

WASHBURN COUNTY BOARD OF SUPERVISORS AGENDA

November 14, 2023

9:00 a.m.

Board Room, Washburn County Services Center, Shell Lake, Wisconsin

1. Call Meeting to Order – Chair Wilson
2. Moment of Silent Meditation and Pledge of Allegiance – Supv. L. Featherly
3. Notice of Meeting – County Clerk Swearingen
4. Roll Call – County Clerk Swearingen
5. Approval of October 17, 2023 County Board Proceedings
6. Concerned Citizens
7. Resolution for 2023 Tax Levy and 2024 Budget – Supv. S. Smith
8. Youth Government Day Introduction – Chair Wilson – have current youth give short speech
9. CVSO Annual Report
10. Consent Agenda Resolutions:
 - a. Rezone Petition and Amendatory Ordinance – Stinnett – October 2023
 - b. Rezone Petition and Amendatory Ordinance – Casey – October 2023
 - c. Resolution to Update the Rules of Order of the Washburn County Board of Supervisors and Washburn County Code of Ordinances
 - d. Resolution to Update the Rules of Order Part 2
 - e. Resolution for Update of Policy B-4 Position Justification and Hiring Process
 - f. Resolution to Update Employee Handbook Regarding Language Updates to Procedure for Unpaid Personal Leave and Procedure for Corrective Action
11. Resolutions and Ordinances:
 - a. Resolution to Approve County Forest Variable Share Payments – Supv. S. Johnson
 - b. Resolution to Approve the 2024 County Forest Work Plan – Supv. S. Johnson
 - c. Resolution to Approve Restoring ATV/Snowmobile Trail 7 – Supv. S. Johnson
 - d. Resolution to Increase the 2023 Health & Human Services Department Budget Due to the Federal Award of Healthy WashCo:Partnerships 2 Success – Supv. S. Smith
 - e. Resolution to Increase the 2024 Health & Human Services Department Budget Due to the Federal Award of Healthy WashCo:Partnerships 2 Success – Supv. S. Smith
 - f. Resolution Authorizing the Creation of a New Full Time Equivalent Position: Youth Programs Specialist- Health & Human Services Department – Supv. H. Graber
 - g. Resolution Authorizing the Washburn County Health and Human Services Department to Accept Donations – Supv. S. Smith
 - h. Resolution for the Veterans Service Office to Accept Donations from a Local Veterans Service Organization and Amend the 2023 Budget – Supv. S. Smith
 - i. Resolution to Utilize Highway Fund Balance to Purchase a Used Grader in the 2023 Highway Budget – Supv. S. Smith
 - j. Resolution to Increase the 2023 Aging/ADRC Budget for Earnest Money – Supv. S. Smith
12. Committee Reports
13. Chair Appointments
 - a. Ad Hoc Jail Project Committee
14. Citizen Comments
15. Chair Comments
 - a. Attendance Policy
 - b. Reminder of Candidacy Paperwork
16. Next Meeting Date and Possible Future Agenda Items
17. Audit Per Diems
18. Adjourn

WASHBURN COUNTY BOARD OF SUPERVISORS MINUTES

October 17, 2023

6:00 p.m.

Board Room, Washburn County Services Center, Shell Lake, Wisconsin

1. Call Meeting to Order at 6:00 p.m. by Chair Wilson
2. Moment of Silent Meditation and Pledge of Allegiance was lead by Supv. L. Featherly
3. Notice of Meeting was read by County Clerk Swearingen
4. Roll Call was done by County Clerk Swearingen. Board members present: (21) *C. Masterjohn via zoom*; Youth Present: (2) Hailey Stariha and Serena Lu.
5. Approval of September 26, 2023 Public Hearing Minutes and County Board Proceedings on motion to approve by Supv. J. Smith, 2nd by Supv. J. Ford; MC
6. Concerned Citizens – Linda Zillmer Village of Birchwood spoke of the Board Rules update, asked for a policy to be established on consent agenda items. Colleen Cook of Spooner, thanked all that came for the grand opening, great day, over 100 vaccines were given. Spoke of the A-15 policy being moved through too fast, there have never been any issues with alcohol. Spoke of adding things to their 501c policy which would not hold the county responsible for anything.
7. Update from Mosaic Technologies – Deanna Westphal, new public relations manager, gave update on the current progress. Currently applying for another grant and Mosaic is seeking a letter of support. They would greatly appreciate testimonials from everyone in the county regarding the service they have or don't have and why they need it. Sarona and Spooner areas have service hooked up.
8. Presentation by Washburn County Criminal Justice Coordinator – Stephanie Villella in conjunction with Jail Captain Gretchen Nielsen and District Attorney Aaron Marcoux, presented on the justice program. CJCC started back in 2002. They started with 4 programs and now have 9. Community Service, Drug & Alcohol Court, Intoxicated Driver Intervention Program, Electronic Monitoring (GPS & SCRAM), Marijuana Awareness Program, Defensive Driving Diversion Program, Disorderly Conduct Diversion Program, Alcohol Awareness for Minors Program and a Deferred Judgement of Conviction Monitoring Program. This is a great cost savings in the long run by offering these programs. They have a Drug and Alcohol Court which is an intensive 1 year program to help the high risk high needs offenders stay out of the system.
9. **Consent Agenda Resolutions:** Motion by Supv. P. Johnson to pull all consent agenda items out for discussion, 2nd by Supv. B. Olsgard; MC
 - a. **Rezone Petition and Amendatory Ordinance – Stinnett – September 2023** on motion to approve by Supv. P. Johnson, 2nd by Supv. B. Olsgard; MC
 - b. **Resolution 2023-78 to Approve Policy A-15 Prohibiting the Carry-In of Alcohol Policy** on motion to approve by Supv. L. Featherly, 2nd by Supv. C. Stariha; Lengthy discussion followed. Corp Counsel reiterated this is a policy specifically regarding the carry-in of alcohol to county owned buildings or events. Chair Wilson sponsored Colleen Cook to speak. She does not have paperwork with her, but recalls the seniors have been a 501c for at least 6 years. Motion by Supv. S. Smith to postpone this topic to the January County Board meeting, 2nd by Supv. C. Stariha; Roll Vote: Yes (12), No (9) L. Featherly, S. Johnson, T. Kessler, D. Wilson, C. Masterjohn, G. Cusick, K. King, P. Johnson and C. Stariha; Youth: Yes (2), No (0); MC.
 - c. **Resolution 2023-79 to Approve Broadband Expansion Proposal from Mosaic Technologies** on motion to approve by Supv. P. Johnson, 2nd by Supv. G. Cusick; MC
 - d. **Resolution 2023-80 in Support of East Central Energy's Broadband Project in Washburn County** on motion to approve by Supv. P. Johnson, 2nd by Supv. G. Cusick; MC

- e. **Resolution 2023-81 to Update the Rules of Order of the Washburn County Board of Supervisors and Washburn County Code of Ordinances** on motion to approve by Supv. S. Smith, 2nd by Supv. S. Roppe; MC

10. Resolutions and Ordinances:

- a. **Resolution 2023-82 Approving County Forest Law Withdrawal for Salt Shed** on motion to approve by Supv. S. Johnson, 2nd by Supv. L. Olson; Voice Vote: All Yes
- b. **Resolution 2023-83 to Change the Interest and Penalty on Delinquent Taxes** on motion to approve by Supv. S. Smith, 2nd by Supv. S. Johnson; Roll Vote: Yes (17), No (4) J. Smith, J. Bruce, J. Hoy, C. Stariha; Youth: Yes (1), No (1) H. Stariha; MC.
- c. **Resolution 2023-84 Approving up to 400 hours, LTE Position for the Register of Deeds** on motion to approve by Supv. S. Smith, 2nd by Supv. J. Ford; Roll Vote: Yes (21), No (0); Youth: Yes (2), No (); MC.

11. Committee Reports – suspended this evening

12. Chair Appointments on motion to approve by Supv. H. Graber, 2nd by Supv. L. Olson; MC

- a. Bob Somereyer to Trego Lake District

13. Citizen Comments

14. Chair Comments – Chair Wilson spoke of a very nice plaque that was at the Spooner Wellness Center grand opening. District Supervisor Candidacy packets have been handed out tonight if you would like to run again next year. The November meeting is also Youth Government Day.

15. Next Meeting Date and Possible Future Agenda Items – November 14th at 9:00 a.m. ALICE Training after meeting. Supv. G. Cusick would like the youth supervisors to give a short speech on their experience serving on the board.

16. Audit Per Diems on motion by Supv. C. Masterjohn 2nd by Supv. G. Cusick; MC

17. Adjourn at 8:08 p.m.

RESOLUTION #

Resolution for 2023 Tax Levy & 2024 Budget

BE IT RESOLVED, by the Washburn County Board of Supervisors, in regular annual session assembled, that there be and hereby is levied against all taxable property of the County of Washburn the sum of \$11,500,324 for County purposes as specifically enumerated in the 2024 Budget.

COUNTY FISCAL IMPACT: \$11,500,324

County mill rate: 2.840 per \$1,000.00 of equalized valuation; Equalized Value of \$4,050,329,300
 $(11,500,324/4,050,329,300)*1000=2.840$


Recommended for adoption by the Washburn County Finance Committee this 5th day of October, 2023 and approved by the Washburn County Board of Supervisors this ____ day of November 2023.



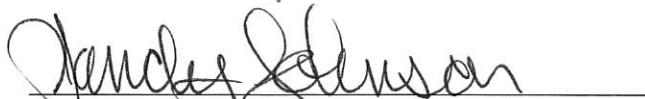
Stephen Smith, Chairman of Finance Committee




Linda Featherly, Vice Chair



Cristina Masterjohn, member



Sandy Johnson, member



David Wilson, County Board Chairman –
Sitting in for Scott Roppe, member

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 October 24, 2023.

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

Stinnett Township: William Cochran, Hayward WI. Property: Tax ID#36590-16.72 acre, NE SE N OF RR ROW, in Section 33-41-10, to rezone from Agricultural to Residential Agricultural to be able to split off approximately 1.5 acres to sell to the adjacent land owner who will attach it to his existing parcel.

The Zoning Committee recommends APPROVAL of the request to rezone 16.72 acres of Agricultural to Residential Agricultural.

Interested persons were given the opportunity to be heard.

Dated

Jocelyn Ford, Chairman
Washburn County Zoning Committee

Rezonepetitions102423

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 are hereby amended and designated as;

Stinnett Township: William Cochran, Hayward WI. Property: Tax ID#36590-16.72 acre, NE SE N OF RR ROW, in Section 33-41-10, to rezone from Agricultural to Residential Agricultural to be able to split off approximately 1.5 acres to sell to the adjacent land owner who will attach it to his existing parcel.

Interested persons were given the opportunity to be heard.

Supervisor _____ move to _____ rezonings,
second by _____

Supervisor _____, motion carried.

Dated

David Wilson, Chairman

Washburn County Board of Supervisors

Rezonepetitions102423

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 October 24, 2023.

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

Casey Township: Alan Sigurdson, Barron WI. Property: Tax ID#9248-40.00 acres, NW NW, in Section 34-40-13, Town of Casey, to rezone 6 acres from Agricultural to Residential Agricultural to create a 6 acre parcel and sell to the adjacent land owner.

The Zoning Committee recommends APPROVAL of the request to rezone 6.00 acres of Agricultural to Residential Agricultural.

Interested persons were given the opportunity to be heard.

Dated

Jocelyn Ford, Chairman
Washburn County Zoning Committee

Rezonepetitions102423

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 are hereby amended and designated as;

Casey Township: Alan Sigurdson, Barron WI. Property: Tax ID#9248-40.00 acres, NW NW, in Section 34-40-13, Town of Casey, to rezone 6 acres from Agricultural to Residential Agricultural to create a 6 acre parcel and sell to the adjacent land owner.

Interested persons were given the opportunity to be heard.

Supervisor _____ move to _____ rezonings,
second by _____

Supervisor _____, motion carried.

Dated

David Wilson, Chairman

Washburn County Board of Supervisors

Rezonepetitions102423

RESOLUTION # _____

**RESOLUTION TO UPDATE THE RULES OF ORDER OF THE
WASHBURN COUNTY BOARD OF SUPERVISORS AND WASHBURN
COUNTY CODE OF ORDINANCES**

WHEREAS, the rules of Order of the Washburn County Board of Supervisors and the Washburn County Code of Ordinances have been reviewed; and,

WHEREAS, the Washburn County Board of Supervisors desires that Supervisors of the Board attend Board meetings in person, but also that Supervisors be allowed to attend Board meetings virtually if they cannot attend in person; and,

WHEREAS, it is the desire of the Washburn County Board of Supervisors that Supervisors that can only attend a Board meeting virtually be allowed to vote at a Board meeting, but also to keep votes for the election of officers by secret vote; and,

WHEREAS, it is the desire of the Washburn County Board of Supervisors to maintain the private nature of closed session meetings of the Board as allowed by section 19.85 of the Wisconsin Statutes.

THEREFORE, BE IT RESOLVED, the Rules of Order of the Washburn County Board of Supervisors are hereby updated as indicated in the attached; and,

BE IT FURTHER RESOLVED, that Chapter 2, Article V, Sections 2-268, 2-259, and 2-265 are hereby revised as indicated in the attached.

FISCAL IMPACT: None

Recommended for adoption by the Washburn County Executive Committee on the 8th day of November, 2023 and approved by the Washburn County Board of Supervisors this 14th day of November, 2023.

David Wilson, Chair

Linda Featherly, 1st Vice Chair

Tim Kessler, 2nd Vice Chair

Hank Graber, Member

Lolita Olson, Member

RULES OF ORDER OF THE WASHBURN COUNTY BOARD OF SUPERVISORS

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.

SELF-ORGANIZED COUNTY

Washburn County is a self-organized county with authority to act under, among other statutes, Wis. Stat. § 59.10(1).

RULE 1: COUNTY BOARD OF SUPERVISORS

1. The governing body shall be known as "the Washburn County Board of Supervisors" and are referenced in these rules as the "board". The Board shall consist of twenty-one Supervisors representing twenty-one Districts.

RULE 2: TERM OF OFFICE

1. Supervisors shall serve a two year term beginning and expiring at the convening of the organizational meeting on the third Tuesday in April in the even numbered years.

2. A supervisor may be removed from office by the county board for cause by a vote of two-thirds of all the supervisors entitled to seats on such board. (See Statutes Sec.17.10. See also Sec. 59.15 Neglect of Duty.)

RULE 3: ELECTION OF OFFICERS

1. The Board shall, on the third Tuesday of April, in the even numbered years, elect, by secret ballot¹, a Chair, a First Vice Chair and a Second Vice Chair for a two year term. The manner in which the Chairs are elected shall be as follows:

2. Following nominations which need not be seconded, secret ballots shall be used to elect the Chair and Vice Chairs until a majority vote of the members present elects such officers. Only persons nominated may be voted for by ballot. Each position shall be filled by separate ballot. Each nominee may speak for three minutes. If a ballot results in no candidate obtaining a majority vote, the election continues until a majority vote is obtained. A candidate may withdraw

but is never dropped.

RULE 4: DUTIES OF THE CHAIR OF THE BOARD

1. **General Duties** The Chair preserves the order of the Board, and decides all the questions of order and procedure subject to an appeal to the Board. The Chair may speak on points of order in preference to other Supervisors and shall vote on all questions which come before the board. Unless specifically named to a committee by these rules, the Chair shall be an ex officio member of all committees. The Chair shall ensure the Board and individual Board members act consistently with the Board's Rules and Policies. The Chair shall preside at Board meetings in an efficient and effective manner and shall set the general tone for each meeting through positive leadership. Deliberation will be fair, open, and thorough, but also efficient.

2. **Agenda, Minutes** The Chair shall ensure the other Board members are informed of current and pending Board issues and processes. The Chair, with the advice of the Executive Committee and the assistance of the Clerk, shall prepare the agenda of all business to come before each Board meeting, and shall provide via electronic means said agenda, proposed legislation and minutes of the preceding Board meeting if not already distributed to Board members at least four calendar days before each regularly scheduled meeting of the Board.

3. **Appointments** The Chair appoints members to committees authorized by the Board.⁴ Officers of such committees are selected by committee members. (See Rule 13.1.) The Chair makes other appointments as authorized by statute.

4. At the Board's request, the Chair, or designee, shall represent the County at events or functions, serves as spokesperson for the County, where not in conflict with other statutory authority, and represents the County upon request of groups or organizations to present County positions or programs.

5. [Rule 4.5 was approved by the Board on Feb. 15, 2005 by Resolution 107-05.] The Board Chair shall chair no standing committees of the County Board except the Executive Committee. The Chair may chair ad hoc and other committees and boards associated with the role of the chairmanship.

RULE 5: ABSENCE OF OFFICERS OR SUPERVISORS

1. The First Vice Chair shall assume the duties of the Chair in the event of the Chair's temporary absence. A temporary absence is deemed to mean that the Chair is unable to carry out the duties of the office for ninety days or less.

2. The First Vice Chair shall assume the duties of the Chair for the remainder of the Chair's term in the event of a permanent absence of the Chair. A permanent absence is deemed to mean that the Chair will be unable to carry out the duties of office in excess of ninety days. Upon absence of the First Vice Chair, the Second Vice Chair assumes the duties of the absent officer.

3. In the absence of the Chair and the Vice Chairs, the Clerk shall call the Board to order, and the Board shall then elect temporary or permanent officers as appropriate according to the procedure set forth in Rule 3.

4. Each Supervisor shall be required to attend all meetings of the Board unless excused by the Board Chair. If a Supervisor cannot attend a meeting, the Supervisor shall contact the Board Chair or County Clerk before the meeting in question with an explanation of the anticipated absence. The Supervisor shall be entered in the Board minutes as excused. If circumstances render advance notice of absence impossible, the Supervisor shall contact the Chair within one week of the absence. At the next Regular Meeting, the Chair shall enter the excuse statement in the Board minutes.

5. Each Supervisor shall be required to attend all meetings of the Board in person unless approval of virtual attendance is given by the Board Chair. If a Supervisor cannot attend a meeting in person, the Supervisor shall contact the Board Chair or County Clerk before the meeting in question with an explanation for why the Supervisor cannot attend the meeting in person.

6. Excessive absenteeism of a supervisor from board meetings may be considered cause for removal. See Rule 2 Term of Office.

7. If a committee member is absent with or without excuse from more than four meetings in a year the committee chair or the subject department head may ask the Board Chair to consider replacing the member.

8. If a vacancy occurs on the Board, the Chair, with the approval of the Board, shall appoint a person who is a qualified elector and resident of the Supervisory District to fill the vacancy for the unexpired portion of the term.

RULE 6: TIME AND PLACE OF MEETINGS; EMERGENCY MEETINGS

1. The Board shall meet in Regular Session on the following dates: (1) The third Tuesday in April in the even numbered years shall be the Organizational Meeting, (2) the Annual Meeting shall be held on the Tuesday after the 2nd Monday in November unless that date is November 11 in which case the meeting shall be held on November 12. (3) the third Tuesday in each month that the Board shall meet unless otherwise designated by a majority vote of the Board.²

2. All Board meetings shall begin at a time previously agreed upon by the Board except the Annual and Organizational Meetings shall begin at 9:00 a.m. The place of the meetings shall be in the County Board Room in the City of Shell Lake, Wisconsin. For good cause the Chair shall call special meetings, and cancel, reschedule or relocate Board meetings. The Chair may not change special meetings called by a majority of Supervisors pursuant to Sec. 59.11 (2) Wis. Statutes.

3. Upon determining that an emergency exists, the Chair may call an emergency meeting in any manner reasonably designed to give notice to supervisors and the public including by

telephone, posting to the county website or email. Notice must precede meeting time by at least two hours. An emergency is defined as a situation which requires immediate Board action without which the County government or its citizens will suffer risk of physical, financial or other harm.³

RULE 7: QUORUM

1. A majority of the Supervisors who are entitled to a seat on the Board shall constitute a quorum.

RULE 8: REIMBURSEMENT FOR SERVICES

1. Supervisors and other County Board Committee members shall receive per diem and mileage compensation for the following service, unless otherwise indicated:

- a. They attend a duly scheduled meeting.
- b. Per diems will be paid for telephonic meetings.
- c. They have been requested to attend the meeting by either the Board Chair or the Chair of the Committee. This request should be included in the minutes of the meeting and such Supervisors shall indicate on their vouchers that they were requested to attend said meeting.
- d. If the Administrative Coordinator or a Department Head requests to meet with a Supervisor, the Supervisor is entitled to compensation for the meeting.
- e. Supervisors shall receive compensation for mileage when requested to sign vouchers only if so authorized by the Board Chair.
- f. Reimbursement for travel to and from meetings shall be for travel by the most usual and direct route.
- g. Supervisors and Committee Members are not entitled to compensation and mileage if they could be reimbursed from another source for attending the meeting.
- h. Per diems for all Board and Committee meetings shall be as set by separate resolution.
- i. All mileage and meals and lodging shall be reimbursed at the rate set by County travel policy.
- j. If a supervisor has two scheduled meetings in a day and there is a layover of two hours or more between meetings, as compensation for the supervisor's lost regular employment time, the supervisor is entitled to mileage for both meetings.

RULE 9: ORGANIZATIONAL MEETING ORDER OF BUSINESS

1. For the Organizational Meeting, the order of business may be:

- a. Call to order by the Clerk
- b. Certification of Legal Notice of Meeting by Clerk
- c. Reading of Certificate of Membership
- d. Administration of Oath of Office
- e. Call of the Roll
- f. Pledge of Allegiance
- g. Adoption of Rules of Order of the Washburn County Board of Supervisors
- h. Election of Chair (two year term)
- i. Approval of Agenda
- j. Election of First Vice Chair (two year term)
- k. Election of Second Vice Chair (two year term)

- l. Election of Highway Committee
- m. Appointment of two members to the Executive Committee
- n. Additional business
- o. Adjournment

RULE 10: AGENDA FOR REGULAR MEETINGS

1. The order of business for regular meetings may be as follows:

- a. Call to order
- b. Certification of Legal Notice of Meeting
- c. Roll Call
- d. Pledge of Allegiance
- e. Approval of agenda
- f. Approval of previous board minutes
- g. Public Comments
- h. Administrative report on current issues
- i. Committee of the Whole
- j. Consent Agenda Resolutions
- k. Other Resolutions and Ordinances
- l. Committee reports
- m. The Chair’s appointments and report on current issues
- n. Public Comments
- o. Note next meeting date
- p. Closed Session, pursuant to Statute, Chapter 19
- q. Return to Open Session
- r. Action if required from Closed Session.
- s. Adjournment

2. Agendas should include the following statement or equivalent:

Any person wishing to attend an open meeting of a County governmental body who, because of a disability, requires special accommodation, should contact the appropriate department in advance of the scheduled meeting time so needed arrangements can be made.

3. Certification of notice of the meeting may be accomplished by the following statement or equivalent:

I have given timely notice to members of this board, to the public, to the news media which have requested notice and to the official newspaper as required by Sec. 19.84 of Wisconsin Statutes.

RULE 11: VOTING

1. Voting may be done by voice, by show of hands, but by paper ballot only if the Supervisor’s identity may be determined from the ballot. The exception to this rule is that election of Board officers shall be by secret ballot. A vote on any question shall be taken by roll call when called for by any member of the Board. Votes with fiscal impact shall be by roll call. Also see Rule 18-Definitions of Ex Officio Members.

2. A Supervisor attending a Board meeting virtually cannot vote in a secret ballot vote for the election of Board Officers. A Supervisor attending a Board meeting virtually may cast a vote in a vote by paper ballot if the technology being used by the Supervisor to attend virtually allows for a written transmission of the Supervisor's vote to the County Clerk.

3. A supervisor with a conflict of interest shall not vote and shall prior to the matter being debated seek authority from the Chair to abstain from voting. The Attorney General advises that a supervisor with a conflict of interest should leave the board room during debate and voting.

RULE 12: COMMITTEES, BOARDS AND COMMISSIONS

1. All committee, board and commission appointments shall be for two year terms unless otherwise set by law.

2. Committees, boards and commissions shall be governed by Board Rules to the extent Board Rules are applicable and the body has not adopted other rules.

RULE 13: COMMITTEE ORGANIZATION AND FUNCTION

Committee creation and appointments are described at Rule 4.3. The jurisdiction and composition of each Board committee and other commissions and boards which are appointed or otherwise influenced by the County Board are set forth in Part II of these Rules.

1. At its first meeting a committee shall elect a chair and a vice chair. The County Clerk shall act as clerk of the county board at the board's regular, special, limited term, and standing committee meetings and shall keep and record the minutes of such meetings in a format chosen by the clerk.

2. In the event the chair leaves the position of chair during the term of office, the vice chair shall assume the chair position and an election shall be held to elect a vice chair for the remaining term.

3. Ex officio members are excluded from the quorum count unless a quorum would not otherwise be present, in which case ex officio members shall be deemed regular members.

4. Each committee shall with the advice of department personnel approve goals and objectives for all programs and activities of the departments that report to it and shall monitor the expenditure of county funds committed to the department or agency.

5. After approval as to purpose and members by the Executive Committee, each committee may create subcommittees.

6. Each committee shall act on all resolutions and ordinances affecting any department or agency that reports to it.

7. The chair of each committee shall report to the Board about committee activities.

8. Each departmental fee which is not set by statute shall be reviewed annually at budget time and set by the department's committee of jurisdiction.

9. Each department which charges fees to the public shall maintain a departmental fee schedule.
10. Fees which should be uniform for the whole County government shall be determined, set and reviewed by the Finance Committee. The County Clerk shall maintain this schedule and distribute it to County departments. The Committee may for cause authorize exceptions to County wide application of this fee schedule. (This rule was amended by Resolution dated Aug. 16, 2005.)

RULE 14: RESOLUTIONS AND ORDINANCES

1. Unless otherwise approved by the Chair, all Resolutions and Ordinances shall be delivered to the County Clerk by the time of the Executive Committee meeting prior to the upcoming Board meeting.
2. Resolutions and Ordinances presented by a Committee of the County Board may be acted on upon their first presentation at a County Board meeting. Resolutions and Ordinances not presented by a Committee may be referred by the Chair to a Committee of the Board.
3. Resolutions and Ordinances presented for consideration at any meeting must be in writing and bear the signature of at least two Supervisors offering the same, or if by a Committee, the signatures of a majority of that Committee.
4. Beginning with each new calendar year, Resolutions and Ordinances, once approved at a County Board meeting, shall be designated by the year followed by the sequential number of the Resolution or Ordinance introduced in that Session. For example: Resolution 2004-1 or Ordinance 2004-1.

RULE 15: ADMINISTRATIVE HOME RULE

1. To give the County the largest measure of self-government under the Administrative Home Rule authority granted to Counties in Section 59.03(1), these Rules shall be liberally construed in favor of the rights, powers and privileges of the County to exercise any organizational or administrative power not contrary to the Constitution or to any enactment of the Legislature that is of statewide concern and which uniformly affects every County.

RULE 16: PARLIAMENTARY PROCEDURE

1. Except as modified by these Rules and in all matters not specifically provided for, the Rules of Parliamentary Procedure contained in the latest edition of Robert's Rules of Order shall govern the Board in all cases where applicable.
2. Each member of the Board shall be issued a current edition of Robert's Rules of Order by the County Clerk following their first Organizational Meeting.
3. The Chair shall preserve order and shall decide questions of order, subject to an appeal to the whole Board, and shall vote on all questions.
4. A unanimous voice vote shall be considered and recorded as an affirmative unanimous roll call vote when so directed by the Chair.
5. When a motion is made and seconded, it shall be stated by the Chair or the Chair's designee previous to debate. If a majority of the Supervisors present ask, the motion (except to adjourn, postpone, table or commit), shall be reduced to writing and if a motion contains several points, any Supervisor may require it to be divided.
6. On all questions, it shall be proper to call for a division of the ayes and nays if the request is made previous to the decision of the Chair. A motion, Resolution or Ordinance may be withdrawn at any time before an amendment or decision upon agreement but all motions, amendments, Resolutions or Ordinances shall be entered at large upon the minutes unless withdrawn.
7. Every Supervisor shall vote when a question is put to vote, unless excused by the Chair.
8. Any Supervisor speaking to the Board shall address the Chair, confine remarks to the question under debate, and avoid personality.
9. The Supervisor who shall first address the Chair shall speak first. Where two Supervisors address the Chair at the same time, the Chair shall name the Supervisor who is to speak first.
10. Any Supervisor called to order shall immediately cease debate, unless permitted to explain. The Board, if appealed to, shall decide the case. If there is no appeal, the decision of the Chair shall be submitted to by the supervisors.
11. All questions shall be put in the order in which they were moved, except privileged questions.

12. When a question is under debate no motion shall be received except:

	Need a Second?	Vote Debatable?	Required for Passage?
a. To adjourn	Y	N	Majority
b. To lay on the table	Y	N	Majority
c. For the previous question	Y	N	2/3rds
d. To postpone to a certain day	Y	Y	Majority
e. To commit to a Committee	Y	Y	Majority
f. To amend	Y	Y, if motion to be amended is debatable.	Majority
g. To postpone indefinitely	Y	Y	Majority
h. To reconsider	Y	Y	Majority

All other separate motions shall have precedence in order in which they are named.

13. Any Supervisor may require a separate vote on any consent agenda item by asking for the Chair to pull the item before remaining consent agenda items are considered. Any Supervisor desirous of terminating the debate may call for the previous question. The Chair shall ask if there is any objection to closing the debate. If a member objects to the call of the previous question, the Chair may call for a motion to end the debate. If the motion has been seconded, the Chair must immediately take a vote as to whether to order the previous question. To close the debate requires a two-thirds vote of the Board.

14. A motion to adjourn shall always be in order; a motion to lay on the table shall be decided without debate; but this rule shall not authorize any Supervisor to move for adjournment when another Supervisor has the floor or when the Board is voting.

15. It shall be in order for any Supervisor who voted on the prevailing side, or a Supervisor who has been excused from the previous Board meeting, to move for reconsideration of the vote on any question on the same or next regular meeting of the Board.

16. If the Chair is participating in debate, the Chair shall, upon the request of any Supervisor, relinquish the gavel to a Vice Chair who is not participating in the debate.

17. Except as otherwise authorized, non-supervisors may not participate in board meetings. Any person not a supervisor, desirous of addressing the Board on any subject shall, if time permits, first obtain permission from the Chair prior to the meeting so the item can be placed on the agenda. Any person may, at the request of a supervisor and approval by the Chair, address the Board. The Chair shall set time limits for such speeches.

18. The public may also address the Board at the portion of the agenda listed as Public Comments. Such persons shall identify themselves, and limit their comments to three minutes unless a supervisor sponsors such person for an additional time period determined by the Chair.

19. All Board Supervisors shall adhere to and be governed by the Washburn County Code of Ethics.

RULE 16C CLOSED SESSIONS

This rule is intended to be a short restatement of Wisconsin's law on closed meetings. The intent of the law is that government should be as open as possible and that the public needs to know what its governments are doing but that sometimes closed sessions are necessary for government to function.

1. When a closed session is anticipated, that nature of the business and the statutory authority for the closed session shall be set forth on the meeting agenda. See Statutes, Sec. 19.85.
2. Even if the agenda doesn't give notice of a closed session a member, who believes that the agenda item under discussion in an open session should be discussed in closed session, may make a motion to convene in closed session. (In this situation it would be a good idea to move the item under discussion to the end of the meeting because if a body goes into closed session where no notice of it is given in the agenda that body may come out of closed session only to adjourn.)
3. Commencement of the closed session shall be by roll call vote. (The vote to end the closed session may be by any type of vote.)
4. If a member disagrees with going into closed session (either because the member thinks it is illegal or for public policy reasons) the member should vote against the closed session but should nevertheless attend so that his/her constituency is represented and so that the member will be a witness to any illegality.
5. All Supervisors have a right to attend a closed session in-person. Supervisors attending virtually shall not participate in a closed session.
6. The Chair should state who, if any, non-supervisor(s) may attend a closed session.
7. Substantive votes should not be made in closed session unless voting in closed session is necessary to attain the objective of the closed session.
8. Penalties for violation of the open meeting law include a forfeiture of \$25 or greater, invalidation of the action taken and payment of the complainant's reasonable attorney fees.
9. Penalties for violation of the secrecy of a legal closed session include censure by the body and payment of any damages the body suffers by reason of the unlawful breach of secrecy.

[Rule 16C was approved by the Board on Dec. 21, 2004.]

RULE 17: RULE CHANGES

1. These Rules may be suspended by a two-thirds (2/3rds) majority vote of the Supervisors present.
2. These Rules may be amended by Resolution at any Regular Session of the Board by a two thirds majority vote of all Supervisors of the Board then present.
3. Changes to Part II (Committees) will be by majority vote.

RULE 18: DEFINITIONS

1. Pronouns of masculine gender used herein refer to persons of either sex.
2. Majority shall mean the majority of the elected or appointed Supervisors in attendance unless otherwise defined by law.
3. An ex officio member of a Committee is one who, by reason of his/her office, serves on a Board Committee. Ex officio members do not vote unless specifically authorized by the Committee description to do so. Exception: Ex officio members vote when a quorum would not otherwise be present for such committees as authorized. In such event all Ex officio members present are counted toward the committee's standard quorum.

Foot Notes

- 1 according to Wisconsin State Statute 19.88(1)
- 2 (See sec. 59.11 Wis. Stats.)
- 3 This section is intended to comply with Sec. 59.11 (2)a Stats.
- 4 See Sec. 59.13 (1) Wis. Stats.

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I certify that the above Rules of Order reflect the proceedings of the Washburn County Board of Supervisors as of the amendment date set forth above the general title hereof.

Wilber R. Johnson III
Corporate Counsel

Enacted on October 8, 2004
Amended August 16, 2005
Amended March 20, 2018
Amended March 17, 2020
Amended October 18, 2023

Sec. 2-253. - Absence of officers or supervisors.

- (a) The first vice-chair shall assume the duties of the chair in the event of the chair's temporary absence. A temporary absence is deemed to mean that the chair is unable to carry out the duties of the office for 90 days or less.
- (b) The first vice-chair shall assume the duties of the chair for the remainder of the chair's term in the event of a permanent absence of the chair. A permanent absence is deemed to mean that the chair will be unable to carry out the duties of office in excess of 90 days. Upon absence of the first vice-chair, the second vice-chair assumes the duties of the absent officer.
- (c) In the absence of the chair and the vice-chairs, the clerk shall call the board to order, and the board shall then elect temporary or permanent officers as appropriate according to the procedure set forth in section 2-251.
- (d) Each Supervisor shall be required to attend all meetings of the Board unless excused by the Board Chair. If a Supervisor cannot attend a meeting, the Supervisor shall contact the Board Chair or County Clerk before the meeting in question with an explanation of the anticipated absence. The Supervisor shall be entered in the Board minutes as excused. If circumstances render advance notice of absence impossible, the Supervisor shall contact the Chair within one week of the absence. At the next Regular Meeting, the Chair shall enter the excuse statement in the Board minutes.
- (e) Each Supervisor shall be required to attend all meetings of the Board in person unless approval of virtual attendance is given by the Board Chair. If a Supervisor cannot attend a meeting in person, the Supervisor shall contact the Board Chair or County Clerk before the meeting in question with an explanation for why the Supervisor cannot attend the meeting in person.
- (f) Excessive absenteeism of a supervisor from board meetings may be considered cause for removal. See section 2-250.
- (g) If a committee member is absent with or without excuse from more than four meetings in a year, the committee chair or the subject department head may ask the board chair to consider replacing the member.
- (h) If a vacancy occurs on the board, the chair, with the approval of the board, shall appoint a person who is a qualified elector and resident of the supervisory district to fill the vacancy for the unexpired portion of the term.

(Code 2000, § 2-225; Res. No. 2006-124, Rule 5, 3-20-2007)

Sec. 2-259. - Voting.

- (a) Voting may be done by voice, by show of hands, but by paper ballot only if the Supervisor's identity may be determined from the ballot. The exception to this rule is that election of Board officers shall be by secret ballot. A vote on any question shall be taken by roll call when called for by any member of the Board. Votes with fiscal impact shall be by roll call. Also see Rule 18-Definitions of Ex Officio Members.
- (b) A Supervisor attending a Board meeting virtually cannot vote in a secret ballot vote for the election of Board Officers. A Supervisor attending a Board meeting virtually may cast a vote in a vote by paper ballot if the technology being used by the Supervisor to attend virtually allows for a written transmission of the Supervisor's vote to the County Clerk.
- (c) A supervisor with a conflict of interest shall not vote and shall prior to the matter being debated seek authority from the Chair to abstain from voting. The Attorney General advises that a supervisor with a conflict of interest should leave the board room during debate and voting.

(Code 2000, § 2-231; Res. No. 2006-124, Rule 11, 3-20-2007)

Sec. 2-265. - Closed sessions.

This rule is intended to be a short restatement of the state's law on closed meetings. The intent of the law is that government should be as open as possible and that the public needs to know what its governments are doing but that sometimes closed sessions are necessary for government to function.

- (1) When a closed session is anticipated, that nature of the business and the statutory authority for the closed session shall be set forth on the meeting agenda. See Wis. Stats. § 19.85.
- (2) Even if the agenda doesn't give notice of a closed session a member who believes that the agenda item under discussion in an open session should be discussed in closed session may make a motion to convene in closed session. (In this situation, it would be a good idea to move the item under discussion to the end of the meeting because if a body goes into closed session where no notice of it is given in the agenda that body may come out of closed session only to adjourn.)
- (3) Commencement of the closed session shall be by roll call vote. (The vote to end the closed session may be by any type of vote.)
- (4) If a member disagrees with going into closed session (either because the member thinks it is illegal or for public policy reasons), the member should vote against the closed session but should nevertheless attend so that his/her constituency is represented and so that the member will be a witness to any illegality.
- (5) All supervisors have a right to attend a closed session in-person. Supervisors attending virtually shall not participate in a closed session.
- (6) The chair should state which, if any, non-supervisors may attend a closed session.
- (7) Substantive votes should not be made in closed session unless voting in closed session is necessary to attain the objective of the closed session.(8)Penalties for violation of the open meeting law include a forfeiture of \$25.00 or greater, invalidation of the action taken and payment of the complainant's reasonable attorney fees.
- (9) Penalties for violation of the secrecy of a legal closed session include censure by the body and payment of any damages the body suffers by reason of the unlawful breach of secrecy.

(Code 2000, § 2-237; Res. No. 2006-124, Rule 16C, 3-20-2007; Res. No. 32-20, Rule 16C, 3-17-2020)

RULES OF PROCEDURE, PART II

The Washburn County Board of Supervisors ordains the adoption of the County Board Rules of Procedure, Part II, as follows:

Fiscal Impact: None

Recommended for adoption by the Executive Committee this 8th day of November 2023 and approved by the Washburn County Board of Supervisors this 14th day of November, 2023.

David Wilson, Chair

Linda Featherly, First Vice Chair

Tim Kessler, Second Vice Chair

Hank Graber, Member

Lolita Olson, Member

Part 2 of the County Board Rules of Order

COMMITTEES OR ORGANIZATIONS OVER WHICH THE BOARD OF SUPERVISORS OR ITS CHAIR HAS AUTHORITY

Preface

Appointments are made in accordance with County Board Rules of Order Part I, paragraph 4.3 or specific statutes. Rule 13 governs committee procedure.

[Rule 4.3 Appointments, states the County Board Chair appoints members to committees authorized by the Board. Officers of such committees are selected by committee members. (See Rule 13.1) The Chair makes other appointments as authorized by statute.

Addition to Rule 13: The Board grant of authority to committees shall be liberally interpreted. The Chair, and first and second Vice-Chairs of the Washburn County Board may substitute for any county committee member as a voting member on those occasions when a committee member will be absent causing a lack of a quorum, at the request of the Committee Chair or Acting Chair.

The Chair of the County Board shall serve as an ex-officio member of all county committees. The Chair will vote only in case of a tie.]

I. COUNTY BOARD COMMITTEES (including the Health and Human Services Board)

1. AGING & DISABILITY RESOURCE CENTER (ADRC) COMMITTEE

The ADRC and Unit on Aging are fully integrated agencies in Washburn County, Wisconsin. The Washburn County Aging & Disability Resource Center (ADRC) Committee is designated as the Washburn County Commission on Aging.

MISSION STATEMENT

The Mission Statement of the ADRC of Washburn County is to provide older adults and people with physical disabilities or intellectual disabilities the resources needed to live with dignity and security, and achieve maximum independence and quality of life.

1) Membership

The ADRC Committee shall be comprised of five (5) County Board Supervisors. These elected officials, have a term limit on the ADRC Committee of three two-year terms. They can return to this committee after a break in service of at least one year.

2) Duties and Responsibilities

- A) At the organizational meeting, the members shall elect a Chair and Vice Chair from members of the Committee.
- B) Review Department annual budget and financial reports to refer it to the Finance Committee for further action.
- C) The Committee shall confer and have policymaking responsibilities for the ADRC of Washburn County Department.
- D) The ADRC Committee follow the policies and procedures as determined by the:
 - I. Aging & Disability Resource Center (ADRC) Network
 - a) WI Department of Health Services Division of Long Term Care Bureau of Aging & Disability Resources - ADRC contract Scope of Services requirements for the services provided by, the organization of, and the procedures performed by Aging and Disability Resource Centers (ADRCs). ADRCs are authorized under Wisconsin Statute §46.283 and subject to the requirements contained in Chapter DHS 10 of the Wisconsin Administrative Code.
 - II. Aging Network
 - a) Department of Health & Human Services Administration on Aging Older American's Act.
 - b) WI Department of Health & Human Services Wisconsin Elders Act Chapter 46.82 Wisconsin Statutes.
 - c) Wisconsin Bureau on Aging & Disability Resources Wisconsin Aging Network Manual of Policies, Procedures, and Technical Assistance

- III. Transportation Network
 - a) Wisconsin Department of Transportation Specialized Transportation Assistance Program for Counties 85.21 Wisconsin Statutes.

Quasi-Governmental Organizations:

ADRC GOVERNING BOARD

The Washburn County ADRC Governing Board and Aging Citizen’s Advisory Committee is integrated, meeting both the ADRC and Aging network requirements. The ADRC Governing Board is advisory to the separate policymaking committee, ADRC Committee. The ADRC Governing Board meets these statutory requirements:

1. At least 50% of the combined board must consist of older adult representatives.
2. Elected officials must make up less than 50% of the combined board. One (1) county board member representing the ADRC Committee is appointed to the ADRC Governing Board.
3. Combined boards are required to have term limits that comply with the Wisconsin Elders Act. Generally, the term limits are two three-year terms. If the member is an elected official, their term limit may be three two-year terms. After a term limit has been reached, a member may return to the board after at least a one-year break in term service.
4. In Washburn County, the ADRC Governing Board has an odd number of members, comprised of either 9 or 11, depending on the interest from the community.
5. There will be no board members that have a conflict of interest, due to being part of a Managed Care Organization (MCO).

Board Composition Proportionality: Washburn County ADRC Governing Board				
Total Board Membership	Older People or Representative(s)	Adults with Physical Disabilities or Representative(s)	Adults with Intellectual Disabilities or Representative(s)	Non-Client Group
9	5	1	1	2
11-12	6	1-2	1-2	1-4

2 EXECUTIVE COMMITTEE

The Executive Committee strives to support the County mission statement:

Mission

Washburn County government exists to serve and protect present and future citizens, the environment and quality of life in a fiscally responsible way.

Membership

The committee is comprised of five (5) County Board Supervisors. Membership is comprised of the Chairman of the Board of Supervisors, Vice Chair, Second Vice Chair and two (2) additional members appointed by the County Board Chair. The County Board Chair chairs this committee.

Duties and Responsibilities

- A) Advise the Chair as to the County Board agenda.
- B) The Committee shall review county board rules of order and recommend changes, additions and deletions to the full County Board for their consideration.
- C) The Committee shall meet monthly or as needed, at the discretion of the County Board Chair.
- D) The Committee shall facilitate disputes between committee's and be the final authority on those disputes.
- E) Provides input to the County Board Chair for committee assignments.
- F) Committee of jurisdiction for the Administrative Coordinator and Corporation Counsel.
- G) The Committee reviews all legal claims filed against the County.

3 EXTENSION EDUCATION COMMITTEE

The powers and duties of the Extension Education Committee shall be as provided in Chapter 92 of the Wisconsin Statutes and in addition, said committee shall be charged with directing county-based University Extension education programs in the areas of: youth development, health and well-being, natural resources, agriculture and horticulture; and any other extension work that is authorized by local, state or federal legislation.

Statement of Purpose

Extension helps the people of Wisconsin apply university research, knowledge and resources to meet their educational needs wherever they live and work.

Membership

The committee is comprised of five (5) County Board Supervisors.

Duties and Responsibilities

- A) In cooperation with the university extension of the University of Wisconsin, the committee shall have the responsibility to formulate and execute the university extension program.
- B) Make available the necessary facilities to conduct local extension programs.
- C) Oversee programs, including but not limited to the training of group leaders and directing of group activities; individual or group instruction or consultation; demonstration projects, exhibits or other instructional means; group workshops, institutes, and conferences; creation of citizen advisory committees; dissemination of information by any appropriate means including press, radio and television; the imposition of fees for certain desired educational services when sufficient public funds are not available to cover costs; and cooperation with other local, state, and federal agencies.

- D) The committee shall confer with and have policy making responsibilities for the department and budgetary oversight.
- E) The committee shall meet at such intervals as are considered necessary to properly carry-out its functions and responsibilities.

4 FINANCE COMMITTEE

The Finance Committee strives to support the County mission statement:

Mission

Washburn County government exists to serve and protect present and future citizens, the environment and quality of life in a fiscally responsible way.

Membership

The committee is comprised of five (5) County Board Supervisors. The County Clerk and County Treasurer shall act as ex-officio members.

Duties and Responsibilities

- A) Prepare the annual budget and tax levy for County Board approval.
- B) Review and establish financial and investment policies.
- C) Monitor the operating and capital budgets and approve and recommend adjustments.
- D) Recommend resolutions for appropriations to the County Board.
- E) Have supervision of all general fiscal policies.
- F) Review and approve property and general liability insurance policies with the assistance from the Finance Director and Administrative Coordinator. Review department’s annual budgets and financial reports. Refer to the Finance Director or County Administrative Coordinator for further action if needed.
- G) Audit all current claims and accounts against the County.
- H) Approve bonds for county officers.

Departments of Jurisdiction

Finance
 County Clerk
 Register of Deeds
 Treasurer

Clerk of Court
 District Attorney
 Judge, et al
 Coroner

5 FORESTRY, PARKS AND RECREATION COMMITTEE

Mission

The Mission of the Washburn County Forestry is to manage, conserve, and protect natural resources on a sustainable basis for present and future generations. Natural resources, such as those provided by the Washburn County Forest, are the base for addressing the ecological and socioeconomic needs of society.

The primary powers, duties, procedures and functions of this committee are provided in Section 28.10 & 28.11 of the Wis. Stat., (County Forest Law), and in the 15 year County Forest Comprehensive Land Use Plan. In addition thereto, said committee shall be responsible for and have jurisdiction of all recreation activities on County Forest and other Forestry related county-owned lands.

Said committee shall report annually to the County Board, and shall prepare budget and fee schedules for these facilities, reporting same to the Board for their approval.

Membership

This committee is comprised of five (5) County Board Supervisors.

Duties and Responsibilities

- A) Supervise the operation of the County Forest.
- B) Have general policy making responsibility for parks and recreation property operated, maintained and developed by the County.
- C) Set policies and recommend funding levels for establishing and implementing Park programs and activities in the Parks and recreation properties.
- D) Review Department annual budget and refer to the Administrative Coordinator/Finance Director for further action and review financial reports.
- E) The Committee shall confer and have policy making responsibilities for the Department.

6 HEALTH AND HUMAN SERVICES BOARD

By-LAWS of THE WASHBURN COUNTY HEALTH AND HUMAN SERVICES BOARD

ARTICLE I Introduction

The County Board of Supervisors have the primary responsibility for the overall health of the residents of the county which includes; the well being, treatment and care of persons experiencing social, mental and physical disabilities, the access to public health services for every member of the community and immediate emergency services for those individuals in need. These services are provided through a Department of Health and Human Services established by the County Board of Supervisors under Chapter 46.23 and 251, Wisconsin Statutes.

ARTICLE II Authorization

The Washburn County Health and Human Services Board (WCHHSB) was created and authorized to function by resolution of the Washburn County Board of Supervisors on March 13, 2003.

ARTICLE III Health and Human Services Board Appointments, Composition, Terms, Replacements

Section 1 All appointments to the WCHHSB shall be made by the County Board of Supervisors pursuant to Section 46.23(4)(B).

Section 2 The WCHHSB shall consist of twelve members.

Subsection 1 Six members appointed shall be County Board Supervisors.

Subsection 2 The remaining four members appointed shall be community representatives.

Subsection 3 The persons appointed shall have a recognized ability and demonstrated interest in health and human services.

Section 3 Appointments to the WCHHSB shall be for the following terms:

Subsection 1 County Board Supervisors shall serve for the length of their elected term.

Subsection 2 Community Representatives shall serve three-year terms.

Section 4 When it becomes necessary to replace a member before a term expires; the person appointed shall serve for the length of the unexpired term of the person being replaced.

Section 5 Applicants for vacancies of Community Representatives shall complete an application of interest. The WCHHSB shall review and recommend to the Washburn County Board of Supervisors all new Community Representatives.

ARTICLE IV Definitions

“County Board” means the Washburn County Board of Supervisors.

“Board” and/or “WCHHSB” means the Washburn County Health and Human Services Board.

“Program” means the total range of services to people including, but not limited to: public health services, mental health services, developmental disabilities services, economic support services, alcohol and drug abuse services, services to children, youth and aging, and exceptional educational services.

“Director” means the Director appointed by the Washburn County Health and Human Services Board.

“Department” means the Wisconsin State Department of Health and Family Services.

ARTICLE V Purpose of the Health and Human Services Board

Section 1 Responsible for developing policy and authorizing direction for all health and human services controlled by Ch 46,48, 51, 54,55, 251 and 767.

Section 2 The WCHHSB acts as a governing and policy making body that has been authorized by the County to develop programs, plans and budgets for the program areas mentioned above.

ARTICLE VI Powers and Duties of the Health and Human Services Board

Section 1 Within the limits of available state and federal funds and of county funds appropriated to match state funds, the WCHHSB shall provide for the program needs of persons suffering from social, mental and physical disabilities, assess the health status of the citizens, recommend policies that will improve the needs of County residents and assure that needed health services are provided under the following guidelines:

- Subsection 1* Shall determine administrative and program policies within limits established by the Department.
- Subsection 2* Shall establish priorities in addition to those mandated by the Department.
- Subsection 3* Shall determine whether state mandated services are provided or purchased or contracted for with local providers, and monitor the performance of such contracts.
- Subsection 4* Shall determine, subject to the approval of the County Board and with the advice of the Director whether services are to be provided directly by the County Department of Health and Human Services or contracted for with other providers and make such contracts.
- Subsection 5* Shall represent Health and Human Service agencies, professionals and consumers of services in negotiations with state and federal government.
- Subsection 6* Shall appoint a County Health and Human Service Director subject to the approval of the County Board on the basis of recognized and demonstrated interest in and knowledge of health and human services problems, with due regard to training, experience, executive and administrative ability and general qualification and fitness for the performance of the duties of the Director. The appointment is subject to the Personnel Policies and Procedures established by each County Board of Supervisors.
- Subsection 7* Shall appoint advisory committees for the purpose of receiving community, professional or technical information concerning particular policy considerations.
- Subsection 8* Shall determine the number and location of outstations when appropriate to meet service demands.
- Subsection 9* May recommend the removal of Director for cause to the County Board which participated in the appointment of the County Health and Human Services Board, and such County Board may remove the Director for cause by a two-thirds vote, on due notice in writing and hearing of the charges against the Director.
- Subsection 10* Shall develop Human Services Board operating procedures.
- Subsection 11* Shall oversee the operation of one or more service delivery systems.
- Subsection 12* Shall evaluate service delivery.

Subsection 13 Shall annually prepare a budget of proposed expenditures for the ensuing fiscal year in accordance with s. 46.031(1) & 251.10.

Subsection 14 Shall cooperate to the extent feasible with the school board, health planning agencies, law enforcement agencies, and other human service agencies, committees and planning bodies in the geographic area served by the WCHHSB.

Subsection 15 May perform such other general functions necessary to administer the program.

Subsection 16 Shall comply with state requirements.

Section 2 The Director shall have all of the administrative and executive powers and duties of managing, operating, maintaining and improving the programs of county health and human services. In consultation with the WCHHSB and subject to its approval, the Director shall prepare:

Subsection 1 An annual comprehensive plan and budget of all funds necessary for the program and services in which priorities and objectives for the year are established as well as any modifications of long-range objectives;

Subsection 2 Intermediate-range plans and budget;

Subsection 3 Such other reports as required by the Department and the County Board.

Section 3 The Director shall make recommendations to the WCHHSB for personnel requests and changes in program services.

ARTICLE VII Officers, Elections, Duties

Section 1 The officers of the WCHHSB shall consist of the following: a Chairperson and Vice-chairperson.

Section 2 The officers shall be elected by the WCHHSB for a two-year term.

Section 3 Duties of Officers

Chairperson – The Chairperson presides at all meetings of the WCHHSB and in general performs the duties usually associated with the office of Chairperson.

Vice-chairperson – The Vice-chairperson of the WCHHSB succeeds to the chairmanship in the event of the Chairperson’s absence or disability. The Vice-chairperson undertakes such other responsibilities as the Chairperson may assign.

ARTICLE VIII
Standing Committees, Appointments

Section 1 There shall be three (3) permanent committees of the WCHHSB:
Coordinated Services Team
Permanence Planning Review Board
Preparedness Advisory Committee

Subsection 1 All standing committees will report directly to the WCHHSB.

Subsection 2 Composition and duties of each standing committee will be established by the WCHHSB upon recommendation of the director.

Subsection 3 Other Committees will be created by the HHSB as needed.

Section 2 All appointments to committees shall be made by the Chairperson with the approval of the WCHHSB.

ARTICLE IX
Meetings, Notices, Attendance, Voting

Section 1 The regular meeting of the WCHHSB will normally be on the second Monday of the month at the time and place designated. Special meetings of the WCHHSB and meetings of the committees shall be held at any time at the discretion of the Chairperson.

Subsection 1 All members shall be notified and provided with a copy of the agenda of all meetings at least 24 hours in advance.

Subsection 2 A quorum must exist to transact business.

Subsection 3 A quorum means a simple majority.

Section 2 All meetings shall be open to the public and it shall be the duty of the Director to see that the public is properly notified of all meetings through the county newspapers and/or radio stations.

Section 3 All members shall be required to attend all meetings of the WCHHSB unless excused by the chairperson. All committee members shall be required to attend meetings of the committee to which he/she has been appointed unless excused by the chairperson. If a committee member is absent with or without excuse from more than four meetings in a year the Chairperson may ask the County Board Chair to consider replacing the member. Committee members should notify the Chairperson and/or Director prior to the meeting if unable to attend.

Section 4 Each member shall be entitled to one vote for each issue or motion before the WCHHSB.

Subsection 1 The vote of a member shall be counted only if he/she is in person or attending virtually at an open meeting at the time the issue or motion is presented. Members are not allowed to attend or vote virtually in a closed session.

Subsection 2 All voting shall be voice, unless a member requests otherwise, and then only by majority vote of all members present.

Subsection 3 Results of all votes shall be declared by the Chairperson.

Subsection 4 All issues or votes will pass by majority of vote unless a specific majority is required per Wisconsin State Statutes, Washburn County Rules of Order, and or these By-Laws.

ARTICLE X Resignations, Terminations

Section 1 Any member of the WCHHSB who wishes to resign from the WCHHSB shall send written notice in duplicate addressed to the Chairperson who will refer it to the County Board.

Section 2 All resignations from the WCHHSB, with the exception of the Chairperson, shall be in writing addressed to the Chairperson.

Subsection 1 In the event a WCHHSB member resigns his/her position prior to the completion of his/her term, the Chairperson with the consent of the majority of the WCHHSB members, shall recommend a person to fill the unexpired term of the resigned person to the Executive Committee. This shall be done at the next regular WCHHSB meeting following the date of resignation.

Section 3 The resignation of the Chairperson shall be in writing addressed to the chairman of the County Board of Supervisors.

Subsection 1 In the event the resignation of the Chairperson occurs prior to the end of his/her term of office, the Vice-chair shall assume the Chair position and an election shall be held for to elect a Vice-chair for the remaining term.

Section 4 Any WCHHSB member may be removed from the Board or Office for cause by two-thirds vote of the County Board, with due notice in writing and hearing of the charges against the person.

Subsection 1 A member may bring complaint against another member in writing submitted to the Chairperson.

Subsection 2 The member being removed shall be provided with a written notice thirty (30) days in advance of removal, which shall clearly state the reason(s) for the action.

Subsection 3 The member being removed shall have the right to present his/her case before the WCHHSB.

Subsection 4 A two-thirds vote of all members is necessary to remove a person from the Board or Office.

Subsection 5 Three consecutive unexcused absences shall be cause for termination.

ARTICLE XI

Health and Human Services Board Procedures

Section 1 The Chairperson shall begin each meeting with a request for roll call.

Subsection 1 Each member shall, when his/her name is called, shall indicate his/her presence by voice.

Subsection 2 The records shall notify the Chairperson of the number of members present and the number absent.

Subsection 3 The Chairperson shall determine whether a quorum exists.

Section 2 The Chairperson may request that the recorder read the minutes of the previous meeting.

Subsection 1 Following the reading of the minutes, the Chairperson shall ask for corrections or additions.

Subsection 2 If there are not corrections or additions, the minutes shall stand approved as written or read.

Section 3 The WCHHSB shall conduct its business in accordance with and in the order of the agenda developed for the particular meeting. The order of the agenda may be changed at any time for convenience but only with the approval of the majority of the WCHHSB members present.

Subsection 1 A motion shall not be entertained on any issue that is not a part of the agenda as published.

Subsection 2 On all issues, the Chairperson shall determine exclusively whether a motion is necessary.

ARTICLE XII
Parliamentary Authority

Section 1 Robert's Rules of Order shall govern the conduct of business in all cases in which they are applicable and not in conflict with Wisconsin State Statutes, Washburn County Board Rules of Order or these By-Laws.

ARTICLE XIII
Approval, Amendments

Section 1 These By-Laws shall become effective on the date they are approved by the County Board.

Section 2 These By-Laws can be amended at any regular meeting of the WCHHSB by a two-thirds vote of all WCHHSB members, provided that the amendment has been submitted in writing at the previous regular meeting. The amendment shall be approved by the County Board before it becomes effective.

7 HIGHWAY COMMITTEE

1) Membership

A five member committee to be elected at the organizational meeting. For the purpose of this election, the County shall be divided into three districts as follows:

District 1- Supervisory Districts 1,2,3,4,5,6,7 (N1/2 Co.)

District 2 -Supervisory Districts 8, 9, 10, 16, 17, 18, 19 (Ctr)

District 3 -Supervisory District 11,12,13, 14, 15, 20, 21 (S 1/4 Co.)

One member of the committee shall be elected from each district. Each member of the committee shall be elected by a separate vote of the entire Board. The remaining two members of the committee shall be selected at large

Nominations shall be by ballot with the two candidates receiving the highest number of votes in such balloting declared the nominees to be voted upon for election, provided the combined vote received by said nominees amounts to at least two-thirds of the total votes cast. The election of each member shall be by ballot.

The term of each elected member shall run from the day of election and shall be for two years to run concurrently with the Supervisory term.

Any vacancy in the committee shall not be filled until the next meeting of the County Board. Vacancies will be filled through the election process for a specific district or at large.

Mission

The County Highway Committee shall have the general charge of the construction and maintenance of county highways and of all highways maintained by the County, shall have general charge of maintenance and repair of all county owned dams, and shall have the powers and duties delegated in Section 83.015 of the Wisconsin Statutes together with such specific powers and duties as may be from time to time delegated to such committee by specific ordinance or motion adopted by the County Board.

Duties and Responsibilities

- A) At the organizational meeting, the members shall elect a Chair, Vice Chair.
- B) Purchase and sell county road machinery as authorized by the Board.
- C) Determine if county construction and maintenance should be done by the Highway Department or by private contract.
- D) Enter into contracts in the name of the County.
- E) Direct the expenditure of highway maintenance funds received from the State and the County.
- F) Review Department annual budget and refer to the County Finance Director for further action and review financial reports.
- G) The Committee shall confer and have policy making responsibilities for the Department.

8 INFORMATION TECHNOLOGY COMMITTEE

1) Membership

The Information Technology Committee shall be comprised of five (5) County Board Supervisors. This Committee should include at least 1 member from the three (3) of the five (5) following committees: Finance, Law Enforcement, Personnel, Public Property, and Executive.

2) Duties and Responsibilities

- A) At the organizational meeting, the members shall:
 - Elect a Chair and Vice Chair from members of the Committee
- B) Approve Information Technology Department goals and objectives.
- C) Approve Information Technology Department programs and projects.
- D) Approve procedures for county wide access of digital records.
- E) Approve Information Technology Department annual budget and financial reports.
- F) Approve Information Technology usage policy for the county.
- G) Approve long range technology plan for Washburn County.
- H) Review departmental technology to insure integration with county-wide plan.

9 LAND CONSERVATION/LAND INFORMATION COMMITTEE

The powers and duties of the Land Conservation/Land Information Committee shall be as provided in Chapter 92 of the Wisconsin Statutes, as it relates to the Land and Water Conservation Department. The committee shall be charged with the coordination of natural resource management and environmental protection activities in the county relating to

agriculture, soil and water conservation, nonpoint source water pollution control, erosion control, groundwater protection, invasive species and wildlife damage.

The committee shall also review activities within the Land Information/Surveyor Office relating to the maintenance and modernization of land information systems within the county as provided in Chapters 47 and 59 of the Wisconsin Statutes.

Said committee shall report annually to the County Board and shall make special reports from time to time as the necessity may arise.

Membership

This Committee is comprised of (5) County Board Supervisors plus a person who is engaged in agricultural use. "Agricultural use" is defined as crop or forage production; keeping livestock; beekeeping; nursery, sod, or Christmas tree production floriculture; aquaculture; fur farming; and forest management. The committee may also appoint up to two citizen representatives.

Duties and Responsibilities

- A) Work with Wisconsin Department of Agriculture, Trade and Consumer Protection and the Wisconsin Department of Natural Resources to implement locally led and state funded conservation programs.
- B) Review Department annual budget for both Land Conservation and Land Information/Surveyor Departments and refer to the Finance Committee for further action and review financial reports.
- C) Shall have the powers and duties pursuant to Wisconsin Statutes 92.07 through 92.18.
- D) Develop and adopt standards and specifications for management practices to control erosion, sedimentation and non-point source water pollution.
- E) Distribute funds, encourage information and education programs, carry out preventative and control measures for soil erosion, enter into agreements, make tree planting equipment available, administer projects or programs, make and execute contracts, require monetary or service contributions, enter upon lands for planning or surveying purposes without being liable for trespass, and administer and enforce county ordinances.
- F) Review and approve spending of grant dollars issued through the Wisconsin Land Information Program pursuant to Administrative Rule Chapter Adm. 47
- G) Review and approve the County Land Information Plan pursuant to s.59.72(5)(b)(3), Wis Stats., and Adm. Rule 47.06(3)
- H) The committee shall confer with and have policy making responsibilities for the Department.

10 LAW ENFORCEMENT AND EMERGENCY MANAGEMENT COMMITTEE

This committee shall be comprised of 5 County Board Supervisors. The chair has the authority to set the agenda for committee meetings, preside over the meetings and make reports and recommendations on the committee's behalf.

Duties and Responsibilities

On behalf of the county board:

LAW ENFORCEMENT

- A) Provide financial oversight of the Sheriff's budget;
- B) Review and process bills;
- C) Inspect the jail once a year as required or more as needed;
- D) Review, modify and recommend for approval the Sheriff's budget proposal;
- E) Assist the Sheriff as needed, in the development and implementation of any proposed program, legislation, resolution, action or recommendation, which is in the best interest of the county and the safety of its citizenry which promotes the efficient, effective and safe operation of the Sheriff's Office and recommend such action to the county board.

EMERGENCY MANAGEMENT

- A) Provide policy direction and financial oversight to the Emergency Management Director;
- B) Ensure the compliance of any applicable Federal Laws, Wisconsin State Statutes and/or County Ordinances, Emergency Preparedness and/or Response Plans, the County-wide Emergency Operations Plan (EOP), Emergency Operations Center (EOC) Plans, any subset/accompanying plan(s) identified therein, and the oversight of the Local Emergency Planning Committee (LEPC) requirements, etc;
- C) Review and process bills;
- D) Review, modify and recommend for approval the yearly budget;
- E) Complete annual performance evaluation for Emergency Management Director.

11 LOCAL EMERGENCY PLANNING COMMITTEE (LEPC)

1) Membership

Superfund Amendments and Re-authorization Act (SARA) Title III (Section 301 (c)) requires that the Committee consist of at least one (1) representative from each of the following groups; Elected State and Local Officials, Law Enforcement, Fire, Emergency Management, Health Professionals, Environmental, as well as representatives of facilities subject to the Emergency Planning requirements, and the Media. The County Board Chair shall appoint members to the Committee for a two (2) year term, subject to confirmation of the Board.

2) Duties and Responsibilities

- A) This Committee is an advisory Committee and not a policy making Committee.
- B) LEPC members shall elect a Chair and a Vice Chair from members of the Committee. The Emergency Management Director serves as the Recording Secretary and Information Director for the committee, and subcommittees. The Emergency Management Director is designated to serve as the Community Emergency Director at the direction of the Law

Enforcement/Emergency Management Committee. The County Emergency Management Director will undertake those duties as assigned by the plan created under Title III, Section 33, and other responsibilities and duties assigned by the Emergency Management Committee.

C) Local Emergency Planning Committee (LEPC)

- a. Develop the Countywide Hazardous Materials Plan/Strategic Plan and Off-Site Facility Plan and appendixes in coordination with the Emergency Management Director, annually reviews the update and ensures that exercises are conducted as required.
- b. Review the Off-Site Facility Emergency Plans submitted by facilities.
- c. Publish annually, a notice in the local newspaper that the Hazardous Materials Emergency Response Plan/Strategic Plan Facility Off-Site Appendixes, Material Safety Data Sheets and Inventory Forms have been submitted under Section 324 of Title III, and are available for public inspection.
- d. Provide information to the public as required in Section 312 of Title III, consistent with Section 322, Trade Secrets.
- e. Receive and maintain copies of all EPCRA reports.
- f. The Emergency Management Director makes the determinations along with the Facility Coordinators, necessary to implement the Hazardous Materials Plan/Strategic Plan.
- g. Review and update LEPC Bylaws annually.

3. Authority

LEPC authority, derives from the federal SARA Title III Legislation and Wisconsin Statutes, treats any Local Emergency Planning, appointed by a County Board, as a department of state government and any member of such a committee as a department of state employee.

12 PERSONNEL COMMITTEE

MISSION STATEMENT:

The Washburn County Personnel Committee works with the Personnel Department to employ necessary, qualified employees and staff to provide the services mandated by the Washburn County Board. To administer to the needs and benefits of those employees as determined by negotiated contract and policy. These tasks are to be accomplished at the most fiscally responsible level possible.

It shall be the designated representative of the County Board relating to labor union negotiations and shall report their recommendations to the Board for action. No contract or agreement shall be considered adopted without County Board approval.

The committee shall act to effect and preserve an equalized scale of wages and salaries for all employees of the county in accordance with the provisions of fair and equitable job classification and compensation plan, or any such plan as may be adopted by the Board.

It shall consider and evaluate all requests and problems relating to wages and salaries of all county employees prior to the same being brought before the Board.

The committee will further be responsible for establishing and maintaining a uniform hiring policy and procedure. The interview panel will be selected and confirmed by the Personnel Office with input by the affected Committee. Generally no more than five individuals will serve on the interview panel. The composition of the interview panel for general positions shall generally consist of the HR Director (or designee), one County Board Member of either the current committee of jurisdiction or the Personnel Committee, the Department Head and the Department Supervisor, if applicable. The composition of the interview panel for department head vacancies shall generally consist of one member of the committee of jurisdiction, Personnel Committee Chair, HR Director, Administrative Coordinator & County Board Chair. A subject matter expert may be included if the Personnel Director determines it to be appropriate. Careful selection will be made of panel members to ensure objectivity and job knowledge. Relatives or personal friends of the applicants will be excluded from serving on the panel.

1) Membership

The Personnel Committee shall be comprised of five (5) County Board Supervisors.

2) Duties and Responsibilities

- A) At the organizational meeting, the members shall elect a Chair and a Vice Chair.
- B) Provide leadership for setting policy pertaining to wages, benefits, hours, and other conditions of employment for all county employees including jurisdiction for the Personnel and General Administrative Policies.
- C) Administer the disciplinary procedure as outlined in the Personnel and General Administrative Policies.
- D) May review and approve filling budgeted open positions.
- E) Review new position requests that have not been budgeted and make recommendations to the Board for final approval.
- F) Review all new job descriptions.
- G) Review all employee reclassification requests.
- H) Establish parameters for the negotiation of wages, benefits, and other conditions of employment for the county's collective bargaining agreements.
- I) Hears employee grievances in an attempt to resolve employee issues and contractual disputes with the unions.
- J) Responsible for periodic performance appraisals of the HR Director and in conjunction with the Board.
- K) Review Department annual budget and financial reports to refer it to the Finance Committee for further action.
- L) The Committee shall confer and have policy making responsibilities for the Personnel Department.

13 PUBLIC PROPERTY COMMITTEE

1) Membership

The Public Property Committee shall be comprised of five (5) County Board Supervisors. The treasurer, county clerk and corporation counsel shall serve as ex-officio members.

2) Duties and Responsibilities

- A) At the organizational meeting, the members shall elect a Chair and Vice Chair from members of the Committee.
- B) General policy-making responsibilities for all building, remodeling, improvements or fixtures on County property, personal property and real estate, whether owned or leased, and operations, repairs and upkeep of such real estate with the exception of the Highway facility and Forestry real estate, shop and recreational facilities.
- C) Responsibility for the purchase and sale of all County land except for Highway right-of-way and County Forest Lands. All purchases and sales require County Board approval.
- D) Work with the Department Head on projects affecting the Department.
- E) Review Department annual budget and refer to County Finance Committee for further action and review financial reports.
- F) The Committee shall confer and have policy-making responsibilities for the Maintenance Department.
- G) Review the delinquent property taxes, tax foreclosures and the subsequent sale of foreclosed property.
- H) Conduct annual land and public property auction to dispose of excess personal property and tax deed land.
- I) Has responsibility for assessing space needs for County departments and plan for future needs and assign space with County Board approval.

14 SOLID WASTE

This committee shall be composed of a minimum of four Board members and three citizens appointed by the County Board Chair.

The primary responsibilities of the committee will be to establish an orderly plan for the handling of all county solid waste including recyclables, and present such a plan to the Board for its approval. Said committee will be the committee of authority for the maintenance and administration of the County Solid Waste Handling and Recycling Program.

15 VETERANS AND MILITARY AFFAIRS COMMITTEE

1) Membership

The Veterans and Military Affairs Committee shall be comprised of five (5) County Board Supervisors. Committee member preference will be Supervisors who are Veterans.

2) Duties and Responsibilities

- A) Assist and approves, at committee level the annual budget for the Washburn County Veterans Service Office.
- B) Oversees the operations of the Washburn County Veteran's Peace Memorial Wayside stones.
- C) Oversees the operations of the Washburn County Veteran's Service office.

D) Communicates and coordinates with the Veteran's Commission for Washburn County.

16 ZONING COMMITTEE

The zoning committee will oversee the administration of the County Zoning Ordinances, conducting necessary hearings on proposed amendments and/or changes to such ordinances and reporting such recommendations to the Board for their consideration. The committee shall also examine plats of proposed subdivisions, hold hearings on such proposals and submit their recommendations concerning them to the County Board.

The committee will have jurisdiction over the Zoning Department.

1) Membership

The Zoning Committee shall be comprised of five (5) County Board Supervisors.

2) Duties and Responsibilities

- A) At the organizational meeting, the members shall elect a Chair, who shall be a County Board Supervisor, and a Vice Chair.
- B) Review Department annual budget and refer to the Finance Committee for further action and review financial reports.
- C) The Committee shall oversee the following ordinances:
 - i) Wisconsin Statutes 59.69 Zoning Ordinance.
 - ii) Wisconsin Statutes NR 115 Shoreland Zoning Ordinance.
 - iii) Wisconsin Statutes NR 116 Floodplain Zoning Ordinance.
 - iv) Wisconsin Statutes DSPTS 383 Private Sewage Septic Ordinance.
 - v) Wisconsin Statutes 236.45 Land Subdivision Regulations.
 - vi) Washburn Statutes Chapter 295 Non-Metallic Mining Reclamation Ordinance.
 - vii) Washburn County Chapter 38- Land Development.
 - viii) Washburn County Chapter 63 – Subdivisions.
 - ix) Washburn County Chapter 74 – Utilities.
- D) Adopt policies used in the implementation of the Ordinances identified above, and recommend approval to the County Board.
- E) The Committee shall confer and have policy making responsibilities for the Department.

II. QUASI-GOVERNMENTAL ORGANIZATIONS

1 INDUSTRIAL DEVELOPMENT AGENCY

INDUSTRIAL DEVELOPMENT AGENCY LTD.
A NONPROFIT NONSTOCK CORPORATION

7/21/2008
ARTICLE 1

OFFICES

Section 1 PRINCIPAL AND BUSINESS OFFICES: The Corporation may have such principal and other business offices, within Washburn County, Wisconsin, as the Board of Directors may designate.

Section 2 REGISTERED OFFICES: The registered office of the corporation, as required by the Wisconsin Non Stock Corporation Law, to be within Washburn County, Wisconsin, and said registered office need not be identical with the principal office in Washburn County, and the address of the registered office may be changed from time to time by the Board of Directors.

ARTICLE II

BOARD OF DIRECTORS

Section 1 GENERAL POWERS: its Board of Directors shall manage the business and affairs of the corporation.

Section 2 NUMBERS, CLASSES, AND QUALIFICATIONS: Pursuant to sec. 59.071, Wis. Stats. The total number of authorized directors of the corporation shall be eight (8). The Board shall consist of two classes of directors known as county directors and public directors. There shall be five (5) authorized county directors and three (3) public directors. The County Directors shall consist of the chairperson of Washburn County Supervisor and Washburn County Finance Committee, the Treasurer, and the Washburn Corporation Counsel, and Extension Resource Community Educator. If the County Board Chairperson and Finance Committee Chairperson are the same person, and additional County Officer appointed by the County Board shall serve as the County Director. Washburn County Industrial Development Agency Board Members shall nominate the public director and the final Board will be appointed by a majority vote of the County Board.

Section 3 OPEN MEETING LAW: All meetings shall comply with Wisconsin's Open Meeting Law.

Section 4 REGULAR MEETING: An annual meeting of the Board of Directors shall be held without other notice than this bylaw on the last Thursday in April beginning with the year 1989. The Directors may provide, by resolution, the time and place, for holding of additional regular meetings.

Section 5 SPECIAL MEETINGS: Special meetings of the Board of Directors may be called by or at the request of the president, secretary, or any two directors. The president or the secretary calling the meeting of the Board of Directors may fix any place within Washburn County, as the place for holding any special meeting of the Board of Directors.

Section 6 NOTICE; WAIVER: Notice of each meeting of the Board of Directors shall be given by written notice delivered or mailed in the regular mail (OR E-MAIL), to each director at his or her business address or at such other address as such

director shall have designated in writing filed with the secretary, and in each case, not less than 72 hours before the time set for the meeting. If mailed, such notice shall be deemed to be delivered when deposited in the United States mail so address, with postage thereon, prepaid. **WHENEVER ANY NOTICE WHATSOEVER IS REQUIRED TO BE GIVEN TO ANY DIRECTOR OF THE CORPORATION UNDER THESE BYLAWS, OR ANY PROVISIONS OF THE LAW, A WAIVER THEREOF IN WRITING, SIGNED AT ANY TIME, WHETHER BEFORE OF AFTER THE DATE OF THE MEETING, BY THE DIRECTOR ENTITLED TO SUCH NOTICE CONSTITUTE A WAIVER OF THE NOTICE REQUIREMENTS).** The attendance of a director at a meeting shall constitute a waiver of notice of such meeting, except where a director attends and objects there-at to the transaction of any business because the meeting was not properly called or conveyed.

- Section 7 QUORUM: A majority of the number of directors set forth in section 3 shall constitute a quorum for the transaction on business at any meeting of the Board of Directors, but a majority of the directors present (no less than such quorum) may adjourn the meeting from time to time without further notice.
- Section 8 MANNER OF ACTING: The act of the majority of the directors present at the meeting in which a quorum is present shall be the act of the Board of Directors, unless law requires the act of a greater number.
- Section 9 TENURE: Each County Director shall hold the office of director for so long as that individual holds the County Office or remains on the County Board. Each public director shall hold the office for a term of two (2) years. A public director may be removed from office, at any time and with cause, by an affirmative vote of a majority of the Board of Directors. A public director may resign at any time by filing his written resignation with the secretary of the corporation. Public directors shall have (OR HAD) business interests Washburn County but need not be a resident of Washburn County, Wisconsin.
- Section 10 CONDUCT OF MEETING: The president, or in his absence, the vice-president, and in their absence, any director chosen by the directors present, shall call meetings of the Board of Directors to order and shall act as chairman of the meeting. The secretary of the corporation shall act as secretary of all meetings of the Board of Directors, but in the absence on the secretary, the presiding officer may appoint any member of the Board of Directors to act as secretary at the meeting.
- Section 11 VACANCIES: Any vacancy occurring due to removal, resignation or sickness of any public director shall be ratified by the County Board pursuant to Sec. 59.071 (5) (e) Wis. Stats.
- Section 12 COMPENSATION: The Board of Directors, by an affirmative vote of the majority of the directors then in office may establish reasonable compensation of all the directors for services to the Corporation as directors or officers.

2 WASHBURN COUNTY HIGHWAY TRAFFIC SAFETY COMMITTEE

Mission

The Highway Safety Committee strives to encourage and foster traffic safety in the county and its villages and towns.

Membership

The committee is composed of at least nine (9) members. Membership is comprised of the following:

- A) The County Highway Commissioner or designee.
- B) The Chief County Law Enforcement Officer or designee.
- C) The County Highway Safety Coordinator, designated by the County Board.
- D) An Education Representative designated by the County Board.
- E) A Medical Representative designated by the County Board.
- F) A Legal Representative designated by the County Board.
- G) A Division of State Patrol Representative designated by WisDOT.
- H) A Highway Traffic Engineering representative designated by WisDOT.
- I) A Traffic Safety Representative designated by WisDOT.
- J) Additional representation is encouraged.

Duties and Responsibilities

- A) Represent the interests of their constituency.
- B) Offer solutions to traffic safety related problems that are brought to the Commission.
- C) Report back to their constituency.
- D) Meet at least quarterly.
- E) Post meetings notice at least one week prior to meeting dates.
- F) Review traffic crash data from the county/city.
- G) Review other traffic safety related information.
- H) Prepare and maintain a spot map of traffic crash locations.
- I) Send recommendations for corrective actions in writing to appropriate government officials, businesses and other interested groups.
- J) File a report on each meeting with the Bureau of Transportation Safety.

Applicable Statutes

Section 59.07(34)(m), Section 62.135, Section 66.0485 and Section 83.013

3 LAND INFORMATION COUNCIL

Mission

The land information council is set forth in Wis. Stat. 59.72(3m). The Mission of the Land Information Council is to assist and advise the Land Information Office in the modernization of land records within the county.

Membership

The council shall consist of not less than 8 members as follows:

1. Register of Deeds or designee
2. County Treasurer or designee
3. Real Property Lister or designee
4. One County Board Member.
5. A representative of the land information office
6. A realtor or member of the Realtor Association employed within the county
7. A public safety or emergency communications representative employed within the county
8. The county surveyor.
9. Any other members of the board or public that the board designates.

Duties and Responsibilities:

- A) The council shall review the priorities, needs, policies and expenditures of the land information office and advise the county on matters affecting the land information office.
- B) Review and approve the County Land Information Plan pursuant to §.59.72(5)(b)(3), Wis Stats., and Adm. Rule 47.06(3).
- C) Provide the Land Information Office direction and oversight of grant dollar spending received through the Wisconsin Land Information Program pursuant to Administrative Rule Chapter Adm. 47.

4 VETERANS SERVICE COMMISSION FOR WASHBURN COUNTY

The Veteran’s Commission for Washburn County is commissioned by the State of Wisconsin under Wisconsin Statutes 45.81 through 45.86 and is interpreted by the Attorney General and Washburn County Corporation Counsel.

Mission

The Commission strives to assist all eligible Veterans’ of Washburn County with qualifying needs.

Membership

The Veterans Service Commission shall be comprised of three (3) residents of the County. The residents shall be Veterans appointed by the County Board Chair to staggered 3 year terms. The Commission shall elect a chairperson on or before the 2nd Monday of December each year.

Duties and Responsibilities

- A) The Commission has been charged by County Board Resolution to provide transportation to all ambulatory Washburn County Veteran’s having appointments

at VA Medical Centers and establish the policies necessary to complete the service.

- B) Annually provide a budget and report to the Washburn County Board.
- C) Communicate and coordinate with the Veteran's and Military Affairs Committee.
- D) Provide assistance to needy Veterans, spouses, surviving spouses, minor and dependent children of Veterans.
- E) Provide care of Veterans graves including the graves of Veterans spouses.

5 ZONING BOARD OF ADJUSTMENT

SECTION I General Provisions

1. Authority:

This Board has been established pursuant to Section 59.694 of the Wisconsin Statutes, and assumes thereby, all responsibilities, duties, and powers as provided therein and by related statutes. A copy of these rules shall be filed with the County Clerk, and kept as public record. These rules are supplementary to the Zoning Ordinance provisions of the County as they relate to the procedures of the Board of Adjustments, and available to the public.

2. Title:

The Official title of the Board is: The Washburn County Board of Adjustments.

3. Membership:

The Board shall consist of five (5) members who shall be appointed by the Chairperson of the County Board, with approval of the County Board, for terms in accord with § 59.694 (2)(a), Wis. Stats., together with two (2) alternate members as prescribed in § 59.694(2)(am), Wis. Stats.

4. Conflicts of Interest:

A member of the Board who has any direct or indirect interest, personal or financial, in any matter coming before the Board for a hearing, shall disclose said interest to the Board in advance of the hearing. No such member shall participate in the hearing or in the following deliberation, no shall such member vote on such matter. A conflict of interest requiring disqualification shall include the following:

- a) When a member or his or her spouse is applying to the Board on an appeal or for a variance or is related within the third degree of consanguinity to the applicant.
- b) When a member is the employer or employee of the applicant or is a member or stockholder in a partnership, corporation or other form of association or is a sole proprietor of an entity seeking to appeal a decision or asking for a variance.

- c) If a member owns real estate within 300 feet of the property that is the subject of the application for a hearing.

In all other situations, each member shall be guided by Wisconsin law and Washburn County Ordinances as to whether a conflict of interest exists, requiring or recommending to an individual member that he or she should choose not to participate.

5. Limitations:

Nothing herein, shall be construed to give or grant to the Board, the power or authority to alter or change the Zoning Ordinance or zoning of other official maps of the County, which authority is reserved to the Zoning Committee and County Board of Supervisors.

6. Board's Office:

The office of the Board shall be located at the Zoning Administrator's office. All records of the Board shall be available for public inspection during office hours, 8:00 a.m. to 4:30 p.m., Monday thru Friday, except legal holidays.

SECTION II Officers and Duties

1. Officers:

The Board shall elect a Chairperson, and a Vice-Chairperson, from among its regular members. The officers shall hold office until their successors are elected. The Board may, at any meeting or hearing, elect from among the membership, the replacement for an officer who for whatever reason is unable to perform the duties of his/her office.

2. Duties of Officers:

The Chairperson, if present, otherwise the Vice-Chairperson, shall preside over and direct the conduct of all meetings and Hearings of the Board and may administer oaths, and compel the attendance of witnesses. The Chairperson shall report on all official transactions that have not otherwise come to the attention of the Board. The Chairperson shall direct the official business of the Board; supervise the work of the Board. The Chairperson, or the presiding officer, shall decide all points of the procedure or order, unless otherwise directed by the majority of the members in attendance on motion duly made and approved.

- a) The Board shall record minutes of the Board's proceedings, showing the vote of each member on each question or, if absent or excused from participation, the fact of said absence or recusal. The Board shall also maintain records of its official actions and shall keep a verbal record of all hearings which shall include the names and addresses of all persons appearing before the Board in person or by an attorney and it shall publish in the official newspaper the notices of meetings and hearings as required by law. The Board shall file all of its records with the County Zoning Administrator, who shall act on behalf of the Chairperson of the Board in

maintenance and preservation of those records. At all times the Chairperson of the Board, subject to delegation of duties under this provision, shall be deemed to be the custodian of the Board records in accord with the Public Records Law.

- b) Staff of the Zoning Department shall perform clerical duties and functions on behalf of the Board.
- c) Minutes of closed sessions shall be separated from those of open sessions and shall remain confidential until such time as when, in accord with Wisconsin Law, they shall be deemed to be subject to a public records request.

SECTION III Meetings

1. Time:

Meetings and hearings of the Board shall be held at the call of the Chairperson, provided that all Board members are notified at least 48 hours in advance of any meeting or hearing. In the alternative, if a majority of the regular members of the Board deem it necessary or appropriate to call a meeting and the Chairperson does not agree, such majority of the regular Board may call a meeting on 48 hours notice, as well. Meetings and hearings may be cancelled upon notice at least 24 hours in advance thereof.

2. Open Meetings and Hearings Format; Closed Sessions:

All meetings and public hearings held by the Board shall be open to the public. The only exception to this shall be those portions of meetings, which are duly convened into closed session in accord with § 19.85, Wis. Stats. No closed session shall be held by the Board under § 19.85 (1) (a), Wis. Stats., for deliberation purposes except in relationship to an evidentiary hearing held under § 19.85 (1) (b), Wis. Stats.

3. Quorum:

A quorum shall consist of a majority of all members of the Board and no action may be taken except by a vote of the members present. If a quorum is not present, a lesser number of members may adjourn the meeting to a time certain.

4. Parliamentary Procedure Guide:

The Board shall be guided by but shall not be considered to be bound by the rules of procedure set forth in Robert's Rules of Procedure.

5. Notice of Meetings:

All hearings and meetings of the Board shall be held upon notice to the public and to interested persons, which shall be posted, published or personally served or mailed in accord with the relevant provisions of Wisconsin Law. In addition, for notice purposes, the Board shall comply with the Open Meetings Law, Subch. IV, Ch. 19, Wis. Stats., with respect to the timing, means of noticing and contents of such notices.

SECTION IV Appeals and Variances

The powers and duties of the Board of Adjustments are identified in Sections 59.694 (7) of the Wisconsin Statutes and in the Washburn County Zoning Ordinance. The Board shall have the following general powers:

APPEALS:

- ❑ To hear and decide appeals where it is alleged there is an error in any order, requirement, decision, or determination made by an administrative official in the enforcement or administration of the Zoning Ordinance. In exercise of its power to grant or deny appeals, the Board may affirm or reverse the administrator, in whole or in part, or it may modify the order, requirement, decision, or determination in question and may make such order, requirement, decision or determination as ought to be made and to this effect shall have all of the powers of the administrator from whom the appeal is taken.

VARIANCES:

- ❑ To authorize, upon appeal in specific cases, such variance of the Zoning Ordinance as 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 un-necessary hardship and so that the spirit of the ordinance shall be observed, public welfare and safety secured and substantial justice done.
- ❑ In accord with Osterhues vs. Bd. of Adjustment for Washburn County, 282 Wis. 2d 228 (2005), before proceeding to a hearing on the merits on such appeal, the Board shall decide whether or not it wants to determine the case solely upon the basis of the record of evidence presented to the administrative official, in which case it shall render an independent decision on that basis alone or, in the alternative, whether it wants to take new testimony and evidence to supplement the record from below, in which event its determination shall be based upon the evidence as supplemented in the form of a de novo hearing. In making the decision of whether or not to allow the supplementation of the record from below, the Board shall be guided by its analysis of whether the said record is sufficiently complete as to allow the Board to rely upon it as presenting to it a factual basis upon which to render its determination. To this extent, the Board may choose to perform a review of the record to enable it to make this preliminary determination.

A Variance:

- ❖ Shall be consistent with the spirit and intent of the Zoning Ordinance, for which the stated purpose of the Zoning Ordinance or state law may act as a guide.
- ❖ Shall not permit a use which is inconsistent with the law governing the granting of use variances.

- ❖ Shall not be granted unless it is shown that the variance will not be contrary to the public interest or damaging to the rights of other persons or property values in the area.
- ❖ Shall not be granted for land uses or spatial purposes, which logically require pursuit of an amendment to the Zoning Ordinance.
- ❖ Shall not be granted on the basis of economic gain or loss.
- ❖ Shall not be granted for a self-created hardship.
 - Be responsible for the interpretation of any of the provisions of the Zoning Ordinance, which may to be clarified in regard to a specific situation or peculiarity.
 - Hear and decide Appeals on the extension of structures, buildings, or premises devoted to non-conforming uses.
- ❖ Shall not be granted in the Floodway or Wetland/Shoreland Zoning Districts.
- ❖ In determining whether to grant or deny a variance, the Board shall be guided by the principle that it is only under circumstances where the applicant will suffer an unnecessary hardship that a variance is allowed. For the purposes of “area” variances, the standard to be applied is that “compliance with the strict letter of the restrictions governing area, setbacks, frontage, height, bulk or density would unreasonably prevent the owner from using the property for a permitted purpose or would render conformity with such restrictions unnecessarily burdensome. For purpose of “use” variances, the standard to be applied is that in the absence of the variance, the owner will have no reasonable use of the property. State v. Kenosha County Board of Adjustment, 218 Wis. 2d 396 (1998) and State v. Waushara County Board of Adjustment, 271 Wis. 2d 547 (2004).

SECTION V Application and Appeal

To implement its powers in the hearing of appeals from the decisions and determinations of administrative officials, the Board may choose at the onset of the public hearing held in the matter of such an appeal to first determine whether or not to take additional evidence. If it decides to do so, it may either proceed to hold the hearing at that time or it may vote to adjourn the hearing to another date and time. If it decides not to take additional evidence, the applicant shall proceed to present his or her case to the Board for its consideration in conjunction with the record from below.

1. The applicant or appellant, his/her agent, or attorney shall file applications to the Board and appeals from the Zoning Administrator’s decision, with the Zoning Administrator. Appeals may be filed by any person aggrieved or by an officer, department, Board, or by the Town affected by the Zoning Administrator and/or

Zoning Committee's decisions on Conditional Use Permits. Appeals from the Zoning Administrator and Zoning Committee's decisions, must be filed within thirty (30) days after the decision, in writing, is made and filed.

Each appeal or application shall be considered by the Board at its next available meeting, provided there is sufficient time between the date of the filing and the date of the meeting for the required Hearing Notices to be published, as established by law.

2. State Reasons:

The reason for the application or Appeal, must be stated and the reasons why the request should be granted, must also be stated by the applicant:

a) If a variance, facts should be stated upon which findings may be made by the Board to justify the granting of the Variance.

b) If an appeal is based on an alleged error or abuse of discretion of the Zoning Administrator, facts should be stated as to the nature thereof.

The Board may refuse to hear a case upon the failure of the applicant to supply the required information called for, on the forms, and as further required by the Zoning Administrator.

3. Notices:

The Zoning Office shall transmit notices to the Board of Adjustments, copy in Zoning Office files, to Clerk of the Town Board, and where applicable, affecting property within the shore lands, notice to the Department of Natural Resources.

Notice of each Hearing will include:

a) Publication of a Class 2 Hearing notice in the designated County Newspaper.

b) Notice to the applicant, and where required, Department of Natural Resources, ten (10) days before the Hearing.

c) Notice to the Town Clerk and Chairperson, no less than one week prior to the Hearing.

d) Notice of hearing to City Clerk, Village Clerk, or Village President, when property affected, lies within 1½ miles of the closest city or village limits. The municipality (town, city, village) will be requested to submit their decision on each application involved in their jurisdiction. This decision shall be signed by the Board members and attested by the Clerk

The Board of Adjustments, in granting or denying the variance requested, may consider the decision of the municipality.

- e) Notice and the applicant's request, shall be sent to property owners within three hundred (300) feet of the perimeter of the affected property. The Board may consider comments from the surrounding property owners. Failure of such opinion letter to reach any property owner shall not invalidate any decision made on a Variance.

4. Effect of Appeal:

An appeal shall stay all proceedings and furtherance of the action appealed from, unless the officer, from whom the appeal is taken, shall certify to the Board of Adjustments, after notice of appeal has been filed with him, that by reason of facts stated in the certificate, a stay would cause imminent peril to life or property. In such case, proceedings shall not be stayed, otherwise than by a restraining order, which may be granted by the Board of Adjustments, or by a court of record on application and notice to the officer from whom the appeal is taken, and on due cause shown.

5. Fees:

The applicant shall pay such fee as established by the Zoning Committee, and shall be deposited to the Zoning Office, for each application, before a public hearing will be scheduled.

SECTION VI Hearing Procedure

1) Appearances:

Effect of Non Appearance; Adjournments; Production of Witnesses and Evidence Upon Demand of Chairperson

- a) Each applicant shall appear before the Board at the time and on the date scheduled for a hearing on his or her matter. Appearances shall be made in person and each applicant may choose to be represented by an attorney or agent of his or her choice. The failure of an applicant to appear may result in dismissal of his or her appeal or variance application
- b) In its sound discretion, the Board may move to table an application or adjourn the hearing in the matter to a date and time certain.
- c) The Chairperson may request the attendance of witnesses or the production of evidence, if deemed necessary and not produced by the parties to an appeal or application.

2) Order of Hearings:

Hearings on cases shall normally follow as:

- a. Application read, and reason for denial by the administrative official.
- b. Determination of jurisdiction, if requested.
- c. Applicants file which may include: The Town Board's decision when applicable, City or Village Council decision; maps or surveys; inspection reports; opinion letters; correspondence; soil test results; plot plan or sketches; and application.
- d. Applicant's statements and presentation of evidence of a hearing.
- e. Others in support of applicant, making statements, and if any, presentation of evidence.
- f. Objector's statement, and if any evidence, presentation.
- g. Staff recommendations, when requested.
- h. Questions by Board members.
- i. Rebuttals as permitted by the Board.
- j. Deliberations and decisions by the Board.

The Board reserves the right, on a case by case basis, to deviate from the above stated format.

3) Preliminary Matters:

Following the reading of the application, or appeal, the Board may hear arguments on the question of jurisdiction and request that briefs be filed on the point. The Board may proceed with the hearing and taking of testimony; in any event, and reserve its determination on a jurisdictional question until after hearing all testimony and render a decision on the merits as if it had jurisdiction. The Board may make an immediate determination and close the Hearing, finding it lacks jurisdiction. If the Board determines by motion, that it lacks jurisdiction, the decision shall be recorded as a vote to deny the request.

Orderly procedure requires that each side shall proceed without interruption by the other; that all arguments shall be addressed to the Board, and that there be no questioning or arguments between individuals.

Witnesses shall be identified to the Board by the parties who call upon them to testify. In the case of other interested persons who seek to testify for or against the applicant, each such person shall identify him or herself to the Board as well as to state their interest in the proceedings. All testimony shall be addressed to the Board.

4) Questions and Debate; Evidence:

During the hearing, the Chairperson, Board members, or its legal counsel, together with staff of the Zoning Department, may ask questions of the applicant and all witnesses participating in the hearing. Such questioning shall be for the purpose of bringing out relevant facts, circumstances and conditions which may affect the matter and assist the Board in arriving at its decision.

All supporting evidence for and against each case shall be presented to the Board. The applicant is responsible for presentation of information supporting his/her case. The Board may take notice of relevant facts on its own motion or that of a party to the proceedings.

5) Additional Evidence; Rules of Evidence:

The Board may take a case under advisement for later consideration and determination, or may “table” or defer action whenever it concludes that additional evidence is needed, or at the Boards discretion, on-site inspections, or further study is required.

The Board shall not be bound by court rules of evidence, but it may exclude irrelevant, immaterial, incompetent, unduly argumentative, or repetitious testimony, or evidence.

The Chairperson shall rule on all questions relating to the admissibility of evidence, which may be overruled by a majority of the Board members.

Persons having an interest in the case may attend the hearing and may request an opportunity to testify provided they identify themselves.

6) Record of Hearing:

All proceedings at a hearing shall be tape recorded or, at the option of the Board, recorded by a court reporter. On record there will be a summary of motions, witnesses, appearances, roll call votes, and all other matters constituting the substance of the proceedings. Verbatim transcripts of recorded proceedings shall not be prepared unless ordered by the Circuit Court by a Writ of Certiorari. The proceedings shall become part of the written record filed in the Zoning Office, and open to the public.

7) Adjournments:

When the applications or appeals cannot be disposed of on the day set, the Board may adjourn from day to day or to a certain, as it may order, and such adjourned day shall be construed as a continuance of the hearing. Notice of adjournment shall not be given to the absent members of the Board.

8) Application Withdrawal:

An applicant or appellant may withdraw an application or appeal at any time. Withdrawal of an application or Appeal shall not entitle the applicant to a refund of the filing fee.

SECTION VII Decisions of the Board

1. Majority Vote Required:

The concurring vote of a majority of all members present and who participated in a hearing shall be necessary in order to approve, deny, or table any matter, which comes before the Board for its consideration.

2. Decisions:

Each decision shall be in writing and shall set forth the ultimate facts upon which it is based. The Board may choose, in its discretion, to file formal findings of fact and conclusions of law but if it does not do so in a given case, the record of the proceedings, upon the basis of which decision was made, shall be substituted for formal findings and conclusions.

Within thirty (30) days of the close of the hearing to which the decision relates, written notice of such decision shall be mailed to the applicant, and town clerk, when within the shore lands, or affecting the Wetland/Shore land district, to the Department of Natural Resources. The approval or granting by the Board is deemed to constitute an order to the Zoning Office to issue a permit. A denial of the application or appeal is deemed to be an order to deny the permit.

The decision of the Board shall apply solely to the parcel of real estate, which is identified as being the subject of the application for a variance or appeal. No Decision shall apply to any other property, nor shall any decision of the Board be considered to create precedent. Unless otherwise set forth in the decision, both variances and appeal decisions shall be deemed to run with the identified parcel.

No action of the Board shall set a binding precedent. Each case shall be decided upon its merits and attendant circumstances, provided the Board shall not act arbitrarily or capriciously.

3. Findings of Fact:

In acting on any matters before it, the Board shall make “findings” supporting its actions. In every case where a Variance from the Zoning Ordinance is granted, the minutes of the Board shall affirmatively show that an un-necessary hardship or practical difficulty exists, and the records of the Board shall clearly show in what particular and specific respects an un-necessary hardship or practical difficulty is created.

4. Informal Advice:

The Board shall not give informal advice, nor shall any of its members, acting outside of a meeting of the Board purport to advise any person concerning the Zoning Ordinance, including but not limited to officials, employees of the County or any other person.

5. Valid Permit:

In the event that the result of a hearing held by the Board requires that the applicant or appellant apply for and obtain a permit from the Zoning Department, each such permit shall be obtained within a period of two (2) years after the date of the filing of the Board decision or the decision granting authorization to obtain such permit shall be deemed to be null and void. Such period of time within which to obtain permits may be extended on motion of the Board for a period not to exceed five (5) years from and after the date of the filing of the decision.

6. Circuit Court Action:

Any persons, jointly, or severally aggrieved by any decision of the Board of Adjustments, or any taxpayer, or any officer, department, board, or Bureau of the County, may commence an action in Circuit Court for Writ of Certiorari to review the legality of such decision in whole or in part, within thirty (30) days after the filing of the decision in the Zoning Office.

SECTION VIII Refilings and Rehearings

- a. No matter which has been acted upon by the Board concerning the same or part of the same property, shall be considered again within one (1) year from the date of the action, except, as hereinafter provided.
- b. The Board may not reopen any case upon which a previous hearing has been held, except to correct a manifest error.
- c. A case will be considered as heard and closed at such time as the Board approves or rejects and application or Appeal, by motion, or when it is considered closed by operation of these rules.
- d. A decision of the Board may be reconsidered by motion to reconsider, made at the same meeting, which may be immediately disposed of without further notice.
- e. The filing of a motion for reconsideration shall stop the running of the thirty (30) day period in which a petition to the Circuit Court must be made. The thirty (30) day period will run in such event from the date of a decision not to reconsider, is made by the Board, or if the matter is reconsidered, from the date the decision on the reconsidered matter is filed in the Zoning Office.
- f. A simple majority vote shall be sufficient to reconsider a previous decision. If reconsideration is refused the person requesting it, the Board shall enter on the minutes, the basis of the request, reason it was refused, and the vote of the Board members.

SECTION IX Annual Report

The Board of Adjustments Annual Report of its activities, may be included in the Zoning Department's Annual Report, and submitted to the County Board.

SECTION X Definitions

Certain terms or words used herein are defined as follows:

- Aggrieved person: Any person whose substantial interests are adversely affected by a determination. Aggrieved persons may file Appeals, or appear in opposition to an application.
- Appeal: An action seeking the review by the Board of an alleged error of fact or of law in any order, requirement, decision, or determination made by an administrative official.
- Application: A request for a variance from the specific requirements of the Zoning Code.
- Appellate Body: A body authorized to review the judgments made by other people. The Board of Adjustment hears Appeal of the decisions of the Zoning Administrator or the Zoning Committee. The Circuit Court hears Appeals of the Board's decisions.
- Certiorari: Judicial review of the decision of an administrative body, such as the Board, in which the Court Generally reviews the record of that body to which it applies the following standards: (1) Did the Board have jurisdiction over the subject matter? (2) Did the Board commit an error of Law? (3) Was there substantial evidence placed before the Board in support of the decision made? and (4) Did the Board act arbitrarily and capriciously, exercising its will as opposed to its judgment?
- Closed Session: A session closed to the public based on a majority vote of the members for the purpose of deliberating quasi-judicial matters or conferring with legal counsel.
- Findings of Fact: A statement of the Board's rationale behind the decision and facts that support the decision.
- Hearing De Novo: To hear anew, as in the case of an appeal from a decision of an administrative official in which to Board determines that the factual record is insufficient and accordingly causes a record to be made in the proceeding before it.
- Variance: An authorization granted by the Board to make use of property subject to the Zoning Code in a manner, which is inconsistent with spatial or use requirements imposed there under, under circumstances in which

the absence of such variance, the owner or occupant of the property would be subjected to an unnecessary hardship.

- Un-necessary Hardship: 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, un-necessarily burdensome, or unreasonable in light of the purposes of the Zoning Ordinance.

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RESOLUTION # _____

**RESOLUTION FOR UPDATE OF
POLICY B-4 POSITION JUSTIFICATION AND HIRING PROCESS**


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, the B4 – Position Justification and Hiring Process Policy is being updated to reflect updates to the hiring practices.

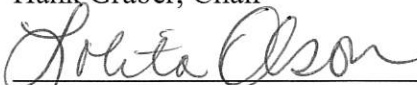
THEREFORE, BE IT RESOLVED, that the B4 – Position Justification and Hiring Process Policy as attached will be effective upon approval by the Washburn County Board of Supervisors.

FISCAL IMPACT: None

Recommended for adoption by the Personnel Committee this 12th day of October 2023, and approved by the Washburn County Board of Supervisors this 14th day of November 2023.



Hank Graber, Chair



Lolita Olson, Vice Chair



Linda Featherly, Member



Jocelyn Ford, Member



Brian Berg, Member

Met-

SUBJECT: POSITION JUSTIFICATION & HIRING PROCESS

PURPOSE: To establish a policy and procedure for the justification of new positions, and the initial hiring process

STATEMENT OF POLICY

The Personnel Office will administer and coordinate the position justification and hiring process for all position changes or vacancies. It will ensure a careful review of all personnel changes at the department level, fair and equal treatment of all requests at a county wide level, and compliance with contractual, legal, and equal opportunity requirements. All departments will adhere to the following procedures when announcing position vacancies.

NEPOTISM

Hiring practices will not violate the county's policy on nepotism. For further information see the county's policy on NEPOTISM.

POSITION REQUISITION PROCESS

1. The Personnel Office will be notified immediately of all potential personnel changes. Once notified, the Personnel Department will work with the Department head to complete a personnel requisition form. The HR Director will assist the Department Head in reviewing all options for eliminating, sharing, consolidating or reassigning job responsibilities as part of the review process.
 - a. The personnel requisition form must be completed for all positions. – Full-Time, Part-Time, Casual, and Temporary positions.
 - Recurring temporary positions that have been budgeted and approved, will not require the completion of additional personnel requisition forms. In subsequent year(s) after approval, it will only be necessary to review the need for the position with the HR Director.
 - b. Once complete, the personnel requisition will be forwarded to the appropriate committee(s) for approval.
2. If the personnel action creates a new position, the position must be approved by the following, prior to the close of the Finance Committee budget hearing.
 - a. Approval from the Committee of Jurisdiction
 - b. Approval from the Personnel Committee
 - c. Approval from the County Board by a 2/3 vote.

Other new positions can be requested as needed throughout the year, subject to the same process outlined above. **With any new or revised position that will have a financial impact, the Finance Committee will also need to approve.**

3. When filling budgeted vacant positions, for which there are no changes, recruitment can begin after notification to the Personnel Office and with pre-approval from the chair of the committee of jurisdiction. No other action shall occur until the committee of jurisdiction has approved the request.

4. When reclassifying, or changing a position's FTE, no action shall occur until the committee of jurisdiction, **Finance Committee** and Personnel Committee have approved the request.
5. Due to budgetary constraints, the County Board may institute either a departmental or county-wide freeze on any personnel action to include approving new positions, reclassifications or position status.
6. Existing full-time and part-time positions and current authorized positions will be considered dropped if they are not funded and filled for twelve months. Such positions will need to be resubmitted and considered new positions.

RECRUITMENT

1. The county may post the position both internally and externally.
2. If external advertisements are deemed appropriate, the ads for **radio, internet sites**, local newspapers, trade publications and professional journals will be developed and placed by the Personnel Office. If necessary, the affected department may be asked to assist the Personnel Office, in formulating the job announcement, ad, or in determining special application sources.
3. Applications **or resumes** shall be submitted to the Personnel Office. **If an application is submitted, the County Employment Application must be utilized, unless an online application system is used for advertising and an online application is part of that advertisement. ~~using the County Employment Application.~~** Resumes may be sent in addition to the County Employment Application. The application will be kept on file for at least twelve months and may be used to consider an applicant for all positions for which he or she might be qualified. Internal candidates interested in applying for another position may submit a new application or re-use their original application.
4. The Personnel Office, with the Department representative, will screen active application files for possible candidates. These candidates will be contacted to determine current interest in County employment prior to the closing date of the vacancy.
5. No applications for a position are accepted after the published closing and/or receipt date. If there are not sufficient qualified candidates at the closing date, the position may be re-opened and re-advertised.
6. The Personnel Office will screen all applications received to determine qualification for the position vacancy. This will be done in consultation with the department head, and/or committee chair. Applications of top candidates will be reviewed with the affected department head, and a list of interview candidates developed.
7. Applicants may be disqualified for consideration for employment when any of the following facts exist:
 - a. They do not possess the qualifications for the job
 - b. They have demonstrated an unsatisfactory employment record as evidenced by information contained on the application form or by the result of a reference check.
 - c. They have made false statements of any material facts or practiced deception in their application.

- d. They are physically, mentally or otherwise unable to perform the essential elements of the position with reasonable accommodations as required by state or federal disability.
 - e. **Candidates did not provide a complete application, resume, or supporting documentation that was requested in the posting.**
8. If the initial first candidate is chosen in an interview process begins work and then resigns within a short period of time, the Department head will have the option to re-interview the second candidate from the same initial interview process, without another personnel requisition and without another full recruitment, and hire if that second candidate is selected and still otherwise qualified.
 9. The Highway Department may create a Hiring Pool to retain qualified candidates for the Equipment Operator position. Said pool is to be in existence for a 12-month period of time from the date the pool is created. Only the committee of jurisdiction approval is necessary to access a pool candidate for hire. No further committee approval is needed to replenish the pool and keep it adequately maintained.
 10. The Personnel Department may create a Hiring Pool to retain qualified candidates for Administrative Assistant positions, which all other departments may access. Said pool is to be in existence for a 12-month period of time, from the date the pool is created. Only the committee of jurisdiction approval is necessary to access a pool candidate for hire. No further committee approval is needed to replenish the pool and keep it adequately maintained.

INTERNAL PROMOTION

1. If a position vacancy has been approved by the committee of jurisdiction; if the Department Head has a temporary, casual, or regular status employee currently employed by that Department within the County, who is qualified for the position vacancy, and if the internal promotion has been discussed with Human Resources, the Department Head will be given the authority to approve the temporary, casual,* or the regular status employee for the position vacancy without a full recruitment. (*Provided that the temporary or casual employee has previously undergone a full interview; if not, a full interview as indicated in the interview process should be scheduled prior to approval.)

TEMPORARY HELP

1. After an initial position justification for any temporary, seasonal, or contracted employee has been approved by the Personnel Committee and the committee of jurisdiction, the Personnel Office will coordinate the hiring of the position with the assistance of the requesting department by accomplishing the following guidelines:
 - a. The Personnel Office **and Department Head** will review the active general application file for potential candidates for the vacant position.
 - b. Those applications that best meet the needs of the vacant position will be selected and reviewed with the requesting Department Supervisor.
 - c. Once the Department Supervisor and Personnel Office have examined all potential applications and determined the top 2-3 candidates for the position(s), the Personnel Office or the Department Head will call the potential candidate to

discuss with them the temporary, seasonal and/or contracted position(s) duties and the specified amount of hours available for the positions to determine if they are interested in the position.

- d. If the potential candidate is interested in the position, the Department Supervisor will then either complete a phone or face-to-face interview with the potential candidate.
 - e. Once all interviews have been completed and the department supervisor has made a decision on whom they would like hired, the potential candidate will be contacted and offered the position.
 - f. **If a situation arises that temporary help must be utilized immediately, the HR Director/Administrative Coordinator may post the position with the approval of the Committee of Jurisdiction, the Finance Committee Chair, the Personnel Committee Chair and the County Board Chair. This will usually only take place in circumstances that will cause a hardship to the department or County. The approval of the position must still be ratified by the Committee of Jurisdiction, Finance Committee, Personal Committee and County Board.**
2. If there are no current qualified applications on file, the positions will be advertised as a Temporary, Seasonal, or Contracted position and all applications will be managed in the Personnel Office and then the process will continue along the same steps as allowed above. The Personnel Office may also request assistance from a local temporary staffing agency.

TESTING

1. Examinations may be developed for certain positions based on the position's responsibilities, the qualifications required, and resources available.
2. The examination may consist of oral interview/application review, a structured questionnaire, practical tests, written tests, or assessment center, etc. In all cases, the testing will be job related and designed to determine the candidate's knowledge, skills and abilities (KSA's) for the position.
3. The examination contents are developed or acquired by the Personnel Office with assistance provided by the affected department. Examination contents are confidential and unauthorized disclosure to any candidate is grounds for discipline. In certain situations, outside consultants may be contracted to assist with test development.
4. The Personnel Office will administer the testing process unless otherwise designated to the affected department.
5. The Personnel Office shall ensure that all testing is based on bonafide occupational qualifications.
6. The Personnel Office shall ensure that reasonable accommodations are made in test procedures to assure that persons with disabilities can be tested in an appropriate manner for a person with a disability. The following are ways in which the County may accommodate an applicant with a disability: replace written tests with on-the-job tests or verbal testing, enlarge print in exams, magnification, amplification devices, and interpreters.

The Personnel Office shall inquire in testing announcements whether the applicant requires an accommodation.

INTERVIEW PROCESS

The employment interview is a supplement to and part of the selection process. The primary function of the interview is to obtain data or certain knowledge, skills, abilities of a candidate not available through review of resumes or other testing mechanisms. Certain guidelines will be observed to maximize the validity and reliability of the interview process as well as ensure the adherence to current EEOC requirements.

1. The Personnel Office shall coordinate the interview process, including selection of panel members, scheduling candidates, development of interview questions, etc.
2. The interview panel will be selected and confirmed by the Personnel Office with input by the affected Committee. Generally no more than five individuals will serve on the interview panel. The composition of the interview panel for general positions shall generally consist of the HR director (or designee), one County Board Member of either the current committee of jurisdiction, or the Personnel committee, the Department Head, and the Department Supervisor, if applicable. The composition of the interview panel for department head vacancies shall generally consist of one member of the committee of jurisdiction, Personnel Committee Chair, HR Director, Administrative Coordinator & County Board Chair. A subject matter expert may be included if the Personnel Director determines it to be appropriate. Careful selection will be made of panel members to ensure objectivity and job knowledge. Relatives or personal friends of the applicants will be excluded from serving on the panel.

Reasonable accommodations shall be made for disabled applicants to allow participation in the interview process.

3. Personnel Office and the Department Head of the department in which the position vacancy exists (the Administrative Coordinator in vacancies involving department head openings) shall be responsible for the development of interview questions and standards for measurement of candidate responses. Consistency will be maintained in the questions asked of all candidates. The questions must be job related and based on the analysis described in paragraph 1 above. Questions will be designed to measure job knowledge, experience, and education or to solicit responses which reflect those personal traits which are job related. Questions which pertain to race, sex, religion or marital status or other inquiries which tend to directly or indirectly disclose such information are prohibited. Any questions that would indirectly divulge an applicant's age, national origin, or other discriminatory factor shall be made in strict accordance with state and federal law.
4. Inquiries as to an applicant's ability to read, write or speak foreign languages are permitted when such inquiries are based on job requirements.
5. Inquiries about whether an applicant has certain specified sensory, mental, or physical disabilities which relate reasonably to fitness to perform the particular job, or whether an

applicant has any disabilities or health problems which may affect work performance or which the employer should take into account in determining job placement are permitted. Other general inquiries which would tend to divulge disabilities or health conditions which do not reasonably relate to fitness to perform the job are not permitted.

6. The Personnel office will inform the interview panel of the responsibilities and requirements of the position to be staffed. Copies of the applications **or resumes** of final candidates will be provided to the interview panel members, along with proposed interview questions. A representative of the Personnel Office will meet with panel members prior to the interview for an orientation on appropriate interview and assessment techniques needed to evaluate each candidate objectively.
7. ~~Each rater scores the candidates independently.~~
8. Following the interview, the interview panel shall attempt to reach consensus and report the interview results and recommendations to the Personnel Office. The panel shall decide if the position should be offered to more than the top ranked candidate in the event the top ranked candidate declines the position.
9. Negotiation of salaried staff will be done in conjunction with the Administrative Coordinator/HR Director

REFERENCE CHECK/PRE-EMPLOYMENT DRUG TEST

Before the Personnel Office extends any offer of employment, the Personnel Office conducts a reference check. **An offer can be made to a candidate, contingent on the successful completion and passing of a drug test and background check. In some cases, a physical is required. ~~and drug test on the final candidate.~~**

1. The reference check includes verification of employment duties, dates of employment, work record, attendance record, strengths, weaknesses, safety record, and other pertinent information. Parts of the reference check may be delegated to the affected department.
2. No reference check or background investigation will be conducted without first notifying the applicant of the investigation. **A background check form must be completed prior to running a background check.**
3. Results of the reference check, background check, and/or drug test will help determine the applicant's fitness for the position.

APPLICANT NOTIFICATION

1. After a final decision has been reached, references are verified, ~~and successful drug test results have been received,~~ the Personnel Office notifies the candidate of his/her selection, makes an employment offer, and requests that the offer be accepted or rejected within a set number of days.

B – 4

2. Once a candidate accepts the employment offer, all other candidates are notified **by email**, in writing, **or by phone** that they were not selected for the position.

APPOINTMENT

1. For all positions, an employment confirmation letter is forwarded to the final accepting candidate outlining the terms of employment. The letter is prepared and mailed **or emailed** by the Personnel Office in cooperation with the affected department.
2. For new hires whose position is covered by a collective bargaining agreement, a copy of the accepted employment letter will be forwarded to the appropriate union official.

APPLICANT EXPENSES

The County does not reimburse any applicant for travel costs in conjunction with the hiring process.

EFFECTIVE: 11/10/98

REVISION DATE: 10/09/07, 09/20/16, 3/13/17, 1/2018, 9/2018, 4/27/2021, **11/21/2023**

RESOLUTION # _____

**RESOLUTION TO UPDATE EMPLOYEE HANDBOOK REGARDING LANGUAGE
UPDATES TO PROCEDURE FOR UNPAID PERSONAL LEAVE AND PROCEDURE
FOR CORRECTIVE ACTION**

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, language in Section 3.15 Unpaid Personal Leave of Absence and Section 8.1 – Procedure for Corrective Action in the employee handbook has been updated to reflect procedures for unpaid leave and procedures for corrective action.

THEREFORE, BE IT RESOLVED, that the updates to the 2023.1 Employee Handbook Section 3.15 Unpaid Personal Leave of Absence and Section 8.1 – Procedure for Corrective Action as attached, will be effective upon approval by the Washburn County Board of Supervisors.

FISCAL IMPACT: None

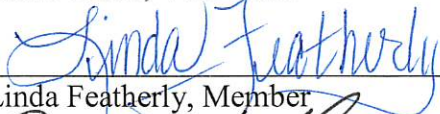
Recommended for adoption by the Personnel Committee this 2nd day of November 2023, and approved by the Washburn County Board of Supervisors this 14th day of November 2023.



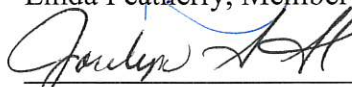
Hank Graber, Chair



Lolita Olson, Vice Chair



Linda Featherly, Member



Jocelyn Ford, Member



Brian Berg, Member

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.

Unpaid leave of absences for more than ten (10) workdays on up to thirty (30) workdays for employees other than Department Heads may be approved by the Human Resource Director.

Leaves for more than ten (10) workdays for Department Heads/Supervisors shall be approved by the Personnel Committee. Leaves for all other employees for more than thirty (30) workdays 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.

- Extended illness;
- Continuing education;

- Military duty; (in compliance with USERRA)
- Jury duty;
- Emergencies - death of relative or friend, etc.

Any unpaid leave of absence over ten (10) consecutive working days may affect the accumulation of benefits. An employee will not accrue non-worked paid time during an unpaid leave of absence, unless the employee uses an equivalent of one work day of accumulated paid time off per pay period, which may include sick, vacation, and/or comp time.

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.

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. **Disciplinary action of all employees, with the exception of Department Heads, must be pre-approved by the Administrative Coordinator/HR Director.**

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. **The Administrative Coordinator/HR Director will notify the Personnel Committee of the suspension.**

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. **The Administrative Coordinator/HR Director will notify the Personnel Committee of all terminations that result due to conduct.**

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. Any performance improvement plans, for staff, other than department heads, must be pre-approved by the Administrative Coordinator/HR Director.

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.

Resolution No. _____

County Forest Variable Share Payments

WHEREAS, Counties having lands entered as "County Forest Lands" under the provisions of S.S. 28.11 of the Wisconsin Statutes, annually receive from the state as a non-interest bearing loan, in an amount not to exceed 50 cents for each acre so entered to be used for the purchase, development, preservation, and maintenance of such lands, and

WHEREAS, said loan monies are repaid through a 20% severance tax on timber sales revenue coming from County Forest Lands unless a higher rate is mutually agreed to by the County and the Department;

THEREFORE, BE IT RESOLVED, that the Washburn County Board of Supervisors in consideration of meeting the needs identified in the County Forest Comprehensive Land Use Plan hereby request the Department of Natural Resources to provide the 2024 payment to the County under S.S. 28.11 (8) (b) a, on the basis of 50 cents for each acre of our County Forest Lands.

BE IT FURTHER RESOLVED that the Clerk has hereby authorized and directed to file this request with the Department of Natural Resources prior to December 31st preceding the year in which said payment is being requested to be made.

FISCAL IMPACT \$74,737.00

Submitted for adoption this 14th day of November, 2023 by:

Forestry, Parks & Recreation Committee:

Sandy Johnson, Chair

Hank Graber, Vice Chair

Jerry Smith

Lolita Olson

Brian Melton

Motion for adoption by:
Supervisor _____

Seconded by:
Supervisor _____

Ayes _____, Noes _____, Absent _____

I, Alicia Swearingen, County Clerk, do hereby certify that the Foregoing is a true and correct copy of a resolution adopted by the Washburn County Board of Supervisors at its meeting held on November 14, 2023.

Alicia Swearingen, County Clerk

Resolution No. _____

2024 County Forest Work Plan

WHEREAS, Counties having lands entered as County Forest Lands under the provisions of Wis. Stat. 28.11, may annually receive from the state a grant of up to 50% of the County Forest Administrators wage and fringe and also reimbursement of a portion of certain membership dues, and

WHEREAS, an annual county forest work plan must be approved by and on file with the Wisconsin Department of Natural Resources in order to qualify for the County Forest Administrator Grant, and

WHEREAS, the 2024 Annual Work Plan has been presented to the Washburn County Board of Supervisors.

THEREFORE BE IT RESOLVED, that the Washburn County Board of Supervisors hereby approve the 2024 Annual Work Plan and participation in the County Forest Administrator Grant program.

FISCAL IMPACT: Approximately \$67,000.00

Submitted for adoption this 14th day of November 2023 by the Forestry, Parks and Recreation Committee:

Motion for adoption by:
Supervisor _____

Sandy Johnson, Chair

Hank Graber, Vice Chair

Seconded by: _____
Supervisor

Jerry Smith

Brian Melton

Ayes _____, Noes _____, Absent _____

Lolita Olson

I, Alicia Swearingen, County Clerk, do hereby certify that the Foregoing is a true and correct copy of a resolution adopted by the Washburn County Board of Supervisors at its meeting held on

_____.

Alicia Swearingen, County Clerk

WASHBURN COUNTY FOREST

ANNUAL WORK PLAN 2024

TO: THE HONORABLE WASHBURN COUNTY BOARD OF SUPERVISORS

Following is the proposed Washburn County Forest work plan for the year 2024. The plan gives direction and meaning to the proposed County Forest budget. The plan further defines and supplements the County Forest Comprehensive Land Use Plan and emphasizes the current needs of the County Forest and recreational system.

I. FOREST MANAGEMENT / SILVICULTURE

A. TIMBER SALES

Timber harvests are not only important for the economic well-being of Washburn County, but also for the health and vigor of the forest. This includes all aspects of the forest including wildlife, watershed protection, air quality, recreation, and many other noncommercial values. Professional implementation of proper forest management and harvest techniques is essential. The timber management goal is to produce sustained yields of forest products by scheduling timber sales as close as possible to achieve the average annual allowable cut. Compartment reconnaissance information from the Wisconsin Forest Reconnaissance System (WisFIRS) will be used to determine stands where timber cutting is needed. Washburn County Forest plans to offer for sale approximately 3,282 acres of new timber sales (excluding salvage operations due to unknown occurrences and re-advertising of defaulted timber sale contracts) in the following timber types in 2024.*

	<i>Annual Goal</i>	<i>Carry Over</i>	<i>Total</i>
Aspen	600 acres	-14 acres	<u>586 acres</u>
Jack Pine	150 acres	177 acres	<u>327 acres</u>
Red Pine	400 acres	-146 acres	<u>254 acres</u>
Red Pine – Regeneration	50 acres	-177 acres	<u>0 acres</u>
Northern Hardwoods	450 acres	172 acres	<u>622 acres</u>
Northern Hardwoods – Regeneration	50 acres	-133 acres	<u>0 acres</u>
Red Oak	600 acres	613 acres	<u>1213 acres</u>
Red Oak – Regeneration	50 acres	-177 acres	<u>0 acres</u>
White Spruce & Balsam Fir	80 acres	0 acres	<u>80 acres</u>
Swamp Hardwood	100 acres	0 acres	<u>100 acres</u>
White Birch	50 acres	0 acres	<u>50 acres</u>
Other	50 acres	0 acres	<u>50 acres</u>

* Timber sale establishment will exceed these acreages in order to build a timber sale “bank”

B. REFORESTATION

1. As markets permit, attempt to sell jack pine sales associated with the 1980 Oak Lake Fire. As part of this, look for opportunities to post sale scarify approximately 50 acres of jack pine to promote regeneration.
2. Evaluate jack pine regeneration sites. Supplemental seed up to 50 acres as necessary.
3. Final harvests were conducted on 232 acres of older, unresponsive red pine plantations during 2022 and 2023. These sites are scheduled for mechanical and chemical site preparation in 2024. These tracts will be hand planted to red pine in 2025. This will also require a 50% pre-sowing invoice for red pine plantation stock in 2024. Evaluate oak regeneration sites and conduct prescribed burns, as weather permits, on approximately 50 acres to release young oak from competition.
5. Evaluate acorns in the fall and if a good crop is present, scarify mature red oak stands for regeneration.

C. TIMBER STAND IMPROVEMENT

1. Depending on the availability of the Gordon Prison Crew, release up to 50 acres of young red pine plantation by hand cutting competing vegetation.
2. Evaluate northern hardwood sites for regeneration issues and mow up to 50 acres to reduce ironwood competition and promote hardwood regeneration.
3. Contract 40 acres of chemical release within young red pine plantations.

D. HABITAT/ECOSYSTEM PROJECTS

1. Continue efforts to establish difficult to regenerate forest types. Focus on regenerating jack pine, white birch, balsam, red oak, and other intolerant timber types, through planting, scarification, prescribed burning, and other silvicultural harvest methods. These forest types are declining across the region and a focused effort to retain them on the County Forest is important.
2. Attempt to increase levels of prescribed burning, with a focus on releasing oak seedlings from competition on oak regeneration sites.
3. Continue to finalize, modify and adapt the northern hardwood management matrix to aid in decisions on silvicultural prescriptions on sites where traditional methods have failed. Establish even aged harvests, in conjunction with site preparation where necessary, to regenerate hardwood on sites with poor quality timber.
4. Continue evaluating older red pine plantation growth rates and thinning response. Conduct final harvest on those older plantations where growth does not exceed mortality. Target these areas for site preparation and replanting after harvests are complete.
5. Refine annual allowable harvest projections for northern hardwood and red pine sites to adjust for even aged management and site regenerations.
6. Maintain procedure for entering aspen stands with second rotation harvest as part of annual allowable allotment for the species.

II. FOREST RESOURCE PROTECTION

A. FOREST FIRE PROTECTION

1. Maintain and improve fire lane system (gas tax roads)
2. Conduct annual partnership meetings to evaluate planning and operations
3. Consult with DNR during periods of high fire danger in order to modify timber sale activity during certain periods to reduce risk of ignition.
4. Support DNR wildfire suppression efforts where needed and in accordance with the Fire Control MOU. Assistance will be focused primarily on protecting Washburn County Forest, and adjacent resources, with a secondary goal of providing assistance to other lands within the County. Staff resources will be allocated outside of the County only in cases of large project fires or in support of suppression on neighboring County Forest.
5. Continue focus of using Forestry Technicians as heavy equipment operators within DNR fire

suppression operations.

6. Continue spring ATV closure

B. INSECTS AND DISEASE

1. Oak Wilt

- Contract with DNR to conduct monitoring flights at least once during late summer to attempt to detect new oak wilt infestations. Consider multiple flights as needed to provide coverage over all oak resources on the County Forest.
- Aggressively treat any infestations with “frill/girdle” method using chemical and subsequent removal of infected trees and healthy trees within the buffer zone.
- Document all chemical application for compliance with certification.
- Continue to assist private landowners, where practical, in treating and removing oak wilt infections that have the potential to impact County Forest. As oak wilt continues to move across the county, efforts should be focused on lands directly adjacent to county forest.
- Continue to monitor suspected oak wilt sites from 2021. Many of these locations could not be directly confirmed as positive for oak wilt and further monitoring is necessary.

2. Emerald Ash Borer

- Attempt to increase levels of black ash management as markets and weather conditions dictate. Focus on trying to convert primary stand types to swamp hardwood species other than ash.
- Work to include white ash as a high priority of removal when managing northern hardwood stands. The goal is not to remove all ash, but rather pre-salvage as many high value trees as possible. Retain pole timber and small sawlog sized ash that are of good quality and vigorous in a way that are scattered across the stand.
- Monitor for possible infestations.

3. Other – continue to monitor for jack pine budworm, two-lined chestnut borer, and other potential pathogens and evaluate for management response. Budworm populations in particular were increasing through 2022 & 2023 and monitoring for mortality will continue,

C. INVASIVE SPECIES

1. Buckthorn

- Continue to look for buckthorn infestations
- Aggressively treat smaller patches, with internal staff using hand sprayers
- Staff will carry chemical and sprayers in their vehicles during the time of year when basal stem treatment is effective and spot treat scattered patches/individuals when they are found.
- The location and boundaries of larger patches will be submitted to the Forest Administrator for consideration of contract applications.
- Continue to search for outside funding sources.

2. Honeysuckle – scattered patches are present and they will be treated in a similar manner as buckthorn.

3. Garlic mustard – there are no known infestations but monitoring will continue.

4. Document all chemical applications for compliance with forest certification

III. RECREATION

A. PARKS AND CAMPGROUNDS

1. Totogatic Park

- Upgrade electrical service in the southeast portion of the park.
- Evaluate campground usage to determine initiation of phase 2 of the campground expansion.
- Continue state water testing requirements under contract with Bayfield County Health Department and implement any necessary treatments.
- Continue to allocate time from the Natural Resources Technician position during summer

- camping season to assist with parks operation and maintenance.
- Continue using the new Campground Manager position.
- 2. Sawmill Park
 - Replace/repair broken hand pumps
 - Seek funding sources to replace pavilion
 - Seek funding sources to replace dock system
 - Continue to operate and maintain facility
- 3. Leisure Lake Youth Camp
 - Begin facility improvements based on plans developed in 2022
 - Continue facility closure until license is secured and renovations completed.
 - Continue to operate and maintain facility
- 4. Dugan and Harmon Equestrian Campsites
 - Convert Dugan Run trailhead on the north to “day use” only and eliminate campsites.
 - Finalize any remaining variances and repair items necessary to complete licensing requirements
 - Repair electrical service at Harmon
 - Continue to monitor use by campers not associated with horse trail riding and consider additional restrictions as need arises.

B. MOTORIZED RECREATION TRAILS

1. Snowmobile Trail System
 - Continue to maintain snow trails program using maintenance grant program,
 - Apply for grant funding for any necessary bridge repairs/replacements and other trail improvements
 - Continue evaluating all bridges within the system with a goal of upgrading older bridges with engineer designed bridges.
 - Install a temporary bridge over Potato Creek in Trego to facilitate snowmobile traffic operation off of the surface of Mackey creek Road
 - Work with DOT to restore trail 7 connection at Trego
 - Apply for grant funds for partial funding of Hay Creek Bridge replacement
2. ATV Trail System
 - Continue to operate and maintain the official ATV/UTV trail system using maintenance grant programs.
 - Continue to operate and maintain bathroom and parking facilities at Trego, Sarona, Berry Road, and Hall Road.
 - Grade the entire trail system at least once during the season with County staff and equipment, including those sections of County Forest Roads that are trail connectors.
 - Apply for grants for partial funding of Hay Creek Bridge replacement
 - Apply for rehabilitation grants on Stony Brook Trail from Hall road to Highway 77
 - Work with DOT to restore trail 7 connection at Trego
 - Apply for bridge re-decking and railings at Namekagon River Bridge in conjunction with a DNR capital project for structure repairs.
 - Complete Spider Lake Loop bridge and rehab projects
 - Apply for grant funding for any necessary bridge repairs/replacements and other trail improvements
 - Continue evaluating all bridges within the system with a goal of upgrading older bridges with engineer designed bridges.
 - Participate in legislative efforts to increase maintenance funding to help accommodate the influx of larger UTV’s
 - Participate in legislative efforts to prevent increasing statutory width definitions of UTV’s
 - Consider acquisition of easement for operation of Tuscobia Trail.

- Connect Shell Lake to Barronett using combination of Shell Lake Grade and Old Highway 63.
- Begin investigating Shingle Camp Road as a route connection and a corresponding relocation of Ice Age Trail.

C. NON-MOTORIZED RECREATION TRAILS

1. Ski Trails
 - Look for opportunities to recruit volunteer labor, likely through the formation of a local club, to assist with trail maintenance.
 - Continue to groom and maintain trails.
2. Wildcat Bike Trails
 - Continue to facilitate local volunteer efforts to operate and maintain trail. Look for specific opportunities to partner with and assist the newly formed Rails on Trails club.
 - Apply for DOT directional signage on Highway 70
 - Plan for adding a bathroom, shelter and other amenities at the trailhead if funding is available.
 - Continue to push DNR for approval of the bike trail proposal running adjacent to the Wild River Trail from Spooner to the Beaverbrook ATV trail. Assist the club in construction efforts where needed.
3. Dugan Run Horse Trails
 - Look for opportunities to recruit volunteer labor, likely through the formation of a local club, to assist with trail maintenance.
 - Evaluate usage to determine feasibility of long term operations
 - Mow trail system annually in late summer or early fall.
 - Monitor trail areas for invasive species
4. Ice Age Trail – Continue to work with statewide Ice Age Trail representatives to develop long range plans for the trail connection. In particular, push for relocation of the Ice Age Trail off the surface of Shingle Camp Road.

D. OTHER RECREATION

1. Continue to operate and maintain Minong Rifle Range
2. Help develop an organized entity to take on trap range operation at Minong Range.
2. Seek funding to repair Big McKenzie Lake boat landing

IV. WILDLIFE RELATED PROJECTS

A. FLOWAGES

1. Continue planning efforts to remove/restore Black Brook Flowage. Discussions with DNR wildlife and DNR engineers in 2020 led to potential options to remove the structure without requiring intensive engineering plans. Continue discussions and develop a plan for removal in 2022. Seek grant funding, and as part of this, research options for creating a wetland mitigation bank.
2. Vandalism/tampering of the structure at Casey Creek Flowage resulted in significant damage to the spillway structure. Discussions with DNR staff have led to a general agreement that the best option is to remove the structure. As with Black Brook, look for opportunities to remove the structure in the most cost effective manner possible.
3. Complete any necessary inspections or engineering on the Davis Flowage Structure.

B. WILDLIFE OPENINGS

1. Work with DNR Wildlife to evaluate the wildlife openings program. Priorities these openings and eliminate those with minimal benefit.
2. Purchase herbicide for wildlife openings treatment
3. Assist DNR with mowing where feasible.

C. OTHER WILDLIFE HABITAT RELATED PROJECTS

1. Continue to promote jack pine habitats
2. Continue to promote red oak, white birch and other declining species

3. Maintain gates
4. Seed logging trails where necessary.

V. FOREST ROADS

A. COUNTY FOREST ROADS

1. Grade entire 94 mile system and evaluate/repair trouble spots.
2. Prioritize mowing needs, mow approximately 10 miles.
3. Gravel sections of roads that are part of Casey Loop ATV Trail

B. FOREST/LOGGING ROADS

1. Implement revised road and access plan designations made part of new County Forest Plan
2. Plan all road expansions to minimize road density
3. Monitor for illegal use.
4. Continue to seek access points into Bean Brook area for timber management

VI. FACILITIES, EQUIPMENT, STAFF/PERSONNEL

A. FACILITIES

1. Continue to operate and maintain shop facility
2. Replace at least one overhead door in the shop.
3. Continue to operate park model mobile home at Totogatic but consider transitioning from residence use to office.

B. EQUIPMENT

1. Continue to operate and maintain existing fleet
2. Purchase replacement grader
3. Purchase replacement heavy duty mower head

C. PERSONNEL

1. Provide training opportunities to the newer employees (Technicians)
2. Continue to utilize Recreation Officer
3. Replace any positions if they become vacant.
4. Restructure campground operations at Totogatic Park with the development of the new Campground Manager position.

D. Wisconsin Department of Natural Resources Time Standards

1. Coordinate with Washburn Team Leader to consolidate as many time standard hours into a minimum number of DNR staff in order to create efficiencies.
2. Focus time standards hours primarily on timber sale establishment. The Liaison Forester or County Forest staff will act as lead forester on these projects.
3. Heavy equipment hours on scarification and other site preparation duties will be conducted at the discretion of the County Forest Administrator

VII. OTHER

A. LAW ENFORCEMENT

1. Continue to fund and utilize Recreation Officer Position
2. Continue to focus law enforcement efforts on ATV/UTV, permanent deer stands, and violations of Road and Access Plan and other violations of Chapter 50 of the Washburn County Municipal Code.
3. Continue to utilize ATV and Snowmobile Law Enforcement grant aids.

B. LEGISLATIVE ISSUES

1. Push to have WisDOT restore trail 7 connection
2. Engage in legislative efforts to enhance and protect the county forest programs as opportunities arise.

D. TIMBER MARKETS

1. Continue to monitor market conditions and offer annual allowable harvest acreage as planned, while attempting to offer sales with higher likelihood of sale (older versus younger red pine, sales

with aspen, etc.)

2. Look for opportunities to start discussions with county economic development staff to attempt to promote local value added industries.

E. FOREST CERTIFICATION

1. Continue to participate in SFI and FSC forest certification programs
2. Continue to evaluate cost/benefit of participation
3. The U.S. FSC standard is currently under revision to incorporate what are called International Generic Indicators. The draft of these revisions includes numerous changes that have potential to require much more intensive workload to remain certified, as well as significant acreage removed from the active management. Remain involved in efforts to prevent standards revisions as drafted. Numerous state agencies are involved in this effort as well. If the new standards are adopted as drafted, it will likely become too burdensome to remain certified under the FSC program.

F. LAND ACQUISITION

1. Follow the direction of the County Forest Comprehensive Land Use Plan
2. Evaluate land trades and/or purchases presented to the Committee for possible County Board approval
3. Seek grant funding options for any proposals that the Committee approves pursuing.
4. There are no specific projects planned for 2022.

- G. CARBON – continue to work with carbon market contract terms, especially the reporting requirements, and assist carbon firm with marketing Washburn County credits.

Resolution No. _____

Restoring ATV/Snowmobile Trail 7

WHEREAS, the Wisconsin Department of Transportation (WisDOT) recently completed a reconstruction of the Highway 53/63 interchange at Trego; and

WHEREAS, the construction obliterated a recreation trail bridge over Potato Creek and snowmobile ATV trail 7, which was a critical trail link leading from the Wild River Trail to Burnett County; and

WHEREAS, after numerous meetings between DOT, Washburn County and recreation clubs, DOT representatives issued a written statement that, "it is the full intent, and always has been the full intent of WisDOT to replace this trail"; and

WHEREAS, the final plans for the project did not include provisions to replace trail 7 and recreation traffic is forced to use the blacktop surface of Mackey Creek Road as well as a dangerous crossing of Highway 53; and

WHEREAS, a county proposal to construct a recreation trail and bridge in the ditch line of Mackey Road is no longer practical due to steep slopes, heavy rock rip-rap and a buried natural gas pipeline.

THEREFORE, BE IT RESOLVED, that the Washburn County Board of Supervisors requests that WisDOT revisit the Trego project in order to construct a safe and viable recreation trail that connects the Wild River State Trail with snowmobile/ATV trail 7 on the northwest side of Trego, and to do so in a timely manner; and

BE IT FURTHER RESOLVED that the Washburn County Board of Supervisors requests the assistance of our local state legislators in assuring that WisDOT comply with their commitment to replace this trail.

Submitted for adoption this 14th day of November by:

Forestry, Parks & Recreation Committee:

FISCAL IMPACT - none anticipated

Sandy Johnson, Chair

Motion for adoption by:

Supervisor _____

Hank Graber, Vice Chair

Seconded by: _____

Supervisor

Jerry Smith

Brian Melton

Ayes _____, Noes _____, Absent _____

Lolita Olson

I, Alicia Swearingen, County Clerk, do hereby certify that the Foregoing is a true and correct copy of a resolution adopted by the Washburn County Board of Supervisors at its meeting held on _____.

Alicia Swearingen, County Clerk

Resolution # _____

Resolution to increase the 2023 Health & Human Services Department Budget Due to the Federal award of Healthy WashCo:Partnerships 2 Success

WHEREAS, the Health & Human Services Department has received a newly awarded unbudgeted 2023 grant revenue for the last quarter of 2023; and

WHEREAS, the following is detail of the Partnerships 2 Success revenue and expenses for 2024:

\$ 93,750.00 received in 230.45391-43565 and expensed in 230.45391-50299

THEREFORE, BE IT RESOLVED that the Health & Human Services Department 2023 budget be increased \$ 93,750.00 due to the above addition.

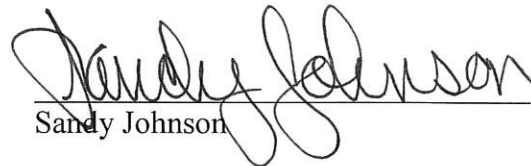
FISCAL IMPACT: \$93,750

Recommended for adoption this day of October 19, 2023 by the Washburn County Finance Committee and approved at the full County Board on _____, 2023.


Stephen Smith, Chair

Cristina Masterjohn


Linda Featherly, Vice Chair


Sandy Johnson


Scott Roppe

Resolution # _____

Resolution to increase the 2024 Health & Human Services Department Budget Due to the Federal award of Healthy WashCo:Partnerships 2 Success

WHEREAS, the Health & Human Services Department has received a newly awarded unbudgeted 2024 grant revenue for 2024; and

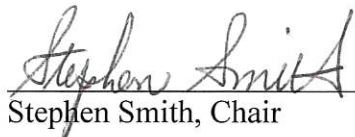
WHEREAS, the following is detail of the Partnerships 2 Success revenue and expenses for 2024:

\$ 375,000.00 received in 230.45391-43565 and expensed in 230.45391-50299


THEREFORE, BE IT RESOLVED that the Health & Human Services Department 2024 budget be increased \$ 375,000.00 due to the above addition.

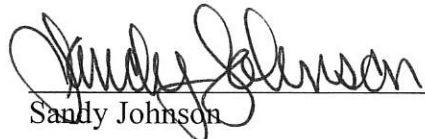
FISCAL IMPACT: \$375,000

Recommended for adoption this day of October 19, 2023 by the Washburn County Finance Committee and approved at the full County Board on _____, 2023.


Stephen Smith, Chair

Cristina Masterjohn


Linda Featherly, Vice Chair


Sandy Johnson


Scott Roppe

RESOLUTION # _____

**Resolution Authorizing the Creation of a New Full Time Equivalent Position:
Youth Programs Specialist- Health & Human Services Department**

WHEREAS, Health and Human Services has received a five year grant (renewable 6-10 years) in the amount of \$375,000/yr from the Department of Health and Human Services/Substance Abuse and Mental Health Services Administration (DHHS/SAMSHA); and,

WHEREAS, prevention efforts in Washburn County have continued to expand including the use of a building for a youth center; and,

WHEREAS, the grant funding is based on expanding access to services through partnerships with schools and other youth serving agencies in the community which will require coordination and oversight; and,

WHEREAS, the grant has specific regulations regarding data collection and reporting, including a dedicated .5 FTE that will be absorbed by this position; and,

WHEREAS, in addition to fully funding the Youth Programs Specialist position, the grant also pays for overhead and indirect costs; and,

WHEREAS, this position is needed to focus on the development and implementation of youth programs including youth mental wellbeing, partnering with schools and other agencies; and,

WHEREAS, if the Youth Programs Specialist Position is not created, grant funding will not be fully executed related to contracts and expanded programming, risking forfeiture back to the federal government and programming will not occur; and

WHEREAS, on October 9th , 2023, the Health & Human Services Board voted in favor of creating the Youth Programs Specialist position as it is the best use of available funding to meet the current and future needs of Washburn County; and,

WHEREAS, the creation of a Youth Programs Specialist position was approved by the Personnel Committee on November 2nd, 2023; and,

THEREFORE, BE IT RESOLVED, that the Partnerships 2 Success grant be utilized to fund the Youth Programs Specialist position within the Health & Human Services Department, and

THEREFORE, BE IT FURTHER RESOLVED, that the position of Youth Programs Specialist be approved and created as a regular full time position, subject to board approval thereafter.

FISCAL IMPACT: \$ (\$0 levy)

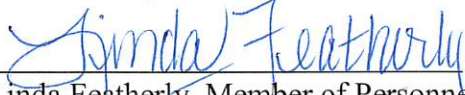
**Recommended for adoption by the Washburn County Personnel Committee on
November 2nd, 2023, and approved by the Washburn County Board of Supervisors
this 14th day of November 2023.**




Hank Graber, Chair of Personnel



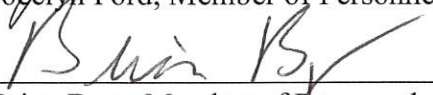
Lolita Olson, Vice Chair of Personnel



Linda Featherly, Member of Personnel



Jocelyn Ford, Member of Personnel



Brian Berg, Member of Personnel

POSITION DESCRIPTION	Grade 13-1950	
CLASS TITLE: Youth Programs Specialist		
DEPARTMENT: Health & Human Services	Date: 10/03/2023	

GENERAL DESCRIPTION

The Youth Programs Specialist position designs, coordinates and implements youth programming geared towards alcohol and drug prevention services and mental well-being for schools, community groups and businesses throughout Washburn County in accordance with Partnerships 2 Success (P2S) grant. This position shall work closely with other prevention staff to coordinate efforts in programming for youth in Washburn County including securing other funding, outreach and managing partnerships. This position will also be responsible for data collection and reporting to satisfy grant requirements.

SUPERVISION/DIRECTION RECEIVED

The Youth Programs Specialist receives direction from the HHSD Director and/or Prevention Coordinator.

SUPERVISION/DIRECTION EXERCISED

None.

TYPICAL DUTIES (Illustrative Only)

In teamwork with other prevention staff, design and implement P2S activities including programming to build more resilient youth, coordinate programming for the WashCo youth center and partnerships with schools. Other activities for the public may include: community groups, businesses, parents and local government; serves as a community consultant.

Provide prevention, education and training services to school, community groups, businesses, parents and local government.

Participate in and continue to strengthen the Community Alliance for Prevention (CAP) group and the Mental Health Task Force.

Consult and engage with various community stakeholders and other prevention professionals on developing programs for alcohol and drug use prevention and mental wellbeing, primarily in the areas of youth development and leadership.

Oversees and maintains grant compliance necessary to fulfill grant outcomes, including data collection and other reporting requirements.

Conducts speaking engagements before various community groups on substance use prevention, mental wellbeing and youth leadership.

Research contemporary practices and techniques in the field of alcohol and drug abuse prevention and creates/edits/maintains training manuals/literature on the topic which are made available to the general public.

Coordinates program activities with collaborative agencies; identifies and maintains community resources useful in implementing program activities; establishes service provider networks.

Keeps current on prevention literature, statistical information, legislative activities and community resources and activities pertinent to programs.

Performs other duties as assigned.

KNOWLEDGE, SKILLS AND ABILITIES

Knowledge of principles and techniques for community organizing, youth advocacy and youth voice, health education, public speaking and social marketing.

Knowledge of the physiology and psychology of Alcohol and Drug Abuse, mental health and the continuum of treatment care.

Considerable ability to establish and maintain effective working relationships with other employees, youth, collaborative agencies and the general public.

Grant writing, maintenance and compliance reporting.

Ability to communicate effectively orally and in writing.

Considerable ability to work and make appropriate decisions independently.

REQUIRED QUALIFICATIONS

Bachelor's degree in Social Work or closely related Human Services degree preferred. Two-year degree with two or more years of like experience also accepted or other combination of education and experience to demonstrate proficiency and knowledge in this program area.

Wisconsin Prevention Specialist certification within two years.

Washburn County Personnel Requisition Form

Date: 10/03/2023	<input checked="" type="checkbox"/> New Position	<input type="checkbox"/> Position Vacancy	<input type="checkbox"/> Position Change
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POSITION INFORMATION:

Position Title: Youth Programs Specialist	Department: HHSD
Effective Date: 10/09/2023	
Position Type: <input checked="" type="checkbox"/> Full Time <input type="checkbox"/> Part Time <input type="checkbox"/> LTE <input type="checkbox"/> Casual	
Duration of employment of requisitioned personnel: On-going	
Reason for Request: Resignation	
Why is position required or why can't present employees complete the work or why can't position be contracted? This position coordinates grant management tasks and partners with other prevention staff for community programs, messaging and various tasks. This is a full time position and cannot be assigned to other staff as the workload would not be possible.	
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 at Step H	Hrs/Yr	Wage/Yr	WRS	Taxes	W/C	Health, Vision, Dental Insurance	Total
6 weeks - 27.81	225	6257.25	425.50	478.68	10.64	4762.54	11,934.61
Full yr 27.81	1950	54,229.50	3,687.61	4,148.56	92.19	28,575.24	90,733.10

Total cost for other equipment and/or training? \$0

Is this request budgeted? YES NO List the funding source: Partnerships 2 Success Grant

FISCAL ANALYSIS (from above):

CATEGORIES	BUDGET ESTIMATES (EST.)
Other operating expenditures (include costs to hire – advertising, interviewing, testing/reviewing applicants)	0
Wages and Benefits	11,934.61
Personal Equipment (e.g. tools, uniforms, safety equipment)	0
Mileage & Meals	0
Training Expenses (Including memberships)	\$500
Computer Equipment (e.g. hardware, software, wiring, etc.)	\$1750
Office Furniture and Supplies	0
Renovation/Relocation Costs	0
Revenues (Use Negative #)	(\$14,184.61)
TOTAL:	\$0

DISCUSSION AND JUSTIFICATION OF PROPOSED POSITION

Cells will expand as you type.

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?	Yes, See attached job description
What are the major functions or examples of work performed of the proposed position?	Please see attached Job Description
Minimum Educational Requirements and minimum experience for this position?	Please see attached Job Description
Knowledge Skills and Abilities?	Please see attached Job Description
What caused the need for this position? (i.e. State or Federal initiatives/mandates, increased workload, etc.)	Grant funding management, community outreach and coordination in partnership with other prevention staff.
What/Who generates the work which is to be done? The public? The department itself? Another department within the County?	Public
Is this work currently being performed by someone else? If yes, how and by whom?	No.
How does this position fit into the organizational structure of the Department? (Please attach an organizational chart.)	Under the supervision of the Director/Prevention Coordinator
How will this position affect other employees in the department? (e.g. supervision, subordinates, etc.)	Continued work with other prevention staff. This position is directly supervised by the HHSD Director.
Who would perform the duties of this position when the incumbent is on vacation or using sick time?	Other prevention staff, if needed.
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.	Currently, this position works with the rest of the prevention team to coordinate activities, meetings and outreach in the community as well as grant reporting. Without this position, efforts would need to be reduced in the county due to lack of time/personnel.
Can the position costs be offset by eliminating or reducing a lower priority function? Please explain.	Fully funded by grant dollars.
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?	HHSD has worked hard to develop strong prevention efforts with youth, with intent to deter increases in youth justice referrals, CPS referrals and reduce substance use in the community. This position will play a large role in programming at the youth center and other youth programming in the community.

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

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Approvals:

DEPARTMENT HEAD:	I hereby certify that the above information is correct.	DATE:	10/03/2023
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Committee of Jurisdiction:

COMMITTEE:	Approved Denied	DATE:	
	Comments		

HUMAN RESOURCE DIRECTOR APPROVAL:

Filling of position is: <input type="checkbox"/> Approved <input type="checkbox"/> Not Approved
Comments:
Human Resources Director: _____ Date: _____

COMMITTEE APPROVALS:

PERSONNEL COMMITTEE:	Approved Denied	DATE:	
	Comments		
COUNTY BOARD (IF NECESSARY)	Approved Denied	DATE:	
	Comments		

RESOLUTION AUTHORIZING THE WASHBURN COUNTY HEALTH AND HUMAN SERVICES DEPARTMENT TO ACCEPT DONATIONS

WHEREAS, The Washburn County Health and Human Services Department has established strong partnerships within the community related to youth programming and promotion of youth wellbeing.

WHEREAS, In order to maintain sustainability, it is reasonable to coordinate and accept donations related to projects and efforts to continue to support youth in Washburn County; and,

WHEREAS, prevention efforts in Washburn County have continued to expand including the use of a building for a youth center; and,

WHEREAS, current grant funds may be restrictive or limiting in nature regarding purchases of items needed to support youth; and,

WHEREAS, per Wisconsin Statute 59.52 (19) the County Board of Supervisors “may accept donations, gifts or grants for any public governmental purpose within the powers of the county”; and,

WHEREAS, a policy has been established to receive and track donations; and,

WHEREAS, the inability to receive donations may eventually limit the abilities to serve youth by reducing opportunities to sustain services, provide space or activities.

THEREFORE, BE IT RESOLVED, that the Health & Human Services Department is authorized to accept donations per the “Health and Human Services Donation Policy”

FISCAL IMPACT: \$0

Recommended for adoption by the Washburn County Health and Human Services Committee on the 9th day of October, 2023 and approved by the Washburn County Board of Supervisors this ~~17th~~ ^{14th} day of ~~October~~, 2023.
November 5th

Sandy Johnson, Committee Chair

Kasey King, Vice Chair

Jerry Smith, Member

Jeanne Bruce, Member

Paul Johnson, Member

Brian Melton, Member

Lynn Berghuis, Member

Chuck Warner, Member

Terry Dryden, Member

John Sahlstrom, Member

Washburn County

Health and Human Services Department

Director: Marie Schrankel
P.O. Box 250, 304 2nd Street Shell Lake, WI 54871

Human Services
Phone: 715-468-4747
Fax: 715-468-4753
Email: humanser@co.washburn.wi.us

Child Support
Phone: 715-468-4747
Fax: 715-468-4753
Email: childsup@co.washburn.wi.us

Public Health
Phone: 715-635-4400
Fax: 715-257-4585
Email: health@co.washburn.wi.us

Acceptance of Monetary, Non-monetary and In-Kind Donations Policy

The Washburn County Health and Human Services Department has established strong partnerships within the community related to youth programming and promotion of youth wellbeing. In order to maintain sustainability, it is reasonable to coordinate and accept donations related to projects and efforts to continue to support youth in Washburn County.

Per the authorization of the Washburn County Board of Supervisors, the Washburn County Health and Human Services Department may accept donations as outlined below:

1. Definitions

“Donation” is defined as any monetary, non-monetary or in-kind donation, devise or bequest to Washburn County Health and Human Services Department.

“Monetary Donation” includes cash, check, money order, online donation or other negotiable instrument.

“Non-monetary Donation” includes real or personal property, items donated for use or furnishings, including those purchased through online “wishlists” or gift cards.

“In-Kind Donation” is defined as services or labor supplied for an identified project or program.

“Established Fundraising Efforts” includes donations extended to recurring annual events, in-kind donations associated with annual events, or donations for the maintenance and upkeep of donated materials by the original donor.

2. Purpose

To establish a policy and procedures for the acceptance of monetary, non-monetary, and in-kind donations, devises, or bequests from private citizens, businesses, groups or other organizations. Considerations include the use of the donation, restrictions associated with the donation, cost associated with and effective use of the donation.

3. Ownership

Any donations to the Department become the property of Washburn County.

4. Donation Administration

- a. The Health and Human Services Director is responsible for oversight of any donations received by the Department.
- b. Non-acceptance of Donation:
 - i. The Department has the authority to reject any donations from donors requesting specific use of an allocation that do not support the mission and purpose of the department and/or county policy or is unlawful.
 - ii. Prior to rejection, the HHSD Director will consult with the Finance Director and Administrative Coordinator regarding the nature of the donation, and the reason for rejection.
 - iii. Any rejected donations will be returned to the donor with a letter outlining the reason for rejection.
 - iv. Any **proposed** rejected donations will be **further** reported to the HHSD Committee at the next scheduled committee meeting **for consideration**.
- c. Monetary donations will be maintained in a separate account for the purpose of supporting youth programming including, but not limited to: youth programming, advocacy efforts, maintenance, travel, food or associated costs, activities and promoting wellness amongst youth.
- d. Non-monetary and in-kind donations will be tracked annually by the Department.

5. Reporting

- a. The Director will report to the HHSD committee annually of all donations, monetary, non-monetary or in-kind.
- b. Donations will be reported to the Finance Director annually.
- c. The type of donation and allocations annually will be included in the Department Annual Report.

RESOLUTION FOR THE VETERANS SERVICE OFFICE TO ACCEPT DONATIONS FROM A LOCAL VETERANS SERVICE ORGANIZATION AND AMEND THE 2023 BUDGET

WHEREAS, on October 18, 2023 representatives from VFW Post 10568 from Springbrook, Wisconsin donated \$2500.00 to the Veterans Service Office to be distributed to veterans and their families whom may be in need during the holiday season; and

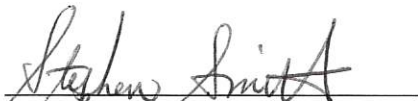
WHEREAS, the Veterans Service Office identified and designated 12 families in need and distributed \$200 to each family; and


WHEREAS, the total donation received in October 2023 is \$2,500.00 and will affect the 2023 budget in both revenue and expense accounts.

THEREFORE BE IT RESOLVED, that Washburn County and the Veterans Service Office accept the monetary donation of \$2,500.00 donated from the Springbrook VFW Post 10568 to support veterans in need and increase the revenue account 100.54720-48501 and increase the expense account 100.54720-50258.

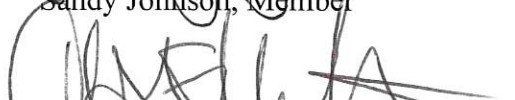
FISCAL IMPACT: \$2500.00

Recommended for adoption by the Washburn County Veterans Service Office Commission on this 26th day of October, 2023 and approved by the Washburn County Finance Committee on this 2nd day of November, 2023 and approved by the Washburn County Board of Supervisors on this ____ day of _____, 2023.


Stephen Smith, Chair


Sandy Johnson, Member


Linda Featherly, Vice Chair


Cristina Masterjohn, Member


Scott Roppe, Member

RESOLUTION # _____

RESOLUTION TO UTILIZE HIGHWAY FUND BALANCE TO PURCHASE A USED GRADER IN THE 2023 HIGHWAY BUDGET

Whereas, the Washburn County Highway Department is responsible for plowing snow for State, County, and multiple local Townships within Washburn County, and

Whereas, recently with increased demand for snow plowing services and a lack of backup equipment, the Highway Department needs a grader added to the fleet, and

Whereas, the Highway Department has budgeted use of \$250,000 of fund balance for the purchase of a used grader in 2024, and

Whereas, the Highway Department has located a used grader meeting all Highway Department Requirements, and

Whereas, purchasing a grader in 2023 would ensure the best level of service can be provided for winter maintenance, and

Whereas, the Highway & Dam Committee conditionally approved spending up to \$250,000 in fund balance in 2023 on a used grader pending Finance Committee and County Board Approval (see Highway & Dam committee minutes 10/16/2023), and


Whereas, total combined expenditures in 2023 and 2024 on a grader will not exceed \$250,000 that was budgeted for a grader.

Therefore be it resolved, that \$250,000 be utilized for purchasing a used grader in 2023: \$250,000 taken from the highway fund balance and charged to 705.53242-50810.

Fiscal Impact: \$250,000

Recommended for adoption by the Washburn County Finance Committee this 2nd day of November, 2023 and approved by the Washburn County Board of Supervisors this 14th day of November 2023.


Stephen Smith, Chair


Scott Roppe, Member


Sandy Johnson, Member


Linda Featherly, Vice Chair


Cristina Masterjohn, Member

RESOLUTION # _____

**RESOLUTION TO INCREASE THE 2023 AGING/ADRC
BUDGET FOR EARNEST MONEY**

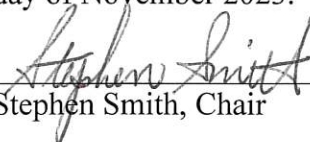
WHEREAS, the Aging/ADRC did not budget to spend Aging/ADRC fund balance towards earnest money in the 2023 budget; and

WHEREAS, the first check in the amount of \$1000 was issued in October, and the second check of \$3750 will be issued upon approval of this resolution; and

THEREFORE, BE IT RESOLVED, the 2023 Aging/ADRC budget shall be increased \$4750.00 for Earnest Money Agreements using revenue account 235.64101.49310 and expense accounts 235.64101-50532.

FISCAL IMPACT: \$4750.00

Recommended for adoption by the Washburn County Finance Committee this 19th day of October, 2023 and approved by the Washburn County Board of Supervisors this _____ day of November 2023.



Stephen Smith, Chair

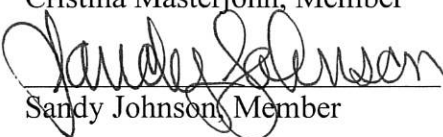


Linda Featherly, Vice-Chair

Cristina Masterjohn, Member



Scott Roppe, Member



Sandy Johnson, Member

Marked Up Version of
County Board Rules
Part 1 & 2

RULES OF ORDER OF THE WASHBURN COUNTY BOARD OF SUPERVISORS

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.

SELF-ORGANIZED COUNTY

Washburn County is a self-organized county with authority to act under, among other statutes, Wis. Stat. § 59.10(1).

RULE 1: COUNTY BOARD OF SUPERVISORS

1. The governing body shall be known as "the Washburn County Board of Supervisors" and are referenced in these rules as the "board". The Board shall consist of twenty-one Supervisors representing twenty-one Districts.

RULE 2: TERM OF OFFICE

1. Supervisors shall serve a two year term beginning and expiring at the convening of the organizational meeting on the third Tuesday in April in the even numbered years.

2. A supervisor may be removed from office by the county board for cause by a vote of two-thirds of all the supervisors entitled to seats on such board. (See Statutes Sec.17.10. See also Sec. 59.15 Neglect of Duty.)

RULE 3: ELECTION OF OFFICERS

1. The Board shall, on the third Tuesday of April, in the even numbered years, elect, by secret ballot¹, a Chair, a First Vice Chair and a Second Vice Chair for a two year term. The manner in which the -Chairs are elected shall be as follows:

2. Following nominations which need not be seconded, secret ballots shall be used to elect the Chair and Vice Chairs until a majority vote of the members present elects such officers. Only persons nominated may be voted for by ballot. Each position shall be filled by separate ballot. Each nominee may speak for three minutes. If a ballot results in no candidate obtaining a majority vote, the election continues until a majority vote is obtained. A candidate may withdraw

but is never dropped.

RULE 4: DUTIES OF THE CHAIR OF THE BOARD

1. **General Duties** The Chair preserves the order of the Board, and decides all the questions of order and procedure subject to an appeal to the Board. The Chair may speak on points of order in preference to other Supervisors and shall vote on all questions which come before the board. Unless specifically named to a committee by these rules, the Chair shall be an ex officio member of all committees. The Chair shall ensure the Board and individual Board members act consistently with the Board's Rules and Policies. The Chair shall preside at Board meetings in an efficient and effective manner and shall set the general tone for each meeting through positive leadership. Deliberation will be fair, open, and thorough, but also efficient.

2. **Agenda, Minutes** The Chair shall ensure the other Board members are informed of current and pending Board issues and processes. The Chair, with the advice of the Executive Committee and the assistance of the Clerk, shall prepare the agenda of all business to come before each Board meeting, and shall provide via electronic means said agenda, proposed legislation and minutes of the preceding Board meeting if not already distributed to Board members at least four calendar days before each regularly scheduled meeting of the Board.

3. **Appointments** The Chair appoints members to committees authorized by the Board.⁴ Officers of such committees are selected by committee members. (See Rule 13.1.) The Chair makes other appointments as authorized by statute.

4. At the Board's request, the Chair, or designee, shall represent the County at events or functions, serves as spokesperson for the County, where not in conflict with other statutory authority, and represents the County upon request of groups or organizations to present County positions or programs.

5. [Rule 4.5 was approved by the Board on Feb. 15, 2005 by Resolution 107-05.] The Board Chair shall chair no standing committees of the County Board except the Executive Committee. The Chair may chair ad hoc and other committees and boards associated with the role of the chairmanship.

RULE 5: ABSENCE OF OFFICERS OR SUPERVISORS

1. The First Vice Chair shall assume the duties of the Chair in the event of the Chair's temporary absence. A temporary absence is deemed to mean that the Chair is unable to carry out the duties of the office for ninety days or less.

2. The First Vice Chair shall assume the duties of the Chair for the remainder of the Chair's term in the event of a permanent absence of the Chair. A permanent absence is deemed to mean that the Chair will be unable to carry out the duties of office in excess of ninety days. Upon absence of the First Vice Chair, the Second Vice Chair assumes the duties of the absent officer.

3. In the absence of the Chair and the Vice Chairs, the Clerk shall call the Board to order, and the Board shall then elect temporary or permanent officers as appropriate according to the procedure set forth in Rule 3.

4. Each Supervisor shall be required to attend all meetings of the Board unless excused by the Board Chair. If a Supervisor cannot attend a meeting, the Supervisor shall contact the Board Chair or County Clerk before the meeting in question with an explanation of the anticipated absence. The Supervisor shall be entered in the Board minutes as excused. If circumstances render advance notice of absence impossible, the Supervisor shall contact the Chair within one week of the absence. At the next Regular Meeting, the Chair shall enter the excuse statement in the Board minutes.

5. Each Supervisor shall be required to attend all meetings of the Board in person unless approval of virtual attendance is given by the Board Chair. If a Supervisor cannot attend a meeting in person, the Supervisor shall contact the Board Chair or County Clerk before the meeting in question with an explanation for why the Supervisor cannot attend the meeting in person.

6. Excessive absenteeism of a supervisor from board meetings may be considered cause for removal. See Rule 2 Term of Office.

7. If a committee member is absent with or without excuse from more than four meetings in a year the committee chair or the subject department head may ask the Board Chair to consider replacing the member.

8. If a vacancy occurs on the Board, the Chair, with the approval of the Board, shall appoint a person who is a qualified elector and resident of the Supervisory District to fill the vacancy for the unexpired portion of the term.

RULE 6: TIME AND PLACE OF MEETINGS; EMERGENCY MEETINGS

1. The Board shall meet in Regular Session on the following dates: (1) The third Tuesday in April in the even numbered years shall be the Organizational Meeting, (2) the Annual Meeting shall be held on the Tuesday after the 2nd Monday in November unless that date is November 11 in which case the meeting shall be held on November 12. (3) the third Tuesday in each month that the Board shall meet unless otherwise designated by a majority vote of the Board.²

2. All Board meetings shall begin at a time previously agreed upon by the Board except the Annual and Organizational Meetings shall begin at 9:00 a.m. The place of the meetings shall be in the County Board Room in the City of Shell Lake, Wisconsin. For good cause the Chair shall call special meetings, and cancel, reschedule or relocate Board meetings. The Chair may not change special meetings called by a majority of Supervisors pursuant to Sec. 59.11 (2) Wis. Statutes.

3. Upon determining that an emergency exists, the Chair may call an emergency meeting in any manner reasonably designed to give notice to supervisors and the public including by

telephone, posting to the county website or email. Notice must precede meeting time by at least two hours. An emergency is defined as a situation which requires immediate Board action without which the County government or its citizens will suffer risk of physical, financial or other harm.³

RULE 7: QUORUM

1. A majority of the Supervisors who are entitled to a seat on the Board shall constitute a quorum.

RULE 8: REIMBURSEMENT FOR SERVICES

1. Supervisors and other County Board Committee members shall receive per diem and mileage compensation for the following service, unless otherwise indicated:

- a. They attend a duly scheduled meeting.
- b. Per diems will be paid for telephonic meetings.
- c. They have been requested to attend the meeting by either the Board Chair or the Chair of the Committee. This request should be included in the minutes of the meeting and such Supervisors shall indicate on their vouchers that they were requested to attend said meeting.
- d. If the Administrative Coordinator or a Department Head requests to meet with a Supervisor, the Supervisor is entitled to compensation for the meeting.
- e. Supervisors shall receive compensation for mileage when requested to sign vouchers only if so authorized by the Board Chair.
- f. Reimbursement for travel to and from meetings shall be for travel by the most usual and direct route.
- g. Supervisors and Committee Members are not entitled to compensation and mileage if they could be reimbursed from another source for attending the meeting.
- h. Per diems for all Board and Committee meetings shall be as set by separate resolution.
- i. All mileage and meals and lodging shall be reimbursed at the rate set by County travel policy.
- j. If a supervisor has two scheduled meetings in a day and there is a layover of two hours or more between meetings, as compensation for the supervisor's lost regular employment time, the supervisor is entitled to mileage for both meetings.

RULE 9: ORGANIZATIONAL MEETING ORDER OF BUSINESS

1. For the Organizational Meeting, the order of business may be:

- a. Call to order by the Clerk
- b. Certification of Legal Notice of Meeting by Clerk
- c. Reading of Certificate of Membership
- d. Administration of Oath of Office
- e. Call of the Roll
- f. Pledge of Allegiance
- g. Adoption of Rules of Order of the Washburn County Board of Supervisors
- h. Election of Chair (two year term)
- i. Approval of Agenda
- j. Election of First Vice Chair (two year term)
- k. Election of Second Vice Chair (two year term)

- l. Election of Highway Committee
- m. Appointment of two members to the Executive Committee
- n. Additional business
- o. Adjournment

RULE 10: AGENDA FOR REGULAR MEETINGS

1. The order of business for regular meetings may be as follows:

- a. Call to order
- b. Certification of Legal Notice of Meeting
- c. Roll Call
- d. Pledge of Allegiance
- e. Approval of agenda
- f. Approval of previous board minutes
- g. Public Comments
- h. Administrative report on current issues
- i. Committee of the Whole
- j. Consent Agenda Resolutions
- k. Other Resolutions and Ordinances
- l. Committee reports
- m. The Chair’s appointments and report on current issues
- n. Public Comments
- o. Note next meeting date
- p. Closed Session, pursuant to Statute, Chapter 19
- q. Return to Open Session
- r. Action if required from Closed Session.
- s. Adjournment

2. Agendas should include the following statement or equivalent:

Any person wishing to attend an open meeting of a County governmental body who, because of a disability, requires special accommodation, should contact the appropriate department in advance of the scheduled meeting time so needed arrangements can be made.

3. Certification of notice of the meeting may be accomplished by the following statement or equivalent:

I have given timely notice to members of this board, to the public, to the news media which have requested notice and to the official newspaper as required by Sec. 19.84 of Wisconsin Statutes.

RULE 11: VOTING

1. Voting may be done by voice, by show of hands, but by paper ballot only if the Supervisor’s identity may be determined from the ballot. The exception to this rule is that election of Board officers shall be by secret ballot. A vote on any question shall be taken by roll call when called for by any member of the Board. Votes with fiscal impact shall be by roll call. Also see Rule 18-Definitions of Ex Officio Members.

2. A Supervisor attending a Board meeting virtually cannot vote in a secret ballot vote for the election of Board Officers. A Supervisor attending a Board meeting virtually may cast a vote in a vote by paper ballot if the technology being used by the Supervisor to attend virtually allows for a written transmission of the Supervisor's vote to the County Clerk.

3. A supervisor with a conflict of interest shall not vote and shall prior to the matter being debated seek authority from the Chair to abstain from voting. The Attorney General advises that a supervisor with a conflict of interest should leave the board room during debate and voting.

RULE 12: COMMITTEES, BOARDS AND COMMISSIONS

1. All committee, board and commission appointments shall be for two year terms unless otherwise set by law.

2. Committees, boards and commissions shall be governed by Board Rules to the extent Board Rules are applicable and the body has not adopted other rules.

RULE 13: COMMITTEE ORGANIZATION AND FUNCTION

Committee creation and appointments are described at Rule 4.3. The jurisdiction and composition of each Board committee and other commissions and boards which are appointed or otherwise influenced by the County Board are set forth in Part II of these Rules.

1. At its first meeting a committee shall elect a chair and a vice chair. The County Clerk shall act as clerk of the county board at the board's regular, special, limited term, and standing committee meetings and shall keep and record the minutes of such meetings in a format chosen by the clerk.

2. In the event the chair leaves the position of chair during the term of office, the vice chair shall assume the chair position and an election shall be held to elect a vice chair for the remaining term.

3. Ex officio members are excluded from the quorum count unless a quorum would not otherwise be present, in which case ex officio members shall be deemed regular members.

4. Each committee shall with the advice of department personnel approve goals and objectives for all programs and activities of the departments that report to it and shall monitor the expenditure of county funds committed to the department or agency.

5. After approval as to purpose and members by the Executive Committee, each committee may create subcommittees.

6. Each committee shall act on all resolutions and ordinances affecting any department or agency that reports to it.

7. The chair of each committee shall report to the Board about committee activities.

8. Each departmental fee which is not set by statute shall be reviewed annually at budget time and set by the department's committee of jurisdiction.

9. Each department which charges fees to the public shall maintain a departmental fee schedule.
10. Fees which should be uniform for the whole County government shall be determined, set and reviewed by the Finance Committee. The County Clerk shall maintain this schedule and distribute it to County departments. The Committee may for cause authorize exceptions to County wide application of this fee schedule. (This rule was amended by Resolution dated Aug. 16, 2005.)

RULE 14: RESOLUTIONS AND ORDINANCES

1. Unless otherwise approved by the Chair, all Resolutions and Ordinances shall be delivered to the County Clerk by the time of the Executive Committee meeting prior to the upcoming Board meeting.
2. Resolutions and Ordinances presented by a Committee of the County Board may be acted on upon their first presentation at a County Board meeting. Resolutions and Ordinances not presented by a Committee may be referred by the Chair to a Committee of the Board.
3. Resolutions and Ordinances presented for consideration at any meeting must be in writing and bear the signature of at least two Supervisors offering the same, or if by a Committee, the signatures of a majority of that Committee.
4. Beginning with each new calendar year, Resolutions and Ordinances, once approved at a County Board meeting, shall be designated by the year followed by the sequential number of the Resolution or Ordinance introduced in that Session. For example: Resolution 2004-1 or Ordinance 2004-1.

RULE 15: ADMINISTRATIVE HOME RULE

1. To give the County the largest measure of self-government under the Administrative Home Rule authority granted to Counties in Section 59.03(1), these Rules shall be liberally construed in favor of the rights, powers and privileges of the County to exercise any organizational or administrative power not contrary to the Constitution or to any enactment of the Legislature that is of statewide concern and which uniformly affects every County.

RULE 16: PARLIAMENTARY PROCEDURE

1. Except as modified by these Rules and in all matters not specifically provided for, the Rules of Parliamentary Procedure contained in the latest edition of Robert's Rules of Order shall govern the Board in all cases where applicable.
2. Each member of the Board shall be issued a current edition of Robert's Rules of Order by the County Clerk following their first Organizational Meeting.
3. The Chair shall preserve order and shall decide questions of order, subject to an appeal to the whole Board, and shall vote on all questions.
4. A unanimous voice vote shall be considered and recorded as an affirmative unanimous roll call vote when so directed by the Chair.
5. When a motion is made and seconded, it shall be stated by the Chair or the Chair's designee previous to debate. If a majority of the Supervisors present ask, the motion (except to adjourn, postpone, table or commit), shall be reduced to writing and if a motion contains several points, any Supervisor may require it to be divided.
6. On all questions, it shall be proper to call for a division of the ayes and nays if the request is made previous to the decision of the Chair. A motion, Resolution or Ordinance may be withdrawn at any time before an amendment or decision upon agreement but all motions, amendments, Resolutions or Ordinances shall be entered at large upon the minutes unless withdrawn.
7. Every Supervisor shall vote when a question is put to vote, unless excused by the Chair.
8. Any Supervisor speaking to the Board shall address the Chair, confine remarks to the question under debate, and avoid personality.
9. The Supervisor who shall first address the Chair shall speak first. Where two Supervisors address the Chair at the same time, the Chair shall name the Supervisor who is to speak first.
10. Any Supervisor called to order shall immediately cease debate, unless permitted to explain. The Board, if appealed to, shall decide the case. If there is no appeal, the decision of the Chair shall be submitted to by the supervisors.
11. All questions shall be put in the order in which they were moved, except privileged questions.

12. When a question is under debate no motion shall be received except:

	Need a Second?	Vote Debatable?	Required for Passage?
a. To adjourn	Y	N	Majority
b. To lay on the table	Y	N	Majority
c. For the previous question	Y	N	2/3rds
d. To postpone to a certain day	Y	Y	Majority
e. To commit to a Committee	Y	Y	Majority
f. To amend	Y	Y, if motion to be amended is debatable.	Majority
g. To postpone indefinitely	Y	Y	Majority
h. To reconsider	Y	Y	Majority

All other separate motions shall have precedence in order in which they are named.

13. Any Supervisor may require a separate vote on any consent agenda item by asking for the Chair to pull the item before remaining consent agenda items are considered. Any Supervisor desirous of terminating the debate may call for the previous question. The Chair shall ask if there is any objection to closing the debate. If a member objects to the call of the previous question, the Chair may call for a motion to end the debate. If the motion has been seconded, the Chair must immediately take a vote as to whether to order the previous question. To close the debate requires a two-thirds vote of the Board.

14. A motion to adjourn shall always be in order; a motion to lay on the table shall be decided without debate; but this rule shall not authorize any Supervisor to move for adjournment when another Supervisor has the floor or when the Board is voting.

15. It shall be in order for any Supervisor who voted on the prevailing side, or a Supervisor who has been excused from the previous Board meeting, to move for reconsideration of the vote on any question on the same or next regular meeting of the Board.

16. If the Chair is participating in debate, the Chair shall, upon the request of any Supervisor, relinquish the gavel to a Vice Chair who is not participating in the debate.

17. Except as otherwise authorized, non-supervisors may not participate in board meetings. Any person not a supervisor, desirous of addressing the Board on any subject shall, if time permits, first obtain permission from the Chair prior to the meeting so the item can be placed on the agenda. Any person may, at the request of a supervisor and approval by the Chair, address the Board. The Chair shall set time limits for such speeches.

18. The public may also address the Board at the portion of the agenda listed as Public Comments. Such persons shall identify themselves, and limit their comments to three minutes unless a supervisor sponsors such person for an additional time period determined by the Chair.

19. All Board Supervisors shall adhere to and be governed by the Washburn County Code of Ethics.

RULE 16C CLOSED SESSIONS

This rule is intended to be a short restatement of Wisconsin's law on closed meetings. The intent of the law is that government should be as open as possible and that the public needs to know what its governments are doing but that sometimes closed sessions are necessary for government to function.

1. When a closed session is anticipated, that nature of the business and the statutory authority for the closed session shall be set forth on the meeting agenda. See Statutes, Sec. 19.85.
2. Even if the agenda doesn't give notice of a closed session a member, who believes that the agenda item under discussion in an open session should be discussed in closed session, may make a motion to convene in closed session. (In this situation it would be a good idea to move the item under discussion to the end of the meeting because if a body goes into closed session where no notice of it is given in the agenda that body may come out of closed session only to adjourn.)
3. Commencement of the closed session shall be by roll call vote. (The vote to end the closed session may be by any type of vote.)
4. If a member disagrees with going into closed session (either because the member thinks it is illegal or for public policy reasons) the member should vote against the closed session but should nevertheless attend so that his/her constituency is represented and so that the member will be a witness to any illegality.
5. All Supervisors have a right to attend a closed session **in-person**. **Supervisors attending virtually shall not participate in a closed session.**
6. The Chair should state who, if any, non-supervisor(s) may attend a closed session.
7. Substantive votes should not be made in closed session unless voting in closed session is necessary to attain the objective of the closed session.
8. Penalties for violation of the open meeting law include a forfeiture of \$25 or greater, invalidation of the action taken and payment of the complainant's reasonable attorney fees.
9. Penalties for violation of the secrecy of a legal closed session include censure by the body and payment of any damages the body suffers by reason of the unlawful breach of secrecy.

[Rule 16C was approved by the Board on Dec. 21, 2004.]

RULE 17: RULE CHANGES

1. These Rules may be suspended by a two-thirds (2/3rds) majority vote of the Supervisors present.
2. These Rules may be amended by Resolution at any Regular Session of the Board by a two thirds majority vote of all Supervisors of the Board then present.
3. Changes to Part II (Committees) will be by majority vote.

RULE 18: DEFINITIONS

1. Pronouns of masculine gender used herein refer to persons of either sex.
2. Majority shall mean the majority of the elected or appointed Supervisors in attendance unless otherwise defined by law.
3. An ex officio member of a Committee is one who, by reason of his/her office, serves on a Board Committee. Ex officio members do not vote unless specifically authorized by the Committee description to do so. Exception: Ex officio members vote when a quorum would not otherwise be present for such committees as authorized. In such event all Ex officio members present are counted toward the committee's standard quorum.

Foot Notes

- 1 according to Wisconsin State Statute 19.88(1)
- 2 (See sec. 59.11 Wis. Stats.)
- 3 This section is intended to comply with Sec. 59.11 (2)a Stats.
- 4 See Sec. 59.13 (1) Wis. Stats.

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I certify that the above Rules of Order reflect the proceedings of the Washburn County Board of Supervisors as of the amendment date set forth above the general title hereof.

Wilber R. Johnson III
Corporate Counsel

Enacted on October 8, 2004
Amended August 16, 2005
Amended March 20, 2018
Amended March 17, 2020
Amended October 18, 2023

Washburn County Board of Supervisors Resolution No. _____

RULES OF PROCEDURE, PART II

The Washburn County Board of Supervisors ordains the adoption of the County Board Rules of Procedure, Part II, as follows:

Fiscal Impact: None

Recommended for adoption by the Executive Committee this _____ day of November 2023.

David Wilson, Chair

Linda Featherly, First Vice Chair

Tim Kessler, Second Vice Chair

Hank Graber, Member

Lolita Olson, Member

Part 2 of the County Board Rules of Order

COMMITTEES OR ORGANIZATIONS OVER WHICH THE BOARD OF SUPERVISORS OR ITS CHAIR HAS AUTHORITY

Preface

Appointments are made in accordance with County Board Rules of Order Part I, paragraph 4.3 or specific statutes. Rule 13 governs committee procedure.

[Rule 4.3 Appointments, states the County Board Chair appoints members to committees authorized by the Board. Officers of such committees are selected by committee members. (See Rule 13.1) The Chair makes other appointments as authorized by statute.

Addition to Rule 13: The Board grant of authority to committees shall be liberally interpreted. The Chair, and first and second Vice-Chairs of the Washburn County Board may substitute for any county committee member as a voting member on those occasions when a committee member will be absent causing a lack of a quorum, at the request of the Committee Chair or Acting Chair.

The Chair of the County Board shall serve as an ex-officio member of all county committees. The Chair will vote only in case of a tie.]

I. COUNTY BOARD COMMITTEES (including the Health and Human Services Board)

1. AGING & DISABILITY RESOURCE CENTER (ADRC) COMMITTEE

The ADRC and Unit on Aging are fully integrated agencies in Washburn County, Wisconsin. The Washburn County Aging & Disability Resource Center (ADRC) Committee is designated as the Washburn County Commission on Aging.

MISSION STATEMENT

The Mission Statement of the ADRC of Washburn County is to provide older adults and people with physical disabilities or intellectual disabilities the resources needed to live with dignity and security, and achieve maximum independence and quality of life.

1) Membership

The ADRC Committee shall be comprised of five (5) County Board Supervisors. These elected officials, have a term limit on the ADRC Committee of three two-year terms. They can return to this committee after a break in service of at least one year.

2) Duties and Responsibilities

A) At the organizational meeting, the members shall elect a Chair and Vice Chair from members of the Committee.

B) Review Department annual budget and financial reports to refer it to the Finance Committee for further action.

C) The Committee shall confer and have policymaking responsibilities for the ADRC of Washburn County Department.

D) The ADRC Committee follow the policies and procedures as determined by the:

I. Aging & Disability Resource Center (ADRC) Network

a) WI Department of Health Services Division of Long Term Care Bureau of Aging & Disability Resources - ADRC contract Scope of Services requirements for the services provided by, the organization of, and the procedures performed by Aging and Disability Resource Centers (ADRCs). ADRCs are authorized under Wisconsin Statute §46.283 and subject to the requirements contained in Chapter DHS 10 of the Wisconsin Administrative Code.

II. Aging Network

a) Department of Health & Human Services Administration on Aging Older American's Act.

b) WI Department of Health & Human Services Wisconsin Elders Act Chapter 46.82 Wisconsin Statutes.

c) Wisconsin Bureau on Aging & Disability Resources Wisconsin Aging Network Manual of Policies, Procedures, and Technical Assistance

III. Transportation Network

- a) Wisconsin Department of Transportation Specialized Transportation Assistance Program for Counties 85.21 Wisconsin Statutes.

Quasi-Governmental Organizations:

ADRC GOVERNING BOARD

The Washburn County ADRC Governing Board and Aging Citizen’s Advisory Committee is integrated, meeting both the ADRC and Aging network requirements. The ADRC Governing Board is advisory to the separate policymaking committee, ADRC Committee. The ADRC Governing Board meets these statutory requirements:

1. At least 50% of the combined board must consist of older adult representatives.
2. Elected officials must make up less than 50% of the combined board. One (1) county board member representing the ADRC Committee is appointed to the ADRC Governing Board.
3. Combined boards are required to have term limits that comply with the Wisconsin Elders Act. Generally, the term limits are two three-year terms. If the member is an elected official, their term limit may be three two-year terms. After a term limit has been reached, a member may return to the board after at least a one-year break in term service.
4. In Washburn County, the ADRC Governing Board has an odd number of members, comprised of either 9 or 11, depending on the interest from the community.
5. There will be no board members that have a conflict of interest, due to being part of a Managed Care Organization (MCO).

Board Composition Proportionality: Washburn County ADRC Governing Board				
Total Board Membership	Older People or Representative(s)	Adults with Physical Disabilities or Representative(s)	Adults with Intellectual Disabilities or Representative(s)	Non-Client Group
9	5	1	1	2
11-12	6	1-2	1-2	1-4

2 EXECUTIVE COMMITTEE

The Executive Committee strives to support the County mission statement:

Mission

Washburn County government exists to serve and protect present and future citizens, the environment and quality of life in a fiscally responsible way.

Membership

The committee is comprised of five (5) County Board Supervisors. Membership is comprised of the Chairman of the Board of Supervisors, Vice Chair, Second Vice Chair and two (2) additional members appointed by the County Board Chair. The County Board Chair chairs this committee.

Duties and Responsibilities

- A) Advise the Chair as to the County Board agenda.
- B) The Committee shall review county board rules of order and recommend changes, additions and deletions to the full County Board for their consideration.
- C) The Committee shall meet monthly or as needed, at the discretion of the County Board Chair.
- D) The Committee shall facilitate disputes between committee's and be the final authority on those disputes.
- E) Provides input to the County Board Chair for committee assignments.
- F) Committee of jurisdiction for the Administrative Coordinator and Corporation Counsel.
- G) The Committee reviews all legal claims filed against the County.

3 EXTENSION EDUCATION COMMITTEE

The powers and duties of the Extension Education Committee shall be as provided in Chapter 92 of the Wisconsin Statutes and in addition, said committee shall be charged with directing county-based University Extension education programs in the areas of: youth development, health and well-being, natural resources, agriculture and horticulture; ~~community, natural resources and economic development; youth development, family living, agriculture and horticulture~~; and any other extension work that is authorized by local, state or federal legislation.

Statement of Purpose

~~Cooperative~~ Extension helps the people of Wisconsin apply university research, knowledge and resources to meet their educational needs wherever they live and work.

Membership

The committee is comprised of five (5) County Board Supervisors.

Duties and Responsibilities

- A) In cooperation with the university extension of the University of Wisconsin, the committee shall have the responsibility to formulate and execute the university extension program.
- ~~B) Appoint professionally qualified persons to the university extension program staff, in cooperation with the university extension service.~~
- C) Make available the necessary facilities to conduct local extension programs.
- D) Oversee programs, including but not limited to the training of group leaders and directing of group activities; individual or group instruction or consultation; demonstration projects, exhibits or other instructional means; group workshops, institutes, and conferences; creation of citizen advisory committees; dissemination of information by any appropriate means including press, radio and television; the imposition of fees for certain desired educational services when sufficient public funds are not available to cover costs; and cooperation with other local, state, and federal agencies.

- E) The committee shall confer with and have policy making responsibilities for the department and budgetary oversight.
- F) The committee shall meet at such intervals as are considered necessary to properly carry-out its functions and responsibilities.

The above will be re-numbered.

4 FINANCE COMMITTEE

The Finance Committee strives to support the County mission statement:

Mission

Washburn County government exists to serve and protect present and future citizens, the environment and quality of life in a fiscally responsible way.

Membership

The committee is comprised of five (5) County Board Supervisors. The County Clerk and County Treasurer shall act as ex-officio members.

Duties and Responsibilities

- A) Prepare the annual budget and tax levy for County Board approval.
- B) Review and establish financial and investment policies.
- C) Monitor the operating and capital budgets and approve and recommend adjustments.
- D) Recommend resolutions for appropriations to the County Board.
- E) Have supervision of all general fiscal policies.
- F) Review and approve property and general liability insurance policies with the assistance from the Finance Director and Administrative Coordinator. ~~and review claims filed against the County, with the assistance of the Corporation Counsel.(Exec will need to approve this part)~~
- G) Review department’s annual budgets and financial reports. Refer to the Finance Director or County Administrative Coordinator for further action if needed.
- H) Audit all current claims and accounts against the County.
- I) Approve bonds for county officers.

Departments of Jurisdiction

Finance
 County Clerk
 Register of Deeds
 Treasurer
 Land Records

Clerk of Court
 District Attorney
 Judge, et al
 Coroner

5 FORESTRY, PARKS AND RECREATION ~~AND PARKS~~ COMMITTEE

Mission

The Mission of the Washburn County Forestry is to manage, conserve, and protect natural resources on a sustainable basis for present and future generations. Natural resources, such as those provided by the Washburn County Forest, are the base for addressing the ecological and socioeconomic needs of society.

The primary powers, duties, procedures and functions of this committee are provided in Section 28.10 & 28.11 of the Wis. Stat., (County Forest Law), and in the 15 ~~10~~-year County Forest Comprehensive Land Use Plan. In addition thereto, said committee shall be responsible for and have jurisdiction of all recreation activities on County Forest and other Forestry related county-owned lands.

Said committee shall report annually to the County Board, and shall prepare budget and fee schedules for these facilities, reporting same to the Board for their approval.

Membership

This committee is comprised of five (5) County Board Supervisors.

Duties and Responsibilities

- A) Supervise the operation of the County Forest.
- B) Have general policy making responsibility for parks and recreation property operated, maintained and developed by the County.
- C) Set policies and recommend funding levels for establishing and implementing Park programs and activities in the Parks and recreation properties.
- D) Review Department annual budget and refer to the Administrative Coordinator/Finance Director for further action and review financial reports.
- E) The Committee shall confer and have policy making responsibilities for the Department.

6 HEALTH AND HUMAN SERVICES BOARD

By-LAWS of THE WASHBURN COUNTY HEALTH AND HUMAN SERVICES BOARD

ARTICLE I Introduction

The County Board of Supervisors have the primary responsibility for the overall health of the residents of the county which includes; the well being, treatment and care of persons experiencing social, mental and physical disabilities, the access to public health services for every member of the community and immediate emergency services for those individuals in need. These services are provided through a Department of Health and Human Services established by the County Board of Supervisors under Chapter 46.23 and 251, Wisconsin Statutes.

ARTICLE II
Authorization

The Washburn County Health and Human Services Board (WCHHSB) was created and authorized to function by resolution of the Washburn County Board of Supervisors on March 13, 2003.

ARTICLE III
Health and Human Services Board Appointments, Composition, Terms, Replacements

Section 1 All appointments to the WCHHSB shall be made by the County Board of Supervisors pursuant to Section 46.23(4)(B).

Section 2 The WCHHSB shall consist of twelve members.

Subsection 1 ~~Seven~~ **Six** members appointed shall be County Board Supervisors.

Subsection 2 The remaining ~~five~~ **four** members appointed shall be community representatives.

Subsection 3 The persons appointed shall have a recognized ability and demonstrated interest in health and human services.

Section 3 Appointments to the WCHHSB shall be for the following terms:

Subsection 1 County Board Supervisors shall serve for the length of their elected term.

Subsection 2 Community Representatives shall serve three-year terms.

Section 4 When it becomes necessary to replace a member before a term expires; the person appointed shall serve for the length of the unexpired term of the person being replaced.

Section 5 Applicants for vacancies of Community Representatives shall complete an application of interest. The WCHHSB shall review and recommend to the Washburn County Board of Supervisors all new Community Representatives.

ARTICLE IV
Definitions

“County Board” means the Washburn County Board of Supervisors.

“Board” and/or “WCHHSB” means the Washburn County Health and Human Services Board.

“Program” means the total range of services to people including, but not limited to: public health services, mental health services, developmental disabilities services, economic support

services, alcohol and drug abuse services, services to children, youth and aging, and exceptional educational services.

“Director” means the Director appointed by the Washburn County Health and Human Services Board.

“Department” means the Wisconsin State Department of Health and Family Services.

ARTICLE V Purpose of the Health and Human Services Board

Section 1 Responsible for developing policy and authorizing direction for all health and human services controlled by Ch 46,48, 51, 54,55 & 251 and 767.

Section 2 The WCHHSB acts as a governing and policy making body that has been authorized by the County to develop programs, plans and budgets for the program areas mentioned above.

ARTICLE VI Powers and Duties of the Health and Human Services Board

Section 1 Within the limits of available state and federal funds and of county funds appropriated to match state funds, the WCHHSB shall provide for the program needs of persons suffering from social, mental and physical disabilities, assess the health status of the citizens, recommend policies that will improve the needs of County residents and assure that needed health services are provided under the following guidelines:

Subsection 1 Shall determine administrative and program policies within limits established by the Department.

Subsection 2 Shall establish priorities in addition to those mandated by the Department.

Subsection 3 Shall determine whether state mandated services are provided or purchased or contracted for with local providers, and monitor the performance of such contracts.

Subsection 4 Shall determine, subject to the approval of the County Board and with the advice of the Director whether services are to be provided directly by the County Department of Health and Human Services or contracted for with other providers and make such contracts.

Subsection 5 Shall represent Health and Human Service agencies, professionals and consumers of services in negotiations with state and federal government.

Subsection 6 Shall appoint a County Health and Human Service Director subject to the approval of the County Board on the basis of recognized and demonstrated interest in and knowledge of health and human services problems, with due regard to training, experience, executive and administrative ability and general qualification and fitness for the performance of the duties of the Director. The appointment is subject to the Personnel Policies and Procedures established by each County Board of Supervisors.

Subsection 7 Shall appoint advisory committees for the purpose of receiving community, professional or technical information concerning particular policy considerations.

Subsection 8 Shall determine the number and location of outstations when appropriate to meet service demands.

Subsection 9 May recommend the removal of Director for cause to the County Board which participated in the appointment of the County Health and Human Services Board, and such County Board may remove the Director for cause by a two-thirds vote, on due notice in writing and hearing of the charges against the Director.

Subsection 10 Shall develop Human Services Board operating procedures.

Subsection 11 Shall oversee the operation of one or more service delivery systems.

Subsection 12 Shall evaluate service delivery.

Subsection 13 Shall annually prepare a budget of proposed expenditures for the ensuing fiscal year in accordance with s. 46.031(1) & 251.10.

Subsection 14 Shall cooperate to the extent feasible with the school board, health planning agencies, law enforcement agencies, and other human service agencies, committees and planning bodies in the geographic area served by the WCHHSB.

Subsection 15 May perform such other general functions necessary to administer the program.

Subsection 16 Shall comply with state requirements.

Section 2 The Director shall have all of the administrative and executive powers and duties of managing, operating, maintaining and improving the programs of county health and human services. In consultation with the WCHHSB and subject to its approval, the Director shall prepare:

Subsection 1 An annual comprehensive plan and budget of all funds necessary for the program and services in which priorities and objectives for the year are established as well as any modifications of long-range objectives;

Subsection 2 Intermediate-range plans and budget;

Subsection 3 Such other reports as required by the Department and the County Board.

Section 3 The Director shall make recommendations to the WCHHSB for personnel requests and ~~salaries of employees and~~ changes in program services.

ARTICLE VII Officers, Elections, Duties

Section 1 The officers of the WCHHSB shall consist of the following: a Chairperson and Vice-chairperson.

Section 2 The officers shall be elected by the WCHHSB for a two-year term.

Section 3 Duties of Officers

Chairperson – The Chairperson presides at all meetings of the WCHHSB and in general performs the duties usually associated with the office of Chairperson.

Vice-chairperson – The Vice-chairperson of the WCHHSB succeeds to the chairmanship in the event of the Chairperson’s absence or disability. The Vice-chairperson undertakes such other responsibilities as the Chairperson may assign.

ARTICLE VIII Standing Committees, Appointments

Section 1 There shall be three (3) permanent committees of the WCHHSB:
~~Birth to Three/Family Support Advisory Committee~~
Coordinated Services Team
Permanence Planning Review Board
Preparedness Advisory Committee

Subsection 1 All standing committees will report directly to the WCHHSB.

Subsection 2 Composition and duties of each standing committee will be established by the WCHHSB upon recommendation of the director.

Subsection 3 Other Committees will be created by the HHSB as needed.

Section 2 All appointments to committees shall be made by the Chairperson with the approval of the WCHHSB.

ARTICLE IX Meetings, Notices, Attendance, Voting

Section 1 The regular meeting of the WCHHSB will normally be on the second Monday of the month at the time and place designated. Special meetings of the WCHHSB and meetings of the committees shall be held at any time at the discretion of the Chairperson.

Subsection 1 All members shall be notified and provided with a copy of the agenda of all meetings at least 24 hours in advance.

Subsection 2 A quorum must exist to transact business.

Subsection 3 A quorum means a simple majority.

Section 2 All meetings shall be open to the public and it shall be the duty of the Director to see that the public is properly notified of all meetings through the county newspapers and/or radio stations.

Section 3 All members shall be required to attend all meetings of the WCHHSB unless excused by the chairperson. All committee members shall be required to attend meetings of the committee to which he/she has been appointed unless excused by the chairperson. If a committee member is absent with or without excuse from more than four meetings in a year the Chairperson may ask the County Board Chair to consider replacing the member. Committee members should notify the Chairperson and/or Director prior to the meeting if unable to attend.

Section 4 Each member shall be entitled to one vote for each issue or motion before the WCHHSB.

Subsection 1 The vote of a member shall be counted only if he/she is **present in person or attending virtually at an open meeting** at the time the issue or motion is presented. **Members are not allowed to attend or vote virtually in a closed session.**

Subsection 2 All voting shall be voice, unless a member requests otherwise, and then only by majority vote of all members present.

Subsection 3 Results of all votes shall be declared by the Chairperson.

Subsection 4 All issues or votes will pass by majority of vote unless a specific majority is required per Wisconsin State Statutes, Washburn County Rules of Order, and or these By-Laws.

ARTICLE X Resignations, Terminations

Section 1 Any member of the WCHHSB who wishes to resign from the WCHHSB shall send written notice in duplicate addressed to the Chairperson who will refer it to the County Board.

Section 2 All resignations from the WCHHSB, with the exception of the Chairperson, shall be in writing addressed to the Chairperson.

Subsection 1 In the event a WCHHSB member resigns his/her position prior to the completion of his/her term, the Chairperson with the consent of the majority of the WCHHSB members, shall recommend a person to fill the unexpired term of the resigned person to the Executive Committee. This shall be done at the next regular WCHHSB meeting following the date of resignation.

Section 3 The resignation of the Chairperson shall be in writing addressed to the chairman of the County Board of Supervisors.

Subsection 1 In the event the resignation of the Chairperson occurs prior to the end of his/her term of office, the Vice-chair shall assume the Chair position and an election shall be held for to elect a Vice-chair for the remaining term.

Section 4 Any WCHHSB member may be removed from the Board or Office for cause by two-thirds vote of the County Board, with due notice in writing and hearing of the charges against the person.

Subsection 1 A member may bring complaint against another member in writing submitted to the Chairperson.

Subsection 2 The member being removed shall be provided with a written notice thirty (30) days in advance of removal, which shall clearly state the reason(s) for the action.

Subsection 3 The member being removed shall have the right to present his/her case before the WCHHSB.

Subsection 4 A two-thirds vote of all members is necessary to remove a person from the Board or Office.

Subsection 5 Three consecutive unexcused absences shall be cause for termination.

ARTICLE XI

Health and Human Services Board Procedures

Section 1 The Chairperson shall begin each meeting with a request for roll call.

Subsection 1 Each member shall, when his/her name is called, shall indicate his/her presence by voice.

Subsection 2 The records shall notify the Chairperson of the number of members present and the number absent.

Subsection 3 The Chairperson shall determine whether a quorum exists.

Section 2 The Chairperson may request that the recorder read the minutes of the previous meeting.

Subsection 1 Following the reading of the minutes, the Chairperson shall ask for corrections or additions.

Subsection 2 If there are not corrections or additions, the minutes shall stand approved as written or read.

Section 3 The WCHHSB shall conduct its business in accordance with and in the order of the agenda developed for the particular meeting. The order of the agenda may be changed at any time for convenience but only with the approval of the majority of the WCHHSB members present.

Subsection 1 A motion shall not be entertained on any issue that is not a part of the agenda as published.

Subsection 2 On all issues, the Chairperson shall determine exclusively whether a motion is necessary.

ARTICLE XII Parliamentary Authority

Section 1 Robert's Rules of Order shall govern the conduct of business in all cases in which they are applicable and not in conflict with Wisconsin State Statutes, Washburn County Board Rules of Order or these By-Laws.

ARTICLE XIII Approval, Amendments

Section 1 These By-Laws shall become effective on the date they are approved by the County Board.

Section 2 These By-Laws can be amended at any regular meeting of the WCHHSB by a two-thirds vote of all WCHHSB members, provided that the amendment has been submitted in writing at the previous regular meeting. The amendment shall be approved by the County Board before it becomes effective.

7 HIGHWAY COMMITTEE

1) Membership

A five member committee to be elected at the organizational meeting. For the purpose of this election, the County shall be divided into three districts as follows:

District 1- Supervisory Districts 1,2,3,4,5,6,7 (N1/2 Co.)

District 2 -Supervisory Districts 8, 9, 10, 16, 17, 18, 19 (Ctr)

District 3 -Supervisory District 11,12,13, 14, 15, 20, 21 (S 1/4 Co.)

One member of the committee shall be elected from each district. Each member of the committee shall be elected by a separate vote of the entire Board. The remaining two members of the committee shall be selected at large

Nominations shall be by ballot with the two candidates receiving the highest number of votes in such balloting declared the nominees to be voted upon for election, provided the combined vote received by said nominees amounts to at least two-thirds of the total votes cast. The election of each member shall be by ballot.

The term of each elected member shall run from the day of election and shall be for two years to run concurrently with the Supervisory term.

Any vacancy in the committee shall not be filled until the next meeting of the County Board. ~~by appointment made by the Chair of the Board~~ Vacancies will be filled through the election process for a specific district or at large.

Mission

The County Highway Committee shall have the general charge of the construction and maintenance of county highways and of all highways maintained by the County, shall have general charge of maintenance and repair of all county owned dams, and shall have the powers and duties delegated in Section 83.015 of the Wisconsin Statutes together with such specific powers and duties as may be from time to time delegated to such committee by specific ordinance or motion adopted by the County Board. ~~Said committee shall, in addition to the annual report of the county highway commissioner, present to the County Board an annual report of the committee itself covering the activities and plans of said committee.~~

Duties and Responsibilities

- A) At the organizational meeting, the members shall elect a Chair, Vice Chair.
- B) Purchase and sell county road machinery as authorized by the Board.
- C) Determine if county construction and maintenance should be done by the Highway Department or by private contract.
- D) Enter into contracts in the name of the County.
- E) Direct the expenditure of highway maintenance funds received from the State and the County.

- F) Review Department annual budget and refer to the County Finance Director for further action and review financial reports.
- G) The Committee shall confer and have policy making responsibilities for the Department.

8 INFORMATION TECHNOLOGY COMMITTEE

1) Membership

The Information Technology Committee shall be comprised of five (5) County Board Supervisors. This Committee should include at least 1 member from the **three (3) of the five (5) following committees:** Finance, Law Enforcement, Personnel, Public Property, and Executive. ~~committees.~~

2) Duties and Responsibilities

- A) At the organizational meeting, the members shall:
Elect a Chair and Vice Chair from members of the Committee
~~Approve a Recording Secretary~~
~~Designate agenda creation and approval procedure.~~
- B) Approve Information Technology Department goals and objectives.
- C) Approve Information Technology Department programs and projects.
- D) Approve procedures for county wide ~~use, archival, and storage~~ **access** of digital records.
- E) Approve Information Technology Department annual budget and financial reports.
- F) Approve Information Technology usage policy for the county.
- G) Approve long range technology plan for Washburn County.
- H) Review departmental technology to insure integration with county-wide plan.

9 ~~AGRICULTURAL—AND~~ LAND CONSERVATION/LAND INFORMATION COMMITTEE

The powers and duties of the ~~Agricultural and~~ Land Conservation/~~Land Information~~ Committee shall be as provided in Chapter 92 of the Wisconsin Statutes, ~~as it relates to the Land and Water Conservation Department.~~ ~~and in addition, said~~ The committee shall be charged with the coordination of natural resource management and environmental protection activities in the county relating to agriculture, soil and water conservation, nonpoint source water pollution control, ~~farmland preservation~~, erosion control, groundwater protection, ~~invasive species~~ and wildlife damage.

~~The committee shall also review activities within the Land Information/Surveyor Office relating to the maintenance and modernization of land information systems within the county as provided in Chapters 47 and 59 of the Wisconsin Statutes.~~

Said committee shall report annually to the County Board and shall make special reports from time to time as the necessity may arise.

Membership

This Committee is comprised of (5) County Board Supervisors ~~plus one member from the USDA Farm Service Agency Committee~~, plus a person who is engaged in agricultural use. “Agricultural use” is defined as crop or forage production; keeping livestock; beekeeping; nursery, sod, or Christmas tree production floriculture; aquaculture; fur farming; and forest management. The committee may also appoint up to two citizen representatives.

Duties and Responsibilities

- A) Work with Wisconsin Department of Agriculture, Trade and Consumer Protection and the Wisconsin Department of Natural Resources to implement locally led and state funded conservation programs.
- B) Review Department annual budget for both Land Conservation and Land Information/Surveyor Departments and refer to the Finance Committee for further action and review financial reports.
- C) Shall have the powers and duties pursuant to Wisconsin Statutes 92.07 through 92.18.
- D) Develop and adopt standards and specifications for management practices to control erosion, sedimentation and non-point source water pollution.
- E) Distribute funds, encourage information and education programs, carry out preventative and control measures for soil erosion, enter into agreements, make ~~agricultural and~~ tree planting equipment available, administer projects or programs, make and execute contracts, require monetary or service contributions, enter upon lands for planning or surveying purposes without being liable for trespass, and administer and enforce county ordinances.
~~Submit findings and comments on notices of non-compliance for Farmland Preservation Certificates to the Zoning Committee.~~
- F) Review and approve spending of grant dollars issued through the Wisconsin Land Information Program pursuant to Administrative Rule Chapter Adm. 47
- G) Review and approve the County Land Information Plan pursuant to s.59.72(5)(b)(3), Wis Stats., and Adm. Rule 47.06(3)
- H) The committee shall confer with and have policy making responsibilities for the Department.

10 LAW ENFORCEMENT AND EMERGENCY MANAGEMENT COMMITTEE

This committee shall be comprised of 5 County Board Supervisors. The chair has the authority to set the agenda for committee meetings, preside over the meetings and make reports and recommendations on the committee’s behalf.

Duties and Responsibilities

On behalf of the county board:

LAW ENFORCEMENT

- A) Provide financial oversight of the Sheriff's budget;
- B) Review and process bills;
- C) Inspect the jail once a year as required or more as needed;
- D) Review, modify and recommend for approval the Sheriff's budget proposal;
- E) Assist the Sheriff as needed, in the development and implementation of any proposed program, legislation, resolution, action or recommendation, which is in the best interest of the county and the safety of its citizenry which promotes the efficient, effective and safe operation of the Sheriff's Office and recommend such action to the county board.

EMERGENCY MANAGEMENT

- A) Provide policy direction and financial oversight to the Emergency Management Director;
- B) Ensure the compliance of any applicable Federal Laws, Wisconsin State Statutes and/or County Ordinances, **Emergency Preparedness and/or Response Plans, the County-wide Emergency Operations Plan (EOP), Emergency Operations Center (EOC) Plans, any subset/accompanying plan(s) identified therein, and the oversight of the Local Emergency Planning Committee (LEPC) requirements, etc;**
- C) Review and process bills;
- D) Review, modify and recommend for approval the yearly budget;
- E) Complete annual performance evaluation for Emergency Management Director.

11 LOCAL EMERGENCY PLANNING COMMITTEE (LEPC)

1) Membership

Superfund Amendments and Re-authorization Act (SARA) Title III (Section 301 (c)) requires that the Committee consist of at least one (1) representative from each of the following groups; Elected State and Local Officials, Law Enforcement, Fire, Emergency Management, Health Professionals, Environmental, as well as representatives of facilities subject to the Emergency Planning requirements, and the Media. The County **Administrator Board Chair** shall appoint members to the Committee for a two (2) year term, subject to confirmation of the Board.

2) Duties and Responsibilities

- A) This Committee is an advisory Committee and not a policy making Committee.
- B) ~~At the organizational meeting, the LEPC members shall elect a Chair and a Vice Chair and a Secretary~~ from members of the Committee. **The Emergency Management Director serves as the Recording Secretary and Information Director for the committee, and subcommittees. The Committee may also approve a Recording Secretary. The Emergency Management Director is designated to serve as the Community Emergency Director at the direction of the Law Enforcement/Emergency Management Committee. The County Emergency Management Director will undertake those duties as assigned by**

the plan created under Title III, Section 33, and other responsibilities and duties assigned by the Emergency Management Committee.

- C) Local Emergency Planning Committee (LEPC)
 - a. Develop the Countywide Hazardous Materials Plan/Strategic Plan and Off-Site Facility Plan and appendixes in coordination with the Emergency Management Director, annually reviews the update and ensures that exercises are conducted as required.
 - b. Review the Off-Site Facility Emergency Plans submitted by facilities.
 - c. Publish annually, a notice in the local newspaper that the Hazardous Materials Emergency Response Plan/Strategic Plan Facility Off-Site Appendixes, Material Safety Data Sheets and Inventory Forms have been submitted under Section 324 of Title III, and are available for public inspection.
 - d. Provide information to the public as required in Section 312 of Title III, consistent with Section 322, Trade Secrets.
 - e. Receive and maintain copies of all EPCRA reports.
 - f. The Emergency Management Director makes the determinations along with the Facility Coordinators, necessary to implement the Hazardous Materials Plan/Strategic Plan.
 - g. Review and update LEPC Bylaws annually.

3. Authority

LEPC authority, derives from the federal SARA Title III Legislation and Wisconsin Statutes, treats any Local Emergency Planning, appointed by a County Board, as a department of state government and any member of such a committee as a department of state employee.

~~The LEPC's primary responsibility is to develop and review annually an emergency response plan for hazardous and toxic spills. The LEPC plan must evaluate resources for preparing for and responding to a potential chemical accident.~~

12 PERSONNEL COMMITTEE

MISSION STATEMENT:

The Washburn County Personnel Committee works with the Personnel Department to employ necessary, qualified employees and staff to provide the services mandated by the Washburn County Board. To administer to the needs and benefits of those employees as determined by negotiated contract and policy. These tasks are to be accomplished at the most fiscally responsible level possible.

It shall be the designated representative of the County Board relating to labor union negotiations and shall report their recommendations to the Board for action. No contract or agreement shall be considered adopted without County Board approval.

The committee shall act to effect and preserve an equalized scale of wages and salaries for all employees of the county in accordance with the provisions of fair and equitable job classification and compensation plan, or any such plan as may be adopted by the Board.

It shall consider and evaluate all requests and problems relating to wages and salaries of all county employees prior to the same being brought before the Board.

The committee will further be responsible for establishing and maintaining a uniform hiring policy and procedure. The interview panel will be selected and confirmed by the Personnel Office with input by the affected Committee. Generally no more than five individuals will serve on the interview panel. The composition of the interview panel for general positions shall generally consist of the ~~personnel director~~ HR Director (or designee), ~~one County Board Member of either the current committee of jurisdiction or the Personnel Committee, the Department Head and the Department Supervisor, if applicable.—department director,—a member of the committee of jurisdiction, a member of the personnel committee.~~ The composition of the interview panel for department head vacancies shall generally consist of one member of the committee of jurisdiction, Personnel Committee Chair, ~~Personnel Director,~~ HR Director, Administrative Coordinator & County Board Chair. A subject matter expert may be included if the Personnel Director determines it to be appropriate. Careful selection will be made of panel members to ensure objectivity and job knowledge. Relatives or personal friends of the applicants will be excluded from serving on the panel.

1) **Membership**

The Personnel Committee shall be comprised of five (5) County Board Supervisors.

2) **Duties and Responsibilities**

- A) At the organizational meeting, the members shall elect a Chair ~~and a~~ Vice Chair. ~~and a Secretary from members of the Committee.—The Committee may also approve a Recording Secretary.~~
- B) Provide leadership for setting policy pertaining to wages, benefits, hours, and other conditions of employment for all county employees including jurisdiction for the Personnel and General Administrative Policies.
- C) Administer the disciplinary procedure as outlined in the Personnel and General Administrative Policies.
- D) ~~May~~ review and approve filling budgeted open positions.
- E) Review new position requests that have not been budgeted and make recommendations to the Board for final approval.
- F) Review all new ~~and updated~~ job descriptions.
- G) Review all employee reclassification requests.
- H) Establish parameters for the negotiation of wages, benefits, and other conditions of employment for the county's collective bargaining agreements.
- I) Hears employee grievances in an attempt to resolve employee issues and contractual disputes with the unions.
- J) Responsible for periodic performance appraisals of the ~~Personnel/Benefits~~ HR Director and in conjunction with the Board.
- K) Review Department annual budget and financial reports to refer it to the Finance Committee for further action.
- L) The Committee shall confer and have policy making responsibilities for the Personnel Department.

13 PUBLIC PROPERTY ~~AND LAND SALE~~ COMMITTEE

1) **Membership**

The Public Property ~~and Land Sale~~ Committee shall be comprised of five (5) County Board Supervisors. ~~The treasurer, county clerk and corporation counsel shall serve as ex-officio members.~~

2) Duties and Responsibilities

- ~~A)~~ At the organizational meeting, the members shall elect a Chair and Vice Chair from members of the Committee. ~~The Committee may also approve a Recording Secretary.~~
- B) General policy-making responsibilities for all building, remodeling, improvements or fixtures on County property, personal property and real estate, whether owned or leased, and operations, repairs and upkeep of such real estate with the exception of the Highway facility and Forestry real estate, shop and recreational facilities.
- C) Responsibility for the purchase and sale of all County land except for Highway right-of-way and County Forest Lands. All purchases and sales require County Board approval.
- D) Work with the Department Head on projects affecting the Department.
- E) Review Department annual budget and refer to County Finance Committee for further action and review financial reports.
- F) The Committee shall confer and have policy-making responsibilities for the Maintenance Department.
- G) Review the delinquent property taxes, tax foreclosures and the subsequent sale of foreclosed property.
- H) Conduct annual land and public property auction to dispose of excess personal property and tax deed land.
- I) Has responsibility for assessing space needs for County departments and plan for future needs and assign space with County Board approval.

14 SOLID WASTE

This committee shall be composed of a minimum of four Board members and three citizens appointed by the County Board Chair.

The primary responsibilities of the committee will be to establish an orderly plan for the handling of all county solid waste including recyclables, and present such a plan to the Board for its approval. Said committee will be the committee of authority for the maintenance and administration of the County Solid Waste Handling and Recycling Program.

15 VETERANS AND MILITARY AFFAIRS COMMITTEE

1) Membership

The Veterans and Military Affairs Committee shall be comprised of ~~three (3)~~ **five (5)** County Board Supervisors. **Committee member preference will be Supervisors who are Veterans.**

2) Duties and Responsibilities

- A) Assist and approves, at committee level the annual budget for the Washburn County Veterans Service Office.
- B) Oversees the operations of the Washburn County Veteran’s Peace Memorial Wayside stones.
- C) Oversees the operations of the Washburn County Veteran’s Service office.
- D) Communicates and coordinates with the Veteran’s Commission for Washburn County.

16 ZONING COMMITTEE

The zoning committee will oversee the administration of the County Zoning Ordinances, conducting necessary hearings on proposed amendments and/or changes to such ordinances and reporting such recommendations to the Board for their consideration. The committee shall also examine plats of proposed subdivisions, hold hearings on such proposals and submit their recommendations concerning them to the County Board.

The committee will have jurisdiction over the Zoning ~~Department. Division of the Planning Land and Resource Management Department.~~

1) Membership

The Zoning Committee shall be comprised of five (5) County Board Supervisors.

2) Duties and Responsibilities

- A) At the organizational meeting, the members shall elect a Chair, who shall be a County Board Supervisor, and a Vice Chair.
- B) Review Department annual budget and refer to the Finance Committee for further action and review financial reports.
- C) The Committee shall oversee the following ordinances:
 - i) Wisconsin Statutes 59.69 Zoning Ordinance.
 - ii) Wisconsin Statutes ~~59.69~~ NR 115 Shoreland Zoning Ordinance.
 - iii) Wisconsin Statutes ~~Chapter, 59.69~~ NR 116 Floodplain Zoning Ordinance.
 - iv) Wisconsin Statutes ~~145.20~~ DSPS 383 Private Sewage Septic Ordinance.
 - v) Wisconsin Statutes 236.45 Land Subdivision Regulations.
 - vi) Washburn Statutes Chapter 295 Non-Metallic Mining Reclamation Ordinance.
 - vii) ~~Washburn County Chapter 38- Land Development.~~
 - viii) ~~Washburn County Chapter 63 – Subdivisions.~~
 - ix) ~~Washburn County Chapter 74 – Utilities.~~
- ~~D) Review and recommend approval to the Board of all Planning Documents formulated by the Planning Department including Comprehensive Plans, in accordance with Wisconsin Statutes 59.69 and 66.1001.~~
- E) Adopt policies used in the implementation of the Ordinances identified above, ~~and recommend approval to the County Board.~~
- F) The Committee shall confer and have policy making responsibilities for the Department.

II. QUASI-GOVERNMENTAL ORGANIZATIONS

1 INDUSTRIAL DEVELOPMENT AGENCY

INDUSTRIAL DEVELOPMENT AGENCY LTD.
A NONPROFIT NONSTOCK CORPORATION

7/21/2008
ARTICLE 1

OFFICES

- Section 1 PRINCIPAL AND BUSINESS OFFICES: The Corporation may have such principal and other business offices, within Washburn County, Wisconsin, as the Board of Directors may designate.
- Section 2 REGISTERED OFFICES: The registered office of the corporation, as required by the Wisconsin Non Stock Corporation Law, to be within Washburn County, Wisconsin, and said registered office need not be identical with the principal office in Washburn County, and the address of the registered office may be changed from time to time by the Board of Directors.

ARTICLE II

BOARD OF DIRECTORS

- Section 1 GENERAL POWERS: its Board of Directors shall manage the business and affairs of the corporation.
- Section 2 NUMBERS, CLASSES, AND QUALIFICATIONS: Pursuant to sec. 59.071, Wis. Stats. The total number of authorized directors of the corporation shall be eight (8). The Board shall consist of two classes of directors known as county directors and public directors. There shall be five (5) authorized county directors and three (3) public directors. The County Directors shall consist of the chairperson of Washburn County Supervisor and Washburn County Finance Committee, the Treasurer, and the Washburn Corporation Counsel, and Extension Resource Community Educator. If the County Board Chairperson and Finance Committee Chairperson are the same person, and additional County Officer appointed by the County Board shall serve as the County Director. Washburn County Industrial Development Agency Board Members shall nominate the public director and the final Board will be appointed by a majority vote of the County Board.
- Section 3 OPEN MEETING LAW: All meetings shall comply with Wisconsin's Open Meeting Law.
- Section 4 REGULAR MEETING: An annual meeting of the Board of Directors shall be held without other notice than this bylaw on the last Thursday in April beginning

with the year 1989. The Directors may provide, by resolution, the time and place, for holding of additional regular meetings.

- Section 5 SPECIAL MEETINGS: Special meetings of the Board of Directors may be called by or at the request of the president, secretary, or any two directors. The president or the secretary calling the meeting of the Board of Directors may fix any place within Washburn County, as the place for holding any special meeting of the Board of Directors.
- Section 6 NOTICE; WAIVER: Notice of each meeting of the Board of Directors shall be given by written notice delivered or mailed in the regular mail (OR E-MAIL), to each director at his or her business address or at such other address as such director shall have designated in writing filed with the secretary, and in each case, not less than 72 hours before the time set for the meeting. If mailed, such notice shall be deemed to be delivered when deposited in the United States mail so address, with postage thereon, prepaid. **WHENEVER ANY NOTICE WHATSOEVER IS REQUIRED TO BE GIVEN TO ANY DIRECTOR OF THE CORPORATION UNDER THESE BYLAWS, OR ANY PROVISIONS OF THE LAW, A WAIVER THEREOF IN WRITING, SIGNED AT ANY TIME, WHETHER BEFORE OF AFTER THE DATE OF THE MEETING, BY THE DIRECTOR ENTITLED TO SUCH NOTICE CONSTITUTE A WAIVER OF THE NOTICE REQUIREMENTS**). The attendance of a director at a meeting shall constitute a waiver of notice of such meeting, except where a director attends and objects there-at to the transaction of any business because the meeting was not properly called or conveyed.
- Section 7 QUORUM: A majority of the number of directors set forth in section 3 shall constitute a quorum for the transaction on business at any meeting of the Board of Directors, but a majority of the directors present (no less than such quorum) may adjourn the meeting from time to time without further notice.
- Section 8 MANNER OF ACTING: The act of the majority of the directors present at the meeting in which a quorum is present shall be the act of the Board of Directors, unless law requires the act of a greater number.
- Section 9 TENURE: Each County Director shall hold the office of director for so long as that individual holds the County Office or remains on the County Board. Each public director shall hold the office for a term of two (2) years. A public director may be removed from office, at any time and with cause, by an affirmative vote of a majority of the Board of Directors. A public director may resign at any time by filing his written resignation with the secretary of the corporation. Public directors shall have (OR HAD) business interests Washburn County but need not be a resident of Washburn County, Wisconsin.
- Section 10 CONDUCT OF MEETING: The president, or in his absence, the vice-president, and in their absence, any director chosen by the directors present, shall call meetings of the Board of Directors to order and shall act as chairman of the meeting. The secretary of the corporation shall act as secretary of all meetings if the Board of Directors, but in the absence on the secretary, the presiding officer

may appoint any member of the Board of Directors to act as secretary at the meeting.

Section 11 VACANCIES: Any vacancy occurring due to removal, resignation or sickness of any public director shall be ratified by the County Board pursuant to Sec. 59.071 (5) (e) Wis. Stats.

Section 12 COMPENSATION: The Board of Directors, by an affirmative vote of the majority of the directors then in office may establish reasonable compensation of all the directors for services to the Corporation as directors or officers.

2 WASHBURN COUNTY HIGHWAY TRAFFIC SAFETY COMMITTEE no changes

Mission

The Highway Safety Committee strives to encourage and foster traffic safety in the county and its villages and towns.

Membership

The committee is composed of at least nine (9) members. Membership is comprised of the following:

- A) The County Highway Commissioner or designee.
- B) The Chief County Law Enforcement Officer or designee.
- C) The County Highway Safety Coordinator, designated by the County Board.
- D) An Education Representative designated by the County Board.
- E) A Medical Representative designated by the County Board.
- F) A Legal Representative designated by the County Board.
- G) A Division of State Patrol Representative designated by WisDOT.
- H) A Highway Traffic Engineering representative designated by WisDOT.
- I) A Traffic Safety Representative designated by WisDOT.
- J) Additional representation is encouraged.

Duties and Responsibilities

- A) Represent the interests of their constituency.
- B) Offer solutions to traffic safety related problems that are brought to the Commission.
- C) Report back to their constituency.
- D) Meet at least quarterly.
- E) Post meetings notice at least one week prior to meeting dates.
- F) Review traffic crash data from the county/city.
- G) Review other traffic safety related information.
- H) Prepare and maintain a spot map of traffic crash locations.
- I) Send recommendations for corrective actions in writing to appropriate government officials, businesses and other interested groups.
- J) File a report on each meeting with the Bureau of Transportation Safety.

Applicable Statutes

Section 59.07(34)(m), Section 62.135, Section 66.0485 and Section 83.013

3 LAND INFORMATION COUNCIL

Mission

The land information council is set forth in Wis. Stat. 59.72(3m). The Mission of the Land Information Council is to assist and advise the Land Information Office in the modernization of land records within the county.

Membership

The council shall consist of not less than 8 members as follows:

1. Register of Deeds or designee
2. County Treasurer or designee
3. Real Property Lister or designee
4. One County Board Member.
5. A representative of the land information office
6. A realtor or member of the Realtor Association employed within the county
7. A public safety or emergency communications representative employed within the county
8. The county surveyor.
9. Any other members of the board or public that the board designates.

Duties and Responsibilities:

- A) The council shall review the priorities, needs, policies and expenditures of the land information office and advise the county on matters affecting the land information office.
- B) Review and approve the County Land Information Plan pursuant to §.59.72(5)(b)(3), Wis Stats., and Adm. Rule 47.06(3).
- C) Provide the Land Information Office direction and oversight of grant dollar spending received through the Wisconsin Land Information Program pursuant to Administrative Rule Chapter Adm. 47.

4 VETERANS SERVICE COMMISSION FOR WASHBURN COUNTY no changes

The Veteran's Commission for Washburn County is commissioned by the State of Wisconsin under Wisconsin Statutes 45.81 through 45.86 and is interpreted by the Attorney General and Washburn County Corporation Counsel.

Mission

The Commission strives to assist all eligible Veterans' of Washburn County with qualifying needs.

Membership

The Veterans Service Commission shall be comprised of three (3) residents of the County. The residents shall be Veterans appointed by the County Board Chair to staggered 3 year terms. The Commission shall elect a chairperson on or before the 2nd Monday of December each year.

Duties and Responsibilities

- A) The Commission has been charged by County Board Resolution to provide transportation to all ambulatory Washburn County Veteran's having appointments at VA Medical Centers and establish the policies necessary to complete the service.
- B) Annually provide a budget and report to the Washburn County Board.
- C) Communicate and coordinate with the Veteran's and Military Affairs Committee.
- D) Provide assistance to needy Veterans, spouses, surviving spouses, minor and dependent children of Veterans.
- E) Provide care of Veterans graves including the graves of Veterans spouses.

5 ZONING BOARD OF ADJUSTMENT

SECTION I General Provisions

1. Authority:

This Board has been established pursuant to Section 59.694 of the Wisconsin Statutes, and assumes thereby, all responsibilities, duties, and powers as provided therein and by related statutes. A copy of these rules shall be filed with the County Clerk, and kept as public record. These rules are supplementary to the Zoning Ordinance provisions of the County as they relate to the procedures of the Board of Adjustments, and available to the public.

2. Title:

The Official title of the Board is: The Washburn County Board of Adjustments.

3. Membership:

The Board shall consist of five (5) members who shall be appointed by the Chairperson of the County Board, with approval of the County Board, for terms in accord with § 59.694 (2)(a), Wis. Stats., together with two (2) alternate members as prescribed in § 59.694(2)(am), Wis. Stats.

4. Conflicts of Interest:

A member of the Board who has any direct or indirect interest, personal or financial, in any matter coming before the Board for a hearing, shall disclose said interest to the Board in advance of the hearing. No such member shall participate in the hearing or in the following deliberation, nor shall such member vote on such matter. A conflict of interest requiring disqualification shall include the following:

- a) When a member or his or her spouse is applying to the Board on an appeal or for a variance or is related within the third degree of consanguinity to the applicant.
- b) When a member is the employer or employee of the applicant or is a member or stockholder in a partnership, corporation or other form of association or is a sole proprietor of an entity seeking to appeal a decision or asking for a variance.
- c) If a member owns real estate within 300 feet of the property that is the subject of the application for a hearing.

In all other situations, each member shall be guided by Wisconsin law and Washburn County Ordinances as to whether a conflict of interest exists, requiring or recommending to an individual member that he or she should choose not to participate.

5. Limitations:

Nothing herein, shall be construed to give or grant to the Board, the power or authority to alter or change the Zoning Ordinance or zoning of other official maps of the County, which authority is reserved to the Zoning Committee and County Board of Supervisors.

6. Board's Office:

The office of the Board shall be located at the Zoning Administrator's office. All records of the Board shall be available for public inspection during office hours, 8:00 a.m. to 4:30 p.m., Monday thru Friday, except legal holidays.

SECTION II Officers and Duties

1. Officers:

The Board shall elect a Chairperson, and a Vice-Chairperson, from among its regular members. The officers shall hold office until their successors are elected. The Board may, at any meeting or hearing, elect from among the membership, the replacement for an officer who for whatever reason is unable to perform the duties of his/her office.

2. Duties of Officers:

The Chairperson, if present, otherwise the Vice-Chairperson, shall preside over and direct the conduct of all meetings and Hearings of the Board and may administer oaths, and compel the attendance of witnesses. The Chairperson shall report on all official transactions that have not otherwise come to the attention of the Board. The Chairperson shall direct the official business of the Board; supervise the work of the Board. The

Chairperson, or the presiding officer, shall decide all points of the procedure or order, unless otherwise directed by the majority of the members in attendance on motion duly made and approved.

- a) The Board shall record minutes of the Board's proceedings, showing the vote of each member on each question or, if absent or excused from participation, the fact of said absence or recusal. The Board shall also maintain records of its official actions and shall keep a verbal record of all hearings which shall include the names and addresses of all persons appearing before the Board in person or by an attorney and it shall publish in the official newspaper the notices of meetings and hearings as required by law. The Board shall file all of its records with the County Zoning Administrator, who shall act on behalf of the Chairperson of the Board in maintenance and preservation of those records. At all times the Chairperson of the Board, subject to delegation of duties under this provision, shall be deemed to be the custodian of the Board records in accord with the Public Records Law.
- b) Staff of the Zoning Department shall perform clerical duties and functions on behalf of the Board.
- c) Minutes of closed sessions shall be separated from those of open sessions and shall remain confidential until such time as when, in accord with Wisconsin Law, they shall be deemed to be subject to a public records request.

SECTION III Meetings

1. Time:

Meetings and hearings of the Board shall be held at the call of the Chairperson, provided that all Board members are notified at least 48 hours in advance of any meeting or hearing. In the alternative, if a majority of the regular members of the Board deem it necessary or appropriate to call a meeting and the Chairperson does not agree, such majority of the regular Board may call a meeting on 48 hours notice, as well. Meetings and hearings may be cancelled upon notice at least 24 hours in advance thereof.

2. Open Meetings and Hearings Format; Closed Sessions:

All meetings and public hearings held by the Board shall be open to the public. The only exception to this shall be those portions of meetings, which are duly convened into closed session in accord with § 19.85, Wis. Stats. No closed session shall be held by the Board under § 19.85 (1) (a), Wis. Stats., for deliberation purposes except in relationship to an evidentiary hearing held under § 19.85 (1) (b), Wis. Stats.

3. Quorum:

A quorum shall consist of a majority of all members of the Board and no action may be taken except by a vote of the members present. If a quorum is not present, a lesser number of members may adjourn the meeting to a time certain.

4. Parliamentary Procedure Guide:

The Board shall be guided by but shall not be considered to be bound by the rules of procedure set forth in Robert's Rules of Procedure.

5. Notice of Meetings:

All hearings and meetings of the Board shall be held upon notice to the public and to interested persons, which shall be posted, published or personally served or mailed in accord with the relevant provisions of Wisconsin Law. In addition, for notice purposes, the Board shall comply with the Open Meetings Law, Subch. IV, Ch. 19, Wis. Stats., with respect to the timing, means of noticing and contents of such notices.

SECTION IV Appeals and Variances

The powers and duties of the Board of Adjustments are identified in Sections 59.694 (7) of the Wisconsin Statutes and in the Washburn County Zoning Ordinance. The Board shall have the following general powers:

APPEALS:

- ❑ To hear and decide appeals where it is alleged there is an error in any order, requirement, decision, or determination made by an administrative official in the enforcement or administration of the Zoning Ordinance. In exercise of its power to grant or deny appeals, the Board may affirm or reverse the administrator, in whole or in part, or it may modify the order, requirement, decision, or determination in question and may make such order, requirement, decision or determination as ought to be made and to this effect shall have all of the powers of the administrator from whom the appeal is taken.

VARIANCES:

- ❑ To authorize, upon appeal in specific cases, such variance of the Zoning Ordinance as 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 un-necessary hardship and so that the spirit of the ordinance shall be observed, public welfare and safety secured and substantial justice done.
- ❑ In accord with Osterhues vs. Bd. of Adjustment for Washburn County, 282 Wis. 2d 228 (2005), before proceeding to a hearing on the merits on such appeal, the Board shall decide whether or not it wants to determine the case solely upon the basis of the record of evidence presented to the administrative official, in which case it shall render an independent decision on that basis alone or, in the alternative, whether it wants to take new testimony and evidence to supplement the record from below, in which event its determination shall be based upon the evidence as supplemented in the form of a de novo hearing. In making the decision of whether or not to allow the supplementation of the record from below, the Board shall be guided by its analysis of whether the said record is sufficiently complete as to allow the Board to rely upon it as presenting to it a factual basis

upon which to render its determination. To this extent, the Board may choose to perform a review of the record to enable it to make this preliminary determination.

A Variance:

- ❖ Shall be consistent with the spirit and intent of the Zoning Ordinance, for which the stated purpose of the Zoning Ordinance or state law may act as a guide.
- ❖ Shall not permit a use which is inconsistent with the law governing the granting of use variances.
- ❖ Shall not be granted unless it is shown that the variance will not be contrary to the public interest or damaging to the rights of other persons or property values in the area.
- ❖ Shall not be granted for land uses or spatial purposes, which logically require pursuit of an amendment to the Zoning Ordinance.
- ❖ Shall not be granted on the basis of economic gain or loss.
- ❖ Shall not be granted for a self-created hardship.
 - Be responsible for the interpretation of any of the provisions of the Zoning Ordinance, which may be clarified in regard to a specific situation or peculiarity.
 - Hear and decide Appeals on the extension of structures, buildings, or premises devoted to non-conforming uses.
- ❖ Shall not be granted in the Floodway or Wetland/Shoreland Zoning Districts.
- ❖ In determining whether to grant or deny a variance, the Board shall be guided by the principle that it is only under circumstances where the applicant will suffer an unnecessary hardship that a variance is allowed. For the purposes of “area” variances, the standard to be applied is that “compliance with the strict letter of the restrictions governing area, setbacks, frontage, height, bulk or density would unreasonably prevent the owner from using the property for a permitted purpose or would render conformity with such restrictions unnecessarily burdensome. For purpose of “use” variances, the standard to be applied is that in the absence of the variance, the owner will have no reasonable use of the property. State v. Kenosha County Board of Adjustment, 218 Wis. 2d 396 (1998) and State v. Waushara County Board of Adjustment, 271 Wis. 2d 547 (2004).

SECTION V Application and Appeal

To implement its powers in the hearing of appeals from the decisions and determinations of administrative officials, the Board may choose at the onset of the public hearing held in the matter of such an appeal to first determine whether or not to take additional evidence. If it decides to do so, it may either proceed to hold the hearing at that time or it may vote to adjourn the hearing to another date and time. If it decides not to take additional evidence, the applicant shall proceed to present his or her case to the Board for its consideration in conjunction with the record from below.

1. The applicant or appellant, his/her agent, or attorney shall file applications to the Board and appeals from the Zoning Administrator's decision, with the Zoning Administrator. Appeals may be filed by any person aggrieved or by an officer, department, Board, or by the Town affected by the Zoning Administrator and/or Zoning Committee's decisions on Conditional Use Permits. Appeals from the Zoning Administrator and Zoning Committee's decisions, must be filed within thirty (30) days after the decision, in writing, is made and filed.

Each appeal or application shall be considered by the Board at its next available meeting, provided there is sufficient time between the date of the filing and the date of the meeting for the required Hearing Notices to be published, as established by law.

2. State Reasons:

The reason for the application or Appeal, must be stated and the reasons why the request should be granted, must also be stated by the applicant:

- a) If a variance, facts should be stated upon which findings may be made by the Board to justify the granting of the Variance.
- b) If an appeal is based on an alleged error or abuse of discretion of the Zoning Administrator, facts should be stated as to the nature thereof.

The Board may refuse to hear a case upon the failure of the applicant to supply the required information called for, on the forms, and as further required by the Zoning Administrator.

3. Notices:

The Zoning Office shall transmit notices to the Board of Adjustments, copy in Zoning Office files, to Clerk of the Town Board, and where applicable, affecting property within the shore lands, notice to the Department of Natural Resources.

Notice of each Hearing will include:

- a) Publication of a Class 2 Hearing notice in the designated County Newspaper.
- b) Notice to the applicant, and where required, Department of Natural Resources, ten (10) days before the Hearing.

- c) Notice to the Town Clerk and Chairperson, no less than one week prior to the Hearing.
- d) Notice of hearing to City Clerk, Village Clerk, or Village President, when property affected, lies within 1½ miles of the closest city or village limits. The municipality (town, city, village) will be requested to submit their decision on each application involved in their jurisdiction. This decision shall be signed by the Board members and attested by the Clerk

The Board of Adjustments, in granting or denying the variance requested, may consider the decision of the municipality.

- e) Notice and the applicant’s request, shall be sent to property owners within three hundred (300) feet of the perimeter of the affected property. The Board may consider comments from the surrounding property owners. Failure of such opinion letter to reach any property owner shall not invalidate any decision made on a Variance.

4. Effect of Appeal:

An appeal shall stay all proceedings and furtherance of the action appealed from, unless the officer, from whom the appeal is taken, shall certify to the Board of Adjustments, after notice of appeal has been filed with him, that by reason of facts stated in the certificate, a stay would cause imminent peril to life or property. In such case, proceedings shall not be stayed, otherwise than by a restraining order, which may be granted by the Board of Adjustments, or by a court of record on application and notice to the officer from whom the appeal is taken, and on due cause shown.

5. Fees:

The applicant shall pay such fee as established by the Zoning Committee, and shall be deposited to the Zoning Office, for each application, before a public hearing will be scheduled.

SECTION VI Hearing Procedure

1) Appearances:

Effect of Non Appearance; Adjournments; Production of Witnesses and Evidence Upon Demand of Chairperson

- a) Each applicant shall appear before the Board at the time and on the date scheduled for a hearing on his or her matter. Appearances shall be made in person and each applicant may choose to be represented by an attorney or agent of his or her choice. The failure of an applicant to appear may result in dismissal of his or her appeal or variance application

- b) In its sound discretion, the Board may move to table an application or adjourn the hearing in the matter to a date and time certain.
- c) The Chairperson may request the attendance of witnesses or the production of evidence, if deemed necessary and not produced by the parties to an appeal or application.

2) Order of Hearings:

Hearings on cases shall normally follow as:

- a. Application read, and reason for denial by the administrative official.
- b. Determination of jurisdiction, if requested.
- c. Applicants file which may include: The Town Board's decision when applicable, City or Village Council decision; maps or surveys; inspection reports; opinion letters; correspondence; soil test results; plot plan or sketches; and application.
- d. Applicant's statements and presentation of evidence of a hearing.
- e. Others in support of applicant, making statements, and if any, presentation of evidence.
- f. Objector's statement, and if any evidence, presentation.
- g. Staff recommendations, when requested.
- h. Questions by Board members.
- i. Rebuttals as permitted by the Board.
- j. Deliberations and decisions by the Board.

The Board reserves the right, on a case by case basis, to deviate from the above stated format.

3) Preliminary Matters:

Following the reading of the application, or appeal, the Board may hear arguments on the question of jurisdiction and request that briefs be filed on the point. The Board may proceed with the hearing and taking of testimony; in any event, and reserve its determination on a jurisdictional question until after hearing all testimony and render a decision on the merits as if it had jurisdiction. The Board may make an immediate determination and close the Hearing, finding it lacks jurisdiction. If the Board determines by motion, that it lacks jurisdiction, the decision shall be recorded as a vote to deny the request.

Orderly procedure requires that each side shall proceed without interruption by the other; that all arguments shall be addressed to the Board, and that there be no questioning or arguments between individuals.

Witnesses shall be identified to the Board by the parties who call upon them to testify. In the case of other interested persons who seek to testify for or against the applicant, each such person shall identify him or herself to the Board as well as to state their interest in the proceedings. All testimony shall be addressed to the Board.

4) Questions and Debate; Evidence:

During the hearing, the Chairperson, Board members, or its legal counsel, together with staff of the Zoning Department, may ask questions of the applicant and all witnesses participating in the hearing. Such questioning shall be for the purpose of bringing out relevant facts, circumstances and conditions which may affect the matter and assist the Board in arriving at its decision.

All supporting evidence for and against each case shall be presented to the Board. The applicant is responsible for presentation of information supporting his/her case. The Board may take notice of relevant facts on its own motion or that of a party to the proceedings.

5) Additional Evidence; Rules of Evidence:

The Board may take a case under advisement for later consideration and determination, or may “table” or defer action whenever it concludes that additional evidence is needed, or at the Boards discretion, on-site inspections, or further study is required.

The Board shall not be bound by court rules of evidence, but it may exclude irrelevant, immaterial, incompetent, unduly argumentative, or repetitious testimony, or evidence.

The Chairperson shall rule on all questions relating to the admissibility of evidence, which may be overruled by a majority of the Board members.

Persons having an interest in the case may attend the hearing and may request an opportunity to testify provided they identify themselves.

6) Record of Hearing:

All proceedings at a hearing shall be tape recorded or, at the option of the Board, recorded by a court reporter. On record there will be a summary of motions, witnesses, appearances, roll call votes, and all other matters constituting the substance of the proceedings. Verbatim transcripts of recorded proceedings shall not be prepared unless ordered by the Circuit Court by a Writ of Certiorari. The proceedings shall become part of the written record filed in the Zoning Office, and open to the public.

7) Adjournments:

When the applications or appeals cannot be disposed of on the day set, the Board may adjourn from day to day or to a certain, as it may order, and such adjourned day shall be construed as a continuance of the hearing. Notice of adjournment shall not be given to the absent members of the Board.

8) Application Withdrawal:

An applicant or appellant may withdraw an application or appeal at any time. Withdrawal of an application or Appeal shall not entitle the applicant to a refund of the filing fee.

SECTION VII Decisions of the Board

1. Majority Vote Required:

The concurring vote of a majority of all members present and who participated in a hearing shall be necessary in order to approve, deny, or table any matter, which comes before the Board for its consideration.

2. Decisions:

Each decision shall be in writing and shall set forth the ultimate facts upon which it is based. The Board may choose, in its discretion, to file formal findings of fact and conclusions of law but if it does not do so in a given case, the record of the proceedings, upon the basis of which decision was made, shall be substituted for formal findings and conclusions.

Within thirty (30) days of the close of the hearing to which the decision relates, written notice of such decision shall be mailed to the applicant, and town clerk, when within the shore lands, or affecting the Wetland/Shore land district, to the Department of Natural Resources. The approval or granting by the Board is deemed to constitute an order to the Zoning Office to issue a permit. A denial of the application or appeal is deemed to be an order to deny the permit.

The decision of the Board shall apply solely to the parcel of real estate, which is identified as being the subject of the application for a variance or appeal. No Decision shall apply to any other property, nor shall any decision of the Board be considered to create precedent. Unless otherwise set forth in the decision, both variances and appeal decisions shall be deemed to run with the identified parcel.

No action of the Board shall set a binding precedent. Each case shall be decided upon its merits and attendant circumstances, provided the Board shall not act arbitrarily or capriciously.

3. Findings of Fact:

In acting on any matters before it, the Board shall make “findings” supporting its actions. In every case where a Variance from the Zoning Ordinance is granted, the minutes of the Board shall affirmatively show that an un-necessary hardship or practical difficulty exists, and the records of the Board shall clearly show in what particular and specific respects an un-necessary hardship or practical difficulty is created.

4. Informal Advice:

The Board shall not give informal advice, nor shall any of its members, acting outside of a meeting of the Board purport to advise any person concerning the Zoning Ordinance, including but not limited to officials, employees of the County or any other person.

5. Valid Permit:

In the event that the result of a hearing held by the Board requires that the applicant or appellant apply for and obtain a permit from the Zoning Department, each such permit shall be obtained within a period of two (2) years after the date of the filing of the Board decision or the decision granting authorization to obtain such permit shall be deemed to be null and void. Such period of time within which to obtain permits may be extended on motion of the Board for a period not to exceed five (5) years from and after the date of the filing of the decision.

6. Circuit Court Action:

Any persons, jointly, or severally aggrieved by any decision of the Board of Adjustments, or any taxpayer, or any officer, department, board, or Bureau of the County, may commence an action in Circuit Court for Writ of Certiorari to review the legality of such decision in whole or in part, within thirty (30) days after the filing of the decision in the Zoning Office.

SECTION VIII Refilings and Rehearings

- a. No matter which has been acted upon by the Board concerning the same or part of the same property, shall be considered again within one (1) year from the date of the action, except, as hereinafter provided.
- b. The Board may not reopen any case upon which a previous hearing has been held, except to correct a manifest error.
- c. A case will be considered as heard and closed at such time as the Board approves or rejects and application or Appeal, by motion, or when it is considered closed by operation of these rules.
- d. A decision of the Board may be reconsidered by motion to reconsider, made at the same meeting, which may be immediately disposed of without further notice.

- e. The filing of a motion for reconsideration shall stop the running of the thirty (30) day period in which a petition to the Circuit Court must be made. The thirty (30) day period will run in such event from the date of a decision not to reconsider, is made by the Board, or if the matter is reconsidered, from the date the decision on the reconsidered matter is filed in the Zoning Office.
- f. A simple majority vote shall be sufficient to reconsider a previous decision. If reconsideration is refused the person requesting it, the Board shall enter on the minutes, the basis of the request, reason it was refused, and the vote of the Board members.

SECTION IX Annual Report

The Board of Adjustments Annual Report of its activities, may be included in the Zoning Department's Annual Report, and submitted to the County Board.

SECTION X Definitions

Certain terms or words used herein are defined as follows:

- Aggrieved person: Any person whose substantial interests are adversely affected by a determination. Aggrieved persons may file Appeals, or appear in opposition to an application.
- Appeal: An action seeking the review by the Board of an alleged error of fact or of law in any order, requirement, decision, or determination made by an administrative official.
- Application: A request for a variance from the specific requirements of the Zoning Code.
- Appellate Body: A body authorized to review the judgments made by other people. The Board of Adjustment hears Appeal of the decisions of the Zoning Administrator or the Zoning Committee. The Circuit Court hears Appeals of the Board's decisions.
- Certiorari: Judicial review of the decision of an administrative body, such as the Board, in which the Court Generally reviews the record of that body to which it applies the following standards: (1) Did the Board have jurisdiction over the subject matter? (2) Did the Board commit an error of Law? (3) Was there substantial evidence placed before the Board in support of the decision made? and (4) Did the Board act arbitrarily and capriciously, exercising its will as opposed to its judgment?
- Closed Session: A session closed to the public based on a majority vote of the members for the purpose of deliberating quasi-judicial matters or conferring with legal counsel.

- Findings of Fact: A statement of the Board's rationale behind the decision and facts that support the decision.
- Hearing De Novo: To hear anew, as in the case of an appeal from a decision of an administrative official in which the Board determines that the factual record is insufficient and accordingly causes a record to be made in the proceeding before it.
- Variance: An authorization granted by the Board to make use of property subject to the Zoning Code in a manner, which is inconsistent with spatial or use requirements imposed there under, under circumstances in which the absence of such variance, the owner or occupant of the property would be subjected to an unnecessary hardship.
- Un-necessary Hardship: 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, un-necessarily burdensome, or unreasonable in light of the purposes of the Zoning Ordinance.

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