

## WASHBURN COUNTY BOARD OF SUPERVISORS AGENDA

June 15, 2021

6:00 p.m.

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

1. Call Meeting to Order – Chair Mackie
2. Moment of Silent Meditation and Pledge of Allegiance – Supv. D. Wilson
3. Notice of Meeting - County Clerk Olson
4. Roll Call – County Clerk Olson
5. Approval of April 27, 2021 County Board Proceedings
6. Introduction of new County Veterans Service Officer – Joe Schmidt
7. Concerned Citizens
8. COVID-19 Update
9. Indianhead Community Action Agency Presentation – Dave Willingham, President
10. Mosaic Technologies Broadband Presentation – Preston Pearson, COO

### 11. Consent Agenda

- A. Rezone Petition and Amendatory Ordinance – April & May
- B. Resolution Supporting Adding a Specific Reference in Wis. Stat. §70.11(2) to Property Owned by Regional Planning Commissions as Exempt from Real Property Taxes

### 12. Other Resolutions and Ordinances

- A. Ordinance Approving the Return of a Tax Deeded Land to the Former Owner – Laura S. Brewer – Pursuant to §75.35(2)(e), Wis. Stats. – Supv. L. Featherly
- B. Resolution to Increase the 2021 Unit on Aging Budget – GWAAR COVID 19 Consolidated Appropriations Act Grant, 2021 Supplemental Nutrition Funding – Supv. D. Haessig
- C. Resolution to Increase the 2021 Budget Due to the American Rescue Plan Act of 2021 for Washburn County – Supv. D. Haessig
- D. Resolution Approving Investing in Broadband Infrastructure with Mosaic Technologies for Washburn County – Chair Mackie
- E. Resolution Amending 2021 Budget for Professional Services for Courtroom Security – Supv. D. Haessig
- F. Resolution Amending 2021 Budget for Professional Services for Safety Barriers in the Courthouse – Supv. D. Haessig
- G. Resolution Creating Chapter 32: Vaping Control Ordinance – Supv. J. Ford

### 13. Committee Reports

14. Chair Appointments – Clarification of appointments to BOA; ARPA Ad Hoc Committee appointments
15. Citizen Comments
16. Chair Comments
17. Possible Future Agenda Items
18. Audit Per Diems
19. Adjourn

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

## WASHBURN COUNTY BOARD OF SUPERVISORS MINUTES

April 27, 2021

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 Mackie.
2. Moment of Silent Meditation and Pledge of Allegiance was lead by Supv. D. Wilson.
3. Notice of Meeting was read by County Clerk Olson.
4. Introduction of District 12 and District 15 Supervisors and Administration of Oath – Cristina Masterjohn, will be returning to the board as District 12 representative, and Josh Carlstrom will be representing District 15. Josh Carlstrom introduced himself – he has worked at Paul’s Sheet Metal since 1996 and is a supervisor there, has two daughters, and likes to hunt and fish. Motion by Supv. C. Stariha, 2nd by Supv. B. Reiter to approve the chair’s appointments to the board; MC. Oath was given to Josh Carlstrom; oath was previously given to Cristina Masterjohn as she was not able to be here in person.
5. Introduction of Youth Representatives and Administration of Oath – New youth representatives were introduced and oath was given to Bridger Klein, Hadlea Lindstrom, Miranda Schroeder, and Sadie Daniels as the alternate. Each youth gave background on themselves.
6. Roll Call was done by County Clerk Olson. Board members present: (21) Supv. C. Masterjohn via Zoom; Youth: (4).
7. Approval of March 16, 2021 County Board Proceedings on motion by Supv. D. Wilson, 2<sup>nd</sup> by Supv. J. Ford; MC.
8. Concerned Citizens – none at this time.
9. COVID-19 Update – On March 11, 2021, President Biden signed the American Rescue Plan Act of 2021 into law. The \$1.9 trillion package is intended to combat the COVID-19 pandemic, including the public health and economic impacts. Washburn County will be receiving \$3,048,797 as part of this plan and will be required to comply with federal guidelines. Cherie Nickell, Public Health, indicated that the county is ahead of the state and most of the region with 47% total population vaccinated and 87% of our 65+ population. She also indicated that cases are increasing and with not having enough vaccinated for herd immunity, it means that recommendations for masking and social distancing will remain in effect for some time.
10. **Consent Agenda** on motion by Supv. D. Wilson, 2<sup>nd</sup> by Supv. L. Featherly; MC.
  - A. **Rezone Petition and Amendatory Ordinance – March 2021**
  - B. **Resolution 2021-29 for Amendment to County Ordinance 38-481 re: Highway Driveway Permits**
  - C. **Resolution 2021-30 for Update to Personnel Policy B-4 re: Requisition Process**
  - D. **Resolution 2021-31 for Adoption of Slim Creek Dam Failure Analysis**
  - E. **Resolution 2021-32 for 2021 Work Zone Awareness Week - Highway**
11. **Other Resolutions and Ordinances**
  - A. **Resolution 2021-33 to Accept Healthy Lakes and Rivers Grant Funds into the 2021 DNR Surface Water Budget** – Motion to approve by Supv. D. Haessig, 2<sup>nd</sup> by Supv. D. Wood. Roll Vote: Yes (21), Youth: Yes (4); MC.
  - B. **Resolution 2021-34 to Amend the 2021 Capital Project Fund Budget for Professional Services for Building Addition** – Motion to approve by Supv. S. Smith, 2<sup>nd</sup> by Supv. B. Reiter. Supv. D. Haessig stated that this is an early step in the process to obtain real numbers for the potential

addition to house expensive equipment (emergency management). (SEH is the architectural firm of Short Elliott Hendrickson). Roll Vote: Yes (21), Youth: Yes (4); MC.

- C. **Resolution 2021-35 to Carry Over FY2020 Funds to the FY 2021 Emergency Management Budget and to Purchase a Mobile Telescoping Tower** – Motion to approve by Supv. B. Vosberg, 2<sup>nd</sup> by Supv. S. Johnson. This will be used in conjunction with the trailer that has all the radio equipment on it, which is what we want the new building for. Roll Vote: Yes (21), Youth: Yes (4); MC.

12. Strategic Planning Discussion – Chair Mackie explained that the new government center building came about from previous planning sessions held in 2016 and in 2019. Chair Mackie asked the board for their input on county goals, current needs and vision for the future. Ideas were presented by board members and youth. (Strategic Planning Notes for April 27, 2021 are on file and available as a separate document from the County Clerk's office.)
13. Committee Reports – dispensed for this evening.
14. Chair Appointments – Josh Carlstrom appointed to Law Enforcement, Solid Waste/RCC, Transit, AG/LCC; Cristina Masterjohn appointed to Law Enforcement, UW Extension, Tourism and Local Emergency Planning; appointments approved by Supv. D. Wilson, 2<sup>nd</sup> by Supv. J. Ford; MC.
15. Citizen Comments – Brian Melton, Town of Evergreen, offered to help with board goals, wants to get involved and spoke of town roads, zoning reform, responsibilities and needing to do more, thanked board for time and effort. Tally (sp?) Schroeder, commented on issues including potential for helping out local businesses/farms, keeping youth in the area/housing issue, subsidizing tourism, posting/streaming meetings on Facebook for more youth involvement.
16. Chair Comments – Supv. T. Kessler mentioned that the Wisconsin Towns Association (WTA) will meet in the board room tomorrow evening starting at 7:00 p.m.; District 75 Representative David Armstrong is scheduled to be present.
17. Possible Future Agenda Items – none at this time.
18. Audit Per Diems on motion by Supv. D. Wilson, 2<sup>nd</sup> by Supv. C. Stariha; MC.
19. Adjourn at 7:45 p.m. on motion by Supv. D. Wilson, 2<sup>nd</sup> by Supv. C. Stariha; MC.

# Washburn County Health and Human Services Department

Director: Jim L. LeDuc  
P.O. Box 250, 304 2<sup>nd</sup> Street Shell Lake, WI 54871

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**Human Services**  
Phone: 715-468-4747  
Fax: 715-468-4753  
Email: [humanscr@co.washburn.wi.us](mailto:humanscr@co.washburn.wi.us)

**Child Support**  
Phone: 715-468-4747  
Fax: 715-468-4753  
Email: [childsup@co.washburn.wi.us](mailto:childsup@co.washburn.wi.us)

**Public Health**  
Phone: 715-635-4400  
Fax: 715-257-4585  
Email: [health@co.washburn.wi.us](mailto:health@co.washburn.wi.us)

## COVID UPDATE JUNE 2021

### VACCINE

In May we wrapped up our 2nd dose clinics, and in June we transitioned to offering Pfizer vaccine at the Health Dept. Several notable events went into that decision: Pfizer was approved for 12 year olds and up, and the shelf life in the refrigerator was increased from 5 days to 30 days. DHS and CDC also changed their guidance on vaccine wastage, and recommended that no opportunity be wasted, even if it meant wasting doses. Pfizer has 6 doses per vial as opposed to Moderna's 14, so using Pfizer seemed less wasteful.

Although Washburn County's vaccination rates among the most-vulnerable 65+ is 92%, our rates are much lower in younger populations. WI Vaccine data can be found at: <https://www.dhs.wisconsin.gov/covid-19/vaccine-data.htm>  
Herd immunity is generally considered to be 80%, and we are at 52% for first doses.

The concern going forward is whether booster doses will be required, and what part the Health Dept. would play in that, particularly if the Annex is no longer available.

### CASES

After a spike in late April and early May, cases have dropped to 10 active cases. The spike was related to a school outbreak, so hopefully with the end of school we will continue with low numbers. It's difficult to say whether those low numbers actually reflect COVID activity levels, or whether it's due to low testing.

# COVID-19 DATA UPDATE AS OF JUNE 7, 2021

**Total Confirmed Cases:** 1,499

**Total Probable Cases:** 88

**Active Confirmed Cases:** 10

**Active Probable Cases:** 2

**Confirmed Deaths:** 21

**Probable Deaths:** 2

**Negative Cases:** 7224

\* number of Washburn County residents with negative COVID-19 cases in WEDSS. May include duplicate cases for individuals as DHS is still conducting data cleaning. Each individual should only have ONE negative case.

**Total Number of Tests:** 21,120

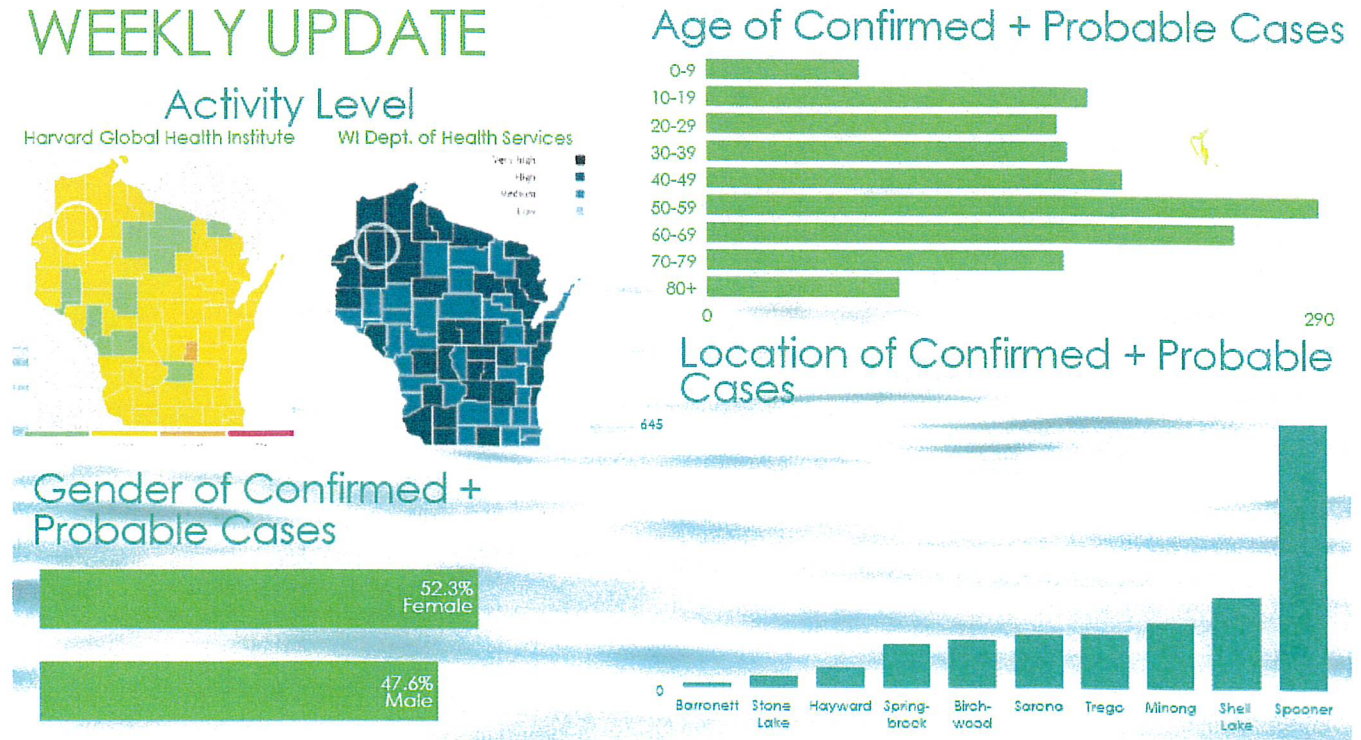
\* number of tests that have been completed for Washburn County residents since 1/1/2020

**7-day Average for Testing:** 24

**Residents who have received at least one dose of vaccine:** 52.6%

**Residents who have completed the vaccine series:** 48.3%

Graphic updated 6/7/21





# WASHBURN COUNTY

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## Department of Administration/Personnel

P.O. Box 337 • 10 Fourth Avenue • Shell Lake, WI 54871

(715) 468-4624 • Fax (715) 468-4725

[adminper@co.washburn.wi.us](mailto:adminper@co.washburn.wi.us) • [www.co.washburn.wi.us](http://www.co.washburn.wi.us)

June 11, 2021

The Circuit Court Operating Plan has been revised. Summarized, it says that the Wisconsin Supreme Court is allowing the (Washburn County) Circuit Court, with the approval of the Chief Judge (10<sup>th</sup> Judicial District), to make the decisions about masking, social distancing and sanitizing.

The Judges and Court Staff will follow Washburn County Public Health guidelines. These state that “unless fully vaccinated, Judges, court staff, attorneys, parties, witnesses and the general public will be required to wear a cloth face covering or face mask while in the courtrooms, jury rooms, or other designated areas of the Washburn County Courthouse”. Social distancing and appropriate hand hygiene recommendations will also be followed.

For jury trials, all persons present in the Courtrooms, jury rooms and court-related confined spaces for jury trials shall wear face coverings, unless the Judge determines otherwise. Notices will be posted to this effect as needed.

If someone appears to be symptomatic, regardless of vaccination status, they may be asked to wear a mask by the Court.

All other county staff will follow Washburn County Public Health guidelines as well, unless more strict departmental requirements apply.

## 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 April 27, 2021.

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

**Gull Lake Township: Nancy Johnson**, Springbrook WI. PROPERTY: Tax ID#16367,40 acres, SW SW, Section 35-41, Town of Gull Lake, to rezone approximately 5 Acres from Agricultural/Commercial to Residential Agricultural, to be able to split off 5 acres with house and sell.

The Zoning Committee recommends APPROVAL of the request to rezone 5 acres to Residential Agricultural and remaining 35 acres be in Agricultural.

Interested persons were given the opportunity to be heard.

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Dated

Jocelyn Ford, Chairman  
Washburn County Zoning Committee

Rezonepetitions042721

**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;

**Gull Lake Township: Nancy Johnson**, Springbrook WI. PROPERTY: Tax ID#16367,40 acres, SW SW, Section 35-41, Town of Gull Lake, to rezone approximately 5 Acres from Agricultural/Commercial to Residential Agricultural, to be able to split off 5 acres with house and sell.

Interested persons were given the opportunity to be heard.

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

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

\_\_\_\_\_  
Dated

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



## 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 May 25, 2021.

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

**Frog Creek Township:** Steve Waggoner, Minong WI. PROPERTY: Tax ID#15329, 4.42 acres, S 544' W 395' SW SW, Section 20-42-11, Town of Frog Creek, to rezone approximately 4.42 acres from Residential Agricultural to Residential Recreation 1, to be able to split off 1.45 acres with house.

The Zoning Committee recommends APPROVAL of the request to rezone 4.42 acres of Residential Agricultural to Residential Recreational 1.

**Minong Township:** Katie Pierce, Bloomer, WI. PROPERTY: Tax ID#36189, 20.00 acres, S 20 AC NW FRL1/4 NW FRL1/4, Section 05-42-13, to rezone 20 acres from Forestry to Residential Agricultural and split into 2-10 acre parcels and sell to family friend.

The Zoning Committee recommends APPROVAL of the request to rezone 20 acres of Forestry to Residential Agricultural.

**Brooklyn Township:** Radke Trust, Racine WI. Property: Tax ID#7002 – 9.160 acres PT W FRL1/2 NE FRL1/4, Tax ID#7006 – 40.00 acres NE SW, Tax ID#7012 – 40.00 acres NW SE, Tax ID#33715 – 56.73 acres PT E FRL1/2 NW FRL1/4, all in Section 03-40-12, all in Town of Brooklyn to rezone 145.89 acres from Residential Mobil to Agricultural to have a private cemetery.

The Zoning Committee recommends APPROVAL of the request to rezone 145.89 acres of Residential Mobil to Agricultural.

Interested persons were given the opportunity to be heard.

\_\_\_\_\_  
Dated

\_\_\_\_\_  
Jocelyn Ford, Chairman  
Washburn County Zoning Committee

Rezonepetitions052521

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;

**Frog Creek Township:** Steve Waggoner, Minong WI. PROPERTY: Tax ID#15329, 4.42 acres, S 544' W 395' SW SW, Section 20-42-11, Town of Frog Creek, to rezone approximately 4.42 acres from Residential Agricultural to Residential Recreation 1, to be able to split off 1.45 acres with house.

**Minong Township:** Katie Pierce, Bloomer, WI. PROPERTY: Tax ID#36189, 20.00 acres, S 20 AC NW FRL1/4 NW FRL1/4, Section 05-42-13, to rezone 20 acres from Forestry to Residential Agricultural and split into 2-10 acre parcels and sell to family friend.

**Brooklyn Township:** Radke Trust, Racine WI. Property: Tax ID#7002 – 9.160 acres PT W FRL1/2 NE FRL1/4, Tax ID#7006 – 40.00 acres NE SW, Tax ID#7012 – 40.00 acres NW SE, Tax ID#33715 – 56.73 acres PT E FRL1/2 NW FRL1/4, all in Section 03-40-12, all in Town of Brooklyn to rezone 145.89 acres from Residential Mobil to Agricultural to have a private cemetery.

Interested persons were given the opportunity to be heard.

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

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

\_\_\_\_\_  
Dated

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

RESOLUTION \_\_\_\_\_

IN SUPPORT OF  
ADDING A SPECIFIC REFERENCE IN WIS. STAT. § 70.11(2) TO PROPERTY OWNED  
BY REGIONAL PLANNING COMMISSIONS AS EXEMPT FROM REAL PROPERTY  
TAXES

WHEREAS, Regional Planning Commissions are created pursuant to Wis. Stat. § 66.0309 by the Governor upon petition of local units of government and are comprised of Counties and other Municipalities located within their defined geographical area, and

WHEREAS, Regional Planning Commissions are granted broad powers in order to address the “physical, social and economic development of the region”, which may include holding title to real property for such purposes, and

WHEREAS, Member Counties provide funds annually to Regional Planning Commissions for the purpose of meeting operational expenses pursuant to Wis. Stat. § 66.0309(14), and

WHEREAS, Dissolution of Regional Planning Commissions requires that “all outstanding indebtedness of the commission has been paid and all unexpended funds returned to the local units which supplied them” pursuant to Wis. Stat. § 66.0309(15), and

WHEREAS, Regional Planning Commissions are therefore a direct instrument of and created for the benefit of the counties and municipalities that fund them, and

WHEREAS, all Real Property, including Real Property owned by Wisconsin Regional Planning Commissions, is subject to the application of Wis. Stat. § 70.11 for the purpose of obtaining property tax exempt status, and

WHEREAS, because Wis. Stat. § 70.11(2) specifically references other joint “districts” of communities, such as joint water authorities created under § 66.0823, but not specifically planning commissions created under § 66.0309, ambiguity exists as to whether or not planning commissions qualify for exemption under § 70.11(2), and

WHEREAS, Regional Planning Commissions are created by local units of government and its assets are constructively assets of those local units of government,

NOW THEREFORE BE IT RESOLVED that to rectify the existing ambiguity in Wis. Stat. 70.11(2) the following language be added to specifically include Regional Planning Commissions as an additional exemption under this statute: **“regional planning commissions created under Wis. Stat. 66.0309”**, and

BE IT FURTHER RESOLVED, that Washburn County strongly encourages and supports the State Legislature in amending Wis. Stat. § 70.11(2) to include a specific reference of Regional Planning Commissions as exempt entities for the purpose of real property taxation, and

BE ALSO RESOLVED that a copy of this resolution be sent to the Wisconsin Counties Association, Senator Janet Bewley, Representatives Nick Milroy and David Armstrong, and the other members of the Northwest Regional Planning Commission.

Executed this \_\_\_\_\_ day of \_\_\_\_\_, 2021

By: \_\_\_\_\_

Title: \_\_\_\_\_

Resolution No. \_\_\_\_\_

**AN ORDINANCE TO RETURN A TAX DEEDED LAND TO THE FORMER OWNER –  
LAURA S. BREWER - PURSUANT TO §75.35(2)(e), WIS. STATS.<sup>1</sup>**

**The Washburn County Board of Supervisors Ordain as Follows:**

**WHEREAS**, Washburn County is the holder of a tax deed to that part of Government Lot Seven (7), Section Four (4), Township Thirty-seven (37) North of Range Twelve (12) West, described as Lot One (1) of Volume 3 of Certified Survey Maps, page 27, Document No. 155696, together with an easement for ingress and egress purposes described in deed recorded in Vol. 171 of Rec., pages 751-753.

**AND WHEREAS**, the Public Property and Land Sale Committee has voted the return of the property to the former owner, who is:

Laura S. Brewer  
3242 Pedersen Drive  
Omaha, NE 68144-3915

for the reason that the former owner has brought current all real estate taxes, interest, penalties and fees;

**AND WHEREAS**, the Public Property and Land Sale recommends to the full County Board of Supervisors the return of this tax deeded property;

**NOW, THEREFORE, BE IT ORDAINED**, that pursuant to §75.35(2)(e), Wis. Stats., the County Clerk is hereby authorized to execute a quit claim deed in the described property to the previous owner as listed above.

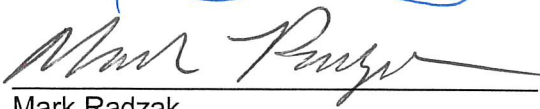
This ordinance shall not be published as a part of the Washburn County code.

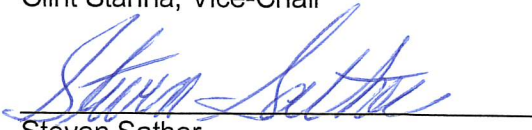
FISCAL IMPACT: Return of back taxes owed.


Moved for adoption by the Public Property and Land Sale Committee this 3<sup>rd</sup> day of May, 2021:

  
Linda Featherly, Chair

  
Clint Stariha, Vice-Chair

  
Mark Radzak

  
Steven Sather

  
Hank Graber

<sup>1</sup> (e) Any county acting either by its board or by delegated authority as provided in this section may sell and convey tax-deeded lands to the former owner or owners thereof and such conveyance shall not operate to revive any tax certificate lien or any other lien whatsoever which was cut off and rendered void by the tax deed, foreclosure of tax certificate, deed in lieu of tax deed, action in rem under s. 75.521 or other means by which the county acquired title to such land, nor shall it revive the lien of any tax certificate or tax dated subsequently to the date on which the county acquired its title. The enactment into statute law of the provisions of this paragraph shall not be deemed an expression of legislative intent that the prior common law of this state was otherwise than as herein provided.

Passed/Rejected by a vote of \_\_\_\_\_ ayes to \_\_\_\_\_ nays this 18<sup>th</sup> day of May, 2021.

CORRECT ATTEST:

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LOLITA OLSON  
Washburn County Clerk

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

**RESOLUTION TO INCREASE THE 2021 UNIT ON AGING DEPARTMENT BUDGET  
– GWAAR COVID 19 CONSOLIDATED APPROPRIATIONS ACT GRANT, 2021  
SUPPLEMENTAL NUTRITION FUNDING**

WHEREAS, the Consolidated Appropriations Act, 2021, signed into law on December 27, 2020 provides funding for FY2021 Older Americans Act (OAA) programming and extends flexibilities provided in the Families First Coronavirus Response Act and the CARES Act. It provides supplemental funding for Senior Nutrition Programs to assist in responding to the COVID pandemic; and

WHEREAS, the Unit on Aging was awarded Covid 19 Consolidated Appropriations Act, 2021 Supplemental Nutrition grant funds from GWAAR in the amount of \$12,030.00; and

WHEREAS, the grant was not previously budgeted in the 2021 Unit on Aging budget; and

THEREFORE, BE IT RESOLVED, the Washburn County Aging and Disability Services Committee recommends to increase the 2021 Unit on Aging budget in the amount of \$12,030.00.

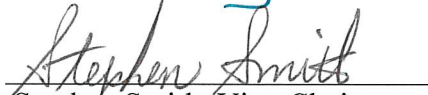
THEREFORE, BE IT FURTHER RESOLVED; that the 2021 Unit on Aging budget shall be increased \$12,030.00 for the Covid 19 Consolidated Appropriations Act, 2021 Supplemental Nutrition Grant funding awarded using the Home Delivered Meals revenue account 240.62555.43563 and Food Purchases expense account 240.62555.50272.

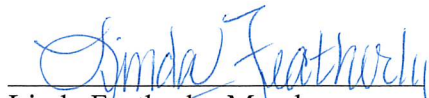
**FISCAL IMPACT: \$12,030.00**

Recommended for adoption by the Washburn County Finance Committee


this 6th day of May, 2021.

  
David Haessig, Chair

  
Stephen Smith, Vice-Chair

  
Linda Featherly, Member

  
Dave Wilson, Member

  
Brian Vosberg, Member

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

**Resolution to Increase the 2021 Budget Due to the  
American Rescue Plan Act of 2021 Allocation for Washburn County**

WHEREAS, on March 11, 2021, President Biden signed the American Rescue Plan Act of 2021 (H.R. 1319) into law. The \$1.9 trillion package is intended to combat the COVID-19 pandemic, including the public health and economic impacts; and

WHEREAS, Washburn County has been allocated \$3,048,797 from the state of Wisconsin's allocation of \$1,129,200,000; and

WHEREAS, Washburn County received on May 20, 2021 the first portion of \$1,526,713; and,

WHEREAS, these funds were not previously budgeted; and

WHEREAS, the allowable uses permitted in the Interim Final Rule are focused on:

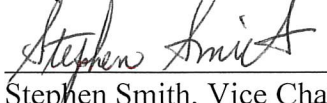
- 1) Support public health response: Fund COVID-19 mitigation efforts, medical expenses, behavioral healthcare, and certain public health and safety staff
- 2) Address negative economic impacts: Respond to economic harms to workers, families, small businesses, impacted industries, and re-hiring of public sector workers
- 3) Replace public sector revenue loss: Use funds to provide government services to the extent of the reduction in revenue experienced due to the pandemic
- 4) Premium pay for essential workers: Offer additional support to those who have and will be at the greatest health risks because of their service in critical infrastructure
- 5) Water, sewer, and broadband infrastructure: Make necessary investments to improve access to clean drinking water, invest in wastewater and storm water infrastructure, and provide unserved or underserved locations with new or expanded broadband access (guidance is still being formed); and

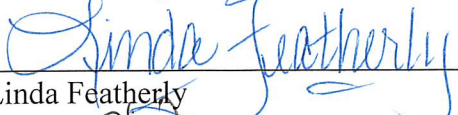
THEREFORE, BE IT RESOLVED that 450.57600 – American Rescue Plan Business unit, specifically created to house these funds and record eligible expenditures for the funds, be increased by \$1,526,713.

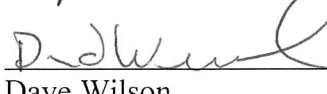
**FISCAL IMPACT: \$1,526,713**


Recommend for adoption this **3rd** day of **JUNE, 2021** by the Washburn County Finance Committee.

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

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

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

  
\_\_\_\_\_  
Dave Wilson

  
\_\_\_\_\_  
Brian Vosberg



**Resolution Approving Investing in Broadband Infrastructure with Mosaic Technologies for Washburn County**

**WHEREAS**, Washburn County has received the first payment from the Coronavirus State and Local Fiscal Recovery Funds of the American Rescue Plan Act (ARPA) in the amount of \$1,526,713; and,

**WHEREAS**, as indicated in the Interim Final Rule published by the U.S. Treasury on May 10 2021, one of the eligible uses of these Fiscal Recovery Funds is for making necessary investments in water, sewer, or broadband infrastructure; and

**WHEREAS**, broadband projects which also achieve last-mile connections to the majority of county residents were identified as a priority in a recent strategic planning session of the Washburn County Board; and,

**WHEREAS**, through multiple discussions, Mosaic Technologies, a not-for-profit entity, has been identified as a willing provider; and

**WHEREAS**, the Public Service Commission (PSC) has announced grant applications that have become available on June 1, 2021 with applications due July 27, 2021; and

**WHEREAS**, the top two items that an applicant must meet for the PSC grant application include a commitment for matching funds and public private partnerships, which a relationship with Washburn County would provide.

**THEREFORE, BE IT RESOLVED**, that the Washburn County Board of Supervisors approve the investment of \$1,027,500 of Fiscal Recovery Funds for a broadband expansion for Washburn County, utilizing Mosaic Technologies as the Provider.

**FISCAL IMPACT:** \$1,027,500 of Fiscal Recovery Funds

Recommended for adoption by the Washburn County Executive Committee this 8<sup>th</sup> day of June, 2021 and approved by the Washburn County Board of Supervisors this 15<sup>th</sup> day of June, 2021.

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Thomas J. Mackie, County Board Chair

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David Haessig, Member

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David Wilson, 1<sup>st</sup> Vice Chair

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Hank Graber, Member

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Linda Featherly, 2<sup>nd</sup> Vice Chair

PLACE HOLDER FOR:

RESOLUTION TO AMEND 2021 BUDGET FOR PROFESSIONAL  
SERVICES FOR COURTROOM SECURITY

DRAFT TO BE REVIEWED/APPROVED BY FINANCE IMMEDIATELY  
PRECEDING COUNTY BOARD AND WILL BE PRESENTED  
THEREAFTER.

PLACE HOLDER FOR:

RESOLUTION TO AMEND 2021 BUDGET FOR PROFESSIONAL  
SERVICES FOR SAFETY BARRIERS IN THE COURTHOUSE

DRAFT TO BE REVIEWED/APPROVED BY FINANCE IMMEDIATELY  
PRECEDING COUNTY BOARD AND WILL BE PRESENTED  
THEREAFTER.

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

**Resolution Creating Chapter 32: Vaping Control Ordinance**

WHEREAS, vapor devices and products have been found to emit nicotine, harmful chemicals and THC, which when inhaled can be dangerous to the user and public, especially pregnant women and children. Volatile organic compounds such as benzene and formaldehyde, found in vaping liquids, as well as in tobacco products when smoked, are known carcinogens; and,

WHEREAS, the nicotine and/or chemicals contained in the e-liquid used in vapor devices and products are undetectable unless the liquid is tested in a laboratory facility making it difficult and impractical for a law enforcement officer to ascertain the composition of the liquid used in a vaping device or product; and,

WHEREAS, increased nicotine addiction among minors is a likely outcome from use of vaping devices and products, and may lead to users transiting to tobacco products. After years of declining levels of tobacco use by minors, recent data indicates that tobacco use by minors is again increasing; and,

WHEREAS, the use of vapor devices and products in smoke-free locations threatens to undermine compliance with state and local smoking regulations and conflicts with the progress which has been made in public understanding that smoking is not permitted in public places, school and places of employment.

THEREFORE, BE IT RESOLVED, to ensure the health, safety and welfare of the public and to promote the healthy development of youth, the Law Enforcement Committee supports the creation of Chapter 32 Vaping Control Ordinance.

**FISCAL IMPACT: None**

RECOMMENDED FOR ADOPTION THIS 10<sup>TH</sup> DAY OF JUNE, 2021 BY THE WASHBURN COUNTY LAW ENFORCEMENT COMMITTEE AND APPROVED BY THE WASHBURN COUNTY BOARD OF SUPERVISORS ON THIS 15<sup>TH</sup> DAY OF JUNE, 2021:

\_\_\_\_\_  
Jocelyn Ford, Committee Chair

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Sandy Johnson, Vice Chair

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

\_\_\_\_\_  
Josh Carlstrom, Member

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

## DRAFT Washburn County Vaping Control Ordinance - Chapter 32 (new)

### Chapter 32 Purchase or Possession of Vaping Paraphernalia

#### Sec. 32-1. Short name.

This chapter may be referred to as the "Vaping Control Ordinance."

#### Sec. 32-2. Purpose and intent.

The purpose and intent of this ordinance is to protect the public health, safety, and welfare of the citizens of Washburn County by prohibiting persons under eighteen (18) years of age from possessing or using vapor products and devices, and prohibiting the sale of vapor products and devices to persons under eighteen (18) years of age and prohibiting use of vapor products and devices on county property, in county programs, and on public school grounds and property.

Studies have determined that vapor products and devices may contain chemicals and substances known to be harmful. Vapor products and devices may expose the user and bystanders to potential health risks. The contents of cartridges used in vaping products and devices vary, but often contain cannabis, nicotine, formaldehyde, carcinogens, antifreeze, and other toxic substances which may pose a health risk to users and bystanders. Vapor products and devices are not currently controlled by Federal or State statute, rule or regulation.

#### Sec. 32-3. Definitions

**Minor.** An individual who is less than eighteen (18) years of age.

**Possession of Vaping Product or Device.** Either actual physical control of the vaping product or device without necessarily owning that product or device, or the right to control the vaping product or device even though the item is in a different place or room than where the person is physically located.

**Vapor or Vaping Product or Device.** Any product or device containing or delivering nicotine, lobella, or any other substance intended for human consumption that can be used by a person to simulate smoking through the delivery of nicotine or any other substance through inhalation of vapor from the product. Included are any devices, regardless of shape or size, which employ a mechanical heating element, battery, or electronic circuit that can be used to heat or dispense a liquid solution as a vapor which is intended for human consumption through inhalation. The term also includes, but is not limited to, any device marked as an e-cigarette, e-cigar, e-pipe, e-hookah, vape pen, vapes, tank systems, electronic nicotine delivery systems, electronic smoking device, or under any similar product name or description. Devices may be similar in appearance to tobacco cigarettes, cigars or pipes, pens, USB sticks or flash drives, and other everyday items. This term also includes any component part of such product or associated paraphernalia whether or not sold separately, such as, but not limited to, any vapor cartridge, solution, or other container, that may or may not contain nicotine, that is intended to be used

with a vaping device. Not included is any product that has been approved by the FDA for sale as a tobacco cessation product or is being marketed and sold solely for such approved purposes.

**Vaping.** The use of an electronic or other device that creates an aerosol or vapor from a vapor product or device, in any manner or in any form of the use of any oral vapor or smoking device.

**Sec. 32-4. Vaping on certain county property prohibited.**

Vaping is prohibited in all county owned or leased buildings, on county property, in county owned vehicles, and in all county programs.

**Sec. 32-5. Employee discipline.**

In addition to or in lieu of enforcement of this section by forfeiture, violations of this section by county employees and officers may be subject to appropriate employee discipline as per handbook guidelines.

**Sec. 32-6. Prohibited Conduct**

1. A minor shall not do any of the following:
  - a. Purchase or attempt to purchase a vaping product or device.
  - b. Possess or attempt to possess a vaping product or device.
  - c. Use a vaping product or device in a public place.
  - d. Present or offer a purported proof of age that is false, fraudulent, or not actually the individual's proof of age for the purpose of purchasing, attempting to purchase, possessing, or attempting to possess a vaping product or device.
2. No individual, regardless of age, who is enrolled in a public school may use, possess or attempt to possess a vaping product or device on public school grounds and property.

**Exceptions.** Subsection d. does not apply to a minor participating in any of the following:

1. An undercover operation in which a minor purchases a vapor product under the direction of a law enforcement agency as part of an enforcement action, unless the initial or contemporaneous purchase of the receipt of the vapor product or device by the minor was not under the direction of a law enforcement agency and was not party of the undercover operation.
2. Compliance checks in which the minor attempts to purchase vapor products or devices for the purpose of satisfying Federal substance abuse block grant youth access requirements, if the compliance checks are conducted with the prior approval of a law enforcement agency.
3. A minor may possess or handle a vapor product or device for the sole purpose of resale in the course of employment during his or her normal working hours if employed by a licensed retailer.

**Defense of Retailers.**

1. Proof of all the following facts by a retailer who sells vapor products or devices to a minor is a defense to any prosecution for a violation of subsection d. above:

- a. That the purchaser falsely represented having attained the age of eighteen (18) and presented a fraudulent identification card.
  - b. That the sale was made in good faith, in reasonable reliance on the identification card and appearance of the purchaser, and in the belief that the purchaser had attained the age of eighteen (18).
2. A retailer or vending machine operator shall post signs in areas within their retail premises where vapor products or devices are sold to consumers stating that the sale of any vapor product or devices to consumers under the age of eighteen (18) is unlawful under this ordinance.

**Furnishing to Minors.** No person shall sell, furnish or give away any vapor product or device to a minor, including, but not limited to, through a vending machine.

1. Before selling, offering for sale, giving, or furnishing a vapor product or device to an individual, such person shall verify that the individual is at least eighteen (18) years of age by doing one of the following:
  - a. Examining a government-issued photographic identification that establishes that the individual is at least eighteen (18) years of age.
  - b. For sales made through the internet or other remote sales method, performing an age verification through an independent, third party age verification service that compares information available from a commercially available database, or aggregate of databases, that are regularly used by government agencies and businesses for the purpose of age and identity verification of the personal information entered by the individual during the ordering process that establishes that the individual is eighteen (18) years of age or older.
2. No manufacturer, distributor, jobber, sub-jobber, or retailer, or their employees or agents, may provide vapor devices or products for nominal or no consideration to any person under the age of eighteen (18)

**Seizure of Products.** A law enforcement officer may seize any vapor product or device involved in any violation of this section committed in the officer's presence. A public school official may seize any vapor product or device found on public school grounds or property.

**Sec. 32-7. Notification to licensing municipality.**

To the extent known by the officer citing a minor pursuant to section 32-8, the officer shall provide a copy of the citation with the minor's name and address rendered illegible to the chief political officer of the municipality having jurisdiction over the liquor or other license of any commercial establishment associated with the sale of said vaping product to said minor.

**Sec. 32-8. Enforcement and penalties.**

The sheriff or the county health officer or his or her deputy may enforce this ordinance by issuance of citations under the county citation ordinance. Legal action is not hereby limited to issuance of citations. Any person, who violates a prohibition of section 32-8, shall forfeit \$50.00 for a first offense

and \$50.00 for each subsequent offense together with the taxable costs of the action. Forfeiture may be waived or reduced if the minor successfully completes a vaping educational course approved by the Washburn County Department of Health and Human Services.

Any retailer or distributor who violates a prohibition of section 32-8, shall forfeit no less than \$50.00 nor more than \$200.00 for a first offense and no less than \$200.00 nor more than \$500.00 for each subsequent offense within a 12-month period together with the taxable costs of the action.