



Dave Bartlett
Chair, Dunn County Board of Supervisors
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**COUNTY OF DUNN
MENOMONIE, WISCONSIN
NOTICE OF PUBLIC MEETING**

In accordance with the provisions of Section 19.84, Wisconsin Statutes, notice is hereby given that a public meeting of the **Dunn County Board of Supervisors** will be held on **Wednesday, May 19, 2021 at 7:00 p.m.** The meeting will be held by teleconference. Members of the public wishing to listen to the open meeting should access the Dunn County YouTube channel at:

<https://www.youtube.com/channel/UCG9PRaNVmqZc95t1a3953aw/videos>

Members of the public who require assistance in accessing the meeting, please call (715) 231-6505. A video recording of the meeting will be available on the Dunn County YouTube channel, at the link above, for subsequent viewing.

Persons wishing to provide input during the public meeting may submit written comments via email to, or may register to speak at the hearing by sending an email beforehand to, publiccomment@co.dunn.wi.us Instructions for those wishing to speak during the hearing may be found on the Dunn County website at <https://www.co.dunn.wi.us/publiccomments>

AGENDA

1. Call to order
2. Pledge of allegiance
3. Call of the roll
4. Approval of the minutes
5. Presentation of petitions, memorials, and other communications
6. Public Comments
7. Appointments
8. Report of County Manager:
 - A. COVID-19 update
 - B. Purchase Orders in excess of \$40,000
 - C. County Clerk search
9. Reports of Departments: Child Support, Register of Deeds, Veteran Services
10. Consideration of Resolutions, Reports and Ordinances from the Standing Committees:

- A. Executive Committee: Resolution Approving a FY 2021 Budget Adjustment for the Public Health Department
- B. Committee on Administration:
 - 1). Ordinance Amending the County Code of Ordinances, Chapter 5 (Second Reading)
 - 2). Ordinance Amending Section 7.2.10 of the Code of Ordinances Relating to Disposal of Surplus Property (Second Reading)
 - 3). Resolution Appointing County Clerk
 - 4). Resolution Authorizing One-Time Payment to NDC and Public Health Employees
- B. Planning, Resource & Development Committee:
 - 1). Ordinance Repealing and Recreating Chapter 16 of the Code of Ordinances (First Reading)
 - 2). Ordinance Approving a Rezoning in the Town of Menomonie
- C. Judiciary & Law Committee:
 - 1). Ordinance Prohibiting Use and Possession of Drug Paraphernalia (First Reading)
 - 2). Ordinance Prohibiting Minor Sexting (First Reading)
- D. Facilities Committee:
 - 1). Resolution Regarding Sustainability and Carbon-Neutrality by 2050
 - 2). Resolution Amending Resolution 2021-14 Regarding Red Cedar Raceway
- 12. Announcements: Next County Board meeting date June 16, 2021
- 13. Adjournment

David Bartlett, Chairperson

Signed: *Paul R. Miller*

Paul R. Miller, County Manager

PRM:prm

OFFICIAL PROCEEDINGS

Dunn County Board of Supervisors

April 21, 2021 SESSION

DRAFT

The County Board of Supervisors of Dunn County met in regular session via teleconference on Wednesday, April 21, 2021 at 7:00 p.m. The Board was called to order by Chairman David Bartlett. The Board recited the Pledge of Allegiance to the Flag. The deputy county clerk called the roll. All supervisors were present via zoom.

APPROVAL OF THE MINUTES

Supervisor Stene moved to approve the minutes of the March 17, 2021 and March 29, 2021 sessions as presented, seconded by Supervisor Hedlund. Motion carried by voice vote.

COMMUNICATIONS

The Board of Supervisors recognized years of service from retired county employee Keith Grimm. There were no other petitions, memorials, or other communications.

PUBLIC COMMENTS

No members of the public requested to address the Board of Supervisors.

APPOINTMENTS

ADRC Advisory Committee

Terms expire April 2024

Appoint Heather Jerrie to succeed Jan Pejsa and Shari Homstad to succeed Jane Weber

Terms expire April 2024

Reappoint Margy Hagaman and Maria Butkowski

Ethics Inquiry Board

Term expires April 2024

Reappoint Richard Johnson

Zoning Ordinance Board of Adjustment

Term expires July 2021

Appoint Patrick McCoy to fill unexpired term of Lisa Bragg-Hurlburt

Term expires July 2023

Appoint Barbara Lyon to fill unexpired term of Patrick McCoy as Alternate 1

Term expires July 2022

Appoint Gerald Porter to fill unexpired term of Barbara Lyon as Alternate 2

The appointments above require Board Confirmation. Supervisor Morehouse moved to approve the appointments as presented, seconded by Supervisor Stene. Motion carried by voice vote.

REPORT OF COUNTY MANAGER

- A. County Manager Paul R. Miller provided a COVID-19 update on the current number of cases and the vaccination status in Dunn County. Paul R. Miller responded to questions from the Board of Supervisors.
- B. Paul R. Miller reported on the purchase orders over \$40,000. There were nine purchase orders over \$40,000 totaling \$2,797,587.21. Chairman Bartlett asked if there were any questions on the purchase orders. County Manager Paul R. Miller and Chief Financial Officer Keith Strey responded to questions from the Board of Supervisors.
- C. Paul R. Miller reported that the Committee on Administration has a recommendation for appointment of a County Treasurer. Paul R. Miller reported that interviews for County Clerk are scheduled for April 22, 2021.

REPORT OF DEPARTMENTS

Chairman Bartlett stated the reports of departments were provided in written format and included in the materials distributed. The following departments submitted reports: Emergency Communications and Emergency Management, Sheriff, and Libraries. Sheriff Kevin Bygd responded to questions from the Board of Supervisors.

REPORT & RESOLUTION NO. 17

Supervisor Anderson moved to approve Resolution No. 17 approving 2021 budget adjustments, seconded by Supervisor Stene. Chairman Bartlett asked if there were any questions. There were none. Motion carried by roll vote with all supervisors present voting in favor.

RESOLUTION NO. 17 2021 BUDGET ADJUSTMENTS

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Dunn, Wisconsin that, effective with the publication of the notices required by law, the budget of the County of Dunn for the year beginning January 1, 2021 is amended by the following amounts to the line item account numbers shown:

<u><i>Extension Department</i></u>	<u><i>Expense</i></u>	<u><i>Revenue</i></u>
1420010020 – 534330 Operating Supplies	\$ 5,000	
1420010020 – 467060 PCS UW Extension		\$ 5,000
<u><i>Department of Human Services</i></u>	<u><i>Expense</i></u>	<u><i>Revenue</i></u>
3120050020 – 539075 - Misc Donation Expense	\$ 120	
3120050020 – 485000 – Misc Donations & Contributions		\$ 120
3120030010 – 526025 – Group Home	\$4030	
3120030010 – 436500 – State Reimbursement		\$4030
3120050900 – 525025 – Respite (G312000053.2121)	\$6000	
3120050900 – 525055 – Personal Care(G312000053.2121)	\$1250	
3120050900 – 534335 – Misc General Exp(G312000053.2121)	\$2164	
3120050900 – 435000 – State Grants(G312000053.2121)		\$9414
3120040900 – 527005 – Agcy Contracts – Administ (G312000004.2121)	\$1250	
3120040900 – 435000 – State Grants(G312000004.2121)		\$1250
3120040900 – 511005 – Attendance Hours(G312000007.2121)	(\$2436)	
3120040900 – 435000 – State Grants (G3120000007.2121)		(\$2436)
3120050900 – 527020 – Agency Contracts – Food(G312000009.2021)	\$3812	

3120050900 – 435000 – State Grants (G312000009.2021)		\$3812
3120030900 – 526020 – Foster Care/Sub guardianship(G312000013.2121)	\$13471	
3120030900 – 435000 – State Grants (G312000013.2121)		\$13471
3120030900 – 526040 – Kinship(G312000011.2121)	(\$7094)	
3120030900 – 526040 – State Grants(G312000011.2121)		(\$7094)
3120030900 – 527045 – Agency Contracts – Salaries(G312000012.2121)	\$2172	
3120030900 – 435000 – State Grants(G312000012.2121)		\$2172
3120030900 – 526025 – Group Home(G312000045.2121)	\$728	
3120030900 – 435000 – State Grants(G312000045.2121)		\$728
3120020900 – 525040 – Counseling & Therapeutic (G312000082.2021)	\$18600	
3120020900 – 435000 – State Grants (G312000082.2021)		\$18600
3120050900 – 511000 – Salaries and Wages(G312000068.2021)	\$969	
3120050900 – 513005 – Dental Insurance (G312000068.2021)	\$16	
3120050900 – 513010 – Health Insurance (G312000068.2021)	\$767	
3120050900 – 513030 – Retirement Expense(G312000068.2021)	\$119	
3120050900 – 513045 – PEHP Expense (G312000068.2021)	\$5	
3120050900 – 513075 – Workers Comp Prem (G312000068.2021)	\$61	
3120050900 – 515005 – Federal – ER Social Security (G312000068.2021)	\$25	
3120050900 – 515010 – Federal – ER Medicare (G312000068.2021)	\$109	
3120050900 – 432000 – Federal Grants(G312000068.2021)		\$2071
3120020900 – 526050 – CBRF(G312000022.2121)	(\$124119)	
3120020900 – 435000 – State Grants(G312000022.2121)		(\$124119)
3120030900 – 527045 – Agency contracts – Salaries(G312000086.2121)	(\$64900)	
3120030900 – 435000 – State Grants(G312000086.2121)		(\$64900)
3120030900 – 527045 – Agency contracts – Salaries(G312000077.2121)	(\$500)	
3120030900 – 435000 – State Grants (G312000077.2121)		(\$500)
3120030900 – 527045 - Agency Contracts – Salaries(G312000078.2121)	\$600	
3120030900 - 435000 - State Grants(G312000078.2121)		\$600
3120030900 – 521155 – Legal Services(G312000084.2121)	(\$300)	
3120030900 – 435000 – State Grants(G312000084.2121)		(\$300)
3120030900 – 521155 – Legal Services(G312000085.2121)	\$150	
3120030900 – 435000 – State Grants(G312000085.2121)		\$150
3120070900 – 534330 – Operating Supplies (G312000062.2121)	\$1450	
3120070900 – 437000 – Local Grants(G312000062.2121)		\$1450
3120050900 – 511000 – Salary and Wages(G312000027.2121)	\$7500	
3120050900 – 435000 – State Grants(G312000027.2121)		\$7500
3120050900 – 525045 – Transportation(G312000056.2121)	\$8568	
3120050900 – 435000 – State Grants(G312000056.2121)		\$8568
3120050900 – 436200 – State Trans aid(G312000056.2121)		(\$115304)
3120030900 – 527045 – Agency Contracts – Salaries (G312000051.2021)	\$12824	
3120030900 – 435000 – State Grants (G312000051.2021)		\$12824
3120050020 – 539075 – Donations	\$2000	
3120050020 – 485000 – Misc – Donations		\$2000
3120050900 – 539030 – Advertising (New Grant)	\$3250	
3120050900 – 525045 – Transportation (New Grant)	\$3250	
3120050900 – 435000 – State Grants (New Grant)		\$6500
3120050900 – 527045 – Agency Contracts – Salaries (G312000036.2121)	\$4166	
3120050900 – 435000 – State Grants (G312000036.2121)		\$4166
3120050900 – 525015 – Electronic Monitoring Exp (G312000040.2121)	\$2296	
3120050900 – 525025 – Respite(G312000040.2121)	\$1000	

3120050900 – 435000 – State Grants (G312000040.2121)		\$3296
3120050900 – 527020 – Agency Contracts - Food(G312000038.2121)	(\$6000)	
3120050900 – 435000 – State Grants (G312000038.2121)		(\$6000)
3120050900 – 527060 – Agency Contracts – Travel(G312000039.2121)	\$36	
3120050900 - 435000 – State Grants(G312000039.2121)		\$36
3120050900 – 511000 – Salaries & Wages (G312000041.2121)	\$493	
3120050900 – 435000 – State Grants (G312000041.2121)		\$493

BE IT FURTHER RESOLVED that the County Board authorizes the Department of Administration to enter and maintain the information contained herein in a manner based upon generally accepted accounting standards and that, effective with the publication of the proceedings of this meeting, the following changes are hereby adopted.

Dated the 21st day of April 2021, at Menomonie, Wisconsin.

Adopted on: April 21, 2021

OFFERED BY THE EXECUTIVE
COMMITTEE:
Dave Bartlett, Chair

ATTEST:

Christine Soules, Deputy County Clerk

Approved as to Form and Execution:
Nicholas P. Lange, Corporation Counsel

Budget Impact: Adoption of this resolution decreases the 2021 adopted budget by a net amount of \$222,402. Adoption of this resolution has no impact upon the current year tax levy.

Background Information:

The Executive Committee has considered the justifications for the proposed 2021 budget adjustments and recommends that the Board adopt the adjustments as being in the best interest of the County.

The following information was provided by departments requesting action in support of this resolution.

Extension

Due to COVID-19, the 4-H experience in the state has changed dramatically. In the recent months, 4-H educators have been working together around the region to organize and host virtual 4-H projects for 4-H members to participate in. These virtual projects offer the 4-H members the opportunity to register, receive supplies necessary for the projects, and participate either virtually as a group or on their own at home. This scale of virtual programming was not in place when the original FY2021 budget planning process was occurring. In order to adequately account for the expenditures related to the project supply purchases and the revenue from the project registration fees, a budget adjustment is being requested. This is cost-recovery only. There is no additional tax levy included in this request. This request is to reflect potential expenditures of \$5,000 in the Youth, Family, and Community Cost Center and \$5,000 in offsetting revenue for a net zero sum.

Department of Human Services

The Department of Human Services was given a donation from Caregivers Inclusa to use in the ADRC section. The donation was \$120.

The state issued these funds to help group homes and residential care center cover the expense of COVID.

Adjustment to recognize the full amount of the Alzheimer's grant from the state.

Recognizing the Child Care Certification grant from the state.

Adjustment to recognize the full amount of the Child Care Certification Grant.

Adjustment to recognize the full amount of the NSIP Grant.

Adjustment to recognize the amount of the Children and Families base grant

Adjustment to recognize the amount of the 2021 Kinship Grant.

Adjustment to recognize the amount of the 2021 Kinship Assessment Grant.

Adjustment to recognize the amount of the 2021 Youth Justice Grant.

Adjustment to recognize the amount of the SOR Unmet needs Grant.

Entry to recognize the 2021 MIPPA Grant.

Adjustment to recognize the amount of the 2021 DHS base grant.

Adjustment to recognize the amount of the Targeted Safety Support Grant.

Adjustment to recognize the amount of the CHIPS Legal Services Grant.

Adjustment to recognize the amount of the Adoption Grant.

Adjustment to recognize the amount of the CHIPS Legal Grant.

Adjustment to recognize the amount of the TPR Legal Grant.

Entry to recognize the 2021 Knights of Columbus grant award.

Entry to recognize the 2021 ADRC Nursing Home Grant.

Adjustment to the actual award of the 85.21 Transportation grant.

Entry to recognize the 2021 Community Intervention Grant.

Entry to recognize the donation for Breakfast for the Brain.

Entry to recognize the award from Mayo for Sponsorship.

Entry to recognize the award of the COVID-19 Outreach Grant.

REPORT & RESOLUTION NO. 18

Supervisor McCullough moved to approve Resolution No. 18 adopting a FY 2022 - 2026 Capital Improvements Plan, seconded by Supervisor Hedlund. Paul R. Miller spoke to the resolution. Chairman Bartlett asked if there were any questions or discussion. Paul R. Miller and Chairman Bartlett responded to questions from the Board of Supervisors. Motion carried by voice vote.

RESOLUTION NO. 18

ADOPTING A FY 2022 - 2026 CAPITAL IMPROVEMENTS PLAN

WHEREAS, the Dunn County Board of Supervisors has prepared a FY 2022 – 2026 Capital Improvements Plan, attached hereto, to be part of the FY 2022 Budget for the County; and

WHEREAS, the FY 2022 -2026 Capital Improvements Plan is intended to be the first of a rolling five-year plan that is adjusted each year as part of the annual budget process for the County; and

WHEREAS, it is intended that the FY 2022 – 2026 Capital Improvements Plan guides decisions about financing of capital projects for five years provided, however, that the specifics of

each annual budget may deviate from the recommendations of the Plan depending on new information, opportunities, and needs, changes in fiscal conditions, and changes in County Board priorities.

NOW, THEREFORE, BE IT RESOLVED that the Dunn County Board of Supervisors hereby adopts the attached FY 2022 – 2026 Capital Improvements Plan.

Offered this 21st day of April, 2021, at Menomonie, Wisconsin.

Adopted on: April 21, 2021

OFFERED BY THE EXECUTIVE
COMMITTEE:
Dave Bartlett, Chair

ATTEST:
Christine Soules, Deputy County Clerk

Approved as to Form and Execution:
Nicholas P. Lange, Corporation Counsel

REPORT & RESOLUTION NO. 19

Supervisor Kennedy moved to approve Resolution No. 19 proclaiming April 28, 2021 as Worker's Memorial Day in Dunn County, seconded by Supervisor Quinn. Supervisor Kennedy spoke to the resolution. Chairman Bartlett asked if there were any questions or discussion. There were none. Motion carried by voice vote.

RESOLUTION NO. 19 PROCLAIMING APRIL 28, 2021, AS WORKER'S MEMORIAL DAY IN DUNN COUNTY

NOW, THEREFORE, BE IT RESOLVED that the Dunn County Board of Supervisors hereby proclaims April 28, 2021 as Worker's Memorial Day in Dunn County in recognition and honor of those workers who have died on the job or from occupational illness and disease, and to acknowledge the resulting suffering experienced by families and communities.

BE IT FURTHER RESOLVED that the Dunn County Board of Supervisors urges all employers and employees in Dunn County to work together to create safe and healthy work environments that will prevent the needless suffering caused by workplace accidents.

Offered this 21st day of April, 2021 at Menomonie, Wisconsin.

Adopted on: April 21, 2021

OFFERED BY THE EXECUTIVE
COMMITTEE:
Dave Bartlett, Chair

ATTEST:
Christine Soules, Deputy County Clerk

Approved as to Form and Execution:
Nicholas P. Lange, Corporation Counsel

Budget Impact: Adoption of this resolution will have no impact upon the 2020 budget.

Background Information: Every year thousands of American workers are fatally injured on the job, tens of thousands die from occupational illness and disease, and millions more are injured.

Concerned Americans are determined to prevent these tragedies by:

- Organizing Worker's Memorial Day on April 28th, a day chosen by the unions of the AFL-CIO as a day to remember and reflect on the lives of workers who have died from workplace injuries and disease;
- Renewing our efforts to seek stronger safety and health protections, better standards and enforcement, and fair and just compensation;
- Rededicating ourselves to improving safety and health in every American workplace.

REPORT & RESOLUTION NO. 20

Supervisor Tripp moved to approve Resolution No. 20 condemning violence against Asian Americans and Pacific Islanders, seconded by Supervisor Vandermeulen. Supervisor Tripp spoke to the resolution. Chairman Bartlett asked if there were any questions or discussion. Discussion held on the proposed resolution. Motion carried by voice vote.

RESOLUTION NO. 20 CONDEMNING VIOLENCE AGAINST ASIAN AMERICANS AND PACIFIC ISLANDERS

WHEREAS, 23 million Asian Americans and Pacific Islanders account for seven (7) percent of the population of the United States; and

WHEREAS, anti-Asian racism has a long history in the United States; and

WHEREAS, Asian Americans have often been the target of xenophobic policies, labor exploitation, hate crimes, and systemic racism in the United States; and

WHEREAS, the use of anti-Asian rhetoric, intensified this past year and has resulted in Asian Americans being harassed, assaulted, and scapegoated for the COVID-19 pandemic; and

WHEREAS, violence and hate crimes against Asian Americans have increased by 150 percent in major U.S. cities; and

WHEREAS, in the last year, Asian American and Pacific Islander women were the victims in 68 percent of the 3,800 incidents against Asian Americans and Pacific Islanders; and

WHEREAS, since the start of 2021, there has been a surge in anti-Asian attacks targeting elderly Asian Americans; and

WHEREAS, the World Health Organization (WHO) and the Centers for Disease Control and Prevention (CDC) recognize that naming COVID-19 by its geographic location or linking it to a specific ethnicity perpetuates stigma; and

WHEREAS, all citizens in our communities across Wisconsin and the United States should be able to live free from fear and intimidation; and

WHEREAS, President Biden has called for all Americans to unite against hate and speak out

against violence targeting Asian Americans; and

WHEREAS, Governor Evers has issued a call to Wisconsinites to end dangerous rhetoric and condemn racist harassment, attacks, and violence.

NOW, THEREFORE, BE IT RESOLVED by the Dunn County Board of Supervisors that the Count of Dunn condemns violence of all forms against the Asian American and Pacific Islander community.

BE IT FURTHER RESOLVED that the Dunn County Board of Supervisors encourages leaders at all levels to recommit the United States, the state of Wisconsin, and Dunn County to act in a manner that promotes building more inclusive, diverse, and tolerant communities.

BE IT FURTHER RESOLVED that the Dunn County Board of Supervisors encourages the Attorney General of Wisconsin to work with State and local agencies and community-based organizations to prevent discrimination, and expand education campaigns designed to promote tolerance.

BE IT FURTHER RESOLVED that the Dunn County Board of Supervisors encourages everyone to condemn anti-Asian bias, to read, learn, and seek opportunities to experience cultures other than their own, to review their practices that may create barriers that contribute to systemic racism, and in these ways and others to seek to become a more welcoming, inclusive, anti-racist community.

Offered this 21st day of April, 2021, at Menomonie, Wisconsin.

Adopted on: April 21, 2021

OFFERED BY THE EXECUTIVE
COMMITTEE:
Dave Bartlett, Chair

ATTEST:

Christine Soules, Deputy County Clerk

Approved as to Form and Execution:
Nicholas P. Lange, Corporation Counsel

REPORT & RESOLUTION NO. 21

Supervisor McCullough moved to approve Resolution No. 21 declaring official intent under reimbursement bond regulations, seconded by Supervisor Lienau. Chief Financial Officer Keith Strey spoke to the resolution. Chairman Bartlett asked if there were any questions or discussion. There were none. Motion carried by voice vote.

RESOLUTION NO. 21 TO DECLARE OFFICIAL INTENT UNDER REIMBURSEMENT BOND REGULATIONS

WHEREAS, the Internal Revenue Service has promulgated regulations (the "Regulations") with respect to proceeds of tax-exempt borrowings used to reimburse prior capital expenditures; and

WHEREAS, one of the requirements of the Regulations is that an issuer must timely declare an intention to reimburse itself for the expenditure from proceeds of a tax-exempt borrowing ("Official Intent"); and

WHEREAS, Dunn County, Wisconsin (the "Issuer") expects to issue general obligation bonds or promissory notes (the "Obligations") for the purpose of paying the costs of 2021 capital projects including equipment replacement, acquisition of public safety equipment and facility improvements (the "Project"); and

WHEREAS, certain expenditures may be made in connection with the Project prior to the issuance of the Obligations for which the Issuer will seek reimbursement from proceeds of the Obligations once the Obligations are issued.

NOW, THEREFORE, BE IT RESOLVED by the County Board of Dunn County pursuant to the Regulations, that:

1. It is the reasonable intention of the Issuer to use proceeds of the Obligations to reimburse expenditures made on the Project defined above.
2. The maximum principal amount of debt expected to be issued and used to reimburse for the costs of the Project on the date hereof is \$1,357,258.
3. This statement of Official Intent is made pursuant to Internal Revenue Code Regulation Sec. 1.150-2.

Offered this 21st day of April, 2021, at Menomonie, Wisconsin.

Adopted on: April 21, 2021

OFFERED BY THE EXECUTIVE COMMITTEE:
David Bartlett, Chair

ATTEST:
Christine Soules, Deputy County Clerk

Approved as to Form and Execution:
Nicholas P. Lange, Corporation Counsel

REPORT & ORDINANCE NO. 22

Chairman Bartlett stated this is the first reading of Ordinance NO. 22. Supervisor Morehouse moved to adopt Ordinance NO. 22 repealing and recreating the Dunn County Fair Housing Ordinance, seconded by Supervisor Stene. Supervisor Morehouse spoke to the proposed ordinance. Supervisor Morehouse moved to suspend the rules of the Board and waive the requirement for a second reading, seconded by Supervisor Stene. Chairman Bartlett asked if there were any questions or discussion. Discussion held on suspending the rules of the Board to dispense of the second reading. Motion to suspend the rules of the Board and waive the requirement for a second reading carried by voice vote. Motion to adopt Ordinance NO. 22 repealing and recreating the Dunn County Fair Housing Ordinance carried by voice vote.

ORDINANCE NO. 22 REPEALING AND RECREATING THE DUNN COUNTY FAIR HOUSING ORDINANCE

The Board of Supervisors of the County of Dunn does hereby ordain as follows:

Section 1. Ordinance No. 33, adopted on May 21, 1997, is repealed.

Section 2. The Dunn County Fair Housing Ordinance is created to read as follows:

FAIR HOUSING

1.0 AUTHORITY; POLICY AND INTENT. This ordinance is adopted under the authority of Wis. Stat. § 66.1011. Dunn County recognizes its responsibilities under Wis. Stat. § 106.50 and endorses the concept of fair and open housing for all persons and prohibition of discrimination therein.

2.0 PROVISIONS OF STATE LAW ADOPTED BY REFERENCE.

- (1) Wis. Stat. § 106.50 is adopted in its entirety and incorporated by reference as if fully set forth herein.
- (2) Any act required to be performed or prohibited by any portion of Wis. Stat. § 106.50 is required or prohibited by this ordinance. Defenses available under Wis. Stat. § 106.50 shall be available under this ordinance.
- (3) This ordinance shall be construed in the same manner as the corresponding state law. Any future amendments, revisions, or modifications of section 106.50 shall be incorporated herein and are intended to be made a part of this ordinance.

3.0 PENALTIES. The penalties for violation of this ordinance shall be the same as the penalties for the statutory offenses as set forth in Wis. Stat. § 106.50.

4.0 IMPLEMENTATION. The Department of Human Services shall maintain forms for complaints to be filed under Wis. Stat. § 106.50 and shall assist any person alleging a violation thereof occurring in Dunn County to file a complaint themselves with the Wisconsin Department of Workforce Development, Equal Rights Division, for enforcement of § 106.50.

5.0 ENFORCEMENT. At the request of the Dunn County Department of Human Services, and with the consent of the complainant, the Corporation Counsel may commence a civil action in the name of Dunn County for the enforcement of a violation of this Chapter as a forfeiture action.

Section 3. This Ordinance shall become effective upon adoption and publication as required by law.

Offered this 21st day of April, 2021, at Menomonie, Wisconsin.

Enacted on: April 21, 2021

Published on: May 5, 2021

ATTEST:
Christine Soules, Deputy County Clerk

Approved as to Form and Execution:
Nicholas P. Lange, Corporation Counsel

OFFERED BY THE HEALTH AND HUMAN
SERVICES BOARD:
Diane Morehouse, Chair

COUNTERSIGNED:
David Bartlett, Chair
Dunn County Board of Supervisors

REPORT & RESOLUTION NO. 23

Supervisor Morehouse moved to approve Resolution No. 23 adopting a community block grant citizen participation plan, seconded by Supervisor Stene. Supervisor Morehouse spoke to the resolution. Chairman Bartlett asked if there were any questions or discussion. There were none. Motion carried by voice vote.

RESOLUTION NO. 23

ADOPTING A COMMUNITY BLOCK GRANT CITIZEN PARTICIPATION PLAN

NOW, THEREFORE, BE IT RESOLVED that the Dunn County Board of Supervisors hereby adopts the attached Community Development Block Grant (CDBG) citizen participation plan.

Offered this 21st day of April, 2021, at Menomonie, Wisconsin.

Adopted on: April 21, 2021

OFFERED BY THE HEALTH AND HUMAN
SERVICES BOARD:
Diane Morehouse, Chair

ATTEST:
Christine Soules, Deputy County Clerk

Approved as to Form and Execution:
Nicholas P. Lange, Corporation Counsel

Budget Impact: Approval of this resolution will have no impact on the 2021 budget.

Background Information: The State of Wisconsin Department of Administration and the U.S. Department of Housing and Urban Development (HUD) require recipients of Community Development Block Grant (CDBG) monies to have in place a citizen participation plan. The citizen participation plan encourages citizen participation (especially by person of low to moderate income), provides citizens with reasonable and timely access to local meetings and information, provides for technical assistance, provides for public hearings, and provides for complaint procedures and accommodation of non-English speaking residents.

A Citizen Participation Plan was adopted by the Board of Supervisors in February 2021. Additional language must be added to the plan, however, to add a requirement that composition of the Citizen Advisory Committee include one person who is low to moderate income. This resolution approves the previously adopted plan as amended.

REPORT & RESOLUTION NO. 24

Supervisor Morehouse moved to approve Resolution No. 24 adopting a residential anti-displacement and relocation assistance plan for CDBG programs, seconded by Supervisor Stene. Supervisor Morehouse spoke to the resolution. Chairman Bartlett asked if there were any questions or discussion. Human Services Director Kris Korpela and Corporation Counsel Nicholas P. Lange responded to questions from the Board of Supervisors. Motion carried by voice vote.

RESOLUTION NO. 24

ADOPTING A RESIDENTIAL ANTI-DISPLACEMENT AND RELOCATION ASSISTANCE PLAN FOR CDBG PROGRAMS

NOW, THEREFORE, BE IT RESOLVED that that the Dunn County Board of Supervisors has hereby reviewed and adopts the attached Residential Anti-Displacement and Relocation Assistance Plan for CDBG Programs.

Offered this 21st day of April, 2021, at Menomonie, Wisconsin.

Adopted on: April 21, 2021

OFFERED BY THE HEALTH AND HUMAN SERVICES BOARD:

Diane Morehouse, Chair

ATTEST:
Christine Soules, Deputy County Clerk

Approved as to Form and Execution:
Nicholas P. Lange, Corporation Counsel

Budget Impact: Approval of this resolution will have no impact on the 2021 budget.

Background Information: Community Development Block Grant (CDBG) funding requires the establishment of a residential anti-displacement and relocation assistance plan (RADRAP) prepared by Dunn County in accordance with Housing and Community Development Act of 1974, as amended, and HUD regulations at 24 CFR § 42.325, applicable to Dunn County CDBG projects.

Dunn County has a RADRAP, which was adopted by resolution on September 17, 1997. Since that time, many of the requirements for the plan have changed. The plan has been updated and approved by the Health and Human Services Board. Approval of this resolution will result in the Board of Supervisors' adoption of the updated RADRAP.

REPORT & RESOLUTION NO. 25

Supervisor Quinn moved to approve Resolution No. 25 authorizing an application for a targeted runoff management grant from the DNR, seconded by Supervisor Anderson. Supervisor Quinn spoke to the resolution. Chairman Bartlett asked if there were any questions or discussion. There were none. Motion carried by voice vote.

RESOLUTION NO. 25

AUTHORIZING AN APPLICATION FOR A TARGETED RUNOFF MANAGEMENT GRANT FROM THE DEPARTMENT OF NATURAL RESOURCES

NOW, THEREFORE, BE IT RESOLVED, that Dunn County Land & Water Conservation Division be the "Governmental Unit Applying" under the Wisconsin Department of Natural Resources Targeted Runoff Management Grant Program.

BE IT FURTHER RESOLVED, that the County Conservationist is authorized to act as the "Responsible Government Official & Authorized Signatory" on behalf of Dunn County in the manner authorized by the County Board of Supervisors in Resolution 2021-___.

BE IT FURTHER RESOLVED, that Dunn County shall comply with federal and state rules and procedures, perform force account work, and meet the financial obligations of such grants.

BE IT FURTHER RESOLVED, that Dunn County is authorized to enter into agreements with adjoining counties and partner agencies; clarifying procedures, and ensuring compliance with grant requirements.

Offered this 21st day of April, 2021, at Menomonie, Wisconsin.

Adopted on: April 21, 2021

OFFERED BY THE LAND CONSERVATION
COMMITTEE:
Thomas Quinn, Chair

ATTEST:
Christine Soules, Deputy County Clerk

Approved as to Form and Execution:
Nicholas P. Lange, Corporation Counsel

Budget Impact: If the grant is awarded, the 2022 ENS/Land and Water Conservation Division Budget would need to be amended to reflect additional revenue and expenditures. All costs to Dunn County related to the actual best management practice installation would be reimbursed by the grant.

Background Information: In 2020, the owner of Val-O-Mo Farm in Eau Galle reached out to LWCD to discuss replacing their old manure pit. The pit is an earthen structure that is beginning to fail and located less than 100 feet from Little Missouri Creek. In addition to the current manure pit, there are several other resource concerns on site including feedlot leachate and an abandoned manure pit which needs to be properly closed. All of these concerns are classified as noncompliance with the State Agricultural Performance Standards and Prohibitions within chapter NR 151 of the Wisconsin Administrative Code. For facilities that were in noncompliance prior to the adoption of the specific Ch. NR 151 standard or prohibition for that type of facility, the state cannot force compliance without extending an offer of cost-share. Targeted Runoff Management Grants are one type of cost-share options offered by the State to assist in bringing such facilities into compliance with Ch. NR 151. These grants are applied for and administered by local governmental entities.

By separate resolution, the County Board of Supervisors has authorized the County's participating in the Wisconsin DNR's Targeted Runoff Management Grant Program. Approval of this resolution would authorize the County Conservationist to make an application for grant funds specifically for providing financial assistance in achieving compliance with applicable standards at Val-O-Mo Farm.

REPORT & RESOLUTION NO. 26

Supervisor Quinn moved to approve Resolution No. 26 authorizing participation and government responsibility in the DNR targeted runoff management grant program, seconded by Supervisor Anderson. Supervisor Quinn spoke to the resolution. Chairman Bartlett asked if there were any questions or discussion. There were none. Motion carried by voice vote.

RESOLUTION NO. 26 AUTHORIZING PARTICIPATION AND GOVERNMENT RESPONSIBILITY IN THE DEPARTMENT OF NATURAL RESOURCES TARGETED RUNOFF MANAGEMENT GRANT PROGRAM

WHEREAS, Dunn County is interested in acquiring a Grant from the Wisconsin Department of Natural Resources for the purpose of implementing measures to control agricultural or urban storm water runoff pollution sources (as described in the application and pursuant to ss. 281.65 or 281.66, Wis. Stats., and chs. NR 151, 153 and 154).

NOW, THEREFORE, BE IT RESOLVED that the Dunn County Board of Supervisors hereby authorizes the County Conservationist, Environmental Services Department to act on behalf of Dunn County to:

- Sign and submit applications to the State of Wisconsin Department of Natural Resources for any financial aid that may be available;
- Sign a grant agreement between the local government (applicant) and the Department of Natural Resources;
- Enter into cost-share agreements with landowner/operator to install best management practices;
- Make cost-share payment to landowner/operator after payment is requested, evidence of contractor payment by landowner/operator has been received, and grantee has verified proper BMP installation;
- Sign and submit reimbursement claims along with necessary supporting documentation;
- Sign and submit interim and final reports and other documentation as required by the grant agreement;
- Sign and submit an Environmental Hazards Assessment Form, if required; and
- Take necessary action to undertake, direct, and complete the approved project.

BE IT FURTHER RESOLVED that Dunn County shall comply with all state and federal laws, regulations and permit requirements pertaining to implementation of this project and to fulfillment of the grant document provisions.

Offered this 21st day of April, 2021, at Menomonie, Wisconsin.

Adopted on: April 21, 2021

OFFERED BY THE LAND CONSERVATION
COMMITTEE:
Thomas Quinn, Chair

ATTEST:
Christine Soules, Deputy County Clerk

Approved as to Form and Execution:
Nicholas P. Lange, Corporation Counsel

Budget Impact: Approval of this resolution has no budgetary impact. It simply authorizes participation in a grant program. Any grant funds received would be included in or added to the Land and Water Conservation Division Budget.

Background Information: This Government Responsibility Resolution is required by the Wisconsin Department of Natural Resources for Dunn County's participation in the Targeted Runoff Management (TRM) Grant Program. The TRM grant program provides financial assistance to landowner's in order to ensure compliance with the State of Wisconsin's Agricultural Performance Standards and Prohibitions found in NR151 Wisconsin Administrative Code.

REPORT & ORDINANCE NO. 27

Chairman Bartlett stated this is the first reading of Ordinance NO. 27. Supervisor Lienau moved to adopt Ordinance NO. 27 amending chapter 5 of the Code of Ordinances, seconded by Supervisor Hedlund. Supervisor Hedlund spoke to the ordinance. Chairman Bartlett asked if there were any questions or discussion. Discussion held on the proposed ordinance. Supervisor Niehoff moved to amend the ordinance, seconded by Supervisor Stori. Chairman Bartlett asked if there were any questions or discussion relating to the amendment. Chairman Bartlett and Corporation Counsel Nicholas P. Lange responded to questions from the Board of Supervisors. Corporation Counsel Nicholas P. Lange read aloud the proposed amendment and determined that the verbal confirmation by Supervisor Niehoff satisfied the requirement for the written amendment. Motion to amend Ordinance NO. 27 carried by voice vote. The second reading of the proposed ordinance will be placed on the May agenda.

REPORT & ORDINANCE NO. 28

Chairman Bartlett stated this is the first reading of Ordinance NO. 28. Supervisor Hedlund moved to adopt Ordinance NO. 28 amending section 7.2.10 of the Code of Ordinances, relating to disposal of surplus property, seconded by Supervisor Lienau. Supervisor Hedlund spoke to the ordinance. Chairman Bartlett asked if there were any questions or discussion. There were none. The second reading of the proposed ordinance will be placed on the May agenda.

REPORT & RESOLUTION NO. 29

Supervisor Stori moved to approve Resolution NO. 29 appointing A. Sifia Jevne to the office of County Treasurer, seconded by Supervisor Morehouse. Paul R. Miller spoke to the resolution. Chairman Bartlett asked if there were any questions or discussion. There were none. Motion carried by voice vote.

RESOLUTION NO. 29

APPOINTING A. SIFIA JEVNE TO THE OFFICE OF COUNTY TREASURER

NOW, THEREFORE, BE IT RESOLVED by the Dunn County Board of Supervisors that effective May 3, 2021, A. Sifia Jevne is appointed Dunn County Treasurer for the remainder of the unexpired term of office.

BE IT FURTHER RESOLVED that the Department of Administration is authorized to take any and all actions necessary for the implementation of this resolution.

Offered this 21st day of April, 2021, at Menomonie, Wisconsin.

Adopted on: April 21, 2021

OFFERED BY THE COMMITTEE ON
ADMINISTRATION:
Vaughn Hedlund, Chair

ATTEST:
Christine Soules, Deputy County Clerk

Approved as to Form and Execution:
Nicholas P. Lange, Corporation Counsel

Budget Impact: No budget impact.

Background Information: There is currently a vacancy in the office of County Treasurer due to the resignation of former County Treasurer, Doris Meyer. Deputy Treasurer Angela Wagner has

been fulfilling the responsibilities of the Office of County Treasurer, pursuant to state statute. As the oversight committee for the County Treasurer's Office, the Committee on Administration solicited and interviewed candidates for the vacant office with an objective of recommending a candidate to the County Board of Supervisors for appointment. The Committee is recommending that A. Sifia Jevne, of Menomonie, Wisconsin, be appointed Dunn County Treasurer for the remaining term of office.

ANNOUNCEMENTS

Chairman Bartlett announced the next regular monthly meeting of the Board of Supervisors will be held on May 19, 2021.

The Chairman declared the meeting adjourned at 8:37 p.m.

Respectfully submitted,
CHRISTINE SOULES
DEPUTY COUNTY CLERK

Purchase Orders over \$40,000

PO#	Department	Vendor	Description	Amount
2000011359	Human Services	State of Wisconsin	Family Care payment	\$396,401.39



DUNN COUNTY CHILD SUPPORT AGENCY 2020 ANNUAL REPORT

**Josie LaLiberty, Director
Dunn County Child Support Agency
615 Stokke Parkway, Suite 1600
Menomonie, WI 54751
Phone: 715-232-1671
Fax: 715-232-6880
jlaliberty@co.dunn.wi.us**

CHILD SUPPORT (IV-D) PROGRAM SUMMARY

The Federal Government enacted the Child Support Enforcement and Paternity Establishment Program in 1975 under Title IV-D of the Social Security Act. The IV-D program was created to reduce welfare expended by collecting child support from non-custodial parents. Today, the IV-D Program is one of the most effective anti-poverty programs in the nation. The Federal Office of Child Support Enforcement mandates every state to provide child support services and partners with states and tribes to implement and administer the IV-D Program.

Under contract with the Wisconsin Department of Children and Families, the Dunn County Child Support Agency (CSA) administers the IV-D program at the local level. Some of the specific services provided by the CSA include but are not limited to:

- Establishes paternity (legal fatherhood) on behalf of the children of unwed parents
- Establishes court orders requiring financial support be paid by non-custodial parents
- Establishes court orders for health insurance to be provided by either parent when available through employment at a reasonable cost
- Locate absent parents and assets as necessary to establish, review, enforce, and collect child support and health insurance obligations
- Enforce child support and health insurance orders through various means including administrative, civil, interstate, and criminal actions

The Dunn County CSA is funded with a combination of federal, state, and county dollars. Federal administrative cost reimbursement is the principal funding source for the CSA. The federal reimbursement rate for allowable administrative costs is currently 66%. In addition to the administrative cost reimbursement, the CSA also receives performance incentives based on performance measures in the areas of Paternity Establishment, Court Order Establishment, Current Support Collections, and Arrears (debt) Cases with Collection.

Measure	Agency Target	Dunn County FFY 2018	Dunn County FFY 2019	Dunn County FFY 2020
Paternity Establishment	90% or greater *	112.30%	111.74%	111.66%
Court Order Establishment	80% or greater	89.36%	89.42%	89.86%
Current Support Collections	80% or greater	77.25%	77.5%	77.67%
Arrears Cases with Collection	80% or greater	74.02%	74.45%	77.79%

* The percentage of children who had paternity established in the current Federal Fiscal Year (FFY) compared to the number of children who needed paternity established at the end of the previous FFY. As a result, this percentage may exceed 100%.

DUNN COUNTY AGENCY STAFF:	
Josie LaLiberty, Director	Tracey Gumness, Child Support Specialist
Vicky Sinz, Fiscal Clerk III	Amanda Leach, Child Support Specialist
(Vacant), Secretary I	Sue Mork, Child Support Specialist
(Vacant), Child Support Specialist	Kendall Wold, Child Support Specialist

STAFF CHANGES

After 47 years of dedicated service to Dunn County, Jeanne Stevenson retired on August 3, 2020. Jeanne began her career in the Dunn County Veteran Service Office in 1973, transferred to the CSA in the early 1980s, and served as CSA Director since 1995.

Josie LaLiberty came onboard as the Dunn County CSA Director on August 17, 2020. Josie began her career as a Child Support Specialist in Eau Claire County in 2004 and was promoted to Coordinator in 2018.

Renee Flatland was hired as a Secretary I on March 2, 2020. Renee resigned her position effective September 11, 2020. The Secretary I position remained unfilled for the duration of 2020.

2020 COOPERATIVE & SERVICE AGREEMENTS

The CSA contracts legal services under a Cooperative Agreement with the Corporation Counsel's office. This agreement allows for reimbursement of the Corporation Counsel or Assistant Corporation Counsel's time spent on IV-D activities. As a result of the agreement, the CSA transferred **\$17,665.93** into Corporation Counsel's budget for 451.68 hours of Attorney Barbara Anne Fagan's time attending approximately 573 court hearings and reviewing 2000+ documents. The CSA filed 91 new court actions in 2020; 63 support & maintenance (family) actions & 28 paternity actions.

The CSA has a Cooperative Agreement with the Clerk of Courts office which allows for the reimbursement of a Deputy Clerk's time spent on IV-D activities. As a result of the agreement, the CSA transferred **\$6,561.35** to the Clerk of Courts budget for 208.81 hours spent clerking CSA hearings.

The CSA has a Service Agreement with the Family Court Commissioner (FCC) which allows for the reimbursement of FCC's time spent on IV-D specific activities. As a result of the agreement, the CSA transferred **\$4,297.43** to the Clerk of Courts budget for 52.09 hours of the FCC's time.

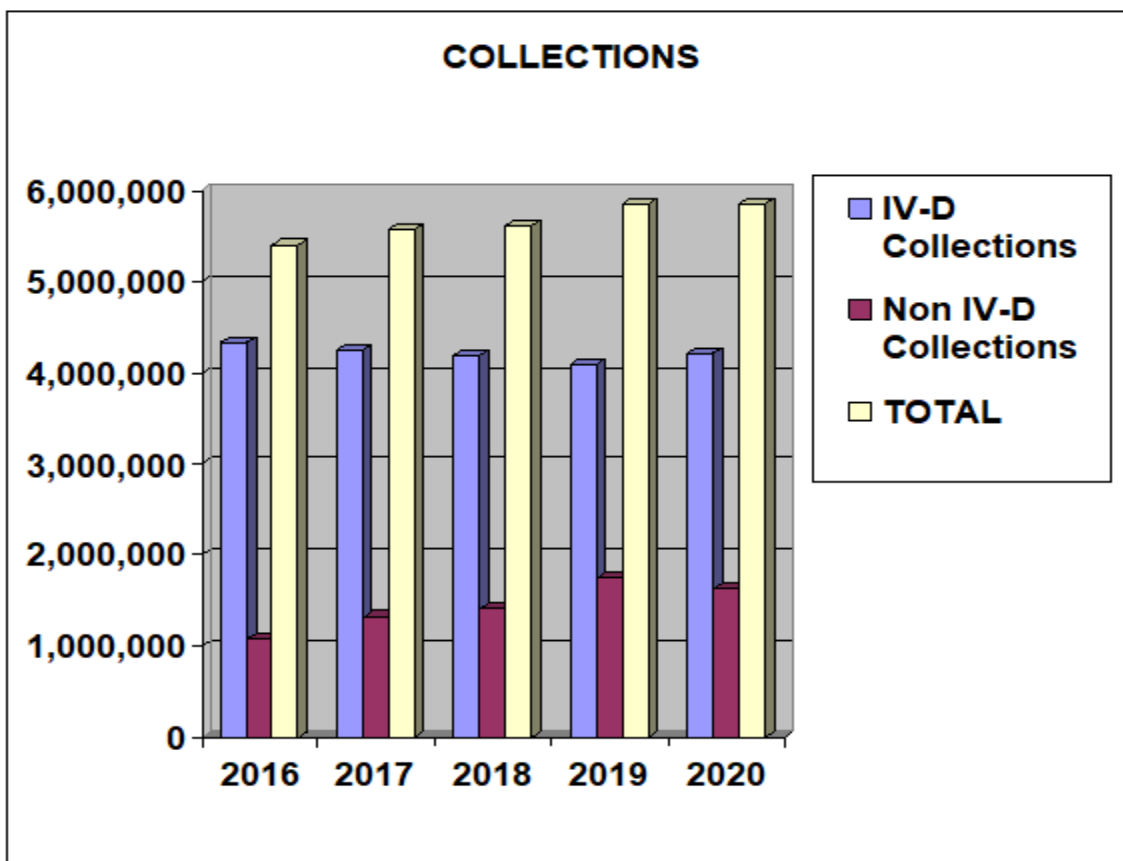
COVID-19 IMPACTS

Since Governor Evers announced his Safer-At-Home Order in March 2020, all judicial enforcement of child support orders paused for the remainder of the year. No new contempt actions were filed against payers of child support failing to meet their court ordered obligations, nor were existing contempt findings (pre-Covid) being enforced. No new bench warrants were requested or issued for failure-to-pay or failure-to-appear at court hearings. The first round of Economic Stimulus Payments were intercepted for those owing child support arrears who were previously certified for Federal Tax Offset (which kept 2020's overall support collections in-line with prior years).

DUNN COUNTY CASE NUMBERS & COLLECTIONS

The Dunn County CSA had **1977 open IV-D cases** at the end of 2020. A IV-D case is opened when the CSA receives a referral. IV-A referrals are the result of public assistance benefits being expended on behalf of the child(ren), IV-E referrals are for child(ren) placed in licensed foster homes or Kinship placements, and IV-D referrals are the result of a direct application for child support services – provided at no charge.

The Dunn County CSA provided financial services only to **881 Non-IVD cases** at the end of 2020. These are cases where IVA/IVE assistance is not being expended, nor has a IV-D application for services been received. The Fiscal Clerk III will enter Non IV-D orders into the Kids Information Data System (KIDS) and will send income withholding notices to employers, however, no case management services are provided.



	<u>IV-D</u>	<u>NON IV-D</u>	<u>TOTAL</u>
2016	4,331,214.28	1,075,726.34	5,406,940.62
2017	4,249,562.43	1,323,091.51	5,572,653.94
2018	4,192,823.81	1,416,773.10	5,609,596.91
2019	4,099,209.91	1,752,897.00	5,852,106.91
2020	4,214,354.52	1,633,791.55	5,848,146.07

CREDIT CARDS & E-CHECKS

In October 2020, the Dunn County CSA entered into a contract with GovPayNet to allow for payers of child support to remit support payments by credit card or electronic check. Payments are transferred directly to the Wisconsin Support Collections Trust Fund (WISCTF) for a fee payable by the payer to GovPayNet; fees for credit card payments increase incrementally as the dollar amount increases, whereas, the e-check fee is a flat rate of \$2.95 per transaction. Between October 7th and December 31st, twenty-three transactions totaling \$13,139.69 were collected via GovPayNet during those first 83 days.

CHILD SUPPORT’S IMPACT ON DHS PROGRAMS

When unwed parents reside together, the father’s income is not always considered when determining IV-A benefits eligibility until after legal parenthood is established. The CSA routinely updates the Department of Human Services, Economic Support Division when the issue of paternity has been resolved so IV-A benefits can be recalculated for the household. Additionally, the CSA through its interview and/or court processes can be made aware of families residing together intact, but one parent is not reported as living in the IV-A eligible household. The CSA routinely report these potential instances of fraud to the Department of Human Services, Economic Support Division for investigation.

When a IV-E referral is received for child(ren) in out-of-home placements, the CSA works to assess the ability of each parent to pay child support as a contribution toward the cost of the out-of-home placement. Support collected in Kinship cases is first assigned to the state to offset the cost of the Kinship Grant with any overage passed through to the relative caregiver. In Foster Care (FCAR) cases, any child support collected is reimbursed to the placing-county. The below table shows the child support collections reimbursed to the Dunn County Department of Human Services for Foster Care placements:

DUNN COUNTY FCAR	2020	2019	2018	2017
REIMBURSEMENTS:	\$71,591.77	\$62,577.84	\$46,463.95	\$49,217.77

COLLABORATION WITH WORKFORCE RESOURCES INC

The CSA routinely refers unemployed or underemployed case participants to Workforce Resources Inc. (WRI) to address their job training and/or job placement needs. WRI of West Central Wisconsin (Barron, Chippewa, Clark, Dunn, Eau Claire, Pepin, Pierce, Polk, and St. Croix) has created an automated referral portal for CSA staff to submit case participant’s WRI applications. When Covid-19 restrictions are lifted, the CSA hopes to resume co-hosting Job Fairs with WRI for CSA case participants and the general public.

CHILD SUPPORT AGENCY - 2020 BUDGET SUMMARY

\$598,673.04	- Consumed Budget (\$141,115.96 decrease from budgeted amount)
\$564,053.12	+ Actual Revenues Received (less levy & Cooperative Agreement transfers)
\$34,619.92	= Levy Impact

IV-D PROGRAM IMPACTS ON WISCONSIN FAMILIES – FISCAL YEAR 2019

- 365,000 children served statewide (14.3 million children nationwide)
- \$914 million in support collected; 97% collected went directly to families
- 23,580 new paternities established (280,183 total children with paternity established in WI)
- 31,837 new support orders established (310,721 total orders established in WI)
- 28,810 Badgercare eligible children enrolled in private health insurance (\$26.6 million in savings)
- Approximately 31% of Wisconsin’s children live in a single-parent home; 68% (145,871) in poor families for which child support makes up 42% of household income
- \$6.20 in support collected for every \$1 spent to administer the IV-D Program making it one of the most cost-effective government programs
- Children that receive child support are more likely to graduate high school and less likely to enter the criminal justice system
- Families that receive child support have fewer substantiated child protective services referrals
- Fathers who are paying child support for their child(ren) see them more frequently and have more positive interactions

WISCONSIN’S IV-D PERFORMANCE & NATIONAL RANKINGS

WISCONSIN	FFY 2016	FFY 2017	FFY 2018	FFY 2019	PRELIMINARY FFY 2020
Paternity Establishment <i>National Rank</i>	104.8% 14 th	100.5% 20 th	102.6% 13 th	101.6% 16 th	100.1% 16 th
Court Order Establishment <i>National Rank</i>	87.2% 27 th	87.0% 33 rd	86.8% 36 th	86.9% 37 th	86.2% 35 th
Current Support Collections <i>National Rank</i>	74.5% 2 ND	74.6% 2 ND	74.7% 4 TH	75.1% 5 TH	74.1% 5 TH
Arrears Cases with Collection <i>National Rank</i>	69.1% 11 th	69.4% 8 th	69.6% 9 th	69.4% 10 th	73.6% 20 th
Cost-Effectiveness Ratio <i>National Rank</i>	\$8.43 5 th	\$5.56 20 th	\$5.80 19 th	\$6.20 12 th	\$7.16 10 th

2021 GOALS

- Onboard staff for newly created Legal Secretary position
- Prepare for Bureau of Regional Operations tri-annual on-site audit
- Advocate for an increase of IV-D funding in state's biennial budget
- Implement new case closure and file destruction process
- Purge paper files in preparation of paperless project
- Prepare for KIDS/CCAP Interface project rollout
- Continue efforts to achieve performance goals while maintain exceptional customer service for the families we serve

Respectfully submitted to the Dunn County Board of Supervisors with thanks for your support.

Josie LaLiberty
Child Support Director
May 19, 2021



2020 ANNUAL REPORT DUNN COUNTY REGISTER OF DEEDS

3001 US Highway 12 E • Suite 112 • Menomonie, WI • 54751

(715) 232-1228

Perpetually maintaining the history of Dunn County, its land and its people.



WISCONSIN REGISTER OF DEEDS WEEK JUNE 7-13, 2020

STATE of WISCONSIN



OFFICE of the GOVERNOR

Proclamation

WHEREAS; the office of the Register of Deeds in Wisconsin is older than our state itself, having been established in 1836 to protect the integrity of land ownership; and

WHEREAS; the Wisconsin Constitution established the Register of Deeds as a permanent element of the county-level government structure in 1848; and

WHEREAS; in 1907, the Register of Deeds statutorily became the designated office where all vital records for birth, marriage, death, and military discharge would be accepted, indexed, filed, stored, and issued; and

WHEREAS; the Register of Deeds office serves as the official county repository for all real estate and vital records, as well as for safe archival storage of and access to these records for the public; and

WHEREAS; over the last 172 years, our Register of Deeds offices have filed, recorded, and issued a multitude of land record instruments and documents of significance to both the community as a whole and individual residents; and

so on and so forth



Good news . . .

2020 REVENUE DISTRIBUTION

GENERAL FUND REVENUE	\$402,264.10
-Transfer Fees \$127,910.57	
-Miscellaneous Fees \$14,912.84	
-Online Access Agreements \$75,389.69	
-Vital Record Copy Fees \$19,490.00	
-Recording Fees \$130,110.00	
-County Levy \$34,451.00	
 EXPENDITURES	 <u>(\$319,981.53)</u>
 TOTAL FUNDS RETURNED (General Fund)	 \$ 82,282.57
 ADDITIONAL COUNTY RETAINED REVENUE:	
Land Records Modernization	\$ 69,232.00
 FUNDS RECEIPTED AND SENT TO STATE AGENCIES:	
Dept. of Revenue (Transfer fee share)	\$510,837.12
Land Information Program (WLIP)	\$ 60,578.00
Dept. of Administration (Vital Records share)	\$ 16,268.00
Children’s Trust Fund	<u>\$ 4,907.00</u>
	\$592,590.12

TOTAL GROSS RECEIPTED: \$1,029,635.22

STATISTICAL SUMMARY – OUTPUT MEASURES	2018	2019	2020
Total # Real Estate Documents recorded	6432	6811	8665
Documents submitted electronically & % of total	1673/26%	2298/34%	5082/59%
Vital Records filed (Death, Marriage & Military Discharges)	535	537	482
Copies of Vital Records issued (Birth, Death, Marriage, Divorce & Military Discharges)	5114	5346	4989



2020 In Review:

- COVID-19 Pandemic – The Wisconsin Land Title, Realtors, and Banker’s Associations, as well as the Federal Housing Finance Agency (FHFA) and Fannie Mae, all reached out to ensure Register of Deeds offices remained open for business. The timely recording of real estate transactions each day is critical in keeping the county’s economy moving. There was a high volume of real estate recordings reflecting a busy housing market. The closure of the building presented challenges for record requests, document drop-offs and research as our office is normally open and accessible during business hours without appointments. Thankfully, the majority of real estate records are available online. Although, it soon became apparent not everyone has access to the internet or even a printer. Staff spent added time coordinating with customers for their record requests. Staff rotated working in the office to help keep everyone healthy and the office operational.
- Implementation of statewide marriage issuance - If you were married in Wisconsin, you can obtain a certified copy of your marriage record in any county in Wisconsin. Both birth and marriage certificates are available statewide.
- Computerized tract index began 01/01/2000 (20 YEAR MILESTONE).
- Recorded over 1800 ownership transfers with sales totaling \$212.9 million
- Back-indexed 6300 documents, every document indexed adds value to the search system
- Streamlined e-recording processes and saw a large increase in percentage of documents submitted electronically due to the pandemic. It would have been much more difficult to manage the workload without e-recording.
- Federal Real ID – deadline extended to October 1, 2021 (Proof of name change is required to obtain the real ID through the Wisconsin DMV)
- Wisconsin Department of Financial Institutions (DFI) issued an emergency rule allowing for remote/online notaries to be conducted in the state of Wisconsin which meant new recording guidelines.
- Served as District 5 chairperson for the Wisconsin Register of Deeds Association; served on Wisconsin Register of Deeds Association committees (Operations, Joint Alpha & Public Relations); served as statewide software user group chairperson; performed annual audit of WRDA financials

Community Outreach Programs:



FREE

PROPERTY FRAUD ALERT

Property fraud is one of the fastest-growing white collar crimes.

With **Property Fraud Alert**, you can receive notifications when someone attempts to fraudulently claim your home or property. This service is entirely **FREE** to sign up for.

Be informed. Be alert. Be notified.

www.**PropertyFraudAlert.com**
1.800.728.3858

FIDLAR
TECHNOLOGIES

The advertisement features a red starburst with the word 'FREE' in white. The main title 'PROPERTY FRAUD ALERT' is in a large, bold, black font. Below it, there is a paragraph of text explaining the service. A red house-shaped graphic contains the words 'LEGAL', 'DEED', 'ESTATE', 'STOLEN', 'RESIDENCE', 'RECORD', 'PROPERTY', 'FRAUD', 'NOTICE', 'FORGED', 'ESTATE', 'STOLEN'. The FIDLAR logo is in the bottom right corner.



HONOR REWARDS

LOCAL COUNTY VETERANS!

Sign up for Honor Rewards, and receive:

- Veteran ID Card
- Promotions
- Discounts
- And more!

VISIT WWW.HONORREWARDS.COM TO SIGN UP

The advertisement has a dark blue background with a pattern of white stars. The title 'HONOR REWARDS' is in a white box with a star icon. Below it, the text 'LOCAL COUNTY VETERANS!' is in a large, bold, white font. A list of benefits is provided in white text. At the bottom, there is a red banner with the text 'VISIT WWW.HONORREWARDS.COM TO SIGN UP' in white. The FIDLAR logo is in the bottom left and right corners.

Register of Deeds Deputies:

Annette Larson – full-time

Dawn Andraschko – part-time (30hrs/wk)

Lori Schneider – part-time (20hrs/wk)

A huge thank you to the wonderful Register of Deeds Deputies for their dedication and flexibility as we navigated through the past year. As essential employees, we truly care about the citizens and the county's economic success.

Thank you for your support and I look forward to continuing to serve Dunn County.

Respectfully submitted,

Heather M. Kuhn
Register of Deeds

2020 ANNUAL REPORT VETERAN SERVICES OFFICE

MISSION: To provide assistance to Veterans and dependents with obtaining county, state, and federal benefits through advocacy, information and referral, and direct support.

Members of the Health & Human Services Board

Diane Morehouse, Chair

Bonnie Barker

Gary Stene, Vice Chair

Jody Kromrey

Sarah Kennedy

William Lamb

Sara Schaefer, RN

Larry Bjork

VISION STATEMENT: We are the leadership that advocates for the health, safety, and welfare of Dunn County.

Members of the Veterans Service Commission

Dudley Markham, Chair

Kathleen Cundiff

Marlin Severson



ANNUAL REPORT TO THE COUNTY BOARD

2020 OVERVIEW/SUMMARY

The below overview/summary will describe the outputs in relation to Federal, State, and local Veteran assistance this calendar year. Included will be a special response category in response to the effect the COVID pandemic had on Veteran assistance.

Federal Veteran Benefit assistance

- Veteran Benefits Administration (VBA) continued benefit application processing. However, the in-person access to the Veteran's Administration Regional Offices (VARO) was halted due to the pandemic. This created some difficulty due to these Federal Employees working remote. Although this did not change this office's ability to process and submit benefits applications due to the improvements in the VBA electronic submittal process. There were some delays in outcomes due to compensation and pension examinations halted due to the pandemic. The VA relies upon contracted compensation and pension examinations that were delayed due to access issues due to the pandemic. The VA Board of Veteran's Appeals instituted a virtual appeals process which resulted in limited delays presenting the appeal to the Veteran's Law Judge.
- Veteran Health Administration (VHA) continued health care enrollment application processing. The VHA continued health care but on a limited essential services role and access in 2020 due to the pandemic. This office began submitting the VHA enrollment applications to the national health eligibility center due to delays at the Minneapolis, MN VARO. This allowed quicker processing and approval for local Veterans to get into the health care system. Mid-year the VA began seeing more Veterans in-person for routine annual physicals and non-essential health care. An important improvement to the VA Health Care system was established in 2018 called the Mission Act. This greatly improved access for our Veterans to get local health care with an authorization from the VA.
- The National Cemetery Administration (NCA) continued processing benefits applications for Presidential Memorial Certificates, Grave Markers, Burial Flag reimbursement.

State of Wisconsin Veteran benefit assistance

- The Wisconsin Department of Veterans Affairs (WDVA) staff worked remotely this past year. This created a delay in applications being processed, but for the most part this delay didn't cause hardship.

Dunn County benefit assistance

- The Dunn County Veterans Office provided 40 rides for Veterans to medical appointments covering 6,162 miles. The office assisted 5 Veterans with homeless prevention through rent/security deposit assistance. Lastly, the office assisted 3 Veterans with a combined 19 days of motel stay due to homelessness. The office has captured monthly Veteran impact statements to further assist with the true effect the services have on our Veterans and dependents. Many include financial impact, but others show the collaborative effect with crisis programs dealing with homelessness, suicidal ideation, and drug/alcohol abuse.

COVID Pandemic Effect

- The Dunn County Veterans Office continued normal business procedures meeting in-person with Veterans and dependents to assist with benefits applications. All directed pandemic safety procedures were followed through fiscal year 2020 without any contact tracing phone calls.



DUNN COUNTY

Wisconsin

2020 Budget

1520010010 Veterans Service Office

Projected Budget: \$207,973
 Consumed Budget: \$202,320
 Available Amount: \$5,653.00

1520010020 Veterans Relief

Projected Budget: \$16,746
 Consumed Budget: \$15,493
 Available Amount: \$1,253

1520010900 WDVA Grant

Projected Budget: \$10,000
 Consumed Budget: \$9,810
 Available Amount: \$190

SOLDIERS & SAILORS RELIEF FUND

Wisconsin Statute s.45.81 creates a County Veterans Service Commission to determine aid to needy Veterans. The Veterans Service Commission meets and approves the expenditures for aid to local Veterans.

The Wisconsin Department of Veterans Affairs Transportation Grant and Soldiers and Sailors Relief Fund provided 6,162 miles of transportation that included 40 rides for medical appointments. This is a decrease from previous fiscal year due to the pandemic limiting non-essential health care most of fiscal year.

Assistance from this fund provides grave flag holders, flags, gas, food, rent, indigent burial, mortgage, furnace repair, and heat for Veterans.

FEDERAL VETERANS BENEFITS

	2019	2020
Compensation and Pension	\$10,205,000	\$12,416,000
Education and Vocational Rehabilitation/Employment	\$1,274,000	\$1,455,000
Insurance and Indemnities	\$198,000	\$190,000
Medical Care/Unique Patients	\$9,789,000/968	\$10,257,000/930
TOTAL	\$21,467,000	\$24,318,000

STATE OF WISCONSIN BENEFITS

	2019	2020
Department of Revenue-Property Tax Credit approvals	17	16
Wisconsin GI Bill Tuition/approved	21	24
Aid to Needy Veteran Grant	\$0/1	\$0/0
Wisconsin State Benefits Applications	119	119

NOTEWORTHY ITEMS

	2019	2020
Burial Benefits Processed	201	128
New Client Records added in VETRASPEC	202	517
Total Veteran Records Managed	8453	8970
Medical Equipment Loan Program	542	354
Total Veteran Transportation Miles	9,692	6,162
Registered Discharge Documents	39	6



IMPACT STATEMENTS

- 1) Veteran assisted with Wisconsin Driver's License Veteran Identification in November 2018. At this time, he requested a copy of his military records, applied for VA Health Care, and did an Intent To File. Benefits Specialist reviewed private medical records and Service Treatment Records developing a disability claim approach. He was awarded 70% disability with a retroactive payment of \$18,270. This is an example of the value of a full benefits overview and providing recommendations to the Veteran. He now has this safety net of free health care and a monthly financial security along with free nursing home care at a contracted Veteran nursing home (NDC is an approved facility)
- 2) Veteran has been dealing with Mental Health issues and substance abuse of which both were treated while on active duty. The VA has denied approval as a Service Connected Disability for 20 years. His claim was appealed using very clear and objective evidence from military service and extensive mental health treatment. The VA agreed with the rationale and approved this Veteran at 70% disability providing a necessary safety net. Timing of award was critical, as the family was in need of financial relief assistance to prevent homelessness.
- 3) CVSO submitted a Clear and Unmistakable Error (CUE) appeal for a Veteran's effective date for disability. The VA approved the request resulting in a back payment of \$5,717.16 for this Veteran.
- 4) CVSO submitted a Clear and Unmistakable Error (CUE) appeal for a Veteran's effective date for disability. The VA approved the request resulting in a back payment of \$39,293 for this Veteran.
- 5) CVSO Office submitted an application for eviction prevention to the American Legion Auxiliary Homeless Women's Veteran Assistance program. This female Veteran faced eviction due to job loss. The application was approved within 24 hours and a check was sent to the Veteran's landlord to prevent eviction.
- 6) CVSO Office submitted a Clear and Unmistakable Error (CUE) notice regarding the effective date of a Blue Water Navy Compensation Claim. The result was an approval within one week awarding the Veteran \$12,100 in retroactive pay. This approval is the 4th CUE approval this fiscal year. It reinforces the need for high level review of all claims medical examinations and submittal paperwork to ensure the highest quality of outcomes for our Veterans.
- 7) CVSO Office completed two Higher Level Review appeals for similar cases with both resulting in success. The VA proposed to reduce these Veteran's disability compensations due to a perceived improvement of their mental health. CVSO argued against the reduction based upon 38 CFR 4.20 Interpretation of examination reports. Basis of this argument is that it is the responsibility of examiners to interpret reports in the light of the whole recorded history. It was agreed that the VA did not view their decision based upon this regulation and only used a short timeframe of the medical record. The VA agreed to rescind the prior decisions.
- 8) The Benefits Specialist submitted a claim originally denied in 1971 upon Veteran returning from Vietnam. An exhaustive review of current and past private medical records and service treatment records resulted in justification of re-opening previously denied claim. The VA agreed that a nexus existed and awarded this claim. The award resulted in increased compensation and eligibility for free nursing home care for the future.
- 9) CVSO submitted a Higher Level Review (HLR) due to a VA Clear and Unmistakable Error rationale. The Veteran provided a VA medical doctor opinion for his condition. It was the opinion of the doctor that his chemotherapy medication caused his neuropathy. The Veterans Benefits Administration denied his claim based upon a VA medical exam conducted by a private medical doctor. The end result was that the VA Decision Review Officer contacted our office indicating they were not going to conduct the HLR because the mistake is clear in our narrative rationale. The Veteran was approved for his disability compensation.
- 10) CVSO arrived at the locked front doors of Community Services Building early AM to a Veteran holding a duffle bag. He indicated he was released from the county jail at 5:30 AM and was homeless. CVSO confirmed all information Veteran provided to ensure the correct approach is taken to resolve his basic needs issue. CVSO placed Veteran in a motel for three days while the Veterans Housing and Recovery Program made determination for admittance. Veteran was admitted to program and had all basic needs met within a 4-day timeframe. In addition, the Veteran assisted CVSO with the transport of a donated lift chair to assist another Veteran in need.



IMPACT STATEMENTS (continued)

- 11) Veteran's office conducted a VA Higher Level Review appeal to assist Veteran regarding a mental health claim denied 5 years earlier. The Veteran's Office provided new mental health treatment records and provided the rationale of presumptive of mental and physical soundness at active duty entrance, proof of mental health treatment on active duty after battle buddy's death in combat, and continuity of symptoms from point of symptoms to present treatment. The VA mental health examiner agreed with the rationale and provided a favorable opinion supporting this Veteran.
- 12) The Veteran's office assisted 3 homeless Veterans with financial assistance using the Soldiers and Sailors relief fund in the amount of \$1,103.36. Two Veterans received Security Deposit assistance and their 1st month rent was paid by partnering agencies (MS Society and Stepping Stones). The third Veteran received assistance with hotel stay before being approved the Veteran Housing and Recovery Program homeless program in Chippewa Falls, WI.
- 13) Benefits Specialist reached out to family of deceased Veteran in the summer of 2017 to inform of possible survivors benefits. The 30-year-old Veteran had passed away in an auto accident leaving behind a girlfriend of 10+ years and their young son. In researching the accident, it was evident that the Veteran's service connected PTSD likely played a role in the cause of the accident and the Veteran's death. Multiple attempts and appeals were conducted to assist this family. The result of 3+ years of work on the claim was resulted in the VA making an administrative decision to recognize the Veteran's girlfriend as his "common law" spouse (common law marriage is not legal in WI), and thus making her and the children eligible for benefits. The VA acknowledged that the Veterans PTSD played a material role in the accident that caused his death and granted Dependency Indemnity Care benefits to the family. The family now gets a tax-free payment each month from the VA along with health insurance called CHAMPVA and full eligibility for dependent education benefits.
- 14) Veteran's office coordinated with Dunn County Crisis worker and Veterans Administration to assist intoxicated and suicidal Veteran. From point of contact to stabilization was estimated to be 2 hours. This consisted of coordination for a ride, situational awareness update with Mayo Health System Social Workers, to continual contact with Veteran. Last report from Veteran after detoxification and a voluntary 3-day stay with behavioral health is that he's doing well and has on going behavioral health services occurring.
- 15) Chronically homeless Veteran arrived at office seeking shelter and disclosed suicidal thoughts. Immediately contacted Dunn County Behavioral Health and an assessment was completed. Veteran agreed to self-admit to Mayo emergency room. Mayo Social Work was notified of suicidal Veteran. Soldiers and Sailors provided 3 days' motel stay awaiting approval of Veteran at Veteran's Housing and Recovery Program in Chippewa Falls, WI. Veteran approved for homeless program and is continuing with services at facility. Benefits Specialist provided assistance with Food Share and BadgerCare applications.
- 16) Donations from RE/MAXX - 2 - \$500 gift cards, 2-\$300 gift cards. The realtor provided direct assistance to a Veteran that suffered a recent disabling him. Two months of rental assistance and \$250 direct assistance was provided.
- 17) Benefits Specialist did outreach to surviving spouse of Blue Water Navy Veteran. Discovered file while doing scanning and reached out to surviving spouse to complete Dependency Indemnity Compensation application. Spouse was approved and is now receiving benefits because the cause of death was due to agent orange exposure. This was possible due to additional research and effort in reviewing old files and death certificates that may lead to benefits for Veterans and/or surviving benefits.



COUNTY OF DUNN, WISCONSIN

RESOLUTION NO. _____

2021

BUDGET ADJUSTMENTS

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Dunn, Wisconsin that, effective with the publication of the notices required by law, the budget of the County of Dunn for the year beginning January 1, 2021 is amended by the following amounts to the line item account numbers shown:

<i>Department of Public Health</i>	<i>Expense</i>	<i>Revenue</i>
1510070900 – 435000 State Grants		\$10,000
1510070900 – 511xxx Salary and Fringe	\$7,073	
1510070900 - 539030 Advertising	\$2,427	
1510070900 – 539020 Training	\$ 500	
1510010010 – 485040 Misc Donations		\$100
1510010010 – 539075 Donation Expense	\$100	
	Totals	
	\$10,100	\$10,100

BE IT FURTHER RESOLVED that the County Board authorizes the Department of Administration to enter and maintain the information contained herein in a manner based upon generally accepted accounting standards and that, effective with the publication of the proceedings of this meeting, the following changes are hereby adopted.

Dated the 19th day of May 2021, at Menomonie, Wisconsin.

OFFERED BY THE EXECUTIVE COMMITTEE:

David Bartlett, Chair

ADOPTED ON: _____

ATTEST:

Approved as to Form and Execution:

Christine Soules, Deputy County Clerk

Nicholas P. Lange, Corporation Counsel

Budget Impact: Adoption of this resolution increases the 2021 adopted budget by \$10,100. Adoption of this resolution has no impact upon the current year tax levy.

Background Information:

The Executive Committee has considered the justifications for the proposed 2021 budget adjustments and recommends that the Board adopt the adjustments as being in the best interest of the County.

The following information was provided by department requesting action in support of this resolution.

Department of Public Health

Public Health – Health Dunn right’s contract with the Dunn County Community Foundation has been updated to include an additional \$10,000, that wasn’t included in the original budget.

Public Health received an unexpected donation of \$100.

**DUNN COUNTY, WISCONSIN
ORDINANCE NO. _____**

Amending Chapter 5 of the Code of Ordinances

The Board of Supervisors of the County of Dunn does hereby ordain as follows:

Section 1. Section 5.1.6(g) of the Dunn County Code of Ordinances is amended to read as follows:

5.1.6 Budget Preparation and Execution.

The County Manager shall meet with the Executive Committee (also known as the Budget Committee) early each fiscal year to establish procedures, format and priorities desired in the preparation of the budget, and under his/her supervision shall:

- d) Submit the annual budget for the ~~Administrative Coordinator's~~ County Manager's Office to the Committee on Administration;

Section 2. Section 5.1.8 g) of the Dunn County Code of Ordinances is amended to read as follows:

5.1.8 Personnel Administration.

The County Manager shall:

- g) Appoint and supervise the department heads, except those elected by the people and except where the statutes provide that the appointment shall be made by elected officers; the County Manager shall also supervise all department heads where the law provides that the appointment shall be made by a board or commission, by the chairperson of the county board or by the county board. Notwithstanding any statutory provisions that a board or commission supervise the administration of a department, the department head shall supervise the administration of the department and the board or commission shall perform any advisory or policy-making function authorized by statute. ~~Any appointment by the County Manager under this paragraph requires confirmation by the County Board.~~ Any department head appointed by the County Manager under this paragraph may be removed ~~at the pleasure of~~ by the County Manager.

Section 3. This Ordinance shall become effective upon adoption and publication as required by law. (This section shall not be codified.)

Offered this 19th day of May, 2021, at Menomonie, Wisconsin.

Enacted on: _____

OFFERED BY THE COMMITTEE ON
ADMINISTRATION:

Published on: _____

ATTEST:

Vaughn Hedlund, Chair

Christine Soules, Deputy County Clerk

COUNTERSIGNED:

Approved as to Form and Execution:

David Bartlett, Chair

Nicholas P. Lange, Corporation Counsel

Dunn County Board of Supervisors

**DUNN COUNTY, WISCONSIN
ORDINANCE NO. _____**

**Amending Section 7.2.10 of the Code of Ordinances,
Relating to Disposal of Surplus Property**

The Board of Supervisors of the County of Dunn does hereby ordain as follows:

Section 1. Section 7.2.10 of the Code of Ordinances is repealed and recreated as follows:

7.2.10 Disposal of Surplus Property

- (a) Definition. The term "surplus property" means obsolete, defective or surplus personal property, motor vehicles, equipment or supplies having a saleable value.
- (b) Departments that have surplus property shall report to the Purchasing Agent a description of the property. The Purchasing Agent shall canvass other County departments to determine whether they may use surplus items or supplies. If no County department has need of available surplus property, it may then be sold by the Purchasing Agent. Nothing in this paragraph shall prohibit the trade-in of surplus equipment or supplies.
- (c) Value. The sale price shall be the fair market value as determined by the Purchasing Agent.
- (d) Sale. All sales of surplus property shall be scheduled and conducted by the Purchasing Agent. The sale may be by private or public sale via the county website or on-site, on the open market or under competitive bids, whichever method is deemed most advantageous to the County.
- (e) Surplus property may be withheld from sale or trade-in and retained in a used property pool controlled and administered by the Purchasing Agent, such property to be utilized as needed by County departments.
- (f) The Purchasing Agent may designate responsibility for administering the disposal of surplus property, and is authorized to develop policies and procedures relating to disposal of surplus property.
- (g) Storage. Where feasible, a central location for the storage of surplus property designated for sale shall be established and maintained by the Facilities Division.
- (h) Sales taxes. The sale of surplus property to private purchasers shall have sales taxes charged and collected. The sale of surplus properties to governmental agencies, or other tax exempt bodies, shall have no sales tax charged. Any sales tax collected shall be remitted to the state.
- (i) Proceeds. The proceeds from the surplus property sale shall be paid to the County Treasurer, and shall be recorded in a revenue account established for such purpose.

Section 2. This Ordinance shall become effective upon adoption and publication as required by law. (This section shall not be codified.)

Offered this 19th day of May, 2021, at Menomonie, Wisconsin.

Enacted on: _____

OFFERED BY THE COMMITTEE ON
ADMINISTRATION:

Published on: _____

ATTEST:

Vaughn Hedlund, Chair

Christine Soules, Deputy County Clerk

COUNTERSIGNED:

Approved as to Form and Execution:

David Bartlett, Chair
Dunn County Board of Supervisors

Nicholas P. Lange, Corporation Counsel

**DUNN COUNTY, WISCONSIN
RESOLUTION NO. _____**

Appointing Andrew Mercil to the Office of County Clerk

NOW, THEREFORE, BE IT RESOLVED by the Dunn County Board of Supervisors that effective May 24, 2021, Andrew Mercil is appointed Dunn County Clerk for the remainder of the unexpired term of office.

BE IT FURTHER RESOLVED that the Department of Administration is authorized to take any and all actions necessary for the implementation of this resolution.

Offered this 19th day of May, 2021, at Menomonie, Wisconsin.

OFFERED BY THE COMMITTEE ON
ADMINISTRATION:

Adopted on: _____

Vaughn Hedlund, Chair

ATTEST:

Approved as to Form and Execution:

Christine Soules, Deputy County Clerk

Nicholas P. Lange, Corporation Counsel

Budget Impact: No budget impact.

Background Information: There is currently a vacancy in the office of County Clerk due to the resignation of former County Clerk Julie Wathke. Deputy Clerk Christine Soules has been fulfilling the responsibilities of the Office of County Clerk, pursuant to state statute. As the oversight committee for the County Clerk's Office, the Committee on Administration solicited and interviewed candidates for the vacant office with an objective of recommending a candidate to the County Board of Supervisors for appointment. The Committee is recommending that Andrew Mercil, of Menomonie, Wisconsin, be appointed Dunn County Clerk for the remaining term of office.

**DUNN COUNTY, WISCONSIN
RESOLUTION NO. _____**

**Authorizing a One Time Payment to Employees at The Neighbors of Dunn County and
County Public Health Department in Recognition of Their Efforts During the COVID-19
Pandemic**

NOW, THEREFORE, BE IT RESOLVED, that the Dunn County Board of Supervisors hereby approves a one-time payment of up to \$2,500 to employees actively working at The Neighbors of Dunn County or the County Public Health Department as of June 19, 2021 as a retention bonus for their extraordinary efforts during this unprecedented time.

BE IT FURTHER RESOLVED, the two (2) employees who were primarily assigned to The Neighbors of Dunn County as Facilities Workers were essential for the continued operations during the pandemic, and are approved to receive this one-time payment as long as they are actively employed as of June 19, 2021.

BE IT FURTHER RESOLVED, that the amount of the one-time payment shall be indexed to the amount of time the employee was impacted based on the average hours worked for the county and any employee may decline this payment by notifying their supervisor.

Offered this 19th day of May, 2021, at Menomonie, Wisconsin.

OFFERED BY THE COMMITTEE ON
ADMINISTRATION:

Adopted on: _____

Vaughn Hedlund, Chair

ATTEST:

Approved as to Form and Execution:

Christine Soules, Deputy County Clerk

Nicholas P. Lange, Corporation Counsel

Budget Impact: The estimated cost for providing this one-time payment is \$393,545.93. There is no levy impact, as Provider Relief Funds will be used to provide these one-time payments to employees.

Background Information:

In December 2019 a novel strain of coronavirus known as COVID-19 was discovered. It was declared a pandemic by the World Health Organization, and the US Department of Health and Human Services, Wisconsin Governor Evers, and the Dunn County Board each made separate emergency declarations during the first quarter of 2020. Former President Donald Trump declared a national emergency on March 13, 2020, under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, due to the spread of the coronavirus, which as a result of this declaration, provided certain costs associated with the pandemic be reimbursable for nursing homes and public health agencies.

Providing client care required revisiting most standard operating procedures at both The Neighbors of Dunn County and the County Public Health Department and required extraordinary efforts by all county employees in those departments to maintain services in unprecedented ways.

Throughout 2020, the Neighbors of Dunn County and the County Public Health Department received Provider Relief Funds to utilize to insure the services they provide could be maintained safely and effectively throughout the pandemic. These funds were used to purchase personal protective equipment, establish proper screening and testing criteria, and offset additional expenses incurred due to operational changes required due to the pandemic.

Recruitment and retention were identified as eligible expenses for utilization of the Provider Relief Funds. Administration has worked with the Neighbors of Dunn County and the County Public Health Department to develop strategies to retain and reward these essential employees who have shown an extraordinary effort throughout the pandemic and in some cases, to temporarily modify existing policies.

A one-time payment program has been recommended for these employees based on the average number of hours they worked between March 1, 2020 and January 31, 2021, the eligibility dates for the Provider Relief Funds received.

The following two conditions must both be met in order to be eligible:

1. Must be identified as a provider according to the Provider Relief Funds (provide health care, services, or support in a medical setting, at home or in the community).
2. Must be identified as “essential” according to the FFCRA and the temporary policy established by the County.

The payment schedule recommended is as follows:

Average hours per pay period	Amount
80+	\$2,500.00
45 -79.99	\$2,000.00
20-44.99	\$1,500.00
<20	\$1,000.00

To be eligible to receive the payment on the second pay period in June, employees must be actively employed on June 19, 2021.

DUNN COUNTY, WISCONSIN
ORDINANCE NO. _____

**Repealing and Recreating Chapter 16 of the Code of Ordinances,
Relating to Land Division, Condominium and Surveying Regulations**

The Board of Supervisors of the County of Dunn does hereby ordain as follows:

Section 1. Chapter 16 of the Code of Ordinances is repealed and recreated to read as follows:

See Attachment A, incorporated by reference herein, as if fully set forth.

Section 2. This Ordinance shall become effective upon adoption and publication as required by law. (This section shall not be codified.)

Offered this 19th day of May, 2021, at Menomonie, Wisconsin.

Enacted on: _____

OFFERED BY THE PLANNING, RESOURCES
AND DEVELOPMENT COMMITTEE:

Published on: _____

ATTEST:

Thomas Quinn, Chair

Christine Soules, Deputy County Clerk

COUNTERSIGNED:

Approved as to Form and Execution:

Nicholas P. Lange, Corporation Counsel

David Bartlett, Chair
Dunn County Board of Supervisors

Background Information: This is a proposed repeal and re-creation of Chapter 16 of the Code of Ordinances, relating to division of land and condominium regulations. A public hearing was held before the Planning, Resource and Development Committee on April 13, 2021. Based on the information presented at the public hearing, and the language of the proposed ordinance, the Committee recommends adoption.

CHAPTER 16

LAND DIVISION, CONDOMINIUM, AND SURVEYING REGULATIONS

Subchapter I – General Provisions

- 16.01 Title
- 16.02 Authority
- 16.03 Purpose
- 16.04 Definitions
- 16.05 Geographic Jurisdiction
- 16.06 Land Divisions Governed By This Chapter
- 16.07 Parcel Combinations and Reconfigurations
- 16.075 Maximum Residential Density
- 16.08 Classification of Land Divisions
- 16.09 Suitability Standards
- 16.10 Division by Plat of High Value Agricultural Land
- 16.11 Limitations on Large Lot, Unsewered Developments in Areas With Potential For Sanitary Sewer Service
- 16.12 Compliance and Requirements
- 16.13 Abrogation and Greater Restrictions
- 16.14 Construction
- 16.15 Severability
- 16.16 Nonliability

Subchapter II – Certified Survey Maps

- 16.20 Pre-Application Consultation
- 16.21 Certified Survey Maps
- 16.22 Retracement Certified Survey Maps

Subchapter III - Plats

- 16.30 Pre-Application Consultation
- 16.31 Application and Review – County and State Plats
- 16.32 Preliminary Plats
- 16.33 Final Plats
- 16.34 Recording of Final Plat
- 16.35 Replats; Vacations or Alterations in Recorded Plats
- 16.36 Improvements

Subchapter IV – Surveying Regulations and Design Standards

- 16.40 Surveying Requirements and General Provisions
- 16.41 Design Standards - General
- 16.42 Surface Drainage and Erosion Control
- 16.43 Streets and Roads
- 16.44 Access
- 16.45 Blocks
- 16.46 Lots
- 16.47 Lands Near Water's Edge
- 16.48 Parks, Playgrounds, Schools and Open Space

Attachment A

- 16.49 Utility Placement
- 16.50 Dedications

Subchapter V – Condominium Developments

- 16.70 Condominium Developments

Subchapter VI – Administration

- 16.80 Planning, Resource, and Development Committee
- 16.81 Administration and Enforcement
- 16.82 Fees
- 16.83 Variances
- 16.84 Appeals
- 16.85 Enforcement
- 16.86 Amendment

SUBCHAPTER I – GENERAL PROVISIONS

1 **16.01 TITLE.** This chapter shall be known as the “Dunn County Land Division, Condominium,
2 and Surveying Regulations Ordinance” and is referred to as the “Ordinance” in this chapter.

3 **16.02 AUTHORITY.** This chapter is adopted under the authority granted by Wis. Stat. §§ 59.69,
4 59.692, 236.45, 281.31, and Chapter 703, Wis. Stats.

5 **16.03 PURPOSE.** The regulations in this chapter are adopted for the following purposes:

6 (1) To promote the wise use, conservation, protection, and property development of Dunn
7 County’s soil, water, wetland, woodland, and wildlife resources, and to achieve a balanced rela-
8 tionship between land use and development and supporting and sustaining Dunn County’s natu-
9 ral resource base;

10 (2) To establish reasonable design standards and land division procedures to facilitate the orderly
11 and well-planned layout, division, use, and development of land in Dunn County, and to prevent
12 overcrowding of land and undue congestion of population;

13 (3) To secure safety and resiliency from disastrous storms, fire, flood, pollution, disease and
14 other hazards and to help minimize expenditures for emergency response and disaster relief and
15 other mitigation actions;

16 (4) To ensure adequate and efficient transportation, water, sewerage, stormwater drainage,
17 schools, parks, playgrounds, recreation, and other facilities;

18 (5) To ensure that the design of the transportation system will not have a negative long-term ef-
19 fect on neighborhood quality, traffic, and pedestrian movement and safety;

20 (6) To prevent and control erosion, sedimentation, and other pollution of air and water, ensure
21 the adequacy of drainage facilities, and safeguard subsurface water;

22 (7) To prevent destruction or impairment of environmentally sensitive areas;

23 (8) To conserve high value agricultural land;

Attachment A

24 (9) To protect and provide for the public health, safety, and general welfare of Dunn County and
25 its municipalities;

26 (10) To guide the future growth and development of Dunn County in accordance with the com-
27 prehensive plan;

28 (11) To ensure a system for review of proposed condominium instruments that is identical to the
29 review procedures for land divisions. Such review of condominiums is deemed appropriate be-
30 cause they function in the same manner and have the same neighborhood and environmental im-
31 pacts as land divisions.

32
33 **16.04 DEFINITIONS.** For purposes of this chapter, certain words and terms shall have the fol-
34 lowing meanings:

35 Alley: A public or private right-of-way primarily designed to serve as secondary access to the
36 side or rear of those properties whose principal frontage is on a street.

37 Applicant: The owner of land proposed to be subdivided or the owner's representative who shall
38 have express written authority to act on behalf of the owner.

39 Block: A platted tract of land bounded by streets or by a combination of streets and public parks,
40 or other recognized lines of demarcation.

41 Building: Any structure built for the support, shelter, or enclosure of persons, animals, chattels,
42 or movable property of any kind, and which is permanently affixed to the land.

43 Certified Survey Map: A map of a division of land into four (4) lots or less prepared in accord-
44 ance with Ch. 236, Wis. Stats., and the terms of this chapter may be referred to as a CSM.

45 Committee: The Dunn County Planning, Resource and Development Committee authorized by
46 Wis. Stat. §59.69.

47 Contiguous: Parcels of land sharing a common boundary. Parcels that meet at only a single point
48 are not considered contiguous.

49 Contiguous Buildable Area: The area of a lot for building use and sufficient area suitable for the
50 entire on-site wastewater treatment system and its replacement, exclusive of environmentally
51 sensitive areas, zoning and shoreland setbacks, navigable waterways, road rights-of-way, and ac-
52 cess easements.

53 Contiguous Tract: All of a contiguous area of land in which title is held under identical owner-
54 ship. Contiguous parcels under identical ownership are considered to be one (1) parcel for the
55 purpose of this definition, even though separate parcels may have separate tax identification
56 numbers or were acquired at different times or from different persons. Contiguous parcels shall
57 be treated as a single parcel or tract for the purposes of this ordinance unless they are bisected by
58 an existing public highway, railroad, or meandered body of water. An un-meandered or intermit-
59 tent stream, creek or drainage ditch does not bisect a contiguous tract. Each lot or outlot within a
60 recorded Plat or Certified Survey Map shall be considered as its own contiguous tract.

61 County: Dunn County, including any agency, department or committee thereof.

62 County Plat: The creation of five (5) or more lots from a contiguous tract, of which no more than
63 four (4) lots are one and one-half (1½) acres or less in area, either by a division or by successive
64 divisions within a five (5) year period.

Attachment A

65 County Surveyor: The County employee responsible for performing the duties prescribed in Wis.
66 Stat. § 59.45.

67 Cul-de-sac: A local road with only one vehicular outlet and having an appropriate terminal for
68 the safe and convenient reversal of traffic movement.

69 Days: Shall refer to calendar days.

70 Department: The Dunn County Environmental Services Department.

71 Division: See “Land Division.”

72 Dryland Access: A vehicular access route which is above the regional flood elevation and which
73 connects land located in the floodplain to land outside the floodplain, such as a road with its sur-
74 face above regional flood elevation and wide enough for wheeled rescue and relief vehicles.

75 Dwelling Unit: A residential structure or portion thereof, containing separate and complete living
76 area, for one family, not including boarding houses, camping trailers, hotels, motor homes, or
77 motels.

78 Easement: The portion of land set aside or over which, a liberty, privilege, or advantage in land
79 without profit, existing distinct from the ownership of land, is reserved for the public, utility, or
80 some particular person, corporation or part of the public for limited right of use.

81 Environmentally sensitive area: Areas identified as being environmentally sensitive include all of
82 the following:

83 (a) All wetlands, including a 75-foot buffer.

84 (b) All areas mapped as floodplain by the Federal Emergency Management Agency (FEMA), the
85 Wisconsin Department of Natural Resources, or any other public or private entity.

86 (c) All areas within seventy-five (75) feet of the ordinary high water mark of navigable streams
87 and lakes.

88 (d) All areas having slopes of 20% and greater.

89 (e) Burial sites and Indian mounds.

90 (f) Perennial and intermittent streams, springs, and other drainage ways that contain running wa-
91 ter during spring runoff or during storm events, including a 25-foot buffer.

92 Extraterritorial plat approval jurisdiction: The unincorporated area within three (3) miles of the
93 corporate limits of a first, second or third class city or one and one half (1½) miles of a fourth
94 class city or village.

95 Final Plat: A subdivision prepared in compliance with the provisions of Chapter 236, Wis. Stats.,
96 and the terms of this chapter.

97 Floodplain: Land which has been or may be covered by flood water during the regional flood. It
98 includes the floodway and the flood fringe, and may include other designated floodplain areas
99 for regulatory purposes. Floodplains are regulated by Chapter 15, Dunn County Code of Ordi-
100 nances.

101 Frontage: The length of the front property line of the lot or tract of land abutting a public or pri-
102 vate street, road, highway, public right-of-way, or navigable water body.

103 Improvement: The act of changing or enhancement that alters the present condition.

104 High Water Elevation (H.W.E.): The H.W.E. shall be calculated, assuming developed condi-
105 tions, using the critical 100-year storm event for closed depressions and stormwater ponds.

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- 106 Land Division: The act of creating one (1) or more new separately described parcels.
- 107 Lot: A parcel of land legally created by Plat or Certified Survey Map.
- 108 Lowest Building Opening (L.B.O.): The lowest window, door or other inlet elevation at which
109 water may enter a building.
- 110 Meander line: The traverse of the margin of a permanent natural body of water.
- 111 Meandered body of water: A permanent natural body of water where a meander line was sur-
112 veyed by the original Government Land Office and government lots were platted along its
113 boundary.
- 114 Minor Subdivision: Certified survey map.
- 115 Municipality: All units with local self-government.
- 116 Navigable Water: Waters deemed navigable under the navigable-in-fact principle of Chapter 30,
117 Wis. Stats.
- 118 Nonconforming Structure: As defined in section 13.7.0 of the Dunn County Code of Ordinances.
- 119 Ordinary High Water Mark (OHWM): The point on the bank or shore up to which the presence
120 and action of surface water is so continuous as to leave a distinctive mark, such as by erosion,
121 destruction or prevention of terrestrial vegetation, predominance of aquatic vegetation, or other
122 easily recognized characteristics. Where the bank or shore at any particular place is of such char-
123 acter that it is difficult or impossible to ascertain where the point of ordinary high-water mark is,
124 recourse may be had to the opposite bank of a stream or to other places on the shore of a lake or
125 flowage to determine whether a given stage of water is above or below the ordinary high-water
126 mark.
- 127 Outlot: A non-buildable parcel of land, other than a lot or block, intended for transfer of owner-
128 ship or private right-of-way, which does not meet the requirements of a lot at the time of platting,
129 is intended for open space or other use and held in common ownership, or is transferred to a pub-
130 lic agency or utility. An outlot may be a private road or alley, a non-buildable parcel having poor
131 soils or topographic conditions, or a remnant parcel. An outlot may not be used as a building site
132 unless it is in compliance with restrictions imposed under this ordinance with respect to building
133 sites. Outlots shall not be used to circumvent the intent of this ordinance.
- 134 Owner: Any person, group of persons, firm, corporation or any other legal entity having legal ti-
135 tle to the land sought to be divided under this chapter.
- 136 Parcel: A piece of land held in one ownership.
- 137 Person: Person in this chapter shall include any natural person, corporate entity, or statutory en-
138 tity.
- 139 POWTS: Private Onsite Wastewater Treatment System
- 140 Preliminary Plat: A map showing the features of a proposed subdivision submitted to the Com-
141 mittee for purposes of preliminary consideration.
- 142 Plat: The preliminary or final map of a County or State Plat or Assessor's Plat.

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143 Regional Flood: A flood determined to be representative of large floods known to have occurred
144 in Wisconsin. A regional flood is a flood with a one (1) percent chance of being equaled or ex-
145 ceeded in any given year, and if depicted on the Flood Insurance Rate Map (FIRM), the Regional
146 Flood Elevation (RFE) is equivalent to the Base Flood Elevation (BFE).

147 Remnant: The remainder of a former contiguous tract which would be unaffected by the pro-
148 posed land division.

149 Replat: The process of changing, or the map or plat which changes, the boundaries of a recorded
150 plat, certified survey map or a part thereof.

151 Restrictive Covenant: Written stipulations regarding development which the owner(s) must abide
152 by and be governed by the owner(s) of interest unless otherwise so stipulated, that may not be
153 less restrictive than any local ordinance.

154 Retracement Certified Survey Map: A certified survey map that retraces, identifies and locates
155 the boundaries of an existing parcel(s) of land where no new additional parcels are created.

156 Right-Of-Way: A strip of land occupied or intended to be occupied by a road, railroad, utility
157 line, or for other special purposes, and normally requiring public dedication where public
158 maintenance is involved.

159 Road: A way for vehicular traffic that provides vehicular access to lots, not including access
160 driveways within lots.

161 Sewage Disposal System, Private a/k/a Private On-Site Waste Treatment System: An on-site sep-
162 tic, aerobic, experimental, holding, or other system approved for use by the Department of Com-
163 merce.

164 State Plat: A map of a division of land prepared in accordance with Ch. 236, Wis. Stats. and the
165 terms of this chapter where:

- 166 (a) The act of division creates five (5) or more lots of one and one-half (1½) acres each or less in
167 area; or
168 (b) Five (5) or more lots of one and one-half (1½) acres each or less in area are created by suc-
169 cessive divisions within a period of five (5) years.

170 Stream: A channel appearing as dashed or solid blue lines on the USGS 7.5 minute quadrangle
171 map or that meets the following definition: A watercourse having a readily discernable source
172 and terminus, banks and beds, through which water flows at least periodically. It does not lose its
173 character as a watercourse even though it may break up and disappear temporarily and reappear
174 downstream.

175 Street: A public or private right-of-way which affords a primary means of vehicular access to
176 abutting properties, whether designated as a street, avenue, highway, road, boulevard, land,
177 throughway, or however otherwise designated, but excepting driveways to buildings.

178 Subdivider: Any person, corporation or authorized agent who undertakes the subdivision of land
179 as defined in this section.

180 Subdivision: A land division which is affected under this chapter by a certified survey map or
181 plat.

182 Surveyor: A person who surveys land and is duly licensed in the State of Wisconsin.

183 Tract: A contiguous area of land.

184 Utility Easement: An easement to place, replace, maintain, or move utility facilities, such as tele-
185 phone, water, sewer, gas, and cable television.

186 Variance: A departure from the terms of this chapter as applied to a specific building, structure,
187 or parcel of land, which the Committee may permit, pursuant to this chapter.

188 Wetlands: Those areas identified on the DNR Surface Water Data Viewer or mapped by a DNR
189 certified wetland delineator as either mapped wetlands, or wetland indicators and soils.

190 **16.05 GEOGRAPHIC JURISDICTION.** The provisions of this chapter shall apply to all land
191 and water within the geographical boundaries of Dunn County, Wisconsin, except within any in-
192 corporated city or village. Where a duly adopted town ordinance regulating the division of land
193 is more restrictive than this chapter, the town shall be responsible for enforcement of all more
194 restrictive ordinance requirements.

195 **16.06 LAND DIVISIONS GOVERNED BY THIS CHAPTER.**

196 (1) The provisions of this chapter shall apply to:

197 (a) All divisions and conveyances of land, including land contracts, and combination or recon-
198 figuration of lots or outlots.

199 (b) Any remnant portion of a contiguous tract.

200 (c) All certified survey maps, non-restrictive to size, including retracement certified survey maps
201 and certified survey maps created for mortgage purposes.

202 (2) The following are exempt from the requirements of this chapter:

203 (a) Divisions of less than 5 parcels by transfers of interests in land by will or pursuant to court
204 order.

205 (b) Divisions of less than 5 parcels by leases for a term not to exceed ten (10) years, mortgages,
206 or easements.

207 (c) Divisions of less than 5 parcels by the sale or exchange of parcels of land between owners of
208 adjoining property if additional lots are not thereby created and the lots resulting are not re-
209 duced below the minimum sizes required by this chapter or other applicable laws or ordi-
210 nances. For the purpose of this subsection, any fractional part of a lot or outlot intended to be
211 conveyed to an adjoining landowner, or any parcel of land that is not part of a lot or outlot
212 intended to be conveyed to an owner of an existing lot or outlot shall be considered to be an
213 additional lot.

214 (d) Assessor's Plats made under Wis. Stat. § 70.27, provided, however, that such plats shall meet
215 all requirements specified in Wis. Stat. §§ 70.27 and 236.03(2).

216 (e) Creation or transfer of parcels of twenty (20) acres or greater in size, or that can be described
217 as an equal rectangular half (1/2) of an entire government protracted quarter-quarter section
218 or government lot as defined by the original public land survey system that does not front on
219 a meandered body of water, none of which may be bisected by a public highway.

220 (f) Cemetery plats made under Wis. Stat. §157.07.

221 (g) Divisions of land relating to the acquisition or exchange of land by public agencies, for pub-
222 lic use and occupancy, including but not limited to, land divisions made for road construction
223 purposes.

224

225 **16.07 PARCEL COMBINATIONS AND RECONFIGURATIONS.**

226 (1) The combination or reconfiguration of two or more adjoining lots or outlots of a certified sur-
227 vey map or plat shall require the preparation of a new certified survey map in compliance with

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228 all provisions of this chapter, except as provided in section 16.07(3), and shall be subject to re-
229 view by the Department.

230 (2) Existing parcels may be reconfigured in accordance with Wis. Stat. § 236.34. A certified sur-
231 vey map may be used to reconfigure no more than four (4) lots or outlots within a recorded plat,
232 or CSM, provided that the reconfiguration:

233 (a) Does not result in a subdivision as defined by Wis. Stat. § 236.02(12)(am); and

234 (b) Creates parcels that comply with applicable county and other local ordinances, minimum lay-
235 out requirements in Chapter 236, Wis. Stats., and, if served with private sewerage facilities,
236 Wis. Admin. Code SPS 383 & 385; and

237 (c) Does not change areas previously dedicated to the public; and

238 (d) Does not change a restriction or easement placed on the platted land.

239 (3) Combinations or reconfigurations that include existing non-conforming lots or outlots shall
240 not be permitted if any additional non-conformity is created thereby, or that results in any lot or
241 outlot being reduced to an area of less than 20,000 square feet.

242 **16.075 MAXIMUM RESIDENTIAL DENSITY.**

243 (1) For contiguous tracts subject to county zoning, the maximum residential density shall be de-
244 termined in accordance with the Dunn County Comprehensive Zoning Ordinance.

245 (2) For contiguous tracts not subject to county zoning:

246 (a) The maximum density shall be 1 residential parcel per 8 acres (1:8).

247 (b) The allowable number of residential parcels shall be calculated by dividing the area of the
248 contiguous tract by 8. No rounding shall be permitted.

249 (c) Any dwelling unit existing on a contiguous tract shall count as a parcel in determining the
250 maximum residential density allowed under this subsection.

251 (d) Parcels of land existing on [Insert date of adoption] greater than 8 acres and smaller than 16
252 acres may be divided to create one additional parcel.

253 (e) It is recommended prior to any division or conveyance affected by this section, the owner/ap-
254 plicant/developer contact the county surveyor's office for maximum allowable residential
255 density on the contiguous tract.

256 **16.08 CLASSIFICATION OF LAND DIVISIONS.** Land divisions are classified under this
257 chapter as either:

258 (1) Minor Subdivision. Creation of a lot smaller than 20 acres from a contiguous tract shall re-
259 quire a certified survey map. A maximum of 5 lots smaller than 20 acres may be created within a
260 contiguous tract in a 5-year period. Certified survey maps shall be prepared and submitted for re-
261 view approval, dedication, and recording as required by this chapter and Ch. 236, Wis. Stats., as
262 applicable.

263 (2) County Plat.

264 (a) County plats, while resembling state plats, are not subject to state administration review, but
265 are subject to the surveying requirements of chapter 236, Wis. Stats., and shall be prepared and
266 submitted for review, approval, dedication, and recording as required by this chapter.

267 (b) Creation of 5 or more lots of less than 1½ acres by a division or successive divisions within a
268 period of 5 years within the contiguous tract meets the definition of state subdivision and is sub-
269 ject to state administrative review and the requirements for state plats under this chapter.

270 (3) State Plat. Land divisions meeting the definition of state subdivisions are subject to manda-
271 tory state review under Ch. 236, Wis. Stat., as well as county review under this chapter.

272 **16.09 SUITABILITY STANDARDS.**

273 (1) Pursuant to Wis. Stat. § 236.45, the county is authorized and may prohibit the division of
274 lands where such prohibition will serve to carry out the purposes set forth in this chapter. The
275 county may also regulate the manner of land division in areas where divisions are permitted.

276 (2) The suitability standards of this section are in addition to standards set forth in other land reg-
277 ulatory ordinances applicable to the county.

278 (3) These suitability standards shall be applied to all proposed land divisions under the authority
279 stated herein.

280 (4) No land shall be divided which is held unsuitable for its proposed use for the reasons of
281 flooding, inadequate drainage, adverse soil or rock formation, severe erosion potential, unfavora-
282 ble topography, inadequate or contaminated water supply or sewage disposal capabilities,
283 groundwater contamination susceptibility, or any other feature or circumstance likely to result in
284 the imposition of unreasonable costs to remedy severe and avoidable problems or to be harmful
285 to the health, safety, or general welfare of the future residents of the land division or of the com-
286 munity.

287 (5) Lands deemed unsuitable may, with the approval of the Committee, be divided and
288 designated as an outlot. It must be noted on the face of the certified survey map or plat that the
289 outlot is unsuitable for habitable structures, sanitary facilities or other development uses.

290 **16.10 DIVISION BY PLAT OF HIGH VALUE AGRICULTURAL LAND.**

291 (1) It is declared to be the policy of Dunn County to make a conscious effort to preserve the agri-
292 cultural use of land which, because of soil characteristics, aggregate acreage, proximity to other
293 farms or other pertinent characteristics, has high value for continued farm uses to meet the food
294 and fiber needs of the county, region, state and nation. Such areas shall include, but not be lim-
295 ited to, those areas identified as being farmland preservation plan certified according to the Dunn
296 County Comprehensive Plan. In the interest of furthering the orderly use of land, preserving the
297 character of these portions of the county, and encouraging the use of land most appropriate to the
298 essential nature of the land itself, land divisions by plat shall be discouraged from intruding on
299 areas of high agricultural value.

300 (2) The Committee, in determining the agricultural value, may seek the advice of the county land
301 and water conservationist, U.S. Dept. of Agriculture Natural Resources Conservation Service,
302 assessors, affected town or municipality and any other county or state agency which would be of
303 assistance in making such a determination.

304 **16.11 LIMITATIONS ON LARGE LOT, UNSEWERED DEVELOPMENTS IN AREAS**
305 **WHICH HAVE POTENTIAL FOR SANITARY SEWER SERVICE.** It is declared to be the
306 policy of Dunn County to encourage sanitary sewer service for subdivided developments. In the
307 interest of promoting the orderly use and development of lands and facilitating adequate provi-
308 sions for sewage services, the following standards shall apply to all land divisions:

309 (1) Developments that can be connected to sanitary sewage collection and treatment facilities at
310 the time of development shall have all laterals and services to the property line installed in the
311 course of development and shall be connected to the available treatment system prior to occu-
312 pancy.

313 (2) Developments in areas wherein sanitary sewage treatment service can reasonably be expected
314 to be available within 5 years of the date of recording of the plat shall have a sewage collection
315 system including services to the property lines installed prior to completion and occupancy. Such
316 collection systems within the boundaries of the tract shall be capped pending availability of a
317 connection to the expected treatment system. The Committee shall make diligent inquiry into all
318 municipal, state, and federal policies which bear upon the likelihood that service will, in fact, be
319 provided on schedule. If payments from the subdivider and/or owner are a precondition to provi-
320 sion of a sewage service, the requirement that appropriate funds be placed in escrow may be im-
321 posed.

322 **16.12 COMPLIANCE AND REQUIREMENTS.**

323 (1) Land divisions subject to this chapter shall comply with the following applicable rules and
324 regulations:

325 (a) Chapters 59, 70, 87, 92, 15, 236, and 281, Wisconsin Statutes.

326 (b) For state approved subdivision plats, the rules of the Wisconsin Department of Administra-
327 tion (DOA) regarding that agency's administration of Chapter 236, Wisconsin Statutes.

328 (c) State law regulating sanitation and sewerage.

329 (d) Rules of the U.S. Army Corps of Engineers and U.S. Environmental Protection Agency.

330 (e) Rules of the Wisconsin Department of Transportation and the Dunn County Highway De-
331 partment relating to safety of access and preservation of the public interest and investment in
332 the highway system if the land owned or controlled by the subdivider abuts a County or State
333 trunk highway or connecting highway or street.

334 (f) Statutory requirements regulating development within floodplain, wetland and shoreland ar-
335 eas, and Standard Best Management Practices, including Chapter 30, Wis. Stats., and Wis.
336 Admin. Code Chapters NR 102, 103, 115, 116, 118, and 151.

337 (g) Applicable county and local regulations, including zoning, erosion and stormwater manage-
338 ment, and sanitary ordinances.

339 (h) Comprehensive plans or plan components adopted by the county or local municipalities.

340 (i) All other applicable ordinances and state and federal regulations.

341 (2) No land division shall be approved if any part of the contiguous tract has delinquent taxes or
342 outstanding special assessments.

343 (3) An offer or contract to convey a lot in a proposed land division shall state on its face that it is
344 contingent on final approval and shall be void if the land division is not approved and recorded.

345 **16.13 ABROGATION AND GREATER RESTRICTIONS.**

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346 (1) It is not intended by this chapter to repeal, abrogate, annul, impair or interfere with any exist-
347 ing easements, covenants, deed restrictions, agreements, ordinances, rules, regulations or permits
348 previously adopted or issued pursuant to law. However, wherever this chapter imposes greater
349 restrictions, or conflicts with any other ordinance, statute or administrative rule, the more restric-
350 tive provision shall govern.

351 (2) Notwithstanding subsection (1), to the extent that this chapter contains time limits, deadlines,
352 notice requirements or other provisions that provide protections for an applicant contained in
353 Chapter 236, Wis. Stats., the provisions contained in Chapter 236 shall apply.

354 **16.14 CONSTRUCTION.** In the interpretation and application of the provisions of this chapter,
355 requirements shall be held to be the minimum requirements and shall be liberally construed in
356 favor of Dunn County, and shall not be deemed a limitation or repeal of any other power granted
357 by the Wisconsin statutes. References to Wisconsin statutes and administrative code sections
358 shall include all subsequent amendments and successor sections.

359 **16.15 SEVERABILITY.** If any section, clause, provision, or portion of this chapter is adjudged
360 unconstitutional or invalid by a court of competent jurisdiction, the remainder of this chapter
361 shall not be affected thereby.

362 **16.16 NONLIABILITY.**

363 (1) In carrying out any of the provisions of this chapter or in exercising any power or authority
364 granted to them thereby, there shall be no personal liability upon the Department, its agents and
365 employees. In such matters, it is understood that the Department, its agents or employees act as
366 agents and representatives of the County.

367 (2) The County does not guarantee, warrant, or represent that only those areas designated as
368 floodplains will be subject to periodic inundation and that those soils listed as being unsuited for
369 specific uses are the only unsuited soils within the County and thereby asserts that there is no lia-
370 bility on the part of the County, its agencies, or employees for sanitation and water supply prob-
371 lems or structural damages that may occur as a result of reliance upon, and conformance with
372 this chapter.

373

SUBCHAPTER II – CERTIFIED SURVEY MAPS

374 **16.20 PRE-APPLICATION CONSULTATION.**

375 (1) Prior to submitting an application for County approval of a Certified Survey Map, it is
376 recommended that the applicant or agent schedule a pre-application consultation to meet with the
377 Department to discuss the location and nature of the proposed project.

378 (2) Based upon information provided in the pre-application consultation, the Department shall
379 explain to the applicant:

380 (a) Whether the proposal will require County and/or State reviews.

381 (b) Which standards of this chapter and Ch. 236, Wis. Stats. will apply to the land division.

382 (c) The procedure to follow to submit a land division for review.

383 **16.21 CERTIFIED SURVEY MAPS.**

384 (1) All certified survey maps shall be prepared by a professional land surveyor licensed in the
385 State of Wisconsin.

386 (2) The subdivider or their designated agent, shall submit a minor subdivision application form
387 provided by the Department, one (1) copy of the certified survey map, the required review fee
388 and, if applicable, a maintenance and repair agreement as required by section 16.43(3)(g) to the
389 Department. Upon receipt of all items required in the submission, the Department shall transmit
390 one (1) copy of the application and the certified survey map to each of the following authorities:

- 391 (a) Clerk of the town in which the land division is located.
- 392 (b) Clerk of an adjoining city or village if the land division lies within their extraterritorial plat
393 approval jurisdiction.
- 394 (c) Where applicable, the Dunn County Highway Department or the Wisconsin Department of
395 Transportation.

396 (3) Certified survey maps required by this chapter shall be reviewed and approved prior to
397 recording. The Department shall review and approve, conditionally approve, or reject certified
398 survey maps within ninety (90) days. The ninety (90) day time period shall commence with the
399 submittal of a complete application, the review fee, and certified survey map. The Department's
400 decision shall be stated in writing and based upon the standards of this section, Wisconsin
401 statutes and administrative code, and all applicable portions of this chapter.

402 (4) The Certified Survey Map shall show correctly on the face of the map the following infor-
403 mation in addition to that required by Wis. Stat. § 236.34 and Wis. Admin. Code Chapter A-E 7:

- 404 (a) Date of preparation.
- 405 (b) Name and address of the owner of the parcel to be divided or their agent, and surveyor.
- 406 (c) Location and identity of all existing structures. If there are no existing structures on a pro-
407 posed lot, this must be stated.
- 408 (d) Location of existing driveways, wells, POWTS tank cover and vents and the approximate
409 outline of the base of any mound system or above grade drain field.
- 410 (e) Location of any existing wetlands, including a line depicting a 75 foot building set back, and
411 areas of slope of 20% or greater.
- 412 (f) Location of existing water courses, ponds, streams, lakes, rivers and flowages.
- 413 (g) Area of each lot and outlot shown in square feet and acres including and excluding any road
414 rights-of-way. Acreage shall be calculated and shown to a minimum of 1/100th of an acre.
- 415 (h) Discrepancies between surveyed and occupied lines.
- 416 (i) Public areas to be dedicated, identified as "dedicated to the public".
- 417 (j) Regional floodplain boundaries and the contour line which is two (2) feet above the regional
418 floodplain boundary line as defined in Wisconsin Administrative Code Chapter NR 116. All
419 newly-created lots shall contain a minimum of ten thousand (10,000) square feet of contigu-
420 ous land lying above the contour line which is two (2) feet above the regional floodplain
421 boundary line.
- 422 (k) The following note shall be placed on the map whenever a land division is located within one
423 thousand (1000) feet of a navigable lake, pond or flowage and/or within three hundred (300)
424 feet of a navigable river or stream: "Due to the proximity of (insert name of water body) this
425 parcel may be subject to shoreland zoning setbacks and buffers. Contact the Dunn County

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426 Zoning Office for specific details and permitting requirements.” The corresponding one thou-
427 sand (1000) foot or three hundred (300) foot offset line shall also be shown and labeled on
428 the map.

- 429 (l) Apparent easements or private rights-of-way which adjoin or cross the property.
- 430 (m) Proposed and existing road(s) showing road name and right angle width.
- 431 (n) A clear and concise legal description that exactly matches the bearings and distances shown
432 on the map. The error of closure for the legal description may not exceed 1 in 3,000.
- 433 (o) A statement by the surveyor certifying that the provisions of this chapter and any other local
434 ordinances have been fully complied with.
- 435 (p) The meander line, Ordinary High Water Mark and water’s edge labeled where applicable.
- 436 (q) An approval/signature block for the county surveyor’s office and, when applicable, the
437 county zoning office, in the following forms:

Approved by the Dunn County Surveyor’s Office

This _____ day of _____, 20__.

Dunn County Surveyor

Approved by the Dunn County Planning/Zoning Office

This _____ day of _____, 20__.

Dunn County Planning/Zoning Official

- 438
- 439 (r) A 3” x 3” blank square in the upper right hand corner provided on sheet one for recording in-
440 formation by the Register of Deeds.
- 441 (s) Datum reference for any elevations.
- 442 (t) If any easement is created or granted on a certified survey map, a mortgagee certificate must
443 be included on the certified survey map if the parcel being divided currently has an open
444 mortgage.
- 445 (5) Any certified survey map containing lands of two or more different owners shall contain a
446 duly notarized owner’s certificate executed by all owners.
- 447 (6) The Department may send any Certified Survey Map to State agencies for advisory review
448 and comments upon a determination that such a referral could yield information that might be
449 useful in the review process.
- 450 (7) Where the Department finds that the County requires additional information relative to a par-
451 ticular problem presented by the proposed development in relation to County standards, the De-
452 partment shall have the authority to request such information in writing from the subdivider.
453 Such additional information may include, but not be limited to the following:
454 (a) Existing and proposed zoning on the property adjacent to the proposed land division.
455 (b) Identification of surface drainage patterns, showing direction of flow, grading plan with pro-
456 posed contours shown at two (2) foot intervals and indicating the manner and extent to which
457 the drainage patterns will be altered by the subdivision and its development.

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- 458 (c) Contours within the proposed lots and outlots extended to the centerline of adjacent public
 - 459 streets at vertical intervals of not more than two (2) feet or as designated by the Department.
 - 460 (d) Location and dimensions of all sites to be reserved or dedicated for public use, such as parks,
 - 461 playgrounds, and drainage ways.
 - 462 (e) Any proposed lake or stream access, improvement, or relocation.
 - 463 (f) Identification or the proposed use of all lands within the proposed land division.
 - 464 (g) Identification of sources of water supply and sewage services.
 - 465 (h) Location and names of any adjacent subdivision, parks, cemeteries; identification of the own-
 - 466 ers of record of abutting, unplatted lands; sketch plan for future use and development of all
 - 467 adjoining lands owned by the subdivider.
 - 468 (i) All lands reserved for future public acquisition.
 - 469 (j) An erosion control plan.
 - 470 (k) Report on soil borings and percolation tests, as required by Wisconsin Administrative Code
 - 471 for all lots not served by public sewer. Locations of borings shall also be shown on the face
 - 472 of the map.
- 473 (8) Certified survey maps shall be recorded pursuant to the requirements of Wis. Stat. §
- 474 236.34(2). Prior to recording, the subdivider or their representative shall obtain the signatures on
- 475 the accompanying certificates as required by Wis. Stat. § 236.34.
- 476 (9) The Department shall refer a certified survey map to the Highway Committee for review and
- 477 action if road dedications to the county are present.
- 478 (10) All applications for certified survey maps for which the review process has been suspended
- 479 without an approval or disapproval shall expire twelve (12) months from the date of submission.
- 480

481 **16.22 RETRACEMENT CERTIFIED SURVEY MAPS.**

- 482 (1) Where it is desired to show the boundaries of an existing parcel of land and establish a con-
- 483 venient legal description for record of title or conveyance, and no additional parcels are created,
- 484 the subdivider shall do so by use of a retracement certified survey map which complies with the
- 485 requirements of Wis. Stat. § 236.34 and all applicable sections of this chapter. A retracement cer-
- 486 tified survey map shall not be used to correct a land division violation.
- 487 (2) Retracement certified survey maps are subject to all requirements specified in subsections
- 488 16.21(1), (2), (3), (4), (8), (9), and (10) of this chapter.
- 489 (3) The following statement shall be shown on the face of all retracement certified survey maps:
- 490 "This Certified Survey Map is not a division of property but solely a retracement
- 491 and depiction of the land boundaries recorded in (Volume _____ Page _____ or
- 492 Document Number _____), of Dunn County Records."

SUBCHAPTER III – PLATS

493 **16.30 PRE-APPLICATION CONSULTATION.**

- 494 (1) Prior to submitting an application for County approval of a County or State Plat, it is
- 495 recommended that the applicant or agent schedule to meet with Department prior to the
- 496 preparation of the preliminary plat to prevent the expenditure of time and money on a project that
- 497 will be denied or extensively modified because of zoning regulations, site limitations such as

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498 floodplains, wetlands, soil suitability or drainage, or proposed division of high value agricultural
499 land. At this meeting, the applicant will inform the Department of the location and nature of the
500 proposed project. Based upon this information, the Department shall explain to the applicant:

- 501 (a) Whether the proposal will require County and/or State reviews.
- 502 (b) Which standards of this chapter and Ch. 236, Wis. Stats. will apply to the land division.
- 503 (c) The procedure to follow to submit a land division for review.
- 504 (d) It is also recommended the subdivider meet with the appropriate Town Board.

505 (2) In order to facilitate the pre-application consultation, the subdivider is asked to submit a
506 concept map drawn to a reasonable scale which clearly represents the proposed land division and
507 contains the following information:

- 508 (a) Site location showing adjacent roads and adjoining development types.
- 509 (b) Proposed land division boundaries and any publicly owned land in the vicinity.
- 510 (c) Approximate topographic and physical features such as steep slopes, bodies of water, wet-
511 land areas, rock outcrops, existing vegetative cover and areas subject to periodic floods. The
512 use of a topographic map as a base is recommended.
- 513 (d) Proposed roads and general lot layout.
- 514 (e) Location of any existing and proposed easements.
- 515 (f) Approximate location of existing or proposed structures, including types of construction.
- 516 (g) Proposed surface water drainage and areas to be filled or graded.
- 517 (h) Description of any contiguous property owned or controlled by the subdivider.

518

519 **16.31 APPLICATION AND REVIEW – COUNTY AND STATE PLATS.**

520 (1) Where it is desired to create a County or State Subdivision, the subdivider shall do so by use
521 of a County or State Plat that conforms to the requirements of Chapter 236, Wis. Stats., and all
522 applicable sections of this chapter. The plat shall be prepared by a professional land surveyor
523 licensed in the State of Wisconsin. The subdivider or their designated agent, shall submit a
524 county or state subdivision application form provided by the Department, ten (10) copies of the
525 preliminary plat, two (2) copies of each preliminary soil evaluation report as required by section
526 16.46(8) of this chapter, the required review fee, and, if applicable, a maintenance and repair
527 agreement as required by section 16.43(3)(g) of this chapter, to the Department. Upon receipt of
528 all items required in the submission, the Department shall transmit one (1) copy of the
529 application and preliminary plat to each of the following authorities:

- 530 (a) One (1) copy each to the Dunn County Surveying, Zoning and Land Conservation Offices.
- 531 (b) Dunn County Highway Commissioner.
- 532 (c) Dunn County Land Information Office.
- 533 (d) Clerk of the town in which the land division is located.
- 534 (e) Clerk of an adjoining City or Village if the land division lies within their extraterritorial plat
535 approval jurisdiction.
- 536 (f) Wisconsin Department of Natural Resources.
- 537 (g) Wisconsin Department of Transportation, if applicable.

538 (2) The subdivider or their designated agent shall provide a copy of the preliminary plat to each
539 affected public or private utility.

540 (3) The Committee, within ninety (90) days of the date of filing of a preliminary plat with the
541 Department shall approve, conditionally approve or reject such plat, unless the time is extended
542 by mutual agreement with the subdivider. The ninety (90) day period shall commence with the

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543 submission of a complete application, the review fee, and required copies of the preliminary plat.
544 One (1) copy of the preliminary plat shall thereupon be returned to the subdivider with the date
545 and the action recorded thereon; and if approved conditionally or rejected, a letter setting forth
546 the conditions of approval or the reasons for rejection shall accompany the plat. One (1) copy
547 each of the plat and letter shall be placed in the Department's permanent file. Failure of the
548 Committee to act within ninety (90) days of the date of filing or within the time as extended by
549 agreement with the subdivider shall constitute an approval.

550 (4) The Committee shall not approve any preliminary plat that is the subject of an unsatisfied
551 objection from an objecting agency.

552 (5) The Department shall not place the preliminary plat on the Committee agenda for review
553 unless there has been a complete submittal, including Town Board input, at least fifteen (15)
554 days prior to the required Committee meeting date.

555 (6) Upon approval of the preliminary plat, the subdivider shall submit ten (10) copies of the final
556 plat on 22" x 30" paper to the Department for review and approval. The final plat shall be based
557 upon a survey by a professional land surveyor licensed in the State of Wisconsin. Upon receipt
558 of a final County or State Plat, the Department shall transmit one (1) copy of the plat to each of
559 the authorities listed in section 16.31(1)(a-g).

560 (7) The Committee, within sixty (60) days of the date of filing of a final plat with the
561 Department, shall approve, approve conditionally or reject such plat, unless the time is extended
562 by mutual agreement with the subdivider. If approved, the certifications on the plat shall be
563 completed. If approved conditionally, the certifications shall not be completed until the
564 conditions are met. If rejected, a letter setting forth the reasons for rejection shall accompany the
565 plat. Failure of the Committee to act within sixty (60) days of the date of filing or within the time
566 as extended by agreement with the subdivider shall constitute an approval. The sixty (60) day
567 period shall commence with the completed submission of the final plat to the Department.

568 (8) The Committee shall not approve any final plat which is the subject of an unsatisfied
569 objection from any objecting agency.

570 (9) The Department shall not place the final plat on the Committee agenda for review unless
571 there has been a complete submittal at least ten (10) business days prior to the required
572 Committee meeting date.

573 (10) Relationship between Preliminary and Final Plat:

574 (a) Approval of a preliminary plat shall be deemed an expression of approval or conditional ap-
575 proval of the layout submitted and a guide to the preparation of the final plat which will be
576 subject to further consideration by the Committee at the time of its submission.

577 (b) If the final plat conforms substantially to the preliminary plat as approved, including any
578 conditions of the preliminary approval, and meets the requirements of applicable ordinances,
579 it is entitled to approval.

580 (c) If the final plat is not submitted within thirty-six (36) months of the last required approval of
581 the preliminary plat, the Committee may refuse to approve the final plat.

582 (11) Partial platting. A final plat may constitute only that portion of the approved preliminary
583 plat which the subdivider proposes to record at that time. Any additional final plat(s) of the
584 remaining portion of the approved preliminary plat must be approved within 36 months after the
585 last required preliminary plat approval, unless extended by the Committee.

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586 (12) Restrictive covenants. All restrictive covenants which apply or which the subdivider intends
587 to apply to the land within the subdivision shall be provided in a separate document and
588 accompany the preliminary plat at the time of submittal. The Committee may add further
589 restrictive covenants as provided in Wis. Stat. § 236.293.

590 (13) A final plat rejected by the Committee must be re-submitted for review pursuant to section
591 16.31, including all fees and required copies. Re-submittal of a rejected plat shall commence a
592 new time frame for review purposes.

593 (14) The Department may send any County Plat to State agencies for advisory review and
594 comments upon a determination that such a referral could yield information that might be useful
595 in the review process.

596
597 **16.32 PRELIMINARY PLATS.** In addition to the requirements of Chapter 236, Wis. Stats., all
598 preliminary county or state plats submitted for review shall state correctly on their face the fol-
599 lowing information:

600 (1) A subtitle of “County Plat” shall be required for all preliminary county plats.

601 (2) The proposed plat name. The plat name shall not duplicate the name of any plat previously
602 recorded in Dunn County.

603 (3) Name and address of the legal owner or agent of the property, developer and surveyor.

604 (4) Location sketch, graphic scale and north arrow.

605 (5) A map drawn at a convenient scale of not more than 100 feet to the inch showing the
606 boundaries of the property being considered for division.

607 (6) A legal description of the proposed land division tied by lengths and bearings to a
608 monumented boundary line of a quarter section in which the subdivision lies. A description of
609 the monuments at the ends of the line and the bearing and distance between those monuments
610 shall be shown.

611 (7) Bearings and distances along the exterior boundaries of the plat and the total acreage and
612 square footage encompassed thereby.

613 (8) Approximate dimensions and square footage of all lots together with proposed lot and block
614 numbers.

615 (9) Proposed and existing roads showing name and right angle width.

616 (10) Approximate radii and arc length of all curves.

617 (11) Contours within the plat and extended to the centerline of adjacent public streets at intervals
618 of not more than two (2) feet or as designated by the Department.

619 (12) All environmentally sensitive areas, including applicable 75-foot buffers. For wetland and
620 shoreland boundaries, sources of data shall be identified.

621 (13) Locations of existing structures, water bodies and courses, drainage ditches, fences, soil
622 borings required by section 16.46(8), and other pertinent features.

623 (14) Location, size and invert elevation of any existing sanitary or storm sewers, culvert and
624 drain pipes, manholes, catch basins, hydrants, electrical and communication facilities, whether

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625 overhead or underground and the location and size of any existing water or gas mains within the
626 exterior boundaries of the plat or immediately adjacent thereto.

627 (15) Locations and names of adjoining parks, cemeteries, subdivisions, ponds, streams, lakes,
628 rivers and flowages.

629 (16) Any land reserved for public purposes, including parks, playgrounds, and open spaces.
630 Areas to be dedicated to the public shall be identified as “dedicated to the public.”

631 (17) The area contiguous to the proposed plat owned or controlled by the subdivider shall be
632 indicated on the preliminary plat even though only a portion of the plat is proposed for
633 subdivision development.

634 (18) Regional floodplain boundaries and the vertical contour line which is two (2) feet above the
635 regional floodplain boundary line as defined in Wisconsin Administrative Code NR 116. All
636 newly created lots shall contain a minimum of ten thousand (10,000) square feet of contiguous
637 land lying above the contour line which is two (2) feet above the regional floodplain boundary
638 line.

639 (19) Location and dimensions of any proposed lake, river or stream access.

640 (20) The deed reference for the subject property (by volume and page or document number) shall
641 be identified on the map or in the surveyor’s certificate.

642 (21) A surveyor’s certificate stating the plat is a correct representation of the indicated features
643 and that the surveyor has fully complied with the provisions of this chapter.

644 (22) Seal and signature of the surveyor and the date signed on each sheet of the plat.

645 (23) Where the Department or the Committee finds a need for additional information relative to a
646 particular problem presented by the proposed subdivision, it shall have the authority to request in
647 writing that additional information be included on the preliminary plat or accompanying
648 documents. Such additional information may include, but shall not be limited, to the items listed
649 in section 16.21(7).

650
651 **16.33 FINAL PLATS.** In addition to the requirements of Chapter 236, Wis. Stats., all final
652 county or state plats submitted shall show correctly on their face the following information:

653 (1) A subtitle of “County Plat” shall be required for all final county plats.

654 (2) A clear and concise legal description that exactly matches the bearings and distances shown
655 on the plat. The error of closure for the legal description may not exceed 1 in 3,000.

656 (3) Area of each lot and outlot shown in square feet and acres including and excluding any road
657 rights-of-way. Acreage shall be calculated and shown to a minimum of 1/100th of an acre.

658 (4) Lands reserved for future public acquisition or for the common use of the property owners
659 within the subdivision. Such lands shall be described and established as outlots. Outlot
660 restrictions shall appear on the face of the plat.

661 (5) Special restrictions required by the reviewing authorities.

662 (6) All certificates required by Wis. Stat. § 236.21, and in addition, certification of full
663 compliance by the surveyor with Chapter 236, Wis. Stats., the provisions of this chapter and any
664 other applicable local ordinances.

665 (7) A pre-designed block for the Register of Deeds recording information shall be placed on
666 sheet one of the plat. The Department shall provide this block to the subdivider at the time of
667 preparation of the final plat.

668 (8) A pre-designed approval certificate for the chair of the Committee shall be placed on the plat.
669 The Department shall provide this block to the subdivider at the time of preparation of the final
670 plat.

671 (9) Where the Department or the Committee finds a need for additional information relative to a
672 particular problem presented by the proposed subdivision, it shall have the authority to request in
673 writing that additional information be included on the final plat or accompanying documents.
674

675 **16.34 RECORDING OF FINAL PLAT.**

676 (1) No plat shall be recorded until the certificates required by Wis. Stat. §§ 236.21 and 236.25
677 are completed and signed. The certification by the Committee shall be the last certification
678 obtained.

679 (2) The final plat shall be submitted to the Register of Deeds for recording within twelve (12)
680 months after date of Committee approval. Failure to submit the plat within the time limit shall
681 render the plat void.
682

683 **16.35 REPLATS; VACATION OR ALTERATIONS OF RECORDED PLATS.**

684 (1) The replatting of all or part of an existing plat that contains no dedication to the public may
685 be accomplished by following the procedures established in sections 16.20–16.21 or 16.30–16.34
686 of this chapter.

687 (2) If the replatting alters areas dedicated to the public, the existing plat shall first be vacated in
688 accordance with Wis. Stat. §§ 236.36-236.445 prior to replatting.
689

690 **16.36 IMPROVEMENTS.** No construction or installation of improvements shall commence in
691 a proposed subdivision until the final plat has been approved by all reviewing authorities, unless
692 specifically approved by the Committee when the preliminary plat is approved.
693

694
695 **SUBCHAPTER IV – SURVEYING REGULATIONS AND DESIGN STANDARDS**
696

697 **16.40 SURVEYING REQUIREMENTS AND GENERAL PROVISIONS.**

698 (1) Surveyors shall install all survey monuments in accordance with the requirements of Wis.
699 Stat. § 236.15 at the expense of the subdivider. The Committee may waive the placing of
700 monuments for a reasonable time on the condition that the subdivider executes a security bond to
701 ensure placement of required monuments within the time required.

702 (2) If a U.S. public land survey monument record form is required per Wis. Admin. Code
703 Chapter A-E 7.08(1), said form shall accompany all surveys submitted for review.

704 (3) If a survey includes any portion of a lot or outlot of an existing CSM or Plat, the previous
705 CSM (by lot or outlot and CSM number) or Plat (by lot or outlot and block number and plat
706 name) shall be labeled on the face of the map in its proper location underscored by either a
707 dotted or dashed line and shall be noted within the caption of the map.

708 (4) The Government Lot or Quarter-Quarter, Section, Township and Range, Municipal Town,
709 Village or City, County, and State in which a land division is located shall be noted within the
710 caption of all certified survey maps and plats.

711 (5) Division of lands under this chapter shall comply with all applicable provisions of the Dunn
712 County Comprehensive Zoning Ordinance.

713 (6) The lines of any lots or outlots shown on a land division that follow a quarter-quarter line or
714 government lot line shall be clearly labeled.

715

716 **16.41 DESIGN STANDARDS – GENERAL.** This subchapter shall apply to all divisions of
717 land regulated by this chapter. Land division design shall be planned in proper relation to exist-
718 ing and proposed land divisions, streets, topography, surface water, vegetation cover, and other
719 natural features.

720

721 **16.42 SURFACE DRAINAGE AND EROSION CONTROL.**

722 (1) The purpose of this section is to protect property and structures from damage caused by
723 increased surface water runoff volumes and/or velocities due to platting and development of land
724 and to prevent the degradation of existing wetlands, waterways, and surface and ground water
725 quality.

726 (2) Land divisions shall be designed so as to minimize soil erosion, provide reasonable
727 management of surface water drainage, permit the unimpeded flow of natural watercourses, and
728 provide positive drainage away from on-site sewage disposal facilities. The Committee may
729 require engineering studies of erosion potentials and may impose preventative design
730 requirements. The Committee may require documentation of surface water drainage patterns and
731 may impose design requirements to assure that flows are transported and disposed of without
732 causing undue erosion and siltation of surface waters, undue runoff onto adjoining lands or
733 streets or other rights-of-way or excessive infiltration into locations of on-site sewage disposal
734 systems. A subdivider may request assistance and consultation from the Dunn County Land and
735 Water Conservation Division in meeting the above requirements.

736 (3) Where a subdivision is traversed by a watercourse, drainage way, channel, or stream, there
737 shall be provided a stormwater easement or drainage right-of-way conforming substantially to
738 the natural lines of such water course, and of such width or construction or both as will be
739 adequate for drainage purposes. Wherever possible, it is desirable that the drainage be
740 maintained by an open channel with natural or landscaped banks. In most instances, property
741 subject to a drainage easement shall be privately owned as part of one or more lots within a land
742 division.

743 (4) When a proposed drainage system will carry water across private land outside the
744 subdivision, appropriate drainage rights must be secured and indicated on the plat.

745 (5) Stormwater Management and Erosion Control Plan. For plats and certified survey maps, if
746 deemed necessary by Department staff, the subdivider shall submit a stormwater management
747 and erosion control plan. The plan must be approved by Department staff prior to final approval
748 and recording of the land division and include the following information:

749 (a) General site plan of the development, including site boundaries, lot and road locations, exit-
750 ing buildings and vegetative cover.

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- 751 (b) A narrative describing the proposed development, include implementation schedule for the
 752 planned management practices.
- 753 (c) Soil types, infiltration characteristics, and corresponding hydrological group(s).
- 754 (d) Watershed boundaries and the direction of surface water flow indicated by arrows.
- 755 (e) The location of existing and proposed bridges, culverts, catch basins, waterways, drainage
 756 ditches and swales, storm sewers, detention and retention basins, etc., and indicate the size,
 757 dimensions, elevations and grades of each.
- 758 (f) Existing ground contours at two-foot (2') intervals and proposed contours, if applicable.
- 759 (g) Necessary drainage easements for all drainage ways and stormwater management facilities.
- 760 (h) Erosion control practices.
- 761 (i) Technical data, including calculations of pre-construction and post-construction peak flow
 762 rates, assumed runoff curve numbers, and time of concentration used in calculations.
- 763 (j) A maintenance plan developed for the life of each stormwater management practice includ-
 764 ing required maintenance activities, maintenance schedule and responsible entity.
- 765 (k) Cost estimates for the construction, operation, and maintenance for each stormwater manage-
 766 ment practice.
- 767 (l) Other information deemed necessary by Department staff to administer this section.
- 768 (m) All site investigations, plans, designs, computations, and drawings shall be certified by a Pro-
 769 fessional Engineer, licensed to practice in the State of Wisconsin, to the effect that they have
 770 been prepared in accordance with accepted engineering practices.
- 771 (6) Minimum Standards for Stormwater Management. All stormwater management facilities
 772 shall be designed, installed, and maintained to effectively accomplish the following:
- 773 (a) Maintain or lower peak runoff discharge rates as compared to pre-settlement (woods-grass)
 774 conditions for the twenty-four (24) hour storm event, using the Runoff Curve Numbers design-
 775 nated on Table 16.42 below for the appropriate site soil hydrological group.

Table 16.42 Maximum Pre-Settlement (woods-grass combination)				
Runoff Curve Numbers				
Hydrological Soil Type	A	B	C	D
Runoff Curve Number	32	58	72	79

776 Source: "Urban Hydrology for Small Watersheds," USDA Technical Release 55; June 1986.

- 777 (b) Sediment Control. By design reduce the average total suspended solids load by eighty per-
 778 cent (80%) as compared to no controls for the site.
- 779 (c) Infiltration. Infiltration of stormwater to reduce volume of runoff is encouraged where tech-
 780 nically feasible. If stormwater infiltration can be demonstrated, the reduced volume may be
 781 taken into account when designing practices to meet the peak flow control, and pollution
 782 control requirements of this section.
- 783 (d) Post development runoff volume must be maintained or reduced compared to pre-develop-
 784 ment conditions for the 25 year, 24 hour, Type II storm event.
- 785 (e) Constructed drainage swales shall be designed at a minimum to accommodate a 25 year, 24
 786 hour, Type II storm event.
- 787 (f) Each lot affected by a High Water Elevation (H.W.E.) established for a constructed storm-
 788 water pond with a designed outlet shall have a Lowest Building Opening set at a minimum of
 789 two feet higher than the H.W.E. calculated using the critical 100 year storm event.
- 790 (7) Stormwater management ponds shall be located on outlots which shall be owned in equal
 791 undivided shares by all lot owners. Lot owners shall be liable for an equal undivided share of the

792 cost to repair, maintain or restore said ponds. Dunn County shall not be liable for any fees or
793 special charges in the event the county becomes the owner of any lot or outlot by reason of tax
794 foreclosure.

795 (8) It is the responsibility of all property owners to maintain in satisfactory condition all drainage
796 systems within drainage easements, including drainage swales and retention ponds. No structure,
797 planting or other material shall be placed or permitted to remain within a drainage easement that
798 may damage or interfere with drainage. Any grading or filling that would alter the capacity or
799 flow of any drainage system is prohibited.

800 (9) The Department shall have the right to inspect drainage systems to identify areas that need to
801 be repaired or restored. The Department shall give property owners written notice of the nature
802 of existing defects and the corrective action necessary. Should the owner fail to commence
803 corrective action to the satisfaction of the Department within 30 days from the date of the notice,
804 the County may complete or cause the corrective action to be completed, the cost of which shall
805 become a lien on the real property of the owner until paid.

806 (10) The Department may require a minimum 15-foot-wide access easement dedicated to Dunn
807 County to allow for any future inspection and maintenance work. Any such easement shall be
808 located on adequate soil or surfacing to withstand loads produced by standard construction
809 equipment. The access easement shall not include any area where channelized flow of runoff
810 occurs or where storm water may pond to a depth greater than six inches during a 100-year, 24-
811 hour design storm.

812

813 **16.43 STREETS AND ROADS.**

814 (1) General Considerations for Public and Private Roads. Subdividers shall provide land for
815 roads. Roads, including cul-de-sacs, shall be designed and improved as required by town
816 ordinance. Where no town ordinance pertaining to design and improvement of roads exists, roads
817 shall designed and improved as provided in this section and located with due regard for existing
818 and planned roads, future subdivisions, topographic conditions, natural terrain and features, and
819 public convenience and safety. These provisions shall apply to all public streets and roads within
820 the jurisdiction of this chapter:

821 (a) For newly created land divisions, right-of-way width shall be at least 66 feet.

822 (b) Any municipality of jurisdiction may impose more restrictive road construction or design
823 standards than those imposed herein. In those situations the municipality of jurisdiction shall
824 be responsible for enforcing those more restrictive requirements.

825 (c) All roads must be numbered pursuant to Chapter 23 of the Code of Ordinances. Numbers
826 shall be assigned by the Land Information Office. Before any plat or certified survey map can
827 be approved for recording, road numbers shall be placed on the document to be recorded.

828 (d) Proposed streets within county and state plats shall extend to the boundary lines of the tract
829 being subdivided unless prevented by topography or other physical conditions or unless the
830 Committee finds that such extension is not necessary or desirable for the coordination of the
831 layout of the land division or for the advantageous development of the adjacent tracts.

832 (e) Existing public or private roads or easements that are proposed to provide access to newly
833 created lots shall meet the requirements of this section. If a road does not meet such require-
834 ments, the subdivider shall meet with the town and committee to determine the suitability of

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835 the existing road and determine what conditions, if any, need to be met to provide for ade-
836 quate access. Existing roads shall be clearly labeled, and the recording information showing
837 ownership or easement interests shall be shown on the map.

838 (f) The committee may waive the requirements set forth in this section for land divisions with
839 unique topography or other physical features, few lots and little potential to connect with ex-
840 isting or future adjacent land divisions, and the waiver will secure substantially the purposes
841 described in section 16.03 and will not be detrimental to the public safety, health or welfare
842 or injurious to other property.

843 (2) Public Roads. These provisions shall apply to all public roads intended to provide access to
844 newly created parcels.

845 (a) All roads in plats shall be public roads, unless the governing municipality chooses not to ac-
846 cept the roads.

847 (b) An owner's certificate of dedication and a Town or County certificate of approval shall be
848 shown on certified survey maps or plats when public roads are created and dedicated.

849 (3) Private Roads. Except as provided in section 16.43(2), private roads are only allowed on
850 certified survey maps and shall meet the following requirements:

851 (a) No more than 4 lots may be accessed by private road. Right-of-way width shall be a mini-
852 mum of 66 feet. A variance from this requirement may be granted based on undue hardship.

853 (b) A private road shall not exceed the greater of 1,320 feet in length or the length of a quarter-
854 quarter section or government lot. Length shall be measured along the centerline to the right-
855 of-way of the nearest connecting through-street.

856 (c) All private dead end roads shall have sufficient side and overhead clearances to allow access
857 and an adequate turnaround for public service vehicles, including, but not limited to, fire and
858 police vehicles, ambulances, public utility vehicles and school buses.

859 (d) Private roads from an existing public road to the newly created lot(s) shall be shown, dimen-
860 sioned, and clearly labeled "Private Road" on the map.

861 (e) Easements for private roads shall be nonexclusive, i.e., access shall be granted at all times for
862 public service vehicles, including, but not limited to, fire and police vehicles, ambulances,
863 public utility vehicles, and school buses. Private road easements shown on certified survey
864 maps which are not being dedicated shall provide the following note on the face of the map:
865 "Any conveyance of the lots shown on this map must be accompanied by a
866 description for the access easement."

867 (f) For all newly created private roads, the owner of each newly created lot accessed thereby
868 shall hold a fractional interest in such private road either by lot ownership extending to the
869 centerline of the road or by designating the roadway as an outlot which is to be owned in
870 equal undivided shares by all lot owners. When an outlot is created for this purpose, a note
871 shall be placed on the certified survey map or plat clearly stating the ownership interest in the
872 outlot.

873 (g) When 2 or more lots are accessed by a private road, an agreement for the repair and mainte-
874 nance of such road must be submitted for approval to the Department at the time of applica-
875 tion. Maintenance agreements shall be recorded with the certified survey map or plat.

876 (h) No person shall sell any parcel of land if it abuts on a road that has not been accepted as a
877 public road unless the seller informs the purchaser in writing of the fact that the road is not a
878 public road and is not required to be maintained by the Town or the County.

879 (i) Any land division that contains a private road shall have the following statement placed on
880 its face:

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881 "Access to this property is provided by nonexclusive easement. ___(insert
882 road/street name)___ as shown on this map is not a public road and the Town of
883 _____ and Dunn County have no responsibility for snow plowing or other
884 maintenance, or for the construction of a driving surface, upon said easement."

885 (4) Arrangement.

- 886 (a) All streets shall be properly integrated with the existing and proposed system of streets and
887 dedicated rights-of-way and future subdivisions.
888 (b) All streets shall be properly designed to accommodate special traffic generators, such as in-
889 dustries, business districts, schools, churches, and shopping centers.
890 (c) Minor streets shall be laid out to conform as much as possible to the topography, to discour-
891 age use by through traffic, to permit efficient drainage and sewer systems, and to require the
892 minimum amount of streets necessary to provide convenient and safe access to property.
893 (d) The use of curvilinear streets, cul-de-sacs or U-shaped streets shall be encouraged where
894 such use may result in a more desirable layout.

895 (5) Half streets. Where an existing dedicated or platted half street is adjacent to the tract being
896 subdivided, the other half street shall be dedicated by the subdivider.

897 (6) Street intersections.

- 898 (a) Streets shall be laid out so as to intersect as nearly as possible at right angles but deflections
899 of up to twenty (20) degrees from right angles will be acceptable. No more than two (2)
900 streets shall converge at an intersection unless specifically approved by the Committee.
901 (b) Proposed new intersections along one side of an existing street shall coincide with any exist-
902 ing intersections on the opposite side of such street. Street jogs with centerline offsets of less
903 than one hundred twenty-five (125) feet shall not be permitted. Where streets intersect major
904 streets their alignment shall be continuous.
905 (c) The Town Board or Committee may require the subdivider to dedicate or reserve land at in-
906 tersections to the extent deemed necessary to provide adequate sight distances.

907 (7) Alleys. Alleys may be required by the Committee where deemed necessary. Alleys in
908 residential districts and dead-end alleys shall be prohibited.

909 (8) Alignment. When a continuous street centerline deflects at any point by more than ten (10)
910 degrees, a circular curve shall be introduced having a minimum centerline radius of one hundred
911 (100) feet. A tangent at least one hundred (100) feet in length shall be provided between reverse
912 curves.

913 (9) Permanent cul-de-sacs. Permanent cul-de-sacs shall have a minimum turnaround right-of-
914 way radius of 75 feet and a minimum finished driving surface radius of 50 feet. Cul-de-sacs shall
915 have a maximum length of 1,320 feet, or the length of a quarter-quarter section or government
916 lot. Length shall be measured from the radius point of the cul-de-sac along the centerline to the
917 right-of-way of the nearest connecting through-street. These standards shall not be applicable to
918 temporary cul-de-sacs.

919 (10) Temporary cul-de-sacs. Temporary cul-de-sacs may be required by the Committee to insure
920 continuity of the road pattern between adjoining subdivisions. The Committee shall determine
921 maximum length, turnaround dimensions and design.

922 (11) Floodplain areas. Any part of a street located within a floodplain area shall meet all
923 requirements of Chapter 15, Dunn County Code of Ordinances. All streets located within or

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924 passing through floodplain areas shall be constructed in a manner that will not impede the flow
925 of floodwaters.

926 (12) Utility easements. The Committee may require easements for electric power and
927 communication facilities, storm and sanitary sewers, gas, water and other utility lines. Easements
928 shall be of sufficient width for the proposed use and shall be placed wherever feasible along lot
929 lines. All easements shall be noted on the final plat followed by a reference to the use for which
930 they are intended.

931

932 **16.44 ACCESS.**

933 (1) All lots shall front on a public or private road or easement.

934 (2) Access easements through the lands of others shall be recorded prior to approval of any land
935 division. Recorded documents granting access shall be shown by volume and page or document
936 number on the face of the CSM or plat.

937 (3) Major land divisions abutting state highways are subject to Wis. Admin. Code Chapter Trans
938 233.

939 (4) Any created parcels and/or developments abutting or requiring access from a county highway
940 shall require consultation with the Dunn County Highway Department.

941 (5) Any county plat and major subdivision abutting a navigable river, lake or stream shall
942 comply with the requirements of Wis. Stat. § 236.16(3)(a).

943 **16.45 BLOCKS.**

944 (1) General. If a land division includes blocks, the width, length and shape of blocks shall be
945 suited to the planned use of the land, zoning requirements, need for convenient access control
946 and safety of street traffic and topography. Blocks shall be designed as required by town
947 ordinance. Where no town ordinance pertaining to block design exists, blocks shall be designed
948 as follows:

949 (a) Residential blocks. Block lengths in residential areas should not, where practical, exceed one
950 thousand three hundred twenty (1,320) feet nor be shorter than six hundred (600) feet. Blocks
951 shall have sufficient width to provide for two (2) tiers of lots of appropriate depths except
952 where greater depth is required to separate residential development from through traffic, pub-
953 lic parks, cemeteries, railroads, shorelines, waterways, or extreme topography.

954 (b) Nonresidential blocks. Blocks designed for business, commercial, or industrial uses shall be
955 of such length and width as may be determined suitable by the Committee for the prospective
956 use.

957 (2) Pedestrian ways. In blocks over nine hundred (900) feet long, the Committee may require
958 paved pedestrian ways through blocks as deemed necessary for access to streams, lakeshores,
959 public parks, schools or other public and quasi-public areas.

960 **16.46 LOTS.**

961 (1) Unless specifically waived by the Committee or other provisions of this chapter, a separate
962 lot shall be provided for each structure intended for residential use.

963 (2) No lots or outlots created by a certified survey map or plat shall be bisected by a public or
964 private road.

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965 (3) Lot dimensions.

966 (a) Towns in which neither county nor town zoning is in effect: minimum lot size of 43,560
967 square feet and minimum of 85 feet in width at the building line. The depth of any lot shall
968 not be greater than four times the lot width.

969 (b) Towns with Town zoning: minimum lot size and width designated in the town zoning ordi-
970 nance.

971 (c) Towns under County zoning: minimum lot size and width designated in the Dunn County
972 Comprehensive Zoning Ordinance.

973 (d) Shoreland areas: minimum lot size and width designated in the Dunn County Shoreland Zon-
974 ing Ordinance.

975 (e) The area located within the right-of-way of any public or private street shall not be included
976 in the minimum lot area of any lot or parcel created under the terms of this chapter.

977 (4) Corner lots shall be platted with a width at least fifteen (15) feet wider than the minimum
978 required by the Dunn County Comprehensive Zoning Ordinance.

979 (5) All lots must have dryland access to a public or private road.

980 (6) Each lot must contain a net contiguous buildable area of 30,000 square feet or more without
981 disturbing areas with slopes of 20% and greater that existed prior to concept review.

982 (7) Side lot lines shall be radial to curved streets or cul-de-sacs where possible, and generally
983 perpendicular to street lines.

984 (8) Any lot created by plat that is not served by public water and sewer facilities and provisions
985 for such service have not been made, shall require a minimum of one (1) soil boring meeting the
986 requirements of Wis. Admin. Code SPS 385 for private onsite sanitary systems and a preliminary
987 soil evaluation report. All soil borings required under this chapter shall be conducted by a
988 Certified Soil Tester licensed in Wisconsin.

989 (9) All lots shall have a minimum of thirty-three (33) feet of frontage directly on a public or
990 private road or easement.

991 (10) Where a contiguous tract is subject to the right-of-way of a public road, any newly created
992 lot fronting on the public road shall also include that portion of the contiguous tract lying
993 immediately adjacent to the lot which is subject to the road right-of-way.

994 (11) No lot shall be created if the proposed division will result in a nonconforming structure,
995 unless an owner's certificate is placed on the certified survey map or plat requiring that the
996 nonconforming structure be razed or moved in such a way to correct the nonconformity prior to
997 the conveyance of the surveyed lot.

998 (12) No lot shall be created with more than one (1) existing habitable structure.

999 (13) All outlots created shall be accompanied with a statement of purpose or use. Outlots shall
1000 not be used to circumvent the intent of this ordinance.

1001 **16.47 LANDS NEAR WATER'S EDGE.**

1002 (1) Lands lying between the meander line, established in accordance with Wis. Stat. §
1003 236.20(2)(g) and the water's edge, and any otherwise unplattable lands, such as floodways,
1004 which lie between a proposed land division and the water's edge shall be included as part of lots,
1005 outlots or public dedications in any map or plat abutting a lake or stream. This requirement
1006 applies not only to lands proposed to be divided, but also to all lands under option to the

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1007 subdivider or in which the subdivider holds an interest and which abut a lake, river or stream as
1008 provided in Wis. Stat. § 236.16(4).

1009 (2) Lands located below the Ordinary High Water Mark of any navigable water shall not be
1010 included in determining minimum lot size of any lot created under the terms of this chapter.

1011 (3) Lots fronting on a navigable body of water shall meet the frontage requirements in section
1012 14.05, Code of Ordinances.

1013 (4) Newly created lots divided by streams must have a contiguous buildable area on at least one
1014 side of the stream including access to the building location.

1015

1016 **16.48 PARKS, PLAYGROUNDS, SCHOOLS AND OPEN SPACE.**

1017 In the design of the subdivision, due consideration shall be given to the preservation of suitable
1018 sites of adequate area for future schools, parks, playgrounds, drainage ways, bike and pedestrian
1019 trails, and other public purposes. Such areas as are shown on an adopted master plat or official
1020 map shall be made a part of the subdivision design. Consideration shall also be given in the
1021 design of the subdivision to the preservation of scenic and historic sites, stands of fine trees,
1022 marshes, lakes and ponds, watercourses, watersheds and ravines.

1023

1024 **16.49 UTILITY PLACEMENT.** Utilities may not place any poles, pedestals, lines (overhead or
1025 underground), within three (3) feet of any monumented Public Land Survey System corner or
1026 property corner. The submittal of any County or State Plat required by this chapter, shall require
1027 the preceding sentence to be shown on the face of the plat.

1028

1029 **16.50 DEDICATIONS.** Dedications shall be effected as provided in Wis. Stat. § 236.29.

1030 Dedications to the county, other than road dedications, shall require approval of the county board
1031 of supervisors.

SUBCHAPTER V– CONDOMINIUM DEVELOPMENTS

1032 **16.70 CONDOMINIUM DEVELOPMENTS.**

1033 (1) This section is created under the authority of Wis. Stat. § 703.115.

1034 (2) Land divided for the establishment of a condominium plat shall meet the requirements of the
1035 Dunn County Zoning Ordinance or Town Zoning Ordinance in independently zoned towns.

1036 (3) A condominium plat shall be submitted to the Department for review and approval pursuant
1037 to Wis. Stat. § 703.115. The Department shall have ten (10) business days after submission for
1038 its review. If the review is not completed within ten (10) business days the instrument is ap-
1039 proved for recording.

1040 (4) Condominium instruments may not be used to create or alter lots, parcels, outlots, public
1041 streets, or other areas to be dedicated to the public.

1042 (5) The Register of Deeds shall reject condominium instruments that have not been reviewed as
1043 provided in this section.

SUBCHAPTER VI – ADMINISTRATION

1044 **16.80 PLANNING, RESOURCE, AND DEVELOPMENT COMMITTEE.** The Planning,
1045 Resource, and Development Committee shall be empowered to ensure proper administration and
1046 compliance with the provisions of this chapter, conduct such hearings and meetings as necessary,
1047 approve, conditionally approve or deny applications under the terms as set forth herein, and set
1048 fees and adjust them from time to time as is deemed necessary.

1049
1050 **16.81 ADMINISTRATION AND ENFORCEMENT.** The Survey Division of the Environ-
1051 mental Services Department shall be responsible for the administration and enforcement of this
1052 chapter. The subdivider shall submit the necessary copies of proposed land division instruments
1053 (applications) and applicable fees to the Department. Copies will then be circulated to the appro-
1054 priate agencies, divisions, or departments for review and recommendations concerning matters
1055 within their jurisdiction.

1056
1057 **16.82 FEES.** Application and review fees shall be established by the Committee and set forth in
1058 an Appendix to this chapter.

1059
1060 **16.83 VARIANCES.**

1061 (1) Where strict application of the provisions of this chapter would impose undue hardship
1062 because of unique topographic or other conditions of the land involved or other conditions
1063 predating adoption of this chapter, or to achieve consistency with a City or Village
1064 extraterritorial ordinance, the Committee may approve variances to any requirement of this
1065 chapter to the extent deemed just and proper, provided such variance shall not impair the intent
1066 and purpose of this chapter or be contrary to the Wisconsin Statutes or Wisconsin Administrative
1067 Code.

1068 (2) The Committee shall not grant variances unless it shall make findings based on evidence
1069 presented to it with each request for variance that:

1070 (a) The granting of the variance will not be detrimental to the public safety, health or welfare or
1071 injurious to other properties.

1072 (b) The conditions upon which the request is based are unique to the property for which the vari-
1073 ance is sought and are not applicable generally to other property.

1074 (c) Because of the particular physical surrounding, shape, or topographical conditions of the spe-
1075 cific property involved, a particular undue hardship to the owner would result, as distin-
1076 guished from a mere inconvenience. Undue hardship shall relate solely to the physical char-
1077 acteristics of the property. Financial hardship, loss of profit, self-imposed hardships such as
1078 that resulting from unfamiliarity with regulations, deed restrictions, proceeding without re-
1079 quired permits, or illegal sales are not sufficient reasons for the granting of a variance.

1080 (3) No variances may be granted under this section that would modify or waive requirements of
1081 any other county ordinance.

1082 (4) A majority vote of the entire membership of the Committee shall be required to grant a
1083 variance of any standard within this chapter and the reasons therefore shall be entered in the
1084 Committee minutes.

1085 (5) All applications for variance shall be in writing and include a review fee to defray the cost of
1086 processing and review. The application shall state fully the grounds and all facts relied upon.

1087 (6) For all approved variances, a notation shall be placed on the Plat or Certified Survey Map
1088 stating the nature of the variance granted and the date of approval by the Committee.
1089

1090 **16.84 APPEALS.**

1091 (1) An applicant for land division approval may appeal a decision of the Department to the
1092 Committee. An appeal must be in writing, shall state with specificity the basis for the appeal, and
1093 must be received within 30 days of the date of the decision of the Department. Upon receipt of
1094 an appeal, the Department shall transmit the appeal to the Committee.

1095 (a) The Committee shall, within 40 days of receipt by the Department of a written appeal, review
1096 the appeal against the applicable standards of this ordinance, and affirm, modify, or reverse
1097 the decision of the Department.

1098 (b) The applicant and the Department shall be permitted to make presentations to the Committee
1099 under such terms, conditions and procedures as established by the Committee.

1100 (c) The decision of the Committee and the reasons therefore shall be entered in the Committee
1101 minutes. An extract of the minutes or notice of the decision shall be mailed to the applicant.

1102 (2) An applicant aggrieved by a decision by the Committee objecting to a plat or failing to
1103 approve a plat may appeal to the Circuit Court for Dunn County as provided in Wis. Stat. §
1104 236.13(5) within thirty (30) days of notification of the decision. Where failure to approve is
1105 based on an unsatisfied objection, the agency making the objection shall be made a party to the
1106 action.

1107 **16.85 ENFORCEMENT.**

1108 (1) General.

1109 (a) No person shall build upon, divide, convey, record or monument any land in violation of this
1110 chapter or the Wisconsin Statutes.

1111 (b) The Dunn County Zoning Office shall withhold all permits where the applicant, owner, or
1112 licensed contractor is in violation of this chapter, and for any parcel of land which has an
1113 outstanding violation of this chapter, until the violation has been corrected.

1114 (c) No approval pursuant to this chapter shall be issued where the applicant is in violation of this
1115 or any ordinance administered by the Department.

1116 (d) No certified survey map or plat shall be recorded unless all applicable requirements of this
1117 chapter have been met.

1118 (e) Assessor's plats may be ordered by the County at the expense of the divider or the owners of
1119 record when a land division is created by successive divisions, not in compliance with this
1120 chapter.

1121 (2) Standards.

1122 (a) Any person, firm or corporation who fails to comply with the provisions of this chapter or
1123 who willfully enters into a conspiracy with one or more other persons for the purpose of cir-
1124 cumventing this chapter, shall, upon adjudication of violation, be subject to penalties and for-
1125 feitures established by the county or as provided in Wis. Stat. §§ 236.30, 236.31, 236.32,
1126 236.335, and 236.35. These sections provide penalties for:

1127 1. Improperly recording or causing to be recorded a final plat that does not comply with
1128 submittal requirements of Chapter 236, Wis. Stats., or this chapter.

1129 2. Offering for sale lots in a final plat that has not been recorded unless the offer or contract
1130 for sale includes language making the sale contingent upon approval of the final plat, and the
1131 sale void if the plat is not approved.

Attachment A

- 1132 3. Monuments disturbed or not placed.
1133 4. Subdividing lots that fail to conform to Chapter 236, Wis. Stats., or any applicable Wis-
1134 consin administrative regulation or this chapter.
1135 5. Selling land that abuts on a road that has not been accepted as a public road unless the
1136 seller informs the purchaser in writing that the road is not a public road and maintenance is
1137 not required to be performed by the County or Town.
1138 (b) Any failure to take enforcement action on past violations shall not operate as a waiver of the
1139 authority to take enforcement action on present violations.

1140 (3) The Department may institute any appropriate action or proceeding against violators of this
1141 ordinance as provided by law or this ordinance, including issuing citations or commencing a
1142 lawsuit seeking forfeitures or injunctive relief, or both.

1143 (4) Forfeitures. Any person, firm or corporation adjudicated for violating this ordinance shall pay
1144 a forfeiture of not less than Two Hundred Dollars (\$200) nor more than Two Thousand Dollars
1145 (\$2,000) and the costs of prosecution for each violation, and in default of payment of such
1146 forfeiture costs shall be imprisoned in the county jail until payment thereof, but not exceeding
1147 ninety (90) days. Each day a violation exists or continues shall constitute a separate offense. In
1148 addition to the penalties noted, compliance may be obtained by creating the necessary documents
1149 under the direction of the County Surveyor and placing the cost thereof on the tax roll as a
1150 special assessment.

1151
1152 **16.86 AMENDMENT.** The Dunn County Board of Supervisors may from time to time amend
1153 the regulations imposed by this chapter. Public hearings on all proposed amendments shall be
1154 conducted by the Committee following publication of a class 2 notice, as required by Wis. Stat. §
1155 236.45(4).

REPORT NO. _____

The Planning, Resources and Development Committee respectfully submits the following report on a request from Dunn County to rezone the following parcel in the Town of Menomonie from General Agriculture (GA) to the Residential 1 (R1):

The parcel is described as; Lot 2 of Certified Survey Map 2132, located in the Northeast ¼ of the Northeast ¼ and in the Southeast ¼ of the Northeast ¼, all in Section 28, Township 28 North, Range 13 West, Town of Menomonie, Dunn County, Wisconsin.

FINDINGS OF FACT AND RECOMMENDATION

A Class II notice was published in the Dunn County News on April 7 and April 14, 2021 establishing a public hearing on April 27, 2021. Request to rezone to R1 was made for the purpose of allowing the parcel to be subdivided. The public hearing was conducted by the Planning, Resources and Development Committee on April, 27, 2021 where the committee concluded to recommend to the Dunn County Board of Supervisors that said parcel be rezoned from GA to R1.

Dated this 19th day of May 2021, at Menomonie, Wisconsin.

**DUNN COUNTY, WISCONSIN
ORDINANCE NO. _____**

AMENDING THE COMPREHENSIVE ZONING ORDINANCE, TOWN OF RED CEDAR

The Dunn County Board of Supervisors does hereby ordain as follows:

The Comprehensive Zoning Ordinance for the County of Dunn, Wisconsin is hereby amended by rezoning the above-described property:

**FROM
General Agriculture (GA)
to
Residential 1(R1)**

The official zoning map of the Town of Menomonie on file in the Environmental Services Department shall be amended in accordance with this ordinance.

This ordinance shall be effective upon passage and publication as provided in Section 59.14 of the Wisconsin Statutes. This ordinance shall not be codified.

Offered this 19th day of May 2021, at Menomonie, Wisconsin.

Enacted on: _____

OFFERED BY THE PLANNING, RESOURCES
AND DEVELOPMENT COMMITTEE:

Published on: _____

ATTEST:

Thomas Quinn, Chair

Christine Soules, Deputy County Clerk

COUNTERSIGNED:

Approved as to Form and Execution:

Nicholas P. Lange, Corporation Counsel

David Bartlett, Chair
Dunn County Board of Supervisors

DUNN COUNTY, WISCONSIN
ORDINANCE NO. _____

**Creating an Ordinance Prohibiting the Use
and Possession of Drug Paraphernalia**

The Board of Supervisors of the County of Dunn does hereby ordain as follows:

Section 1. The following ordinance, entitled “Possession of Drug Paraphernalia” is created to read as follows:

POSSESSION OF DRUG PARAPHERNALIA

(1) Purpose. The purpose of this ordinance is to prohibit the use and possession of Drug Paraphernalia.

(2) Definitions. As used in this ordinance, the following terms shall have the meanings indicated:

(a) “Drug Paraphernalia” means all equipment, products and materials of any kind that are used, designed for use or primarily intended for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, storing, containing, concealing, injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled substance. “Drug Paraphernalia” includes, but is not limited to any of the following:

1. Kits used, designed for use or primarily intended for use in planting, propagating, cultivating, growing, or harvesting of any species of plant that is a controlled substance or from which a controlled substance can be derived.
2. Kits used, designed for use or primarily intended for use in manufacturing, compounding, converting, producing, processing or preparing controlled substances.
3. Isomerization devices used, designed for use or primarily intended for use in increasing the potency of any species of plant that is a controlled substance.
4. Testing equipment used, designed for use or primary intended for use in identifying, or in analyzing the strength, effectiveness or purity of a controlled substances.
5. Scales and balances used, designed for use or primarily intended for use in weighing or measuring controlled substances.
6. Diluents and adulterants, such as quinine hydrochloride, mannitol, mannite, dextrose and lactose, used, designed for use or primarily intended for use in cutting controlled substances.
7. Separation gins and sifters used, designed for use or primarily intended for use in removing twigs and seeds from, or in otherwise cleaning or refining of marijuana.
8. Blenders, bowls, containers, spoons, and mixing devices used, designed for use or primarily intended for use in compounding controlled substances.
9. Capsules, balloons, envelopes and other containers used, designed for use or primarily intended for use in packaging small quantities or controlled substances.
10. Containers and other objects used, designed for use or primarily intended for use in storing or concealing controlled substances.
11. Objects used, designed for use or primarily intended for use in ingesting, inhaling or otherwise introducing marijuana, cocaine, hashish or hashish oil into the human body, including, but not limited to, the following:

- a. Metal, wooden, acrylic, glass, stone, plastic or ceramic pipes with or without screens, permanent screens, hashish heads or punctured metal bowls.
 - b. Water pipes.
 - c. Carburetion tubes and devices.
 - d. Smoking and carburetion masks.
 - e. Roach clips: meaning objects used to hold burning material, such as a marijuana cigarette, that has become too small or too short to be held in the hand.
 - f. Miniature cocaine spoons and cocaine vials.
 - g. Chamber pipes.
 - h. Carburetor pipes.
 - i. Electric pipes.
 - j. Air-driven pipes.
 - k. Chilams.
 - l. Bongs.
 - m. Ice pipes or chillers.
- (b) “Drug Paraphernalia” excludes:
1. Hypodermic syringes, needles and other objects used or intended for use in parenterally injecting substances into the human body.
 2. Any items, including pipes, papers, and accessories that are designed for use or primarily intended for use with tobacco products.
- (c) “Primarily” means chiefly or mainly.
- (d) In determining whether an object is drug paraphernalia, a court or other authority shall consider, in addition to all other legally relevant factors, the factors listed in Wis. Stat. § 161.572.

(3) General Provisions

- (a) It shall be a violation of this ordinance to use or possess, with the primary intent to use, drug paraphernalia to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale or otherwise introduce into the human body a controlled substance.
- (b) It shall be a violation of this ordinance to deliver, possess with intent to deliver, or manufacture with intent to deliver, drug paraphernalia, knowing that it will be primarily used to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale or otherwise introduce into the human body a controlled substance.
- (c) It shall be a violation of this ordinance for any person 18 years of age or older to deliver drug paraphernalia to a person under 18 years of age who is at least 3 years younger than the violator.

(4) Penalty.

- (a) Any person 18 years of age or older who violates section (3)(a) shall be subject to a forfeiture of not more than \$500 together with costs of prosecution, and upon default of payment may be imprisoned in the county jail until said forfeiture and costs are paid, but not to exceed 30 days.
- (b) Any person 18 years of age or older who violates section (3)(b) shall be subject to a forfeiture of not more than \$1,000 together with costs of prosecution, and upon default of payment may be imprisoned in the county jail until said forfeiture and costs are paid, but not to exceed 90 days.
- (c) Any person 18 years of age or older who violates section (3)(c) shall be subject to a forfeiture of not more than \$10,000 together with costs of prosecution, and upon default

of payment may be imprisoned in the county jail until said forfeiture and costs are paid, but not to exceed 9 months.

- (d) The forfeiture schedule for a violation of any section of this ordinance for a person 18 years of age or older is as follows:
 - 1. First Offense subject to a minimum forfeiture of \$175.00.
 - 2. Second Offense within 5 years subject to a minimum forfeiture of \$225.00.
 - 3. Subsequent Offenses within 5 years subject to a minimum forfeiture of \$325.00.
- (e) Any person under the age of 18 years who violates any section of this ordinance shall have their operating privilege, as defined in Wis. Stat. § 340.01(40), suspended or revoked for not less than 6 months nor more than 5 years. In addition the following penalties shall apply:
 - 1. For a first offense, a minimum forfeiture of \$125.00.
 - 2. For a second offense within 12 months of a previous violation, a minimum forfeiture of \$175.00.
 - 3. For subsequent offenses within 12 months of a previous violation, a minimum forfeiture of \$275.00.
- (f) Any drug paraphernalia used in violation of this ordinance shall be seized and forfeited to the County of Dunn.

(5) Procedure for Enforcement of this Ordinance.

- (a) Enforcement shall be by citation.
- (b) Schedule of Deposits. Deposits shall be made in cash, money orders, or certified check to the Clerk of Dunn County Circuit Court or the Sheriff of Dunn County who shall provide a receipt to the other office and the amount of the forfeiture schedule shall be as stated above or such amount that the Circuit Court of Dunn County hereafter affixes.
- (c) Any person, firm, or corporation violating any of the subsections of this ordinance, may stipulate to the guilt or no contest and may pay to the Sheriff or the Clerk of Court, a bond according to a schedule prescribed by the Circuit Court of Dunn County, which is presently set forth above. Such stipulation will make it unnecessary for the subject charged to appear in court, and will act as a basis for the court to enter judgment and order forfeiture of bond. Forfeitures, penalty assessments, costs and fees shall be disbursed as provided in Wis. Stat. § 66.12.
- (d) Adoption of this ordinance does not preclude the County Board from adopting any other ordinance or providing for the enforcement of any other law or ordinance relating to the same or other matter. Issuance of a forfeiture hereunder shall not preclude the County or any authorized officer from proceeding under any other ordinance or law or by any other enforcement method to enforce any ordinance, regulation or order.

(6) Reference to Statutes. Reference to specific statutory sections whenever used in this ordinance, shall mean Wisconsin Statutes as amended, modified, repealed or otherwise altered by the State Legislature.

Section 2. This Ordinance shall become effective upon adoption and publication as required by law. (This section shall not be codified.)

Offered this 21st day of April, 2021, at Menomonie, Wisconsin.

Enacted on: _____

OFFERED BY THE JUDICIARY AND LAW
COMMITTEE:

Published on: _____

ATTEST:

James Tripp, Chair

Christine Soules, Deputy County Clerk

COUNTERSIGNED:

Approved as to Form and Execution:

Nicholas P. Lange, Corporation Counsel

David Bartlett, Chair
Dunn County Board of Supervisors

DUNN COUNTY, WISCONSIN
ORDINANCE NO. _____

Creating an Ordinance Prohibiting Minor Sexting

The Board of Supervisors of the County of Dunn does hereby ordain as follows:

Section 1. The following ordinance, entitled “Minor Sexting Prohibited” is created to read as follows:

MINOR SEXTING PROHIBITED

(1) Definitions. As used in this ordinance, the following terms shall have the meanings indicated:

- (a) Harmful To Minors. Any reproduction, imitation, characterization, description, exhibition, presentation or representation, of whatever kind or form, depicting nudity, sexual conduct or sexual excitement when it:
1. Predominantly appeals to prurient, shameful, or morbid interest;
 2. Is patently offensive to prevailing standards in the adult community as a whole with respect to what is suitable material or conduct for minors; and
 3. Taken as a whole, is without serious literary, artistic, political, or scientific value for minors.
- (b) Minor. Any person under the age of 18 years.
- (c) Nudity. The showing of the human male or female genitals, pubic area, or buttocks with less than a fully opaque covering; or the showing of the female breast with less than a fully opaque covering of any portion thereof below the top of the nipple. A mother’s breastfeeding of her baby does not under any circumstance constitute “nudity,” irrespective of whether or not the nipple is covered during or incidental to feeding.

(2) Offense Of Sexting. A minor commits the offense of sexting by knowingly:

- (a) Using any device capable of electronic data transmission to transmit to or distribute to another minor any photograph - image or digital representation, or video of any person which depicts nudity and is harmful to minors.
- (b) Possessing a photograph or video of any person that was transmitted or distributed by another which depicts nudity and is harmful to minors. A minor does not violate this subsection if all of the following apply:
1. The minor did not solicit the photograph or video;
 2. The minor took reasonable steps to report the photograph or video to a school or law enforcement official; and
 3. The minor did not transmit or distribute the photographs or video to a third party other than a school or law enforcement official.
- (c) Using a computer, or any other device capable of electronic data transmission or distribution, to transmit or distribute to another minor any text, correspondence, or message of a sexual nature when it:
1. Predominately appeals to a prurient, shameful, or morbid interest;
 2. Is patently offensive to prevailing standards in the adult community as a whole with respect to what is suitable material or conduct for minors; and

3. Taken as a whole, is without serious literary, artistic, political, or scientific value for minors.
- (d) Solicits the transmission or distribution of any text, correspondence, message, photograph, or video from another minor that would itself be prohibited under this ordinance.

(3) Violations And Penalties. Any person who violates any provisions of this ordinance is subject to a forfeiture or not less than \$100 nor more than \$500, together with the applicable costs.

Section 2. This Ordinance shall become effective upon adoption and publication as required by law. (This section shall not be codified.)

Offered this 21st day of April, 2021, at Menomonie, Wisconsin.

Enacted on: _____

Published on: _____

ATTEST:

Christine Soules, Deputy County Clerk

Approved as to Form and Execution:

Nicholas P. Lange, Corporation Counsel

OFFERED BY THE JUDICIARY AND LAW
COMMITTEE:

James Tripp, Chair

COUNTERSIGNED:

David Bartlett, Chair
Dunn County Board of Supervisors

DUNN COUNTY, WISCONSIN
RESOLUTION NO. _____

Adopting Sustainability Goals of Improved Efficiency to Reduce Energy Consumption, Achieving Carbon Neutrality, and Transitioning to 100% Renewable Energy by 2050

NOW, THEREFORE, BE IT RESOLVED that the Dunn County Board adopts the goals of improved energy efficiency to reduce energy consumption, achieving carbon neutrality and transitioning to 100% clean, renewable energy by 2050 for County operations, and is committed to lead the pursuit of these goals community-wide when considering land use planning, public transit, job creation, energy conservation, housing, economic development decisions and facilitation of public private partnerships; and

BE IT FURTHER RESOLVED that Dunn County will seek to collaborate with local governments, area institutions and community organizations in pursuit of these goals, including prioritizing equity, affordability, and access, particularly for low-income and marginalized communities, while encouraging the engagement of local businesses, residents and environmental advocacy groups, to exchange ideas and implement action steps to address the challenges of reducing energy use, addressing climate change and pursuing sustainable development; and

BE IT FURTHER RESOLVED that Dunn County will undertake planning and action initiatives to assist in achieving these sustainability goals for County operations, and County staff will provide a status report to the County Board as part of the annual update of the Sustainability Indicators report; and

BE IT FURTHER RESOLVED that Dunn County will continue to educate, evaluate and incorporate emerging sustainable technologies and practices into future management decisions, purchases and construction projects; and

BE IT FURTHER RESOLVED that the Dunn County Clerk shall send copies of this resolution to Dunn County's elected representatives in the Wisconsin Assembly and Senate and the Governor.

Offered this 19th day of May, 2021, at Menomonie, Wisconsin.

OFFERED BY THE FACILITIES COMMITTEE:

Adopted on: _____

Charles Maves, Chair

ATTEST:

Approved as to Form and Execution:

Christine Soules, Deputy County Clerk

Nicholas P. Lange, Corporation Counsel

Budget Impact: The direct fiscal impact is unknown without analysis of individual actions taken in county operations. However, reduction of energy consumption will likely lead to significant budget savings over time.

Background Information: Climate change is widely recognized by government, business, the military, and academic researchers as a threat to natural resources, public safety, and our economy. There is scientific consensus that the combustion of fossil fuels creates greenhouse gasses and is a significant cause of climate change, and that this poses a serious threat to current and future generations.

Because Wisconsin has no substantial in-state fossil fuel resources, reliance on fossil fuels has a substantial negative impact on Wisconsin's economy. According to a report dated February 4, 2019, by the Center on Wisconsin Strategies entitled "Wisconsin Opportunity in Domestic Energy Production: The Economic and Health Benefits of 100% In-State Energy Production," as of 2016, Wisconsin has an annual estimated energy spending deficit of approximately \$14 billion. These are expenditures that leave the state of Wisconsin for the purchase of energy.

The State of Wisconsin has established a goal to ensure that all electricity consumed in the state will be carbon-free by 2050, and Xcel Energy has established the same goal. With this Resolution, the Board of Supervisors adopts and reaffirms goals of improved energy efficiency to reduce energy consumption, achieving carbon neutrality and transitioning to 100% clean, renewable energy by 2050 for County operations. Adoption and implementation of these goals will partly satisfy one major plank (Sustainability) in the recently developed Dunn County Directional Plan.

This Resolution also reaffirms Dunn County's commitment to reduce its contribution to climate change, and make a commitment to lead the pursuit of these goals community-wide when considering land use planning, public transit, job creation, energy conservation, housing, economic development decisions and facilitation of public private partnerships. Pursuing these goals will reduce out-of-state monetary flows, recycle dollars back into local economies, spur local economic growth, and create jobs. Without achievement of these goals, local climate change impacts will continue to include extreme weather events that threaten infrastructure, excessive flooding, worsening heat waves, increasingly severe and more frequent droughts, diebacks of native tree species, increased presence of algae blooms on area lakes and ponds, and loss of suitable trout stream habitat in Wisconsin.

The County envisions a climate and energy planning process that reflects community values and stakeholder participation to develop low-carbon means to reach these goals. Stakeholders include all county residents, low-income and minority populations, large and small businesses, local utilities, the educational community, institutions, the building and construction sector, transportation providers, and waste companies, town and municipalities within the County, and others. The County recognizes that the process to achieve these ambitious goals represents a journey that needs to be realistic and sensitive to unintended impacts. Careful and ongoing planning is necessary to understand what is practical in the short term while ratcheting up efforts in the mid and long-term ranges, where technological advancements occur and costs decline.

DUNN COUNTY, WISCONSIN
RESOLUTION NO. _____

Amending Resolution 2021-14 Regarding Standard Operating Procedures, Policies and Guidelines for the 2021 Racing Season at the Red Cedar Speedway

NOW, THEREFORE, BE IT RESOLVED, that the Red Cedar Speedway’s Standard Operating Procedure for 2021 Racing Season, attached hereto and incorporated by reference as if set forth in full herein, is approved and replaces in its entirety the document of the same name approved by Resolution 2021-14, while the other elements of Resolution 2021-14 shall remain in force;

BE IT FURTHER RESOLVED that the Facilities Committee is authorized to approve any future changes or amendments to the details of the Standard Operating Procedure for 2021 Racing Season approved by this Resolution, or to the Red Cedar Racing Associations Policies, Procedures, Guidelines, and Protocols for the 2021 Racing Season approved by Resolution 2021-14 deemed appropriate in consideration of public health, safety, and welfare.

Offered this 19th day of May, 2021, at Menomonie, Wisconsin.

OFFERED BY THE FACILITIES COMMITTEE:

Adopted on: _____

Charles Maves, Chair

ATTEST:

Approved as to Form and Execution:

Christine Soles, Deputy County Clerk

Nicholas P. Lange, Corporation Counsel

Budget Impact: Approval of this resolution will have no impact on the 2021 adopted budget.

Background Information: On March 17, 2021, the Dunn County Board of Supervisors passed Resolution 2021-14 which set forth procedures and policies for Red Cedar Speedway and Red Cedar Racing Association for the 2021 Racing Season.

The Red Cedar Racing Association has worked collaboratively with the Dunn County Health Department to draft changes to those procedures and policies, which changes were subsequently recommended for approval by the Facilities Committee of the Dunn County Board at its meeting of May 11, 2021.

RED CEDAR SPEEDWAY'S STANDARD OPERATING PROCEDURE FOR 2021 RACING SEASON

This SOP does not otherwise modify the contract between Dunn County and the Red Cedar Racing Association unless specifically stated herein. Moreover, the 2021 SOP is being agreed upon for the 2021 Racing Season in consideration for the ongoing Corona Virus Pandemic.

2021 Race Event Schedule: April 9, 2021 through August 27, 2021, September 23, 2021 through September 27, 2021.

Grandstand Capacity includes the Grandstand structure and Auxiliary Bleachers 1 and 2.

Grandstand Attendance Capacity is 1,465 which is broken down as follows:

- Grandstand Structure: 1,134 people
- Auxiliary Bleacher 1: 165 people
- Auxiliary Bleacher 2: 165 people

Maximum Attendance and COVID Protocols

On the Wednesday prior to Friday race events, a review of new Dunn County COVID-19 positive cases will be done for the previous 7 days. Based on the average of those 7 days, Red Cedar Speedway, in conjunction with the Dunn County Health Director will agree on the maximum grandstand capacity that will be permitted for that week's race event based on the following criteria:

Maximum Permitted Grandstand	100%	75%	60%	50%	35%	25%	Current DCHD outdoor gathering recommendations
Number of people	1465	1098	879	732	513	366	100 as of 5/11/2021
Corresponding State Burden		Moderately high	Moderately high	High	High	High	
Cases/week	9.1	18.06	22.6	27.16	36.2	45.36	
Case/day average	1.3	2.58	3.23	3.88	5.1	6.48	

People voluntarily providing proof of vaccination may be sold tickets in addition to the above maximum permitted grandstand as indicated by the 7-day average after review and verification by RCRA representatives.

Where maximum permitted capacity is 50% or less, the following non-pharmaceutical interventions will be required by all attendees:

- Stay home when sick
- Practice good hand hygiene
- Practice physical distancing outside of household
- Wear a cloth face covering

Where maximum permitted capacity is greater than 60 percent, all attendees will be encouraged to follow non-pharmaceutical interventions listed above.

No indoor event shall be held that exceed Dunn County gathering recommendations.

In the event that the maximum permitted Grandstand attendance is limited to 0 (zero) the RCRA may cancel a scheduled race event or, subject to approval by Dunn County, may be allowed to hold a weekly racing event in one of the following forms:

- Hold the scheduled races without grandstand attendance
- Change the event to a test and tune event without grandstand attendance

For events where the grandstand is closed to the general public (when the Grandstand is limited to zero fans), no concessions will be sold on the Grandstand side of the property.

Notwithstanding any of the above protocols, due to unforeseen circumstances relating to the COVID pandemic not contemplated in this SOP, Dunn County may determine no racing event will be held.

Dunn County Board of Supervisors and Committee Members Per Diem and Expense Form

<u>Date</u>	<u>Meeting</u>	<u>Per Diem</u>	<u>Reimbursable Expenses</u>				<u>Acct. #</u> <small>(For Office Use Only.)</small>
			<u>Mileage</u> <small>(\$0.56 X Miles)</small>	<u>Meals</u> <small>(not to exceed state rate per day)</small>	<u>Other</u> <small>(hotels, computer hookup etc.)</small>	<u>Total</u>	

Total Per Diem = _____

Total Expenses = _____

I, _____, a Dunn County Supervisor, or officially appointed member to a Dunn County Committee, do, on _____, 2021, hereby swear that this statement of expenses and Per Diem is correct and true and that the sums charged were actually disbursed to me as stated in the account and that no part of the same has been paid to me.

Signed: _____ Date: _____

Approved by : (Name) _____ (Title) _____ (Date) _____, 2021