

Polk County Board of Supervisors

Polk County Government Center
100 Polk County Plaza, Balsam Lake, WI
County Board Room

Tuesday, August 16, 2011

6:30 PM Regular Business Meeting

1. Call to Order
2. Evidence of Proper Notice
3. Roll Call
4. **Consent Agenda:**
 - **Adoption of the Noticed Agenda**
 - **Confirmation of the Accuracy of the Minutes of the July 19, 2011 County Board Meeting**
 - **Approval of Minutes from the Special Session held August 2, 2011**
5. Prayer: Supr. Luke
6. Pledge of Allegiance
7. Public Comments
8. Presentations:
 - Information Technology Demonstration, Todd Demers, Director
9. Chairman's Report – Notice of Public Hearing for Final Supervisory Plan
10. Administrator's Report
11. Committee/Board Reports
 - Highway – Supr. Caspersen
 - Finance – Supr. Bergstrom
 - Personnel – Supr. Arcand
 - Property, Forestry & Recreation – Supr. Jepsen
 - Extension, Land&Water, Lime – Supr. D. Johansen
 - Public Protection – Supr. Luke
 - Land Information – Supr. O'Connell
 - Human Services Board – Supr. Stroebel
 - Boards of Health & Aging – Supr. Schmidt
 - GAM Board, Renewable energy/Energy Independence Team – Supr. Kienholz
 - Organization – Supr. Brown
 - Transition – Supr. Hartung
12. Resolutions/Ordinances:
 - A. Resolution to Repeal and Recreate the Polk County Floodplain Zoning Ordinance**
 - B. Resolution to Add Ordinances to Polk County's Uniform Citation Ordinance**
 - C. Ordinance to Limit Amount Allowed for Claims for Damages by Dogs to Certain Domestic Animals (Wisconsin Statute 174.11(5))**
 - D. Resolution to Authorize Autopsy Services Contract between Polk County Medical Examiner and Anoka County (MN) Medical Examiner**
 - E. Resolution to Authorize Purchase of Clinical Documentation Software for Polk County Health Department**
 - F. Resolution to Adopt Master Fee Schedule for 2012 Budget Proposal**
13. Supervisor's Reports
14. Adjourn

This meeting is open to the public according to Wisconsin State Statute 19.83. Persons with disabilities wishing to attend and/or participate are asked to notify the County Clerk's office (715-485-9226) at least 24 hours in advance of the scheduled meeting time so all reasonable accommodations can be made.

POLK COUNTY BOARD OF SUPERVISORS
Minutes from Tuesday, July 19, 2011
Polk County Government Center – County Board Room
Balsam Lake, WI 54810

Chairman Johnson called the meeting of the Polk County Board of Supervisors to order at 6:30 PM.

Roll call was taken by the Clerk, with 23 members present.

County Clerk informed the chair that notice of the agenda was properly posted in three public buildings, published in the county's legal paper and posted on the county website the week of July 11, 2011 and the amended agenda was posted on July 13, 2011. Corporation Counsel explained the need to suspend the rules to allow for the amending of the published agenda.

Chairman Johnson requested a motion to suspend the rules of order allowing the amended published agenda in order to go into closed session to discuss the claim of Katherine Farrell. **Motion (Kienholz/Schmidt) to suspend the rules of order and amend the agenda. Motion carried** by unanimous voice vote. **Motion (Masters/Jepsen) to approve the amended agenda. Motion carried** by unanimous voice vote.

Introduction of George Stroebel to the county board to fill the vacancy in District 16. **Motion (Luke/Masters) to confirm the appointment of George Stroebel to fill the vacancy as Supervisor for District 16. Motion carried** by unanimous voice vote.

Chairman Johnson requested consideration of those items contained under Consent Agenda: Confirmation of County Board Minutes from June 21, 2011. Minutes approved.

Supervisor Nelson led the prayer.
Chairman led the Pledge of Allegiance
Public comments were offered.

Presentations were provided by Robert Rasmussen, Deanna Boettcher and Lisa Johnson to update on the OWI Prevention Committee. A presentation was given by Peter Kilde, Executive Director of WestCAP and a presentation was also given by Steve Warndahl, highway commissioner and Moe Norby on the use of the PASER program and adopt a Highway.

The presentations were interrupted by a 10 minute break, called by the chair due to a tornado warning in the area.

Chairman's Report was given by Wm. Johnson.
Finance Manager's report was given by Maggie Wickre.
Administrator's report was given by Dana Frey.

Motion (Kienholz/Schmidt) to approve the Administrator's appointments of Jeff Peterson and Tim Laux to the Board of Adjustment and of Duana Bremer to the Library Federation Board of Trustees. Motion to approve appointments carried by unanimous voice vote.

Committee/Board Reports were given.

Resolution 34-11 Resolution of the Polk County Board of Supervisors in Support of Federal Funding of Community Action Agency Programs. Motion (Jepsen/Kienholz) to approve. Motion to approve Resolution 34-11, carried by a roll call vote 12 yes /11 no. Resolution adopted. Voting Yes: Supr. H. Johansen, D. Johansen, Kienholz, Caspersen, Rattel, Moriak, Arcand, Luke, Jepsen, O'Connell, Christensen and W. Johnson. Voting No: Supr. Schmidt, Brown, Edgell, Masters, Sample, Nelson, Stroebel, Hartung, Bergstrom, N. Johnson, and Voelker.

Resolution 35-11 Resolution to Authorize an Agreement with the Wisconsin Department of Agriculture, Trade and Consumer Protection for Farmland Preservation Planning Grant Funds. Motion (O'Connell/Brown) to approve. Motion to approve Resolution 35-11 carried by unanimous voice vote. Resolution adopted.

Resolution 36-11 Resolution to Authorize a Legal Services Agreement between the Human Services Department and the Corporation Counsel for CY 2011. Motion (Schmidt/Brown) to approve. Motion to approve Resolution 36-11 carried by unanimous voice vote. Resolution adopted.

Resolution 37-11 Resolution Concerning Certain Budgetary and Position Administration Policies: To Create Policy 880, Budget Planning and Execution; to Amend Policy 881 – Staffing, Budget Planning, and Position Administration; and to Repeal Policy 310, Budget Overruns Policy. Motion (Masters/Edgell) to approve. Motion (Sample/Masters) to amend Resolution 37-11 by: adding to paragraph c, page 7, line 3 to read “impractical, the county administrator or her/his designee must approve or disapprove the”. Motion to approve amendment to Resolution 37-11 carried by unanimous voice vote. **Motion to approve Resolution 37-11 as amended, carried** by unanimous voice vote. Resolution adopted. (Board decided to give the newly created policy number – 880)

Motion (Masters/Hartung) to convene in closed session. Motion carried by roll call vote, 21 yes, 2 no. Corporation Counsel, Jeff Fuge, Administrator Frey and County Clerk in attendance of closed session. Board in Closed Session.

Motion (Voelker/Rattel) to return to open session, carried by unanimous voice vote.

Back in Open Session

Chairman call for Supervisor's Reports. Chair recognized Supervisor Arcand. Motion (Arcand/Sample) to adjourn. Motion carried. Meeting adjourned 9:35pm.

Special Meeting of the
POLK COUNTY BOARD OF SUPERVISORS
Minutes from Tuesday, August 2, 2011
Polk County Government Center – County Board Room
Balsam Lake, WI 54810

Chairman Johnson called the special meeting of the Polk County Board of Supervisors to order at 6:30 PM. Roll call was taken by the Clerk, with 20 members present. Absent from the meeting were: Supr. Rattel, Bergstrom and Christensen. Chairman Johnsons declares the presence of a quorum.

County Clerk informed the chair that notice of the amended agenda was posted to the county website and posted in three public buildings. It did not allow for publishing in the county's legal paper due to the time constraints of the special called meeting. Corporation Counsel advises that the amended agenda was posted in conformance with the time provisions of the open meetings law in that the initial agenda was posted more than 24-hours of the meeting and that the amended agenda was posted more than 2-hours before the meeting.

Chairman asked for consent to the use of the amended agenda. Corporation Counsel informed the board that because the meeting was a special meeting called pursuant to Section 59.11, the provision of the County Board Rules that requires 10-day advance notice for regular meetings was not applicable, that it was not necessary to suspend the rules in order to accept the amended agenda and that the amended agenda could be adopted as posted. Chairman Johnson identified the added subject matters on the amended agenda as: The Pledge of Allegiance, Approval of Amended Agenda and Public Comments. Chairman Johnson declared that the amended agenda was accepted by the consent of the Board.

Chairman Johnson led the Pledge of Allegiance.

Motion (Sample/Masters) to suspend County Board Rules of Order, Article 4, Rules of Order on Debate, and Article 10, General Item 5, incorporating Roberts Rules of Order, for the purpose to conduct the special meeting, under Article 2, Meetings, which calls for the County Board Chairperson to preserve order and decorum and decide questions of order subject to appeal. Motion to suspend the rules carried by unanimous voice vote.

Review and Discussion of Current Debt Load Relative to County Levy. Supr. Sample addressed the matter and opened it up for discussion.

Chairman called for a 12 minute recess at 7:33 P.M. break. Reconvene at 7:45 P. M.

Review and discussion of the Just Completed Audit. Supr. Masters addressed the matter and opened it up for discussion.

Review and Discussion of the Annual Report of the Condition of the County. Supr. Hartung thanked Administrator Frey for his work on the report and opened the matter up for discussion.

Review and Discussion of County Board Priorities. Supr. Edgell addressed the matter and opened it up for discussion.

Time was given for public comments.

Items to be included on Future County board agendas. Consideration of development of a policy for the handling of County Debt was committed to the Finance Committee.

Other concerns of re-organizing or consolidating of outside agencies and boards to be addressed by the governing committees, which they currently fall under.

Motion (Nelson/Voelker) to adjourn. Motion carried. Meeting adjourned 9:35pm.

**Polk County
Board of Supervisors
NOTICE OF PUBLIC HEARING
FINAL SUPERVISORY DISTRICT PLAN**

Date of Public Hearing: Tuesday, September 20, 2011
Time: During the Regular Meeting of the County Board – 6:30 P.M.
Polk County Government Center, County Board Room
100 Polk County Plaza, Balsam Lake, Wisconsin 54810

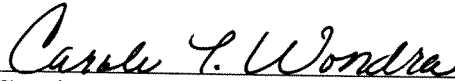
PLEASE TAKE NOTICE that during its regular business meeting on September 20, 2011, commencing at 6:30 p.m., the Polk County Board of Supervisors will hold a public hearing pursuant to Wisconsin Statute Section 59.10(3)(b) 2., on the proposed Final Supervisory District Plan; to receive citizen input and commentary regarding same. The proposed Final supervisory District plan has been developed based upon the 2010 Federal Census Data.

Following the public hearing the Polk County Board of Supervisors will consider and act to adopt the Final Supervisory District Plan pursuant to and in accordance with Wisconsin Statute Section 59.10(3)(b) 2.

A copy of the proposed Final Supervisory District Plan is available on the Polk County website at <http://www.co.polk.wi.us> or at the County Clerk's Office, 100 Polk County Plaza, Suite 110, Balsam Lake, Wisconsin, Monday through Friday between the hours of 8:30 a.m. and 4:30 p.m.

The public hearing is open to the public according to Wisconsin State Statute 19.83. Persons with disabilities wishing to attend and/or participate are asked to notify the County Clerk's office (715-485-9226) at least 24 hours in advance of the scheduled meeting time so all reasonable accommodations can be made.

BY ORDER OF THE COUNTY CLERK



Carole T. Wondra, County Clerk

Date: August 5, 2011

A

POLK COUNTY

FLOODPLAIN ZONING ORDINANCE

RESOLUTION No. -11

Polk County Zoning Department
Polk County Government Center
100 Polk County Plaza
Suite 130
Balsam Lake, WI 54810
715-485-9111
715-485-9246 Fax
www.co.polk.wi.us/landinfo/zoning

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RESOLUTION ____-11

Resolution to repeal and recreate the Polk County Floodplain Zoning Ordinance

TO THE HONORABLE BOARD OF SUPERVISORS OF THE COUNTY OF POLK WISCONSIN:

Whereas, Polk County has previously adopted a Floodplain Zoning Ordinance on June 19, 1990; and,

Whereas, in April of 2011, Polk County received new Flood Insurance Rate Maps (FIRMs); and,

Whereas, upon receipt of these maps, the Federal Emergency Management Agency (FEMA) directed Polk County to adopt the new FIRMs as well as an updated floodplain ordinance; and,

Whereas, the Polk County Land Information Committee held a public hearing on June 1, 2011 to repeal and recreate the Polk County Floodplain Zoning Ordinance; and,

Now, therefore, be it resolved that the Polk County Board of Supervisors hereby adopt the new FIRMs and approve the following Floodplain Zoning Ordinance:

SEC 1.0 STATUTORY AUTHORIZATION, FINDING OF FACT, STATEMENT OF PURPOSE, TITLE AND GENERAL PROVISIONS

1.1 STATUTORY AUTHORIZATION

This ordinance is adopted pursuant to the authorization in ss. 59.69, 59.692, and 59.694; and the requirements in s. 87.30, Wis. Stats.

1.2 FINDING OF FACT

Uncontrolled development and use of the floodplains and rivers of this municipality would impair the public health, safety, convenience, general welfare and tax base.

1.3 STATEMENT OF PURPOSE

This ordinance is intended to regulate floodplain development to:

- (1) Protect life, health and property;
- (2) Minimize expenditures of public funds for flood control projects;
- (3) Minimize rescue and relief efforts undertaken at the expense of the taxpayers;
- (4) Minimize business interruptions and other economic disruptions;
- (5) Minimize damage to public facilities in the floodplain;
- (6) Minimize the occurrence of future flood blight areas in the floodplain;
- (7) Discourage the victimization of unwary land and homebuyers;

- (8) Prevent increases in flood heights that could increase flood damage and result in conflicts between property owners; and
- (9) Discourage development in a floodplain if there is any practicable alternative to locate the activity, use or structure outside of the floodplain.

1.4 TITLE

This ordinance shall be known as the Floodplain Zoning Ordinance for Polk County Wisconsin.

1.5 GENERAL PROVISIONS

(1) Areas to be regulated

This ordinance regulates all areas that would be covered by the regional flood or base flood. Note: Base flood elevations are derived from the flood profiles in the Flood Insurance Study. Regional flood elevations may be derived from other studies. Areas covered by the base flood are identified as A-Zones on the Flood Insurance Rate Map.

(2) Official Maps & Revisions

The boundaries of all floodplain districts are designated as floodplains or A-Zones on the maps listed below and the revisions in the Polk County Floodplain Appendix. Any change to the base flood elevations (BFE) in the Flood Insurance Study (FIS) or on the Flood Insurance Rate Map (FIRM) must be reviewed and approved by the DNR and FEMA before it is effective. No changes to regional flood elevations (RFE's) on non-FEMA maps shall be effective until approved by the DNR. These maps and revisions are on file in the office of the Polk County Zoning Department. If more than one map or revision is referenced, the most restrictive information shall apply.

OFFICIAL MAPS: Based on the FIS:

- (a) Flood Insurance Rate Map (FIRM), panel numbers 55095C0020D, 55095C0040D, 55095C0045D, 55095C0065D, 55095C0070D, 55095C0085D, 55095C0090D, 55095C0095D, 55095C0105D, 55095C0110D, 55095C0115D, 55095C0120D, 55095C0130D, 55095C0135D, 55095C0140D, 55095C0145D, 55095C0155D, 55095C0160D, 55095C0165D, 55095C0170D, 55095C0185D, 55095C0205D, 55095C0210D, 55095C0215D, 55095C0220D, 55095C0230D, 55095C0235D, 55095C0240D, 55095C0255D, 55095C0260D, 55095C0270D, 55095C0280D, 55095C0285D, 55095C0290D, 55095C0295D, 55095C0305D, 55095C0310D, 55095C0315D, 55095C0320D, 55095C0330D, 55095C0355D, 55095C0360D, 55095C0370D, 55095C0385D, 55095C0390D, 55095C0395D, 55095C0405D, 55095C0410D, 55095C0415D, 55095C0420D, 55095C0430D, 55095C0435D, 55095C0440D, 55095C0445D, 55095C0455D, 55095C0465D, 55095C0470D, 55095C0492D, 55095C0494D, 55095C0502D, 55095C0504D,

55095C0506D, 55095C0510D, 55095C0511D, 55095C0520D, 55095C0530D, 55095C0535D, 55095C0540D, 55095C0545D, 55095C0555D, 55095C0560D, 55095C0565D, 55095C0570D, 55095C0576D, 55095C0577D, 55095C0578D, 55095C0579D, 55095C0585D, 55095C0586D, 55095C0590D, 55095C0595D, 55095C0605D, 55095C0610D, 55095C0632D, 55095C0634D, 55095C0651D, 55095C0653D, 55095C0680D, 55095C0685D, 55095C0705D, 55095C0710D, 55095C0730D, 55095C0735D, 55095C0755D dated September 16, 2011; with corresponding profiles that are based on the Flood Insurance Study (FIS) dated September 16, 2011, Volume number 55095CV000A, Approved by: The DNR and FEMA

(3) Establishment of Districts

The regional floodplain areas are divided into three districts as follows:

- (a) The Floodway District (FW) is the channel of a river or stream and those portions of the floodplain adjoining the channel required to carry the regional floodwaters.
- (b) The Floodfringe District (FF) is that portion of the floodplain between the regional flood limits and the floodway.
- (c) The General Floodplain District (GFP) is those areas comprised of the floodway and the floodfringe.

(4) Locating Floodplain Boundaries

Discrepancies between boundaries on the official floodplain zoning map and actual field conditions shall be resolved using the criteria in paragraphs (a) or (b) below. If a significant difference exists, the map shall be amended according to s. 8.0. The zoning administrator can rely on a boundary derived from a profile elevation to grant or deny a land use permit, whether or not a map amendment is required. The zoning administrator shall be responsible for documenting actual pre-development field conditions and the basis upon which the district boundary was determined and for initiating any map amendments required under this section. Disputes between the zoning administrator and an applicant over the district boundary line shall be settled according to s. 7.3(3) and the criteria in (a) and (b) below.

- (a) If flood profiles exist, the map scale and the profile elevations shall determine the district boundary. The regional or base flood elevations shall govern if there are any discrepancies.
- (b) Where flood profiles do not exist, the location of the boundary shall be determined by the map scale, visual on-site inspection and any information provided by the Department.

Note: Where the flood profiles are based on established base flood elevations from a FIRM, FEMA must also approve any map amendment pursuant to s. 8.1 (6).

(5) Removal of Lands from Floodplain

Compliance with the provisions of this ordinance shall not be grounds for removing land from the floodplain unless it is filled at least two feet above the regional or base flood elevation, the fill is contiguous to land outside the floodplain, and the map is amended pursuant to s. 8.0.

Note: This procedure does not remove the requirements for the mandatory purchase of flood insurance. The property owner must contact FEMA to request a Letter of Map Change (LOMC).

(6) Compliance

Any development or use within the areas regulated by this ordinance shall be in compliance with the terms of this ordinance, and other applicable local, state, and federal regulations.

(7) Municipalities and State Agencies Regulated

Unless specifically exempted by law, all cities, villages, towns, and counties are required to comply with this ordinance and obtain all necessary permits. State agencies are required to comply if s. 13.48(13), Wis. Stats., applies. The construction, reconstruction, maintenance and repair of state highways and bridges by the Wisconsin Department of Transportation is exempt when s. 30.12(4)(a), Wis. Stats., applies.

(8) Abrogation And Greater Restrictions

- (a) This ordinance supersedes all the provisions of any municipal zoning ordinance enacted under ss. 59.69, 59.692 or 59.694; or s. 87.30, Wis. Stats., that relate to floodplains. If another ordinance is more restrictive than this ordinance, that ordinance shall continue in full force and effect to the extent of the greater restrictions, but not otherwise.
- (b) This ordinance is not intended to repeal, abrogate or impair any existing deed restrictions, covenants or easements. If this ordinance imposes greater restrictions, the provisions of this ordinance shall prevail.

(9) Interpretation

In their interpretation and application, the provisions of this ordinance are the minimum requirements liberally construed in favor of the governing body and are not a limitation on or repeal of any other powers granted by the Wisconsin Statutes. If a provision of this ordinance, required by ch. NR 116, Wis. Adm. Code, is unclear, the provision shall be interpreted in light of the standards in effect on the date of the adoption of this ordinance or in effect on the date of the most recent text amendment to this ordinance.

(10) Warning And Disclaimer Of Liability

The flood protection standards in this ordinance are based on engineering experience and scientific research. Larger floods may occur or the flood height may be increased by man-made or natural causes. This ordinance does not imply or guarantee that non-floodplain areas or permitted floodplain uses will be free from flooding and flood damages. Nor does this ordinance create liability on the part of, or a cause of action against, the municipality or any officer or employee thereof for any flood damage that may result from reliance on this ordinance.

(11) Severability

Should any portion of this ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected.

(12) Annexed Areas For Cities And Villages

The Polk County floodplain zoning provisions in effect on the date of annexation shall remain in effect and shall be enforced by the municipality for all annexed areas until the municipality adopts and enforces an ordinance which meets the requirements of ch. NR 116, Wis. Adm. Code and the National Flood Insurance Program (NFIP). These annexed lands are described on the municipality's official zoning map. County floodplain zoning provisions are incorporated by reference for the purpose of administering this section and are on file in the office of the municipal zoning administrator. All plats or maps of annexation shall show the regional flood elevation and the location of the floodway.

(13) General Development Standards

The community shall review all permit applications to determine whether proposed building sites will be reasonably safe from flooding. If a proposed building site is in a flood-prone area, all new construction and substantial improvements shall be designed or modified and adequately anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads; be constructed with materials resistant to flood damage; be constructed by methods and practices that minimize flood damages; and be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding. Subdivisions shall be reviewed for compliance with the above standards. All subdivision proposals (including manufactured home parks) shall include regional flood elevation and floodway data for any development that meets the subdivision definition of this ordinance.

SEC 2.0 GENERAL STANDARDS APPLICABLE TO ALL FLOODPLAIN DISTRICTS

2.1 HYDRAULIC AND HYDROLOGIC ANALYSES

- (1) Except as allowed in par. (3) below, no floodplain development shall:
- (a) Obstruct flow, defined as development which blocks the conveyance of floodwaters by itself or with other development, increasing regional flood height; or
 - (b) Increase regional flood height due to floodplain storage area lost, which equals or exceeds 0.01 foot.
- (2) The zoning administrator shall deny permits if it is determined the proposed development will obstruct flow or increase regional flood heights 0.01 foot or more, based on the officially adopted FIRM or other adopted map, unless the provisions of sub. (3) are met.
- (3) Obstructions or increases equal to or greater than 0.01 foot may only be permitted if amendments are made to this ordinance, the official floodplain zoning maps, floodway lines and water surface profiles, in accordance with s. 8.0.

Note: This section refers to obstructions or increases in base flood elevations as shown on the officially adopted FIRM or other adopted map. Any such alterations must be reviewed and approved by FEMA and the DNR.

2.2 WATERCOURSE ALTERATIONS

No land use permit to alter or relocate a watercourse in a mapped floodplain shall be issued until the local official has notified in writing all adjacent municipalities, the Department and FEMA regional offices and required the applicant to secure all necessary state and federal permits. The flood carrying capacity of any altered or relocated watercourse shall be maintained.

As soon as is practicable, but not later than six months after the date of the watercourse alteration or relocation, the zoning administrator shall notify FEMA of the changes by submitting appropriate technical or scientific data in accordance with NFIP guidelines that shall be used to revise the FIRM, risk premium rates and floodplain management regulations as required.

2.3 CHAPTER 30, 31, WIS. STATS., DEVELOPMENT

Development which requires a permit from the Department, under chs. 30 and 31, Wis. Stats., such as docks, piers, wharves, bridges, culverts, dams and navigational aids, may be allowed if the necessary permits are obtained and amendments to the floodway lines, water surface profiles, BFE's established in the FIS, or other data from the officially adopted FIRM, or other floodplain zoning maps or the floodplain zoning ordinance are made according to s. 8.0.

2.4 PUBLIC OR PRIVATE CAMPGROUNDS

Public or private campgrounds shall have a low flood damage potential and shall meet the following provisions:

- (1) The campground is approved by the Department of Health and Family Services.
- (2) A land use permit for the campground is issued by the zoning administrator.
- (3) The character of the river system and the elevation of the campground is such that a 72-hour warning of an impending flood can be given to all campground occupants.
- (4) There is an adequate flood warning procedure for the campground that offers the minimum notice required under this section to all persons in the campground. This procedure shall include a written agreement between the campground owner, the municipal emergency government coordinator and the chief law enforcement official which specifies the flood elevation at which evacuation shall occur, personnel responsible for monitoring flood elevations, types of warning systems to be used and the procedures for notifying at-risk parties, and the methods and personnel responsible for conducting the evacuation.
- (5) This agreement shall be for no more than one calendar year, at which time the agreement shall be reviewed and updated - by the officials identified in sub. (4) - to remain in compliance with all applicable regulations, including those of the state department of health and family services and all other applicable regulations.
- (6) Only camping units are allowed.
- (7) The camping units may not occupy any site in the campground for more than 180 consecutive days, at which time the camping unit must be removed from the floodplain for a minimum of 24 hours.
- (8) All camping units that remain on site for more than 30 days shall be issued a limited authorization by the campground operator, a written copy of which is kept on file at the campground. Such authorization shall allow placement of a camping unit for a period not to exceed 180 days and shall ensure compliance with all the provisions of this section.
- (9) The municipality shall monitor the limited authorizations issued by the campground operator to assure compliance with the terms of this section.
- (10) All camping units that remain in place for more than 180 consecutive days must meet the applicable requirements in either s. 3.0 or s. 4.0 for the floodplain district in which the structure is located.
- (11) The campground shall have signs clearly posted at all entrances warning of the flood hazard and the procedures for evacuation when a flood warning is issued.
- (12) All service facilities, including but not limited to refuse collection, electrical service, natural gas lines, propane tanks, sewage systems and wells shall be properly anchored and placed at or floodproofed to the flood protection elevation.

SEC 3.0 FLOODWAY DISTRICT (FW)

3.1 APPLICABILITY

This section applies to all floodway areas on the floodplain zoning maps and those identified pursuant to s. 5.4.

3.2 PERMITTED USES

The following open space uses are allowed in the floodway district and the floodway areas of the general floodplain district, if:

They are not prohibited by any other ordinance;
 They meet the standards in s. 3.3 and 3.4; and
 All permits or certificates have been issued according to s. 7.1:

- (1) Agricultural uses, such as: farming, outdoor plant nurseries, horticulture, viticulture and wild crop harvesting.
- (2) Nonstructural industrial and commercial uses, such as loading areas, parking areas and airport landing strips.
- (3) Nonstructural recreational uses, such as golf courses, tennis courts, archery ranges, picnic grounds, boat ramps, swimming areas, parks, wildlife and nature preserves, game farms, fish hatcheries, shooting, trap and skeet activities, hunting and fishing areas and hiking and horseback riding trails, subject to the fill limitations of s. 3.3(4).
- (4) Uses or structures accessory to open space uses, or classified as historic structures that comply with ss. 3.3 and 3.4.
- (5) Extraction of sand, gravel or other materials that comply with s. 3.3(4).
- (6) Functionally water-dependent uses, such as docks, piers or wharves, dams, flowage areas, culverts, navigational aids and river crossings of transmission lines, and pipelines that comply with chs. 30, 31, Wis. Stats.
- (7) Public utilities, streets and bridges that comply with s. 3.3(3).

3.3 STANDARDS FOR DEVELOPMENTS IN FLOODWAY AREAS

(1) General

- (a) Any development in floodway areas shall comply with s. 2.0 and have a low flood damage potential.
- (b) Applicants shall provide the following data to determine the effects of the proposal according to s. 2.1:
 1. A cross-section elevation view of the proposal, perpendicular to the watercourse, showing if the proposed development will obstruct flow; or
 2. An analysis calculating the effects of this proposal on regional flood height.
- (c) The zoning administrator shall deny the permit application if the project will increase flood elevations upstream or downstream 0.01 foot or more, based on the data submitted for par. (b) above.

(2) Structures

Structures accessory to permanent open space uses, classified as historic structures, or functionally dependent on a waterfront location may be allowed by permit if the structures comply with the following criteria:

- (a) The structures are not designed for human habitation and do not have a high flood damage potential;
 - (b) The structures are constructed and placed on the building site so as to increase flood heights less than 0.01 foot and minimally obstruct the flow of floodwaters. Structures shall be constructed with the long axis parallel to the flow of floodwaters and on the same line as adjoining structures;
 - (c) The structures are properly anchored to prevent them from floating away and restricting bridge openings or other restricted sections of the stream or river; and
 - (d) The structures have all service facilities at or above the flood protection elevation.
- (3) Public utilities, streets and bridges may be allowed by permit, if:
- (a) Adequate floodproofing measures are provided to the flood protection elevation; and
 - (b) Construction meets the development standards of s. 2.1.
- (4) Fills or deposition of materials may be allowed by permit, if:
- (a) The requirements of s. 2.1 are met;
 - (b) No material is deposited in the navigable channel unless a permit is issued by the Department pursuant to ch. 30, Wis. Stats., and a permit pursuant to s. 404 of the Federal Water Pollution Control Act, Amendments of 1972, 33 U.S.C. 1344 has been issued, if applicable, and the other requirements of this section are met;
 - (c) The fill or other materials will be protected against erosion by riprap, vegetative cover, sheet piling or bulkheading; and,
 - (d) The fill is not classified as a solid or hazardous waste material.

3.4 PROHIBITED USES

All uses not listed as permitted uses in s. 3.2 are prohibited, including the following uses:

- (1) Habitable structures, structures with high flood damage potential, or those not associated with permanent open-space uses;
- (2) Storing materials that are buoyant, flammable, explosive, injurious to property, water quality, or human, animal, plant, fish or other aquatic life;
- (3) Uses not in harmony with or detrimental to uses permitted in the adjoining districts;
- (4) Any private or public sewage systems, except portable latrines that are removed prior to flooding and systems associated with recreational areas and Department-approved campgrounds that meet the applicable provisions of local ordinances and ch. COMM 83, Wis. Adm. Code.

- (5) Any public or private wells which are used to obtain potable water, except those for recreational areas that meet the requirements of local ordinances and chs. NR 811 and NR 812, Wis. Adm. Code;
- (6) Any solid or hazardous waste disposal sites;
- (7) Any wastewater treatment ponds or facilities, except those permitted under s. NR 110.15(3)(b), Wis. Adm. Code;
- (8) Any sanitary sewer or water supply lines, except those to service existing or proposed development located outside the floodway which complies with the regulations for the floodplain area occupied.

SEC 4.0 FLOODFRINGE DISTRICT (FF)

4.1 APPLICABILITY

This section applies to all floodfringe areas shown on the floodplain zoning maps and those identified pursuant to s. 5.4.

4.2 PERMITTED USES

Any structure, land use, or development is allowed in the floodfringe district if the standards in s. 4.3 are met, the use is not prohibited by this or any other ordinance or regulation and all permits or certificates specified in s. 7.1 have been issued.

4.3 STANDARDS FOR DEVELOPMENT IN FLOODFRINGE AREAS

- (1) All of the provisions of s. 2.1 shall apply. In addition, the following requirements shall apply according to the use requested.
- (2) Residential Uses: Any habitable structure, including a manufactured home, which is to be erected, constructed, reconstructed, altered, or moved into the floodfringe area, shall meet or exceed the following standards;
 - (a) The elevation of the lowest floor, excluding the basement or crawlway, shall be at or above the flood protection elevation on fill. The fill shall be one foot or more above the regional flood elevation extending at least 15 feet beyond the limits of the structure. The Department may authorize other floodproofing measures if the elevations of existing streets or sewer lines makes compliance impractical and the Board of Adjustment grants a variance;
 - (b) The basement or crawlway floor may be placed at the regional flood elevation if it is floodproofed to the flood protection elevation. No basement or crawlway floor is allowed below the regional flood elevation;
 - (c) Contiguous dryland access shall be provided from a structure to land outside of the floodplain, except as provided in par. (d).
 - (d) In developments where existing street or sewer line elevations make compliance with par. (c) impractical, the municipality may permit new development and substantial improvements where access roads are at or below the regional flood elevation, if:

1. The municipality has written assurance from police, fire and emergency services that rescue and relief will be provided to the structure(s) by wheeled vehicles during a regional flood event; or
 2. The municipality has a natural disaster plan approved by Wisconsin Emergency Management and the Department.
- (3) Accessory Structures or Uses: An accessory structure or use not connected to a principal structure shall be constructed with its lowest floor no more than two feet below the regional flood elevation, subject to flood velocities of no more than two feet per second, and shall meet all the provisions of ss. 3.3 (2) (a), (b), (c), (d), and sub. (6) below.
- (4) Commercial Uses: Any commercial structure which is erected, altered or moved into the floodfringe area shall meet the requirements of s. 4.3(2). Subject to the requirements of sub. (6), storage yards, surface parking lots and other such uses may be placed at lower elevations if an adequate warning system exists to protect life and property.
- (5) Manufacturing And Industrial Uses: Any manufacturing or industrial structure which is erected, altered or moved into the floodfringe area shall be protected to the flood protection elevation using fill, levees, floodwalls, or other flood proofing measures in s. 7.5. Subject to the requirements of sub. (6), storage yards, surface parking lots and other such uses may be placed at lower elevations if an adequate warning system exists to protect life and property.
- (6) Storage of Materials: Materials that are buoyant, flammable, explosive, or injurious to property, water quality or human, animal, plant, fish or aquatic life shall be stored at or above the flood protection elevation or floodproofed in compliance with s. 7.5. Adequate measures shall be taken to ensure that such materials will not enter the water body during flooding.
- (7) Public Utilities, Streets and Bridges: All utilities, streets and bridges shall be designed to be compatible with comprehensive floodplain development plans; and
- (a) When failure of public utilities, streets and bridges would endanger public health or safety, or where such facilities are deemed essential, construction of and substantial improvements to such facilities may only be permitted if they are floodproofed in compliance with s. 7.5 to the flood protection elevation;
 - (b) Minor roads or nonessential utilities may be constructed at lower elevations if they are designed to withstand flood forces to the regional flood elevation.
- (8) Sewage Systems: All on-site sewage disposal systems shall be floodproofed, pursuant to s. 7.5, to the flood protection elevation and shall meet the provisions of all local ordinances and ch. COMM 83, Wis. Adm. Code.
- (9) Wells: All wells shall be floodproofed, pursuant to s. 7.5, to the flood protection elevation and shall meet the provisions of chs. NR 811 and NR 812, Wis. Adm. Code.
- (10) Solid Waste Disposal Sites: Disposal of solid or hazardous waste is prohibited in floodfringe areas.

- (11) Deposition of Materials: Any deposited material must meet all the provisions of this ordinance.
- (12) Manufactured Homes
- (a) Owners or operators of all manufactured home parks and subdivisions shall provide adequate surface drainage to minimize flood damage, and prepare, secure approval and file an evacuation plan, indicating vehicular access and escape routes, with local emergency management authorities.
 - (b) In existing manufactured home parks, all new homes, replacement homes on existing pads, and substantially improved homes shall:
 - 1. Have the lowest floor elevated to the flood protection elevation; and
 - 2. Be anchored so they do not float, collapse or move laterally during a flood.
 - (c) Outside of existing manufactured home parks, including new manufactured home parks and all single units outside of existing parks, all new, replacement and substantially improved manufactured homes shall meet the residential development standards for the floodfringe in s. 4.3(2).
- (13) Mobile Recreational Vehicles: All mobile recreational vehicles that are not located in a public or private campground will not be allowed on any lot for more than one fourteen (14) day period in any sixty (60) consecutive days. They must be fully licensed and ready for highway use. They shall meet the elevation and anchoring requirements in s.4.3(12)(b) and (c). A mobile recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick-disconnect utilities and security devices and has no permanently attached additions.

SEC 5.0 GENERAL FLOODPLAIN DISTRICT (GFP)

5.1 APPLICABILITY

The provisions for this district shall apply to all floodplains for which flood profiles are not available or where flood profiles are available but floodways have not been delineated. Floodway and floodfringe districts shall be delineated when adequate data is available.

5.2 PERMITTED USES

Pursuant to s. 5.4, it shall be determined whether the proposed use is located within a floodway or floodfringe area.

Those uses permitted in floodway (s. 3.2) and floodfringe areas (s. 4.2) are allowed within the general floodplain district, according to the standards of s. 5.3, provided that all permits or certificates required under s. 7.1 have been issued.

5.3 STANDARDS FOR DEVELOPMENT IN THE GENERAL FLOODPLAIN DISTRICT

S. 3.0 applies to floodway areas, s. 4.0 applies to floodfringe areas. The rest of this ordinance applies to either district.

5.4 DETERMINING FLOODWAY AND FLOODFRINGE LIMITS

Upon receiving an application for development within the general floodplain district, the zoning administrator shall:

- (1) Require the applicant to submit two copies of an aerial photograph or a plan which shows the proposed development with respect to the general floodplain district limits, stream channel, and existing floodplain developments, along with a legal description of the property, fill limits and elevations, building floor elevations and flood proofing measures;
- (2) Require the applicant to furnish any of the following information deemed necessary by the Department to evaluate the effects of the proposal upon flood height and flood flows, regional flood elevation and to determine floodway boundaries:
 - (a) A typical valley cross-section showing the stream channel, the floodplain adjoining each side of the channel, the cross-sectional area to be occupied by the proposed development, and all historic high water information;
 - (b) Plan (surface view) showing elevations or contours of the ground; pertinent structure, fill or storage elevations; size, location and layout of all proposed and existing structures on the site; location and elevations of streets, water supply, and sanitary facilities; soil types and other pertinent information;
 - (c) Profile showing the slope of the bottom of the channel or flow line of the stream;
 - (d) Specifications for building construction and materials, floodproofing, filling, dredging, channel improvement, storage, water supply and sanitary facilities.
- (3) Transmit one copy of the information described in pars. (1) and (2) to the Department Regional office along with a written request for technical assistance to establish regional flood elevations and, where applicable, floodway data. Where the provisions of s. 7.1(2)(c) apply, the applicant shall provide all required information and computations to delineate floodway boundaries and the effects of the project on flood elevations.

SEC 6.0 NONCONFORMING USES

6.1 GENERAL

(1) Applicability

If these standards conform with s. 59.69(10), Wis. Stats., they shall apply to all modifications or additions to any nonconforming use or structure and to the use of

any structure or premises which was lawful before the passage of this ordinance or any amendment thereto.

(2) The existing lawful use of a structure or its accessory use which is not in conformity with the provisions of this ordinance may continue subject to the following conditions:

(a) No modifications or additions to a nonconforming use or structure shall be permitted unless they comply with this ordinance. The words "modification" and "addition" include, but are not limited to, any alteration, addition, modification, structural repair, rebuilding or replacement of any such existing use, structure or accessory structure or use. Ordinary maintenance repairs are not considered an extension, modification or addition; these include painting, decorating, paneling and the replacement of doors, windows and other nonstructural components and the maintenance, repair or replacement of existing private sewage or water supply systems or connections to public utilities. Ordinary maintenance repairs do not include any costs associated with the repair of a damaged structure.

The construction of a deck that does not exceed 200 square feet and that is adjacent to the exterior wall of a principal structure is not an extension, modification or addition. The roof of the structure may extend over a portion of the deck in order to provide safe ingress and egress to the principal structure.

- (b) If a nonconforming use or the use of a nonconforming structure is discontinued for 12 consecutive months, it is no longer permitted and any future use of the property, and any structure or building thereon, shall conform to the applicable requirements of this ordinance;
- (c) The municipality shall keep a record which lists all nonconforming uses and nonconforming structures, their present equalized assessed value, the cost of all modifications or additions which have been permitted, and the percentage of the structure's total current value those modifications represent;
- (d) No modification or addition to any nonconforming structure or any structure with a nonconforming use, which over the life of the structure would exceed 50% of its present equalized assessed value, shall be allowed unless the entire structure is permanently changed to a conforming structure with a conforming use in compliance with the applicable requirements of this ordinance. Contiguous dry land access must be provided for residential and commercial uses in compliance with s. 4.3(2). The costs of elevating a nonconforming building or a building with a nonconforming use to the flood protection elevation are excluded from the 50% provisions of this paragraph;
- (e) Exception
1. Except as provided in subd. 2., if any nonconforming structure or any structure with a nonconforming use is destroyed or is substantially damaged, it cannot be replaced, reconstructed or rebuilt unless the use and the structure meet the current ordinance requirements. A structure is considered

substantially damaged if the total cost to restore the structure to its pre-damaged condition exceeds 50% of the structure's present equalized assessed value.

2. For nonconforming buildings that are damaged or destroyed by a nonflood disaster, the repair or reconstruction of any such nonconforming building may be permitted in order to restore it after the nonflood disaster, provided that the nonconforming building will meet all of the minimum requirements under 44 Code for Federal regulations (CFR) Part 60, or under the regulations promulgated thereunder.

(f) A nonconforming historic structure may be altered if the alteration will not preclude the structures continued designation as a historic structure, the alteration will comply with s. 3.3 (1), flood resistant materials are used, and construction practices and floodproofing methods that comply with s. 7.5 are used.

6.2 FLOODWAY AREAS

- (1) No modification or addition shall be allowed to any nonconforming structure or any structure with a nonconforming use in a floodway area, unless such modification or addition:
 - (a) Has been granted a permit or variance which meets all ordinance requirements;
 - (b) Meets the requirements of s. 6.1;
 - (c) Will not increase the obstruction to flood flows or regional flood height; and
 - (d) Any addition to the existing structure shall be floodproofed, pursuant to s. 7.5, by means other than the use of fill, to the flood protection elevation.
- (2) No new on-site sewage disposal system, or addition to an existing on-site sewage disposal system, except where an addition has been ordered by a government agency to correct a hazard to public health, shall be allowed in a floodway area. Any replacement, repair or maintenance of an existing on-site sewage disposal system in a floodway area shall meet the applicable requirements of all municipal ordinances and ch. COMM 83, Wis. Adm. Code.
- (3) No new well or modification to an existing well used to obtain potable water shall be allowed in a floodway area. Any replacement, repair or maintenance of an existing well in a floodway area shall meet the applicable requirements of all municipal ordinances and chs. NR 811 and NR 812, Wis. Adm. Code.

6.3 FLOODFRINGE AREAS

- (1) No modification or addition shall be allowed to any nonconforming structure or any structure with a nonconforming use unless such modification or addition has been granted a permit or variance by the municipality, and the modification or addition shall be placed on fill or floodproofed to the flood protection elevation in compliance with the standards for that particular use in s. 4.3, except where s. 6.3(2) is applicable.

- (2) Where compliance with the provisions of par. (1) would result in unnecessary hardship and only where the structure will not be used for human habitation or be associated with a high flood damage potential, the Board of Adjustment, using the procedures established in s. 7.3, may grant a variance from those provisions of par. (1) for modifications or additions, using the criteria listed below. Modifications or additions which are protected to elevations lower than the flood protection elevation may be permitted if:
- (a) No floor is allowed below the regional flood elevation for residential or commercial structures;
 - (b) Human lives are not endangered;
 - (c) Public facilities, such as water or sewer, will not be installed;
 - (d) Flood depths will not exceed two feet;
 - (e) Flood velocities will not exceed two feet per second; and
 - (f) The structure will not be used for storage of materials as described in s. 4.3(6).
- (3) If neither the provisions of par. (1) or (2) above can be met, one addition to an existing room in a nonconforming building or a building with a nonconforming use may be allowed in the floodfringe, if the addition:
- (a) Meets all other regulations and will be granted by permit or variance;
 - (b) Does not exceed 60 square feet in area; and
 - (c) In combination with other previous modifications or additions to the building, does not exceed 50% of the present equalized assessed value of the building.
- (4) All new private sewage disposal systems, or addition to, replacement, repair or maintenance of a private sewage disposal system shall meet all the applicable provisions of all local ordinances and ch. COMM 83, Wis. Adm. Code.
- (5) All new wells, or addition to, replacement, repair or maintenance of a well shall meet the applicable provisions of this ordinance and ch. NR 811 and NR 812, Wis. Adm. Code.

SEC 7.0 ADMINISTRATION

Where a zoning administrator, planning agency, or a board of adjustment has already been appointed to administer a zoning ordinance adopted under ss. 59.69, 59.692 or 62.23(7), Wis. Stats., these officials shall also administer this ordinance.

7.1 ZONING ADMINISTRATOR

- (1) The zoning administrator is authorized to administer this ordinance and shall have the following duties and powers:
- (a) Advise applicants of the ordinance provisions, assist in preparing permit applications and appeals, and assure that the regional flood elevation for the proposed development is shown on all permit applications.

- (b) Issue permits and inspect properties for compliance with provisions of this ordinance, and issue certificates of compliance where appropriate.
1. Inspect all damaged floodplain structures and perform a substantial damage assessment to determine if substantial damage to the structures has occurred.
- (c) Keep records of all official actions such as:
1. All permits issued, inspections made, and work approved;
 2. Documentation of certified lowest floor and regional flood elevations for floodplain development;
 3. Records of water surface profiles, floodplain zoning maps and ordinances, nonconforming uses and structures including changes, appeals, variances and amendments.
 4. All substantial damage assessment reports for floodplain structures.
- (d) Submit copies of the following items to the Department Regional office:
1. Within 10 days of the decision, a copy of any decisions on variances, appeals for map or text interpretations, and map or text amendments;
 2. Copies of any case-by-case analyses, and any other information required by the Department including an annual summary of the number and types of floodplain zoning actions taken.
 3. Copies of substantial damage assessments performed and all related correspondence concerning the assessments.

Note: Information on conducting substantial damage assessments is available on the DNR website – <http://dnr.wi.gov/org/water/wm/dsfm/flood/title.htm>

- (e) Investigate, prepare reports, and report violations of this ordinance to the municipal zoning agency and attorney for prosecution. Copies of the reports shall also be sent to the Department Regional office.

(2) Land Use Permit

A land use permit shall be obtained before any new development or any repair or change in the use of a building or structure, including sewer and water facilities, may be initiated. Application to the zoning administrator shall include:

(a) General Information

1. Name and address of the applicant, property owner and contractor;
2. Legal description, proposed use, and whether it is new construction or a modification;

(b) Site Development Plan

A site plan drawn to scale shall be submitted with the permit application form and shall contain:

1. Location, dimensions, area and elevation of the lot;
2. Location of the ordinary highwater mark of any abutting navigable waterways;
3. Location of any structures with distances measured from the lot lines and street center lines;
4. Location of any existing or proposed on-site sewage systems or private water supply systems;
5. Location and elevation of existing or future access roads;
6. Location of floodplain and floodway limits as determined from the official floodplain zoning maps;
7. The elevation of the lowest floor of proposed buildings and any fill using National Geodetic and Vertical Datum (NGVD);
8. Data sufficient to determine the regional flood elevation in NGVD at the location of the development and to determine whether or not the requirements of s. 3.0 or 4.0 are met; and
9. Data to determine if the proposed development will cause an obstruction to flow or an increase in regional flood height or discharge according to s. 2.1. This may include any of the information noted in s. 3.3(1).

(c) Data Requirements to Analyze Developments

1. The applicant shall provide all survey data and computations required to show the effects of the project on flood heights, velocities and floodplain storage, for all subdivision proposals, as "subdivision" is defined in s. 236, Wis. Stats., and other proposed developments exceeding 5 acres in area or where the estimated cost exceeds \$125,000. The applicant shall provide:
 - a. An analysis of the effect of the development on the regional flood profile, velocity of flow and floodplain storage capacity;
 - b. A map showing location and details of vehicular access to lands outside the floodplain; and
 - c. A surface drainage plan showing how flood damage will be minimized.

The estimated cost of the proposal shall include all structural development, landscaping, access and road development, utilities, and other pertinent items, but need not include land costs.

(d) Expiration

All permits issued under the authority of this ordinance shall expire 365 days after issuance.

(3) Certificate of Compliance

No land shall be occupied or used, and no building which is hereafter constructed, altered, added to, modified, repaired, rebuilt or replaced shall be occupied until a certificate of compliance is issued by the zoning administrator, except where no permit is required, subject to the following provisions:

- (a) The certificate of compliance shall show that the building or premises or part thereof, and the proposed use, conform to the provisions of this ordinance;
- (b) Application for such certificate shall be concurrent with the application for a permit;
- (c) If all ordinance provisions are met, the certificate of compliance shall be issued within 10 days after written notification that the permitted work is completed;
- (d) The applicant shall submit a certification signed by a registered professional engineer or registered land surveyor that the fill, lowest floor and floodproofing elevations are in compliance with the permit issued. Floodproofing measures also require certification by a registered professional engineer or registered architect that floodproofing measures meet the requirements of s. 7.5.

(4) Other Permits

The applicant must secure all necessary permits from federal, state, and local agencies, including those required by the U.S. Army Corps of Engineers under s. 404 of the Federal Water Pollution Control Act, Amendments of 1972, 33 U.S.C. 1344.

7.2 ZONING AGENCY

(1) The Polk County Land Information Committee shall:

- (a) oversee the functions of the office of the zoning administrator; and
- (b) review and advise the Governing body on all proposed amendments to this ordinance, maps and text.

(2) This zoning agency shall not:

- (a) grant variances to the terms of the ordinance in place of action by the Board of Adjustment; or
- (b) amend the text or zoning maps in place of official action by the Governing body.

7.3 BOARD OF ADJUSTMENT

The Board of Adjustment, created under s. 59.694, Wis. Stats., is hereby authorized or shall be appointed to act for the purposes of this ordinance. The Board shall exercise the powers conferred by Wisconsin Statutes and adopt rules for the conduct of business. The zoning administrator may not be the secretary of the Board.

(1) Powers and Duties: The Board of Adjustment shall:

- (a) Appeals - Hear and decide appeals where it is alleged there is an error in any order, requirement, decision or determination made by an administrative official in the enforcement or administration of this ordinance.
- (b) Boundary Disputes - Hear and decide disputes concerning the district boundaries shown on the official floodplain zoning map.
- (c) Variances - Hear and decide, upon appeal, variances from the ordinance standards.

(2) Appeals to the Board

- (a) Appeals to the board may be taken by any person aggrieved, or by any officer or department of the municipality affected by any decision of the zoning administrator or other administrative officer. Such appeal shall be taken within 30 days unless otherwise provided by the rules of the board, by filing with the official whose decision is in question, and with the board, a notice of appeal specifying the reasons for the appeal. The official whose decision is in question shall transmit to the board all records regarding the matter appealed.

(b) Notice and Hearing for Appeals Including Variances

1. Notice - The board shall:

- a. Fix a reasonable time for the hearing;
- b. Publish adequate notice pursuant to Wisconsin Statutes, specifying the date, time, place and subject of the hearing;
- c. Assure that notice shall be mailed to the parties in interest and the Department Regional office at least 10 days in advance of the hearing.

2. Hearing - Any party may appear in person or by agent or attorney. The board shall:

- a. Resolve boundary disputes according to s. 7.3(3).
- b. Decide variance applications according to s. 7.3(4).
- c. Decide appeals of permit denials according to s. 7.4.

(c) Decision: The final decision regarding the appeal or variance application shall:

- 1. Be made within a reasonable time;
- 2. Be sent to the Department Regional office within 10 days of the decision;
- 3. Be a written determination signed by the chairman or secretary of the Board;
- 4. State the specific facts which are the basis for the Board's decision;
- 5. Either affirm, reverse, vary or modify the order, requirement, decision or determination appealed, in whole or in part, dismiss the appeal for lack of jurisdiction or grant or deny the variance application;

6. Include the reasons for granting an appeal, describing the hardship demonstrated by the applicant in the case of a variance, clearly stated in the recorded minutes of the Board proceedings.

(3) Boundary Disputes

The following procedure shall be used by the Board in hearing disputes concerning floodplain district boundaries:

- (a) If a floodplain district boundary is established by approximate or detailed floodplain studies, the flood elevations or profiles shall prevail in locating the boundary. If none exist, other evidence may be examined.
- (b) In all cases, the person contesting the boundary location shall be given a reasonable opportunity to present arguments and technical evidence to the Board.
- (c) If the boundary is incorrectly mapped, the Board should inform the zoning committee or the person contesting the boundary location to petition the governing body for a map amendment according to s. 8.0.

(4) Variance

- (a) The Board may, upon appeal, grant a variance from the standards of this ordinance if an applicant convincingly demonstrates that:
 1. Literal enforcement of the ordinance provisions will cause unnecessary hardship;
 2. The hardship is due to adoption of the floodplain ordinance and unique property conditions, not common to adjacent lots or premises. In such case the ordinance or map must be amended;
 3. The variance is not contrary to the public interest; and
 4. The variance is consistent with the purpose of this ordinance in s. 1.3.
- (b) In addition to the criteria in par. (a), to qualify for a variance under FEMA regulations, the following criteria must be met:
 1. The variance may not cause any increase in the regional flood elevation;
 2. Variances can only be granted for lots that are less than one-half acre and are contiguous to existing structures constructed below the RFE;
 3. Variances shall only be granted upon a showing of good and sufficient cause, shall be the minimum relief necessary, shall not cause increased risks to public safety or nuisances, shall not increase costs for rescue and relief efforts and shall not be contrary to the purpose of the ordinance.
- (c) A variance shall not:
 1. Grant, extend or increase any use prohibited in the zoning district.
 2. Be granted for a hardship based solely on an economic gain or loss.

3. Be granted for a hardship which is self-created.
4. Damage the rights or property values of other persons in the area.
5. Allow actions without the amendments to this ordinance or map(s) required in s. 8.1.
6. Allow any alteration of an historic structure, including its use, which would preclude its continued designation as an historic structure.

(d) When a floodplain variance is granted the Board shall notify the applicant in writing that it may increase flood insurance premiums and risks to life and property. A copy shall be maintained with the variance record.

7.4 TO REVIEW APPEALS OF PERMIT DENIALS

(1) The Board shall review all data related to the appeal. This may include:

- (a) Permit application data listed in s. 7.1(2).
- (b) Floodway/floodfringe determination data in s. 5.4.
- (c) Data listed in s. 3.3(1)(b)2. where the applicant has not submitted this information to the zoning administrator.
- (d) Other data submitted with the application, or submitted to the Board with the appeal.

(2) For appeals of all denied permits the Board shall:

- (a) Follow the procedures of s. 7.3;
- (b) Consider zoning agency recommendations; and
- (c) Either uphold the denial or grant the appeal.

(3) For appeals concerning increases in regional flood elevation the Board shall:

- (a) Uphold the denial where the Board agrees with the data showing an increase in flood elevation. Increases equal to or greater than 0.01 foot may only be allowed after amending the flood profile and map and all appropriate legal arrangements are made with all adversely affected property owners.
- (b) Grant the appeal where the Board agrees that the data properly demonstrates that the project does not cause an increase equal to or greater than 0.01 foot provided no other reasons for denial exist.

7.5 FLOODPROOFING

- (1) No permit or variance shall be issued until the applicant submits a plan certified by a registered professional engineer or architect that the floodproofing measures will protect the structure or development to the flood protection elevation.
- (2) Floodproofing measures shall be designed to:

- (a) Withstand flood pressures, depths, velocities, uplift and impact forces and other regional flood factors;
 - (b) Protect structures to the flood protection elevation;
 - (c) Anchor structures to foundations to resist flotation and lateral movement; and
 - (d) Insure that structural walls and floors are watertight to the flood protection elevation, and the interior remains completely dry during flooding without human intervention.
- (3) Floodproofing measures could include:
- (a) Reinforcing walls and floors to resist rupture or collapse caused by water pressure or floating debris.
 - (b) Adding mass or weight to prevent flotation.
 - (c) Placing essential utilities above the flood protection elevation.
 - (d) Installing surface or subsurface drainage systems to relieve foundation wall and basement floor pressures.
 - (e) Constructing water supply wells and waste treatment systems to prevent the entry of flood waters.
 - (f) Putting cutoff valves on sewer lines or eliminating gravity flow basement drains.

7.6 PUBLIC INFORMATION

- (1) Place marks on structures to show the depth of inundation during the regional flood.
- (2) All maps, engineering data and regulations shall be available and widely distributed.
- (3) All real estate transfers should show what floodplain zoning district any real property is in.

SEC 8.0 AMENDMENTS

8.1 GENERAL

The governing body may change or supplement the floodplain zoning district boundaries and this ordinance in the manner provided by law. Actions which require an amendment include, but are not limited to, the following:

- (1) Any change to the official floodplain zoning map, including the floodway line or boundary of any floodplain area.
- (2) Correction of discrepancies between the water surface profiles and floodplain zoning maps.
- (3) Any fill in the floodplain which raises the elevation of the filled area to a height at or above the flood protection elevation and is contiguous to land lying outside the floodplain.
- (4) Any fill or floodplain encroachment that obstructs flow, increasing regional flood height 0.01 foot or more.
- (5) Any upgrade to a floodplain zoning ordinance text required by s. NR 116.05, Wis. Adm. Code, or otherwise required by law, or for changes by the municipality.

- (6) All channel relocations and changes to the maps to alter floodway lines or to remove an area from the floodway or the floodfringe that is based on a base flood elevation from a FIRM requires prior approval by FEMA.

Note: Consult the FEMA web site - www.fema.gov - for a current map change fee schedule.

8.2 PROCEDURES

Ordinance amendments may be made upon petition of any interested party according to the provisions of s. 59.69, Wis. Stats. Such petitions shall include all necessary data required by ss. 5.4 and 7.1(2).

- (1) The proposed amendment shall be referred to the zoning agency for a public hearing and recommendation to the governing body. The amendment and notice of public hearing shall be submitted to the Department Regional office for review prior to the hearing. The amendment procedure shall comply with the provisions of s. 59.69, Wis. Stats.
- (2) No amendments shall become effective until reviewed and approved by the Department.
- (3) All persons petitioning for a map amendment that obstructs flow, increasing regional flood height 0.01 foot or more, shall obtain flooding easements or other appropriate legal arrangements from all adversely affected property owners and notify local units of government before the amendment can be approved by the governing body.
- (4) For amendments in areas with no water surface profiles, the zoning agency or board shall consider data submitted by the Department, the zoning administrator's visual on-site inspections and other available information. (See s. 1.5(4).)

SEC 9.0 ENFORCEMENT AND PENALTIES

Any violation of the provisions of this ordinance by any person shall be unlawful and shall be referred to the municipal attorney who shall expeditiously prosecute all such violators. A violator shall, upon conviction, forfeit to the municipality a maximum daily penalty of \$50.00, with a taxable cost of such action. Each day of continued violation shall constitute a separate offense. Every violation of this ordinance is a public nuisance and the creation may be enjoined and the maintenance may be abated by action at suit of the municipality, the state, or any citizen thereof pursuant to s. 87.30, Wis. Stats.

There shall be a penalty fee of five-hundred (\$500.00) dollars added to the regular fee in those cases where building is commenced without first obtaining a land use permit, providing the structure is in conformance with the provisions of this Ordinance.

SEC 10.0 DEFINITIONS

Unless specifically defined below, words and phrases used in this ordinance shall have the same meaning as they have at common law and to give this ordinance its most

reasonable application. Words used in the present tense include the future, the singular number includes the plural and the plural number includes the singular. The word "may" is permissive, "shall" is mandatory and not discretionary.

"A ZONES" - Those areas shown on the Official Floodplain Zoning Map which would be inundated by the regional flood. These areas may be numbered or unnumbered A Zones. The A Zones may or may not be reflective of flood profiles, depending on the availability of data for a given area.

"ACCESSORY STRUCTURE OR USE" - A facility, structure, building or use which is accessory or incidental to the principal use of a property, structure or building.

"BASE FLOOD" - Means the flood having a one percent chance of being equaled or exceeded in any given year, as published by FEMA as part of a FIS and depicted on a FIRM.

"BASEMENT" - Any enclosed area of a building having its floor sub-grade, i.e., below ground level, on all sides.

"BUILDING" - See STRUCTURE.

"BULKHEAD LINE" - A geographic line along a reach of navigable water that has been adopted by a municipal ordinance and approved by the Department pursuant to s. 30.11, Wis. Stats., and which allows limited filling between this bulkhead line and the original ordinary highwater mark, except where such filling is prohibited by the floodway provisions of this ordinance.

"CAMPGROUND" - Any parcel of land which is designed, maintained, intended or used for the purpose of providing sites for nonpermanent overnight use by 4 or more camping units, or which is advertised or represented as a camping area.

"CAMPING UNIT" - Any portable device, no more than 400 square feet in area, used as a temporary shelter, including but not limited to a camping trailer, motor home, bus, van, pick-up truck, tent or other mobile recreational vehicle.

"CERTIFICATE OF COMPLIANCE" - A certification that the construction and the use of land or a building, the elevation of fill or the lowest floor of a structure is in compliance with all of the provisions of this ordinance.

"CHANNEL" - A natural or artificial watercourse with definite bed and banks to confine and conduct normal flow of water.

"CRAWLWAYS" OR "CRAWL SPACE" - An enclosed area below the first usable floor of a building, generally less than five (5) feet in height, used for limited access to plumbing and electrical utilities.

"DECK" – An unenclosed exterior structure that has no roof or sides, but has a permeable floor which allows the infiltration of precipitation.

"DEPARTMENT" - The Wisconsin Department of Natural Resources.

"DEVELOPMENT" - Any artificial change to improved or unimproved real estate, including, but not limited to, the construction of buildings, structures or accessory structures; the construction of additions or alterations to buildings, structures or accessory structures; the repair of any damaged structure or the improvement or renovation of any structure, regardless of percentage of damage or improvement; the placement of buildings or structures; subdivision layout and site preparation; mining, dredging, filling, grading, paving, excavation or drilling operations; the storage, deposition or extraction of materials or equipment; and the installation, repair or removal of public or private sewage disposal systems or water supply facilities.

"DRYLAND ACCESS" - A vehicular access route which is above the regional flood elevation and which connects land located in the floodplain to land outside the floodplain, such as a road with its surface above regional flood elevation and wide enough for wheeled rescue and relief vehicles.

"ENCROACHMENT" - Any fill, structure, equipment, building, use or development in the floodway.

"EXISTING MANUFACTURED HOME PARK OR SUBDIVISION" - A parcel of land, divided into two or more manufactured home lots for rent or sale, on which the construction of facilities for servicing the lots is completed before the effective date of this ordinance. At a minimum, this would include the installation of utilities, the construction of streets and either final site grading or the pouring of concrete pads

"EXPANSION TO EXISTING MOBILE/MANUFACTURED HOME PARK" - The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed. This includes installation of utilities, construction of streets and either final site grading, or the pouring of concrete pads.

"FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA)" - The federal agency that administers the National Flood Insurance Program.

"FLOOD INSURANCE RATE MAP" (FIRM) - A map of a community on which the Federal Insurance Administration has delineated both special flood hazard areas (the floodplain) and the risk premium zones applicable to the community. This map can only be amended by the Federal Emergency Management Agency.

"FLOOD" or "FLOODING" – A general and temporary condition of partial or complete inundation of normally dry land areas caused by one of the following conditions:

The overflow or rise of inland waters,
 The rapid accumulation or runoff of surface waters from any source,
 The inundation caused by waves or currents of water exceeding anticipated cyclical levels along the shore of Lake Michigan or Lake Superior, or
 The sudden increase caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as a seiche, or by some similarly unusual event.

"FLOOD FREQUENCY" - The probability of a flood occurrence which is determined from statistical analyses. The frequency of a particular flood event is usually expressed as occurring, on the average, once in a specified number of years or as a percent (%) chance of occurring in any given year.

"FLOODFRINGE" (FF) - That portion of the floodplain outside of the floodway which is covered by flood waters during the regional flood and associated with standing water rather than flowing water.

"FLOOD HAZARD BOUNDARY MAP" - A map designating approximate flood hazard areas. Flood hazard areas are designated as unnumbered A-Zones and do not contain floodway lines or regional flood elevations. This map forms the basis for both the regulatory and insurance aspects of the National Flood Insurance Program (NFIP) until superseded by a Flood Insurance Study and a Flood Insurance Rate Map.

"FLOOD INSURANCE STUDY" (FIS) - A technical engineering examination, evaluation, and determination of the local flood hazard areas. It provides maps designating those areas affected by the regional flood and provides both flood insurance rate zones and base flood elevations and may provide floodway lines. The flood hazard areas are designated as numbered and unnumbered A-Zones. Flood Insurance Rate Maps, that accompany the Flood Insurance Study, form the basis for both the regulatory and the insurance aspects of the National Flood Insurance Program.

"FLOODPLAIN" - Land which has been or may be covered by flood water during the regional flood. It includes the floodway and the floodfringe, and may include other designated floodplain areas for regulatory purposes.

"FLOODPLAIN ISLAND" - A natural geologic land formation within the floodplain that is surrounded, but not covered, by floodwater during the regional flood.

"FLOODPLAIN MANAGEMENT" - Policy and procedures to insure wise use of floodplains, including mapping and engineering, mitigation, education, and administration and enforcement of floodplain regulations.

"FLOOD PROFILE" - A graph or a longitudinal profile line showing the relationship of the water surface elevation of a flood event to locations of land surface elevations along a stream or river.

"FLOODPROOFING" - Any combination of structural provisions, changes or adjustments to properties and structures, water and sanitary facilities and contents of buildings subject to flooding, for the purpose of reducing or eliminating flood damage.

"FLOOD PROTECTION ELEVATION" - An elevation of two feet of freeboard above the water surface profile elevation designated for the regional flood. (Also see: FREEBOARD).

"FLOOD STORAGE" - Those floodplain areas where storage of floodwaters has been taken into account during analysis in reducing the regional flood discharge.

"FLOODWAY" (FW) - The channel of a river or stream and those portions of the floodplain adjoining the channel required to carry the regional flood discharge.

"FREEBOARD" - A safety factor expressed in terms of a specified number of feet above a calculated flood level. Freeboard compensates for any factors that cause flood heights greater than those calculated, including ice jams, debris accumulation, wave action, obstruction of bridge openings and floodways, the effects of watershed urbanization, loss of flood storage areas due to development and aggregation of the river or stream bed.

"HABITABLE STRUCTURE" - Any structure or portion thereof used or designed for human habitation.

"HEARING NOTICE" - Publication or posting meeting the requirements of Ch. 985, Wis. Stats. For appeals, a Class 1 notice, published once at least one week (7 days) before the hearing, is required. For all zoning ordinances and amendments, a Class 2 notice, published twice, once each week consecutively, the last at least a week (7 days) before the hearing. Local ordinances or bylaws may require additional notice, exceeding these minimums.

"HIGH FLOOD DAMAGE POTENTIAL" - Damage that could result from flooding that includes any danger to life or health or any significant economic loss to a structure or building and its contents.

"HISTORIC STRUCTURE" - Any structure that is either:

- Listed individually in the National Register of Historic Places or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register,
- Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district,
- Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior,
- or

Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either by an approved state program, as determined by the Secretary of the Interior; or by the Secretary of the Interior in states without approved programs.

"INCREASE IN REGIONAL FLOOD HEIGHT" - A calculated upward rise in the regional flood elevation, equal to or greater than 0.01 foot, based on a comparison of existing conditions and proposed conditions which is directly attributable to development in the floodplain but not attributable to manipulation of mathematical variables such as roughness factors, expansion and contraction coefficients and discharge.

"LAND USE" - Any nonstructural use made of unimproved or improved real estate. (Also see DEVELOPMENT.)

"MANUFACTURED HOME" - A structure transportable in one or more sections, which is built on a permanent chassis and is designed to be used with or without a permanent foundation when connected to required utilities. The term "manufactured home" includes a mobile home but does not include a "mobile recreational vehicle."

"MOBILE RECREATIONAL VEHICLE" - A vehicle which is built on a single chassis, 400 square feet or less when measured at the largest horizontal projection, designed to be self-propelled, carried or permanently towable by a licensed, light-duty vehicle, is licensed for highway use if registration is required and is designed primarily not for use as a permanent dwelling, but as temporary living quarters for recreational, camping, travel or seasonal use. Manufactured homes that are towed or carried onto a parcel of land, but do not remain capable of being towed or carried, including park model homes, do not fall within the definition of "mobile recreational vehicles."

"MUNICIPALITY" or "MUNICIPAL" - The County of Polk.

"NGVD" or "NATIONAL GEODETIC VERTICAL DATUM" - Elevations referenced to mean sea level datum, 1929 adjustment.

"NEW CONSTRUCTION" - For floodplain management purposes, "new construction" means structures for which the start of construction commenced on or after the effective date of floodplain zoning regulations adopted by this community and includes any subsequent improvements to such structures. For the purpose of determining flood insurance rates, it includes any structures for which the "start of construction" commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures.

"NONCONFORMING STRUCTURE" - An existing lawful structure or building which is not in conformity with the dimensional or structural requirements of this ordinance for the area of the floodplain which it occupies. (For example, an existing residential structure in the floodfringe district is a conforming use. However, if the lowest floor is lower than the flood protection elevation, the structure is nonconforming.)

"NONCONFORMING USE" - An existing lawful use or accessory use of a structure or building which is not in conformity with the provisions of this ordinance for the area of the floodplain which it occupies. (Such as a residence in the floodway.)

"OBSTRUCTION TO FLOW" - Any development which blocks the conveyance of floodwaters such that this development alone or together with any future development will cause an increase in regional flood height.

"OFFICIAL FLOODPLAIN ZONING MAP" - That map, adopted and made part of this ordinance, as described in s. 1.5(2), which has been approved by the Department and FEMA.

"OPEN SPACE USE" - Those uses having a relatively low flood damage potential and not involving structures.

"ORDINARY HIGHWATER MARK" (OHWM) - The point on the bank or shore up to which the presence and action of surface water is so continuous as to leave a distinctive mark such as by erosion, destruction or prevention of terrestrial vegetation, predominance of aquatic vegetation, or other easily recognized characteristic.

"PERSON" - An individual, or group of individuals, corporation, partnership, association, municipality or state agency.

"PRIVATE SEWAGE SYSTEM" - A sewage treatment and disposal system serving one structure with a septic tank and soil absorption field located on the same parcel as the structure. It also means an alternative sewage system approved by the Department of Commerce, including a substitute for the septic tank or soil absorption field, a holding tank, a system serving more than one structure or a system located on a different parcel than the structure.

"PUBLIC UTILITIES" - Those utilities using underground or overhead transmission lines such as electric, telephone and telegraph, and distribution and collection systems such as water, sanitary sewer and storm sewer.

"REASONABLY SAFE FROM FLOODING" - Means base flood waters will not inundate the land or damage structures to be removed from the special flood hazard area and that any subsurface waters related to the base flood will not damage existing or proposed buildings.

"REGIONAL FLOOD" - A flood determined to be representative of large floods known to have occurred in Wisconsin. A regional flood is a flood with a one percent chance of being equaled or exceeded in any given year, and if depicted on the FIRM, the RFE is equivalent to the BFE.

"START OF CONSTRUCTION" - The date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond initial excavation, or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling, nor does it include the installation of streets and/or walkways, nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms, nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For an alteration, the actual start of construction means the first alteration of any wall, ceiling, floor or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

"STRUCTURE" - Any manmade object with form, shape and utility, either permanently or temporarily attached to, placed upon or set into the ground, stream bed or lake bed, including, but not limited to, roofed and walled buildings, gas or liquid storage tanks, bridges, dams and culverts.

"SUBDIVISION" - Has the meaning given in s. 236.02(12), Wis. Stats.

"SUBSTANTIAL DAMAGE" - Damage of any origin sustained by a structure, whereby the cost of restoring the structure to its pre-damaged condition would equal or exceed 50 percent of the equalized assessed value of the structure before the damage occurred.

"UNNECESSARY HARDSHIP" - Where special conditions affecting a particular property, which were not self-created, have made strict conformity with restrictions governing areas, setbacks, frontage, height or density unnecessarily burdensome or unreasonable in light of the purposes of the ordinance.

"VARIANCE" - An authorization by the board of adjustment or appeals for the construction or maintenance of a building or structure in a manner which is inconsistent with dimensional standards (not uses) contained in the floodplain zoning ordinance.

"VIOLATION" - The failure of a structure or other development to be fully compliant with the floodplain zoning ordinance. A structure or other development without required permits, lowest floor elevation documentation, floodproofing certificates or required floodway encroachment calculations is presumed to be in violation until such time as that documentation is provided.

"WATERSHED" - The entire region contributing runoff or surface water to a watercourse or body of water.

"WATER SURFACE PROFILE" - A graphical representation showing the elevation of the water surface of a watercourse for each position along a reach of river or stream at a certain flood flow. A water surface profile of the regional flood is used in regulating floodplain areas.

"WELL" - means an excavation opening in the ground made by digging, boring, drilling, driving or other methods, to obtain groundwater regardless of its intended use.

APPENDIX A FLOODPLAIN STUDY

Atlas Feed Mill Dam Hydraulic Map, dated September, 1992, prepared by Ayres Associates, Approved by: DNR

Lower Balsam Lake Dam Hydraulic Map, dated July 2000, prepared by Ayres Associates, Approved by: DNR

Kennedy Dam Hydraulic Map, dated February 2003, prepared by SEH, Short Elliott Hendrickson, Inc., Approved by: DNR

Skinaway Lake Dam Hydraulic Map, dated January 2000, prepared by Cooper Engineering Company, Inc., Approved by: DNR

Balsam Lake Regional Flood Elevation, dated September 9, 2004, prepared by Ayres Associates, Approved by: DNR

Big and Little Butternut Lake Regional Flood Elevations, dated June 27, 1996, prepared by Polk County Land Surveying Company, Approved by: DNR

Clam Falls Flowage Regional Flood Elevation, dated August 7, 1998, prepared by Mr. Michael Sliva, Secluded Land Company, Approved by: DNR

Largon Lake Regional Flood Elevation, dated April 5, 1991, prepared by Wagner Surveying, Approved by: DNR

Long Lake Regional Flood Elevation, dated April 10, 2003, prepared by Department of Natural Resources, Approved by: DNR

Lotus Lake Regional Flood Elevation, dated July 2, 1996, prepared by J. McCluskey and P. Ries

Sand Lake Regional Flood Elevation, dated June 19, 1991, prepared by Polk County Land Survey Company

Wapogasset Branch and Wapogasset Lake Regional Flood Elevation, dated April 30, 2002, Prepared by Department of Natural Resources, Approved by DNR


White Ash Lake Regional Flood Elevation, dated January 30, 2001, prepared by
Department of Natural Resources, Approved by: DNR

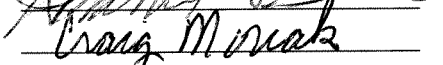
APPENDIX B AMENDMENTS TO THE FLOODPLAIN ZONING ORDINANCE

- 1990, JunePolk County Floodplain Ordinance adopted
- 1991, JuneLargon Lake regional flood elevation (RFE) at 1246.7' mean sea level (MSL)
- 1993, FebruaryAtlas Feed Mill Hydraulic Map -- amended Flood Insurance Study (FIS) maps
with corresponding profiles in the FIS, dated June 4, 1990
- Sand Lake (Section 2/T33N/R18W) RFE at 1124' MSL
- 2001, MarchClam Falls Flowage RFE at 1029.4' National Geodetic Vertical Datum
(NGVD-29)
- Big Butternut Lake RFE at 1215.4' (NGVD-29)
Little Butternut Lake RFE at 1210.3' (NGVD-29)
- Lower & Upper White Ash Lake RFE at 1123.08' USGS (US Geological
Survey)
- 2002, October.....Balsam Branch floodplain map & Balsam Branch floodplain data table from
Kennedy Dam to Lake Wapogasset
- 2010, MarchLower Balsam Lake Dam Hydraulic Shadow map dated November, 2002

Funding Amount & Source: Not applicable
Finance Committee Recommendation: Not applicable
Effective Date: September 16, 2011

Submitted & sponsored by the Land Information Committee:

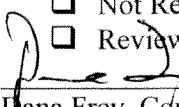






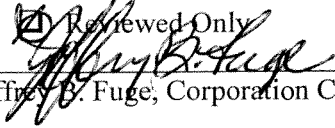
Review By County Administrator:

- Recommended
- Not Recommended
- Reviewed Only


 Dana Frey, County Administrator

Review By Corporation Counsel:

- Approved As to Form
- Recommended
- Not Recommended
- Reviewed Only


 Jeffrey B. Fuge, Corporation Counsel

At its regular business meeting on August 16, 2011, the Polk County Board of Supervisors adopted the above-entitled resolution, Resolution ____-11: Resolution to repeal and recreate the Polk County Floodplain Zoning Ordinance, by a simple majority vote of __ in favor and __ against.

Dated this _____ day of _____, 2011 at Polk County Wisconsin.

 William Johnson, IV, County Board Chairperson

Attest: _____
 Carole Wondra, Polk County Clerk

Resolution # _____

Resolution to Add Ordinances to Polk County's Uniform Citation Ordinance

County of Polk

WHEREAS, Polk County has a Uniform Citation Ordinance pursuant to Wisconsin Statutes § 66.0113 that has been duly adopted by the County Board of Supervisors; and

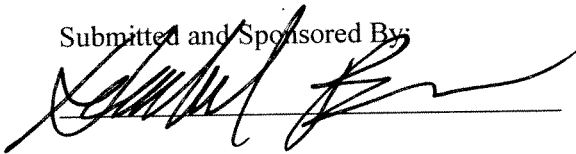
WHEREAS, Polk County has a Manure and Water Quality Management Ordinance, an Amended Illegal to Transport Aquatic Plants and Invasive Animals Ordinance, a Nonmetallic Mine Reclamation Ordinance and a Stormwater Management and Erosion Control Ordinance, all duly adopted by the County Board; and

WHEREAS, each of the Ordinances listed in the preceding paragraph have citation authority; and

WHEREAS, it is important to maintain consistency throughout the County regarding the process for issuing citations for Ordinance violations.

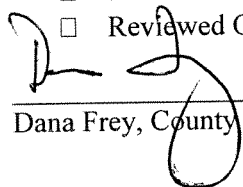
NOW, THEREFORE, BE IT RESOLVED, that the Manure and Water Quality Management Ordinance, the Amended Illegal to Transport Aquatic Plants and Invasive Animals Ordinance, the Nonmetallic Mine Reclamation Ordinance and the Stormwater Management and Erosion Control Ordinance are hereby added to the list of Ordinances Affected by the Uniform Citation Ordinance, a copy of which is attached hereto.

Submitted and Sponsored By:



Review By County Administrator:

- Recommended
- Not Recommended
- Reviewed Only



Dana Frey, County Administrator

Review By Corporation Counsel:

- Approved as to Form
- Recommended
- Not Recommended
- Reviewed Only



 Jeffrey B. Fuge, Corporation Counsel

At its regular business meeting on _____, 2011, the Polk County Board of Supervisors adopted the above-entitled resolution, Resolution _____-11: _____, by a simple majority vote of ___ in favor and ___ against.

 William Johnson, IV, County Board Chair

Dated: _____

Attest: _____
 Carole Wondra, Polk County Clerk

Dated: _____

C

Ordinance To Limit Amount Allowed for Claims for Damages by Dogs to Certain Domestic Animals
(Wisconsin Statute § 174.11(5))

ORIGINAL

TO THE HONORABLE SUPERVISORS OF THE BOARD OF SUPERVISORS OF THE COUNTY OF POLK:

¶1 WHEREAS, § 174.11, Wis. Stats., permits persons who have claims for damages by dogs to certain domestic animals to bring such claims against the County Dog License Fund; and,

¶2 WHEREAS, § 174.11(4), Wis. Stats., requires the County Board to allow the fair market value of the domestic animal as the amount of the claim for domestic animals killed by a dog; and,

¶3 WHEREAS, § 174.11(4), Wis. Stats., requires that the County Board allow the costs of the injury to a domestic animal, including any loss of fair market value, but not to exceed the fair market value of the domestic animal, as the amount of the claim for a domestic animal injured or killed by a dog; and,

¶4 WHEREAS, § 174.11(5), Wis. Stats., authorizes the County Board to establish the maximum amount that may be allowed for a claim under § 174.11, Wis. Stats., regardless of fair market value; and,

¶5 WHEREAS, the County of Polk has designated the Arnell Humane Society to provide a pound for collecting, caring for, and disposing of dogs; and

¶6 WHEREAS, § 174.09(2), Wis. Stats., provides that in counties that have designated county humane society that moneys in the Dog License Fund may pay for the county's expenses incurred in administering the dog license law and the expenses incurred by a humane society designated by the county in collecting, caring for, and disposing of dogs; and

¶7 WHEREAS, § 174.09(2), Wis. Stats., further provides that after paying such expenses incurred by the county and the county designated humane society, the amount remaining in the Dog License Fund shall be available for and may be used as far as necessary for paying claims allowed by the county to the owners of domestic animals because of damages done by dogs during the license year for which the taxes were paid; and

¶8 WHEREAS, § 174.09(2), Wis. Stats., further provides that any surplus in excess of \$1,000 which may remain from the dog license taxes of any license year shall on March 1 of the succeeding year be paid by the county treasurer to the county humane society designated by the county board to provide a pound.

¶9 WHEREAS, unlimited claims under § 174.11, Wis. Stats., could exhaust the Dog License Fund.

¶10 NOW, THEREFORE, that pursuant to §174.11(5), Wis. Stats., the Polk County Board of Supervisors does ordains as follows:

Section 1: Purpose:

This ordinance limits the amount that the Polk County Board of Supervisors may allow for claims that are processed for damages by dogs to certain domestic animals pursuant to §174.11(5), Wis. Stats, and as amended hereafter by the Wisconsin Legislature.

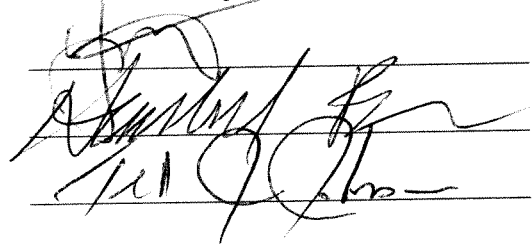
Section 2: Limitation:

The maximum amount that may be allowed for a claim for damages by dogs to domestic animals, including loss of fair market value, injury or death, under § 174.11, Wis. Stats. shall be limited to \$1,000.00 per claim, regardless of the number of domestic animals may be injured or killed in the incident or occurrence that gave rise to the claim.

Section 3: Treatment of Multiple Claims Arising from Single Incident:

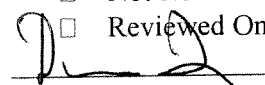
In the event that more than one claim for damages is presented for the injury or death of domesticated animals in which such claims all arose out of the same incident or occurrence, the Polk County Board of Supervisors shall treat such multiple claims as one claim. Said claim shall be limited by Section 2, regardless of the multiplicity of claims filed.

Funding Amount: Not Applicable Funding Source: Not Applicable
Date Finance Committee Advised: Not Applicable
Finance Committee Recommendation: Not Applicable
Effective Date: Upon Passage and Publication
Date Submitted to County Board: _____
Submitted and Sponsored By the Polk County Agriculture and Extension Education Committee

 _____

Review By County Administrator:

- Recommended
- Not Recommended
- Reviewed Only

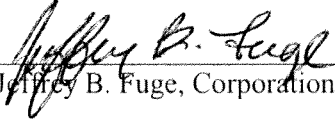
 _____

Dana Frey, County Administrator

Review By Corporation Counsel:

- Approved as to Form

- Recommended
- Not Recommended
- Reviewed Only


 Jeffrey B. Fuge, Corporation Counsel

At its regular business meeting on _____, 2011, the Polk County Board of Supervisors adopted the above-entitled ordinance, Ordinance No. _____-11: Ordinance to Limit Amount Allowed for Claims for Damages by Dogs to Certain Domestic Animals (Wisconsin Statute § 174.11(5)), by a simple majority vote of ___ in favor and ___ against.

_____ Dated: _____
 William Johnson, IV, County Board Chair

Attest: _____ Dated: _____
 Carole Wondra, Polk County Clerk

Ordinance No. _____-11: Ordinance to Limit Amount Allowed for Claims for Damages by Dogs to Certain Domestic Animals (Wisconsin Statute § 174.11(5)), was published in the Inter-County Leader on the _____ day of _____, 2011.

_____ Dated: _____
 Carole Wondra, County Clerk

D

RESOLUTION ___-11

Resolution to Authorize Autopsy Services Contract between Polk County Medical Examiner and Anoka County (MN) Medical Examiner

WHEREAS, the Polk County Medical Examiner has previously administered contracts with the Anoka County Medical Examiner's Office for the provision of autopsy services and proposes to extend such contractual relationship for three years at an annual cost equal to that of the 2011 contract; and

WHEREAS, through such contracts, Polk County has received the expertise and professionalism of the Anoka County medical Examiner for the provision of forensic autopsy services and other related medical examiner services; and

WHEREAS, pursuant to Section 66.0303(3)(a), the proposed contract for autopsy services requires review and determination by the Wisconsin Attorney General and said review and determination remains has been requested and is pending.

NOW, THEREFORE, BE IT RESOLVED, the Polk County Board of Supervisors authorizes the Polk County Medical Examiner to enter into a three -year contract on behalf of the County of Polk with the Medical Examiner of Anoka County, Minnesota, for the purchase of autopsy and related medical examiner services that commences on January 1, 2012, for an annual cost not to exceed of \$26,000 and that is consistent with other terms and conditions approved pursuant Wisconsin Statute Section 66.0303(3)(a).

BE IT FURTHER RESOLVED, that the Polk County Medical Examiner shall administer said contract in all respects for Polk County.

BE IT FURTHER RESOLVED that pursuant to Wisconsin Statute Section 66.0303(3)(a), that said contract is effective conditioned upon a determination of the Wisconsin Attorney that the contract is in proper form and compatible with the laws of the State of Wisconsin.

Funding Amount: \$26,000.00, annually for three years.

Funding Source: County Levy as Authorized in the 2012, 2013 and 2014 Budgets for Department of Medical Examiner

Date Finance Committee Advised: _____

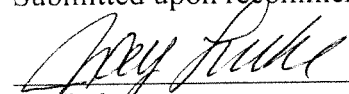
Finance Committee Recommendation: _____

Effective Date: Upon Passage

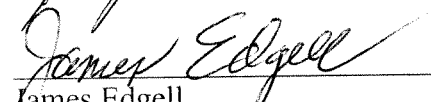
Date Submitted to County Board: _____

County Board Action: _____


Submitted upon recommendation of the Public Protection and Judicial Committee:

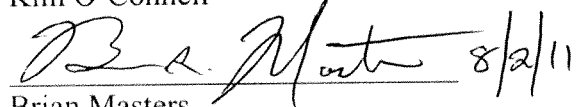


Jay Luke



James Edgell

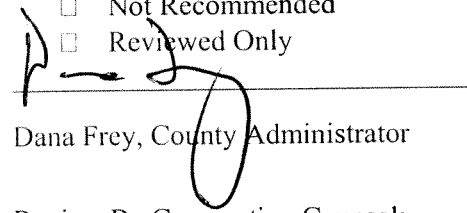
 8-2-11
Kim O'Connell

 8/2/11
Brian Masters

Gary Bergstrom

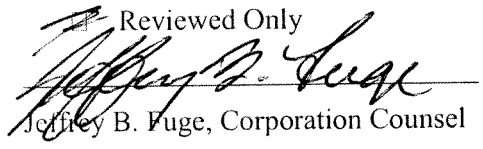
Review By County Administrator:

- Recommended
- Not Recommended
- Reviewed Only


Dana Frey, County Administrator

Review By Corporation Counsel:

- Approved as to Form
- Recommended
- Not Recommended
- Reviewed Only


Jeffrey B. Fuge, Corporation Counsel

At its regular business meeting on _____, the Polk County Board of Supervisors, adopted the above-entitled resolution, Resolution ____-11; Resolution To Authorize Autopsy Services Contract between Polk County Medical Examiner and Anoka County (MN) Medical Examiner, by a simple majority vote of _____ in favor and _____ against.

William Johnson, IV
County Board Chairperson

Attest: _____
Carole Wondra, County Clerk

E

RESOLUTION _____

Resolution to Authorize Purchase of Clinical Documentation Software for Polk County Health Department

WHEREAS, an electronic health record (EHR) is defined as an official health record for an individual that is shared among multiple facilities and agencies and includes contact information, documentation about visits to health care professionals, allergies, insurance information, family history, immunization status, information about any conditions or diseases, a list of medications, records of hospitalization and information about any surgeries or procedures performed; and

WHEREAS, digitized health information systems are expected to improve efficiency and quality of care and, ultimately, reduce costs; and

WHEREAS, over the past decade, healthcare providers have been transitioning from paper to electronic medical records with further regulation on EHR use outlined in the recent federal Affordable Care Act legislation with the ultimate goal of providing everyone an electronic health record by 2014; and

WHEREAS, the reproductive health and jail health services sections in the Health Department have not yet transitioned to electronic health records and the public health nursing section is using a software platform that is unwieldy for their type of practice; and

WHEREAS, it is estimated that the annual cost of nursing documentation could be reduced by 20% and the annual cost of clerical support for documentation could be reduced by 50% once staff are proficient in use of the electronic health record through the implementation of appropriate documentation software; and

WHEREAS, the Polk County Board of Health has recommended that the Polk County Board of Supervisors approve the purchase and installation of documentation software for the Public Health Department that will facilitate the transition to EHR in compliance with the Affordable Care Act; and

WHEREAS, the costs of the purchase of such documentation software is an allowable expenditure from grant program income that is restricted to the use in maternal child health related activity.

NOW, THEREFORE, BE IT RESOLVED, that Polk County Board of Supervisors authorizes the Polk County Health Department to purchase the CHAMP Nightingale Notes software for the Public Health Section, in an amount not to exceed \$56,000; and

BE IT FURTHER RESOLVED, that program generated income from the Reproductive Health program shall be expended for this purchase.

Funding Amount: Estimated Cost of \$55,847
Funding Source: Reproductive Health Grant (Fund: 224-54134)
Date Finance Committee Advised: July 13, 2011
Finance Committee Recommendation: _____
Effective Date: Upon Passage
Date Submitted to Board of Health: July 12, 2011
Submitted by:

Patricia Schmidt _____

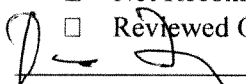
Er

Date Submitted to the Polk County Board:
Sponsored and Submitted by:

August 16, 2011

Review By County Administrator:

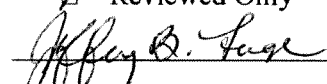
- Recommended
- Not Recommended
- Reviewed Only



Dana Frey, County Administrator

Review By Corporation Counsel:

- Approved as to Form
- Recommended
- Not Recommended
- Reviewed Only



Jeffrey B. Fuge, Corporation Counsel

At its regular business meeting on _____, the Polk County Board of Supervisors, adopted the above-entitled resolution, Resolution ____-11; Resolution To Authorize Purchase of Clinical Documentation Software for Polk County Health Department, by a simple majority vote of _____ in favor and _____ against.

William Johnson, IV
County Board Chairperson

Attest: _____
Carole Wondra, County Clerk

F

RESOLUTION ___-11
Resolution to Adopt Master Fee Schedule for 2012 Budget Proposal

WHEREAS, pursuant to Polk County Policy 880, *Budget Preparation and Execution*, the County Board of Supervisors adopts a fee schedule that incorporates any fees or charges, including fees for service, over which the County Board has discretion; and

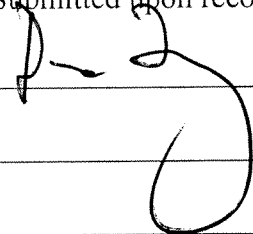
WHEREAS, consistent with Policy 880, the departments have submitted their respective fee data, consisting of past year fee rate, current year fee rate, proposed rate, past year actual revenues, current year projected revenues, forward year estimated revenues and an estimate of the actual cost of providing the service to which the fee relates; and

WHEREAS, upon review of the data received, the County Administrator recommends that the County Board of Supervisors adopt the master fee schedule as attached hereto and incorporated herein.

NOW, THEREFORE, BE IT RESOLVED that the Polk County Board of Supervisors adopts the Master Fee Schedule, attached hereto and incorporated herein.

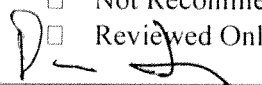
BE IT FURTHER RESOLVED that the projected revenues from those fees reflected in said schedule shall be incorporated into the 2012 proposed budget and may be amended in the same manner as said proposed budget.

Funding Amount: \$ _____.
Funding Source: _____
Date Finance Committee Advised: _____
Finance Committee Recommendation: _____
Effective Date: Upon Passage
Date Submitted to County Board: August 16, 2011
County Board Action: _____
Submitted upon recommendation by:



Review By County Administrator:

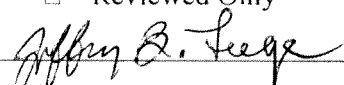
- Recommended
- Not Recommended
- Reviewed Only



 Dana Frey, County Administrator

Review By Corporation Counsel:

- Approved as to Form
- Recommended
- Not Recommended
- Reviewed Only



 Jeffrey B. Fuge, Corporation Counsel

At its regular business meeting on August 16, 2011, the Polk County Board of Supervisors adopted the above-entitled resolution, Resolution ____-11; Resolution to Adopt Master Fee Schedule for 2012 Proposed Budget, by a simple majority vote of _____ in favor and _____ against.

 William Johnson, IV
 County Board Chairperson

Attest: _____
 Carole Wondra, County Clerk

Polk County 2012 Comprehensive Fee Schedule

8/2/2011

F2

Department	Type of Fee	2011 Fee Rate	2012 Fee Rate	Comments
Aging	Meal Donation/per Meal	4.00	4.00	
	Mileage Donation/per Mile	0.55	0.55	
Buildings	Endeavors Rent plus 10% Janitorial Services	38,271.00	68,000.00	Based on actuals
	Literacy Rent	840.00	840.00	
County Clerk	Marriage License Fee	80.00	80.00	
	Marriage Waiver Fee	10.00	10.00	
	Passport Application Fee	25.00	25.00	
	Passport Photo Fee	9.95	9.95	
	Temp. Plat Fee Counter Fee (set by State)	5.00	5.00	
	DMV Tabs & Plates per Application (Set by TriVin)	18.20	18.20	
	Large Assembly Permits (fee per day)	100.00	100.00	
	SVRS Support Fees			
	Population 1-599	based on turnout	300.00	Change due to cost increases
	Population 600-999	based on turnout	400.00	
	Population 1000-1499	based on turnout	500.00	
	Population 1500-1999	based on turnout	600.00	
Population 2000-2999	based on turnout	700.00		
Any Special Election plus \$.25 per eligible voter	n/a	100.00		
District Attorney	Restitution Surcharge - percentage of total	10%	10%	
	DJOC Fee	100.00	100.00	
	Discovery Photocopies			
	State Public Def per page	0.20	0.20	
	Private Bar per page	0.50	0.50	
	Discovery CD/DVD			
	State Public Def each	5.00	5.00	
	Private Bar each	10.00	10.00	
	Discovery VHS			
	State Public Def each	5.00	5.00	
	Private Bar each	5.00	5.00	
	Discovery Cassette Tapes			
	State Public Def each	5.00	5.00	
	Private Bar each	5.00	5.00	
	Discovery Photograph Reprints			
	State Public Def each max for 5x7 smaller	0.50	0.50	
	State Public Def each max for 5x7 larger	1.00	1.00	
	Private Bar each any size	2.00	2.00	
	Discovery Counter Copies			
	State Pulic Def each	0.20	0.20	
Private Bar each	2.00	2.00		
Extension	Polk-St. Croix-Pierce Leadership Academy/person	250.00	250.00	
	Workshops/person	10.00	10.00	
	Land Use Tour	50.00	50.00	
	Pesticide Applicator Training/person	30.00	30.00	
	Annual Bee (\$1.00 a yard, maxium of \$5.00)	1.00	1.00	
	Family Living - Divorce Education/person	25.00	25.00	
	Bulletins	price on back	price on back	
GAM	Semi-private Rooms for Skilled Care/per day	211.00	211.00	
	Private Rooms for Skilled Care/per day	226.00	226.00	
	Alzheimer's Unit for Semi-Private Rooms/per day	220.00	220.00	
	Alzheimer's Unit for Private Rooms/per day	235.00	235.00	
Highway	Access Permit			
	Housing Developments	500.00	500.00	
	Residential	285.00	285.00	
	Field Access	175.00	175.00	
	Minor Modifications	50.00	50.00	
	Utility Permit			
	Projects under \$5,000	25.00	25.00	
	\$5,001 - \$100,000	100.00	100.00	
	\$100,001 +	250.00	250.00	
	Oversize Load			
Single Trip	25.00	25.00		
Multiple Trips	100.00	100.00		
Housemoving Permit	50.00	50.00		
Human Services	Psychiatric Services/hr	250.00	250.00	
	Mental Health Nursing Services/hr	75.00	75.00	
	Intake and Psychotherapy (Masters Level Clinician)/hr	120.00	120.00	
	Intake and Psychotherapy (Bachelors Level Clinician)/hr	110.00	110.00	
	Group Therapy/hr	50.00	50.00	
	OWI Assesment (Self-pay in advance, No Sliding Fee)/hr	275.00	275.00	
	Court Ordered AODA Assesment (Self-pay in advance, No Sliding Fee)/hr	220.00	220.00	
	Voluntary AODA Assessment/hr	220.00	220.00	
	Intake and Counseling (Masters Level Clinician)/hr	120.00	120.00	
	Intake and Counseling (Bachelors Level Clinician)/hr	110.00	110.00	
Group Sessions/hr	50.00	50.00		

F3

Department	Type of Fee	2011 Fee Rate	2012 Fee Rate	Comments	
Land & Water	Pit Inspection	600.00	600.00		
	Nonmetallic Mining Reclamation				
	1-5 acres	175.00	175.00		
	6-10 acres	350.00	350.00		
	11-15 acres	525.00	525.00		
	16-25 acres	700.00	700.00		
	26-50 acres	810.00	810.00		
	51+ acres	870.00	870.00		
	Strom Water Erosion Control				
	Misc. grading/filling or building, etc.	250.00	250.00		
	Multi-family residences (3 or more units)	200+25/unit	200+25/unit		
	Subdivisions or 1-2 family condo units	400+35/lot	400+35/lot		
	Commercial, retail, industrial, mfg, bldgs	600+100/acre>2	600+100/acre>2		
	Golf Courses	500+20/acre >120 acres	500+20/acre >120 acres		
	Utilities	0.15	0.15		
	New Mine Reclamation Plan Review Fee	500.00	500.00		
	Expedited New Mine Reclamation Plan Review Fee	2,000.00	2,000.00		
	Reclamation Plan Review Fee for a new Hard Rock Quarry Mine (zoned)	8,000.00	8,000.00		
	Reclamation Plan Review Fee for a new Hard Rock Quarry Mine (unzoned)	12,000.00	12,000.00		
	Conservation Materials Fabric/ft	2.50	2.50		
	Conservation Materials Mulcher /hr	50.00	50.00		
	Cons. Fees From Other Counties	wages & benefits	wages & benefits		
	LWRD Revenue From Townships	wages & benefits	wages & benefits		
	LWRD Contracted Services	wages & benefits	wages & benefits		
	Tree Sales				
	Balsam Fir	1.00	1.08	Change due to revaluation	
	White Spruce	1.00	1.08		
	White Pine	1.00	1.08		
	Hybrid Poplar	2.50	2.50		
	Red Oak	1.00	1.08		
	Sugar Maple	1.00	1.08		
	Elderberry Shrub	1.00	1.08		
	Serviceberry Shrub	1.00	1.08		
	Black Chokeberry Shrub	1.00	1.08		
	Blueberries	n/a	1.50		
Apple Trees	n/a	10.00			
Land Information	Conventional Septic Tank Fee	425.00	425.00		
	Holding Tank Septic Fee	600.00	600.00		
	In-Ground Pressure, Mound, Experimental System	425.00	425.00		
	Sanitary Inspection	250.00	250.00		
	Wis. Fund Grant Application for Sewer System Replacement	125.00	125.00		
	Land Use				
	Houses, Commercial, Special Exceptions, Signs	375.00	375.00		
	Additions to Dwellings	250.00	250.00		
	Accessory Buildings	150.00	150.00		
	Grading/Filling after-the-fact	1,050.00	1,050.00		
	Temporary Permit	200.00	200.00		
	Run-off Rating Review	100.00	100.00		
	Removal of vegetation in buffer zone, Landscaping	50.00	50.00		
	Telecommunicaton Tower Condition Use Permit	2,100.00	2,100.00		
	Permit for Wireless Comm. Facility	350.00	350.00		
	Biennial Report fee (telecomm. Towers)	200.00	200.00		
	Plat Review / per lot - Preliminary Plat	600, +50/lot	600, +50/lot		
	Plat Review / per lot - Final Plat	600.00	600.00		
	Minor Plat Certified Survey Map	400.00	400.00		
	Subdivision Ord / WLIA Land Records Fees/document	6.00	6.00		
	Subdivision Ord / WLIA Land Records Internet /document	2.00	2.00		
	Subdivision Ord / Base Mapping/parcel	11.00	11.00		
	GIS Mapping Fees				
	Plotted - Drawing or Aerial Photos, etc...	varied	varied		
	8 1/2" X 11"	5.00	5.00		
	11" X 17"	7.50	7.50		
	18" X 18" or 16" X 21"	12.00	12.00		
	24" X 24"	15.00	15.00		
	30" X 30" or 21" X 33"	20.00	20.00		
	36" X 36" or 33" X 43"	35.00	35.00		
	Laser Printer (8 1/2" X 11" - 8 1/2" X 14" - 11" X 17")	1.00	1.00		
	Standard Copier (8 1/2" X 11" - 8 1/2" X 14" - 11" X 17")	0.25	0.25		
	Digital Data				
	Parcel Data	0.10	0.10		
	All Other GIS Data/per MB	10.00	10.00		
	<i>Orthophotos: Natural Color 2010 (12" Resolution)</i>				
	Tif image, per 2X2 section tile, per image tile	50.00	50.00		
	MrSID image, per 2X2 section tile, per image tile	25.00	25.00		
	Tif image, per 2X2 section tile, per town	350.00	350.00		
	MrSID image, full county	750.00	750.00		
	Tif image, full county (portable hard drive necessary)	1,000.00	1,000.00		
	<i>Orthophotos: Natural Color 2006 (12" Resolution)</i>				
	Tif image, per 1X2 section tile, per image tile	25.00	25.00		

F4

Department	Type of Fee	2011 Fee Rate	2012 Fee Rate	Comments
Land Information	Tif images, per 1X2 section tiles, per town	350.00	350.00	
	MrSID image, per town	100.00	100.00	
	MrSID image, full county	750.00	750.00	
	Tif image, full county (portable hard drive necessary)	1,000.00	1,000.00	
	<i>Orthophotos: B&W 2001 (18" Resolution)</i>			
	Tif image, per 3X3 section tile, per image tile	15.00	15.00	
	Tif images, per 3X3 section tiles, per town	40.00	40.00	
	MrSID image, full county	500.00	500.00	
	<i>Orthophotos: B&W 1996 (1 Meter)</i>			
	Tif image per town tile, per image tile	40.00	40.00	
	Tif image, per town tile, per town	40.00	40.00	
	Tif images, per town tile, full county	500.00	500.00	
Law Enforcement	Civil Process			
	Paper Service	50.00	75.00	Cost increases
	Writ of Eviction/Assistance	100/65	100/65	
	Writ of Replevin	100/65	100/65	
	Writ of Execution	100/65	100/65	
	Notorized Affidavit	10.00	10.00	
	Sheriff's Sale Forclosure/Execution	150.00	150.00	
	Jail Division			
	Out-of-County Huber Fees /day	25.00	25.00	
	Huber Fees /day	15.00	15.00	
	Out of County Boarding /day	40.00	40.00	
	Booking Fees	25.00	25.00	
	Alarm Fees			
	False Alarm Fees 1st/2nd/subse	0/50/100	0/50/100	
	Lime	50-59 /ton	8.00	8.00
60-69 /ton		9.25	9.25	
Slag/ton		5.75	5.75	
Class 5/ton		7.75	7.75	
Class 5 (discount)/ton		6.97	6.97	
Deco/ton		13.50	13.50	
2" Clean/ton		12.50	12.50	
3/4" Clean/ton		15.50	15.50	
3" Clean/ton		12.50	12.50	
Trail & Paddock Mix (3/8" -)/ton		6.25	6.00	Cost increases
Rip Rap/ton		29.00	32.00	
Pit Run/ton		20.00	20.00	
3/4 " Unclassified/ton		7.00	7.25	
Boulders/ton		29.50	40.00	Cost increases
Flat Rock/ton		29.50	40.00	
Utility Rock/ton		29.50	11.50	
2" Unclassified/ton		10.00	10.00	
Unclassified Deco/ton		10.00	10.00	
Packer Blend/ton		11.00	11.00	
Pickups		20.00	25.00	
Medical Examiner	Cremation Fee/Records Disinternment	150.00	150.00	
Parks	Camping Fee per night	10	10	
	Shelter reservations	40	40	
	Gandy Dancer State Bike Passes	6000	6000	
Public Health	Skilled Nurse Visit	210.00	210.00	
	Home Health Aide Visit	85.00	85.00	
	Personal Care Worker	40/Hr	40/Hr	
	Physical Therapy Visit	125.00	125.00	
	Speech Therapy Visit	125.00	125.00	
	Medication Setup	70.00	70.00	
	Foot Care	30.00	30.00	
	Case Management	45/Hr	45/Hr	
	Influenza Vaccination	30.00	30.00	
	Pneumonia Vaccination	45.00	45.00	
	Hepatitis B	35.00	35.00	
	Mantoux	5.00	5.00	
	Jail Nurse	40/Hr	40/Hr	
	Jail LPN	32/Hr	32/Hr	
	Radon Kits	8.00	8.00	
	Serve Safe			
	Initial	130.00	130.00	
	Recertification	50.00	50.00	
	ABC for Health Rent	3,000.00	3,000.00	
	Breast Pumps			
	Electric	165.00	165.00	
	Manual	30.00	30.00	
	Nursing Services			
	New - 10"	29.00	29.00	
	New - 20"	41.00	41.00	
New - 30"	53.00	53.00		
New - 45"	76.00	76.00		
Est - 5"	16.00	16.00		

F5

Department	Type of Fee	2011 Fee Rate	2012 Fee Rate	Comments	
Public Health	Est - 10"	28.00	28.00		
	Est - 15"	34.00	34.00		
	Est - 25"	47.00	47.00		
	New Prevention 12 - 17	72.00	72.00		
	New Prevention 18 - 39	72.00	72.00		
	New Prevention 40 - 64	72.00	72.00		
	Est Prevention 12 - 17	58.50	58.50		
	Est Prevention 18 - 39	58.50	58.50		
	Est Prevention 40 - 64	58.50	58.50		
	Patient Education	60.00	60.00		
	Teen Exam	10.00	10.00		
	Lab Services				
	Pap Smear	25.00	25.00		
	Chlamydia	56.00	56.00		
	GC	56.00	56.00		
	VDRL	28.50	28.50		
	Herpes	127.50	127.50		
	Hemoglobin	9.50	9.50		
	U/A gluc	8.00	8.00		
	U/A Chem	8.00	8.00		
	KOH	8.25	8.25		
	Thin Prep	38.00	38.00		
	Lipid	24.39	24.39		
	PP Blood Gl	12.59	12.59		
	HIV	33.50	33.50		
	Pregnancy Test	9.00	9.00		
	Colletion/Handl	7.48	7.48		
	Injection Fee	7.50	7.50		
	Destruction of lesions	47.00	47.00		
	HPV tx 14	25.31	25.31		
	HPV tx 15+	54.15	54.15		
	Supplies				
	Nuva Ring	46.16	42.16		
	Oral Contraceptives	35.12	35.12		
	Depo Provera	62.31	62.31		
	Evra Patch	44.15	44.15		
	Condoms per 12	10.10	10.10		
	Fe Condoms	3.44	3.44		
	Gel (Tube)	15.49	15.49		
	Plan B	26.00	26.00		
	Antibiotics				
	Doxycycline	9.49	9.49		
	Metronidazole	19.29	10.29		
	Azithromycin	22.99	22.99		
	Ceftriaxon	12.48	12.48		
Fluconazol	7.87	7.87			
Males charges					
Chl	48.50	48.50			
GC	48.50	48.50			
HIV	33.50	33.50			
Restaurant (License Fee+State Surcharge) Total					
Prepackaged	116.00	116.00			
Simple	253.00	253.00			
Moderate	363.00	363.00			
Complex	594.00	594.00			
Temp	\$100.00 or \$50.00 or \$25.01	\$100.00 or \$50.00 or \$25.02			
Pre-inspection					
Prepackaged	150.00	150.00			
Simple	200.00	200.00			
Moderate	300.00	300.00			
Complex	400.00	400.00			
Other					
Church					
Caterer					
Civic or Fraternal					
Schools					
Simple Food Service	115.00	115.00			
Moderate Food Service	315.00	315.00			
Lodging (License Fee+State Surcharge) Total					
5-30 Rooms	226.00	226.00			
31-99 Rooms	308.00	308.00			
100-199 Rooms	391.00	391.00			
200+ Rooms	539.00	539.00			
Bed/Breakfast - 8 or less Rooms	143.00	143.00			
Tourist Rooming House 1-4 Rooms	143.00	143.00			
Pre-inspection					
5-30 Rooms	200.00	200.00			
31-99 Rooms	250.00	250.00			
100-199 Rooms	350.00	350.00			

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Department	Type of Fee	2011 Fee Rate	2012 Fee Rate	Comments	
Public Health	200+ Rooms	450.00	450.00		
	Bed & Breakfast	150.00	150.00		
	Tourist Rooming House	150.00	150.00		
	Recreational Facilities (License Fee + State Surcharge) Total				
	Campground 1-25 Sites	193.00	193.00		
	Pre-inspection	200.00	200.00		
	Campground 26-50 Sites	275.00	275.00		
	Pre-inspection	250.00	250.00		
	Campground 51-100 Sites	336.00	336.00		
	Pre-inspection	300.00	300.00		
	Campground 100-199 Sites	391.00	391.00		
	Pre-inspection	350.00	350.00		
	Campground 200+ Sites	451.00	451.00		
	Pre-inspection	400.00	400.00		
	Rec/Ed Campground	556.00	556.00		
	Pre-inspection	400.00	400.00		
	Swimming Pool	165.00	165.00		
	Tattoo/Body Piercing	149.00	149.00		
Pre-inspection	140.00	140.00			
Combinatin Tattoo/Piercing	242.00	242.00			
Pre-inspection	145.00	145.00			
Recycling	Appliances Solid Waste	15.00	15.00		
	Gas Ammonia appliance over 4'	175.00	175.00		
	Gas Ammonia appliance under 4'	100.00	100.00		
	Air conditioners	25.00	25.00		
	Plastic Water Heaters	25.00	25.00		
	Commercial Air conditioners	450.00	450.00		
	Commercial Hot water	60.00	60.00		
	Commercial Appliance per cu.ft.	1.50 per cu ft	1.50 per cu ft		
	Water softeners	20.00	20.00		
	Electronics Monitors	10.00	10.00		
	Printer	5.00	5.00		
	CPU	5.00	5.00		
	Laptop	15.00	15.00		
	Copiers per lb	.35 /lb	.35 /lb		
	Misc computer equip per lb	.30 /lb	.30 /lb		
	TV, VCR,DVD per lb	.15/ lb	.15/ lb		
	Bulbs 4' and under	0.75	0.75		
	5'and over	1.00	1.00		
	Compacts	0.75	0.75		
	U Shaped	0.75	0.75		
	Broken Bulbs	3.00	3.00		
	Ultra Violet	6.00	6.00		
	HID	3.00	3.00		
	Ballast	3.00	3.00		
	Propane cylinders 4-40 lb	6.00	6.00		
	Propane cylinders 100 lb	12.00	12.00		
	Oil filters	0.50	0.50		
	Tires per lb	.10 /lb	.10 /lb		
	Off Road Tire per lb	.26 /lb	.26 /lb		
	Car and Truck with Rim	2.00 plus .10 lb for rim	2.00 plus .10 lb for rim		
	Heavy Truck Rim	10.00 plus .10 lb for rim	10.00 plus .10 lb for rim		
	Confidential Shredding per lb.	.08 /lb	.08 /lb		
Mattress	10.00	10.00			
Register of Deeds	Recording/Filing Real Estate Docs	30.00	30.00		
	Plats-Subdivision/Cemetery/Condo	50.00	50.00		
	Transporation Project Plats	25.00	25.00		
	Copies of R.E. Documents / per document/per copy/add page	\$2 + 1	\$2 + 1		
	Vital Record Copies / per person/per copy/add page	\$20 + 3	\$20 + 3		
	R.E. Transfer Fees (\$3 per \$1,000)	\$3 per \$1,000	\$3 per \$1,000		
Treasurer	Report Fees--printed reg paper	\$10 + .05	n/a	Moved to Land	
	Report Fees--printed label paper	\$10 + .35/pg	n/a	Information Dept.	
	Reports Fees--Emailed	10.00	n/a		
	Reports Data Files	60.00	n/a		
	Delq Report--mailed	30.00	no charge		
	Delq Report--emailed	25.00	no charge		
	Fax/Copies/Misc Charges	\$0.25 -\$1/pg	\$0.25 -\$1/pg		
	Misc Tax Searches	\$1/pg 2000 & prior years	\$1/pg 2000 & prior years		
	Tax Deed Fees	165.00	165.00		

POLK COUNTY BOARD OF SUPERVISORS
Minutes from Tuesday, August 16, 2011
Polk County Government Center – County Board Room
Balsam Lake, WI 54810

Chairman Johnson called the meeting of the Polk County Board of Supervisors to order at 6:30 PM.

County Clerk informed the chair that notice of the agenda was properly posted in three public buildings, published in the county's legal paper and posted on the county website the week of August 8, 2011. Corporation Counsel informed the Board that the same satisfied the notice requisites of the Open Meetings Law and County Board Rules of Order.

Roll call was taken by the Clerk, with 22 members present. Supr. Bergstrom was excused.

Chairman Johnson requested consideration of those items contained under the Consent Agenda: The Noticed Agenda, Confirmation of County Board Minutes from July 19, 211 and August 2, 2011. **Motion (Jepsen/Sample) to approve those items included in the consent agenda, motion carried** by unanimous voice vote.

Supervisor Luke led the prayer.

Chairman led the Pledge of Allegiance

Public comments were offered.

Presentation by IT Director, Todd Demers on the use of technology to support the vision and goals of Polk County.

Chairman's Report was given by Wm. Johnson.

Administrator's report was given by Dana Frey.

Committee/Board Reports were given.

Chairman called for a 10 minute recess.

Resolution 38-11 Resolution to Repeal and Recreate the Polk County Floodplain Zoning Ordinance. Motion (O'Connell/Brown) to approve. Supr. O'Connell addressed the Ordinance. Motion to approve Resolution 38-11, carried by unanimous voice vote. Resolution adopted.

Resolution 39-11 Resolution to Add Ordinances to Polk County's Uniform citation Ordinance. Motion (Jepsen/D. Johansen) to approve. Land and Water Director, Tim Ritten addressed the Resolution. Motion to approve Resolution 39-11 carried by unanimous voice vote. Resolution adopted.

Ordinance 40-11 Ordinance to Limit Amount Allowed for Claims for Damages by Dogs to Certain Domestic Animals. Chairman Johnson called for the proposed ordinance to be assigned a number. County Clerk assigned number to the ordinance. Chairman Johnson explained that the Board would receive ordinance for a first reading and that the board will hold a public hearing will be held at the September board meeting to allow for staff presentation and public input and commentary on this matter. Corporation Counsel discusses proposed ordinance with Board. Supervisor Masters offers grammatical language revision to proposed ordinance. Revision made on offered revision. Public hearing will be held on revised proposed ordinance.

Resolution 41-11 Resolution to Authorize Autopsy Services Contract between Polk County Medical Examiner and Anoka County (MN) Medical Examiner. Motion (Masters/Luke) to approve. Supr. Luke addressed the Resolution. Motion to approve Resolution 41-11 carried by unanimous voice vote. Resolution adopted.

Resolution 42-11 Resolution to Authorize Clinical Documentation Software for Polk County Health Department. Motion (Schmidt/H. Johansen) to approve. Public Health Director, Gretchen Sampson addressed the Resolution. Motion to approve Resolution 42-11 carried by unanimous voice vote. Resolution adopted.

Resolution 43-11 Resolution to Adopt Master Fee Schedule for 2012 Budget Proposal. Motion (Masters/Luke) to approve. Admin. Frey addressed the Resolution. It was noted that some corrections needed to be made to the fee schedule incorporated in the resolution. County Administrator Frey discusses those corrections. Supervisor Arcand requests Chairman Johnson for a Point of Order recognizing that debate on the fees identified in the schedule should be limited to the purpose of the resolution, that being to prepare the budget proposal which will be submitted by the County Administrator in September. Chairman Johnson declares that debate may so continue. Supervisor Master requests that debate cease and the Chairman call the vote on the resolution incorporating the fee schedule that contains corrections made in presentation by County Administrator. Chairman Johnson calls for the vote of the resolution with the fee schedule containing noted corrections. Motion to approve Resolution 43-11, with corrected fee schedule incorporated, carried by voice vote. Resolution adopted.

Supervisor's Reports were given.

Motion (Masters/H. Johansen) to adjourn. Motion carried. Meeting adjourned 8:46pm.