the property owner or representative grants permission to the zoning administrator (and/or staff) to access the property for purposes of inspection.
- (2) Upon reasonable cause or question as to proper compliance, to revoke any land use permit and issue cease and desist orders requiring the cessation of any building, moving, alterations, or use which is in violation of the provisions of this article.

(Ord. of 3-19-2002, Art. XXIX, § 292; Res. No. 47-17, 6-20-2017)

Sec. 38-623. - Fee schedule.

The Washburn County Zoning Committee shall establish a fee schedule in connection with the filing of applications and permits and a current copy of such fee schedule shall be available and posted in the

office of the zoning administrator. The fee schedule may be periodically adjusted by the zoning committee independent of the code amendment process.

(Ord. of 3-19-2002, Art. XXIX, § 293; Res. No. 47-17, 6-20-2017)

Secs. 38-624—38-629. - Reserved.

#### DIVISION 30. - BOARD OF ADJUSTMENTS

Sec. 38-630. - Powers of the board.

The Washburn County Board of Adjustments is hereby created. Such board shall be appointed in accordance with the provisions of Wis. Stats. § 59.694, consisting of five members and two alternate members, which shall have the following duties and powers:

- (1) It shall hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by an administrative official in the enforcement or administration of this article.
- (2) ~~It may authorize upon appeal in specific cases, a variance from the terms of this article as will not be contrary to the public interest where owing to special conditions, a literal enforcement of the provisions of this article will result in unnecessary hardship and so that the spirit of the article shall be observed and substantial justice done. No variance shall have the effect of allowing in any district uses prohibited in that district.~~ To authorize upon appeal in specific cases variances from the terms of the ordinance that will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provisions of the ordinance will result in unnecessary hardship, and so that the spirit of the ordinance shall be observed and substantial justice done.
  - a. A property owner bears the burden of proving “unnecessary hardship,” as that term is used in this paragraph, for an area variance, by demonstrating that strict compliance with a zoning ordinance would unreasonably prevent the property owner from using the property owner’s property for a permitted purpose or would render conformity with the zoning ordinance unnecessarily burdensome or, for a use variance, by demonstrating that strict compliance with the zoning ordinance would leave the property owner with no reasonable use of the property in the absence of a variance. In all circumstances, a property owner bears the burden of proving that the unnecessary hardship is based on conditions unique to the property, rather than considerations personal to the property owner, and that the unnecessary hardship was not created by the property owner.
  - b. A variance is granted under this paragraph runs with the land.
  - c. A variance granted under this Chapter, and after April 5, 2012, shall be deemed expired if not authorized by a land use permit within two years of the date on which the variance was granted.
- (3) It shall be responsible for the interpretation of any of the provisions of this article which may have to be clarified in regard to a specific situation or peculiarity.

(Ord. of 3-19-2002, Art. XXX, § 300)

Sec. 38-631. - Appeals to the board.

Appeals to the board of adjustments may be taken by any person aggrieved or by an officer, department, board, or bureau of the municipality affected by any decision of any other administrative officer. Such appeal shall be taken within a reasonable time as provided by the rules of the board, by filing with the officer from whom the appeal is taken and with the board of adjustments, a notice of appeal specifying the ground thereof. The officer from whom the appeal is taken shall forthwith transmit to the board all papers constituting the record upon which the action appealed from was taken.

(Ord. of 3-19-2002, Art. XXX, § 301)

Sec. 38-632. - Hearing appeals.

The board of adjustments shall fix a reasonable time for the hearing of the appeal and publish a Class 2 notice thereof under Wis. Stats. ch. 985, as well as give due notice to the parties in interest and decide the same within a reasonable time.

All meetings of the board of adjustments shall be open to the public and upon a hearing, any party may appear in person, by agent, or attorney. Meetings of the board shall be at the call of the chairman and at such other times as the board may determine. Such meetings shall be noticed as to date, time, place, and the matters to come before the board.

The board of adjustments shall adopt such rules as it deems necessary for the conduct of business, and may exercise all the powers, and is vested with all of the duties conferred on such boards by Wis. Stats. § 59.99.

(Ord. of 3-19-2002, Art. XXX, § 302)

Sec. 38-633. - Minutes.

The board of adjustments shall keep minutes of its proceedings showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be public record.

(Ord. of 3-19-2002, Art. XXX, § 303)

Secs. 38-634—38-639. - Reserved.

DIVISION 31. - AMENDMENTS

Sec. 38-640. - Amendments.

The Washburn County Board of Supervisors may from time to time amend this article or district boundary lines in accordance with the procedures prescribed in Wis. Stats. § 59.69. At the time amendments are proposed, according to Wis. Stats. § 59.69, to the article text or district boundaries, the zoning committee shall hold a hearing thereon which shall be open to the public so any party concerned may appear in person, by agent, or by attorney. Subsequently, the zoning committee shall consider such requests and present a report to the Washburn County Board of Supervisors for their action.

Decisions on map and text amendments involving shorelands and shorelands-wetlands provisions, shall be submitted to the department within ten days of county board action.

(Ord. of 3-19-2002, Art. XXXI)

Secs. 38-641—38-649. - Reserved.

#### DIVISION 32. - PUBLIC HEARINGS

Sec. 38-650. - Public hearings.

Adequate notice shall be given of any public hearing required by the provisions of this article, stating the date, time, and place of such hearing and the purpose for which it is being held. Such hearings shall be published as a Class 2 notice under Wis. Stats. ch. 985. All such hearings shall be open to the public and be held in a place which is readily accessible to the general public so any party concerned may appear in person, by agent, or by attorney. Written notice shall be given to the department of natural resources office at least ten days prior to the hearing on proposed shoreland variances, conditional uses and appeals, for map or text interpretations. Public hearings shall be held to obtain information from the public and to increase public awareness.

(Ord. of 3-19-2002, Art. XXXII)

Secs. 38-651—38-659. - Reserved.

#### DIVISION 33. - VIOLATIONS AND PENALTIES

Sec. 38-660. - Intent.

It is the intent and purpose of this section of the Washburn County Zoning Ordinance to have the violations of this article rectified by correction, and to bring such violations into conformity with the requirements and provisions of this article.

(Ord. of 3-19-2002, Art. XXXIII, § 330)

Sec. 38-661. - Violations and penalties.

Any person who violates, disobeys, neglects, fails, or refuses to comply with, any of the provisions of this article shall be subject to the provisions of the Washburn County Citation Ordinance. Each day a violation exists or continues shall constitute a separate offense. Under this article, the term "person" includes owners and renters or lessees of property, and also persons who are performing services regulated under this article. In addition to any forfeiture, the county is authorized to seek full compliance with the terms of this article and restoration or reparations for any environmental damage. Forfeitures shall ~~be me~~ charged according to a schedule approved by the zoning committee. The schedule may be periodically adjusted by the zoning committee independent of the code amendment process.

(Ord. of 3-19-2002, Art. XXXIII, § 331; Res. No. 47-17, 6-20-2017)

Sec. 38-662—38-669. - Reserved.

#### DIVISION 34. - DEFINITIONS

Sec. 38-670. - Definitions.

Unless specifically defined below, words and phrases used in this article shall have the same meaning as they have at common law and to give this article its most reasonable application. Words used in the present tense include the future, the singular number includes the plural and the plural number includes the singular. The work "may" is permissive, "shall" is mandatory and not discretionary.

The word "person" includes an individual, all partnerships, associations and bodies, politic and corporate.

The word "used" or "occupied" as applied to any land or building shall be construed to include intended, arranged, or designed to be used or occupied.

*A-Zones.* Those areas shown on the "Official Floodplain Zoning Map" (see below) which would be inundated by the "regional flood" zones. The A-Zones may or may not be reflective of flood profiles, depending on the availability of data for a given area.

*Accessory building.* Any building except the principle building on a lot or parcel, which is subordinate to the principle building. In the case of a home and detached garage on the same lot or parcel, the accessory building is the garage. No mobile home, travel trailer, recreational vehicle, truck or trailer van is to be used as an accessory building.

*Accessory use.* A use customarily incidental and subordinate to the principle use and on the same lot or parcel as the principle use.

*Area variance.* Means a modification to a dimensional, physical, or locational requirement such as the setback, frontage, height, bulk, or density restriction for a structure that is granted by the board of adjustment.

*Use variance.* Means an authorization by the board of for the use of land for a purpose that is otherwise not allowed or is prohibited by the applicable zoning ordinance.

*Boathouse.* Any structure located on the same lot or parcel as the principle building and used for the protecting and storing of boats for non-commercial purposes in conjunction with a residence.

*Building.* Any structure used, designed, or intended for the protection, shelter, or roofed enclosure of person, animals, or property.

*Building, height of.* The vertical distance measured from the average elevation of the proposed finished grade at the front of the building to the highest point of the roof for flat roofs, to the deck line of mansard roofs, and to the mean height between eaves and ridges for gable, hip, and gambrel roofs.

*Bulkhead line.* A geographic line along a reach of navigable water that has been adopted by a municipal ordinance and approved by the department of natural resources pursuant to Wis. Stats. § 380.11, and which allows limited filling between this bulkhead line and the original ordinary highwater mark, except where such filling is prohibited by the floodway provisions of this article.

*Bunkhouse.* A freestanding one-story structure, accessory to the principal dwelling, that is equipped only for overflow sleeping and does not contain plumbing. Bunkhouses are subject to size limitations and regulations pursuant to the Wisconsin State Uniform Dwelling Code.

*Cabin.* A single story dwelling of simple wood frame construction which has a floor area of 600 square feet or less and has only limited plumbing fixtures.

*Campground.* A privately and municipality owned site, designated, maintained, intended, or used for the purpose of supplying a location for major recreation equipment/vehicles, open to the public for free or paying camping purposes.

*Camping trailer.* A canvas or folding structure mounted on wheels and designed for temporary living and housekeeping purposes.

*Certificate of compliance.* A certification issued by the zoning administrator stating 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 article.

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

*Conditional use.* Means a use which is permitted by the Ordinance provide that certain conditions specified in this article are met and that a permit is granted by the zoning committee.

*Customary home occupation.* A gainful occupation conducted by members of the residence family only within such residence, where the space used is incidental to the residential use, and no article is sold or offered for sale except such as is produced by such home occupation. The maintenance of such occupation shall not detract from the character of the district.

*Dams.* Any artificial barrier, together with appurtenant works, which does or may impound or divert water. See Wis. Stats. ch. 31 for department of natural resources permit requirements.

*Dependent recreational equipment/vehicles.* A recreational vehicle which is dependent upon other facilities for toilet and lavatory.

*Department.* The Wisconsin Department of Natural Resources.

*Development.* This means any artificial change to improved or unimproved real estate, including, but not limited to, the construction of additions or substantial improvements to buildings, structures or accessory structures; the placement of buildings or structures; mining, dredging, filling, grading, paving, excavation or drilling operations; and the storage, deposition or extraction of materials, public or private sewage disposal systems or water supply facilities.

*Dredging.* The removal of bed materials from navigable waters. See Wis. Stats. § 30.20 for department of natural resources permit requirements.

*Driveways.* Shall be considered any traveled way used to provide vehicular access from the property line to the premises.

*Dryland access.* Means 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.

*Dwelling.* A building designed or used as the living quarters by one or more persons, including modular homes. For purposes of this article, dwellings may contain one or more "dwelling units". Dwellings are not construed to include mobile homes.

*Dwelling, two-family.* A building designed or used as the living quarters by one or more persons. Two-family dwellings contain two "dwelling units" that function independently of each other.

*Dwelling, multifamily.* A building or group of dwellings on one parcel containing more than two separate "dwelling units". The facility may be designed for the sharing of some facilities and services.

*Dwelling unit.* A single unit, containing one or more rooms, that provides complete independent living facilities for one or more persons. "Dwelling units" include provisions for living, sleeping, eating, food preparation and sanitation. A typical single-family home is considered one "dwelling unit". Accordingly, a duplex contains two dwelling units. For purposes of this article, improved areas within accessory structures are considered to be "dwelling units" if they meet this definition. Further, accessory structures (e.g., shop, garage) that contain only sanitary facilities are not considered dwelling units.

*Enclosed habitable living space.* A space measured by floor area, which is enclosed by walls (solid windows or screens) and covered by a roof, and is measured for each story of a multistory structure. For purposes of this article, three-season porches are considered to meet this definition. Garages, unfinished basements and unfinished lofts are excluded.

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

*Enlargement of waterways.* To construct, dredge, or do any work in development of a canal, channel, ditch, lagoon, pond, lake, or similar waterway. Enlargement of waters for the purpose of obtaining required permits from the department of natural resources is defined in Wis. Stats. § 30.19.

*Environmental damage.* The harming of wildlife or their habitat, including but not limited to, fish, bird, animal, or plant life, or the degradation of the air, land, and waters within the state. While the definition of environmental damage is necessarily general and must be subjectively applied, it should be applied liberally in each case to protect the environment of the county.



*Environmental pollution.* The contaminating or rendering unclean or impure air, land, or waters of the state, or making the same injurious to public health, harmful for commercial or recreational use, or deleterious to fish, bird animal, or plant life as defined by Wis. Stats. § 144.30(9).

*Essential services.* Services provided by public and private utilities necessary for the exercise of the principle use or service of the principle structure. These services include underground, surface, or overhead gas, electrical, steam, water, sanitary sewerage, stormwater drainage, and communications systems and accessories thereto, such as poles, towers, wires, mains, drains, vaults, culverts, laterals, sewer pipes, catch basins, water storage tanks, conduits, cables, fire alarm boxes, police call boxes, traffic signals, pumps, lift stations, and hydrants, but not including buildings. Essential services may also include road access to the property or buildings involved for ingress and egress.

*Expanded home occupation.* A home occupation that may involve persons other than the resident family and such occupation may be carried on other than within the confines of the home.

*Existing manufactured or mobile home park or subdivision.* A parcel (or contiguous parcels) of land divided into two or more mobile home lots for rent or sale on which the construction of facilities for servicing the lots (including, at a minimum, the installation of utilities, either final site grading or the pouring of concrete pads, and the construction of streets) is completed before the effective date of this article.

*Expansion to existing mobile/manufactured home park.* Means the preparation of additional sites by the construction of facilities for servicing the lots on which the mobile homes are to be placed. This includes installation of utilities, either final site grading, pouring pads, or construction of streets.

*Family.* An individual, or two or more persons related by blood, marriage, or adoption, living together as a single housekeeping unit.

*Farming, general.* The production of field or truck crops, or the raising of livestock and livestock products for commercial gain.

*Federal emergency management agency (FEMA).* The federal agency that administers the National Flood Insurance Program. This agency was previously known as the Federal Insurance Administration (FIA), or Department of Housing and Urban Development (HUD).

*Fills.* The placement or depositing of any material within or adjacent to the shorelands area. See Wis. Stats. § 30.12 for required state permits.

*Flood or flooding.* Means a general and temporary condition of partial or complete inundation of normally dry land area caused by:

- (1) The overflow or rise of inland waters;
- (2) The rapid accumulation or runoff of surface waters from any source;
- (3) The inundation caused by waves or current of water exceeding anticipated cyclical levels along the shore of Lake Michigan or Lake Superior;
- (4) The sudden increase caused by unusually high-water level in 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.* Means the probability of a flood occurrence. A flood frequency is generally determined from statistical analyses. The frequency of a particular flood event is usually express 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 the floodway which is covered by floodwaters during the regional flood and generally associated with standing water rather than flowing water.

*Flood hazard boundary map.* A map prepared by FEMA designating approximate flood hazard areas. Flood hazard areas are designated as unnumbered A-Zones and do not contain floodway lines or regional flood elevations. Said map forms the basis for both the regulatory and insurance aspects of the National Flood Insurance Program.

*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 regional flood elevations and may provide floodway lines. The flood hazard areas are designated as numbered and unnumbered A-Zones. Flood insurance study maps form the basis for both the regulatory and the insurance aspects of the National Flood Insurance Program.

*Floodplain.* That land which has been or may be hereafter covered by floodwater during the regional flood. The floodplain includes the floodway and the floodfringe, and may include other designated floodplain areas for regulatory purposes.

*Floodplain island.* Means a natural geologic land formation within the floodplain that is surrounded, but not covered, by floodwater during the regional flood.

*Floodplain management.* Means the full range of public policy and action for insuring wise use of floodplains. It includes everything from the collection of dissemination of flood data to the acquisition of floodplain lands and the enactment and administration of codes, ordinances, and statutes for land use in the floodplain.

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

*Floodproofing.* Means 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 two feet of freeboard above the water surface profile elevation designated for the regional flood. (Also see: Freeboard.)

*Flood storage.* Means 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.

*Floor area.* The area within the center lines of the exterior walls of a building at the top of the foundation or basement wall; provided that the floor area of a dwelling shall not include space not usable for living quarters, such as attics and garages.

*Freeboard.* Means a flood protection elevation requirement designed as a safety factor which is usually expressed in terms of a specified number of feet above a calculated flood level. Freeboard compensates for the effects of any factors that contribute to flood heights greater than those calculated. These factors include, but are not limited to, ice jams, debris accumulation, wave action, obstruction of bridge openings and floodway, the effects of urbanization on the hydrology of the watershed, loss of flood storage areas due to development and aggregation of the river or stream bed.

*Grading.* Filling over or removing topsoil or a combination of both. See Wis. Stats. § 30.19 for required state permits.

*Guest cabin.* A freestanding structure, or a portion thereof, accessory to the principal dwelling, that is equipped for overflow sleeping and may contain plumbing, provisions for sanitation and facilities for food preparation/storage. Guest cabins are subject to size limitations and regulations pursuant to the Wisconsin State Uniform Dwelling Code.

*Habitable buildings.* Means any building, or portion thereof used for human habitation.

*Hearing notice.* Means publication or posting meeting the requirements of Wis. Stats. ch. 985. Class 1 notice is the minimum required for appeals: Published once at least one week (seven days) before the hearing. Class 2 notice is the minimum required for all zoning ordinances and amendments including map amendments: Published twice, once each week consecutively, the last at least a week (seven days) before the hearing. Local ordinances or bylaws may require additional notice, exceeding these minimums.

*High flood damage potential.* Means 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.

*Historic structure.* Means any structure that is:

- (1) 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;
- (2) 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;
- (3) 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
- (4) 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 directly by the secretary of the interior in states without approved programs.

*Human habitation.* Means a human residence or dwelling.

*Increase in regional flood height.* Means a calculated upward rise in the regional flood elevation, equal to or greater than 0.02 foot, resulting comparison of existing conditions and proposed conditions which is directly attributable to development in the floodplain but not attributable to manipulation of mathematical variable such as roughness factors, expansion and contraction coefficients and discharge.

*Kennel.* Any premises wherein any person engages in the business of boarding, breeding, buying, letting for hire, training for a fee or selling of dogs.

*Kitchen.* A room, or part thereof, utilized for the storage, cooking or preparation of food.

*Lagoon.* An artificially constructed waterway connected to or associated with a navigable water.

*Land, natural and essential character of.* The special values that lands in their natural state provide or produce in public benefit, which may be sensitive to or intolerant of man-made changes.

*Land use.* Any nonstructural use made of unimproved or improved real estate. (Also see: Development.)

*Lot.* Any description of land that is within a recorded plat.

*Lot, depth of.* A mean horizontal distance between the front and rear lot lines, measured in general direction of its side lot lines.

*Lot, width of.* The mean width measured at right angles to its depth.

*Lot lines.* Any line dividing one lot from another.

*Major recreational equipment/vehicles.* A travel trailer, pickup coach, motor home, camping trailer, or tent which is either dependent and/or self-contained.

*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. For the purpose of the ordinance, it does not include recreational vehicles or travel trailers which remain licensed and ready for highway use and providing they remain on site less than 180 days.

*Marsh.* Deep marshes are permanently water covered, while shallow marshes may be dry or intermittently water covered. Marshes may occur in basins or at the sites of former lakes, or may be a part of adjoining to a navigable lake or surface water.

*Mine.* A place commonly excavated from which ores, precious stone, gravel, etc. are take by digging, washing the soil, etc.

*Mobile home.* A unit capable of long-term occupancy which does not require substantial on-side fabrication and which is or was as originally constructed; designed to be transported by any motor vehicle upon public highway, and designed, equipped, and used primarily for sleeping, eating, and living quarters, or is intended to be so used; and which can be moved on its own axle and wheels or by similar means to a site, parcel or lot. For the purpose of this article, it does not include recreational vehicles or travel trailers which remain licensed and ready for highway use and providing they remain on site less than 180 days.

*Mobile home park.* An area on which is provided the required space for accommodation of mobile homes together with necessary accessory buildings, driveways, screenings, and other required adjuncts. Two or more mobile homes shall constitute a park whether or not a fee is charged.

*Motorhome.* A portable structure constructed as an integral part of a self-propelled vehicle designed and used for temporary living and housekeeping purposes. Including school bus conversions and vans.

*Municipality or municipal.* The county, city, or village governmental units enacting, administering and enforcing this zoning ordinance.

*NGVD or National Geodetic Vertical Datum.* Elevations referenced to mean sea level datum, 1929 adjustment.

*Natural resources.* Land, water, air, and the associated minerals and plant and animal life.

*Navigable waters.* Means Lake Superior, Lake Michigan, all natural inland lakes within Wisconsin, and all streams, ponds, sloughs, flowages, and other waters within the territorial limits of the state, including the Wisconsin portion of boundary waters which are navigable under the laws of state. Under Wis. Stats. § 144.26(2)(d), notwithstanding any other provision of the law or administrative rule promulgated thereunder, shoreland ordinances required under Wis. Stats. § 59.692, and Wis. Admin. Code ch. NR 115, do not apply to lands adjacent to farm drainage ditches if:

- (1) Such lands are not adjacent to a navigable river or stream;
- (2) Those parts of such drainage ditches adjacent to such land were not navigable streams before ditching; and
- (3) Such lands are maintained in nonstructural agricultural use.

All ponds and streams designated as permanent or intermittent on U.S.G.S. quadrangle maps are assumed to be navigable unless field verification by the department of natural resources determine otherwise.

*Nonconforming Structure.* An existing lawful structure or building which is not in conformity with the dimensional or structural requirements of this article, or 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 first 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 article or for the area of the floodplain it occupies. (Such as a residence in the floodway.)

*Obstruction to flow.* Means any development which physically blocks the conveyance of floodwaters such that this development by itself or in conjunction with any future similar development will cause an increase in regional flood height.

*Official floodplain zoning map.* That map, adopted and made part of this article, as described in [sic] § 1.5(2), which has been approved by the department of natural resources and FEMA.

*Open space use.* Those uses having a relatively low flood damage potential and not involving structures.

*Ordinary high-water mark.* That point on the bank or shore up to which the presence and action of the water is so continuous as to leave a distinct mark either by erosion, destruction of terrestrial vegetations, predominance of aquatic vegetation, or other easily recognized characteristics. Where the

bank or shore at any particular place is of such a character that it is impossible or difficult to ascertain where the point of ordinary high-water mark is, recourse may be had to other places on the bank or shore of the same body of water to determine whether a given state of water is at or above or below the ordinary high-water mark.

*Parcel.* Any description of land that is not within a recorded plat. Can be a platted lot, government lot, or a quarter quarter section.

*Pickup coach.* A structure designed to be mounted on a truck chassis for use as temporary living and housekeeping purposes.

*Private sewage system.* Means a sewage treatment and disposal system serving a single structure with a septic tank and soil absorption field located on the same parcel as the structure. This term also means an alternative sewage system approved by the department of industry, labor and human relations 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.* Means 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.

*Quarry.* An open excavation, usually for obtaining building stone, such as slate or limestone.

*Regional flood.* A flood determined to be representative of large floods known to have occurred in Wisconsin or which may be expected to occur on a particular lake, river or stream once in every 100 years.

*Salvage junk yard.* An area consisting of buildings, structures or a premises where junk, waste, discarded or salvaged materials are brought, sold, exchanged, stored, baled, packed, disassembled or handled, including automobile wrecking yards. For purposes of this article, a premises is said to meet this definition if it contains more than two unlicensed or inoperable motor vehicles. NOTE: No parcel may contain more than two inoperable or unlicensed motor vehicles unless the property is zoned for a use involving auto salvage and/or motor vehicle repair. Such uses are allowed in residential agriculture, agriculture, forestry and commercial highway districts with a conditional use permit, and are a permitted use in commercial and industrial districts.

*Self-contained recreational vehicles.* A recreational vehicle which can operate independent of connections to sewer, water, and electric system. Water storage and sewage holding tanks are located within the vehicle.

*Sign.* A sign is any structure or natural object or park thereof or device attached thereto or printed or represented thereon which is intended to attract attention to any object, product, place, activity, person, institution, organization, or business, or which shall display or include any letter, word, model, banner, flag, pennant, insignia, device, or representation used as or which is in the nature of an announcement, direction, or advertisement.

*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, which includes, but is not limited to, such objects as roofed and walled buildings, gas or liquid storage tanks, bridges, dams and culverts.

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

*Substantial improvement.* Any structural repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds 50 percent of the present equalized assessed value of the structure either before the improvement or repair is started, or if the structure has been damaged, and is being restored, before the damage occurred. The term does not, however, include either:

- (1) Any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions.

- (2) Any alteration of a structure or site documented as deserving preservation by the Wisconsin State Historical Society, or listed on the National Register of Historic Places.
- (3) Ordinary maintenance repairs are not considered structural repairs, modifications or additions. Such ordinary maintenance repairs include internal and external painting, decorating, paneling, and the replacement of doors, windows, and other nonstructural components. For purposes of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure.

*Surface water.* All streams, springs, ponds, impounding reservoirs, marshes, watercourses, drainageways, and other surface water, natural or artificial, public and private, which are not defined as navigable waters.

*Tent.* A portable lodge of canvas or strong cloth stretched and supported by poles.

*Travel trailer.* A portable vehicle less than ten feet wide by 50 feet long designed and used for temporary living and housekeeping purposes.

*Unnecessary hardship.* Means that circumstances where special conditions which were not self-created, affect a particular property and make strict conformity with restrictions governing area, setbacks, frontage, height, or density, unnecessarily burdensome or unreasonable in light of purposes of this article.

*Use, accessory.* The use customarily incidental to the principle use and on the same lot as the principle use.

*Use, principle.* The primary use of a property or structure.

*Use, seasonal.* A use which is undertaken for a total of less than six months out of any given year. In the case of a seasonal residence, it would not be necessary to provide services such as: school busing, mail carriers, town or county snow removal.

*Variance.* Means an authorization granted by the board of adjustments to construct, alter, or use a building or structure in a manner that deviates from the dimensional standards of this article, and where hardship exists; or for the construction or maintenance of a building or structure in a manner which is inconsistent with dimensional standards contained in the floodplain zoning section.

*Watershed.* Means the entire region or area contributing runoff or surface water to a particular watercourse or body of water.

*Water surface profile.* Means 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.* Means an excavation opening in the ground made by digging, boring, drilling, driving or other methods, for the purpose of obtaining groundwater regardless of its intended use.

*Wetlands.* Means those areas where water is at, near, or above the land surface long enough to be capable of supporting aquatic or hydrophytic vegetation, and which have soils indicative of wet conditions.

*Yard, front.* An open unoccupied space on the same lot with the building between the front line of the building and the front line of the lot, and extending the full width of the lot.

*Yard, rear.* An open unoccupied space on the same lot with the building between the rear line of the building and the rear line of the lot, and extending the full width of the lot.

*Yard, side.* An open unoccupied space on the same lot with the building situated between the building and the side line of the lot, and extending from the front yard to the rear yard. Any lot line not a rear line or a front line shall be deemed a side line.

(Ord. of 3-19-2002, Art. XXXIV; Res. No. 64-10, 7-27-2010; Res. No. 25-15, 3-24-2015; Res. No. 47-17, 6-20-2017)

Secs. 38-671—38-675. - Reserved.

DIVISION 35. - SEVERABILITY

Sec. 38-676. - Severability.

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

If any application of this article to a particular structure, land, or water is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not be applicable to any other structure, land, or water not specifically included in said judgment.

(Ord. of 3-19-2002, Art. XXXV)

DIVISION 36. - WHEN EFFECTIVE

Sec. 38-677. - When effective.

This article upon passage by the Washburn County Board of Supervisors, shall be in effect in any township within Washburn County when approved by the town board and when a certified copy of the approving resolution, being attached to a copy of the ordinance is filed with the county clerk. Such ordinance shall become effective in such town as of the date of such filing, which filing shall be recorded by the county clerk in his/her office, reported to the town board and the county board, and printed in the proceedings of the county board.

This article shall supercede all inconsistent provisions of any prior county zoning ordinance enacted under Wis. Stats. § 59.69 and all zoning ordinances in conflict with the provisions of this article are hereby repealed, provided that the existing county zoning ordinance shall remain in force in a town in which it is in effect for a period of one year or until this article is approved by the town board, whichever period is shorter. If the town board fails to approved the comprehensive revision within a year after its adoption by the county board, neither the existing ordinance nor the comprehensive revision shall be in effect in that town.

(Ord. of 3-19-2002, Art. XXXVI)

DIVISION 37. - RESERVED<sup>[12]</sup>

Footnotes:

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**Editor's note**— Res. No. 47-17, adopted June 20, 2017, repealed div. 37, §§ 38-678—38-686, which pertained to the shoreland-wetland district, and derived from an ordinance adopted March 19, 2002, Art. XXXVII, §§ 371—375.

Secs. 38-678—38-700. - Reserved.

DIVISION 38. - TELECOMMUNICATIONS FACILITIES<sup>[13]</sup>

Footnotes:

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**Editor's note**— Resolution No. 10-14, §§ II—VIII, adopted March 18, 2014, repealed the former div. 38, §§ 38-701—38-713, and enacted a new div. 38 as set out herein. The former div. 38 pertained to similar subject matter and derived from Res. No. 06-04, adopted March 23, 2004.

**Sec. 38-701. - Purpose.**

The purpose of this division is to regulate by zoning permit:

- (1) The siting and construction of any new mobile service support structure and facilities;
- (2) With regard to a class 1 collocation, the substantial modification of an existing support structure and mobile service facilities; and
- (3) With regard to a class 2 collocation, collocation on an existing support structure which does not require the substantial modification of an existing support structure and mobile service facilities.

(Res. No. 10-14, § II, 3-18-2014)

**Sec. 38-702. - Exemptions.**

- (a) Exempt from review under this division will be television antennas, satellite dishes one meter (or 39 inches) in diameter or less, satellite dishes used commercially and three meters in diameter or less, receive only antennas, amateur radio facilities, and mobile services providing public information coverage of news events or of a temporary or emergency nature.
- (b) Exempt from the permitting requirements of this division will be satellite dishes more than one meter in diameter, ground mounted antennas not exceeding 100 feet in height, building mounted antennas not exceeding 25 feet above the highest part of the building to which they are attached, utility pole mounted antennas not exceeding 25 feet above the highest part of the utility pole to which they are attached.
- (c) Exempt structures under this division are subject to all other applicable provisions of the zoning ordinance.

(Res. No. 10-14, § III, 3-18-2014)

**Sec. 38-703. - Definitions.**

- (a) The following definitions shall apply to this division unless the context dictates otherwise. All definitions in chapter 38, division 34, of the Washburn County Zoning Ordinance, shall apply, unless specifically defined in this division.

*Alternative support structure* means structures including but not limited to clock towers, steeples, silos, light poles, water towers, freestanding chimneys, utility poles and towers, towers, buildings or similar structures that may support telecommunications facilities.

*Antenna* means any system of wires, poles, rods, reflecting discs, or similar devices used for the transmission or reception of electromagnetic waves when such system is either external to or attached to the exterior of a structure. Antennas shall include devices having active elements extending in any direction, and directional beam type arrays having elements carried by and disposed from a generally horizontal boom that may be mounted upon and rotated through a vertical mast or tower interconnecting the boom and antenna support, all of which elements are deemed to be a part of the antenna.



*Antenna building mounted* means any antenna, other than an antenna with its supports resting on the ground, directly attached or affixed to a building.

*Antenna ground mounted* means any antenna with its base placed directly on the ground.

*Camouflaged tower* means any telecommunications tower that due to design or appearance hides, obscures, or conceals the presence of the tower and antennas. Camouflaging may be accomplished by a suitable combination of the following examples lack of lighting, low tower height, noncontrasting colors, screening and landscaping, and others.

*Carrier* means companies licensed by the Federal Communications Commission (FCC) to build personal wireless telecommunications facilities and operate personal wireless telecommunications services. Also called a provider.

*Class 1 collocation* means the placement of a new mobile service facility on an existing support structure, such that the owner of the facility does not need to construct a freestanding support structure for the facility, but does need to engage in substantial modification.

*Class 2 collocation* means the placement of a new mobile service facility on an existing support structure such that the owner of the facility does not need to construct a freestanding support structure for the facility or engage in substantial modification.

*Co-location* means a telecommunications facility comprised of a single telecommunications tower or building supporting multiple antennas, dishes, or similar devices owned or used by more than one public or private entity.

*Guyed structure* means a telecommunications tower that is supported in whole or in part by guy wires and ground anchors or other means of support besides the superstructure of the tower itself.

*Height, telecommunications tower* means the distance measured from the original grade at the base of the tower to the highest point of the tower. This measurement excludes any attached antennas, and lighting.

*Lattice structure* means a telecommunications tower that consists of vertical and horizontal supports and crossed metal braces.

*Monopole structure* means a telecommunications tower of a single pole design.

*Operation* means other than nominal use; when a facility is used regularly as an integral part of an active system of telecommunications it shall be deemed in operation.

*Provider.* See *Carrier* .

*Satellite dish* means a device incorporating a reflective surface that is solid, open mesh, or bar configured that is shallow dish, cone, horn, or cornucopia shaped and is used to transmit or receive electromagnetic signals. This definition is meant to include, but is not limited to, what are commonly referred to as satellite earth stations, TYROs and satellite microwave antennas.

*Substantial modification* means the modification of a mobile service support structure, including the mounting of an antenna on the structure, that does any of the following:

- (1) For structures with an overall height of 200 feet or less, increases the overall height of the structure by more than 20 feet.
- (2) For structures with an overall height of more than 200 feet, increases the overall height of the structure by ten percent or more.
- (3) Measured at the level of the appurtenance added to the structure as a result of the modification, increases the width of the support structure by 20 feet or more, unless a larger area is needed for collocation.
- (4) Increases the square footage of an existing equipment compound to a total area of more than 2,500 square feet.

*Telecommunications facility* means a facility, site, or location that contains one or more antennas, telecommunications towers, alternative support structures, satellite dish antennas, other similar communication devices, and support equipment which is used for transmitting, receiving, or relaying telecommunications signals, excluding facilities exempted under section 38-703.

*Telecommunications facility structure* means a telecommunications tower or alternative support structure on which telecommunications antenna(s) may be mounted.

*Telecommunications tower* means any structure that is designed and constructed primarily for the purpose of supporting one or more antennas, including camouflaged towers, lattice towers, guy towers, or monopole towers. This includes radio and television transmission towers, microwave towers, and common-carrier towers. It shall exclude alternative support structures and those facilities exempted under section 38-703.

*Utility pole mounted antenna* means an antenna attached to or upon an existing or replacement electric transmission or distribution pole, streetlight, traffic signal, athletic field light, or other approved similar structure.

(b) Additional definitions contained in [Wis. Stats.] § 66.0404(1) are hereby incorporated by reference.

(Res. No. 10-14, § IV, 3-18-2014)

Sec. 38-704. - Siting and construction of any new mobile service support structure and facilities and class 1 collocation.

(a) *Application process.*

- (1) A land use permit is required for the siting and construction of any new mobile service support structure and facilities.
- (2) A written permit application must be completed by any applicant and submitted to the Washburn County Zoning Department (the county). The application must contain the following information:
  - a. The name and business address of, and the contact individual for, the applicant.
  - b. The location of the proposed or affected support structure.
  - c. The location of the proposed mobile service facility.
  - d. If the application is to substantially modify an existing support structure, a construction plan which describes the proposed modifications to the support structure and the equipment and network components, including antennas, transmitters, receivers, base stations, power supplies, cabling, and related equipment associated with the proposed modifications.
  - e. If the application is to construct a new mobile service support structure, a construction plan which describes the proposed mobile service support structure and the equipment and network components, including antennas, transmitters, receivers, base stations, power supplies, cabling, and related equipment to be placed on or around the new mobile service support structure.
  - f. If an application is to construct a new mobile service support structure, an explanation as to why the applicant chose the proposed location and why the applicant did not choose collocation, including a sworn statement from an individual who has responsibility over the placement of the mobile service support structure attesting that collocation within the applicant's search ring would not result in the same mobile service functionality, coverage, and capacity; is technically infeasible; or is economically burdensome to the mobile service provider.
- (3) A permit application will be provided by the county upon request to any applicant.

- (4) If an applicant submits to the county an application for a permit to engage in an activity described in this division, which contains all of the information required under this division, the county shall consider the application complete. If the county does not believe that the application is complete, the county shall notify the applicant in writing, within ten days of receiving the application, that the application is not complete. The written notification shall specify in detail the required information that was incomplete. An applicant may resubmit an application as often as necessary until it is complete.
- (5) Within 90 days of its receipt of a complete application, the county shall complete all of the following or the applicant may consider the application approved, except that the applicant and the county may agree in writing to an extension of the 90-day period:
  - a. Review the application to determine whether it complies with all applicable aspects of the political subdivision's building code and, subject to the limitations in this section, zoning ordinances.
  - b. Make a final decision whether to approve or disapprove the application.
  - c. Notify the applicant, in writing, of its final decision.
  - d. If the decision is to disapprove the application, include with the written notification substantial evidence which supports the decision.
- (6) The county may disapprove an application if an applicant refuses to evaluate the feasibility of collocation within the applicant's search ring and provide the sworn statement described under subsection (2)f.
- (7) If an applicant provides the county with an engineering certification showing that a mobile service support structure, or an existing structure, is designed to collapse within a smaller area than the set back or fall zone area required in a zoning ordinance, that zoning ordinance does not apply to such a structure unless the town provides the applicant with substantial evidence that the engineering certification is flawed.
- (8) The fee for the permit is \$3,000.00.

(Res. No. 10-14, § V, 3-18-2014)

Sec. 38-705. - Class 2 collocation.

(a) *Application process.*

- (1) A land use permit is required for a class 2 collocation.
- (2) A written permit application must be completed by any applicant and submitted to the county. The application must contain the following information:
  - a. The name and business address of, and the contact individual for, the applicant.
  - b. The location of the proposed or affected support structure.
  - c. The location of the proposed mobile service facility.
- (3) A permit application will be provided by the county upon request to any applicant.
- (4) A class 2 collocation is subject to the same requirements for the issuance of a building permit to which any other type of commercial development or land use development is subject.
- (5) If an applicant submits to the county an application for a permit to engage in an activity described in this division, which contains all of the information required under this division, the county shall consider the application complete. If any of the required information is not in the application, the county shall notify the applicant in writing, within five days of receiving the application, that the application is not complete. The written notification shall specify in detail the

required information that was incomplete. An applicant may resubmit an application as often as necessary until it is complete.

- (6) Within 45 days of its receipt of a complete application, the county shall complete all of the following or the applicant may consider the application approved, except that the applicant and the county may agree in writing to an extension of the 45-day period:
  - a. Make a final decision whether to approve or disapprove the application.
  - b. Notify the applicant, in writing, of its final decision.
  - c. If the application is approved, issue the applicant the relevant permit.
  - d. If the decision is to disapprove the application, include with the written notification substantial evidence which supports the decision.
- (7) The fee for the permit is \$500.00. \*

Collocation related exclusively to installation of broadband equipment shall be a \$100.00 fee

(Res. No. 10-14, § VI, 3-18-2014)

Sec. 38-706. - Removal of abandoned telecommunications facilities.

It is the express policy of Washburn County that telecommunications facilities be removed and their sites restored to their pre-construction state once they are no longer in use and not a functional part of providing telecommunications service.

- (a) Removal and restoration of such facilities is the responsibility of the owner of the facility.
- (b) The telecommunications facility(s) shall be removed when use of the facility(s) has been discontinued or the facility not been used for its permitted purpose for 12 consecutive months. Mere intent to continue use of the facility(s) shall not constitute use. The applicant/owner shall demonstrate through facility(s) lease(s) or other similar instruments that the use will be continued without a lapse of more than 12 consecutive months to constitute actual use. If the applicant cannot demonstrate actual use, the facility shall be considered abandoned and shall be removed.
- (c) This restoration shall include removal of any subsurface structure or foundation, including concrete, used to support the telecommunications facility; to a level of three feet below grade.
- (d) Nothing in this section prevents the removal of the facility prior to expiration of the 12-month period.

(Res. No. 10-14, § VII, 3-18-2014)

Sec. 38-707. - Reporting requirements.

Notification shall be provided to the zoning department if any of the information changes in subsection(s) 38-704(a)(2) or 38-705(a)(2).

(Res. No. 10-14, § VIII, 3-18-2014)

Secs. 38-1—38-20. - Reserved.



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# **1 INTRODUCTION**

## **1.1 WELCOME**

**WELCOME TO WASHBURN COUNTY!** We are very pleased that you have chosen Washburn County as your place of employment! Washburn County has an “Open Door” philosophy and encourages employees to share feedback with their Supervisor, Department Head and Administration.

### **WASHBURN COUNTY MISSION STATEMENT**

Washburn County government exists to serve and protect present and future citizens, the environment and quality of life in a fiscally responsible way.

### **WASHBURN COUNTY CORE VALUES**

- Needs of the public drive our priorities, and the services we provide.
- We provide a safe, welcoming environment.
- We communicate promptly, respectfully and accurately.
- We value and support competent, well-trained and empathetic staff.
- We promote teamwork to encourage creative problem-solving and efficient use of resources.

As Washburn County employees, we strive to provide the best possible service to our customers. The County employs quality professionals, interested in public service and motivated to help all who use our services.

We do our business in the public spotlight and promote public accountability in all County business operations.

We strive to provide the highest quality service to all of our internal and external customers and other members of the community in a professional, respectful and courteous manner.

## **1.2 PURPOSE OF HANDBOOK**

This summary of personnel policies is provided as a reference to the employment policies, practices and procedures of Washburn County. The Human Resources Director is responsible for the custody, distribution and updating of this summary. Each new employee will receive a copy upon commencement of employment. The Handbook should be studied carefully upon commencement of employment and referred to when questions arise. It is required that all employees read and acknowledge receipt of this Handbook on the form specifically provided for this purpose.

The Handbook provisions do not provide, nor shall they be construed as such, to create any express or implied contract between the employee and Washburn County. The Handbook provisions are not guaranteed conditions of employment. The Handbook supersedes and replaces provisions previously found in collective bargaining agreements that have expired and/or found in any prior personnel policies and procedures. The Handbook applies to non-represented employees as well as general municipal employees previously covered under a collective bargaining agreement. For employees who remain covered under a collective bargaining agreement, the terms of the bargaining agreement supersede the terms of the Handbook where applicable.

Handbook policies and procedures are subject to being changed, interpreted, withdrawn, modified or altered by the County. Any changes made to this Handbook will be brought to the attention of employees and any revisions to the provisions of this Handbook will supersede the provisions contained herein. Changes to Handbook provisions require the approval of the Board.

### 1.3 APPLICATION

The employment policies as set forth in this summary are made in accordance with existing State and Federal laws and regulations. All policies in this summary are to be interpreted and construed on that basis. Should any definitive legal inconsistency arise between the policies contained herein and State and/or Federal law, the latter shall take precedence.

These policies are intended to help facilitate understanding, cooperation, efficiency and unity among personnel through systematic and uniform application. Because the Employee Handbook is based on County policies and procedures, federal and state mandated policies and procedures, and present employee fringe benefit programs which are all subject to change, this Handbook is also subject to change. Washburn County expressly reserves the right to modify, revoke, suspend, terminate, or change any or all policies in whole or in part, at any time, with or without prior notice.

Washburn County encourages an open door philosophy between employees and management. Management will be committed to continually review policies and procedures to improve communication and ensure appropriate responsiveness to changing needs of employees and the County. Employees should feel free to discuss workplace problems or concerns with their respective Supervisor, Department Head, Human Resources/ Director or the Administrative Coordinator.

### 1.4 GENERAL POLICY

Unless otherwise agreed to in writing by the Washburn County Board of Supervisors, or pursuant to a specific state statute applicable to the position, employment with the County is for no definite period of time and may, regardless of the date and method of payment of salary or wages, be terminated by the County or by the employee at any time, with or without cause, and with or without prior notice. No personnel policy, procedure, practice or representation, oral or written, shall alter this condition of employment. Nothing contained herein or in any other document provided to County employees is intended to be, nor should it be construed as, a guarantee of employment or any employment benefit (except as otherwise mandated by state or federal statute). Titles used herein are for convenience of reference only and have no substantive or procedural function. Committees or Boards not reporting to the County Board and with direct oversight of County employees may adopt the policies established herein for application.

### 1.5 THE ROLE OF MANAGEMENT

Certain rights and responsibilities are imposed by state and federal laws and regulations. Many of these rights and responsibilities have implications for policies and procedures governing employment. For this reason, the Employer reserves any and all management rights regarding employees' employment status.

**General Guidelines:** The role of management includes, but is not limited to, the right to:

- A. Manage and direct the employees;
- B. Hire, promote, schedule, transfer and assign employees;
- C. Lay off and recall employees;
- D. Discharge employees or take disciplinary action;
- E. Schedule overtime as required;
- F. Develop job descriptions;
- G. Determine work schedules;
- H. Assign work duties and on-call time;
- I. Introduce new or improved methods or facilities or change existing methods or facilities;
- J. Contract out for goods and services;
- K. Discontinue certain operations;
- L. Direct all operations of the County.

## 1.6 PERSONNEL COVERED BY THIS HANDBOOK

The Handbook applies to all ~~full and part-time~~ non-represented employees as well as general municipal employees previously covered under a collective bargaining agreement. For employees who remained covered under a collective bargaining agreement, the terms of the bargaining agreement supersede the terms of the Handbook where applicable.

### 1.6a. PART-TIME EMPLOYEES

Regular part-time employees, normally working at least 50% ~~FTE of their positions' regular scheduled hours~~ receive all benefits, holidays, vacation, and sick leave on a prorated basis unless otherwise specified. Note: ~~Temporary, Casual, and PT~~ Employees normally working less than 50% ~~FTE, generally do not qualify for health or dental~~ are not entitled to benefits upon hire; however, these employees may become eligible ~~for for Life and Income Continuation Insurance upon benefits upon~~ meeting ~~WRS~~ eligibility requirements.

## 2 EMPLOYMENT

### 2.1 EQUAL OPPORTUNITY EMPLOYMENT/AFFIRMATIVE ACTION

Washburn County shall comply with the principles and practices of equal opportunity employment applicable by Federal, State and local laws and regulations prohibiting employment discrimination on the basis of race, color, age, religion, creed, sex, sexual orientation, national origin, disability, marital status, veteran status, political affiliation, arrest record, conviction record, genetic testing, membership in the national guard, state defense force, or any reserve component of the military forces of Wisconsin or of the United States, or other classifications protected by law. Washburn County strives to create and maintain an environment in which all individuals are treated with dignity, decency and respect. The environment should be characterized by mutual trust with the absence of intimidation, oppression and exploitation. Unlawful discrimination or harassment will not be tolerated. Discrimination is any overt or covert behavior that excludes access to, admission to, full utilization of, or benefit from any public service because of any legally-protected class status or failure to ensure access for disabled persons unless the public service can demonstrate that providing the access would impose an undue hardship on its operation.

Positive action is required from all employees to help ensure that Washburn County complies with its obligations under state and federal law with regard to equal employment opportunity for qualified applicants and employees. Violations and/or complaints of this section shall be referred to the Human Resources Director or Administrative Coordinator. It is the intent of the County that issues concerning equal employment opportunity be dealt with in a timely and appropriate manner. Employees found to be in violation of this policy will be subject to disciplinary action up to and including discharge from employment. The County prohibits any form of retaliation for making a report, in good faith, about issues of equal employment opportunity.

In accordance with the Americans with Disabilities Act (ADA), the County will reasonably accommodate qualified individuals with a disability so that they can perform the essential functions of their job. A qualified individual who can be reasonably accommodated for a job without undue hardship to the County will be given the same considerations for that position as any other applicant. If you need assistance in the performance of your work-related duties, please contact the Human Resources Director.

## **2.2 HIRING and NEPOTISM**

The County will not prohibit the hiring of relatives of current employees provided no relative is in a direct administrative and/or supervisory capacity to an immediate family member. For purposes of this section, "immediate family member" is defined to include mother, father, father-in-law, mother-in-law, husband, wife, brother, sister, daughter, step-daughter, son, step-son, daughter-in-law, son-in-law, brother-in-law, sister-in-law, grandson and granddaughter.

- a. All applicants for County positions will be required to list on their application form whether they have any relative employed by Washburn County and what the relationship is.
- b. No person employed by or elected to serve Washburn County may have any part in the screening or hiring of job applicants, or have any part in the evaluation, promotion, demotion, termination, negotiation of wages and benefits, or supervision of an employee who is a member of their immediate family.
- c. If two (2) persons employed by the County marry, the Personnel Committee shall investigate any potential areas of conflict of interest and take whatever steps are necessary to eliminate such conflict of interest.
- d. Any Committee or Department Head action, which results in the hiring or promotion of any relative of a County employee or elected official, shall be subject to approval of the Personnel Committee.
- e. All situations involving employment of relatives shall be evaluated and, if deemed necessary, acted upon by the Personnel Committee.
- f. Decisions of the Personnel Committee in the above matters may be appealed to the County Board.

## **2.3 RECRUITMENT AND INTERVIEW GUIDELINES**

Washburn County strives to recruit and select the best and most qualified individuals for County employment. The Human Resources Director shall develop and conduct an active recruitment program designed to meet the current and projected employment needs of the County. Recruitment efforts shall be tailored to the vacant position and shall be directed to sources likely to yield qualified applicants. Recruitment, selection and interview guidelines shall be conducted in compliance with all applicable laws.

- When Washburn County determines that a vacancy or new position shall be filled, the County may post a position both internally and externally to recruit the most qualified applicants. Internal postings will typically remain for a 10-day minimum. The posting shall include the date the position is to be filled, if known, title of position, requirements, range of pay, benefits and job description.
- Background information checks - It is the policy of Washburn County Personnel Office to conduct background information checks for all employees at initial hire. Additional periodic background checks shall be completed as may be required by state or federal law.
- Driving Record Checks – It is the policy of Washburn County to conduct a driving record check of employees or prospective employees, who will be driving as part of their normal day-to-day activities (which will include, but are not limited to, i.e., Highway, Forestry, Survey, Zoning, Health, Social work) as well as contracted/Limited Term employees who will be driving Washburn County equipment or residents (i.e., Unit on Aging, Veteran's). These checks are required at initial hire as well as on a random check basis. Employment and/or continued employment is contingent upon a successful driving record check. A copy of the driving record findings will be kept in the employee's personnel file.

## **2.4 RESIDENCY REQUIREMENT**

In general, it is the Policy of Washburn County that employees do not need to reside within the County boundaries. However, to provide for efficiency of operations, employees in key positions who are required to be available for emergency duty or who, by the nature of their position, must be available for work on very short notice, shall reside within a designated travel time or distance from their work site. The following departments or positions will have the following requirements:

Sheriff Deputy - All newly-hired (as of January 1, 2007) employees will need to reside within fifteen (15) miles of the boundaries of Washburn County, or within fifteen (15) miles of the boundaries of the geographic areas within Washburn County (city, village or town) to which they have been assigned, allowing them to commence and end their assigned duties from their residence and thus be available for emergencies and services in the area they reside. Newly-hired employees will have a period of six (6) months after the end of their probation to move within fifteen (15) miles of the Washburn County boundaries.

Highway Department – employees will need to live within 40 minutes of the Highway Shop.

Newly hired employees in these departments will be required to meet the residency requirements as a condition of employment and the requirement will need to be met within six months of hire.

## **2.5 EMPLOYEE IDENTIFICATION CARDS/BADGES**

All employees shall be required to wear or have the card/badge on them appropriately. Employees are expected to take care of the card/badge and must report lost/stolen cards to their Supervisor immediately.

## **2.6 ORIENTATION**

Each new employee will be provided with information on employee benefits, County policies and operations, position description, department orientation checklist, other related material, and a union contract if applicable.

The department provides additional information to the new (or transferred) employee, including:

- A. Departmental policies (if applicable)
  - B. Hours of work, time cards or reports, leave requests, etc., and schedule for lunch and breaks
  - C. Duties of the position
  - D. Safety rules and procedures, location of safety or protective equipment
  - E. Tour of the work area, including location of equipment, supplies, and facilities
  - F. Introduction to co-workers
  - G. When and whom to report absence from work
  - H. Department chain of command
  - I. Other department unique information
  - J. Data processing information
1. New employee orientations shall occur on or near the first day of employment for the new employee.
  2. Declaration of dependents for income tax withholding (W-4) and reporting the new employee's social security number should also be done at this time in conjunction with completion of the I-9 Authorization form.
    - a. The Immigration Reform and Control Act (IRCA), makes it unlawful for an employer to hire or to continue to employ an individual who is not authorized to work in the United States. Individuals offered employment in Washburn County must demonstrate their eligibility to perform work in this

Country by completing an eligibility form designated as an I-9 Form. Upon the completion of the form, the individual must provide evidence of being a citizen of the United States using documents specified per I-9 regulations.

- b. The I-9 form must be retained for a minimum of 3 years. However, if an individual is employed for more than a three-year period, the County must retain the form until one year after the individual leaves employment. The I-9 forms are to be kept in a separate folder marked "I-9 Forms." State and Federal employment laws prohibit discrimination in employment based on the individual's national origin or citizenship status.
3. Each Department Head should ensure new employees receive appropriate orientation upon hire as set forth above and other information related to the department operations.
4. In addition, the Human Resources Director may assist Department Heads in regard to other personnel matters arising.

## **~~2.7~~ — BENEFITS DURING INITIAL PERIOD OF EMPLOYMENT**

~~When an employee has completed the required months of employment, they become eligible for non-worked paid time leaves retroactive to the person's beginning date of employment.~~

~~If an individual has been transferred or promoted, he or she becomes eligible for all fringe benefits included with the new position at the time of the transfer or promotion.~~

## **~~2.82.7~~ ADMINISTRATION OF EMPLOYEE PERSONNEL RECORDS**

Reasonable access to personnel records will be authorized in accordance with public records laws and regulations. Any and all personal medical information will be secured in an area separate from the personnel record, with strictly controlled and limited access, in order to protect confidentiality.

1. Establishment of procedures and responsibilities for the maintenance of personnel records.
  - a. The Human Resources Director and/or the Administrative Coordinator/Finance Director are responsible for establishing and maintaining an official personnel file for each employee of the County.
  - b. Official personnel files will be maintained by the Human Resources Department, which will include all material of a confidential nature to include, but not limited to, both hard copy material and electronic media.
  - c. Department Heads are responsible for the forwarding of documents for inclusion in the personnel files of those employees assigned to their department.
  - d. Individual departments shall not maintain separate personnel files.
2. Establishment of procedures for the release and accessibility of information and audit of the personnel files.
  - a. Human Resources Department treats as confidential all employee information except when requested to verify information relating to job title, department, base salary, and dates of employment.
  - b. Information contained in the personnel file (other than items listed in Section 2a) will not be released without the express written permission of the employee unless required to be released under Wisconsin's Public Records Law, Wis. Stat. 19.31, et seq.
  - c. Access to information contained in the personnel file will be limited to the Administrative Coordinator/Director of Human Resources, Personnel Administrative Support Staff, respective Department Directors, immediate Supervisor, the committee of jurisdiction while convened in closed session and the individual employee. All requests for information will be handled in accordance with federal and state laws. Files pertaining to employees who are bonafide candidates of interdepartmental transfer will be accessible by the prospective Department Director for the

purpose of determining qualifications.

- d. Any county staff member, who is authorized as part of their job duties to view any portion of a personnel record, in any media, is bound by the rules of confidentiality.
3. All items included in the official personnel file may be used for either promotional or disciplinary proceedings.
  4. These records are maintained during the tenure of the employee and for seven years after the employee leaves County employment.
  5. Items related to medical conditions or background for related leaves of absences are retained in a separate medical file, and not part of the personnel file.
  6. Per state statute 103.13, employees may request to view and/or copy their personnel file two (2) times per calendar year. Employees may be charged for the cost of copying per County copy policy.
    - a. An employee request will be put in writing and a time scheduled to review the file within seven (7) working days of the request, as outlined in stat. 103.13. The right to review and/or copy personnel records do not apply to the following records or information:
      - i. Records relating to the investigation of possible criminal offenses committed by the employee.
      - ii. Letters of reference for that employee.
      - iii. Any portion of a test document, excluding cumulative test score for a section or entire test document.
      - iv. Materials used by the employer for staff management planning, including evaluations, judgments or recommendations concerning future salary increases and other wage treatments, management bonus plans, promotions and job assignments or other comments or rating used for the employer's planning.
      - v. Information of a personal nature about a person other than the employee if disclosure of the information would constitute a clearly unwarranted invasion of the other person's privacy.
      - vi. Records relevant to any other pending claims between the employer and the employee which may be discovered in a judicial proceeding.
    - b. Each employee is responsible for verification of information contained in their personnel file through annual review/audit to ensure accuracy and completeness of the file. A Personnel/Administration representative must be present when the file is audited. Only the Director of Human Resources may remove items from the respective files with notification to respective Department Head and Employee. If an employee disagrees with any information contained in their personnel file, the employee may submit a written statement explaining his/her position, which shall be attached to the disputed portion of the record.

## 2.92.8 SEPARATION OF EMPLOYMENT

### **Definitions:**

**Service Retirement** is a formal voluntary termination after having satisfied the age and length of employment requirements of the WRS.

**Employee-Initiated Resignation** is voluntary termination for any reason other than service retirement

**Supervisor-Initiated Resignation** is termination requested by the supervisor who permits the employee to resign in lieu of being discharged. A termination of this type occurs only after the supervisor consults with the Human Resources Director. An evaluation of the circumstances is conducted, including reasons for the request,

supporting documentation, and alternatives. Guidelines are similar to those for discharge.

**Discharge** is termination of an employee by the County. Refer to the policy on "DISCIPLINARY ACTION."

**Layoff** is termination of an employee by the County for lack of work, lack of funds, or other circumstances identified by the County and will typically be provided a two-week written notice (directors, supervisors and managers typically receive 30 days).

- Washburn County retains the right to lay off employees, in whole or in part, and to retain those employees who are most qualified to perform the available work, regardless of their previous length of employment.
- The needs of the County shall be the prime consideration used in the Employer's determination of which employees shall be laid off. The rehiring of employees that have been laid off shall be determined by the Employer based on its need for the most qualified person to perform the available work.
- Under certain circumstances, work week reductions may be imposed in lieu of layoff.

**Purpose:**

Employees covered by this policy who choose to voluntarily separate from County employment, shall be required to give at least a two-week (10 days) written notice (Directors, Supervisors and Managers thirty (30) days) in order to leave the County in good standing, unless otherwise agreed to. The required notice period shall exclude use of non-worked paid time or any other like time, unless approved otherwise by Human Resources Director. The written resignation notice should state the proposed effective date. "Notice" is understood to mean that the resigning employee will be available for work during this time so as to aid in the training of a replacement.

If an employee terminates County employment without the required notice, the employee shall not be eligible for payment for any accrued fringe benefits. Under rare circumstances, an employee may be unable to give the required notice with such situations being evaluated on a case-by-case basis to determine whether or not the employee is eligible for payment for any accrued fringe benefits. This evaluation will be made by the Department Head and/or the Human Resources Director.

Benefits continue through the time actually worked by the employee and the official date of termination will be the last full day the employee reports for work. If such time takes the employee through the first day of the month, health and dental insurance benefits will continue through the last day of the month. The payroll clerk will be notified of the employee's separation date via the payroll report from Human Resources.

If an employee is terminating employment and gives proper notice, per the plan book, coverage terminates for ~~health/dental/vision on either:~~ medical and dental coverage on either:

The last day of the month in which termination of employment with the County occurs, or if earlier, the last day of the month in which the employee is no longer actively at work, as defined in the insurance plan. Of if the employee elects, the last day of the month following the month in which the termination from the County occurs, or if earlier, the last day of the month following the month in which the employee is no longer actively at work as defined in the Plan.

All employees who resign, terminate (excludes termination for misconduct), retire or in case of death and have been employed by the County for at least five (5) years will be eligible for a conversion of half (50%) of their accumulated sick pay benefits to the PEHP Plan and if employed for at least ten (10) years will be eligible for a payout of full (100%) of their accumulated sick pay benefits to the PEHP Plan (dependent upon previous payouts). This policy will be subject to review.

Employees who qualify may elect to continue ~~health~~ health ~~medical,~~ dental and vision insurance at their own cost via COBRA and will be contacted by the County's Insurance Carrier for more information on COBRA.



If the employee is at least 55 and ~~you have~~has at least five years of service with the county, the employee may be eligible for Retiree Coverage for the employee and any of the employees' dependents. Retiree coverage for the retired employee will continue until the date the retired employee dies. Retiree Coverage for the retiree's dependent spouse will continue until the date such spouse dies. Retiree coverage for a covered dependent child may continue until the date such child no longer meets the Plan's definition of a dependent. The Human Resource Department will schedule an exit interview with the employee prior to the last day of employment. Any statements made at the exit interview that would need to be clarified and discussed with the appropriate Department Head or immediate Supervisor will be accomplished.

### **3 HOURS OF WORK, OVERTIME, PAID TIME and LEAVES**

#### **3.1 HOURS OF WORK**

To provide employees with regular work hours and work schedules while ensuring staffing coverage necessary for effective operations. Hours of work may vary as deemed necessary for the effective and efficient operation of each department.

Time worked includes time that an employee is required and authorized to do work and should be recorded to the nearest tenth of an hour. The workweek covers seven consecutive days beginning Monday and ending Sunday. Positions covered under this policy observe 2080 or 1950 hours per year as their regular and normal annual work schedule, depending on position and/or department, resulting in a minimum of 40 or 37.5 hours per week; however, this shall not be construed as a guaranteed workweek. The exact starting and quitting times will be set by the Director, Department Head or Supervisor.

All employees shall complete bi-weekly timesheets recording hours worked; per state requirements, employees must accurately record the following:

- \* Time of beginning and ending work each day;
- \* Time of beginning and ending of each meal period; AND
- \* Total number of hours per day and per week

It is the employee's responsibility to sign his/her timesheet to verify accuracy and provide to his/her Supervisor. The Supervisor will review and sign the timesheet and submit to payroll for processing. In the event of an error in reporting time, the employee should immediately report the problem to their Supervisor and payroll.

Timesheets must be submitted no later than ~~noon~~ 9:00 a.m. on the Monday following the end of the pay period (including Supervisory signature). Employees failing to submit timesheets timely will not be guaranteed receipt of their payroll check on the established payroll date as the County does not process separate payroll checks as a result of untimely timesheet submission. It is the responsibility of each employee to allow ample time for Supervisory review prior to the submission deadline and to make arrangements if scheduled to be off work and as a result will miss the Monday noon deadline.

**3.1a Schedule:** The County reserves the right to schedule and/or change all hours and schedules of work as deemed necessary.

**3.1b Time not counted:** Except for holiday, all other Paid Time Off time taken is not counted as time worked. Uninterrupted lunch periods of thirty (30) minutes or more are also unpaid and not counted as time worked.

**3.1c Rest Periods:** All schedules should provide for a maximum of two paid fifteen (15) minute rest periods throughout the day. Rest periods shall be staggered to ensure continuous coverage and operation. It is the employee's responsibility to ensure they receive their rest periods; rest periods do not accumulate if not taken nor are they paid for if not taken. A rest period cannot be taken to extend an employee's lunch period or to allow an employee to report late or leave work early.

Highway Employees working 10-hour days will receive one-fifteen minute and two 10-minute paid breaks.

**3.1d Call In Pay:** Employees called back into work outside of their regular work shift shall be paid a minimum of two hours and may be assigned additional tasks to be completed during the two-hour time slot. Jail staff will follow the reasonable call-in pay policy for court appearances after their regular scheduled hours.

**3.1e On Call Pay: If approved,** employees in the Health and Human Services Department and Information Technology Department, who are required by the County to be on call, shall receive \$2.00 per hour. On-call pay options available are at the discretion of the Department Heads.

**3.1f Shift Differential:**

- **in general,** part-time/full-time employees (excluding Jail Employees) scheduled to normally work before 6:30 a.m. or after 6:30 p.m. will receive \$.35 per hour shift differential for those hours worked.
- A night time differential for jailer/dispatchers of forty-five (45) cents per hour in addition to regular pay shall be provided by the Employer. The night shift differential shall run from 4:00 p.m. to 4:00 a.m. on any day. Shift differential shall only be paid on hours actually worked.
- The hours and availability of additional shift differential is at the discretion of Department Heads.
- Highway employees should consult their Management group for their departments' current shift differential policy.

**Penalties:**

Altering, falsifying the time record, tampering with time records, recording time on another employee's time record or any other infraction of this policy may result in disciplinary action, up to and including termination of employment.

**3.2 OVERTIME**

To provide a consistent system for distributing overtime in compliance with the overtime-pay provisions of the Fair Labor Standards Act.

Each position is designated as either "Non-exempt" or "Exempt" from the federal Fair Labor Standards Act and state wage and hour laws. Employees in "non-exempt" jobs are paid on an hourly basis and are entitled to overtime pay for hours worked in excess of 40 hours per week. Employees in "exempt" positions are generally paid on a salary basis and are excluded from specific provisions of federal and state wage and hour laws and are not eligible for overtime pay.

Overtime is defined as authorized hours worked by a non-exempt employee in excess of 40 hours in a workweek and should be recorded to the nearest tenth of an hour. Overtime must be approved in advance by the employee's supervisor; if advance approval is not obtained, an employee is not authorized to work the overtime. While the County is required to pay the employee for all hours worked, the employee may receive disciplinary action, up to and including termination, for not following this policy. For non-exempt employees, advance approval of overtime is required for all work outside the normal workday, including work from home, via e-mail or cell phone, work before or after their regular shift, or working through the lunch period.

Due to the 24/7 hours scheduled nature of the Jail employees, available overtime hours are made available to all full-time, part-time and ~~casual status~~ ~~LTE~~ employees and scheduled accordingly under the discretion of the Jail/Sheriff's Department Management staff.

Special overtime provisions also apply to our Highway Department for reporting in and duty pay during periods of inclement weather.

- *Any paid leave time, excluding regular holidays, shall not be counted as hours worked for overtime purposes and all overtime must be approved in advance by management.*
- *Health/Human Service staff who attend an approved emergency call will have any paid leave hours that occur in that pay week, count as hours worked.*

### 3.3 COMPENSATORY TIME

The Fair Labor Standards Act allows public sector employers to provide employees with an option of whether to receive pay for approved overtime or compensatory (“comp”) time earned at time and one-half.

**Department Heads/Supervisors (Exempt).** It is mutually understood that Department Heads/Supervisors are paid a salary for their overall responsibility and accountability. Department Heads/Supervisors shall have wide latitude in the use of their time while using discretion and prudent judgment.

Exempt employees are responsible for accomplishing the duties assigned to them and may be required to attend regular and special meetings and events outside their normal work hours. In return for these services, these employees may take time off when the workload of their office permits. It is not the intent of this provision that compensatory time off will be on an hour-for-hour basis nor to be accumulated for periods of time off. At the time of termination, no compensatory time shall be paid out to an exempt employee.

Procedure: All exempt employees are to record the **actual** hours they work on their timecard but ~~then put down~~ then record the hours for which to be paid ~~for~~ in the hours worked column.

Non-Exempt Staff. If approved by the Department Head, non-exempt employees may receive overtime in the form of compensatory time (earned at time and one half) or paid overtime at one and one-half times their rate of pay for hours worked in excess of 40 hours worked in a workweek. All overtime worked must be authorized in advance by the employee's immediate supervisor. The County reserves the right to determine if a non-exempt employee receives pay or compensatory time for hours worked over 40 in a workweek.

If comp time is allowed, employees can earn a maximum of a normal one-week pay period of comp time per year; ~~If allowed, Highway employees' comp time maximum accrual shall be 30-60 hours per year.~~

Jailers/Dispatchers may accrue compensatory time up to a maximum of one hundred two (102) hours per year. Compensatory time accrued in excess of the annual 102 hours will be paid on the next regular day after it is accrued as overtime ~~pay. Jailers/Dispatchers shall have deposited into their Post-Employment Health Plan, one hundred percent (100%) of any unused compensatory time balance, on record as of December 31, each year. This is a mandatory transfer.~~

The Department head may approve to exceed these maximums earned, where appropriate.

No compensatory time shall be used in the last two payroll periods of the calendar year. If comp time is accrued in the last two payroll periods of the calendar year, it will be paid out as cash in the payroll period in which it was earned.

There shall be no carry-over of compensatory time from year to year.

~~Excluding Jailers/Dispatchers, employees' end-of-year compensatory time balance shall be paid out in the last payroll of each year.~~

Employees' comp time balance at the time of resignation, termination, or retirement, will be paid out on the employee's final paycheck.

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All approved comp time to be taken must be scheduled in advance by the Department Head and/or Supervisor.

### 3.4 HOLIDAYS

To identify employee holidays and to establish a consistent procedure for scheduling and payment, Washburn County will observe the following holidays:

New Year's Day	President's Day	Friday before Easter	Memorial Day
Independence Day	Labor Day	Veterans Day	Thanksgiving Day
Day after Thanksgiving	Christmas Eve	Christmas Day	

Eligibility:

- A. Regular Full-time employees will be paid for normally scheduled hours and regular part-time employees, working at least 50% ~~of the normal scheduled hours a week~~ FTE, will be paid on a prorated basis – based on percentage of full- time ~~equivalency-~~
- B. Temporary ~~and casual status or limited-term~~ employees are not eligible to receive compensation for holidays.
- C. If any of the holidays named above fall on a Saturday, the preceding Friday shall be the observed holiday and if any of the holidays fall on a Sunday, the following Monday will be the observed holiday.
- D. In order to receive holiday pay, employees must work the day before and the day after each holiday with the exception of normal days off or excused paid absences.
- E. For employees on a flexible schedule and the holiday day falls on a day the employee is normally not scheduled to work, it is at the Department Head's discretion if the holiday becomes a floater or is assigned to another day in that pay week.
- F. No employee shall be compensated more than once for each holiday.
- G. Holiday pay rate shall be computed at the employee's regularly classified rate.
- H. If a department is not required to be open and it becomes necessary to work on any of the above listed holidays, employees shall be compensated at the rate of one and one-half (1½) times the regular rate of pay for all hours worked on the holiday. Employees shall also receive holiday pay for the day or, with Department Head approval, take another day off with pay.
- I. Departments required to be open or are considered 24/7 operations ~~- (Sheriff Office and Jail)~~ Dispatchers/Jailers shall receive holiday payouts two (2) times per year (the last pay period in June for the beginning of the year holidays and the ~~last-first~~ pay period in December for the end of the year holidays), and employees in such departments who are required to work on these days shall be paid straight time for their regular hours worked.
- J. Employees on a Monday-Thursday work schedule will forgo the Day after Thanksgiving holiday and the Friday before Easter Holidays.

### 3.5 VACATION

Regular Full-time employees and part-time employees who normally work at least 50% ~~of the normal scheduled hours per week~~ FTE, shall earn and receive ~~annual~~ paid vacation ~~time~~ at their respective classified rate of pay in accordance with one of the schedules listed below. Part-time employees will receive prorated vacation ~~hours~~ time. ~~- based on percentage of full- time equivalency-~~

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**A. Regular employees, excluding jailers/dispatchers**

Regular full-time employees excluding jailers/dispatchers shall be calculated at the following rate earn vacation time at the following rate:

1. From the start of the first year, seven (7) working days of vacation with pay;
2. From the start of two (2) years, twelve (12) working days of vacation with pay;
3. From the start of five (5) years, seventeen (17) working days of vacation with pay;
4. From the start of ten (10) years, twenty (20) working days of vacation with pay;
5. After the completion of twenty (20) years of service, employees shall receive an additional day of vacation with pay for each additional year of service thereafter, not to exceed twenty-five (25) days.

- Vacation balances accrue each bi-weekly pay period, and current balances are reflected on the employees' bi-weekly pay check stub.
- Newly hired employees in this group may use shall be allowed to use vacation pay vacation time after the first three (3) months of employment.
- All employees, excluding jailers/dispatchers Employees in this group, are allowed to carry over 2 weeks of vacation. The time frame for which this carryover is to be used is at the discretion of the department heads. Any request to carry over more than two (2) weeks of vacation will be approved by and at the discretion of the Department Head; if the carryover request for more than two (2) weeks is for the Department Head, it will be approved by the Committee of Jurisdiction. If not approved, any vacation balance over two (2) weeks not used by the end of the year will be forfeited. The Department Head shall establish any 'use up by' provision.
- Upon termination of employment, the current vacation balance will be paid on the employee's final paycheck. Such payments shall be made in a lump sum based upon the last day of active work.

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**B. Jailers/Dispatchers**

Jailers/Dispatchers shall earn and receive annual paid vacations at their respective classified rate of pay once each year on their anniversary date in accordance with the schedule listed below.

1. From the start of the employees' first year of service, he/she shall earn, but not take 61.25 hours of vacation time. Thereafter, all vacations will be taken on an anniversary year basis.
2. From the start of two (2) years – 98 hours of vacation with pay;
3. From the start of five (5) years – 147 hours of vacation with pay;
4. From the start of ten (10) years – 171.5 hours of vacation with pay;
5. From the start of twenty-two (22) years – 183.75 hours of vacation with pay;
6. From the start of twenty-five (25) years – 208.25 hours of vacation with pay;

- Jailers/dispatchers may use vacation pay vacation time after one year of employment.
- Sheriff's Office and Jailers/dispatchers will have a payout of their unused vacation balance at the end of their anniversary year.
- Upon termination of employment, all vacation periods for the current year of service will be prorated to the day of termination for pay purposes. Any unearned vacation that has been used shall be recovered by the County through payroll deduction and/or direct payment by the employee to the County.

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**C. Highway employees** with hire dates after 10/10/2012 will follow the same vacation accrual schedule as the balance of the non-represented County employees. All hires prior to 10/10/2012 receive their vacation accrual on January 1<sup>st</sup>, of the year after it is accrued.–

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Employees on a temporary project with increased or decreased daily/weekly schedule of hours worked will not see a change in their vacation accrual schedule.

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Department Managers will determine an adequate amount of notice, and shall resolve situations of desired use by multiple employees at one time. Department Heads will determine the priority order of Vacation pay and Comp time used.

No vacation pay goes to PEHP.

### 3.6. SICK LEAVE

All employees shall be granted sick leave for their own illness or injury or their own doctors' appointments, or for the illness or injury of their spouse, or for the illness or injury of a dependent child living in the same household or dependent upon the employee for care and financial support, as follows:

- A. Each employee, excluding jailers/dispatchers shall earn sick leave at the rate of one (1) day for each month of employment beginning with the starting date of employment. An amount equal to 1/26<sup>th</sup> of the annual accrual will be posted on each bi-weekly pay check.
- B. Jailers/dispatchers shall earn sick leave at the rate of 98 hours per year. An amount equal to 1/26<sup>th</sup> of the annual accrual will be posted on each bi-weekly pay check
- C. Employees may accumulate up to 600 hours of sick time. ~~No further sick pay hours will accrue until the employee has used additional sick pay hours.~~ For every day that an employee exceeds the sick leave accumulation cap, he/she will have four (4) hours deposited into his/her PEHP account

Employees may also use sick leave while on ~~state~~-FMLA leave.

In the event that the Employer feels that any employee is abusing the sick leave privilege, a doctor's certificate as proof of illness may be requested; the employer may request a doctor's release to return to work from the employee. This sick leave privilege shall not be abused by the employees and any employee who does abuse their privilege shall be subject to disciplinary action.

Any employee absent because of sickness or injury shall notify his or her supervisor of that fact prior to the employee's normal starting time.

New Hires. Newly hired employees shall be allowed to use sick leave after the first three (3) months of hire.

Termination. Upon termination of employment by voluntary resignation, retirement, disability or death, the employee who has been employed by the County for at least five (5) years, or their estate, shall be eligible to receive unused sick leave remaining in the employee's account as follows: Any employee who has been employed by the County for at least five (5) years will be eligible for a conversion of half (50%) of their accumulated sick pay benefits to the PEHP Plan and if employed for at least ten (10) years will be eligible for a payout of all (100%) of their accumulated sick pay benefits to the PEHP Plan.

Discharge. Any employee discharged for misconduct including, but not limited to, violation of County policies or procedures, will not be entitled to termination pay under this provision.

Advance Notification. In the event that an employee is aware in advance that sick leave benefits will be needed, it shall be the duty of the employee to notify the Employer as far in advance as possible in writing of the anticipated time and duration of such sick leave and the reason for requesting sick leave.

Employees will be required to begin using sick leave when they become physically unable to perform their normal duties, unless the absence also falls within state FMLA in which case the employee may choose to take unpaid leave while on state FMLA.

An employee on sick leave is required to notify the Employer at the earliest possible time of the anticipated date on which the employee will be able to resume their normal duties.

The Employer may require a doctor's certificate that the employee is medically unable to perform their normal duties. Sick leave benefits under this provision shall be paid only for the actual workdays missed due to medical inability to perform their normal duties.

In the event that an employee exhausts their accumulated sick leave and is not medically able to resume their normal duties, they may be eligible for any Income Continuation Insurance in place, or may be placed on an approved unpaid leave of absence.

### **3.7 BEREAVEMENT PAY**

Employees shall be entitled to Funeral pay in the event of death in the employee's immediate family. Immediate family shall include husband, wife, children, mother, father, brother, sister, mother-in-law, father-in-law, brother-in-law, sister-in-law, grandparents, grandchildren and current stepchildren, and stepparents. Said leave shall be for a maximum period of three (3) days per incident. Funeral pay hours shall be paid at the employee's regular scheduled hours worked. Represented groups follow the bereavement provision in their contracts.

### **3.8 JURY DUTY**

Washburn County encourages employees to fulfill their civic responsibilities by serving jury duty when required. However, to reduce interruptions caused by an absence, employees are required to promptly report to their Supervisor when they receive a summons for Jury Duty.

Any employee called for jury duty shall be paid their regular wages for a normal workday for up to two (2) weeks per year and shall turn over to Human Resources and/or Administration any moneys, excluding mileage allowance that they receive as a result of such jury service within three (3) days of receipt of moneys. If the employee is released from jury duty prior to the end of their work period, they shall be expected to return to work as soon as possible.

Time spent on jury duty shall not be considered hours worked for purposes of overtime, nor will the County pay for any jury duty beyond the employee's normal workday.

### **3.9 WITNESS DUTY**

Any employee called to serve as a witness will need to use vacation time off, unless the witness duty is work-related and requested by the County.

### **3.10 VOLUNTEER FIREFIGHTER/EMT/FIRST RESPONDER LEAVE**

This leave is permitted per Departmental approval and excludes Sheriff's Office Personnel:

When an employee is attending a fire or a medical emergency as a Volunteer Firefighter/EMT/First Responder, the employee will be off the clock, and expected to make up the hours during that same pay week, or take vacation pay or comp time.

If the fire call or medical emergency doesn't require the employee's attendance for the entire workday, the employee shall return to work as soon as practicable. Employees shall inform their immediate Supervisor of their status at the start of the workday and as soon thereafter as is possible. Washburn County reserves the right to deny the use of this leave based on the needs of the County.

### **3.11 MILITARY/GUARD LEAVE**

Employees who are members of the National Guard or military reserves or other military service organization shall be granted temporary unpaid leave for tours of duty. Any employee called out for active duty with the armed forces of the United States of America shall submit copies of their military order to the Human Resources Department as soon as received. Employees shall be granted an unpaid military leave of absence for the period outlined in the orders, in accordance with applicable laws. However, such employee must return to duty within ninety (90) days from the day of release from such active duty or as such time may be extended if the employee is hospitalized for, or convalescing from, an injury occurring in, or aggravated during, the performance of service, as set forth in the Regulations under the Uniformed Services Employment and Reemployment Rights Act of 1994, as may be amended, in order to be reemployed with such continued service status, or as otherwise may be required pursuant to current state or federal law.

The Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA) protects the job rights of individuals who leave employment (voluntarily or involuntarily) to undertake military service. USERRA provides retirement credit, based on what the employee would have earned from their employer had they not been absent from work. USERRA also provides a right to continuation of existing employer-based health plan coverage for the employee and dependents up to 24 months while in the military. If continuation coverage is not elected, the employee shall have the right to be reinstated with no waiting period or exclusions except for service-connected illnesses or injuries.

### **3.12 ATTENDANCE AND PUNCTUALITY**

It is the expectation of Washburn County that employees will be punctual and in regular attendance. Poor attendance and excessive tardiness are disruptive to the work environment. Either may lead to disciplinary action, up to and including termination of employment.

Department Heads shall have latitude of flexible scheduling in hours of work, lunch and rest breaks. Department Heads are encouraged to establish flexible schedules, if appropriate, along with guidelines on attendance and punctuality for non-union personnel covered by this policy.

- a. Guidelines should primarily consider the concern for meeting the needs of clients and general public during scheduled working hours. Guidelines should include, but are not limited to, the following:
- b. Employees should inform their immediate supervisor, no later than their regular starting time, of any anticipated absence or delay in reporting for work.
- c. Rest periods should be limited to two fifteen (15) minute periods throughout the day. It is the responsibility of the employee to take their rest period and to be able to schedule and manage their time to get the rest period.
- d. Rest periods are not to be accumulated and/or carried over as time away from work. Rest periods cannot be used to extend a lunch break, report to work late, or leave early.
- e. Lunch breaks should be thirty (30) uninterrupted and unpaid minutes or sixty (60) uninterrupted and unpaid minutes at the discretion of the Department Head. Some lunch breaks may be staggered to meet operation coverages.



- f. Persons whose normal job duties do not allow them to leave the building in which they work should obtain clearance with their immediate Supervisor to leave the building during normal working hours, for reasons other than lunch and rest periods.
- g. Failure to report to work without notification/approval shall normally be considered a voluntary termination. Employees may be subject to disciplinary action, up to and including discharge, for the following occurrences: excessive absences; patterned absences; failure to follow appropriate reporting procedures; and excessive tardiness.
- h. Employees are required to provide documentation from a physician for absences from work due to injury/illness of three or more days or instances of a communicable disease. All medical disabilities including personal illness/injury must be covered by the proper doctor's authorization. Employees must have written release from the doctor upon return from a disability or absence resulting from work-related illness/injury, or non-work related injury/illness preceded by a leave of absence. Doctor verification is required for absences due to work-related illness/injury regardless of number of days absent.

### 3.13 EMERGENCY CONDITIONS

The purpose of this policy is to promptly notify employees of any emergency conditions that may require the closing of a work site, the reassignment of staff to alternative work sites or other emergency measures.

Incident Weather. Weather conditions affecting only the ability to commute will generally not be considered a reason for closing a facility. Employees who do not report to work will generally be given a choice between the use of vacation pay or comp time, or flexible schedule to cover the absence.

Other Emergency Conditions. In conjunction with local health and/or public safety authorities, Washburn County may decide to close a work site or take other emergency measures in order to safeguard the health and welfare of employees and the public and/or because a situation exists affecting the ability of employees to perform their job. Examples of emergency conditions might include power outages, a natural disaster, or a quarantine imposed by health officials. The authorization to close any County facilities will rest with the County Board Chair or designee. All employees who report to work but are turned away or sent home under such circumstances will be compensated for a full day's work. Employees who are absent from work for one or more full days due to inclement weather, including due to transportation difficulties or other emergency conditions, are considered to be absent for personal reasons and would be eligible to utilize vacation or compensatory time.

#### Procedures During Emergency Situations. **WASHBURN COUNTY EMPLOYEE MESSAGE NUMBER**

In order to ensure the most effective, efficient and timely information is provided to all of our employees during an initial emergency, the Administration/Personnel Department has approved the following for providing and receiving information during an emergency for all County employees.

There will be **one** phone number for all County employees to phone into during an emergency. The number is 715-468-4777. This number will contain messages to all employees about what is happening with an emergency and what the employees should expect to do. The message will be updated periodically for employees to gain more information throughout the emergency.

Therefore, during an emergency an employee may call into the above number and it will contain pertinent information pertaining to the emergency and what their roles will be in order to help with the emergency.

### 3.14 FAMILY, MEDICAL, and MILITARY LEAVE

The purpose of this policy is to establish and communicate the procedures for requesting leave under Federal and State Family and Medical Leave Act (FMLA) to all employees and establish consistent guidelines and standards for Supervisors to follow when managing employees' FMLA leave attendance.

The statements in this policy are meant to be guidelines and the actual implementation of these leave provisions are subject to the current laws/acts. If an unusual situation arises which is not covered by the following guidelines, or if special consideration is deemed appropriate, Human Resources/Personnel shall be consulted.

This summary is not a comprehensive review of the state and federal Family and Medical Leave Acts or of the employees' or employer's rights and responsibilities, but is intended only to provide basic information to employees. Notices summarizing the provisions of the state and federal family and medical leave laws are posted in all County Buildings.

There are differences between the two laws. In most cases, approved leave will consist of the combination of state and federal provisions that is most favorable to the employee. Requests for the required forms and questions regarding the state and federal Family and Medical Leave Acts should be referred to the Human Resources Director.

Eligible employees may qualify for unpaid leave under Wisconsin's Family and Medical Leave law (§103.10, Wis. Stats.) and/or the federal Family and Medical Leave Act. When applicable, the leaves shall run concurrently. Employee rights posters for both laws are in the workplace for reference by all employees.

#### **Wisconsin FMLA**

Any employee who has worked for ~~more than at least 52 consecutive weeks and for at least 1000 hours in the preceding 52 week period, (for a minimum of 1,000 paid hours)~~ is eligible for unpaid leave under Wisconsin's Family and Medical Leave Act (§103.10, Wis. Stats.). However, the employee may, but is not required to, substitute definite and quantifiable paid leave benefits for unpaid leaves under the state law (e.g., paid vacation).

The amount of unpaid leave available in a calendar year pursuant to Wisconsin's law is presently as follows:

##### **A. Family Leave**

1. Up to a maximum of six (6) weeks per twelve (12) month period for the birth or adoption of a child. The leave must begin no earlier than 16 weeks before estimated birth or placement and no later than 16 weeks after birth date or placement of the child.
2. Up to a maximum of two (2) weeks leave per twelve (12) month period to care for a child, spouse, parent, parent-in-law, domestic partner [as defined in Wis. Stat. § 40.02(1) and § 770.01(1)], or domestic partner's parent who has a serious health condition.
  - i. Total maximum number of weeks that may be taken under A is eight (8) weeks per twelve (12) month period.

##### **B. Medical Leave**

A maximum of two (2) weeks per twelve (12) month period for the employee's serious health condition.

[NOTE: "Serious health condition" means a disabling physical or mental illness, injury, impairment, or condition which requires inpatient care in a hospital, nursing home or hospice, or outpatient care that requires continuing treatment or supervision by a health care provider.]

##### **C. Bone Marrow or Organ Donation**

Up to 6 weeks leave in a 12-month period for the purpose of serving as a bone marrow or organ donor, provided that the employee provides his or her employer with written verification that the employee is to serve as a bone marrow or organ donor and so long as the leave is only for the period necessary for the

employee to undergo the bone marrow or organ donation procedure and to recover from the procedure.

**Federal FMLA:**

Any employee who has worked for more than at least 12 months and for at least 1250 hours over the past 12 month period (for a minimum of 1,250 hours) is eligible for unpaid leave under the Federal Family and Medical Leave Act of 1993. An employee will be required to substitute definite and certain paid leave benefits for unpaid leave.

The federal law provides 12 weeks of unpaid leave during a 12-month period calendar for any covered purpose, which are:

- a. The birth and first year care of a child or a child who has been placed with the employee for adoption or foster care.
- b. To care for a child, spouse or parent who is suffering from a serious health condition.
- c. For a serious health condition of the employee that makes the employee unable to perform his or her job duties.
- d. Because of a qualifying exigency arising out of the fact that the employee's spouse, child, or parent is on covered active duty or call to covered active duty as a member of the Armed Forces, National Guard, or Reserves.

The federal law also provides for 26 weeks of unpaid leave during a single 12-month period in the case of covered service member caregiver leave because the employee is the spouse, child, parent or next of kin of a covered service member with a serious injury or illness. This 12-month period begins on the first day the eligible employee takes leave for this purpose.

[NOTE: A "serious health condition" is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities. Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar

days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.]

**Intermittent Leave:**

Under some circumstances, employees may take FMLA leave on an intermittent basis. Intermittent leave may be taken in the smallest increment allowed by the employer for any other type of leave.

- A. Federal leave based on a birth or child placement may only be taken intermittently on a reduced leave schedule if the employer agrees.
- B. State family leave for birth/placement or care of a child, spouse, parent or parent-in-law with a serious health condition may be taken as partial absences from employment if scheduled so as not to unduly disrupt the employer's operations.
- C. Federal leave based on a serious health condition of an employee, employee's child, spouse or parent may only be taken intermittently or on a reduced-leave schedule when medically necessary, unless the employer agrees otherwise.
- D. Federal leave due to a qualifying exigency may be taken on an intermittent basis as needed.
- E. State medical leave for self may be taken in non-continuous increments as medically necessary.
- F. Leaves will be granted in hourly increments or less as may be specified in policies or labor agreements. If it is physically impossible for an employee using intermittent leave to commence or end work midway through a shift, the entire time the employee is forced to be absent shall be designated as FMLA leave.

- G. Employees shall make a reasonable effort to schedule medical treatments so they do not unduly disrupt current operations and they shall provide the employer with reasonable advance notice.

**Benefits:**

An employer is required to maintain group health insurance coverage for an employee on FMLA leave whenever such insurance was provided before the leave was taken and on the same terms as if the employee had continued to work. If applicable, arrangements will need to be made for employees to pay their share of health insurance premiums while on leave. If applicable, in addition to paying their portion of health insurance premiums, employees shall be required to pay the full cost of continuing their [life insurance, disability insurance, etc.] during leave. If an employee fails to return to work for a reason other than the serious health condition of the employee or the employee's immediate family member, or other reason beyond the employee's control, the employee will be required to reimburse the employer for the employee's cost of these benefits while the employee was on unpaid leave.

**Notice:**

Both state and federal law provide that the employee requesting family and medical leave has an obligation to provide reasonable advance notice to management, when ~~practicable~~practical, of the nature and extent of any leave requested. In any event, employees will always have a duty to cooperate with management in arranging and processing leave requests under the state and federal laws to avoid undue disruption of the employer's operations. The employer requests that 30 days' advance notice be provided whenever possible.

To receive FMLA leave, an employee must complete an FMLA leave request form. If an employee is unable to do so because the need for leave was not foreseeable, a request may be made verbally. Supervisors are not to discuss medical conditions or leave requests with employees, but are to forward them to Human Resources/Personnel. Human Resources/Personnel shall evaluate the request and provide a response to the employee approving or denying the request and providing the employee with a "Notice of Eligibility and Rights & Responsibilities (Family and Medical Leave Act)" and a "Designation Notice (Family and Medical Leave Act)" within five (5) business days, absent extenuating circumstances, of the employee's request. If Human Resources/Personnel needs additional information to determine whether a leave is being taken for an FMLA-qualifying reason, Human Resources/Personnel may wait until it has received the requested information from the employee and then notify the employee whether the leave will be designated as FMLA leave with the "Designation Notice" within five (5) business days, absent extenuating circumstances, after obtaining the information.

The employer may require employees to provide medical certification supporting the need for leave due to a serious health condition, second or third medical opinions (at the employer's expense) and periodic recertification, and periodic reports during FMLA leave regarding the employee's status and intent to return to work. A medical certification form must be presented by the employee within fifteen (15) days of being asked to do so by the employer. A return to work form from a physician will, in most cases, be required in the case of an employee's serious illness, injury, work-related injury (worker's compensation) or illness which has caused a prolonged absence from work, or if the employee's supervisor reasonably determines for the sake of safety that a medical authorization is advisable.

The employer may require an employee seeking FMLA leave due to a qualifying exigency to submit a certification. The employer may require an employee seeking FMLA leave due to a serious injury or illness of a covered service member to submit a certification providing sufficient facts to support the request for leave.

**Upon Return to Work:**

Upon return from FMLA leave, an employee must be restored to the employee's original job, or to an equivalent job with equivalent pay, benefits, and other terms and conditions of employment. FMLA leaves shall not be counted as absences for disciplinary purposes.

**Conform with Existing Laws:**

This policy does not provide any greater benefits than those provided by the family and medical leave laws. Any change in the law will impact upon the operation of this policy by modifying its provisions to conform with the law.

**3.15 UNPAID PERSONAL LEAVE OF ABSENCE**

**Leave Without Pay:**

Department Heads/Supervisor along with the Human Resources Director may approve unpaid leave of absences of up to ten (10) workdays.

Leaves for more than ten (10) workdays and for Department Heads/Supervisors shall be approved by the Personnel Committee.

- An unpaid leave of absence will not be granted before all accumulated non-worked paid time has been used, except in the event of a leave due to medical reasons.
- In the event of an unpaid leave of absence due to medical reasons, the employee shall be required to utilize all accumulated non-worked paid time banks prior to being placed on a leave of absence, except as otherwise provided by state and federal law (FMLA).

A leave of absence without pay may be granted by the mutual agreement of the Personnel Committee and the Employee for a period of up to six (6) months. The Personnel Committee is to receive a copy of the written request for leave of absence and the employee may be present at the Personnel Committee meeting when request is being discussed and/or acted upon. Additional time may be granted with approval of the Personnel Committee. No leave of absence will be allowed for employees to be employed or seek employment elsewhere.

Should the unpaid leave be granted for reasons of personal illness or disability, a physician's certification may be periodically required to substantiate the need for continuing the leave and to certify the employee's ability to return to work. Family leave shall be granted in compliance with State of Wisconsin or Federal requirements.

**Return to Work:** Upon expiration of a leave of absence, an employee shall be entitled to return to the position they occupied prior to the commencement of the leave as long as the position is still available. Failure to return to work at the expiration of the leave shall be deemed to be a resignation by the employee absent extenuating circumstances.

- An employee shall be required to give a five (5) calendar days' notice of anticipated return to employment.

The County may provide for unpaid leave to employees subject to this policy for reasons including, but not limited to, the list below. The main criteria in granting requested leaves will be the effect on the department and its continued ability to perform its mission along with any legal obligation to grant such leave.

- A. Extended illness;
- B. Continuing education;
- C. Military duty; (in compliance with USERRA)
- D. Jury duty;
- E. Emergencies - death of relative or friend, etc.

Any unpaid leave of absence over ten (10) consecutive working days shall affect the accumulation of benefits and an employee will not accrue non-worked paid time during such leave. The employee may be responsible for paying a prorated share or the full cost of health insurance premiums (employee and employer portions), unless otherwise approved by the Personnel Committee or excepted by state or federal law.

## **4 COMPENSATION AND JOB INFORMATION**

### **4.1 PAYROLL AND DEDUCTIONS FROM PAYROLL**

Paychecks are normally deposited, by direct deposit, every other Friday. Federal and state taxes and withholdings shall be deducted as required by law.

Please notify Human Resources/Personnel if any changes occur in your name, home address, telephone number(s), marital status, name or number of dependents, number of tax exemptions, insurance classification, beneficiary changes, or individuals to be contacted in case of emergency. This information is necessary as it may affect your compensation, dependents' eligibility for medical insurance, and other important matters.

It is the employer's policy to comply with applicable wage and hour laws and regulations. If you have any questions or concerns about your status or you believe that any deduction has been made from your pay that is inconsistent with your status, you should immediately raise the matter with your Supervisor or the Human Resources Director who can assist you in understanding the information that is required in order to investigate the matter.

The employer is committed to investigating and resolving all complaints as promptly, but also as accurately, as possible. Consistent with the U.S. Department of Labor's policy, any complaint will be resolved within a reasonable time given all the facts and circumstances. If an investigation reveals that you were subjected to an improper deduction from pay, you will be reimbursed and the employer will take whatever action it deems necessary to ensure compliance in the future.

### **4.2 DIRECT DEPOSIT**

All employees shall participate in direct deposit for salary/wages, mileage, expenses and per diems. The Human Resources/Personnel Office will administer and coordinate the implementation of direct deposit for all staff affected by this policy.

Limited Term Employees, whose employment is intended to be three (3) pay periods or less, are exempt from this policy.

### **4.3 SALARY/WAGES ADMINISTRATION**

The Personnel Committee annually prepares a recommendation to the Finance Committee and the County Board for a wage/salary adjustment for all employees for the subsequent calendar year. All salary changes are processed on the start of the pay period closest to the effective date of the salary change.

Employees are paid in accordance with the County's Pay for Performance Program, and as applicable, schedules, job grades, steps and longevity schedules currently in place.

- a. Employers are prohibited from engaging in collective bargaining with general municipal employees who elect to be represented by a union on any form of compensation except for total base wages. Premium pay, merit pay, automatic pay progressions and any other form of supplemental compensation may be considered, but not bargained, by the employer.

The salaries for elected officials shall be set in accordance with state statute 59.22, which requires annual compensation to be determined prior to papers being taken out.

### **4.4 PERFORMANCE REVIEW**

It shall be the policy of Washburn County that a written performance evaluation be conducted on any new-hire (excluding elected officials) after six (6) months of employment, followed by an annual performance evaluation. The evaluation is to be performed by the employee's immediate supervisor or as a combined evaluation, performed by the Committee of Jurisdiction and the Administrative Coordinator/HR Director if the new-hire is a Department Head. Performance Evaluations will be conducted annually in preparation for the Pay for Performance Salary increases. Performance evaluation reports may be considered in decisions affecting transfers, promotions, salary changes, demotions, layoffs, dismissal and training. A copy of the performance evaluation shall be placed in the employee's personnel file located in the Human Resources/Personnel Department.

Employees whose performance evaluation warrants further, and immediate improvement shall be subject to the successful completion of a Performance Improvement Plan.

#### **4.5 JOB TRANSFERS AND PROMOTIONS**

Based on operational needs and on the employee's relative ability, experience and other qualifications, as determined by Washburn County, the County may authorize temporary and permanent job transfers and promotions.

Temporary assignments will normally not exceed one month and employees will normally receive their regular rate of pay for the time spent in temporary assignment.

#### **4.6 JOB VACANCIES AND POSTING**

To provide an open, competitive system of filling positions, Washburn County will fill vacancies with the best-qualified persons based on job-related factors.

When Washburn County determines that a vacancy or new position shall be filled, it may post a notice of such vacancy or new position internally and/or externally. If posted, the posting will generally be posted internally for a minimum of ten (10) working days. The posting shall include the date the position is to be filled, title of position, requirements or qualifications, rate of pay and benefits. It will also state if there are any testing requirements, qualifying periods and/or certifications that will be necessary for the position.

Washburn County retains the right to determine whether and when to recruit outside applicants.

#### **4.7 LAYOFF, FURLOUGH AND REHIRE**

Washburn County retains the right to lay off employees, in whole or in part, and to retain those employees who are most qualified to perform the available work, regardless of their previous length of employment.

The needs of Washburn County shall be the prime consideration used in determining which employees will be laid off. The rehiring of employees that have been laid off shall be determined by Washburn County based on its need for the most qualified person to perform the available work.

Furloughs – Departments may offer a short-term furlough from work when the work load warrants. The Department Head will set the allowable period of time the employee may be scheduled away from work. The employee must work or be paid for enough non-work paid leave hours each pay period to cover the current deductions. The employee must be available by phone and must return to work when notified to return.

## 5 EMPLOYEE BENEFITS

### 5.1 HEALTH, DENTAL and VISION INSURANCE

Group health, dental and vision insurance is available to those employees who qualify for coverage. Employee qualification is governed by the contract of insurance currently in place between the County and the chosen health/dental care provider. Part-time employees must currently work 50% ~~of the normal scheduled hours FTE~~ to qualify for coverages. The premiums are prorated based on the employees expected weekly ~~hours~~ schedule, ~~and will be reviewed for adjustment at the end of each quarter~~. Employees are responsible for paying the outlined portion of the premium as determined by County policy and applicable state and federal regulations.

- Benefits associated with the health, dental and vision insurance can be found in the insurance policies, which are electronically provided on the Shared drive.

Health/dental/vision insurance becomes effective the first of the month following date of hire. To obtain initial ~~and timely~~ coverage, employees must return the health/dental/vision insurance application within 30 days of employment to the Human Resources Department. ~~If the completed forms are received by Human Resources more than 30 days after the eligibility date (which is the first day of the month after the date of hire), the coverage will be effective the first day of the month following the date the completed enrollment forms are received.~~

**Employees may change their health/dental/vision coverage once each year during open enrollment or after a qualifying event ~~in December of each year.~~**

Employees who are on an approved leave of absence without pay may elect to continue insurance coverage during the period of leave. If this is selected, the employee is responsible for reimbursing the County for the full amount of the premium (employee and employer portion) by the 5th of each month. Failure to pay by the due date may result in cancellation of the coverage and future coverage limitations.

Employees who separate from County employment will have their health insurance coverage cease as set forth in Section 2.09 of the Employee Handbook. The Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA) was created to allow for continuation of health insurance coverage at the employee's expense for a specified period of time. COBRA continuation coverage may be available to employees and other family members covered under the plan as a result of loss of group health coverage. COBRA continuation coverage is a continuation of coverage when coverage would otherwise end because of a life event known as a "qualifying event." For more information contact the Human Resources Director.

Employees who are retiring, are 55 years old or older, and have been employed by the County for at five (5) years may elect to continue on the County's Health Insurance Plan, at their own cost, until Medicare eligible. After Medicare eligible, this insurance may be carried as a supplemental plan. Employees will also be able to continue on the Dental and Vision plans under COBRA for 18 months. This will be handled completely through the County Insurance Carrier.

When both spouses are employed by Washburn County and enrolled in the County's group health insurance program at the time of retirement of the first spouse, the family benefit shall be available to the employed spouse to be used toward one family or two singles, whichever is utilized. Under no circumstances shall an employee be permitted to be covered by more than one health insurance plan which is in any part paid by the County.

### 5.2 HEALTH REIMBURSEMENT ARRANGEMENT

- [A Health Reimbursement Arrangement \(HRA\) is an individual reimbursement account, funded solely by the County, to subsidize your health insurance deductible. Please see the Human Resource Department for details](#)

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### 5-25.3 SECTION 125 PRE-TAX FLEXIBLE SPENDING ACCOUNTS

Washburn County offers a Section 125 Pre-Tax flexible spending account. You are eligible to set aside a portion of earnings which are deducted biweekly from your paycheck on a pre-tax basis, to pay for qualified expenses as established in the cafeteria plan for medical expenses and/or dependent care expenses.

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### 5-35.4 CASH IN LIEU OF INSURANCE

Effective April 1, 2013, eligible full-time employees, as defined by the ACA, electing not to be covered by the County's health insurance plan for family coverage, who provide proof that they, their spouse, and dependents have health insurance coverage provided by another employer or by the spouse's employer, will be compensated by the County in the amount of \$5,000 per year. Eligible full-time employees, as defined by the ACA, electing not to be covered by the County's health insurance plan for single coverage, who provide proof that they have health insurance coverage provided by another employer or by the spouse's employer, will be compensated by the County in the amount of \$2,000 per year.

#### This benefit does not apply to:

Employees enrolled in only single coverage with the County, who carry eligible dependents on another health insurance plan:

Employees who are covered dependents, as defined in our medical plan document, under another family member's County health insurance plan.

Employees who are covered dependents, as defined in our medical plan document, under a parent's health insurance plan, plan do not receive any compensation under this policy.

Payments shall be distributed through the County's IRS Section 125 plan and paid in equal payments per paycheck. All cash payments received under this option shall be subject to state and federal withholdings and the required FICA contributions, as long as such withholding and FICA contributions are required by law.

~~An employee who is a covered dependent on another family members' family policy with the County, does not qualify for this benefit.~~ To qualify, an employee must be a new hire or currently enrolled in the County's health insurance program on 4/1/2013, must elect to discontinue health coverage, and must provide proof of coverage provided by another employer or by the spouse's employer, for the payouts to begin. Payments shall commence only upon receipt of the documentation and proof requested of the employee, by the Personnel department. Payments shall cease if health insurance through the County is reinstated. Revised 8/13/2013

### 5-45.5 RETIREMENT PLAN

All benefits of the Wisconsin Retirement System (WRS) shall be available to eligible employees as outlined in the WRS manual. Such contribution amounts are based on rates defined by the WRS program administrator. The County reserves the right to determine and/or change the amount contributed as allowable under state law. Once eligible for coverage under WRS, coverage is mandatory and an employee may not "opt out" of WRS. Employee contributions to WRS are pre-tax. The County may rehire qualified retired employees (rehired annuitants) on a case-by-case basis and in adherence with the law.

**Full-time employees:** shall be considered immediately eligible for participation in the WRS.

**Part-time employees:** Employees first hired by a WRS employer on or after July 1, 2011 are expected to work at least two-thirds of full time per year, or 1200 hours, and expected to be employed at least one year, to qualify for WRS. Eligibility criteria is not modified for an employee initially employed by a WRS participating employer prior to July 1, 2011. Employees who were employed by a WRS participating

employer prior to July 1, 2011 are eligible if they are expected to work, or actually do work, 600 hours or more for at least one year.

#### **5.55.6 LIFE INSURANCE**

Wisconsin group life insurance plan shall be available to employees qualifying for coverage based on WRS enrollment. The effective date for life insurance for a new employee will be the first day of the month following 30 days from the date of hire. Available coverage includes Basic, Additional, Supplemental and Spouse/Dependent.

The County will contribute monthly amounts as determined by the County Board and the group life insurance plan for several employee groups. For details review the Wisconsin Group Life Insurance plan book, the electronic file on the "S" drive, or contact the Human Resources Department.

#### **5.65.7 INCOME CONTINUATION INSURANCE**

Wisconsin Income Continuation Insurance plan shall be available to employees qualifying for coverage based on WRS enrollment. New employees are eligible for coverage on the first of the month following their date of hire, with no prior WRS eligibility will have a 6-month waiting period for coverage. Available coverage includes a 180, 120, 90, 60 or 30 day waiting period. Washburn County pays the premium for the 180-day waiting period. The County will contribute the 180-day waiting period premium. However, employees will have the option to pay the premium for a lower waiting period buy-down to one of the lower waiting period days at their own expense. For details, review the Wisconsin Income Continuation Insurance plan book or contact the Human Resources Department.

#### **5.75.8 POST EMPLOYEE HEALTH PLAN (PEHP)**

A Post-Employment Health Plan (PEHP) is a health reimbursement arrangement which allows employers and employees to set aside money for the payment of out-of-pocket medical expenses and/or medical premiums that an employee will incur after they sever employment. Funded by bi-weekly employer/employee contributions and/or accrued sick leave balances at the time of resignation; subject to termination policy guidelines  
Washburn County offers a Post Employee Health Plan to some groups of employees. Sick Pay balances shall be transferred into the PEHP at the time of resignation and/or retirement according to termination procedures.

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#### **5.85.9 DEFERRED COMPENSATION PROGRAM**

Washburn County offers two different voluntary Deferred Compensation Programs which allow employees to defer a portion of income and taxes on that income to supplement retirement benefits. More information is available from Human Resources ~~Personnel~~.

#### **5.95.10 EMPLOYEE ASSISTANCE PROGRAM**

The health insurance plan(s) and the Employee Assistance Program provided by Washburn County may provide assistance relating to mental health, alcohol and drug abuse, legal and financial issues, and other personal issues. Employees are directed to contact ~~the~~ Human Resources ~~Director~~ for specific coverage, allowable treatment and any additional information regarding other available treatment for mental health and/or alcohol and drug abuse resources.

#### **5.105.11 OTHER EMPLOYEE BENEFITS**

Washburn County also ~~currently offers provides the following voluntary whole life, accident, disability, and~~

~~insurance~~~~cancer insurance~~ benefits at the employee's expense: ~~AFLAC, Allstate, Conseo Cancer Insurance, and Boston Mutual Life Insurance~~. Employees may inquire about these benefits in the Administration/Personnel Office.

#### 5.115.12 WORKER'S COMPENSATION

All employees shall be covered by worker's compensation insurance. In the event an employee suffers a compensable injury or illness in the course of performing their duties which causes them to miss workdays of more than three days, they will be compensated by the Worker's Compensation Insurance according to all applicable state laws and regulations.

Any on-the-job employee injury must be reported immediately. The "Employer's First Report of Injury" form must be completed and filed with the Administration Department so a copy can be faxed to the insurance provider. Employees should review the Safety Policy and Procedures manual for more information pertaining to Worker's Compensation and work-related injuries and illnesses.

#### 5.125.13 SAFETY PROTECTION

Washburn County believes that safety is very important and provides employees with the personal protective equipment necessary for employees to safely perform their job. In addition, the County shall provide the following benefits for safety shoes and safety glasses:

- Safety Shoes  
Employees whose positions (for example: highway, forestry, zoning, surveyor, maintenance, and jail) warrant foot protection will be reimbursed up to \$150.00 per year.
  - Employees may purchase safety shoes from approved vendors; or if purchased elsewhere, and sales tax was incurred on the purchase, up to \$150.00 will be reimbursed, excluding the sales tax, which is not subject to reimbursement.
- Safety Glasses  
Employees whose positions warrant required safety glasses will be reimbursed up to \$150.00 per year if the safety glasses are not provided by the department, and if they are non-reimbursable from another source. If sales tax was incurred on the purchase of safety glasses, up to \$150.00 will be reimbursed, excluding the sales tax, which is not subject to reimbursement.

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#### 5.135.14 UNIFORMS

**5.14a Sheriff's Office – Jailers/Dispatchers** – The Sheriff will provide and purchase the necessary list of equipment and uniforms for jail staff employees and replace them as needed due to normal wear or if damaged, ripped or torn in the line of duty. The replacement of eyeglasses shall be allowed if broken in the line of duty and reported by inclusion in the official report of the incident. The Sheriff's Office will also coordinate the cleaning of the uniforms and its related County-paid costs associated with that cleaning

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#### 5.15 LICENSE REIMBURSEMENT

Certain employees whose positions require licensure may be reimbursed for the total cost of licensure required upon submission of proof of payment and copy of the valid license, subject to Department Head approval.

## 6 TRAINING AND DEVELOPMENT

It is anticipated that persons covered by this policy will bring to the County a high degree of experience, education and skill. It shall be County policy to encourage (within budgetary limitations) the continuous training and work-related development of employees related to organizational, motivational, technical, managerial and other skills necessary to improve service to Washburn County.

Provision for the cost of training and development shall be made in the requests for funds as set forth in the annual budget. Funds requested for training and development should be directly related to the position duties and/or the enhancement of specific related skills. Attendance and appropriate reimbursement for training sessions require advanced approval by the Department Head based on budget designation. All conferences, seminars, or training sessions as required by each specific Department Head, or designated by Federal or State Statutes or regulations, will be reimbursed. Follow specific guidelines for reimbursement as outlined below.

If the departmental workload allows and prior approval is obtained, an employee may be allowed to attend professional or career development that includes credited courses or programs. Such programs that provide advancement opportunities either within the County or in the open market, and are not required to keep the person at an acceptable performance level, shall be accomplished at no cost to the County and any time off the job must be made up or be taken as leave without pay by the employee upon approval by the Department Head and Human Resources Director.

When an employee's attendance at training, conferences or educational sessions is required or approved by the employer or department head, the following expenses shall be compensable:

- Fees for registration and materials as pre-approved by the department head
- Pay for the employee's actual time worked, including travel time and time at the training
- Mileage, meals and lodging costs per travel reimbursement below

## **6.1 WORK RELATED EDUCATION**

Washburn County believes in continuing education to improve an employee's knowledge and skills. Therefore it has established the following guidelines for all employees for work-related education:

In the event employees would like to attend school to acquire or improve job skills or training within their position classification and such schooling is approved by the Employer, the Employer agrees to reimburse the employee for his or her out-of-pocket expenses for books and tuition provided that the employee successfully completes the course of instruction with a passing grade and the employee remains with the Employer for a least two (2) years following the completion of the course. The employee shall sign a promissory note for the sums received and shall be required to reimburse the County if the employee is terminated, retires, or resigns within two (2) years of completion of the course. The employer shall cancel the note when the employee has remained with the Employer for two (2) years, dies, or becomes permanently disabled. Such reimbursement shall not exceed Three thousand dollars (\$3000.00) per calendar year.

In order to receive the above reimbursements for education, an employee may attend an undergraduate school, graduate school, technical school, or other institutions of higher or technical education for the purpose of acquiring or improving job related skills or training.

## **6.2 TRAVEL REIMBURSEMENT**

All employees and elected officials shall be compensated for travel expenses under these guidelines. Travel reimbursement requests shall be made on the appropriate county form. Itemized, dated receipts must be shown for all expenses, excluding alcoholic beverages which are not subject to reimbursement. All requests for reimbursement, with supporting documentation, must be submitted within sixty (60) days after the expense is

incurred.

**Meal Expenses:**

When employees and elected officials are authorized and required by the employer to travel, the County shall reimburse, providing appropriate receipts are furnished, up to the allowed maximums as provided by the Finance Department. Current maximums are indicated on the reimbursement request form.

If a meal is provided, no additional reimbursement will be made for meals purchased in lieu of the provided meal. No company credit card shall be used to purchase meals. The maximum tip to be eligible for reimbursement consideration shall be 15%; the tip is included in the current maximum meal allowance.

Expenses may be paid in aggregate under the following guidelines:

- To be eligible for the breakfast meal, the County requires the employee to leave home prior to 6:30 a.m.
- To be eligible for the noon meal, the County requires the employee to leave their place of work prior to 10:30 a.m. and return home after 2:30 p.m.
- To be eligible for the dinner meal, the County requires the employee to return home after 7:00 p.m.

Department Heads are allowed some flexibility from the Meal Reimbursement guidelines on the hour of the day rules.

**Lodging:**

Lodging will be paid up to the state rate currently in effect or an amount preapproved. When making lodging reservations, consideration should be given to safety, security and proximity to the event. Employees will note on lodging invoices the purpose of the lodging. If the lodging is for training, indicate the title of the training.

**Mileage:**

Employees are eligible for mileage reimbursement for any position related duties and conference or training that they are required and/or allowed to attend. All employees will be required to try to first use a County vehicle for traveling before using personally owned vehicles. If there is not a County vehicle available for use and an employee must use their personally owned vehicle, an employee will be reimbursed for mileage at rates established periodically by the Finance Committee with current proof of insurance at the level recommended by the County's insurance carrier. (Currently \$100K per person/\$300K per Accident/\$50K Property Damage or \$300K combined single limit.) Mileage shall be reimbursed for the shortest distance travelled, whether from home or office.

**Other:**

Miscellaneous expenses will be paid on a case-by-case basis with itemized, dated receipts.

**6.3 COUNTY OWNED VEHICLES**

Use of County owned/leased vehicles is the preferred conveyance when traveling on official business. Unless assigned to a specific position, function or prohibited by grant condition, all general-purpose vehicles are "County" vehicles and available for use by all staff for official travel. This does not include special or heavy equipment or law enforcement vehicles. In the event more than one eligible person is traveling to the same destination, such persons shall, whenever reasonably possible, share a vehicle, or vehicles to reduce travel expense. All operators and passengers will follow all state and federal motor vehicle laws while traveling, and no reimbursements will be made for traffic citations or parking tickets/fines.

If a County vehicle is not available or its use is not feasible, then staff are eligible for reimbursement of use of personal vehicles per above policy as applicable. In such case, mileage shall be paid to the eligible person actually providing the vehicle transportation. All employees otherwise eligible for reimbursement of mileage shall not be entitled to payment for travel between their home and their place of employment for normal, daily work, overtime

work, attendance at County Board meetings, committee, board and commission meetings.

**6.3 a Limitation of Use:** Generally, employees shall not use County owned vehicles for personal business. The following guidelines apply to all County vehicles:

- While using a County vehicle, the use of alcohol or illegal drugs is strictly prohibited.
- Employees using a County vehicle for overnight travel may use the vehicle for limited personal use incidental to travel away from home such as going to and from a restaurant or to purchase personal care items.
- Only County employees (including volunteers) may operate County vehicles.
- Only individuals associated with County business (including other municipal, state or similar staff) may be transported in a County vehicle except in emergency situations. Spouses and immediate family members may travel as passengers in a County vehicle to and from meetings. A liability release must be on file for the rider. County liability insurance does not cover non-County business related passengers.

**6.3b Marking Vehicles:** All County vehicles shall be marked and numbered as County vehicles. Generally, marking shall be standard three-inch lettering on the vehicle somewhere it can be seen. On SUVs and vans, rear side window marking is allowable as long as it does not interfere with visibility. Human Service vehicles shall be marked in two-inch letters on the rear of the vehicles. If a logo is used, the official County logo shall be used.

**6.3c Documentation:** Each vehicle shall have a vehicle maintenance/use log. As a minimum, the log shall track: start and return mileage for each trip, trip miles, vehicle operator and daily maintenance. Use logs shall be maintained for 2 years. All documentation on maintenance shall be retained as long as the County owns/leases the vehicle.

**6.3d Ride-Along Form:** Any passenger that would like to ride along in a County owned vehicle that does not fit in one of the above categories will need to fill out the Ride Along Liability Form and approval must be obtained by the driver's Department Head before the ride along occurs.

## 7 PERSONAL CONDUCT AND WORK STANDARDS

The following standards for work at Washburn County provide a basic outline for expected employee conduct while employed with the County. It shall be the duty of employees to maintain high standards of cooperation, efficiency and integrity in their work with the County. Violation of these express standards will be considered intentional employee misconduct and will subject the employee to disciplinary action, up to and including discharge from employment. This list of County standards is not meant to be all inclusive nor exhaustive and does not supersede department specific standards of conduct, but is in addition to those standards and is an indication of what the County expects from its employees.

The following types of employee conduct will not be tolerated by the County for which an employee may be disciplined up to and including termination:

### 7.1 WORK PERFORMANCE

1. Lying to supervisors in connection with your job.
2. Failure to follow the orders of one's supervisor(s) – (insubordination).
3. Failure or refusal to carry out assignments or instructions necessary for the conduct of daily business activities provided such assignments are not illegal, unlawful or unethical.
4. Failure to provide accurate and complete information when required by an authorized person.

5. Carelessness in performance of assigned duties.
6. Failure to exercise good judgment or being discourteous when dealing with fellow employees, clients, or the general public.
7. Divulging or misusing confidential information or the unauthorized disclosure of confidential information or records, including removal from County premises, without proper authorization, any employee lists, records, designs, drawings, or confidential information of any kind.
8. Dishonesty, including intentionally falsifying records or giving false information or making false statements when applying for employment or when working and providing it to outside agencies or employees responsible for record keeping.
9. Loafing, loitering, sleeping, or engaging in unauthorized personal business such as excessive personal telephone calls and/or email; frequent absences from work areas due to talking, visitors, or breaks.
10. Falsifying time reports, working and reporting overtime when not required or without prior approval.
11. Inability or unwillingness to work amicably and cooperatively with County personnel.
12. Failure to follow the policies and procedures as outlined in this Handbook.

## **7.2 ATTENDANCE**

1. Failure to report promptly at the assigned starting time or leaving before the scheduled quitting time without authorization as may be required.
2. Unexcused or excessive absenteeism or tardiness.
3. Failure to observe the time limits and scheduling of lunch and/or other rest breaks.
4. Abuse of non-worked paid time off policies.

## **7.3 USE OF PROPERTY**

1. Unauthorized or improper use of County property or equipment including supplies, telephone, or mail service.
2. Unauthorized possession or removal of the County's or another person's private property including money, merchandise, or property.
3. Unauthorized use, lending, borrowing, or duplicating of County keys.
4. Unauthorized access to personnel records, file cabinets, or desks.
5. Failure to observe property security procedures.

## **7.4 PERSONAL ACTION AND GENERAL APPEARANCE**

1. Reporting to work under the influence of or otherwise impaired by intoxicants or illegal drugs, or using such substances while on County property.
2. Being wasteful of material, property or working time.
3. Accepting fees, gifts, or other valuable items in the performance of the employee's official duties for the County.
4. Threatening, attempting or doing bodily harm to another person.
5. The use of profanity, threatening or using abusive language towards fellow employees or a member of the general public while performing official duties as a County employee.
6. Unauthorized possession of weapons.
7. Engaging in work stoppages or work slowdowns.
8. Making false or malicious statements concerning other employees.
9. Misuse or abuse of County-provided benefits.
10. Harassing co-workers or clients.
11. Inappropriate dress, grooming and/or appearance inconsistent with health and safety standards and/or department policies.
12. Negligence in observing and violating fire prevention or safety regulations, or failure to report injuries or

unsafe conditions.

13. Violation of applicable departmental or County policies, procedures and/or applicable ordinances.

## **7.5 ACCEPTABLE USE OF COUNTY EQUIPMENT**

County technology applications, both internal and external, which include (but are not limited to) Internet access, e-mail, fax machines, copiers and telephones, are provided to employees for carrying out the official business of the County. However, in accordance with the County's policy of allowing brief personal use of telephones and of allowing limited personal copies and occasional fax machine use for a fee, brief and occasional personal use of e-mail will be tolerated, but all personal use of the Internet is prohibited. The use of any County property for personal gain is strictly prohibited. If any violation of County or Departmental guidelines or of state, federal, local or international laws occurs, violators will be subject to disciplinary actions, which could include termination of employment. The County owns all computer files stored in State and County-owned computers. Employees should not have any expectation of privacy in computer files (including, but not limited to Internet access, histories and e-mail communications) stored on State and County-owned computers. Further, employees are prohibited from installing any software programs on State and County-owned computers. It is the policy of the County that only State-licensed and County-licensed software programs shall be installed on State and County-owned computers. All State and County-owned computers and computer files stored in them are subject, without notice, to inspection by the County and possible removal. Exceptions to this policy can be approved by the IT Director. (See IT POLICIES.)

In addition, County employees may request and receive reimbursement for continuing education. Those employees with a signed promissory note on file with the County will be allowed to access these education-related sites during personal time.

## **7.6 BULLETIN BOARDS**

The Employer may provide bulletin board space for use to display appropriate materials; however, the County shall retain ownership of the bulletin board and its contents. All information posted must be reviewed for content by the Human Resources Director and/or Administrative Coordinator prior to posting. Employees with an authorized bulletin board posting are encouraged to remove the posting once it is no longer needed; County officials may remove posted information at their discretion.

## **7.7 PERSONAL TELEPHONE CALLS**

Personal telephone calls on County telephones and during normal working hours should be limited to emergencies only and those calls that absolutely cannot wait to be made outside of work hours. Personal long distance calls are prohibited unless charged on a personal credit card or phone card.

## **7.8 OTHER EMPLOYMENT**

Employees may hold outside jobs as approved by their Department Head and as long as they continue to meet performance standards of their County position. All employees shall be held to the same performance standards and work schedules, regardless of existing outside employment demands. Outside employment that creates a conflict of interest is prohibited, and the determination of whether a conflict of interest exists is left to the sole discretion of the employer.

## **7.9 CODE OF ETHICS**

It is the goal of Washburn County to secure and maintain the respect and confidence of Washburn County citizens. State statute 19.41 sets forth various forms of unlawful conduct. The list below is not exhaustive. The items



prohibited by this policy do not require a specific intention to do wrong; rather they are mere acts, which in doing, cast substantial doubt upon the integrity of the County and the person involved. (See County Ethics Policy – Ordinance No. 6-92 – attached.)

The following conduct on the part of an employee shall be deemed unethical and any violation of this section may result in disciplinary action being taken against the employee(s) involved, up to and including termination of employment.

1. No County official or employee shall use their position to obtain preferential treatment or obtain financial gain for their immediate family or for any business with which they are associated.
2. No County official or employee shall use or disclose inside information concerning Washburn County gained in the course of, or by reason of, their official position or activities in any way that could result in receipt of anything of value for themselves or their immediate family as defined by Section 19.42, Wisconsin Statutes, or for any other person or organization, if the information has not been communicated to the public or is not public information.
3. No County official or employee shall receive, or offer to receive, either directly or indirectly, any gift, gratuity or thing of value without full payment thereof if it could reasonably be expected that such person making the offer:
  - a. Has or is seeking to obtain contractual or other business or financial relationships with the County or subunits of the County; or
  - b. Conducts operations or activities which are regulated by the County or its subunits; or
  - c. Has interest which may be substantially affected by the County.
4. No public official or employee may use or attempt to use their public position to influence or gain unlawful benefits, advantages or privileges for themselves or others.
5. No official or employee shall use or knowingly permit the use of County services or County-owned vehicles, equipment or materials for unauthorized non-governmental purposes or for unauthorized personal convenience or for profit, unless such service or use are available to the public generally.
6. No County official or employee shall grant any special consideration, treatment or advantage to any citizen beyond that which is available to every other citizen. This section does not affect the duty of County supervisors to diligently represent their constituency.
7. No County official or employee shall engage in or accept any private employment or render any services for a private interest when such employment or service is incompatible with the proper discharge of their official duties or which may impair their independence of judgment or action in the performance of their official duties unless otherwise permitted by law or unless disclosure is made as hereinafter provided.

#### **7.10 POLITICAL AND OUTSIDE BUSINESS ACTIVITY OF EMPLOYEES**

Employees are free to engage in political activity outside of work hours and to the extent that it does not adversely affect the performance of job duties, working relationships or Washburn County operations. When engaging in political activity or engaging in discussion of issues of public importance, employees are expected to ensure that their actions and positions are not attributed to the Employer. Employer resources may not be used for promoting a particular candidate or political party or for advocating a particular position on an issue that has become identified as the viewpoint of particular candidate or party.

No County employee shall use his or her office, position or County-owned property or employer resources for personal financial gain or political activities. No employee shall engage in business activity, accept private employment or render services for private interests when such employment, business activity or service is incompatible with the proper discharge of his or her official duties or would impair his or her independence or judgment or action in the performance of his or her official duties. County employment shall not be offered subject to any agreement or requirement to provide support to any political party or candidate for a public office or to any political cause.

No employee is prohibited from engaging in political activity provided that such activity does not interfere with normal work performance and is not conducted during working hours and does not involve the use of County equipment or property. Employees who run for partisan elective office are encouraged to take a leave of absence during the thirty (30) days prior to the general election.

Under provisions of the Federal Hatch Act, employees who are principally employed in an activity which is financed in whole or in part by Federal funds cannot become political candidates in partisan elections and are subject to other prohibitions of the Federal Hatch Act.

**Definition of “Employer Resources”:** Employees may not use employer resources for political activities. Employer resources include but are not limited to office supplies, electronic equipment including e-mail, facsimile and photocopying machines, cell phone, social media sites, bulletin boards and other public spaces.

**Definition of “Political” Activities:** Partisan and non-partisan “political” activities include elections and referendums and must be conducted independent of your role as an employee. The following guidelines are not exhaustive, but are intended to help in differentiating between those activities that may be viewed as harmful to workplace functioning and those activities that generally fall outside the “political” activities subject to employer restrictions and intervention. Employees are expected to avoid the following political activities:

- Using working hours or employer resources to solicit money or signatures or to make political contributions;
- Using non-work hours to solicit contributions, signatures or services from other employees who are on work time;
- Posting political materials in areas open to the public (generally, individual work stations that are not available to the public are exempted from this restriction);
- Using the employer’s mailing address as the return address for political solicitations;
- Providing employer mailing lists to any individual or organization for political solicitations if this information is not generally available to the public. (Note: the use and distribution of employer mailing lists to outside parties always requires prior authorization including an assessment of whether fees should be charged to cover production costs);
- Providing a forum for an individual candidate to promote his or her campaign without giving an equal opportunity to other candidates, for the same office, to participate in the forum;
- Political advocacy in the form of clothing items, armbands and buttons that cause a disruption in operations and/or violate the rights of others including the right to be free from discrimination, harassment and intimidation in the workplace.

## **7.11 CELL PHONE USAGE**

The following outlines the use of personal cell phones, other related personal devices at work, the use of County provided cell phones for personal use and the safe use of cell phones while operating vehicles and/or equipment.

### **1. Personal Cell Phones**

While at work, personal wireless devices must be on vibrate and employees are to exercise the same discretion in using personal cellular phones as they do for County phones. Excessive personal calls during the workday, regardless of the phone used, can interfere with employee productivity and can be distracting to others. Employees are asked to make personal calls on non-work time where possible and to ensure that friends and family members are aware of the County’s policy. Employees will not be permitted to use personal cell phones and/or other related personal electronic devices while operating County vehicles, machinery and/or equipment or while on paid work time to conduct non-work related business. Flexibility may be provided in circumstances demanding immediate attention in emergency situations. Washburn County will not be liable for the loss of, or damage to, personal cellular phones brought into the workplace.

## 2. **Personal Use of County-Provided Cellular Phones**

Where job or business needs demand immediate access to an employee, or the employee to have access to a phone, the County may issue a County cell phone to an employee for work-related communications. County cellular devices are provided to improve services and enhance business efficiency. These devices are not a personal benefit and should not be used for personal communication other than emergencies. The use of County cellular phones is generally limited to County business. If in the course of work it becomes necessary to make a personal call due to expected events, such calls should be limited to the shortest duration possible. An example of a legitimate need to make such a call would be returning later than expected from a meeting and needing to arrange childcare or a ride. Cell phone personal calls outside the regular plan area are prohibited.

The IRS has closely scrutinized the treatment of personal use of employer-provided equipment and services, such as cell phones. Those detailed reviews have led the IRS to require that in instances when an employee receives an employer-provided cell phone, the County will need to either require that personal calls are reimbursed to the County and “audit” the bills or tax the staff. If the device is used exclusively for business, it is excludable from income. However, if there are excessive personal calls other than emergency, the employee will have a cell phone benefit allocated to wages as required by the Internal Revenue Service.

An employee may not operate a private business from a County-owned wireless phone.

Employees in possession of County equipment such as cellular phones are expected to protect the equipment from loss, damage or theft. Upon resignation or termination of employment or at any time upon request, the employee may be asked to produce the phone for return or inspection. Employees unable to present the phone in good working condition within 24 hours may be expected to bear the cost of replacement.

Cell phone voice mail greetings and messages should meet the same professional standards as other County voice mail. All cellular phones shall be placed in silent or vibrate mode during County meetings.

## 3. **Safety Issues for Use**

Employees whose job responsibilities include regular or occasional driving and/or operation of equipment and who are issued a cell phone and/or another personal electronic device for County use are expected to refrain from using their phone while driving or operating equipment. Safety must come before all other concerns. Regardless of the circumstances, including slow or stopped traffic, employees are expected to pull off to the side of the road and safely stop before placing or accepting a call. If acceptance of a call is unavoidable and pulling over is not an option, employees are expected to keep the call short, use hands-free options if available, refrain from discussion of complicated or emotional issues and keep their eyes on the road. Special care should be taken in situations where there is traffic, inclement weather or the employee is driving in unfamiliar areas.

Employees who are charged with traffic violations resulting from the use of a cell phone while driving will be solely responsible for all liabilities that result from such actions.

## 4. **Procedures and Restrictions**

For all County owned and County reimbursed cell phones:

- a. Each department will be responsible for monitoring their employee usage; similar to internet usage.
- b. Cell phone voice mail greetings and messages should meet the same professional standards as other County messages.
- c. All cellular phones shall be placed in silent or vibrate mode during working hours, County meetings, staff meetings, trainings, public speaking events and County Board meetings.
- d. Wireless phones are not as secure as traditional phones. Therefore, employees should use discretion

in relaying confidential information via wireless telephones. Furthermore, wireless telephones may not be used to defame, harass, intimidate, or threaten any person.

- e. Employees are prohibited from using their wireless phones in any illegal, illicit or offensive manner.
- f. The use of these devices to conduct County business while operating a motorized vehicle is strongly discouraged. Employees should plan to allow placement of calls prior to driving or while on rest breaks. If an employee must use the device while driving, they should keep conversations brief, avoid unnecessary calls, and no calls should be made if driving is hazardous. If it is necessary for the employee to read or write while taking the call, the employee should be parked.
- g. Internet capable devices shall comply with County Internet Policy.

## 7.12 CAMERA DEVICES

Use of camera phones/PDAs in the workplace may violate the privacy rights of co-workers, vendors, customers and may also be used to convey confidential information. Therefore, it is the policy of Washburn County that the use of camera phones or any other camera or device that may capture visual images without the prior permission of the subject is prohibited. Any employee found in violation of the policy will be subject to disciplinary action up to and including termination of employment and may otherwise be subject to prosecution to the fullest extent permitted under the law.

### Requesting Portable Electronic Devices

A Department Head must submit a written request to Administration to receive a portable electronic device for an employee of their department. An employee whose position warrants the assignment of a cellular telephone by the County may request, subject to departmental and administrative approval, an additional amount per pay period compensation set by the Finance and/or Personnel Committee for using their personal cell phone for County business in lieu of the County assigning a phone and service.

- a. Approval may be withdrawn at the discretion of the County. This could occur if circumstances change; i.e., the employee discontinues personal cell phone service or the employee moves to a new position which would not warrant assignment of a personal cell phone or the employee changes carriers to one which does not have sufficient coverage or the County chooses not to fund the program.
- b. Some of the issues to be taken into consideration when determining if a request for compensation should be approved or denied include but are not limited to the following:
  - i. The coverage area of the personal cell phone should equal or exceed that of the County's service area and features.
  - ii. The employee seeking approval of the option would have been eligible for having a cell phone assigned to them using the test that the assignment would have been an appropriate business practice for the County to approve. (Just because an employee has a personal cell phone doesn't mean they should automatically be approved.)
  - iii. Proof of service may be required. Employees have an affirmative duty to inform the Administrative Coordinator and/or Human Resource Director if they terminate plans or if their coverage area changes.
  - iv. Employees receiving the stipend will not be eligible for reimbursement of itemized cell phone expenses incurred as a result of County business.
  - v. The amount of the stipend may change based on the county's current contract. If the County's cost goes down, the stipend goes down.
- c. Other issues:
  - i. This will be taxable compensation.
  - ii. The stipend is subject to change due to plan costs or design.
  - iii. Personal greetings for voicemail, etc., will need to reflect a professional image.
  - iv. Any information stored, received, or sent from a portable electronic device may be subject

to a public records request.

## **8 DISCIPLINE AND GRIEVANCE PROCEDURE**

### **8.1 CORRECTIVE ACTION**

It shall be the policy of the County to administer discipline fairly, reasonably, impartially, and in a clear, uniform, and consistent manner. When appropriate, discipline will be corrective in nature. The best disciplinary measure is the one that does not have to be implemented and comes from good leadership and supervision, and good work performance and self-discipline.

The goal of any corrective action is to correct the problem, prevent recurrence, and prepare the employee for satisfactory service in the future.

Action against employees may be taken by Washburn County for violations of any personnel or departmental policies, procedures set forth herein, for unsatisfactory work performance or violation of County ordinance.

The following is a list of examples of behavior which would normally justify disciplinary action and/or termination or employment:

1. Fraud in securing employment
2. Unauthorized absences, repeated absences, tardiness or improper use or abuse of leave;
3. Willful falsification of a time card;
4. Leaving job without permission;
5. Sleeping while on duty;
6. Negligence, incompetence or inefficiency in the performance of duties;
7. Dishonesty in performance of duties or failure to provide complete, accurate and truthful information when requested or required;
8. Insubordination or failure to perform duties as instructed or willful misconduct;
9. Failure to maintain effective working relationships with other employees or the public, or discourteous treatment of the public or fellow employees — insulting, abusive or inflammatory conduct toward the public, employer or fellow employees;
10. Engaging in illegal discrimination of the public, employer or fellow employee;
11. Failure to obtain and maintain a current license or certification as required by law/employer;
12. Conviction of a felony or misdemeanor, the circumstances of which are substantially related to the duties performed;
13. Assuming duties while under the influence of controlled substances or intoxicants; or possession of, distribution/dispensing of use of intoxicants or controlled substances during working hours;
14. Sexual or other unlawful harassment;
15. Workplace violence;
16. Violation of any lawful order, directive, policy, or work rule;
17. Violations of County or Departmental policies or work rules;
18. Misuse, carelessness, negligence or theft in the handling or control of, the willful damage to County property or the unauthorized appropriation of property for their own use;
19. Misuse or abuse of the authority of their position within Washburn County;
20. Soliciting, accepting or offering bribes;
21. Unauthorized release of information required to be kept confidential by Federal Law, State Law, administrative rules or regulations or by County policy.

This list is not intended to be all inclusive, as it is impractical to list all the forms of behavior that are unacceptable in the workplace.

### **Procedure for Corrective Action**

Outlined below are the steps of Washburn County's progressive discipline policy and procedure. The County reserves the right to combine or skip steps depending on the facts of each situation and the nature of the offense. The level of disciplinary intervention may also vary. Some of the factors that will be considered are whether the offense is repeated despite coaching, counseling, or training, the employee's work record, and the impact the conduct and performance issues have on the organizations.

#### **Level I:**

Level I is an informal meeting between the employee and his/her supervisor. The supervisor clearly specifies the nature of the concern for the employee's performance/conduct and why the supervisor feels expectations have not been met and/or why corrective action by the employee is necessary. The supervisor also clearly states the specific expectation(s)/corrective action(s) must occur. The supervisor documents the meeting in writing, identifying the specific employee conduct/performance issues and the specific required expectation and/or corrective action plan.

#### **Level II:**

Level II is an oral warning. In consult with the Administrative Coordinator/Human Resources Director, the supervisor clearly informs the employee that he/she is being orally warned. Verbally the supervisor informs the employee of specifically what has been done wrong and the corrective action or expectation(s) required. The employee is also verbally informed that if corrective action is suspension and/or termination may occur. The oral warning is documented by the supervisor in writing which the employee must sign, acknowledging receipt of the written oral warning. A copy of the written oral warning must be provided to the employee and the Personnel Committee with a copy placed in the employee's personnel file.

#### **Level III:**

Level III is a written warning. In conjunction with the Administrative Coordinator/HR Director, a written warning can be provided to an employee for whom there is a performance deficiency or conduct issue that needs to be corrected. The written warning must state specifically the conduct or performance deficiency that must be corrected. If applicable, a specific corrective action plan shall be outlined and a time frame at the end of which the corrective action plan must be completed. The employee is informed that if the corrective action plan is not completed or adhered to, expectations are not met, or additional violations occur, further corrective and/or disciplinary steps may be taken up to and including suspension and/or termination. The employee must sign the written warning, acknowledging receipt.

#### **Level IV:**

Level IV is a suspension with or without pay. A suspension is a serious step, since the next step may be dismissal if corrective action does not occur, expectations are not met, or additional violations occur. The supervisor, in conjunction with the Administrative Coordinator/Human Resources Director will issue the notice of suspension. The suspension notice will specifically identify the date the suspension begins and ends and the conduct or performance deficiency for which the suspension is being given. If applicable, the notice will also specifically describe the corrective action that is required of the employee to perform and the time frames for doing so. The employee must also be informed that if corrective action does not occur, or expectations are not met, further corrective and/or disciplinary action may be taken up to and including suspension and/or termination. The employee will sign the notice of suspension acknowledging receipt of the notice.

#### **Level V:**

Recommendations for discipline or termination for non-elected department heads will be referred to the Personnel Committee through the Administrative Coordinator/Human Resources Director to determine the appropriate avenue for disposition. Disciplinary or termination decisions for staff below the Department Head level will be made by the Department Head in conjunction with the Human Resources Director.

Whether disciplinary actions against employees are taken or not taken by County management, it shall in no way abrogate the right of Washburn County to discharge an employee from employment at any time, for any reason or no reason, with or without prior notice. It is impossible to categorically state when or if disciplinary measures or termination of the employment relationship will be appropriate action. The degree of discipline administered will depend on the nature and severity of the infraction, employee's prior record and shall be in accordance with County policies and procedures as well as local, state or federal laws and regulations.

At the sole discretion of the County, various types of employee discipline may be imposed which include but are not limited to the following: verbal warning, written warning and/or suspension. None of these disciplinary measures are required to be used before discharge from employment occurs nor are the listed disciplinary actions required to be used in any specific order. Employees who violate policies and procedures, whether expressed or implied, or who have unsatisfactory work performance are subject to disciplinary action, up to and including discharge from employment. It is the responsibility of each Supervisor and/or Department Head with the assistance of the Human Resources Director to evaluate thoroughly the circumstances and facts as objectively as possible and then apply the most suitable form of discipline. The employer may repeat disciplinary action.

Non-disciplinary action, including letters of expectations and job deficiencies as well as performance improvement plans may also be utilized at the discretion of the County based on the potential infraction.

**Documentation:** All steps taken under this procedure, including informal meetings, shall be documented with a copy provided to the employee and a copy placed in the employee's personnel file. The employee must sign written warnings and notices of suspension acknowledging receipt of the notice.

## 8.2 GRIEVANCE PROCEDURE

**Purpose and Applicability:** This procedure provides an employee with the individual opportunity to address concerns regarding discipline, termination, or workplace safety matters, to have those matters reviewed by an Impartial Hearing Officer, and to appeal to the Washburn County Board, where appropriate. The Washburn County Board expects employees and management to exercise reasonable efforts to resolve any questions, problems, or misunderstandings prior to utilizing the grievance procedure.

If an employee is subject to a contractual grievance procedure, the contractual grievance procedure must be followed as applicable. This procedure does not replace or supersede any statutory provision which may be applicable to an employee's employment with the County. Any grievance, or part of a grievance, that is subject to the jurisdiction of a different governmental body or Wisconsin statute, or subject to a different dispute resolution process, is excluded from this grievance procedure. This grievance procedure does not create a legally binding contract or a contract of employment and does not alter an employee's at-will status.

### Definitions:

**“Employee”:** For purposes of discipline and termination under this grievance procedure, an employee shall be defined to include regular full-time and part-time employees. All other individuals employed by the County, such as casual employees, temporary employees, and limited term employees, as well as independent contractors and those within their first six months of employment, are specifically excluded from the definition of employee and, therefore, this grievance procedure is not available to them. For purposes of workplace safety under this grievance procedure, an employee shall be defined to include regular full-time, part-time, limited term, casual, and temporary employees. All other individuals employed by the County are specifically excluded from the definition of employee and, therefore, this grievance procedure is not available to them.

**“Discipline”:** For purposes of this procedure, “discipline” means an employment action which results in a

disciplinary suspension or disciplinary demotion. “Discipline” for purposes of access to this grievance procedure does not include any written or verbal notices, warnings, reprimands, or reminders; verbal disciplines will be documented, but not subject to the grievance procedure. The purpose of written and verbal notices, warnings, reprimands, or reminders is to alert the employee that failure to correct the behavior may result in disciplinary suspension, without pay, disciplinary termination, or disciplinary demotion.

**“Termination”:** For purposes of this procedure, “termination” means a separation from employment by the employer for disciplinary or quality of performance reasons. “Termination” does not include layoff, reduction in workday, furlough, reduction in workforce, job transfer or reassignment, or the end or completion of temporary employment, which are not subject to the grievance procedure.

**“Workplace Safety”:** For purposes of this procedure, “workplace safety” includes any conditions of employment related to the physical health and safety of employees, including the safety of the physical work environment, the safe operation of workplace equipment and tools, provision of personal protective equipment, and accident risks. “Workplace Safety” does not include conditions of employment unrelated to physical health and safety matters, including, but not limited to, hours, overtime, assignments and work schedules.

#### **General Provisions:**

**Role and Appointment of “Impartial Hearing Officer”:** For purposes of this procedure, the role of the “Impartial Hearing Officer” will be to define the issues, identifying areas of agreement between the parties and identifying the issues in dispute, and to hear the parties’ respective arguments. The Impartial Hearing Officer shall be appointed by Corporation Counsel based upon the nature of the matter in dispute.

**Time Limits:** Failure to submit or process a grievance by the employee within the time limits specified below, or agreed upon extensions, shall constitute waiver of the grievance and it will be considered resolved on the basis of the employer’s last answer. Failure of an employer representative to meet the time limits specified below shall cause the grievance to move automatically to the next step in the procedure within seven (7) days of such failure. A grievance or decision or appeal is considered timely if received by the employer during normal business hours or if postmarked by 12:00 midnight on the due date. The time limits contained in this procedure are to be strictly observed and can only be extended upon the express written consent of the parties.

**Days:** The term “days” as used in this provision means calendar days, excluding holidays as defined in the Handbook. If the last day on which a grievance is to be filed or a decision is to be appealed is a Saturday, Sunday, or holiday as defined in the Handbook, the time limit is the next day which is not a Saturday, Sunday, or holiday.

**Scheduling:** Grievance meetings and hearings will typically be held during the employee’s off-duty hours. Time spent in grievance meetings and hearings shall not be considered as compensable work time.

**Representation:** The employee and County may be represented by an attorney of their choice during the grievance procedure. Neither party shall be responsible for the attorneys’ fees, witness fees or costs of the other.

**Cost of Impartial Hearing Officer:** The County shall pay for the cost of the Impartial Hearing Officer.

**Recording; Closed Hearing:** The hearing before the Impartial Hearing Officer will be digitally recorded and a copy of the recording shall be provided at no cost to the employee, the County and the Impartial Hearing Officer. The hearing shall be closed to the public unless both parties mutually agree that it will be open.

#### **Procedure for Grievances Concerning Employee Terminations and Employee Discipline:**

The employer and employee may mutually agree, in writing, to waive any step to facilitate or expedite resolution of the grievance.



**Step 1:** An earnest effort shall be made to settle the matter informally between the aggrieved employee and the employee's immediate supervisor. If the grievance is not resolved informally, then it shall be reduced to writing by the employee who shall submit it to the employee's immediate supervisor within fourteen (14) days after the facts upon which the grievance is based first became known, or should have become known, to the employee.

The written grievance shall give a detailed statement concerning the subject of the grievance, the facts upon which the grievance is based, and indicate the specific relief being sought.

The supervisor will reply in writing to the employee within fourteen (14) days after receipt of the written grievance.

**Step 2:** If the grievance is not settled in Step 1, and the employee wishes to appeal the decision of the supervisor, the employee shall submit the written grievance to the Administrative Coordinator/HR Director or designee within seven (7) days after receipt of the supervisor's written answer to request a hearing before an Impartial Hearing Officer. The Impartial Hearing Officer will be appointed by the Corporation Counsel or designee.

If timely requested, the hearing will normally be scheduled within thirty (30) days of receipt of the request for hearing. The Impartial Hearing Officer may require the parties to submit documents and witness lists in advance of the hearing in order to expedite the hearing. The Impartial Hearing Officer will have the authority to administer oaths, issue subpoenas at the request of either party, and decide if a transcript is necessary. The Impartial Hearing Officer may apply relaxed standards for the admission of evidence and may request oral or written arguments and replies.

**Burden of Proof; Standard of Review.** Unless specifically required by another statute or code, the employee bears the burden of proof to persuade the Impartial Hearing Officer by clear and convincing and satisfactory evidence that the County's decision to

Discipline/Terminate the employee did not have a rational basis. If the employee does not meet their burden of proof, the Impartial Hearing Officer shall deny the grievance.

In determining whether an employee has proved by clear, convincing and satisfactory evidence that the County's decision to Discipline/Terminate did not have a rational basis, the Impartial Hearing Officer may only consider the evidence introduced at the hearing and the weight of that evidence. The Impartial Hearing Officer may not overturn the County's decision to Discipline/Terminate based upon their own personal judgment or opinion regarding the matter. Moreover, the Impartial Hearing Officer may not determine a decision to Discipline/Terminate did not have a rational basis based on the County's failure to implement or follow concepts of progressive discipline or just cause, in whole or in part, in making the decision to Discipline/Terminate the employee. Finally, the Impartial Hearing Officer must recognize all County policies, rules, procedures and regulations and may not modify or disregard the same in determining whether the County's decision to Discipline/Terminate has a rational basis.

**Decision.** The Impartial Hearing Officer shall issue a written decision within thirty (30) calendar days of the close of evidence. The decision of the Impartial Hearing Officer shall, at a minimum, contain a statement of issues, standard of review, findings and a remedy for the employee if appropriate. If the Impartial Hearing Officer sustains the grievance, in whole or in part, the Impartial Hearing Officer's decision must include a detailed explanation as to why the Impartial Hearing Officer found the County's decision to Discipline/Terminate has no rational basis as well as a detailed description of the Impartial Hearing Officer's reasons for reducing or modifying the Discipline/Termination imposed by the County.

**Remedies.** If the grievance is sustained, the Impartial Hearing Officer may only award the employee one or

more of the following remedies: (a) reinstatement; (b) a lesser adverse employment action consisting of a suspension or reduction in the length of a suspension, or documentation of employee acts and/or omissions in an employment file; (c) back pay; and (d) in the event of reinstatement following termination, reimbursement of payments made by the employee for continuation of health insurance.

**Step 3:** The employer or employee may appeal the decision of the Impartial Hearing Officer to the Washburn County Board in writing within seven (7) days of receipt of the written decision of the Impartial Hearing Officer. The decision of the governing body shall be final and binding upon the parties.

**Level of Review:** The role of the Washburn County Board, in reviewing the decision of the Impartial Hearing Officer, is to solely address the following questions:

- Did the Impartial Hearing Officer follow a fair and impartial process?
- Did the Impartial Hearing Officer make an error of fact or law which makes his/her award invalid?
- Did, in the opinion of the Board, the Impartial Hearing Officer err in making his/her award?

After answering the above questions, the Washburn County Board will decide to uphold, modify, or reverse the decision of the Impartial Hearing Officer. The Washburn County Board shall make its decision based on a review of the Impartial Hearing Officer's written decision, the written appeal filed, and any written response filed by the non-appealing party. The Washburn County Board will issue its written decision within sixty (60) days from receipt of the appeal.

**Procedure for Grievances Concerning Employee Workplace Safety:**

The employer and employee may mutually agree, in writing, to waive any step to facilitate or expedite resolution of the grievance.

**Step 1:** Any employee who personally identifies, or is given information about, a workplace safety issue or incident must notify his/her immediate supervisor of the issue or incident as soon as reasonably practicable. All workplace safety issues and incidents, no matter how insignificant the situation may appear to be, must be reported by an employee to their immediate supervisor within 24 hours after the incident or issue was raised in order to be addressed as part of the grievance procedure.

A written report of the incident or issue, outlining the events that transpired and proposed resolution, if any, shall be submitted to the Administrative Coordinator/HR Director for review and consideration within seven (7) days of the incident or issue.

**Step 2:** After receipt of the written report, the Administrative Coordinator/HR Director or designee will conduct additional investigation, as required, and normally issue a final report on findings and conclusions within thirty (30) days of receipt of the written report. Copies of the report will be given to the persons who signed the written report as well as to the immediate Supervisor or designee.

**Step 3:** The employee may appeal the findings and conclusions of the Administrative Coordinator/HR Director and request the appointment of an Impartial Hearing Officer within seven (7) days after receipt of the Administrative Coordinator/HR Director report. The Impartial Hearing Officer will be appointed by the Corporation Counsel or designee.

If timely requested, the hearing will normally be scheduled within thirty (30) days of receipt of the request for hearing. The Impartial Hearing Officer may require the parties to submit documents and witness lists in advance of the hearing in order to expedite the hearing. The Impartial Hearing Officer will have the authority to administer oaths, issue subpoenas at the request of either party, and decide if a transcript is necessary. The

Impartial Hearing Officer may apply relaxed standards for the admission of evidence and may request oral or written arguments and replies.

**Burden of Proof; Standard of Review.** The employee bears the burden of proving by a preponderance of the evidence that the condition identified by the employee constitutes a Workplace Safety violation and that corrective action is required. If the employee does not meet their burden of proof, the Impartial Hearing Officer shall deny the grievance.

**Decision.** The Impartial Hearing Officer shall issue a written decision within seven (7) calendar days of the close of evidence. The decision of the Impartial Hearing Officer shall, at a minimum, contain a statement of: (a) the standard of review; (b) findings; and, (c) if the grievance is sustained, an order of corrective action.

**Remedies.** If the grievance is sustained, the Impartial Hearing Officer may order the County take corrective action in accordance with law to address the Workplace Safety violation. The Impartial Hearing Officer shall have no authority to require the County to take any specific corrective action or provide any specific remedy in response to the Workplace Safety violation.

**Step 4:** The employer or employee may appeal the decision of the Impartial Hearing Officer to the Board in writing within seven (7) days of receipt of the written decision of the Impartial Hearing Officer. The decision of the governing body shall be final and binding upon the parties.

**Level of Review:** The role of the Washburn County Board, in reviewing the decision of the Impartial Hearing Officer, is to address the following questions:

- Did the Impartial Hearing Officer follow a fair and impartial process?
- Did the Impartial Hearing Officer make an error of fact or law which makes his/her award invalid?
- Did, in the opinion of the Board, the Impartial Hearing Officer err in making his/her award?

After answering the above questions, the Washburn County Board will decide to uphold, modify, or reverse the decision of the Impartial Hearing Officer. The Washburn County Board shall make its decision based on a review of the Impartial Hearing Officer's written decision, the written appeal filed, and any written response filed by the non-appealing party. The Washburn County Board will issue its written decision within sixty (60) days from receipt of the appeal.

## 9 EMPLOYEE HEALTH AND SAFETY

Washburn County promotes a safe and healthy work environment for employees. It is expected that each employee comply with all safety and health requirements whether established by County, State and/or Federal laws and regulations. Any failure to do so may result in disciplinary action, up to and including termination. Washburn County encourages participation in programs that promote optimal health and protect employees from communicable disease, chronic disease and potential health hazards in the environment. If injury or illness occurs while at work, treatment of the person is the first concern.

In order to promote a healthy work environment all Washburn County facilities are smoke and drug free. All accidents, no matter how small, must be reported to your Supervisor immediately. This includes accidents in which you are a *witness* to a safety incident.

Washburn County supports an Early Return to Work Program (ERTW). This program allows employees to return to work with temporary restrictions during the healing process for work related injuries or illnesses. Employees may be utilized in other departments and may complete work outside of their normal duties while involved in the

ERTW program. Decisions regarding the ability of the employer to meet an employee's restriction will be made by the Human Resources Director in conjunction with the applicable Department Head/Supervisor.

**Definition of Workplace Safety:** *Any* unsafe practice or condition, affecting persons, property or equipment, must be reported immediately to your Department Head, Supervisor and/or Human Resources Director. Should a hazardous situation exist, safety concerns always take precedence over continuing operations. Any employee, who identifies new ways to increase workplace safety, should make these recommendations known to their supervisor or HR Director. Retaliatory acts taken against employees for reporting workplace safety issues will not be tolerated and will subject the offender to disciplinary action or discharge from employment.

*Please see Washburn County Safety Policy*

## 9.1 WORKPLACE VIOLENCE

The safety and security of all employees is of primary importance at Washburn County. Threats, threatening or abusive behavior, or acts of violence against employees, visitors, customers or other individuals by anyone which may relate to the work environment, whether it occurs on or off the job, will not be tolerated. Violations of this policy will lead to corrective action up to, and including, termination and/or referral to appropriate law enforcement agencies. Washburn County reserves the right to take any necessary legal action to protect its employees. Any person who makes threats, exhibits threatening behavior, or engages in violent acts on County premises shall be removed from the premises as quickly as safety permits and shall remain off County premises pending the outcome of an investigation. Following investigation, the County will initiate an immediate and appropriate response. This response may include, but is not limited to, suspension and/or termination of any business relationship, reassignment of job duties, suspension or termination of employment, and/or criminal prosecution of the person(s) involved.

All employees are responsible for notifying management of any threats they witness or receive or that they are told another person witnessed or received. Even without a specific threat, all employees should report any behavior they witness and regard potentially threatening or violent or which could endanger the health or safety of an employee in the workplace. Employees are responsible for making this report regardless of the relationship between the individual who initiated the threatening behavior and the person or persons being threatened. [Note: This includes one spouse or family member threatening and/or harming another when both are employed by the County.]

Workplace violence is any act or threat (either verbal or implied) of physical violence, including intimidation, harassment, and/or coercion which involve or affect Washburn County employees or which occur on Washburn County property. Acts or threats of violence include, but are not limited to, the following:

- All threats or acts of violence occurring on County property regardless of the relationship between the County and the parties involved in the incident.
- All threats or acts of violence occurring off County premises involving someone who is acting in the capacity of a representative of the County.
- All threats or acts of violence occurring off County premises involving an employee of the County if the threats or acts affect the legitimate interests of the County.
- Any acts or threats resulting in the conviction of an employee or agent of the County, or an individual performing services on a contract or temporary basis, under any criminal code provision relating to violence or threats of violence which adversely affect the interest and goals of the County.

Specific examples of conduct which may be considered threats or acts of violence include, but are not limited to, the following:

- Hitting or shoving an individual.
- Threatening an individual or his/her family, friends, associates, or property with harm.
- The intentional destruction or threat of destruction of County property.
- Harassing or threatening phone calls.
- Harassing surveillance or stalking.
- The suggestions or intimation that violence is appropriate.

It is the responsibility of all Managers and Supervisors to make safety their highest concern. When made aware of a real or perceived threat of violence, Management shall immediately inform the Human Resource Director. It is the policy of Washburn County to investigate thoroughly all reports of workplace violence for all acts occurring on County property or against an employee acting in their capacity as an employee. Washburn County understands the sensitivity of the information requested and has developed confidentiality procedures that recognize and respect the privacy of the reporting employee to the degree permitted under the circumstances of the complaint.

Nothing in this policy alters any other reporting obligation established by County policies, or in state, federal, or other applicable law.

## **9.2 PROHIBITION OF DISCRIMINATION AND SEXUAL HARASSMENT**

Washburn County believes that all employees should be able to work in an environment free from all forms of illegal discrimination and harassment, including but not limited to sexual harassment. Harassment in any form is unacceptable conduct and will not be condoned or tolerated by Washburn County. Acts of harassment, discrimination, and retaliation at the workplace by employees towards other employees, clients, or other members of the public will not be tolerated and are strictly prohibited.

Washburn County prohibits discrimination and harassment. Under State and Federal Laws, members of legally protected classes are shielded from unlawful discrimination and harassment in employment. The definition of legally protected class includes, but is not limited to, the following: sex, race, age, color, creed, national origin, sexual orientation, ancestry, genetic testing, religion, disability, marital status, arrest record, conviction record, political affiliation, veteran status, and military participation.

Every employee has a personal responsibility to help maintain a workplace environment free from harassment, discrimination, and retaliation.

Workplace harassment and discrimination, whether engaged in by employees, Supervisors or members of the public, will not be tolerated and will subject offenders to disciplinary action or discharge from employment. Retaliatory acts taken against employees for reporting workplace safety issues, harassment or discrimination will also not be tolerated and will subject the offender to disciplinary action or discharge from employment.

Accordingly, in compliance with federal and state laws and/or regulations, the County adopts and establishes the following standard:

### **DEFINITIONS**

Discrimination may be in the form of harassment, such as:

- Unsolicited and repeated derogatory epithets, derogatory statements or gestures made to a person because of their protected status.
- Any attempt to penalize or punish a person because of their protected class status.
- Creating an offensive and hostile working environment for a person because of their protected status, including sexual harassment.

Discrimination in employment generally involves the treatment of certain people less favorably because of their protected class status in matters including, but not limited to:

- recruitment and hiring
- promotion
- discipline or discharge
- demotion or layoff
- other employment related actions
- pay
- job assignments
- leave or benefits
- licensing or union membership

Sexual harassment is defined by the federal Equal Employment Opportunity Commission (EEOC) as unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
- Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

#### **Examples of Behavior Which May Be Considered Harassment**

- Verbal abuse, intimidation, bullying, epithets, slurs or negative stereotyping.
- Making comments or innuendoes or telling jokes that degrade or show hostility or aversion toward an individual or group.
- Degrading and inappropriate gestures with hands or body movement.
- Unnecessary and unwanted touching, grabbing, caressing, pinching or brushing up against a person.
- Staring at a person or looking a person up and down in a degrading manner.
- Whistles, cat calls, and sexual references such as babe, honey, sweetheart, fox, hunk or stud, etc.
- Repeated pressure on an employee to socialize with or date another individual.
- Asking personal questions about a person's social or sexual life.
- Making comments, innuendoes, telling jokes or stories of a demeaning, offensive, sexual or insulting nature.
- Deliberate, repeated display of offensive, sexually graphic materials that is not necessary for business purposes.
- Posters, calendars, cartoons, photographs or artwork of a hostile, sexual or degrading nature.

#### **Responsibilities**

It is the responsibility of each and every employee to immediately report to management any and all discriminatory, harassing or retaliatory conduct which may relate to the work environment whether it occurs on or off the job. Employees of Washburn County have the responsibility of assisting in maintaining a workplace free of harassment. This can be facilitated in the following manner:

- Employees at all times should treat other employees, customers, and members of the public with respect and dignity;
- Clearly advising the offending individual that the conduct in question is unwelcome and offensive and requesting that it be discontinued immediately;
- If the offensive conduct continues or reoccurs, advising any of the following so that the matter can be investigated and handled in an appropriate manner: the supervisor, manager, department head or a member of the Administration/Personnel Department;
- When providing information regarding an act of alleged harassment, providing sufficient detail to allow appropriate follow-up. Information should include when, where, the identity of any witnesses and any other substantiating information.

Supervisors and Managerial Employees of Washburn County have a responsibility to maintain a workplace free of harassment. These responsibilities include:

- When approached by an employee, be supportive and be sure the employee knows you are taking the matter seriously;
- Obtain all pertinent information and facts; cooperate fully and do not interfere in investigations;
- Advise employees you will be informing the appropriate County officials so the matter can be investigated fully and completely;
- Immediately contact someone listed in the complaint and investigation process section of this policy so the issues may be reviewed.

### **Complaint and Investigation Process**

It is the policy of Washburn County to conduct a prompt and thorough investigation of all reports of discrimination in employment or harassment. All reports of harassment or discrimination will be promptly and immediately investigated by the Human Resources Director or his/her designee. Washburn County will make every effort to keep the complaint and its investigation confidential, except as may be reasonably necessary to successfully complete the investigation. Following a thorough and complete investigation, a report will be generated and an appropriate course of action will be recommended. Activities that constitute violations of criminal laws or ordinances will also be referred to the appropriate law enforcement agency.

An employee who has a harassment, discrimination or retaliation complaint should immediately report it to their Department Head, Supervisor and/or Human Resources Director. The report may be made verbally or in writing. The allegations should provide sufficient information and detail so that Washburn County can thoroughly investigate the complaint.

Upon receiving an employee report of harassment, discrimination or retaliation, the County will take appropriate steps to investigate. Such reports shall be kept confidential to the maximum extent possible. An investigation may include interviewing other employees, speaking with the complainant, interviewing members of the public and reviewing documents such as e-mails, letters or memos. Based upon the investigation's outcome, management will take appropriate action to resolve the complaint. A resolution may or may not result in disciplinary action being taken.

### **Retaliation**

It is a violation of state and federal law to retaliate against an employee who files a complaint or to retaliate against anyone assisting in an investigation of a complaint. Anyone who engages in or assists in such retaliatory actions will be subject to disciplinary action up to and including the termination of employment.

## **9.3 DRUG FREE WORK PLACE**

### **Drug/Alcohol Policy**

Washburn County is dedicated to providing safe and efficient public service. Our employees are our most valuable resource in ensuring the quality of this service. It is the goal of the County to provide our employees with a workplace environment that promotes health and safety. Washburn County employees have a right to work in an environment free of non-medicinal drugs and controlled substances as defined in Chapter 961, Wisconsin Statutes. In compliance with the Federal Drug Free Work Place Act of 1988, any location at which the County conducts its business is declared to be free of non-medicinal drugs and controlled substances.

It is a violation of this policy for: (a) Any employee to manufacture, distribute, dispense, possess, ingest, or use

any illegal substance in the course and scope of employment; (b) Any employee to report to work or be under the influence of illegal drugs or alcohol during working hours. "Working hours" include any paid or unpaid lunch periods and break periods, and also include the working hours of any training session, meeting or conference.

Employees must notify their Department Head, Supervisor or the Human Resources Director of any criminal drug or alcohol related convictions, for violations occurring on County premises or off County premises while conducting County business, within five (5) days of the conviction. Employees should also notify their Department Head, Supervisor or the Human Resources Director of any drug or alcohol-related legal violations that have occurred if it affects their job and/or ability to perform their job; notification should be made as soon practicable. The County will investigate the matter that was reported and decide whether or not to take personnel action which may include, but is not limited to, referral of the employee to a treatment center or program for drug and/or alcohol abuse, disciplinary action, or termination of employment.

Procedures:

1. Pre-employment. All offers by the County to hire an applicant for any position are conditioned upon: (i) taking and passing a drug and/or alcohol test as directed by the County ~~and passing both tests~~; (ii) for some positions, passing ~~at the~~ DOT-required or non-DOT physical exam; (iii) complying with any other County conditions or requirements at time of offer.

Any applicant who refuses or fails to complete the testing will not be considered eligible to work for the County.

2. Reasonable Suspicion Drug and Alcohol Testing. Any employee will be required to submit to a drug and/or alcohol test whenever the County has reasonable suspicion to believe that the employee has used drugs and/or alcohol in violation of any state, federal or DOT regulations and/or this policy. Reasonable suspicion will be based upon behaviors observed by supervisory staff or designee where it is suspected that the employee is under the influence of alcohol or a controlled substance while at work or while conducting County business. "Reasonable suspicion" includes: (a) Identifiable behaviors which may cause a person to question whether the employee is physically or mentally able to perform his/her job; (b) Involvement in an on-the-job accident or other work-related incident where a controlled substance and/or alcohol use is suspected to be a contributing factor; (c) Arrest or conviction for drug or alcohol-related offenses; (d) Pattern of abnormal conduct or erratic behavior.

Employees who are required to submit to a reasonable suspicion test will be escorted by a County official to the collection site for a drug and alcohol test. If the employee refuses the County's efforts and insists on driving his or her own vehicle, or a County vehicle, the County reserves the right to take appropriate action to prevent this, including contacting law enforcement officials. Failure to abide by County policy may result in disciplinary action including suspension or discharge from employment.

The Department Head/Supervisor will take the following steps when they suspect an employee under their supervision is under the influence of alcohol or drugs at work, performing County business, or using County property:

- a) Contact the Human Resources Director and/or Administrative Coordinator/Finance Director immediately.
- b) The Human Resources Director and/or Department Head will meet with the employee in a private location, advise them of the observed behaviors and ask for an explanation. Advise the employee that they may be required to take a drug and/or alcohol test.
- c) If the employee refuses to consent to the test(s), the employee will be suspended with pay pending an investigation and offered a ride home. Refusing the alcohol and/or drug test may be considered misconduct which could lead to termination of employment.
- d) Make arrangements for a drug and/or alcohol test. Transportation will be provided for the



- employee to the test location.
- e) Document observations and actions.
- f) Once test(s) are conducted, suspend the employee with pay for the remainder of the work shift pending an investigation and ensure the employee is provided safe transportation home.

3. Random Testing. The County is required to perform unannounced, random drug and alcohol testing of all CDL covered employees as prescribed by law.

Whenever a driver is randomly selected to be tested, he/she will be notified of this in writing and instructed to report to the collection site immediately.

Any driver who tests positive for controlled substances or alcohol will be considered to be medically unqualified to drive and/or perform any other safety-sensitive function and will be subject to disciplinary action, up to and including discharge.

4. Post-Accident Testing. An employee who has an accident during working hours, or while conducting County business, may be required to submit to a post-accident drug and alcohol test. Any employee involved in an accident must notify their Department Head, Supervisor or the Human Resources Director at the first available opportunity after the accident, at which time the employee may be required to report to an appropriate collection site for testing.

Following an accident, the County may require an employee to be tested as soon as possible, but no later than eight (8) hours after the accident for alcohol testing and thirty-two (32) hours for drug testing. Employees involved in accidents must refrain from alcohol use for eight hours following the accident or until a drug/alcohol test has been administered. Any other employee whose performance may have contributed to the reported accident under this section may also be tested.

In the event the employee is seriously injured in an accident and unable to report to a collection site, the employee shall authorize the health care provider to release to the County any information related to the presence/non-presence of alcohol or drugs in the employee's system.

5. Compliance With Testing. Any employee who refuses to comply with a request for testing, who provides false information in connection with a test, or who attempts to falsify test results through tampering, contamination, adulteration, or substitution shall be removed from duty immediately. Refusal can include an inability to provide an adequate urine specimen or breath/saliva sample without valid medical reason, delaying arrival at the collection site, or engaging in any conduct which clearly obstructs the testing process. Such refusals may be treated as insubordination, with the employee subject to disciplinary action, up to and including discharge.

#### **Test and Collection Procedures and Confidentiality**

To ensure the integrity and accuracy of each test, all specimen collection, analysis, and laboratory procedures will be performed in accordance with DOT protocols and safeguards as set forth in Part 40 of Title 49 of the Federal Code of Regulations and will be done at a certified lab within a clinic.

This policy is not intended to prohibit the use of medication legally prescribed by a licensed physician who has advised the employee that the prescribed medication will not adversely affect the employee's ability to operate a motor vehicle or to perform the essential functions of their job.

#### **Referral, Evaluation and Treatment**

An employee who tests positive for the alcohol and/or drug test will typically be suspended without pay for no less than 24 hours, and will typically be required to undergo a return to duty alcohol/drug test, and obtain a negative test result. The County may refer the employee to substance abuse professional treatment and/or take disciplinary action against the employee, up to and including discharge.

#### **Drug and Alcohol Information**

The Human Resources Department will provide any employee with the names, address and telephone numbers of substance abuse professionals, counseling and treatment programs available in the area upon request. The Department may also provide this information to an employee during the course of any investigation or at other times as deemed appropriate.

#### **9.4 TOBACCO USE**

Washburn County maintains a tobacco-free environment. The use of tobacco products, including but not limited to cigarettes, cigars, pipes and smokeless tobacco is prohibited inside all County facilities and vehicles. Through passage of a resolution, smoking in any and all areas of any County-owned buildings and vehicles is prohibited. ~~Smoking is only allowed 25 feet from the entrances of any building.~~

### **10 WORKPLACE RULES**

#### **10.1 MUTUAL RESPECT AND PROTECTION**

It is Washburn County policy that all individuals be treated fairly and with respect. This is articulated by the doctrine of *Mutual Respect* that has two key elements:

- The Washburn County employee has responsibility to those we serve, reflected in our desire to be honest, courteous and helpful, to recognize why an individual is seeking service and the individual's perspective.
- The Washburn County citizen has responsibility to appropriately communicate the citizen's service needs, be prepared to assist County personnel, and not be verbally or physically abusive.
- Verbally or physically abusive may include words or behavior that is disrespectful or threatening, condescending, indecent, profane, and includes any act of intimidation through a violation of personal space.

All Washburn County service providers shall treat all individuals with respect at all times. Examples of respect include:

- Using respectful language in all verbal, written and electronic communication;
- Being open and attentive to the point of view of others;
- Using input and feedback in a respectful manner;
- Expressing disagreements tactfully and respectfully;
- Respecting the ideas, values and traditions of others.

#### **10.2 STANDARD OPERATING PROCEDURES FOR THE WORKPLACE**

The following are standard operating procedures to be followed by all employees of Washburn County:

##### **10.2a Closing County Offices During Business Hours.**

A department representative shall be available during the hours of normal operation for each department and/or building of the County. Department heads shall make every effort to keep offices

continuously open during normal business hours. However, it is understood that, at times, there may be extenuating circumstances which require that an office be closed for a brief period of time during normal business hours. During these situations, a clearly visible notice shall be posted stating when the office will be closed and when it will be reopened. Administration will be provided with advance notice of any such closure.

#### **10.2b Official Time SOP.**

We are inundated with timepieces in the County. We have the wall clock, possibly a clock on the desk, the time on the computer, the time on the phone, and the time on your wristwatch! Therefore, we have no "official" timepiece. Hence, until otherwise stated, for the purposes of judging timeliness, the official time is the time on the phone system.

#### **10.2c Visitor Parking SOP.**

If you're at the Courthouse or LEC, you will notice that the five parking spaces on the east side of the building (next to the handicapped accessible spaces) have been designated as "Visitor" parking spaces. Employees may park in these spaces if they are only in the area for a short time (such as picking up or dropping off items). If you're going to be in the area for any length of time, please refrain from parking in these spaces.

#### **10.2d Scheduling Meeting Rooms SOP.**

In order to ensure the most effective, efficient and timely scheduling of a meeting room, there will be only one calendar used for scheduling all meeting rooms for any and all committee meetings, employee meetings, office meetings or any type of meeting that is necessary to be scheduled in any of the County meeting rooms. Therefore, when putting a meeting on the calendar, you will need to: state what the meeting is, where it is located, the time of the meeting and your name and extension number.

- If a webinar or satellite program is scheduled, via the state, the UW-Extension office will have the right to bump any committee and/or meeting that has been scheduled in the UW- Extension meeting room. UW Extension will contact the bumped party to let them know they will need to make other arrangements for that date and/or time.

#### **10.2e Committee Meeting Minutes SOP**

In order to ensure timely distribution of information, the following SOP has been approved for Agendas & Minutes processing:

##### **Washburn County Agendas & Minutes**

The Agendas & Minutes program shall be utilized to process all agendas and minutes involving a meeting of a governmental body in order to efficiently and effectively provide this information to all parties (committee members, County Clerk, department heads, media) and to meet the Open Meetings laws.

##### Agendas

Agendas should be available within a week prior to the meeting; however, the agenda shall be posted no later than 24 hours prior to the meeting unless deemed an emergency, in which case it shall be no later than 2 hours prior to the meeting.

##### Unapproved and Approved Committee Minutes

Unapproved and approved committee minutes shall be processed within five working days of such committee meetings. The County Clerk will keep a record of the committee meeting minutes in a format chosen by the clerk for the required retention period.

The County Clerk per Wis. Stats. 59.23 (2)(a) is to act as a clerk of the board for all of the board's meetings as defined and, under the chairperson, create the agenda for board meetings, either personally or through the clerk's appointee. If delegated to an appointee, it

will be determined if initial or ongoing training is necessary to provide consistency throughout the county for record keeping purposes.

### **10.3 SOLICITATION POLICY**

In order to help maintain a work environment that protects employees from undue interference while performing their jobs, there is a non-business no-solicitation policy in County buildings. This means that vendors of any kind are not allowed to solicit County employees to purchase goods and services for their personal use during working hours on county property. If, however, vendors visit your department please show them a copy of this policy and direct any questions to the Administration/Personnel Office.

Employees may not solicit or distribute written materials for any organization, fund, activity or cause to other employees in work areas while either employee is on working time. Employees may solicit other employees or distribute written materials before or after the normal workday, during normal break and lunch times or any time when they are not working. Therefore, as to the sale of candy bars, cookies or other items by employees to employees for fund-raising or solicitation activities, this should be done only during employees' break or lunch periods. During office hours, employees shall not go from office-to-office or employee-to-employee unless both employees are on break. Further, employees are not to use the Washburn County e-mail system to solicit for fund-raisers or any other charity activities.

### **10.4 DRESS CODE**

Presenting yourself in a professional manner is expected at all times. Employees at all levels and job positions are representative of the organization and, therefore, dress, grooming and personal hygiene affects the public's impression of the County. In establishing professional appearance guidelines, the County's standards are: 1) Present a professional appearance at all times; 2) Promote a positive working environment and limit distractions caused by inappropriate dress; and 3) Ensure safety while working.

Departments may provide additional dress rules more stringent than those listed in this policy. Department Heads/Supervisors are responsible for communicating and enforcing the policy of their department. Disciplinary action is appropriate for attire that is offensive, distracting or in conflict with the policy.

#### **10.4a Dress and Grooming**

All employees are expected to be neat and clean in appearance and to dress in a manner appropriate to the nature of their position and job duties in accordance with department requirements and health and safety standards. Employees' clothes or uniforms shall be neatly pressed and clean. Employees should avoid clothing, hairstyles, jewelry or fragrances that may detract or interfere with the performance of their work, the work of co-workers, or which might detract from the public service mission or image of our County. Employees are expected to maintain clean and appropriate oral and body hygiene.

Employees working in an office setting are expected to dress in a business casual, which does not include items from the below list which are deemed unacceptable (list is not all inclusive):

1. Torn or excessively faded and/or worn jeans
2. Bib overalls and beach attire
3. Shorts, dresses or skirts which are shorter than two (2) inches above the top of the knee cap
4. Halter or midriff tops or dresses
5. Tight fitting clothing or clothing that is otherwise revealing, distracting or provocative
6. Clothing with offensive pictures or language (e.g., images/words/political messages)
7. Soiled, torn or ripped clothing
8. T-shirts, unless it displays County logo

Employees assigned to field inspection, maintenance and/or outside work may wear casual clothing on days involving field inspections and outside work; however, due to safety hazards, shorts and open-toed shoes will not be allowed. Dress should be appropriate for conditions and health/safety standards. Due to the close proximity of working environments, it is important that all employees take the necessary steps to actively practice good personal hygiene. Employees shall limit the use of wearing heavily-scented perfumes, aftershaves or colognes, etc. to work due to allergies and sensitivities to smell by others. If employees have questions about whether something is appropriate, they should ask their supervisor prior to wearing it to work. Supervisors have the authority and expectation to send employees home without pay to change their appearance if employees are not dressed or groomed appropriately per the above.

Special occasion dress days may be allowed by approval of the Department head and/or Supervisor (for example, Halloween) where the dress code rules from above may be relaxed for the day.

#### **10.4b Tattoos and Body Piercing**

Body piercings are discouraged in the workplace. However, if an employee has piercings, they should not pose any safety threats. Employees may be asked to remove body piercing(s) during work hours if it does not reflect a professional image or if it limits communications. Extreme or offensive tattoos should be covered while working.

#### **10.5 LACTATION PROCEDURE**

Washburn County, to ensure a workplace environment that is breast feeding-friendly, will provide a place, other than the bathroom, that will be shielded and secluded from view and free from intrusion from co-workers and the public for expressing milk. Washburn County will also provide a “reasonable” break time for an employee to express milk for their nursing child for one (1) year after the child’s birth each time the employee has need to express milk.

#### **10.6 ELECTRONIC MEDIA & SOCIAL MEDIA POLICY**

It is the policy of Washburn County that information, in all its forms, written, spoken, recorded electronically, or printed, will be protected from accidental or intentional unauthorized modification, destruction, or disclosure. All electronic media must be protected from misuse, unauthorized manipulation, and destruction. It is further the policy of the employer that employees may not use social media technology to engage in or post communications or material that would violate any Handbook policy, including, but not limited to, using technology to post communications or materials that are derogatory or offensive with respect to race, religion, gender, sexual orientation, national origin, disability, age, or any other legally protected class status.

#### **General Guidelines - Electronic Media**

1. All employer-provided electronic media systems, such as cell phones, internet access, e-mail, fax, and copy machines, are the employer’s property. Additionally, all messages and files composed, sent or received on these systems are and remain the property of the employer. They are not the private property of any employee.
2. Electronic media may be subject to open records requests under Wis. Stats. sec. 19.31 et seq. Employees are discouraged from utilizing personal equipment in the course of conducting County business as all records on the equipment may be subject to such request.
3. The use of our electronic media systems is reserved solely for the conduct of business.
4. The electronic media systems may not be used to solicit for commercial ventures, religious or political causes, outside organizations or other non-job-related solicitations.
5. The electronic media systems are not to be used to create any offensive or disruptive messages or

documents.

6. The electronic media systems may not be used to send (upload) or receive (download) copyrighted materials, trade secrets, proprietary financial information or similar materials without prior authorization.
7. The employer reserves and intends to exercise the right to review, audit, intercept, access and disclose all internet activity and any messages or documents created, received or sent over the employer's electronic media systems for any purpose.
8. The confidentiality of any message cannot be assumed. Even when a message is erased, it is still possible to retrieve and read that message. The use of passwords for security does not guarantee confidentiality.
9. If you are away from your workstation for an extended period of time, you must secure your desktop.
10. Employees may not modify, delete, or destroy any Employer document created by any electronic media unless specifically authorized to do so.
11. All employees, who are allowed and are provided access remotely, must follow the above guidelines at all times.

#### **General Guidelines - Social Media**

1. **Only on Your Own Time.** Unless such activity is directly related to the performance of your job, you may not engage in social media activity on work time.
2. **Post as Yourself.** Make clear that you are expressing your personal views alone, not those of your employer.
3. **Be Respectful and Nice.** Do not post communications or material that is disparaging, obscene, profane, vulgar, bullying, threatening, or inappropriately inflammatory.
4. **Use Good Judgment.** Because what you say online is accessible to the public, use good judgment in your communications.
5. **Obey the Law.** Do not post any material that violates the law, such as material that is obscene, profane, defamatory, threatening, harassing, or that violates the privacy rights of someone else. The posting of such material may subject you to criminal and civil liability.
6. **Don't Expect Privacy.** Because your social media communications are publicly available, you should not expect that your communications are private in any way. Once you post something online, it is completely out of your control and generally available to anyone in the world.
7. **Ask for Guidance.** If you have any questions about what is appropriate to include in social media communications, ask your manager.
8. **Comply with Harassment and Other Policies.** Employees may not use social media technology to engage in or post communications or material that would violate any other Handbook policy, including, but not limited to, the Workplace Safety, Discrimination, and Harassment and Retaliation policy.
9. **Maintain Confidentiality.** You must not disclose confidential information.

**Duty to Report:** All employees have a duty to report any discovered or suspected unauthorized or improper usage of electronic media or social media with impact on the workplace.

**Policy Violations:** Employees who violate this policy may be subject to discipline, up to and including immediate termination of employment.

#### **10.7 COMMERCIAL DRIVERS LICENSE (CDL) POLICY (Highway Department)**

To provide uniform application of State and Federal regulations which apply to County employees who must

possess a Commercial Driver's License (CDL) as an essential function of their job/assignment, employees must meet the following requirements:

- All highway department regular employees must maintain a CDL and carry A, B, C, D, N endorsements. Endorsement H is only required by four (4) employees of the Highway Department, which will be determined by the Highway Commissioner.
- All other employees required to operate a commercial motor vehicle must maintain a CDL.

The County shall provide training time, as determined by the Employer, to prepare for CDL testing and to take the CDL test and required endorsements. All employees who must possess a CDL as an essential function of their job/assignment must successfully obtain the license within six (6) months of hire. The County will pay the test fee.

- Washburn County will register all employees required to hold a valid CDL subject to driving eligibility as a condition of employment with the Division of Motor Vehicles, Wisconsin Employer Notification Program, and will periodically check driving records of those employees.
- All employees required to possess a valid driver's license as a condition of employment will have their driving records evaluated biannually by the Personnel Department.

The following actions, whether on duty or off of duty, shall result in disciplinary action up to and including termination of an employee's employment (this is not intended to be all inclusive):

1. Disqualification, suspension and/or revocation of the Commercial Driver's License while working for Washburn County may result in loss of employment dependent upon the length of time the CDL is disqualified, suspended or revoked and if there is any work available without the use of a CDL.
  - a. Permanent disqualification from holding a CDL will result in termination of employment.
2. Possession or consumption of any alcohol or illegal drugs while on duty.
  - a. Conviction of Operating While Intoxicated (OWI) or operating with a .04 or higher blood alcohol concentration whether on or off duty in a commercial motor vehicle will result in termination of employment.
  - b. Conviction of Operating While Intoxicated (OWI) or operating with a .04 or higher blood alcohol concentration while off duty in a non-commercial motor vehicle shall result in disciplinary action up to and including termination of employment.
3. Deliberate action to conceal a change in status of driving privileges.
  - a. Employees are required to report to their supervisor **any and all** work or non-work violations that may result in the loss of their Commercial Driver's License. Failure to report violations on the next scheduled workday following occurrence of the violation may result in disciplinary action up to and including termination of employment.
  - b. Failure to notify the County immediately of the use of a prescription drug, which is known to impair driving ability may result in disciplinary action up to and including termination of employment.

## **11 FLEXIBLE AND ALTERNATIVE WORK SCHEDULES**

### **11.1 FLEXIBLE AND ALTERNATIVE WORK SCHEDULES**

The purpose of flexible schedules is to enhance the ability of the County to fulfill its responsibilities, to render services to the public, and to enhance employee morale. The Department Head is required to submit the Alternative Schedule Form to Human Resources.

A flexible schedule may be worked out with the prior approval of the Department Head, and with the approval of the Human Resource Director. Frequent changes to an existing flexible/alternate work schedule to

manipulate current benefits in place will not be allowed.

The Department head and/or the Human Resource Director may discontinue the flexible schedule, with two weeks advance notice to the employee.

## DEFINITIONS

**Anniversary Date:** The date on which an individual employee completes one (1) year of continuous employment from the effective date of employment. The employee reaches this anniversary date each year.

**Anything of Value:** means any money or property, favor, service, payment, advance, forbearance, loan or promise of future employment, but does not include compensation and expenses paid by the County, fees, honorariums and expenses which are permitted and reported under Section 19.56, Wis. Stats., political contributions which are reported under Chapter 11 of the Wisconsin Statutes, or hospitality extended for a purpose unrelated to County business by a person other than an organization.

**Classification:** A system used to describe different kinds of work within an organization in grouping similar positions under common job classes, titles or establishing a relationship between these classes.

**Compensation:** Includes salary, wage and benefits earned by or paid to any employee for reason of service in a position with the County.

**Department Head:** An elected or appointed County official authorized and responsible to supervise the activities of a department under their jurisdiction.

**Elected Official:** County official selected by vote of the constituency. Includes Clerk of Courts, County Clerk, Register of Deeds, Sheriff and Treasurer. These individuals are not covered under Fair Labor Standards Act.

**Employee:** All persons filling an allocated position of County employment and all members of boards, committees and commissions except those individuals included as an "official."

**Employee, Casual:** An employee who does not work a fixed schedule or fixed number of hours per year; and is expected to be employed for at least one year.

- An employee in this category is not entitled to benefits upon hire, but may become eligible for benefits upon meeting eligibility requirements

**Employee, Exempt:** Exempt employees are not eligible for overtime pay or compensatory time. These classifications are determined to be exempt pursuant to the Fair Labor Standards Act (FLSA) which establishes a combination of required criteria, including knowledge, skills and level of supervision exercised. Exempt employees must also meet a salary requirement.

**Employee, Full-time:** Any employee normally working 37.5 - 40 hours per week or 1950 to 2,080 hours per year.

**Employee, Nonexempt:** Subject to the FLSA overtime and minimum wage provisions.

**Employee, Part-time:** An employee whose regularly scheduled work hours average less than full-time hours per week.

- Regular employees normally working 50% ~~of the normally scheduled hours~~ FTE or more per week, but less than full-time hours per week receive benefits on a prorated basis.



- Employees working less than 20 hours per week are not entitled to benefits.

**Employee, Regular:** Any employee, other than a casual status or temporary employee, occupying an authorized budgeted position.

**Employee, Temporary (LTE):** An employee working full-time or part-time for a specific period of time.

**Excessive Absence (unavailability):** Frequent absences to the degree that the employee's attendance is creating a financial, operational, and/or staffing hardship on the department. The employee is not consistently available for work (unavailability), excluding approved medical leaves or other approved leave of absences.

**FTE – Full-Time Equivalent - the hours worked by an employee on a full-time basis**

**Financial Interest:** Any interest which yields directly or indirectly, a monetary benefit to the County officer or employee or to any person employing or retaining services of the County official or employee.

**Harassment:** Any action that creates fear, intimidates, ostracizes, physically or psychologically threatens, embarrasses, ridicules, or in some other way unreasonably overburdens or precludes an employee from reasonably performing their work.

**Layoff:** The involuntary separation of an employee from employment because of lack of work, elimination of a position, or lack of funds to continue the work.

**Leave:** Authorized absence from regularly scheduled work hours which was pre-approved by proper authority.

**Non-worked Paid Time Off:** Includes Vacation, Sick, Comp Time and Floating Holiday. Does not include regular Holiday Hours.

**Official:** County department heads or directors, County supervisors and all other County elected officials, except Judges and District Attorneys.

**Overtime:** Any time worked in excess of forty (40) hours per week by a non-exempt employee.

**Patterned Absences:** Unexcused absences which recur in a "pattern" and may involve consistent Monday or Friday absences; absences of days immediately before or after holidays or vacations; or frequent absences which fall on similar days or times of the month. Tardiness patterns will also be evaluated.

**Position:** A combination of duties and responsibilities assigned to be performed by an employee. The position may be full-time, part-time, temporary, regular, occupied or vacant.

**Privileged Information:** Any written or oral material related to County government which has not become part of the body of public information and which is designated by Statute, Court decisions, lawful Orders, Ordinances, Resolutions or custom as privileged or confidential.

**Promotion:** A change in status whereby an employee is advanced from one position to a position of a higher class and for which a higher rate of pay is prescribed.

**Sexual Harassment:** Unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature which affect an individual's work performance or work environment and which infringe on an individual's personal rights.

**Suspension:** An involuntary absence with or without pay imposed on an employee for discipline or investigation.

**Termination:** Voluntary or involuntary separation of an employee from employment with the County due to retirement, dismissal, death or resignation.

**Unexceptional Value:** Any item which has no resale potential and is promotional in nature.

**Unsolicited Item of Insignificant Value:** Item not requested by the official employee having no resale potential and promotional or educational in nature.

**Workweek:** Period of time in which employees are compensated for the amount of hours worked. The County uses the workweek beginning Monday through Sunday.

***EMPLOYEE ACKNOWLEDGMENT***

I, \_\_\_\_\_, acknowledge receipt of this Employee Handbook.

I understand that while Washburn County believes wholeheartedly in its policies and procedures, many of which are set out in the Handbook, they are not conditions of employment. Rather, the Employee Handbook is simply a means to acquaint me with Washburn County and its operations, and provide guidelines in regard to its policies and my employment.

I understand that by accepting or maintaining employment with Washburn County, I am not being asked or required to provide anything in return beyond my services. I further understand that the Employee Handbook does not constitute a contract of employment, express or implied, between Washburn County and myself and that no oral statements by supervisors or management can alter this disclaimer or create a contract. Only Washburn County has the authority to create an employment contract, and such contract must be in writing and signed by Washburn County to be valid. I understand that my employment with Washburn County is "at-will," not for any definite period of time, and may be terminated by myself or Washburn County at any time and for any reason not prohibited by law.

I understand that Washburn County reserves the right to modify, amend, or delete any provisions of the Employee Handbook at any time. I will receive copies of any such modifications, amendments, or deletions.

I understand that this Employee Handbook supersedes all previous manuals, handbooks, and personnel policies that I have received or have been advised of by Washburn County. I also understand that any subsequent revisions to the provisions of this Handbook after I commence my employment will supersede those contained herein.

\_\_\_\_\_  
(Signature)

Date: \_\_\_\_\_

WASHBURN COUNTY		Real Estate Delinquency Listing Report - Page 1							1/3/2019	
Tax ID	Pin	Current Ownership	Address	City State Zip	Description	Site Address	Tax Year	Bal. Due	Total Due	
16773	65-026-2-37-11-09-5 05-001-013000	11TH STREET ENTERPRISES LLC,	2920 N GREEN VALLEY PKWY UNIT 6	HENDERSON NV 89014-0406	09-37-11W PT GOV LOT 1 LOT 26 AND PT LOT 27 MAPLE GROVE BEACH (UNREC) L 1 CSM #1725 V 7 P 146 DOC# 375122 SHER DOC# 383946 WD	N 1930 COUNTY HWY M	2015	5,357.84	7,389.59	
16779	65-026-2-37-11-09-5 16-946-501000	11TH STREET ENTERPRISES LLC,	2920 N GREEN VALLEY PKWY UNIT 6	HENDERSON NV 89014-0406	MAPLE GROVE BEACH CONDO UNIT 1 DOC# 383945 WD		2015	892.04	1,289.58	
16780	65-026-2-37-11-09-5 16-946-502000	11TH STREET ENTERPRISES LLC,	2920 N GREEN VALLEY PKWY UNIT 6	HENDERSON NV 89014-0406	MAPLE GROVE BEACH CONDO UNIT 2 (UNIT 2 - FIRST FLOOR) DOC# 383945 WD		2015	1,072.17	1,545.50	
16781	65-026-2-37-11-09-5 16-946-503000	11TH STREET ENTERPRISES LLC,	2920 N GREEN VALLEY PKWY UNIT 6	HENDERSON NV 89014-0406	MAPLE GROVE BEACH CONDO UNIT 3 (UNIT 3 - 2ND FLOOR) DOC# 383945 WD		2015	1,072.17	1,534.56	
16782	65-026-2-37-11-09-5 16-946-504000	11TH STREET ENTERPRISES LLC,	2920 N GREEN VALLEY PKWY UNIT 6	HENDERSON NV 89014-0406	MAPLE GROVE BEACH CONDO UNIT 4 DOC# 383945 WD		2015	892.04	1,289.58	
16783	65-026-2-37-11-09-5 16-946-505000	11TH STREET ENTERPRISES LLC,	2920 N GREEN VALLEY PKWY UNIT 6	HENDERSON NV 89014-0406	MAPLE GROVE BEACH CONDO UNIT 5 DOC# 383945 WD		2015	892.04	1,289.58	
20622	65-030-2-42-12-33-5 05-002-003000	ANDERS, TERRY JOHN	W 6488 OLD BASS LAKE RD	MINONG WI 54859-9092	33-42-12W W 330' S 396' GOV LOT 2 V 354 P 505 DOC# 314641 QC SUBJ TO ESMT ALG E LINE	W 6488 OLD BASS LAKE RD	2015	220.60	408.05	
30707	65-281-2-39-12-30-5 15-632-801000	ANDERSON, JODINE C	2618 GREENFIELD RD	SPOONER WI 54801-9654	SCRIBNERS 3RD ADD LOT 12 BLOCK I DOC# 306615 WD	710 MYRA ST	2015	500.00	777.49	
19967	65-030-2-42-12-21-5 15-570-502000	ANDERSON, SHARON	W 6656 NANCY LAKE RD	MINONG WI 54859-9223	POKEGAMA ESTATES LOT 5 DOC# 362152 TD	W 6656 NANCY LAKE RD	2015	403.56	624.29	
28287	65-042-2-40-12-27-4 04-000-003000	BEACH, GREGORY	N 7780 MILLER LN	TREGO WI 54888-4405	27-40-12W PT SE SE L 1 CSM #2843 V 12 P 186 DOC# 366644 WD	N 7780 MILLER LN	2015	2,651.10	3,702.99	
24172	65-034-2-39-12-33-3 03-000-001010	BEACH, JAYME LYNN	N 7780 MILLER LN	SPOONER WI 54888-4405	33-39-12W PT SW SW L 4 CSM #3319 V 15 P 147 DOC# 311976 WD	W 6456 BEAVERBROOK AV	2015	612.77	930.86	
34701	65-020-2-39-13-19-1 02-000-002000	BERG, CHAD A	N 4603 GREENFIELD RD	SPOONER WI 54801-8679	19-39-13W PT NW NE DOC# 347944 WD	W 9441 DOCK LAKE RD	2015	2,149.71	3,032.21	
34788	65-020-2-39-13-19-1 03-000-004000	BERG, CHAD A	N 4603 GREENFIELD RD	SPOONER WI 54801-8679	19-39-13W PT W1/2 NE1/4 DOC# 353044 WD		2015	414.55	640.20	
18357	65-028-2-38-11-18-2 04-000-001000	BLIHVODE, LAUREN	W 146 HIGHWAY 70	STONE LAKE WI 54876-8846	18-38-11W PT SE NW FRL1/4 L 1 CSM #2197 V 9 P 137 DOC# 313777 QC	N 3951 FENANDER RD	2015	251.89	450.60	
1610	65-004-2-38-13-23-3 03-000-005000	BOS, PAMELA JO	N 3372 SAWYER CREEK RD	SHELL LAKE WI 54871-8681	23-38-13W PT SW SW L 1 CSM #1716 V 7 P 137 DOC# 330675 QC	N 3368 SAWYER CREEK RD	2015	206.33	378.44	
30765	65-281-2-39-12-31-5 15-527-520500	BOUCHER, JASON A	W 5409 YELLOWSANDS DR	SPOONER WI 54801-7319	ORIGINAL PLAT (CS) PT LOT 9 AND E1/2 LOT 10 BLOCK 3 DOC# 373420 WD	125 WALNUT ST	2015	1,319.44	1,918.79	
23339	65-034-2-39-12-15-4 03-000-001010	BRADLEY, RICHARD C	2094 MESQUITE AVE UNIT 101	LAKE HAVASU CITY AZ 86403-6738	15-39-12W PT SW SE DOC# 310708 WD DOC# 330941 R/W-.82AC	W 5886 COUNTY HWY A	2015	2,509.23	3,520.77	
23341	65-034-2-39-12-15-4 03-000-003000	BRADLEY, RICHARD C	2094 MESQUITE AVE UNIT 101	LAKE HAVASU CITY AZ 86403-6738	15-39-12W PT SW SE INCL L 2 CSM #1631 V 7 P 52 AND N 66' SW SE LYING W OF CSM #1631 DOC# 338331 WD DOC# 329980 R/W - .28AC		2015	365.32	551.21	
34266	65-034-2-39-12-15-4 03-000-005000	BRADLEY, RICHARD C	2094 MESQUITE AVE UNIT 101	LAKE HAVASU CITY AZ 86403-6738	15-39-12W PT SW SE L 1 CSM #3687 V 18 P 30 DOC# 338330 LC		2015	181.20	322.84	
22441	65-032-2-37-12-04-5 05-007-002000	BREWER, LAURA S	3242 PEDERSEN DR	OMAHA NE 68144-3915	04-37-12W PT GOV LOT 7 L 1 CSM V 3 P 27 V 248 P 338		2015	627.65	918.51	

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9424	65-016-2-41-12-07-5 15-626-500510	BRUNSKILL, THERESA L	315 SE MAIN ST APT 616	MINNEAPOLIS MN 55414-4226	SCHUG'S CHICOG LAKE LOT 2 V 356 P 178 WD V 460 P 910-933 JGMT	N 11685 HUSTVET DR	2015	749.81	1,019.74	
16794	65-026-2-37-11-09-3 02-000-003000	BUTTERFIELD, CLINTON J	N 1852 BURMA RD	SARONA WI 54870-9249	09-37-11W PT NW SW V 206 P 182 ESMT DOC# 349020 PR DOC# 364264 QC	N 1852 BURMA RD	2015	547.84	853.09	
30183	65-281-2-38-12-06-5 15-728-500500	CAMPBELL, GARY	W 6316 COUNTY HWY E	TREGO WI 54888-9308	THE PINES LOT 2 V 362 P 193 WD DOC# 345152 QC ASSESSED BY ST OF WIS	501 W BEAVERBROOK AV	2015	16.33	22.21	
26225	65-038-2-41-10-35-2 03-000-001000	CAPELLE, KARLA	W 1092 HIGHWAY 63	HAYWARD WI 54843-7838	35-41-10W PT SW NW L 1 CSM #3005 V 13 P 163 DOC# 373656 WD	W 1092 HIGHWAY 63	2015	472.10	729.01	
30955	65-281-2-39-12-31-5 15-036-662000	CHAMBERLAIN, SUSAN Y	421 WALNUT ST	SPOONER WI 54801-1345	2ND ADDITION (CS) LOT 12 BLOCK 18 DOC# 345771 WD	421 WALNUT ST	2015	3,411.70	4,737.40	
1542	65-004-2-38-13-21-3 01-000-001000	CHANEY, DAVID	55W 96TH ST APT 2M	BLOOMINGTON MN 55420-4356	21-38-13W PT E1/2 SW1/4 N OF CTH B V 419 P 631-633 PRBT V 421 P 229-233 WD V 421 P 614 QC	W 8792 COUNTY HWY B	2015	2,233.86	3,140.98	
34250	65-004-2-38-13-21-3 04-000-002000	CHANEY, ROBERT	1510 LOGAN AVE N	MINNEAPOLIS MN 55411-3174	21-38-13W PT E1/2 SW1/4 LYING S OF CTH B EXC S 760' AND EXC E 30' N OF S 760' V 419 P 631-633 PRBT V 421 P 386-390 WD	W 8711 COUNTY HWY B	2015	580.20	886.56	
26309	65-040-2-39-10-01-3 04-000-002000	CLUTE, DUSTIN	W 324 METCALF RD	STONE LAKE WI 54876-8827	01-39-10W E1/2 SE SW DOC# 360600 WD	W 324 METCALF RD	2015	696.56	1,050.25	
3521	65-008-2-38-12-02-5 05-003-006000	CODDINGTON, KELLY D	13881 N NORTHERN LIGHTS RD	HAYWARD WI 54843-6333	02-38-12W PT GOV LOT 3 L 1 CSM #619 V 3 P 192 DOC# 369984 QC	W 5585 HIGHWAY 70	2015	1,750.43	2,466.91	
28961	65-106-2-37-10-25-5 15-526-509000	COLBERT, JACOB	PO BOX 244	BIRCHWOOD WI 54817-0244	ORIGINAL PLAT (VB) LOT 1 BLOCK 4 DOC# 300006 PR		2015	38.30	128.50	
28962	65-106-2-37-10-25-5 15-526-509500	COLBERT, JACOB	PO BOX 244	BIRCHWOOD WI 54817-0244	ORIGINAL PLAT (VB) LOT 2 BLOCK 4 DOC# 300006 PR		2015	75.01	178.42	
28963	65-106-2-37-10-25-5 15-526-510000	COLBERT, JACOB	PO BOX 244	BIRCHWOOD WI 54817-0244	ORIGINAL PLAT (VB) LOT 3 BLOCK 4 DOC# 300006 PR	206 S BRACKLIN ST	2015	742.17	1,102.12	
28964	65-106-2-37-10-25-5 15-526-510500	COLBERT, JACOB	PO BOX 244	BIRCHWOOD WI 54817-0244	ORIGINAL PLAT (VB) LOT 4 BLOCK 4 DOC# 300006 PR		2015	75.01	178.42	
29189	65-106-2-37-10-25-5 15-526-630500	COLBERT, JOHN H	W 1110 COUNTY HWY D	BIRCHWOOD WI 54817-9135	ORIGINAL PLAT (VB) LOT 12 BLOCK 21 V 238 P 258 DOC# 292871 QC	120 S WILSON ST	2015	1,123.57	1,641.87	
30683	65-281-2-39-12-30-5 15-631-705000	COLEGROVE, KATHLEEN J	PO BOX 15	SPOONER WI 54801-0015	SCRIBNERS 2ND ADD LOT 11 BLOCK G V 177 P 166 V 205 P 195	706 BENJAMIN ST	2015	244.98	409.00	
30684	65-281-2-39-12-30-5 15-631-705500	COLEGROVE, KATHLEEN J	PO BOX 15	SPOONER WI 54801-0015	SCRIBNERS 2ND ADD LOT 12 BLOCK G EXC N 6' V 177 P 166 V 205 P 195		2015	264.81	414.51	
17619	65-026-2-37-11-25-3 03-000-004010	COOAN LE, BARBARA	1450 W POPLAR AVE	CAMERON WI 54822-7740	25-37-11W PT SW SW L 2 CSM #3153 V 14 P 133 DOC# 371488 QC	N 514 PIONEER RD	2015	592.18	902.85	
29638	65-151-2-42-12-23-5 15-268-520500	COUILLARD, TRACI	200 1ST ST	MINONG WI 54859-8041	FIRST DIVISION LOTS 15 - 16 BLOCK 4 V 359 P 189 WD	200 1ST ST	2015	401.73	578.30	
8168	65-014-2-40-13-11-5 15-386-522500	DE BAERDEMECKER, ELLA	5944 WOOD VALLEY RD	KALAMAZOO MI 49009-8222	LAKE FOREST ESTATES LOT 44 V 83 P 332		2015	103.24	227.36	
19348	65-030-2-42-12-05-3 04-000-004000	DENHARTOG, BRIAN	1927 275TH AVE	LUCK WI 54853-3523	05-42-12W PT S1/2 SE SW AND PT S1/2 SW SE DOC# 296576 WD	W 6901 SEMRAD DR	2015	486.95	662.25	
31230	65-281-2-39-12-31-5 15-590-524000	EMERSON, LORRIN R	416 DALE ST	SPOONER WI 54801-1208	RIDGEWOOD ADDITION LOT 5 BLOCK 7 DOC# 373952 QC		2015	276.59	441.07	

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14139	65-020-2-39-13-34-3 01-000-011000	ENGLUND, STEVEN J	27270 SHRIVER AVE	BONITA SPRINGS FL 34135-5449	34-39-13W PT NE SW DOC# 352516 QC	W 8316 HIGHWAY 70	2015	1,298.95	1,885.14	
20157	65-030-2-42-12-24-2 02-000-002000	FEATHERLY III, CLYDE T	12599 S US HIGHWAY 53	SOLON SPRINGS WI 54873-8359	24-42-12W NW NW WEST OF RR ROW DOC# 376277 JGMT	N 13290 LAKESIDE RD	2015	791.97	1,180.01	
8858	65-014-2-40-13-26-1 03-000-007000	FENTON, WELDON CARL	PO BOX 473	SPOONER WI 54801-0473	26-40-13W PT S1/2 NE1/4 L 11 CSM # 3304 V 15 P 132 DOC# 319502 WD	W 7840 SANDY LN	2015	1,088.02	1,544.62	
31246	65-281-2-39-12-31-5 15-590-532000	FERGUSON, DAMIAN J	911 LINDEN AVE	RICE LAKE WI 54868-1028	RIDGEWOOD ADDITION N 100' LOT 10 BLOCK 8 DOC# 332001 WD	621 OAK ST	2015	166.70	226.71	
13594	65-020-2-39-13-18-3 03-000-001000	FERGUSON, RICHARD	W 9626 DOCK LAKE RD	SPOONER WI 54801-7642	18-39-13W PT SW FRL1/4 SW FRL1/4 V 389 P 36 WD DOC# 339444 TERM DOC# 339445 PR EXC CSM #2416 V 10 P 138	W 9626 DOCK LAKE RD	2015	864.90	1,241.17	
30884	65-281-2-39-12-31-5 15-032-611500	FIELD, TRACY MARIE	150 N SUMMIT ST	SPOONER WI 54801-1449	1ST ADDITION (CS) LOTS 11 AND 12 BLOCK 12 DOC# 374405 QC	150 N SUMMIT ST	2015	2,639.42	3,676.56	
31829	65-282-2-37-12-05-5 05-006-006000	GILSDORF, STEVEN	439 LITTLE RIPLEY SPUR	SHELL LAKE WI 54871-8758	05-37-12W PT GOV LOT 6 L 4 CSM #1541 V 6 P 262 DOC# 359187 DEED	439 LITTLE RIPLEY SPUR	2015	3,055.23	4,155.11	
11642	65-016-2-41-13-17-4 04-000-003010	HOUSE, JEANNETTE L	N 10905 BURIAN PLACE RD	TREGO WI 54888-9151	17-41-13W PT SE SE DOC# 240952 WD EXC CSM #3322 V 15 P 150 NATL PARK SERV ESMT	N 10905 BURIAN PLACE RD	2015	834.80	1,227.72	
23804	65-034-2-39-12-25-5 15-104-504500	JACKSON, BRIAN K	6710 N SIDNEY PL APT 106	GLENDALE WI 53209-3250	ASSESSOR PLAT SPOONER LAKE OUTLOT 11 DOC# 343761 QC	N 5333 MANN RD	2015	753.08	1,089.29	
23805	65-034-2-39-12-25-5 15-104-505000	JACKSON, BRIAN K	6710 N SIDNEY PL APT 106	GLENDALE WI 53209-3250	ASSESSOR PLAT SPOONER LAKE OUTLOT 12 DOC# 343761 QC		2015	566.80	825.22	
28855	65-042-2-40-12-35-5 15-768-565000	JOHNSON, ADAM L	W 5630 PARK ST	TREGO WI 54888-9459	VILLAGE OF TREGO PT LOTS 10, 11 AND 12 BLOCK 9 AND PT VAC ALLEY DOC# 364577 TRANSFER AFFD V 272 P 44 DOC# 305210 TERM EXC DOC# 327626	W 5630 PARK ST	2015	552.25	848.55	
14313	65-020-2-39-13-36-1 04-000-013000	JOHNSON, GARY	N 5149 AUTO LN	SPOONER WI 54801-6606	36-39-13W PT SE NE DOC# 374238 WD	N 5149 AUTO LN	2015	711.30	1,064.86	
15507	65-022-2-42-11-30-3 03-000-001000	JOHNSON, LEE B	N 12580 TAYLOR LAKE RD	MINONG WI 54859-9119	30-42-11W SW FRL1/4 SW FRL1/4 V 293 P 694 ESMT V 294 P 477 QC	N 12570 TAYLOR LAKE RD	2015	1,060.89	1,550.84	
19981	65-030-2-42-12-21-5 15-570-508500	JOHNSON, WILLIAM R	N 12980 GILMORE DR	MINONG WI 54859-9284	POKEGAMA ESTATES LOT 18 DOC# 294331 LC DOC# 343040 TERM		2015	84.08	190.76	
19984	65-030-2-42-12-21-5 15-570-510000	JOHNSON, WILLIAM R	N 12980 GILMORE DR	MINONG WI 54859-9284	POKEGAMA ESTATES LOT 21 DOC# 294331 LC DOC# 343040 TERM	N 12980 GILMORE DR	2015	338.51	568.97	
3724	65-008-2-38-12-06-5 05-008-017000	JORDAN, TERRY R	556 RIVERDALE DR	ONEIDA WI 54155-9007	06-38-12W PT GOV LOT 8 L 1 CSM #1296 V 6 P 12 CSM V 6 P 15 AFFD V 381 P 215-216 WD DOC# 311893 QC	N 4853 FAIR GROUNDS RD	2015	226.38	307.88	
19906	65-030-2-42-12-20-4 03-000-005000	KAPPUS, THOMAS	724 RAILROAD ST	MINONG WI 54859-9195	20-42-12W PT E1/2 SW SE DOC# 381447 PR	W 6810 NANCY LAKE RD	2015	584.89	849.82	
19911	65-030-2-42-12-20-4 04-000-002000	KAPPUS, THOMAS	724 RAILROAD ST	MINONG WI 54859-9195	20-42-12W PT SE SE AND PT SW SE L 1 CSM #1116 V 5 P 101 DOC# 381447 PR	W 6802 NANCY LAKE RD	2015	406.10	644.60	
14026	65-020-2-39-13-31-4 01-000-001000	KELLY, DENNIS R	W 8450 HIGHWAY 70	SPOONER WI 54801-8620	31-39-13W NE SE V 449 P 428 WD DOC# 362788 QC		2015	245.66	404.64	
14038	65-020-2-39-13-31-4 04-000-002000	KELLY, DENNIS R	W 8450 HIGHWAY 70	SPOONER WI 54801-8620	31-39-13W PT SE SE V 449 P 428 WD DOC# 362788 QC EXC CSM #2739 V 12 P 82 V 434 P 244 HWY ACCESS		2015	78.31	160.87	
14145	65-020-2-39-13-34-3 03-000-005000	KELLY, DENNIS R	W 8450 HIGHWAY 70	SPOONER WI 54801-8620	34-39-13W PT SW SW OL 1 CSM #2447 V 10 P 168 V 403 P 686 QC DOC# 362788 QC		2015	23.01	85.66	



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16599	65-026-2-37-11-03-2 01-000-001000	KENNEN, DEREK D	W 2980 MORNINGSIDE RD	SARONA WI 54870-9279	03-37-11W NE FRL1/4 NW FRL1/4 EAST OF CTH M V 330 P 700-701 R/W - 1.75 AC DOC# 361250 WD	W 2980 MORNINGSIDE RD	2015	3,701.60	5,132.05	
16600	65-026-2-37-11-03-2 02-000-001000	KENNEN, DEREK D	W 2980 MORNINGSIDE RD	SARONA WI 54870-9279	03-37-11W PT NW FRL1/4 NW FRL1/4 V 330 P 700-701 R/W - 1.00 AC DOC# 361250 WD		2015	5.43	83.79	
35010	65-026-2-37-11-03-1 01-000-003000	KENNEN, DEREK D	W 2980 MORNINGSIDE RD	SARONA WI 54870-9279	03-37-11W PT N FRL1/2 NE FRL1/4 DOC# 361250 WD		2015	390.17	607.04	
20574	65-030-2-42-12-32-5 05-002-005000	KIESOW, WAYNE R	PO BOX 385	BARRON WI 54812-0385	32-42-12W PT GOV LOT 2 V 430 P 230 QC	W 7044 OLD BASS LAKE RD	2015	383.41	618.93	
17940	65-028-2-38-11-01-5 05-002-004000	LARSON, GENE L	W 7710 COUNTY HWY E	SPOONER WI 54801-8447	01-38-11W GOV LOT 2 EXC E 35 RODS N OF HWY 70 V 202 P 37 V 249 P 408 R/W - 1.26 AC		2015	124.56	256.35	
32815	65-282-2-38-13-26-5 15-240-855500	LICZKOWSKI, RAYMOND J	PO BOX 165	SHELL LAKE WI 54871-0165	DOBIE AND STRATTON ADD LOT 12 BLOCK L V 247 P 664-665	103 3RD ST	2015	3,252.94	4,521.49	
31721	65-281-2-39-12-32-5 15-080-015000	LINKE, WILLIAM C H	708 S FRONT ST	SPOONER WI 54801-7358	PT SW SW AKA PT OUTLOT 86 ASSESSORS PLAT DOC# 343139 QC		2015	10.66	90.91	
31723	65-281-2-39-12-32-5 15-080-017000	LINKE, WILLIAM C H	708 S FRONT ST	SPOONER WI 54801-7358	PT SW SW AKA PT OUTLOT 86 ASSESSORS PLAT DOC# 343139 QC		2015	91.69	201.11	
31724	65-281-2-39-12-32-5 15-080-018010	LINKE, WILLIAM C H	708 S FRONT ST	SPOONER WI 54801-7358	PT SW SW AKA PT OUTLOT 86 ASSESSORS PLAT DOC# 343139 QC	708 S FRONT ST	2015	2,234.24	3,125.71	
31729	65-281-2-39-12-32-5 15-080-024000	LINKE, WILLIAM C H	708 S FRONT ST	SPOONER WI 54801-7358	PT SW SW AKA N 394' OUTLOT 88 ASSESS PLAT DOC# 343139 QC		2015	17.06	99.61	
32349	65-282-2-38-13-25-5 15-530-504000	LOY, KAREN	210 2ND AV	SHELL LAKE WI 54871-9701	ORIGINAL PLAT (CSL) LOT 9 AND E1/2 LOT 10 BLOCK 1 DOC# 336768 LC	210 2ND AV	2015	1,793.09	2,524.59	
27915	65-042-2-40-12-19-4 03-000-001000	MACK, OLIVE L	W 7078 RAPPY LAKE RD	TREGO WI 54888-9356	19-40-12W SW SE EXC SW1/4 V 94 P 415 EXC V 267 P 674	W 7024 RAPPY LAKE RD	2015	1,074.39	1,569.20	
22244	65-032-2-37-12-01-5 05-002-005000	MARINO, JOHN T	N 2481 COUNTY HWY P	SARONA WI 54870-9410	01-37-12W PT GOV LOT 2 L 5 CSM #2028 V 8 P 189 V 342 P 39-40 ESMT DOC# 336499 WD	N 2481 COUNTY HWY P	2015	118.93	161.74	
30462	65-281-2-39-12-30-5 15-578-629500	MCFADDEN, GARY PATRICK	1105 SECOND ST	SPOONER WI 54801-1648	RESURVEY BLOCKS 5 AND 6 BIELOH-FLEMING ADDITION LOTS 21 - 24 BLOCK 6 V 271 P 408	1105 SECOND ST	2015	1,642.85	2,321.23	
25463	65-036-2-40-11-35-2 03-000-002000	MCGARY, DAVID L	W 3234 COUNTY HWY E	SPRINGBROOK WI 54875-9443	35-40-11W S 30 RODS E 40 RODS SW NW DOC# 339933 WD	W 3234 COUNTY HWY E	2015	470.69	640.14	
35162	65-020-2-39-13-31-4 02-000-001200	MOGENSEN, JAMES B	28339 HIGHWAY 6	SAINT MARIES ID 83861-9198	31-39-13W PT NW SE AND PT SW SE L 2 CSM #3895 V 19 P 65 AND PT L 4 CSM #3895 V 19 P 65 DOC# 281455 WD DOC# 290322 QC DOC# 367831 TERM	N 5024 YELLOW RIVER RD	2015	839.22	1,249.75	
35164	65-020-2-39-13-31-4 03-000-003200	MOGENSEN, JAMES B	28339 HIGHWAY 6	SAINT MARIES ID 83861-9198	31-39-13W PT SW SE PT L 4 CSM #3895 V 19 P 65 DOC# 377388 WD		2015	408.90	632.51	
22752	65-032-2-37-12-15-5 05-001-001000	MORRILL, DEBORAH ANN	W 5774 LITTLE KEG RD	SARONA WI 54870-9010	15-37-12W PT GOV LOT 1 LYING N OF RD AND W 400' LYING S OF RD V 257 P 177 DOC# 302765 TERM	W 5774 LITTLE KEG RD	2015	259.07	449.83	
5208	65-010-2-37-10-27-2 01-000-002000	MOSANSKY, MICHELLE L	W 1183 COUNTY HWY D	BIRCHWOOD WI 54817-9135	27-37-10W W 10 AC NE NW DOC# 353631 QC V 398 P 157-158 R/W - .37 AC	W 1183 COUNTY HWY D	2015	1,538.82	2,179.75	
7055	65-012-2-40-12-06-4 01-000-001000	MUNDT JR, DANIEL H	809 E LEXINGTON BLVD	EAU CLAIRE WI 54701-6425	06-40-12W S 379.5' E 569.25' NE SE DOC# 288976 WD DOC# 285588 R/W - .36 AC	N 9419 COUNTY HWY K	2015	221.40	366.41	
7056	65-012-2-40-12-06-4 01-000-002000	MUNDT JR, DANIEL H	809 E LEXINGTON BLVD	EAU CLAIRE WI 54701-6425	06-40-12W NE SE EXC S 379.5' E 569.25' V 312 P 310 WD V 357 P 364 QC V 469 P 169 R/W - .60 AC		2015	166.98	281.46	

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7057	65-012-2-40-12-06-4 02-000-001000	MUNDT JR, DANIEL H	809 E LEXINGTON BLVD	EAU CLAIRE WI 54701-6425	06-40-12W NW SE V 312 P 310 WD V 358 P 364 QC		2015	199.00	325.01	
7058	65-012-2-40-12-06-4 03-000-001000	MUNDT JR, DANIEL H	809 E LEXINGTON BLVD	EAU CLAIRE WI 54701-6425	06-40-12W SW SE V 312 P 310 WD V 358 P 364 QC V 413 P 328 AND 404 MFL-CL(26 A)		2015	88.97	175.37	
7059	65-012-2-40-12-06-4 04-000-001000	MUNDT JR, DANIEL H	809 E LEXINGTON BLVD	EAU CLAIRE WI 54701-6425	06-40-12W SE SE V 312 P 310 WD V 358 P 364 QC V 469 P 169 R/W - 1.41 AC		2015	121.06	219.01	
25310	65-036-2-40-11-32-2 02-000-003000	MUSTAFA, KATHERINE L	W 4422 FRIDAY ST	SPRINGBROOK WI 54875-9422	32-40-11W PT NW NW V 200 P 522 V 351 P 757 TERM DOC# 356451 QC DOC# 356450 ESMT	W 4422 FRIDAY ST	2015	435.03	662.18	
25311	65-036-2-40-11-32-2 02-000-004000	MUSTAFA, KATHERINE LOU	W 4422 FRIDAY ST	SPRINGBROOK WI 54875-9422	32-40-11W PT NW NW V 200 P 522 V 351 P 757 TERM DOC# 356450 ESMT	W 4430 FRIDAY ST	2015	122.44	220.89	
3733	65-008-2-38-12-06-5 05-009-026000	NORQUEST, EDWARD W	N 7537 EDGEWOOD DR	SPRINGBROOK WI 54875-9494	06-38-12W PT GOV LOT 9 DOC# 317018 TERM		2015	247.06	422.95	
19642	65-030-2-42-12-17-5 15-274-514000	OLSON, JOANNA L	15315 41ST AVE N	PLYMOUTH MN 55446-2641	GILMORE PARK LOT 25 AND 25' RD BETW LOTS 25 AND 26 V 391 P 758-759 WD V 405 P 566-568 TERM	N 13502 NARROWS TR	2015	1,164.64	1,702.48	
7854	65-012-2-41-12-36-5 15-652-501500	OSBORN, TRAVIS N	N 9749 SILVER LN	TREGO WI 54888-9226	SILVER LAKE GLEN LOT 4 DOC# 359911 LC	N 9749 SILVER LN	2015	651.67	994.30	
454	65-002-2-37-13-19-4 03-000-001000	PATRAW, GORDON	15 OLD HIGHWAY 8 SW	NEW BRIGHTON MN 55112-7745	19-37-13W SW SE V 305 P 386-387 LC	N 802 LEACH LAKE RD	2015	3,939.05	5,465.71	
693	65-002-2-37-13-30-1 02-000-001000	PATRAW, GORDON	15 OLD HIGHWAY 8 SW	NEW BRIGHTON MN 55112-7745	30-37-13W NW NE V 305 P 386-387 LC		2015	1,048.11	1,501.84	
698	65-002-2-37-13-30-2 01-000-003000	PATRAW, GORDON	15 OLD HIGHWAY 8 SW	NEW BRIGHTON MN 55112-7745	30-37-13W S1/2 NE NW FRL1/4 LYING EAST OF TN RD V 306 P 477 WD		2015	150.11	280.56	
1640	65-004-2-38-13-24-3 04-000-005000	POWLESS, GARRETT	N 3357 NEW KNAPP RD	SHELL LAKE WI 54871-8636	24-38-13W N 34 RODS S 64 RODS W 20 RODS E 40 RODS SE SW DOC# 342636 QC	N 3357 NEW KNAPP RD	2015	106.25	227.62	
1941	65-004-2-38-13-34-5 15-428-508000	PTACEK, CHRISTOPHER M	3006 BUCHANAN ST NE	MINNEAPOLIS MN 55418-2251	LITTLE LONG LAKE LOT 9 AND 1/12TH INT IN OL 1 DOC# 355466 QC		2015	505.09	773.87	
9440	65-016-2-41-12-07-3 01-000-002010	RETZLOFF, THOMAS C	E5798 COUNTY ROAD D	COLFAX WI 54730-4657	07-41-12W PT NE SW FRL1/4 L 1 CSM V 2 P 172 DOC# 326191 WD	W 7309 HIGHWAY 77	2015	126.26	242.06	
23794	65-034-2-39-12-25-5 05-001-007000	ROBERTS HORTON, SHARON	17601 SOUTH CHESTNUT AVE	COUNTRY CLUB HILLS IL 60478-4811	25-39-12W PT GOV LOT 1 V 320 P 484 QC V 329 P 792 PRBT DOC# 354918 QC		2015	2.90	80.35	
23796	65-034-2-39-12-25-5 15-104-500500	ROBERTS HORTON, SHARON	17601 SOUTH CHESTNUT AVE	COUNTRY CLUB HILLS IL 60478-4811	ASSESSOR PLAT SPOONER LAKE OUTLOT 2 DOC# 356038 QC	N 5361 MANN RD	2015	953.04	1,436.92	
3248	65-006-2-40-10-26-2 01-000-008000	SCHULTE, MATTHEW	N 7949 TIMBER WOLF DR	HAYWARD WI 54843-7161	26-40-10W PT SE NW AND PT NE SW L 5 CSM #3194 V 15 P 22 DOC# 353348 WD	N 7949 TIMBER WOLF DR	2015	174.04	340.19	
3253	65-006-2-40-10-26-2 01-000-013000	SCHULTE, MATTHEW	N 7949 TIMBER WOLF DR	HAYWARD WI 54843-7161	26-40-10W PT SE NW AND PT NE SW L 10 CSM #3236 V 15 P 64 DOC# 358084 LC		2015	22.25	106.67	
20859	65-030-2-42-13-04-5 05-004-002000	SHEGSTAD, JAMES WILLIAM	609 APARTMENT LN SW APT 306	FOREST LAKE MN 55025-1781	04-42-13W PT GOV LOT 4 DOC# 359339 QC	N 14414 TIM TAM DR	2015	284.92	398.03	
1124	65-004-2-38-13-05-5 05-001-002500	SKILLE, TODD	W 8975 HIGHWAY 70	SPOONER WI 54801-7690	05-38-13W E1/2 W1/2 GOV LOT 1 DOC# 345151 TD	W 8975 HIGHWAY 70	2015	1,176.91	1,665.51	
19436	65-030-2-42-12-08-5 05-003-005000	SLACK 1996 TRUST DATED FEB 2 1996, NANCY C	9335 S 87TH AVE	HICKORY HILLS IL 60457-1771	08-42-12W PT GOV LOTS 3 AND 4 L 1 CSM #915 V 4 P 200 V 253 P 401 V 350 P 384-385 TERM V 350 P 386 TRST	W 6986 BANKERS DR	2015	3,318.36	4,572.78	



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7635	65-012-2-41-12-30-4 04-000-002000	SLATER, SUSAN L	N 10189 COUNTY HWY K	TREGO WI 54888-8202	30-41-12W E 466' S 466' SE SE DOC# 268461 WD DOC# 285308 R/W - 1.14 AC			2015	31.87	130.29
892	65-004-2-38-13-01-5 05-009-005000	SMITH, TOINI E	383 JESSAMINE AVE E	SAINT PAUL MN 55103-3731	01-38-13W PT GOV LOT 9 L 1 CSM #1125 V 5 P 110 V 263 P 365 DOC# 349334 TERM	N 4720 DEBBIE DR		2015	1,561.79	2,221.86
30744	65-281-2-39-12-31-5 15-527-509000	STEICHEN, PETER R	1301 COUNTY ROAD A	SPOONER WI 54801-8907	ORIGINAL PLAT (CS) S 74' LOTS 7 AND 8 BLOCK 2 DOC# 332242 WD	315 N FRONT ST		2015	1,323.98	1,914.08
398	65-002-2-37-13-18-2 01-000-014000	SWAN, THOMAS F	PO BOX 113	LOWELL IN 46356-0113	18-37-13W S 100' NE NW FRL1/4 V 151 P 508 WD			2015	91.67	233.27
411	65-002-2-37-13-18-2 02-000-013000	SWAN, THOMAS F	PO BOX 113	LOWELL IN 46356-0113	18-37-13W S 100' NW FRL1/4 NW FRL1/4 V 151 P 508 WD			2015	69.07	170.35
415	65-002-2-37-13-18-2 04-000-003000	SWAN, THOMAS F	PO BOX 113	LOWELL IN 46356-0113	18-37-13W N 660' E 330' SE NW FRL1/4 EXC N 528' E 165' V 151 P 508 WD			2015	87.67	195.64
19742	65-030-2-42-12-17-5 05-009-008000	TREBUS, KEVIN JAMES	2243 212TH LN NW	OAK GROVE MN 55011-9129	17-42-12W S 125' N 625' GOV LOT 9 L 4 CSM V 1 P 195 V 343 P 481 WD V 382 P 533-537 JGMT	N 13454 SMITH BRIDGE RD		2015	2,124.30	2,976.00
4296	65-008-2-38-12-23-3 03-000-003000	TYREE, MICHAEL	610 WASHINGTON AVE	TURTLE LAKE WI 54889-8937	23-38-12W PT SW SW L 1 CSM #3972 V 19 P 142 DOC# 309818 PR DOC# 334154 QC DOC# 336260, #336261 QC DOC# 358352 QC	W 5660 COUNTY HWY B		2015	708.57	1,050.61
11427	65-016-2-41-13-11-5 05-005-002010	VEHE, ROBERT E	1583 N CHOLLA ST	CHANDLER AZ 85224-5142	11-41-13W PT GOV LOT 5 L 1 CSM #2154 V 9 P 94 DOC# 297980 TD DOC# 304925 QC DOC# 307827 R/W	W 7934 HIGHWAY 77		2015	57.51	154.62
11428	65-016-2-41-13-11-5 05-005-003000	VEHE, ROBERT E	1583 N CHOLLA ST	CHANDLER AZ 85224-5142	11-41-13W PT GOV LOT 5 L 2 CSM #1676 V 7 P 97 DOC# 297981 TD DOC# 304922 QC	W 7926 HIGHWAY 77		2015	1,213.45	1,726.70
11430	65-016-2-41-13-11-5 05-005-005010	VEHE, ROBERT E	1583 N CHOLLA ST	CHANDLER AZ 85224-5142	11-41-13W PT GOV LOT 5 INC 20' LAKE ACCESS ESMT L 2 CSM #2154 V 9 P 94 DOC# 297983 TD DOC# 304923 QC DOC# 307827 R/W	W 7910 HIGHWAY 77		2015	245.68	432.33
25431	65-036-2-40-11-34-2 03-000-004000	WALLACE, MICHAEL G	W 3670 COUNTY HWY E	SPRINGBROOK WI 54875-9439	34-40-11W PT SW NW DOC# 341432 WD	W 3670 COUNTY HWY E		2015	453.51	703.72
23652	65-034-2-39-12-22-2 02-000-006000	WARIAN, STEVEN P	PO BOX 585	SPOONER WI 54801-0585	22-39-12W PT NW NW L 2 CSM #2587 V 11 P 110 V 459 P 80 WD DOC# 344432 QC EXC DOC# 350072 HWY R/W			2015	211.65	352.75
34033	65-010-2-38-10-35-5 16-974-607140	WESTOVER, ANDY JAMES	400 CENTER AVE S TRLR 61	MONTROSE MN 55363-8557	SPIDER LAKE RESORT CAMPGROUND UNIT 216 AND 1/39TH INT IN COMMON ELEM DOC# 355917 QC	N 2635 COUNTY HWY T UNIT 216		2015	123.31	265.19
23254	65-032-2-37-12-36-1 04-000-001000	WHEELER, KEVIN K	313 1/2 S 5TH ST	DELAVAN WI 53115-1813	36-37-12W PT SE NE LYING W OF HWY 53 DOC# 329705 PR	N 371 HIGHWAY 53		2015	858.14	1,264.56
23727	65-034-2-39-12-24-2 02-000-002000	WILMOT, CHRISTOPHER D	N 6054 MANN RD	SPOONER WI 54801-5310	24-39-12W PT NW NW DOC# 285926 WD DOC# 301273 R/W - .12 AC	W 5269 COUNTY HWY A		2015	265.14	437.00
23729	65-034-2-39-12-24-2 02-000-004000	WILMOT, CHRISTOPHER D	N 6054 MANN RD	SPOONER WI 54801-5310	24-39-12W PT NW NW L 1 CSM #2264 V 9 P 204 DOC# 285926 WD DOC# 301273 R/W - .19 AC	N 6054 MANN RD		2015	7.78	113.89
393	65-002-2-37-13-18-2 01-000-009000	WOSELOWSKY, WILLIAM KIRBY	401 COMMONWEALTH DR	CRYSTAL LAKE IL 60014-6293	18-37-13W S 165' N 330' E 528' W 1056' NE NW FRL1/4 V 129 P 795 DOC# 359111 TERM			2015	61.11	191.14
2293	65-006-2-40-10-09-4 04-000-007000	ZACHARIAS, ROY	W 1302 TOWN HALL RD	HAYWARD WI 54843-9335	09-40-10W S1/2 SE1/4 LESS W 2363' V 285 P 531	W 1302 TOWN HALL RD		2015	533.69	823.31
17262	65-026-2-37-11-17-4 01-000-002000	ZAHURANCE, PAUL A	N 1436 MCCUNE LAKE DR	SARONA WI 54870-9245	17-37-11W PT NE SE EXC S 333' W OF MCCUNE LK DOC# 329753 SHER V 411 P 35 QC DOC# 371582 QC	N 1436 MCCUNE LAKE DR		2015	4,148.67	5,750.22
2128	65-006-2-40-10-05-2 02-000-002000	ZOPP, JOSHUA A	N 9519 ZOPP RD	HAYWARD WI 54843-7881	05-40-10W PT W FRL1/2 NW FRL1/4 S OF RR ROW DOC# 293547 WD			2015	22.39	127.94