

APRIL SESSION

April 18, 2017

Chairman Kirkpatrick called the meeting to order. Roll call found all members present except Peters.

Reverend Naomi Garber, Pastor of St. John's Lutheran Church, Richland Center, gave the Invocation. County Clerk Vlasak led the Pledge of Allegiance.

County Clerk Vlasak read the agenda for the April session. Motion by Kinney, second by McKee that the agenda be approved. Motion carried. Chairman Kirkpatrick announced that the agenda item "Resolution Increasing Shift Differential And Weekend Differential Compensation For The Nursing And Patient Care Staff At Pine Valley Community Village" would not be acted on at this session.

Chairman Kirkpatrick asked if any member desired that the minutes of the March session be read or if any member desired to amend the minutes of the previous session. Hearing no motion to read or amend the minutes of the March session, the Chairman declared the minutes as approved.

Resolution No. 17-37 Approving The Town of Ithaca's Rezoning Of A Parcel Belonging To Robert and Ronda Cook was presented to the Board. Motion by Williamson, second by Sebranek that Resolution No. 17-37 be adopted. Zoning Administrator Mike Bindl explained the rezoning request. Motion carried and resolution declared adopted.

RESOLUTION NO. 17 - 37

A Resolution Approving The Town of Ithaca's Rezoning Of A Parcel Belonging To Robert and Ronda Cook.

WHEREAS the usual way that zoning is accomplished in the unincorporated areas of counties in Wisconsin is for the county to adopt county-wide zoning and for the town boards that wish to do so to elect to be covered by that zoning, but there is an alternate, seldom-used method whereby towns, with the permission of the county board, can adopt their own zoning ordinances, and

WHEREAS the Town of Ithaca is one of two towns in Richland County that has elected to have town zoning and Wisconsin Statutes, section 60.62 (3) (a), provides that the County Board must not only approve the Town's initial zoning ordinance and zoning maps but the County Board must also approve any rezonings before they become effective, and

WHEREAS representatives of the Town of Ithaca met recently with the Zoning and Land Information Committee and requested that the County Board approve the Town's rezoning of a parcel belonging to Robert and Ronda Cook from the Agricultural District to the Agricultural Residential District in the Town of Ithaca's Zoning Ordinance and the Zoning and Land Information Committee has carefully considered this matter and is now recommending that the County Board approve this rezoning.

NOW, THEREFORE, BE IT RESOLVED by the Richland County Board of Supervisors in accordance with Wisconsin Statutes, section 60.62(3) (a), that approval is hereby granted for rezoning the following-described real estate from the Agricultural District to the Agricultural Residential District in accordance with the Town of Ithaca's Zoning Ordinance:

Located in part of the southwest quarter of the northeast quarter and part of the fractional northwest quarter of the northeast quarter of section 2, township 10 north, range 2 east, Town of Ithaca, Richland County, Wisconsin, more particularly described as follows:

Commencing at the east quarter corner of said section 2;
 Thence south 89°51'36" west, along the south line of said northeast quarter, 1300.74 feet to the southeast corner of said southwest quarter of the northeast quarter;
 Thence north 00°54'20" east, along the east line of said southwest quarter of the northeast quarter, 248.51 feet to a point on the centerline of Glory Ridge Lane;
 Thence north 71°01'13" west, 28.54 feet to a point on the arc of a 455.44 foot radius curve to the left, also being the **POINT OF BEGINNING** of the lands hereinafter described;
 Thence northwesterly, 102.42 feet along said centerline and the arc of said curve having a central angle of 12°54'05" and a chord bearing north 79°14'40" west, 102.20 feet to the point of tangency of said curve;
 Thence north 85°38'45" west, along said centerline, 52.45 feet to the point of curvature of a 165.00 foot radius curve to the right;
 Thence northwesterly, 214.49 feet along said centerline and the arc of said curve having a central angle of 74°28'49" and a chord bearing north 48°24'21" west, 199.70 feet to the point of tangency of said curve;
 Thence north 11°09'56" west, along said centerline, 413.41 feet to the northerly point of termination of glory ridge lane;
 Thence north 78°50'04" east, perpendicular to said centerline, 10.00 feet to a point on the easterly limits of a private access easement described in document number 276309;
 Thence north 16°03'15" west, along the easterly limits of said easement, 156.65 feet;
 Thence north 19°42'06" west, along the easterly limits of said easement, 32.81 feet;
 Thence north 84°08'38" east, 369.55 feet;
 Thence north 00°21'13" east, 686.06 feet;
 Thence north 25°17'42" west, 96.46 feet to a found 3/4" diameter iron rebar;
 Thence south 89°08'39" east, 142.75 feet;
 Thence south 01°43'17" west, 1554.08 feet to the point of beginning, and

BE IT FURTHER RESOLVED that the Zoning Administrator shall send a copy of this Resolution to the Town Clerk of Town of Ithaca, and

BE IT FURTHER RESOLVED that this Resolution shall be effective immediately upon its passage and publication.

RESOLUTION OFFERED BY THE ZONING AND LAND INFORMATION COMMITTEE

	FOR	AGAINST
Larry Sebranek	X	
James Huffman	X	
Paul Kinney	X	
Steve Williamson	X	

Symons Recreation Complex Director Denise Lins distributed copies of the 2016 Annual Report for the Symons Recreation Complex. The report included statistics on visits and membership; classes and program participation; and operational costs.

Resolution No. 17-38 Commemorating The Service of Carol Clausius As A County Board Supervisor was read by County Clerk Vlasak. Motion by Clary, second by Williams that Resolution No 17-38 be adopted. Motion carried and resolution declared adopted.

RESOLUTION NO. 17 - 38

A Resolution Commemorating The Service of Carol Clausius As A County Board Supervisor.

WHEREAS Carol Clausius served as a County Board Supervisor from her election on April 18, 2000 until her resignation on March 21, 2017, and

WHEREAS the County Board wants to express its appreciation to Carol Clausius for her public service as a County Board Supervisor.

NOW THEREFORE BE IT RESOLVED by the Richland County Board of Supervisors that the County Board hereby expresses its sincere appreciation for the public service rendered by Carol Clausius as a County Board Supervisor from April 18, 2000 until March 21, 2017 and the County Board expresses its best wishes to her for the future, and

BE IT FURTHER RESOLVED that the County Clerk shall send a copy of this Resolution to Carol Clausius at 26370 Arnell Drive, Richland Center.

RESOLUTION OFFERED BY THE RULES AND
RESOLUTIONS COMMITTEE AND ETHICS BOARD

FOR AGAINST

Fred Clary	X
Richard Rasmussen	X
Ruth E. Williams	X
Donald Seep	X
David J. Turk	X

Resolution No. 17-39 Relating To Obtaining A State Grant For The Maintenance And Grooming Of Snowmobile Trails was presented to the Board. Motion by Bellman, second by Kinney that Resolution No. 17-39 be adopted. Motion carried and resolution declared adopted.

RESOLUTION NO. 17 - 39

A Resolution Relating To Obtaining A State Grant For The Maintenance And Grooming Of Snowmobile Trails.

WHEREAS State funds are available to counties in Wisconsin for the maintenance and grooming of snowmobile trails under the County Snowmobile Trail Aids Program which is administered by the State Department of Natural Resources (DNR), and

WHEREAS the Richland County Land Conservation Department, working with the Richland County Snowmobile Alliance, Inc., has proposed that Richland County apply for a \$33,700.00 grant for the purpose of maintaining and grooming the approximately 134.8 miles of snowmobile trails in Richland County for the winter of 2017-2018, and

WHEREAS Rule 19 of the Rules of the Board requires that all grant applications must be approved by the County Board and the County Parks Commission has carefully considered this matter and is now recommending that the County Board adopt this Resolution.

NOW, THEREFORE, BE IT RESOLVED by the Richland County Board of Supervisors that approval is hereby granted for applying for and accepting a \$33,700.00 grant from DNR's County Snowmobile Trail Aids

Program for the purpose of maintaining and grooming the approximately 134.8 miles of snowmobile trails in Richland County, with the grant period being from July 1, 2017 to June 30, 2018, and

BE IT FURTHER RESOLVED that the County Conservationist Cathy Cooper is hereby authorized to sign on behalf of Richland County such documents as may be necessary to carry out this Resolution, and

BE IT FURTHER RESOLVED that this Resolution shall be effective immediately upon its passage and publication.

RESOLUTION OFFERED BY THE COUNTY BOARD
SUPERVISOR MEMBERS OF THE COUNTY PARKS
COMMISSION

FOR AGAINST

Robert L. Bellman	X
Kerry Severson	X
Larry Jewell	X

Resolution No. 17-40 Approving An Amendment To A 2016 Contract With The Health and Human Services Department was read by County Clerk Vlasak. Motion by Myers, second by Brewer that Resolution No. 17-40 be adopted. Health and Human Services Director Patrick Metz answered questions. Motion carried and resolution declared adopted.

RESOLUTION NO. 17 - 40

Resolution Approving An Amendment To A 2016 Contract With The Health and Human Services Department.

WHEREAS Rule 19 of the Rules of the Board requires County Board approval for all contracts of the Department of Health and Human Services involving the expenditure of \$50,000 or more, and

WHEREAS the Health and Human Services Board is recommending that a 2016 contract be amended and the Board is now presenting this Resolution to the County Board for its consideration.

NOW THEREFORE BE IT RESOLVED by the Richland County Board of Supervisors that the following amendment to a 2016 contract with the Department of Health and Human Services is hereby approved:

With the Aging and Disability Resource Center of Eagle Country – Juneau County (Mauston); original amount: \$324,000; amended to \$378,000 due to a special construction project. These funds are forwarded from the Regional Aging and Disability Resource Center State General Purpose Revenue Funds and Federal Medicaid funding, and

BE IT FURTHER RESOLVED that the Health and Human Services Board is hereby authorized to amend the above amended contract by not more than 15%, and

BE IT FURTHER RESOLVED that the Director of the Health and Human Services Department, Patrick Metz, is hereby authorized to sign the above amended contract on behalf of the County, and

BE IT FURTHER RESOLVED that this Resolution shall be effective immediately upon its passage and publication.

RESOLUTION OFFERED BY THE COUNTY BOARD
SUPERVISOR MEMBERS OF THE HEALTH AND
HUMAN SERVICES BOARD

FOR AGAINST

Linda Gentes	X
Marty Brewer	X
Larry Jewell	X
Kerry Severson	X
Donald Seep	X
Bryan L. Myers	X

Ordinance No. 17-5 Assessing Reasonable Costs In Certain Guardianship And Protective Placement/Services Court Proceedings was read by County Clerk Vlasak. Motion by Brewer, second by Gentes that Ordinance No. 17-5 be enacted. Corporation Counsel Southwick explained that the Judge would determine if the individual was not indigent and issue a court order requiring payment of the fees. Discussion followed. Motion carried and resolution declared adopted.

ORDINANCE NO. 17 - 5

An Ordinance Assessing Reasonable Costs In Certain Guardianship And Protective Placement/Services Court Proceedings.

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

1. The authority for this Ordinance is Wisconsin Statutes, section 54.46 (3), relating to guardianships, and section 55.075 (4) relating to protective placement/services Court proceedings.
2. The purpose of this Ordinance is to set forth reasonable costs for the services provided by the County in guardianship and protective placement/services Court proceedings in which the Court finds that it would not be inequitable to assess the County's costs to the ward.
3. The County's costs in these proceedings include the services of the County's Adult Protective Services Worker and the Corporation Counsel as well as the fees of the Guardian ad litem and adversary counsel.
4. This Ordinance applies only to those cases in which the petition for guardianship and/ or protective placement/services is granted by the Court.
5. The following fees are found by the County Board to be reasonable in those cases which the County is the petitioner:
 - (a) \$ 300 in uncontested (no adversary counsel appointed) guardianship and/or protective placement/services cases, including Chapter 51/54 conversions;
 - (b) \$ 225 if adversary counsel is appointed;
 - (c) \$525 if an evidentiary hearing is held.

6. \$300 for contested annual Watts reviews if any evidentiary hearing is ordered.
7. \$ 175 in cases where the County is not the petitioner, for the services of the Adult Protective Services Worker to do an assessment of the ward and a placement study and recommendation for placement.
8. \$250 for successor guardian of person and estate.
9. The Ward shall pay the fees of the Guardian ad litem and adversary counsel.
10. This Ordinance shall be effective immediately upon its passage and publication and it shall apply to all guardianship and protective placement services Court cases pending as of January 1, 2017 and all cases filed after that date.

Dated: April 18, 2017
 Passed: April 18, 2017
 Published: April 27, 2017

ORDINANCE OFFERED BY THE COUNTY BOARD
 SUPERVISOR MEMBERS OF THE HEALTH AND
 HUMAN SERVICES BOARD

Jeanetta Kirkpatrick, Chairman
 Richland County Board of Supervisors

FOR AGAINST

ATTEST:
 Victor V. Vlasak
 Richland County Clerk

Linda Gentes	X
Kerry Severson	X
Marty Brewer	X
Larry Jewell	X
Donald Seep	X
Bryan L. Myers	X

Resolution No. 17-41 Approving Amendments To The Pine Valley Community Village’s Addendum To The Handbook Of Personnel Policies And Work Rules was presented to the Board. Motion by Seep, second by Severson that Resolution No. 17-41 be adopted. Therese Deckert, Pine Valley Fiscal Clerk, explained the changes to Pine Valley’s Addendum. Motion carried and resolution declared adopted.

RESOLUTION NO. 17 - 41

A Resolution Approving Amendments To The Pine Valley Community Village’s Addendum To The Handbook Of Personnel Policies And Work Rules.

WHEREAS it is necessary from time to time to change Pine Valley Community Village’s Addendum to the County’s Handbook of Personnel Policies and Work Rules in order to have the Addendum be consistent with the ever-changing needs of Pine Valley, and

WHEREAS the Board of Trustees of Pine Valley Community Village has carefully considered this matter and is now presenting the following amendments to Pine Valley’s Addendum to the County Board for its consideration.

NOW THEREFORE BE IT FURTHER RESOLVED by the Richland County Board of Supervisors that approval is hereby granted for the following changes to Pine Valley Community Village’s Addendum to the County’s Personnel Policies and Work Rules, with the crossed-out items being repealed and the underlined items being adopted:

1. The phrase “Healthcare & Rehabilitation Center” is replaced by “Community Village” throughout the Addendum.

2. Section E entitled “ Terms and Conditions of Employment”:

a. Subsection 1 entitled “Office Hours”:

- c. Work Week: The normal work week for full-time employees shall consist of at least nine (9) work days in fourteen (14) calendar day period, ~~except the present kitchen eyele.~~

b. Subsection 3 entitled “Pay Period”:

Pay Period: All employees shall be paid every other Thursday. If a payday falls on a holiday, the payday will be the day prior to the holiday. ~~Checks~~ Paystubs are available at the receptionist's desk ~~or at the 2nd floor nurse's station~~ after 2:00 P.M. on Thursday.

c. Subsection 4 entitled “Time Paid”:

Call-in: Employees who have less than ~~five (5)~~ six (6) scheduled shifts or ~~38.75~~ 46.50 hours in a 14 day pay period in a designated call-in position.

Shift Differential: Registered Nurses, Licensed Practical Nurses, Nursing Assistants and Maintenance Workers, except those employees whose positions are listed in section F 8 under the heading “Compensatory Time”, and call-in RN's, LPNS, Nurse Techs, and C.N.A.'s who receive hourly “premium pay” whose shifts begin at or after 2:00 p.m. receive a premium of 25¢ hour, except persons whose shift begins at or after 10:00 p.m. receive a 30¢ per hour premium, added to the base rate. If shifts which presently start at or after these hours are changed to an earlier hour, the premium will apply to such earlier shifts.

Weekend Differential: All Employees except those employees whose positions are listed in section F 8 under the heading “Compensatory Time”, and call-in RN's, LPN's, Nurse Techs and C.N.A.'s who receive hourly premium pay, whose shifts begin at or after 2:00 p.m. receive for whose shifts begin on or after 10:00 p.m. Friday nights and whose shift extends to or until 10:00 p.m. Sunday will receive a forty cent (40¢) per hour premium in addition to regular rate of pay.

d. Subsection 5 entitled “Accident and Injuries”;

Accident and Injuries: All incidents and accidents involving employees or visitors will be reported immediately to a supervisor and an incident report completed and routed to the various depts. All employees are covered by Worker's Compensation Insurance. Employees who are injured while on the job should report their injury to a nurse on duty immediately following the accident. Should the employee find it necessary to see a Health Care Provider, a "Request to Doctor" form must be hand carried by the employee to the provider at the time of the appointment. The employee should report to their supervisor if a Health Care Provider has been seen and return the "Physician Report on Injured Employee" form to the ~~Human Resources Office~~ Switch Board Operator. Late incident reports or failure to follow facility safety policies may result in disciplinary action.

e. Subsection 7 entitled “Breaks”:

Breaks: Employees working a full 7 ¾ hour shift will be entitled to one paid 20 minute coffee break per day. Employees working less than a 6 hour shift a day but at least 4 hours will receive a 10 minute paid break. Employees who work 6 or more hours will be scheduled for a 30 minute unpaid break.

*Lactation Accommodation: ~~To facilitate nursing mothers’ expression of breast milk during their shift.~~ To comply with state and federal laws regarding lactation breaks, ~~it is~~ it is the policy of this nursing facility to ~~facilitate~~ accommodate nursing mothers’ who desire to express breast milk. This will apply to willing mothers for children up to one year of age. Flexibility in scheduling this employee’s breaks to accommodate the usual feeding times of the child will be considered. Pumping usually takes 15-20 minutes and may be needed 2-3 times during an 8-hours shift. If the activity will exceed the paid break times allowed by the facility, unpaid time may be used to complete the process. (Staff would need to punch out and punch back in when completed).

A. PROCEDURE:

- 1.) Employee will inform their supervisor if they wish to express breast milk during their work hours.
- 2.) A private place close to the employee’s work unit will be mutually agreed upon for the activity to take place. Ways to ensure privacy during the activity will be mutually agreed upon by the employee and supervisor. (What the sign will say to limit other staff entry, provide a room with a lock on the door if possible, window covering, etc.)
- 3.) The selected room should have a table, chair, electricity and if possible, running water and close access to a refrigerator.
- 4.) Jokes or harassment based on this activity will not be tolerated.
- 5.) If the employee is not satisfied with the lactation arrangements, they should speak with their supervisor or the Human Resource Director.

f. Subsection 11 entitled “Performance Evaluation”:

Performance Evaluations: All staff shall be evaluated 3 months after hire and prior to completing their probationary period staff must accrue 936 hours of actual work or be employed for six months to pass probation, whichever is greater. This will allow for review by the Administrator and Department Head for: successful completion of probation, need to extend probation, or need to terminate employment. Staff will then be evaluated ~~18~~ 12 months from the probationary evaluation, and ongoing on an annual basis. Evaluations forms used will be based off of Pine Valleys template and are specific to the employee’s job description. The Administrator will be evaluated by the Pine Valley Board of Trustees. Pine Valley Department Heads will be evaluated by the Administrator. Department Heads will evaluate their staff. R.N. Managers will evaluate licensed staff. Licensed staff will evaluate nursing assistants. The Performance Appraisal is a tool to clarify work standards, view level of performance, evaluate: job knowledge, attendance, punctuality, quality and quantity

of work, adaptability, judgment and interpersonal relationships. The purpose of the evaluation is to acknowledge strengths and identify weaknesses which need to be corrected. The worker's overall performance should be improved as a result of the evaluation.

g. Subsection 13 entitled "Time Clock and Badges":

Time Clock and Badges: Employees ID Badge is used for access into the facility and is used to punch the time clock. The ID Badge is also used for access to various areas of the building based on the employee's job title .It is the employee's responsibility to keep this badge secure and employee must notify their supervisor or the payroll clerk immediately if their badge is misplaced or lost or if occurs during non-business hours call Richland County MIS Director at 608-649-5922. If for any reason the employee must have his/her time validated, the immediate Supervisor, Department Head or Administrator must approve the entry. Personnel will not clock in more than seven minutes prior to their scheduled period of work or over seven minutes after completion of work unless approved by the Administrator, Department Head or their designated representative.

4. Section F entitled "Compensation and Fringe Benefits":

a. Subsection 1 entitled "Health Insurance":

Health Insurance: See County handbook/policy.

The employer shall provide health insurance coverage for employees who are on Worker's Compensation for a period of one year, or medical leave of absence for a period of six (6) months. Request for leaves of absence must be in writing and directed to the Administrator. The Administrator may extend an employee's leave of absence an additional 6 months. No employee will be granted a leave of absence in excess of one year. Employees must exhaust all benefit time prior to starting unpaid leave.—~~The employer~~ employee shall pay its normal premium contribution. The insurance may be continued by an employee on an authorized extended or non-qualifying leave of absence if permitted by the insurer, with the employee paying the total premium. The employee would contact the County Clerk's office to find out the premium due date, and then submit the premium to the County Clerk's office.

b. Subsection 6 entitled "Holidays":

Paid holidays for regular employees, including probationary employees are as follows:

New Year's Day, Easter, Memorial Day, Independence Day, Labor Day, ~~Veteran's Day~~, Thanksgiving Day, and Christmas Day. Full-time employees receive ~~two~~ three personal holidays and part-time employees receive one day & half personal holidays. Staff must satisfactorily complete the probationary period to be eligible for personal days.

- d. Hours Worked on a Holiday: If the majority of an employee's hours worked fall on a holiday, then the employee's entire shift shall be considered as paid time for computation of holiday pay. ~~Holiday pay shall be computed by hours worked midnight to midnight.~~ Holiday pay for night staff shall be the night shift before the

holiday.

- h. ~~Regular call in employees working a minimum of 832 hours in a calendar year will receive one (1) personal holiday.~~ Personal holidays need to be used in the calendar year or they are forfeited.
- i. Holidays Falling On Weekends , Employees off day ~~and Veteran's Day:~~ Employees who do not usually work weekends, will receive compensation time, equivalent to straight time, and may use the holiday up to 30 days after the holiday.

b. Subsection 7 entitled "Bereavement Leave":

~~Bereavement Leave: Call in employees are eligible for one day for funeral only if they are scheduled to work on a date this situation would arise. Refer to Handbook of Personnel Policies.~~

c. Subsection 8 entitled "Compensatory Time":

Compensatory Time – Pine Valley ~~Healthcare & Rehabilitation Center~~ offers compensatory time for employees in the following positions. Compensatory time is accumulated at the rate of one and one-half hours of compensatory time for time worked over 8 hours per day or 80 hours per pay period. Compensatory time may be

accrued up to a maximum of 40 hours. Once this plateau has been reached, further compensation time will not accrue unless the balance falls below 40 hours, except with the approval of the Administrator. Compensatory time not taken by separation date will be paid. Pine Valley Administrator is not eligible to receive compensatory time and is exempt from the provisions of Fair Labor Standards Act. Compensatory time is accumulated only with the Department Head's prior approval in each instance. Any eligible time over an accumulated 40 hours per year of compensatory time must be paid out as overtime.

Director of Nursing
Nursing Administrator Assistant
Nurse Managers
Director of Activities
Social Workers
Food Service Supervisor
Assistant Food Service Supervisor
Maintenance Supervisor
~~Housekeeping/Laundry Supervisor~~
Administrative Assistant
Human Resource Director
Medical Records Supervisor
Clerical Assistants
Fiscal Clerks

d. Subsection 10 entitled "Sick Leave":

Days in Bank

When and if an employee maintains at least 24 sick days for a 12 month calendar year, that employee may also be paid for half of the sick leave not used, but accrued during that 12 month calendar year. The maximum number of days paid at the end of a 12 month period will not exceed six. Sick leave payment for those employees eligible and desiring to be paid will be made during the month of January each year for the previous 12 months ending December 31.

Part time earn ½ day per complete month of service.

~~Call in Sick Leave: One Day (7 ¾ hours) for each 167.92 hours worked.~~

e. Subsection 11 entitled “Vacation”:

Vacation – Vacation benefits are accrued at the following rates. Maximum accumulation for each year of service is indicated in the full-time column.

Years	Full-time	Part-time	<u>OR (whichever is greater)</u>	Call In
1 Yr	5 days	2.5 days	<u>1 day/403 hrs compensated</u>	
2 Yrs	10 days	5.0 days	<u>1 day/201.5 hrs compensated</u>	
6 Yrs	15 days	7.5 days	<u>1 day/134 hrs compensated</u>	
12 Yrs	20 days	10.0 days	<u>1 day/101 hrs compensated</u>	
23 Yrs	25 days	12.5 days	<u>1 day/ 81 hrs compensated</u>	

4. Section J entitled “Miscellaneous Personnel Provisions”:

Subsection 25 entitled “Security”:

Security: Building security is the responsibility of the maintenance department or the nurse in charge in the absence of the maintenance personnel. All exit doors are locked from ~~11:00-7:00 P.M.~~ 4:00-7:00 A.M. the following morning. Entry can be made by ~~ringing the bell at the main entrance during these hours.~~ Staff with the use of their photo ID badge, and

BE IT FURTHER RESOLVED that this Resolution shall be effective on May 20, 2017.

RESOLUTION OFFERED BY THE FINANCE AND PERSONNEL COMMITTEE

FOR AGAINST

Jeanetta Kirkpatrick	X
Fred Clary	X
Donald Seep	X
Robert L. Bellman	X
Buford E. Marshall, Jr.	X
Larry Sebranek	X
Linda Gentes	X

Resolution No. 17-42 Approving A Financial Grant To Southwest Partners, Inc. And Making An Appropriation was read by County Clerk Vlasak. Motion by Severson, second by Bellman that Resolution No. 17-42 be adopted. Motion by Clary, second by McKee that the resolution be amended to state that the \$4,000.00

is hereby appropriated from the "Contingency" Fund. Motion carried on the amendment. Motion carried and resolution, as amended, declared adopted.

RESOLUTION NO. 17 - 42

A Resolution Approving A Financial Grant To Southwest Partners, Inc. And Making An Appropriation.

WHEREAS Michael Breininger made a presentation to the Finance and Personnel Committee on behalf of Southwest Partners, Inc., which is a local non-profit corporation which is engaged in various community service projects, requesting a \$4,000 grant from the County to fund a 20% Economic Development Specialist position to be contracted with the Southwest Regional Planning Commission, and

WHEREAS the Finance and Personnel Committee has carefully considered this proposal and is now presenting this Resolution to the County Board for its consideration.

NOW THEREFORE BE IT RESOLVED by the Richland County Board of Supervisors that approval is hereby granted for the County to make a \$4,000 appropriation to Southwest Partners, Inc., for the purpose of assisting, along with 6 other entities, the funding of a 20% Economic Development Specialist position to be contracted with the Southwest Regional Planning Commission, and

BE IT FURTHER RESOLVED that the initial hire is to be for 416 hours at \$55.00 per hour at a total cost of \$24,000, and

BE IT FURTHER RESOLVED that \$4,000 is hereby appropriated from the Contingency Fund for the purpose of carrying out this Resolution, and

BE IT FURTHER RESOLVED that this Resolution shall be effective immediately upon its passage and publication.

RESOLUTION OFFERED BY THE FINANCE AND PERSONNEL COMMITTEE

FOR AGAINST

Jeanetta Kirkpatrick	X
Fred Clary	X
Larry Sebranek	X
Robert L. Bellman	X
Buford E. Marshall, Jr.	X
Linda Gentes	X
Donald Seep	X

Ordinance No. 17-6 Richland County Mobile Tower Siting was presented to the Board. Motion by Huffman, second by Williamson that Ordinance No. 17-6 be adopted. Chairman Kirkpatrick granted Supervisors Rasmussen's request to be excused from voting on the ordinance. Zoning Administrator Bindl explained that, due to recent changes in Wisconsin Statutes 66.0404, there is very little that a municipality can do to deny a tower application. Adoption of this ordinance would remove tower applications from the zoning ordinance and create a separate stand alone ordinance for mobile tower siting. Discussion followed. Motion carried and ordinance declared enacted.

ORDINANCE NO. 17 - 6

Richland County Mobile Tower Siting Ordinance

SECTION I – TITLE

This ordinance is entitled the Richland County Mobile Tower Siting Permit Ordinance.

SECTION II – PURPOSE

The purpose of this ordinance is to regulate by land use permit (1) the siting and construction of any new mobile service support structure and facilities; (2) with regard to a class 1 collocation, the substantial modification of an existing support structure and mobile service facilities; and (3) with regard to a class 2 collocation, collocation on an existing support structure which does not require the substantial modification of an existing support structure and mobile service facilities. It is intended that Richland County shall apply these regulations to accomplish the following:

- A. Maintain and ensure that a nondiscriminatory, competitive and broad range of telecommunications services and high quality telecommunications infrastructure consistent with the Federal Telecommunications Act of 1996 are provided to serve the community, as well as serve as an important and effective part of the Richland County law enforcement, fire and emergency response network.
- B. Provide a process for obtaining necessary permits for telecommunications facilities while at the same time protecting the interests of Richland County citizens.

SECTION III – AUTHORITY

This ordinance is adopted under the authority of §59.69 Wis. Stats and §66.0404 Wis. Stats.

SECTION IV – APPLICABILITY

This ordinance applies to all lands within the boundaries of the county lying outside the Town of Ithaca, Town of Rockbridge and the limits of incorporated cities/villages.

SECTION V – SEVERABILITY

If any provision of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable.

SECTION VI – ADMINISTRATION

This ordinance shall be administered by the Richland County Zoning Department.

SECTION VII – EXCEPTIONS

Exempt from review under this ordinance will be: television antennas, satellite dishes, receive only antennas, amateur radio facilities, mobile public information services providing coverage of news events or of a temporary or emergency nature, ground mounted antennas. Exempt structures under this ordinance shall be subject to all other applicable provisions of any zoning or other development ordinance in effect.

SECTION VIII – DEFINITIONS

- A. All definitions contained in s. 66.0404(1) are hereby incorporated by reference.
- B. Office. The Richland County Zoning Department

SECTION IX – SITING AND CONSTRUCTION OF ANY NEW MOBILE SERVICE SUPPORT STRUCTURE AND FACILITIES

- A. Application Process

1. A land use permit is required for the siting and construction of any new mobile service support structure and facilities.
2. A written permit application must be completed by any applicant and submitted to the Office. The application must contain the following information:
 - a. The name and business address of, and the contact individual for, the applicant.
 - b. The location of the proposed or affected support structure.
 - c. The location of the proposed mobile service facility.
 - d. If the application is to substantially modify an existing support structure, a construction plan which describes the proposed modifications to the support structure and the equipment and network components, including antennas, transmitters, receivers, base stations, power supplies, cabling, and related equipment associated with the proposed modifications.
 - e. If the application is to construct a new mobile service support structure, a construction plan which describes the proposed mobile service support structure and the equipment and network components, including antennas, transmitters, receivers, base stations, power supplies, cabling, and related equipment to be placed on or around the new mobile service support structure.
 - f. If an application is to construct a new mobile service support structure, an explanation as to why the applicant chose the proposed location and why the applicant did not choose collocation, including a sworn statement from an individual who has responsibility over the placement of the mobile service support structure attesting that collocation within the applicant's search ring would not result in the same mobile service functionality, coverage, and capacity; is technically infeasible; or is economically burdensome to the mobile service provider.
3. A permit application will be provided by the Office upon request to any applicant.
4. If an applicant submits to the Office an application for a permit to engage in an activity described in this ordinance, which contains all of the information required under this ordinance, the Office shall consider the application complete. If the Office does not believe that the application is complete, the Office shall notify the applicant in writing, within 10 days of receiving the application, that the application is not complete. The written notification shall specify in detail the required information that was incomplete. An applicant may resubmit an application as often as necessary until it is complete.
5. Within 90 days of its receipt of a complete application, the Office shall complete all of the following or the applicant may consider the application approved, except that the applicant and the Office may agree in writing to an extension of the 90 day period:
 - a. Review the application to determine whether it complies with all applicable aspects of the county's land use regulations and, subject to the limitations in this section, zoning ordinances.
 - b. Make a final decision whether to approve or disapprove the application.
 - c. Notify the applicant, in writing, of its final decision.

- d. If the decision is to disapprove the application, include with the written notification substantial evidence which supports the decision.
6. The Office may disapprove an application if an applicant refuses to evaluate the feasibility of collocation within the applicant's search ring and provide the sworn statement described under paragraph 2.f.
7. Setback. No mobile service support structure can be closer than 20 feet or the height of the tower, whichever is greater, to any property line. If an applicant provides the Office with an engineering certification showing that a mobile service support structure, or an existing structure, is designed to collapse within a smaller area than this setback distance, the lesser of the two distances shall apply to such a structure unless the Office provides the applicant with substantial evidence that the engineering certification is flawed.
8. The fee for the permit is \$3,000.00.

SECTION X – CLASS 1 COLLOCATION

A. Application Process

1. A county land use permit is required for a class 1 collocation.
2. A written permit application must be completed by any applicant and submitted to the Office. The application must contain the following information:
 - a. The name and business address of, and the contact individual for, the applicant.
 - b. The location of the proposed or affected support structure.
 - c. The location of the proposed mobile service facility.
 - d. If the application is to substantially modify an existing support structure, a construction plan which describes the proposed modifications to the support structure and the equipment and network components, including antennas, transmitters, receivers, base stations, power supplies, cabling, and related equipment associated with the proposed modifications.
 - e. If the application is to construct a new mobile service support structure, a construction plan which describes the proposed mobile service support structure and the equipment and network components, including antennas, transmitters, receivers, base stations, power supplies, cabling, and related equipment to be placed on or around the new mobile service support structure.
 - f. If an application is to construct a new mobile service support structure, an explanation as to why the applicant chose the proposed location and why the applicant did not choose collocation, including a sworn statement from an individual who has responsibility over the placement of the mobile service support structure attesting that collocation within the applicant's search ring would not result in the same mobile service functionality, coverage, and capacity; is technically infeasible; or is economically burdensome to the mobile service provider.
3. A permit application will be provided by the Office upon request to any applicant.
4. If an applicant submits to the Office an application for a permit to engage in an activity described in this ordinance, which contains all of the information required under this ordinance, the Office shall

consider the application complete. If the Office does not believe that the application is complete, the Office shall notify the applicant in writing, within 10 days of receiving the application, that the application is not complete. The written notification shall specify in detail the required information that was incomplete. An applicant may resubmit an application as often as necessary until it is complete.

5. Within 90 days of its receipt of a complete application, the Office shall complete all of the following or the applicant may consider the application approved, except that the applicant and the town may agree in writing to an extension of the 90 day period:

- a. Review the application to determine whether it complies with all applicable aspects of the county's land use regulations and, subject to the limitations in this section, zoning ordinances.
- b. Make a final decision whether to approve or disapprove the application.
- c. Notify the applicant, in writing, of its final decision.
- d. If the decision is to disapprove the application, include with the written notification substantial evidence which supports the decision.

6. The Office may disapprove an application if an applicant refuses to evaluate the feasibility of collocation within the applicant's search ring and provide the sworn statement described under paragraph 2.f.

7. Setback. No mobile service support structure can be closer than 20 feet or the height of the tower, whichever is greater, to any property line. If an applicant provides the Office with an engineering certification showing that a mobile service support structure, or an existing structure, is designed to collapse within a smaller area than this setback distance, the lesser of the two distances shall apply to such a structure unless the Office provides the applicant with substantial evidence that the engineering certification is flawed.

8. The fee for the permit is \$3,000.00.

SECTION XI – CLASS 2 COLLOCATION

A. Application Process

1. A county land use permit is required for a class 2 collocation.
2. A written permit application must be completed by any applicant and submitted to the Office. The application must contain the following information:
 - a. The name and business address of, and the contact individual for, the applicant.
 - b. The location of the proposed or affected support structure.
 - c. The location of the proposed mobile service facility.
3. A permit application will be provided by the Office upon request to any applicant.

4. If an applicant submits to the Office an application for a permit to engage in an activity described in this ordinance, which contains all of the information required under this ordinance, the Office shall consider the application complete. If any of the required information is not in the application, the Office shall notify the applicant in writing, within 5 days of receiving the application, that the application is not complete. The written notification shall specify in detail the required information that was incomplete. An applicant may resubmit an application as often as necessary until it is complete.
5. Within 45 days of its receipt of a complete application, the Office shall complete all of the following or the applicant may consider the application approved, except that the applicant and the town may agree in writing to an extension of the 45 day period:
 - a. Make a final decision whether to approve or disapprove the application.
 - b. Notify the applicant, in writing, of its final decision.
 - c. If the application is approved, issue the applicant the relevant permit.
 - d. If the decision is to disapprove the application, include with the written notification substantial evidence which supports the decision.
6. The fee for the permit is \$500.00

SECTION XII – PENALTY PROVISIONS

Any person, partnership, corporation, or other legal entity that fails to comply with the provisions of this ordinance shall be subject to enforcement actions as prescribed in the Uniform Citation Ordinance – Richland County Zoning Department.

SECTION XIII – TRANSFERABILITY

Permits granted under this ordinance go with the land and are transferable. All ordinance and permit requirements shall apply to subsequent owners. The Office shall be notified of any change in ownership including, but not limited to, facility leases, mortgages, liens or other instruments which may affect title to the property.

SECTION XIV – REMOVAL/SECURITY FOR REMOVAL

- A.** It is the express policy of Richland County and this ordinance that mobile service support structures be removed once they are no longer in use and not a functional part of providing mobile service and that it is the mobile service support structure owner's responsibility to remove such mobile service support structures and restore the site to its original condition or a condition approved by the Office. This restoration shall include removal of any subsurface structure or foundation, including concrete, used to support the mobile service support structure down to 5 feet below the surface. After a mobile service support structure is no longer being used for mobile service that is in operation, the mobile service support structure owner shall have one hundred eighty (180) days to effect removal and restoration unless weather prohibits such efforts. The permit holder shall record a document with the Richland County Register of Deeds showing the existence of any subsurface structure remaining below grade. Such recording shall accurately set forth the location and describe the remaining structure.
- B. Security for Removal.** The owner of any mobile service support structure other than a municipality or other unit of government shall provide to Richland County, prior to the issuance of the land use permit,

a performance bond in an amount based on a written estimate of a qualified remover of said types of structures, or Twenty Thousand Dollars (\$20,000), whichever is less, to guarantee that the mobile service support structure will be removed when no longer in operation. Richland County will be named as obligee in the bond and must approve the bonding company. The County may require an increase in the bond amount after five (5) year intervals to reflect increases in the Consumer Price Index, but at no point shall the bond amount exceed Twenty Thousand Dollars (\$20,000). The provider shall supply any increased bond within a reasonable time, not exceeding sixty (60) days, after the County's request. A permittee may submit a letter of credit in the amount set forth above, or, in the alternative, a permittee with several sites in the County may submit a master bond to cover all of said sites. A master bond or a letter of credit may, in the Committee's discretion, be in an amount sufficient to secure removal from one site if the master bond or letter of credit provides for replenishing any amount used as the master bond or letter of credit covers any other site in the County.

SECTION XV – ACCESS AND EMERGENCY PROTECTION

The owner of a mobile service facilities shall, as a prerequisite to the issuance of the land use permit, submit to the Office:

- A. Written driveway or road approval from any unit of government having jurisdiction to require a driveway or road to the mobile service facility site.

- B. Written approval by the highway authority with jurisdiction over any existing or proposed access to a public road intended to serve the mobile service facility.

SECTION XVI - EFFECTIVE DATE

This ordinance is effective immediately after passage and publication.

Dated: April 18, 2017
 Passed: April 18, 2017
 Published: April 27, 2017

ORDINANCE OFFERED BY THE ZONING AND
 LAND INFORMATION COMMITTEE

		FOR	AGAINST
Jeanetta Kirkpatrick, Chairman			
Richland County Board of Supervisors	Larry Sebranek	X	
	James D. Huffman	X	
ATTEST:	Paul Kinney	X	
Victor V. Vlasak	Steve Williamson	X	
Richland County Clerk			

Zoning Administrator Bindl reported that no petitions for zoning amendments have been received since the last County Board session.

Zoning Administrator Bindl reported that there were no rezoning petitions being recommended for denial by the Zoning and Land Information Committee.

Chairman Kirkpatrick announced that the Board would now elect the members of the Highway Committee. Motion by Bellman, second by Seep that the Clerk be instructed to record that a unanimous ballot was cast for the election of the current members of the Highway Committee each to a new one-year term. Motion carried. Marty Brewer, Paul Kinney, Buford Marshall, Jr., Richard Rasmussen and Larry Sebranek were declared elected to the Highway Committee, each for a new one-year term.

