

**PUBLIC NOTICE AND AGENDA
KEWAUNEE COUNTY BOARD MEETING**

MONTH: SEPTEMBER

DATE: September 20, 2016

TIME: 6:00 PM

**PLACE: County Board Room
Administrative Center
810 Lincoln Street
Kewaunee, WI**

- 1. Call to Order**
- 2. Pledge of Allegiance and Prayer**
- 3. Roll Call**
- 4. Approve County Board Agenda**
- 5. Approve Previous County Board Minutes**
- 6. Citizen's Input (maximum 3 minutes per appearance)
(20 minutes total per meeting)**
- 7. Appointments**
 - a. Local Emergency Planning Committee**
 - b. Kewaunee County Land Information Council**
- 8. Annual Reports and Other Reports to the Board as Requested by the
County Board or Committee:**
 - a. Kewaunee County UW-Extension Staff**
 - b. Kewaunee County Register in Probate – Juliet Schleis**
 - c. Kewaunee County Human Services – Bob Mattice**
 - d. Kewaunee County Administrator – Scott Feldt**
- 9. Committee Reports:**
 - a. Highway/Solid Waste Committee**
 - b. Personnel, Advisory & Legislative Committee**
 - c. Health Vets & Child Support Committee**
 - d. Extension Education & Zoning Committee**
 - e. Land & Water Conservation Committee**
 - f. Law Enforcement & Emergency Mgmt. Committee**
 - g. Finance and Public Property Committee**
 - h. Human Services Committee**
 - i. Promotion and Recreation Committee**
 - j. Groundwater Task Force Committee**
 - k. Revolving Loan Fund Committee (no meeting)**
 - l. Bay Lake Regional Planning Commission (no meeting)**
- 10. Recess, if necessary**

11. First Reading of Ordinance (vote to be taken at the next County Board meeting)

None

12. Consideration of Resolutions:

None

13. Consideration of Ordinance read at previous County Board Meeting

- a. Kewaunee County Shoreland Zoning Ordinance
- b. Kewaunee County Sales & Use Tax Ordinance

14. Communications:

- a. Resolutions from Other Counties
- b. Kewaunee County Events

15. Chair Comments

16. Set meeting date for next County Board Meeting

- a. October 18, 2016 at 5:00 p.m. - Budget Hearing & County Board Session (previously scheduled)
- b. November 10, 2016 at 5:00 p.m. (previously scheduled)
- c. December 20, 2016 at 5:00 p.m. (previously scheduled)

17. Adjournment

/s/ Robert Weidner

Robert Weidner

Kewaunee County Board Chairman

/s/Jamie Annoye

Jamie Annoye

Kewaunee County Clerk

Persons with disabilities needing special accommodations to attend or participate should contact the County Clerk's Office at (920) 388-7133 at least 24 hours prior to the meeting so that accommodations may be arranged.

**AUGUST SESSION
KEWAUNEE COUNTY ADMINISTRATION CENTER
AUGUST 16, 2016**

The meeting of the Kewaunee County Board of Supervisors was called to order by the Kewaunee County Chairman, Robert Weidner, on August 16, 2016 at 6:07 PM.

The Pledge of Allegiance was recited, followed by prayer.

Roll Call: Supervisors Benes, Cravillion, Doell, Jahnke, Haske, Kirchman, Luft, Mastalir, Paape, Pagel, Paider, Rasmussen, Romdenne, Shillin, Sinkula, Teske, Thomas, Wagner and Weidner (19) were present. Supervisor Dobbins was excused.

Supervisors Benes moved and Pagel seconded to approve the County Board agenda. Supervisors Haske moved and Paider seconded to approve the previous County Board minutes. Motion carried.

RECOGNITION

Kewaunee County Human Services – Rita Paul
Kewaunee County Circuit Court Judge – Honorable Dennis J. Mleziva

Citizens Input:

Matt Joski spoke regarding sales tax
Nancy Utesch spoke regarding the future of Kewaunee County
Bill Iwen spoke regarding sales tax and pollution

APPOINTMENT

Pursuant to Wisconsin Statutes 46.23(6m), I hereby make the following appointment subject to County Board approval, to the position of Kewaunee County Human Services Director:

Effective: July 24, 2016
Bob Mattice

Scott Feldt, Kewaunee County Administrator

APPOINTMENT

GRIEVANCE COMMITTEE

Pursuant to Wisconsin Statutes 59.26(8)(b) I hereby appoint the following individuals to serve on the Kewaunee County Grievance Committee:

Term August 17, 2016 to April 17, 2018

John Cmeyla	702 Ohio Street, Algoma, WI 54201
Ed Dorer	N5404 County Road AB, Luxemburg, WI 54217
Chris Gulbrand	E1592 Canyon Creek Lane, Luxemburg, WI 54217
Bruce Heidmann	1516 Clark Street, Algoma, WI 54201
Dennis Zuege	1410 Miller Street, Kewaunee, WI 54216

Scott Feldt, Kewaunee County Administrator

Supervisors Wagner moved and Teske seconded all of the above appointments for confirmation. Roll call vote: 19 ayes, 0 nays. Motion carried.

ANNUAL REPORTS

Kewaunee County Clerk of Courts – Becky Deterville
Kewaunee County Economic Development Committee – Jennifer Brown

REPORT

Farm Technology Days Update – Aerica Bjurstrom
Kewaunee County Administrator – Scott Feldt

Committee Reports:

Highway/Solid Waste Committee - Supervisor Kirchman
Personnel, Advisory & Legislative Committee – Supervisor Weidner
Health and Vets Committee – Supervisor Paape
University Extension & Zoning Committee - Supervisor Romdenne
Land & Water Conservation Committee – Supervisor Pagel
Law Enforcement & Emergency Management Committee – Chairman Sinkula
Finance & Public Property Committee - Supervisor Luft
Human Services Committee – Supervisor Shillin
Promotion & Recreation Committee – Supervisor Jahnke
Groundwater Task Force Committee – Supervisor Luft
Bay-Lake Regional Planning – No meeting
Revolving Loan Fund Committee – No meeting

The Board recessed at 7:27 PM and reconvened at 7:43 PM.

First Reading of Ordinances:

ORDINANCE NO.

KEWAUNEE COUNTY SHORELAND ZONING ORDINANCE

THE KEWAUNEE COUNTY BOARD OF SUPERVISORS DO HEREBY ORDAIN AS FOLLOWS:

STATUTORY AUTHORIZATION. This ordinance is adopted pursuant to the authorization in Wis. Stat. §59.692 to implement Wis. Stats. §§59.692 and 281.31.

NOW, THEREFORE, BE IT RESOLVED, by the Kewaunee County Board of Supervisors, duly assembled this 20th day of September 2016, that the Board hereby adopts the Kewaunee County Shoreland Zoning Ordinance, as set forth in the attachment hereto.

FURTHER, the attached Kewaunee County Shoreland Zoning Ordinance supersedes and repeals all prior Kewaunee County Shoreland Zoning Ordinances including Kewaunee County Ordinance 104-1-69.

EFFECTIVE DATE. This ordinance shall take effect October 1, 2016.

Respectfully Submitted,
Extension Education & Zoning Committee
PAAPE, PAIDER, ROMDENNE, WAGNER

Chapter 16

Kewaunee County Shoreland Zoning Ordinance

16.01	Title, Finding of Fact, Purpose and Intent, And Statutory Authorization
16.02	Definitions
16.03	General Provisions
16.04	Shoreland Zoning District Boundaries
16.05	Shoreland-Wetland District
16.06	Recreational-Residential District
16.07	General Purpose District
16.08	Land Division Review, Planned Unit Development, And Sanitary Regulations
16.09	Minimum Lot Size
16.10	Setbacks
16.11	Impervious Surface Standards
16.12	Vegetation
16.13	Filling, Grading, Lagooning, Dredging, Ditching, Excavating
16.14	Nonconforming Uses And Structures
16.15	Mitigation
16.16	Administrative Provisions
16.17	Changes And Amendments
16.18	Enforcement And Penalties
16.19	Effective Date
	APPENDIX A ATTACHED

16.01 Title, Finding Of Fact, Purpose And Intent, And Statutory Authorization.

- (1) Title. Kewaunee County Shoreland Zoning Ordinance.
- (2) Finding Of Fact. Uncontrolled use of the shorelands and pollution of the navigable waters of Kewaunee County will adversely affect the public health, safety, convenience, general welfare, and impair the tax base. The legislature of Wisconsin has delegated responsibility to the counties to further the maintenance of safe and healthful conditions; prevent and control water pollution; protect spawning grounds, fish and aquatic life; control building sites, placement of structures and land uses; and to preserve shore cover and natural beauty. This responsibility is hereby recognized by Kewaunee County, Wisconsin.
- (3) Purpose And Intent. (NR 115.01) For the purpose of promoting the public health, safety, convenience and welfare, and promote and protect the public trust in navigable waters this ordinance has been established to:
 - (a) Further the maintenance of safe and healthful conditions and prevent and control water pollution through:
 1. Limiting structures to those areas where soil and geological conditions will provide a safe foundation.
 2. Establishing minimum lot sizes to provide adequate area for private on-site waste treatment systems.
 3. Controlling filling and grading to prevent soil erosion problems.
 4. Limiting impervious surfaces to control runoff which carries pollutants.
 - (b) Protect spawning grounds, fish and aquatic life through:
 1. Preserving wetlands and other fish and aquatic habitat.
 2. Regulating pollution sources.
 3. Controlling shoreland alterations, dredging, and lagooning.
 - (c) Control building sites, placement of structures and land uses through:
 1. Prohibiting certain uses detrimental to the shoreland-wetlands.
 2. Setting minimum lot sizes and widths.
 3. Setting minimum building setbacks from waterways.
 4. Setting the maximum height of near shore structures.
 - (d) Preserve and restore shoreland vegetation and natural scenic beauty through:
 1. Restricting the removal of natural shoreland cover.
 2. Preventing shoreline encroachment by structures.
 3. Controlling shoreland excavation and other earth moving activities.
 4. Regulating the use and placement of boathouses and other structures.
- (4) Statutory Authorization. This ordinance is adopted pursuant to the authorization in s. 59.692, Wis. Stats., to implement ss. 59.692 and 281.31, Wis. Stats.

16.02 Definitions. For the purpose of administering and enforcing this ordinance, the terms or words used herein shall be interpreted as follows: Words used in the present tense include the future; words in the singular number include the plural number; and words in the plural number include the singular number. The word "shall" is mandatory, not permissive. All distances unless otherwise specified shall be measured horizontally. The following terms used in this ordinance mean:

- (1) "Access and viewing corridor" (NR 115.03(1d)) means a strip of vegetated land that allows safe pedestrian access to the shore through the vegetative buffer zone.
- (2) "Accessory structure" means a detached subordinate structure which is clearly incidental to, and customarily found in connection with, the principal structure or use to which it is related, and which is located on the same lot as the principal structure or use.
- (3) "Boathouse" (NR 115.03(1h)) means a permanent structure used for the storage of watercraft and associated materials and includes all structures which are totally enclosed, have roofs or walls, or any combination of these structural parts.
- (4) "Building" means a structure.
- (5) "Building envelope" (NR 115.03(1p)) means the three dimensional space within which a structure is built.
- (6) "County Zoning Agency" (NR 115.03(2)) means that committee or commission created or designated by the county board under s. 59.9769(2)(a), Wis. Stats., to act in all matters pertaining to county planning and zoning.
- (7) "Department" (NR 115.03(3)) means the Department of Natural Resources.
- (8) "Development" (NR 116.03(5)) means 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 substantial improvements to buildings, structures or accessory structures; the placement of buildings or structures; mining, dredging, filling, grading, paving, excavation, or drilling operations; and the storage, deposition or extraction of materials.
- (9) "Disabled" means having a physical or mental impairment that substantially limits one or more major life activities.
- (10) "Drainage system" means one or more artificial ditches, tile drains or similar devices which collect surface runoff or groundwater and convey it to a point of discharge.
- (11) "Existing development pattern" (NR 115.03(3m)) means that principal structures exist within 250 feet of a proposed principal structure in both directions along the shoreline.
- (12) "Floodplain" means the land which has been or may be hereafter covered by flood water during the regional flood as shown on the county's official floodplain zoning maps. The regional flood is based upon a statistical analysis of stream flow records available for the watershed or an analysis of rainfall and runoff characteristics in the general watershed region, or both. The flood frequency of the regional flood is once in every 100 years. In any given year, there is a 1% chance that the regional flood may occur.

NOTE: "Floodway" is defined in s. NR 116.03(22) to mean "the channel of a river or stream, and those portions of the floodplain adjoining the channel required to carry the regional flood discharge."
- (13) "Footprint" means the land area covered by a structure at ground level measured on a horizontal plane. The footprint of a residence or building includes the horizontal plane bounded by the furthest exterior wall and eave if present, projected to natural grade. For structures without walls (decks, stairways, patios, carports)-a single horizontal plane bounded by the furthest portion of the structure projected to natural grade.

NOTE: For the purposes of replacing or reconstructing a nonconforming building with walls, the footprint shall not be expanded by enclosing the area that is located within the horizontal plane from the exterior wall to the eaves projected to natural grade. This constitutes a lateral expansion under NR 115 and would need to follow NR 115.05(1)(g)5
- (14) "Generally accepted forestry management practices" (NR 1.25(2)(b)) means forestry management practices that promote sound management of a forest. Generally accepted forestry management practices include those practices contained in the most recent version of the department publication known as Wisconsin Forest Management Guidelines and identified as PUB FR-226.
- (15) "Habitable rooms" means any room or portion thereof used or designed for living, sleeping, eating or cooking, or combinations thereof. Bathrooms, toilet compartments, closets, halls, storage rooms, laundry and utility spaces, basement recreation rooms, and similar areas are not considered habitable rooms.
- (16) "Habitable structure" means any structure or portion thereof used or designed for human habitation.
- (17) "Human habitation" means the use of a structure for living for any period of time for activities such as sleeping, eating or cooking, or combinations thereof.
- (18) "Impervious surface" (NR 115.03(4g)) means an area that releases as runoff all or a majority of the precipitation that falls on it. "Impervious surface" excludes frozen soil but includes rooftops, sidewalks, driveways, parking lots, and streets unless specifically designed, constructed, and maintained to be pervious. Roadways as defined in s. 340.01(54) or sidewalks as defined in s. 340.01(58) are not considered impervious surfaces.
- (19) "Lot" means a continuous parcel of land, not divided by a public right-of-way, and sufficient in size to meet the lot width and lot area provisions of this ordinance.
- (20) "Lot area" means the area of a horizontal plane bounded by the front, side, and rear lot lines of a lot, but not including the area of any land below the ordinary high water mark of navigable waters.
- (21) "Lot of record" means any lot, the description of which is properly recorded with the Register of Deeds, which at the time of its recordation complied with all applicable laws, ordinances, and regulations.
- (22) "Maintenance and repair" (NR 115.05(1)(g)4.) includes such activities as interior remodeling, painting, decorating, paneling, plumbing, insulation, and replacement of windows, doors, wiring, siding, roof and other nonstructural components; and the repair of cracks in foundations, sidewalks, walkways, and the application of waterproof coatings to foundations.
- (23) "Mitigation" (NR 115.03(4r)) means balancing measures that are designed, implemented, and function to restore natural functions and values that are otherwise lost through development and human activities.
- (24) "Navigable waters" (NR 115.03(5)) means Lake Superior, Lake Michigan, all natural inland lakes within Wisconsin and all streams, ponds, sloughs, flowages and other waters within the territorial limits of this state, including the Wisconsin portion of boundary waters, which are navigable under the laws of this state. Under s. 281.31(2)(d) and 144.26(2)(d), Wis. Stats., notwithstanding any other provision of law or administrative rule

promulgated thereunder, shoreland ordinances required under s. 59.692971, Wis. Stats., and ch. NR 115, Wis. Adm. Code, do not apply to lands adjacent to:

- (a) Farm drainage ditches where such lands are not adjacent to a natural navigable stream or river, and such lands that were not navigable streams before ditching.
 - (b) Artificially constructed drainage ditches, ponds or stormwater retention basins that are not hydrologically connected to a natural navigable water body.
- (25) "Ordinary high-water mark" or "OHWM" (NR 115.03(6)) means 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 characteristics.
 - (26) "Principal structure" means a structure that is designed for human habitation and includes sanitary and food preparation facilities whether such structure is attached to another structure or stands alone.
 - (27) "Recreational vehicle" means any camping trailer, truck camper, houseboat, boat, or motor home.
 - (28) "Regional flood" (NR 115.03(7)) means a flood determined to be representative of large floods known to have generally occurred in Wisconsin and which may be expected to occur on a particular stream because of like physical characteristics, once in every 100 years.
 - (29) "Routine maintenance of vegetation" (NR 115.03(7m)) means normally accepted horticultural practices that do not result in the loss of any layer of existing vegetation and do not require earth disturbance.
 - (30) "Shore bluff" means the lakeward edge of land, generally greater than 10 feet high, that is high enough to contain complex, multiple layers of soil and groundwater.
 - (31) "Shoreland" (NR 115.03(8)) means lands within the following distances from the ordinary high-water mark of navigable waters: 1,000 feet from a lake, pond, or flowage; and 300 feet from a river or stream or to the landward side of the floodplain, whichever distance is greater.
 - (32) "Shoreland setback" also known as the "Shoreland setback area" in s. 59.692(1)(bn) means an area in a shoreland that is within a certain distance of the ordinary high-water mark in which the construction or placement of structures has been limited or prohibited under an ordinance enacted under section 59.692, Wis. Stats.
 - (33) "Shoreland-wetland district" (NR 115.03(9)) means the zoning district, created as a part of this shoreland zoning ordinance, comprised of shorelands that are designated as wetlands on the wetland maps which have been adopted and made a part of this ordinance.
 - (34) "Special exception (conditional use)" (NR 115.03(10)) means a use which is permitted by this ordinance provided that certain conditions specified in the ordinance are met and that a permit is granted by the board of adjustment or, where appropriate, the planning and zoning committee or county board.
 - (35) "Structure" (s. 59.692(1)(e), Wis. Stats.) means a principal structure or any accessory structure including a garage, shed, boathouse, sidewalk, walkway, patio, deck, retaining wall, porch, or fire pit.
 - (36) "Substandard lots" means a legally created lot or parcel that met minimum area and minimum average width requirements when created, but does not meet current lot size requirements for a new lot.
 - (37) "Unnecessary hardship" (NR 115.03(11)) means that circumstance where special conditions, which were not self-created, affect a particular property and make strict conformity with restrictions governing area, setbacks, frontage, height, or density unnecessarily burdensome or unreasonable in light of the purposes of this ordinance.
 - (38) "Variance" means an authorization granted by the board of adjustment to construct, alter, or use a building or structure in a manner that deviates from the dimensional standards of this ordinance.
 - (39) "Wetlands" (NR 115.03(13)) means those areas where water is at, near, or above the land surface long enough to be capable of supporting aquatic or hydrophytic vegetation and which have soils indicative of wet conditions.

16.03 General Provisions:

- (1) **Areas To Be Regulated.** Areas regulated by this ordinance shall include all the lands (referred to herein as shorelands) in the unincorporated areas of Kewaunee County which are:
 - (a) Within 1,000 feet of the ordinary high-water mark of navigable lakes, ponds, or flowages. (NR 115.03(8)) Lakes, ponds, or flowages in Kewaunee County shall be presumed to be navigable if they are listed in the Wisconsin Department of Natural Resources publication FH-800 2009 "Wisconsin Lakes" book available electronically at the following website: <http://dnr.wi.gov/lakes/lakebook/wilakes2009bma.pdf> or are shown on United States Geological Survey quadrangle maps (1:24,000 scale), or other zoning base maps. **This shall be designated as the Recreational-Residential District.**
 - (b) Within 300 feet of the ordinary high-water mark of navigable rivers or streams, or to the landward side of the floodplain, whichever distance is greater. (NR 115.03(8)) Rivers and streams in Kewaunee County shall be presumed to be navigable if they are designated as perennial waterways or intermittent waterways on United States Geological Survey quadrangle maps (1:24,000). Flood hazard boundary maps, flood insurance rate maps, flood boundary-floodway maps, county soil survey maps, or other existing county floodplain zoning maps shall be used to delineate floodplain areas. **This shall be designated as the General Purpose District.**
 - (c) The provisions of this chapter apply to regulation of the use and development of unincorporated shoreland areas unless specifically exempted by law; all cities, villages, towns, counties, and when s. 13.48(13), Wis. Stats., applies, state agencies are required to comply with, and obtain all necessary permits under local shoreland ordinances. The construction, reconstruction, maintenance, or repair of state highways and bridges carried out under the direction and supervision of the Wisconsin Department of Transportation is not subject to local shoreland zoning ordinances if s. 30.2022 (1), Wis. Stats., applies. (NR 115.02) Shoreland zoning requirements in annexed or incorporated areas are provided in s. 61.353 and s. 62.233, Wis. Stats.
 - (d) Determinations of navigability and ordinary high-water mark location shall initially be made by the zoning administrator. When questions arise, the zoning administrator shall contact the appropriate office of the Department for a final determination of navigability or ordinary high-water mark. **The county may work with surveyors with regard to s. 59.692(1h).**
 - (e) Under s. 281.31(2m) Wis. Stats., notwithstanding any other provision of law or administrative rule promulgated there under, this shoreland zoning ordinance does not apply to:
 1. Lands adjacent to farm drainage ditches if:
 - a. Such lands are not adjacent to a natural navigable stream or river.
 - b. Those parts of such drainage ditches adjacent to such lands were not navigable streams before ditching.

2. **Lands adjacent to artificially constructed drainage ditches, ponds, or stormwater retention basins that are not hydrologically connected to a natural navigable water body.**
- (2) **Shoreland-Wetland Maps.** The most recent version of the Wisconsin Wetland Inventory as depicted on the Department of Natural Resources Surface Water Data Viewer is made part of this ordinance. The maps can be viewed at: <http://dnrmaps.wi.gov/SL/Viewer.html?Viewer=SWDV&runWorkflow=Wetland>
- (3) **Compliance.** (NR 115.04) The use of any land, the size, shape, and placement of lots; the use, size, type, and location of structures on lots; the installation and maintenance of water supply and water disposal facilities; the filling, grading, lagooning, dredging of any lands; the cutting of shoreland vegetation; and the subdivision of lots shall be in full compliance with the terms of this ordinance and other applicable local, state or federal regulations. Buildings and other structures shall require a permit unless otherwise expressly excluded by a provision of this ordinance. Property owners, builders, and contractors are responsible for compliance with the terms of this ordinance.
- (4) **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 when s. 13.48(13), Wis. Stats., applies. The construction, reconstruction, maintenance and repair of state highways and bridges by the Wisconsin Department of Transportation are exempt when s. 30.2022(1) Wis. Stats., applies.
- (5) **Abrogation And Greater Restrictions.** (s. 59.692(5) Wis. Stats.) **The provisions of this ordinance supersede any provisions in a county zoning ordinance that solely relate to shorelands. In other words, if a zoning standard only applies to lands that lie within the shoreland and applies because the lands are in shoreland, then this ordinance supersedes those provisions. However, where an ordinance adopted under a statute other than s. 59.692, Wis. Stats., does not solely relate to shorelands and is more restrictive than this ordinance, for example a floodplain ordinance, that ordinance shall continue in full force and effect to the extent of the greater restrictions.**
- (a) (s. 59.692(2)(a), Wis. Stats.) This ordinance shall not require approval or be subject to disapproval by any town or town board.
- (b) (s. 59.692(2)(b), Wis. Stats.) If an existing town ordinance relating to shorelands is more restrictive than this ordinance or any amendments thereto, the town ordinance continues in all respects to the extent of the greater restrictions but not otherwise.
- (c) This ordinance is not intended to repeal, abrogate or impair any existing deed restrictions, covenants, or easements. However, where this ordinance imposes greater restrictions, the provisions of this ordinance shall prevail.
- (d) The following provisions of the Kewaunee County Zoning Ordinance are hereby incorporated by reference; these provisions shall only apply to the shoreland area where they impose greater restrictions than this ordinance otherwise imposes.
- (e) (s. 59.692(1d)(b), Wis. Stats.) This ordinance may establish standards to regulate matters that are not regulated in NR 115, but that further the purposes of shoreland zoning as described in s. 16.01(3) of this ordinance.
- (f) (s. 59.692(1k)(a)1., Wis. Stats.) Counties may not establish shoreland zoning standards in a shoreland zoning ordinance that requires any of the following:
1. Approval to install or maintain outdoor lighting in shorelands, impose any fee or mitigation requirement to install or maintain outdoor lighting in shorelands, or otherwise prohibits or regulates outdoor lighting in shorelands if the lighting is designed or intended for residential use.
 2. Requires any inspection or upgrade of a structure before the sale or other transfer of the structure may be made.
- (g) (s. 59.692(7), Wis. Stats.) The construction and maintenance of a facility is considered to satisfy the requirements of a shoreland zoning ordinance if the department has issued all required permits or approvals authorizing the construction or maintenance under ch. 30, 31, 281, or 283.
1. A "facility" means any property or equipment of a public utility, as defined in s. 196.05(5), or a cooperative association organized under ch. 185 for the purpose of producing or furnishing heat, light, or power to its members only, that is used for the transmission, delivery, or furnishing of natural gas, heat, light, or power.
- (6) **Interpretation.** (59.69(13)) In their interpretation and application, the provisions of this ordinance shall be liberally construed in favor of the county and shall not be deemed a limitation or repeal of any other powers granted by Wisconsin Statutes. Where a provision of this ordinance is required by statute and a standard in ch. NR 115, Wis. Adm. Code, and where the ordinance provision is unclear, the provision shall be interpreted in light of the statute and ch. NR 115 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.
- (7) **Severability.** If any portion of this ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected.
- 16.04 **Shoreland Zoning District Boundaries.** The shorelands of Kewaunee County are hereby divided in the following districts:
- (1) Shoreland-Wetland District.
 - (2) Recreational-Residential District.
 - (3) General Purpose District.
- 16.05 **Shoreland-Wetland District.**
- (1) **Designation.** This district shall include all shorelands within the jurisdiction of this ordinance which are designated as wetlands on the most recent version of the Wisconsin Wetland Inventory as depicted on the Department of Natural Resources Surface Water Data Viewer.
 - (a) **Locating Shoreland-Wetland Boundaries.** (NR 115.04(b)2.note) Where an apparent discrepancy exists between the shoreland-wetland boundary shown on the Wisconsin Wetland Inventory and actual field conditions, the county shall contact the Department to determine if the map is in error. If the Department determines that a particular area was incorrectly mapped as wetland or meets the wetland definition but was not shown as wetland on the map, the county shall have the authority to immediately grant or deny a shoreland zoning permit in accordance with the applicable regulations based on the Department determination as to whether the area is wetland. In order to correct wetland mapping errors on the official zoning map, an official zoning map amendment must be initiated within a reasonable period of time.
 - (2) **Purpose.** This district is created to maintain safe and healthful conditions, to prevent water pollution, to protect fish spawning grounds and wildlife habitat, to preserve shore cover and natural beauty, and to control building and development in wetlands whenever possible. When development is permitted in a wetland, the development should occur in a manner that minimizes adverse impacts upon the wetland.
 - (3) **Permitted Uses.** (NR 115.04(3)) The following uses shall be allowed, subject to general shoreland zoning regulations contained in this ordinance, the provisions of chs. 30, 31 and 281.36, Wis. Stats., and the provisions of other applicable local, state and federal laws.
 - (a) Activities and uses which do not require the issuance of a zoning permit, but which must be carried out without any filling, flooding, draining, dredging, ditching, tiling, or excavating except as allowed under s. 16.05(3)(a) or (b).

1. Hiking, fishing, trapping, hunting, swimming, and boating.
 2. The harvesting of wild crops, such as marsh hay, ferns, moss, wild rice, berries, tree fruits, and tree seeds in a manner that is not injurious to the natural reproduction of such crops.
 3. The pasturing of livestock.
 4. The cultivation of agricultural crops.
 5. The practice of silviculture, including the planting, thinning, and harvesting of timber.
 6. The construction or maintenance of duck blinds.
- (b) Uses which do not require the issuance of a zoning permit and which may include limited filling, flooding, draining, dredging, ditching, tiling, or excavating but only to the extent specifically provided below:
1. Temporary water level stabilization measures necessary to alleviate abnormally wet or dry conditions that would have an adverse impact on silvicultural activities if not corrected.
 2. The cultivation of cranberries including flooding, dike and dam construction, or ditching necessary for the growing and harvesting of cranberries.
 3. The maintenance and repair of existing agricultural drainage systems including ditching, tiling, dredging, excavating, and filling necessary to maintain the level of drainage required to continue the existing agricultural use. This includes the minimum filling necessary for disposal of dredged spoil adjacent to the drainage system provided that dredged spoil is placed on existing spoil banks where possible.
 4. The construction or maintenance of fences for the pasturing of livestock, including limited excavating and filling necessary for such construction or maintenance.
 5. The construction or maintenance of piers, docks, or walkways built on pilings, including limited excavating and filling necessary for such construction and maintenance.
 6. The maintenance, repair, replacement, or reconstruction of existing town and county highways and bridges, including limited excavating and filling necessary for such maintenance, repair, replacement, or reconstruction.
- (c) Uses which require the issuance of a zoning permit and which may include limited filling, flooding, draining, dredging, ditching, tiling, or excavating but only to the extent specifically provided below:
1. The construction and maintenance of roads which are necessary to conduct silvicultural activities or agricultural cultivation, provided that:
 - a. The road cannot, as a practical matter, be located outside the wetland.
 - b. The road is designed and constructed to minimize adverse impact upon the natural functions of the wetland enumerated in s. 16.05(5)(b).
 - c. The road is designed and constructed with the minimum cross-sectional area practical to serve the intended use.
 - d. Road construction activities are carried out in the immediate area of the roadbed only.
 2. The construction or maintenance of nonresidential buildings, provided that:
 - a. The building is essential for and used solely in conjunction with the raising of waterfowl, minnows, or other wetland or aquatic animals; or some other use permitted in the shoreland-wetland district.
 - b. The building cannot, as a practical matter, be located outside the wetland.
 - c. Such building is not designed for human habitation and does not exceed 500 sq. ft. in floor area.
 - d. Only limited filling or excavating necessary to provide structural support for the building is authorized.
 3. The establishment of public and private parks and recreation areas, natural and outdoor education areas, historic and scientific areas, wildlife refuges, game bird and animal farms, fur animal farms, fish hatcheries, public boat launching ramps, and attendant access roads, provided that:
 - a. Any private development is used exclusively for the permitted use and the applicant has received a permit or license under ch. 29, Wis. Stats., where applicable.
 - b. Filling or excavating necessary for the construction or maintenance of public boat launching ramps or attendant access roads is allowed only where such construction or maintenance meets the criteria in s. 16.05(3)(a)1.-6.
 - c. Ditching, excavating, dredging, or dike and dam construction in public and private parks and recreation areas, natural and outdoor education areas, historic and scientific areas, wildlife refuges, game bird and animal farms, fur animal farms, and fish hatcheries is allowed only for the purpose of improving wildlife habitat and to otherwise enhance wetland values.
 4. The construction or maintenance of electric, gas, telephone, water and sewer transmission, and distribution facilities by public utilities and cooperative associations organized for the purpose of producing or furnishing heat, light, power, or water to their members and the construction or maintenance of railroad lines, provided that:
 - a. The transmission and distribution facilities and railroad lines cannot, as a practical matter, be located outside the wetland.
 - b. Such construction or maintenance is done in a manner designed to minimize adverse impact upon the natural functions of the wetland enumerated in s. 16.05(5)(b).
- (4) **Prohibited Uses.** (NR 115.04(4)) Any use not listed in s. 16.05(3)(a), (b) or (c) is prohibited, unless the wetland or portion of the wetland has been rezoned by amendment of this ordinance in accordance with s. 16.05(5) of this ordinance and s. 59.69(5)(e), Wis. Stats.
- (5) **Rezoning Of Lands In The Shoreland-Wetland District.** (NR 115.04(2))
- (a) For all proposed text and map amendments to the shoreland-wetland provisions of this ordinance, the appropriate office with the Department shall be provided with the following:
1. A copy of every petition for a text or map amendment to the shoreland-wetland provisions of this ordinance, within 5 days of the filing of such petition with the county clerk. Such petition shall include a copy of the Wisconsin Wetland Inventory Map adopted as part of this ordinance describing any proposed rezoning of a shoreland-wetland.
 2. Written notice of the public hearing to be held on a proposed amendment at least 10 days prior to such hearing.
 3. A copy of the county zoning agency's findings and recommendations on each proposed amendment within 10 days after the submission of those findings and recommendations to the county board.
 4. Written notice of the county board's decision on the proposed amendment within 10 days after it is issued.
- (b) A wetland, or a portion thereof, in the shoreland-wetland district shall not be rezoned if the proposed rezoning may result in a significant adverse impact upon any of the following:
1. Storm and flood water storage capacity.
 2. Maintenance of dry season stream flow, the discharge of groundwater to a wetland, the recharge of groundwater from a wetland to another area, or the flow of groundwater through a wetland.
 3. Filtering or storage of sediments, nutrients, heavy metals, or organic compounds that would otherwise drain into navigable waters.
 4. Shoreline protection against soil erosion.
 5. Fish spawning, breeding, nursery or feeding grounds.
 6. Wildlife habitat.
 7. Wetlands both within the boundary of designated areas of special natural resource interest and those wetlands which are in proximity to or have a direct hydrologic connection to such designated areas as defined in NR 103.04 which can be accessed at the following website:
<http://www.legis.state.wi.us/rsb/code/nr/nr103.pdf>

- (c) If the Department notifies the county zoning agency that a proposed text or map amendment to the shoreland-wetland provisions of this ordinance may have a significant adverse impact upon any of the criteria listed in s. 16.05(5)(b) of this ordinance, that amendment, if approved by the county board, shall contain the following provision:

"This amendment shall not take effect until more than 30 days have elapsed after written notice of the county board's approval of this amendment is mailed to the Department of Natural Resources. During that 30 day period the Department of Natural Resources may notify the county board that it will adopt a superseding shoreland ordinance for the county under s. 59.692 (6), Wis. Stats. If the Department does so notify the county board, the effect of this amendment shall be stayed until the s. 59.692(6) adoption procedure is completed or otherwise terminated."

16.06 Recreational-Residential District.

- (1) **Designation.** This district includes all shorelands under s. 16.03(1)(a) which are adjacent to lakes, ponds, or flowages excluding those shorelands in the Shoreland-Wetland District.
- (2) **Purpose.** The purpose of the Recreation-Residential District is to protect waters by providing for safe and orderly shoreland development. Recreational-residential shorelands are particularly suited for residential and recreational uses. In this district residential, recreational, and conservancy uses are permitted, and a limited number of commercial uses serving recreational uses serving recreational needs are allowed as special exceptions. These uses are consistent with maximum recreational use of the water and its shorelands. All permitted uses or special exceptions are subject to the general provisions of this ordinance and all other applicable laws and regulations. **Uses not identified as Permitted Uses or Special Exceptions are prohibited in the Recreational-Residential District.**
- (3) **Permitted Uses.**
 - (a) Any use permitted under s. 16.05(3).
 - (b) Year-round single-family dwellings for owner occupancy, rent, or lease.
 - (c) Seasonal single-family dwellings for owner occupancy, rent, or lease.
 - (d) **Any existing non-conforming agricultural use.**
- (4) **Special Exceptions.**
 - (a) Hotels, resorts (including 2 or more seasonal single-family dwellings for rent or lease), motels, restaurants, dinner clubs, taverns, and other private clubs.
 - (b) **Short-term rental units/tourist rooming units.**
 - (c) Institutions of philanthropic or educational nature.
 - (d) Gift and specialty shops customarily found in recreational areas.
 - (e) Marinas, boat liverys, sale of bait, fishing equipment, boats and motors, fish farms, forest industries.
 - (f) **Places of Worship.**

16.07 General Purpose District.

- (1) **Designation.** This district includes all shorelands subject to regulation under s. 16.03(1) which have not been addressed and are adjacent to any solid or intermittent blue lines on USGS Topographic Maps on the shoreland zoning maps listed in s. 16.03(2), excluding those shorelands in the Shoreland-Wetland District.
- (2) **Purpose.** Areas other than those contained in the Shoreland-Wetland District and the Recreational-Residential District are potentially suited to a wide range of uses including industrial, commercial, agricultural, residential, forestry, and recreational uses. Selecting prospective locations for these uses and designating specific zones for each of them along navigable waters will require detailed county-wide comprehensive planning. Until such planning is undertaken and more detailed amendments to this ordinance can be enacted, a General Purpose District shall be used to allow a wide range of uses subject to the general provisions of this ordinance which are designed to further the maintenance of safe and healthful conditions; protect spawning grounds, fish and aquatic life; and preserve shore cover and natural beauty. Minimum separating distances are provided to reduce conflicting land uses between potentially incompatible uses.
- (3) **Permitted Uses.** Commercial, agricultural, residential, forestry, recreational uses, and signs in accordance with s. 16.10(7)(c) are permitted, provided that they comply with the general provisions of this ordinance.
- (4) **Special Exceptions.**
 - (a) Industrial uses may be permitted upon issuance of a special exception permit by the board of adjustment as provided in s. 16.16(4).

16.08 Land Division Review, Planned Unit Development, And Sanitary Regulations.

- (1) **Land Division Review.** (NR 115.05(2)) The county shall review, pursuant to s. 236.45, Wis. Stats., all land divisions in shoreland areas which create 3 or more parcels or building sites of 5 acres each or less within a 5 year period. In such review the following factors shall be considered:
 - (a) Hazards to the health, safety or welfare of future residents.
 - (b) Proper relationship to adjoining areas.
 - (c) Public access to navigable waters, as required by law.
 - (d) Adequate storm water drainage facilities.
 - (e) Conformity to state law and administrative code provisions.
- (2) **Planned Unit Development (PUD).** (NR 115.05(1)(a)4.)
 - (a) **Purpose.** The Planned Unit Development is intended to permit smaller non-riparian lots where the physical layout of the lots is so arranged as to better assure the control of pollution and preservation of ground cover than would be expected if the lots were developed with the normal lots sizes and setbacks and without special conditions placed upon the Planned Unit Development at the time of its approval. A condition of all Planned Residential Unit Development is the preservation of certain open space, preferably on the shoreland, in perpetuity.
 - (b) **Requirements for Planned Residential Unit Development.** The county board may at its discretion, upon its own motion or upon petition, approve a Planned Residential Unit Development Overlay District upon finding, after a public hearing, that all of the following facts exist:
 1. Area. The area proposed for the Planned Residential Unit Development shall be at least 2 acres in size or have a minimum of 200 feet of frontage on navigable water.
 2. Lots. Any proposed lot in the Planned Residential Unit Development that does not meet the minimum size standards of s. 16.09(2) and (3) shall be a non-riparian lot.
 3. Lot sizes, widths, setbacks, and vegetation removal. When considering approval of Planned Residential Unit Development the governing body shall consider whether proposed lot sizes, widths, and setbacks are of adequate size and distance to prevent pollution or erosion along streets or other public ways and waterways. Increased shoreland setbacks shall be a condition of approval as a way of minimizing adverse impacts of development. Shore cover provisions in s. 16.12(2) shall apply and minimum vegetative buffer depth shall be increased to offset the impact of the proposed development.

(3) **Procedure For Establishing A Planned Residential Unit Development District.** The procedure for establishing a Planned Residential Unit Development district shall be as follows:

- (a) **Petition.** A petition setting forth all of the facts required in s. 16.08(2) shall be submitted to the county clerk with sufficient copies to provide for distribution by the clerk as required by s. 16.08(3)(b).
- (b) **Review and Hearing.** The petition shall be submitted to the county zoning agency established as required by s. 59.69(3)(d), Wis. Stats., which shall hold a public hearing and report to the county board as required by law. Copies of the petition and notice of the hearing shall also be sent to the appropriate office of the Department as described in s. 16.16(5) of this ordinance.

The county zoning agency's report to the county board shall reflect the recommendations of any federal, state or local agency with which the county zoning agency consults.

- (c) **Findings and Conditions of Approval.** The county board shall make written findings as to the compliance or noncompliance of the proposed overlay district with each of the applicable requirements set forth in s. 16.08(2). If the petition is granted in whole or part, the county board shall attach such written conditions to the approval as are required by and consistent with s. 16.08(2). The conditions of approval shall in all cases establish the specific restrictions applicable with regard to minimum lot sizes, width, setbacks, dimensions of vegetative buffer zone, and open space requirements.
- (d) **Planning Studies.** A landowner or petitioner may at his own expense develop the facts required to establish compliance with the provisions of s. 16.08(2) or may be required to contribute funds to the county to defray all or part of the cost of such studies being undertaken by the county or any agency or person with whom the county contracts for such work.

(4) **Sanitary Regulations.** (NR 115.05(3)) Each county shall adopt sanitary regulations for the protection of health and the preservation and enhancement of water quality.

- (a) Where public water supply systems are not available, private well construction shall be required to conform to ch. NR 812, Wis. Adm. Code.
- (b) Where a public sewage collection and treatment system is not available, design and construction of private on-site waste treatment system shall, prior to July 1, 1980, be require to comply with ch. SPS 383, after June 30, 1980 be governed by a private sewage system ordinance adopted by the county under s. 59.70(5), Wis. Stats.

16.09 **Minimum Lot Size.**

(1) **Purpose.** (NR 115.05(1)(a)) Minimum lot sizes in the shoreland area shall be established to afford protection against danger to health, safety and welfare, and protection against pollution of the adjacent body of water.

(2) **Sewered Lots.** (NR 115.05(1)(a)1.) The minimum lot area shall be 10,000 sq. ft. and the minimum average lot width shall be 65 feet at the ordinary high-water mark.

(3) **Unsewered Lots.** (NR 115.05(1)(a)2.) The minimum lot area shall be 20,000 sq. ft. and the minimum average lot width shall be 100 feet at the ordinary high-water mark.

(4) **Substandard Lots.** (NR 115.05(1)(a)3.) A legally created lot or parcel that met minimum area and minimum average width requirements when created, but does not meet current lot size requirements, may be used as a building site if all of the following apply:

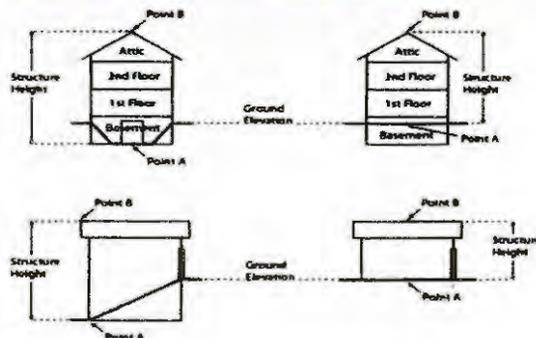
- (a) The substandard lot or parcel was never reconfigured or combined with another lot or parcel by plat, survey, or consolidation by the owner into one property tax parcel.
- (b) The substandard lot or parcel has never been developed with one or more of its structures placed partly upon an adjacent lot or parcel.
- (c) The substandard lot or parcel is developed to comply with all other ordinance requirements.

NOTE: The intent of this provision is to allow lots that were legally created that currently do not meet the minimum lot width and area requirements to be considered a building site provided all ordinance requirements can be met. Substandard lots that have been reconfigured by a certified survey map or consolidated into one legal description with the Register of Deeds, which result in a larger (closer to conforming) lot should be allowed to be utilized as a building site. Additionally, lots that have a legal description for each substandard lot on record with the Register of Deeds but have one tax parcel number assigned by the Real Property Lister or Assessor for taxing/assessing purposes should be considered separate building sites and should not be considered consolidated. Lots that have had development over the lot lines should be combined with a legal description and recorded with a new deed prior to new development occurring.

(5) **Other Substandard Lots.** Except for lots which meet the requirements of s. 16.10(S), a building permit for the improvement of a lot having lesser dimensions than those stated in s. 16.09(2) and (3) shall be issued only if a variance is granted by the board of adjustment.

(6) **Height.** (NR 115.05(1)(f)) To protect and preserve wildlife habitat and natural scenic beauty, on or after February 1, 2010, a county may not permit any construction that result in a structure taller than 35 feet within 75 feet of the ordinary high-water mark of any navigable waters.

- (a) Structure height is the measurement of the vertical line segment starting at the lowest point of any exposed wall and its intersect with the ground (Point A in the following diagram) to a line horizontal to the highest point of a structure (Point B in the following diagram), unless specified under other sections of this code.
- (b) Height for structure outside of the 75 foot shoreland setback, to protect and preserve wildlife habitat and natural scenic beauty, a county may not permit any construction that result in a structure taller than 35 feet.



16.10 **Setbacks.**

- (1) **Building Setbacks.** (NR 115.051(1)(b)) Permitted building setbacks shall be established to conform to health, safety and welfare requirements, preserve natural beauty, reduce flood hazards, and avoid water pollution.
- (2) **Side Yard Setback For Lots Not Served By Public Sanitary Sewer.** There shall be a side yard for each main building. The minimum width of one main side yard shall be 10 feet. The minimum combined width for both main side yards shall be 25 feet. There shall be a side yard of 5 feet for accessory structures excluding fences.
- (3) **Side Yard Setback For Lots Served By Public Sanitary Sewer.** The minimum width of one main side yard shall be 8 feet. The minimum combined width of both main side yards shall be 20 feet. There shall be a side yard of 4 feet for accessory structures excluding fences.
- (4) **Highway Setbacks.** For the purpose of determining the distance that buildings and other structures shall be set back from streets and highways, the highways of the county are divided into the following classes:
 - (a) **Class A Highways.**
 1. All state and federal highways are designated as Class A Highways.
 2. The setback from Class A Highways shall be 110 feet from the center line of a highway.
 - (b) **Class B Highways.**
 1. All county trunks are hereby designated as Class B Highways. For the purpose of this ordinance, any road shall be considered a county trunk after it has been placed on the county trunk system by the county board and approved by the Division of Highways.
 2. The setback from Class B Highways shall be 75 feet from the center line of such highway.
 - (c) **Class C Highways.**
 1. All town roads, public streets, and highways not otherwise classified are designated Class C Highways.
 2. The setback from Class C Highways shall be 63 feet from the center line of such highway.
- (5) **Shoreland Structures.** (MR 115.05(1)(b)1.) Unless exempt under s. 16.10(6) and (7) or reduced under s. 16.10(8), a setback of 75 feet from the ordinary high-water mark of any navigable waters to the nearest part of a building or structure shall be required for all buildings and structures.
 - (a) **Exempt Structures.** (NR 115.05(1)(b)1m) and s. 59.692(1k)(a)(6). All of the following structures are exempt from the shoreland setback standards in s. 16.10(5):
 1. Boathouses located entirely above the ordinary high-water mark and entirely within the access and viewing corridor that do not contain plumbing and are not used for human habitation.
 - a. The construction or placement of boathouses below the ordinary high-water mark of any navigable waters shall be prohibited.
 - b. Boathouses shall be designed and constructed solely for the storage of boats and related equipment
 - c. One boathouse is permitted on a lot as an accessory structure.
 - d. Boathouses shall be constructed in conformity with local floodplain zoning standards.
 - e. Boathouses shall not exceed one story and 500 sq. ft. in floor area. Height of side wall can be no higher than 10 feet.
 - f. The roof of a boathouse may be used as a deck provided that:
 - i. The boathouse has a flat roof.
 - ii. The roof has no side walls or screens.
 - iii. The roof may have a railing that meets the Department of Safety and Professional Services standards.
 - g. Earth toned color shall be required for all exterior surfaces of a boathouse.
 - h. The main door shall face the water.
 - i. Patio doors, fireplaces, and other features inconsistent with the use of the structure exclusively as a boathouse are not permitted.
 2. Open sided and screened structures such as gazebos, decks, patios, and screen houses in the shoreland setback area that satisfy the requirements in s. 59.692(1v), Wis. Stats.
 - a. The part of the structure that is nearest to the water is located at least 35 feet landward from the ordinary high-water mark.
 - b. The floor area of all the structures in the shoreland setback area will not exceed 200 sq. ft.
 - c. The structure that is the subject of the request for special zoning permission has no sides or has open or screened sides.
 - d. The county must approve a plan that will be implemented by the owner of the property to preserve or establish a vegetative buffer zone that covers at least 70% of the half of the shoreland setback area that is nearest to the water.
 - e. An enforceable agreement must be filed with the Register of Deeds prior to construction acknowledging the limitations on vegetation.
 3. Broadcast signal receivers, including satellite dishes or antennas that are one meter or less in diameter and satellite earth station antennas that are 2 meters or less in diameter.
 4. Utility transmission and distribution lines, poles, towers, water towers, pumping stations, well pump house covers, private on-site wastewater treatment systems that comply with ch. SPS 383, and other utility structures that have no feasible alternative location outside of the minimum setback and that employ best management practices to infiltrate or otherwise control storm water runoff from the structure.
 5. Devices or systems used to treat runoff from impervious surfaces.
 6. Walkways, stairways, or rail systems that are necessary to provide pedestrian access to the shoreline may according to the following standards:
 - a. The walkway or stairway shall be located so as to minimize earth disturbing activities and shoreland vegetation removal during construction and to be visually inconspicuous as viewed from the adjacent waterway and public roads.
 - b. The structure shall be located entirely within the access and viewing corridor.
 - c. The structure shall be no more than 60 inches wide.
 - d. Open railings not exceeding 42 inches in height are permitted only where required by safety concerns.
 - e. Canopies, roofs, and closed railings/walls on such structures are prohibited.
 - f. Stairways shall be supported on piles or footings rather than being excavated from erodible soils on steep slopes or bluff faces.
 - g. Landings for stairways or docks are permitted only where required by safety concerns and shall not exceed 25 sq. ft. in area.
 - (b) **Existing Exempt Structures.** Existing exempt structures that were legally constructed may be maintained, repaired, restored, rebuilt, and remodeled provided the activity does not expand the footprint and does not go beyond the three-dimensional building envelope of the existing structure. Counties may allow expansion of a structure beyond the existing footprint if the expansion is necessary to comply with applicable state or federal requirements.

NOTE: Section 59.692(1k)(a)2m prohibits counties from requiring any approval or imposing any fee or mitigation requirement for the activities specified in s. 16.10(7). However, it is important to note that property owners may be required to obtain permits or approvals and counties may impose fees under ordinances adopted pursuant to other statutory requirements, such as floodplain zoning, general zoning, sanitary codes, building codes, or even stormwater erosion control.

- (6) **Reduced Principal Structure Setback.** (s.59.692(1n)) A setback less than the 75 feet required setback from the ordinary high-water mark shall be permitted for a proposed principal structure and shall be determined as follows:
 - (a) Where there are existing principal structures in both directions, the setback shall equal the average of the distances the 2 existing principal structures are set back from the ordinary high-water mark provided all of the following are met:

1. Both of the existing principal structures are located on adjacent lot to the proposed principal structure.
2. Both of the existing principal structures are located within 250 feet of the proposed principal structure.
3. Both of the existing principal structures are located less than 75 feet from the ordinary high-water mark.
4. The average setback shall not be reduced to less than 35 feet from the ordinary high-water mark of any navigable water.

(7) **Other Shoreland Requirements:**

(a) **Fences.**

1. Beyond the building setback area, fences may be installed. They shall not exceed 4 feet in height in the shore yard side and shall not exceed 6 feet in height in the side yard and rear yard. They can be of chain link, split rail, or solid wood construction.
2. They are located entirely on the owner's property and are maintained by the owner.
3. Fencing of agricultural and other open space lands shall comply with the provisions of Wis. Stats. Ch. 90.

(b) **Travel Trailers or Recreational Vehicles.**

1. Travel trailers and recreational vehicles are permitted in the Recreational-Residential District and General Purpose District. They may be parked on the owners property provided there is not permanent habitation or business use conducted.
2. Conditions and Restrictions:
 - a. The recreational unit must have a valid registration.
 - b. Only 1 recreational unit per lot in Recreational-Residential District, no more than 3 recreational units in General Purpose District.
 - c. Sanitary waste shall be provided by:
 - i. Connection to an approved POWTS, or
 - ii. Self-contained holding tank with disposal at an approved sanitary dump station, or
 - iii. A portable toilet.
 - d. The recreational units must meet all setback requirements for structures in the ordinance.
 - e. The maximum length of time a recreational unit may remain on the property is 120 calendar days in any given year.

(c) **Signs.** Signs of the following type, size, and location shall be setback 75 feet from the ordinary high-water mark and should not exceed 32 sq. ft. in gross area. No sign shall be located, erected, moved, extended, enlarged, or structurally altered until a zoning/building permit has been issued.

1. Directory signs advertising a business or activity conducted, an area of interest, or a service available at a specific location with the County. Such signs shall not be more than 32 sq. ft. in gross area. There shall not be more than two such signs relating to any one use in the approaching directions along any highway. The sign shall not be within 300 feet of an existing residence and may not be placed within 20 feet of the right of way of the highway.
2. Signs attached to commercial and industrial buildings advertising a business conducted or service available on the premises shall not exceed 32 sq. ft. in gross area and not be higher than 4 feet above the top of the roof line.
3. On premise signs, advertising a public or semi-public use shall not exceed 32 sq. ft. in gross area and may not be placed within 20 feet of the right of way of the highway.
4. Signs advertising a customary home occupation, sale, or rent of property shall not exceed 12 sq. ft. in gross area. These signs shall not require a permit.
5. Larger signs or a greater number of signs may be permitted upon the issuance of a special exception permit by the board of adjustment.
6. Conditions and restrictions:
 - a. Signs shall not be designed and installed to imitate or simulate any highway marker, signal, or traffic control sign.
 - b. Signs shall not have any flashing, rotating lights, or animated parts.
 - c. Lighted signs shall not have any light emitted directly onto the roadway. No sign light bulb or lens cover shall be directly visible from the roadway.
 - d. Signs shall not be attached to trees, fence posts, fences, or utility structures and shall not be painted on a rock or other natural object.
 - e. Signs shall be kept in a good state of repair.

(d) **Accessory Structures.** Any permanent, roofed structure serving as an accessory use if attached to the principal building by an enclosed structure shall be considered a part of the principal building. If an accessory structure is not attached to the principal building as specified above, it shall conform to the setback and other dimensional requirements for accessory buildings within the zoning district. Accessory uses are not permitted until their principal structure is present or under construction. However, the board of adjustment may permit accessory use to be located on a lot prior to the principal structure as special exception in accordance with s. 16.16(4) provided that the applicant provide a site plan, a time schedule for the construction of the principal use, and other information required under s. 16.16(4).

(e) Structures which require authorization or permits from the Department of Natural Resources pursuant to Wis. Stats. chs. 30 and 31 or which are to be located below the ordinary high-water mark namely bridges, dams, culverts, piers, wharves, navigational aids, and waterway crossings of transmission lines shall comply with all applicable federal, state, county, and local regulations.

(8) **Bluff Setback For Lots That Abut On Lake Michigan.**

- (a) **Finding of Fact.** Lake Michigan possesses unique ecological characteristics, water level fluctuations, and erosion hazards not found on other surface waters in Kewaunee County. Storms and record high Great Lake water levels have caused shoreline erosion, flooding, and property damage that have posed a threat to the health, safety, and general welfare of Kewaunee County; therefore, setbacks from Lake Michigan shall be increased from that for inland waters and Green Bay.
- (b) **Required Minimum Setback.** The minimum setback for all buildings and structures except piers, boat hoists, decks, and boathouses which may require a lesser setback shall be set back at least 75 feet from the edge of the bluff where the shore bluff height is 10 feet or less and 125 feet from the edge of the bluff where the shore bluff height is greater than 10 feet. Decks and patios must be behind the principal building setback line.
- (c) **Reduced Building Setback-Variance.** The board of adjustment, pursuant to s. 16.16(5) of this ordinance, may approve a modification of the setback to no less than 75 feet upon submittal of acceptable engineering studies prepared by a licensed or certified engineer documenting the recession rate and the stable slope distance for the property. The recession rate is the horizontal distance the bank bluff edge is expected to recede from the ordinary high-water mark during the useful life of the structure, and the stable slope distance is the horizontal distance necessary for the bluff face to recede to a stable slope.

(9) **Floodplain Structures.** (NR 115.05(1)(b)2.) Buildings and structures to be constructed or placed in a floodplain shall be required to comply with the Kewaunee County Floodplain Ordinance.

16.11 Impervious Surface Standards.

- (1) **Purpose.** (NR 115.05(1)(e)) Establish impervious surface standards to protect water quality, fish and wildlife habitat, and to protect against pollution of navigable waters. County impervious surface standards shall apply to the construction, reconstruction, expansion, replacement, or relocation of any impervious surface on a riparian lot or parcel and any nonriparian lot or parcel that is located entirely within 300 feet of the ordinary high-water mark of any navigable waterway.
- (2) **Calculation Of Percentage Of Impervious Surface.** (NR 115.05(1)(e)1.) Percentage of impervious surface shall be calculated by dividing the surface area of the existing and proposed impervious surfaces on the portion of a lot or parcel that is within 300 feet of the ordinary high-water mark by

the total surface area of that lot or parcel, and multiplied by 100. Impervious surfaces described in s. 16.11(6) shall be excluded from the calculation of impervious surface on the lot or parcel. If an outlot lies between the ordinary high-water mark and the developable lot or parcel and both are in common ownership, the lot or parcel and the outlot shall be considered one lot or parcel for the purposes of calculating the percentage of impervious surface.

- (3) **Impervious Surface Standard.** (NR 115.05(1)(e)2.) Except as allowed in s. 16.11(4) – (6), allow up to 15% impervious surface on the portion of a lot or parcel that is within 300 feet of the ordinary high-water mark.
- (4) **Impervious Surface Standard For Highly Developed Shorelines.** (NR 115.05(1)(e)2m.) The county, at its discretion, may adopt an ordinance for highly developed shorelines allowing up to 30% for residential land use and up to 40% for commercial, industrial, or business land uses for lands that meets one of the following standards:
 - (a) The highly developed shoreline is identified as an Urbanized Area or Urban Cluster in the 2010 US Census or has a commercial, industrial, or business land use as of January 31, 2013.
 - (b) After conducting a hearing and receiving approval by the Department of Natural Resources, the county has mapped additional areas of highly developed shorelines that are at least 500 feet in length and meet one of the following criteria:
 1. The majority of the lots are developed with more than 30% of impervious surface area.
 2. Located on a lake served by a sewerage system as defined in NR 110.03(30), Wis. Adm. Code.
 - a. Property along the Bay of Green Bay in Kewaunee County between the Brown County line and Door County line, within 300 ft. of the ordinary high-water mark. Town of Red River, part of sections 5, 6, 7, and 18. See Appendix A.
 3. The majority of the lots are less than 20,000 sq. ft. in area.
- (5) **Maximum Impervious Surface.** (NR 115.05(1)(e)3.) A property may exceed the impervious surface standard under s. 16.11(3) or (4) provided the following standards are met:
 - (a) For properties where the impervious surface standard applies under s. 16.11(3), a property owner may have more than 15% impervious surface but not more than 30% impervious surface on the portion of a lot or parcel that is within 300 feet of the ordinary high-water mark.
 - (b) For properties on shorelands where the impervious surface standard for highly developed shorelines applies under s. 16.11(4), a property owner may have more than 30% impervious surface but not more than 40% impervious surface for residential land uses. For commercial, industrial, or business land uses, a property owner may have more than 40% impervious surface but not more than 60% impervious surface.
 - (c) For properties that exceed the standard under s. 16.11(3) or s. 16.11(4) but do not exceed the maximum standard under s. 16.11(5)(a) or (b), a permit can be issued for development with a mitigation plan that meets the standards found in s. 16.15(1).
- (6) **Treated Impervious Surfaces.** (NR 115.05(1)(e)3m. and s.59.692(1k)(a)1.e.) Impervious surfaces that can be documented to show they meet either of the following standards shall be excluded from the impervious surface calculations under s. 16.11(2).
 - (a) The impervious surface is treated by devices such as stormwater ponds, constructed wetlands, infiltration basins, rain gardens, bio-swales, or other engineered systems.
 - (b) The runoff from the impervious surface discharges to an internally drained pervious area that retains the runoff on or off the parcel and allows infiltration into the soil.
- (7) **Existing Impervious Surfaces.** (NR 115.05(1)(e)4.) For existing impervious surfaces that were lawfully placed when constructed but that do not comply with the impervious surface standard in section 11.3 or the maximum impervious surface standard in s. 16.11(5), the property owner may do any of the following:
 - (a) Maintain and repair the existing impervious surfaces.
 - (b) Replace existing impervious surfaces with similar surfaces within the existing building envelope.
 - (c) Relocate or modify an existing impervious surface with similar or different impervious surface, provided that the relocation or modification does not result in an increase in the percentage of impervious surface that existed on the effective date of the county shoreland ordinance and the impervious surface meets the applicable setback requirements in s. Wis. Adm. Code NR 115.05(1)(b).

NOTE: This section of the ordinance shall not be construed to supersede other provisions in the county shoreland ordinance. Maintenance, reconstruction, relocation, and expansion of existing structures must comply with other provisions in the county shoreland ordinance.

16.12 Vegetation.

- (1) **Purpose.** (NR 115.05(1)(c)) To protect natural scenic beauty, fish and wildlife habitat, and water quality, a county shall regulate removal of vegetation in shoreland areas consistent with the following: The county shall establish ordinance standards that consider sound forestry and soil conservation practices and the effect of vegetation removal on water quality, including soil erosion, and the flow of effluents, sediments, and nutrients.
- (2) **Activities Allowed In A Vegetative Buffer Zone.** (NR 115.05(1)(c)2.) To protect water quality, fish and wildlife habitat, natural scenic beauty, and to promote preservation and restoration of native vegetation, the county ordinance shall designate land that extends from the ordinary high-water mark to a minimum of 35 feet inland as a vegetative buffer zone and prohibit removal of vegetation in the vegetative buffer zone except as follows:
 - (a) The county may allow routine maintenance of vegetation.
 - (b) The county may allow removal of trees and shrubs in the vegetative buffer zone to create access and viewing corridors. Per s. 59.692(1f)(b), Wis. Stats. The viewing corridor may be at least 35 feet wide for every 100 feet of shoreline frontage. The viewing corridor may run contiguously for the entire maximum width or shoreline frontage owned.
 - (c) The county may allow removal of trees and shrubs in the vegetative buffer zone on a parcel with 10 or more acres of forested land consistent with "generally accepted forestry management practices" as defined in s. NR 1.25 (2) (b), and described in Department publication "Wisconsin Forest Management Guidelines" (publication FR-226), provided that vegetation removal be consistent with these practices.
 - (d) The county may allow removal of vegetation within the vegetative buffer zone to manage exotic or invasive species, damaged vegetation, vegetation that must be removed to control disease, or vegetation creating an imminent safety hazard, provided that any vegetation removed be replaced by replanting in the same area as soon as practicable.
 - (e) The county may authorize by permit additional vegetation management activities in the vegetative buffer zone. The permit issued under this paragraph shall require that all management activities comply with detailed plans approved by the county and designed to control erosion by limiting sedimentation into the water body, to improve the plant community by replanting in the same area, and to maintain and monitor the newly restored area. The permit also shall require an enforceable restriction to preserve the newly restored area.

NOTE: Section 59.692(1f)(a) prohibits counties from requiring a property owner to establish a vegetative buffer zone on previously developed land or expand an existing vegetative buffer zone. However, as part of a county's shoreland mitigation standards the establishment or expansion of the vegetative buffer may remain an option.

- (3) **Cutting More Than 35 Feet Inland.** From the inland edge of the 35 foot area to the outer limits of the shoreland, the cutting of vegetation shall be allowed when accomplished using accepted forest management and soil conservation practices which protect water quality.

16.13 Filling, Grading, Lagooning, Dredging, Ditching, Excavating.

- (1) **General Standards.** (NR 115.05(1)(d)) Filling, grading, lagooning, dredging, ditching, and excavating may be permitted only in accordance with the provisions of s. NR 115.04, the requirements of ch. 30, Wis. Stats., and other state and federal laws where applicable, and only if done in a manner designed to minimize erosion, sedimentation, and impairment of fish and wildlife habitat, and natural scenic beauty.
- (a) It is done in a manner designed to minimize erosion, sedimentation, and impairment of fish and wildlife habitat.
- (b) Filling, grading, lagooning, dredging, ditching, or excavating in a shoreland-wetland district meets the requirements of s. 16.05(3)(b) and (c) of this ordinance.
- (c) All applicable federal, state, and local authority is obtained in addition to a permit under this ordinance.
- (d) Any fill placed in the shoreland area is protected against erosion by the use of riprap, vegetative cover, or a bulkhead.
- (2) **Permit Required.** Except as provided in s. 16.13(3), a permit is required:
- (a) For any filling or grading of any area which is within 300 feet landward of the ordinary high-water mark of navigable water and which has surface drainage toward the water and on which there is either:
1. Any filling or grading on slopes of more than 20%.
 2. Filling or grading of more than 1,000 sq. ft. on slopes of 12%-20%.
 3. Filling or grading of more than 2,000 sq. ft. on slopes less than 12%.
- (b) **Special Exceptions.** A special exception permit shall be required for the following:
1. For any filling, grading, and excavating of any area within the shoreland district which is within 300 feet horizontal distance of navigable water and on which there is:
 - a. Filling, grading, and excavating greater than 5,000 sq. ft.
 2. For any construction or dredging commenced on any artificial waterway, canal, ditch, lagoon, pond, lake, or similar waterway which is within 300 feet landward of the ordinary high-water mark of a navigable body of water or where the purpose is the ultimate connection with a navigable body of water.
- (c) **Conditions.** In granting a permit under s. 16.13(2), the county shall attach the following conditions, where appropriate, in addition to those provisions specified in s. 16.16(4), that:
1. The smallest amount of bare ground shall be exposed for as short a time as feasible.
 2. Temporary ground cover, such as mulch or jute netting, shall be used and permanent vegetative cover shall be established.
 3. Diversion berms or bales, silting basins, terraces, filter fabric fencing, and other methods shall be used to prevent erosion.
 4. Lagoons shall be constructed to avoid fish trap conditions.
 5. Fill shall be stabilized according to accepted engineering standards.
 6. Filling shall comply with any local floodplain zoning ordinance and shall not restrict a floodway or destroy the flood storage capacity of a floodplain.
 7. Channels or artificial watercourses shall be constructed with side slopes of 2 units horizontal distance to 1 unit vertical or flatter which shall be promptly vegetated, unless bulkheads or riprap are provided.
 8. In shoreland areas with no floodplain mapped, a minimum 35 ft. no fill area is required from the ordinary high-water mark. If floodplain analysis is submitted and approved by the Department, the 35 foot no fill area may be reduced.
- (3) **Soil Conservation Practices And Agricultural Drainage Maintenance.**
- (a) Soil conservation practices such as tiles terraces, runoff diversions, and grassed waterways used for erosion control shall not require a permit under s. 16.13(2) when designed and constructed to Natural Resources Conservation Service technical standards.
- (b) The maintenance of existing agricultural drainage systems shall be permitted in conformity with the following construction standards:
1. The maintenance dredging of farm drainage ditches is limited to re-establishing the original ditch cross section unless a special exception permit under s. 16.13(2)(b) is obtained.
 2. Ditch banks shall be constructed at a slope of 2 horizontal to 1 vertical (50% grade).
 3. Ditch banks shall be maintained in a sod cover and free of woody vegetation.

16.14 Nonconforming Uses And Structures.

- (1) **Discontinued Nonconforming Use.** (NR 115.05(1)(g)3.) If a nonconforming use is discontinued for a period of 12 months, any future use of the building, structure, or property shall conform to this ordinance.
- (2) **Maintenance, Repair, Replacement Or Vertical Expansion Of Nonconforming Structures.** (s. 59.692(1k)(a)1.b. and d.) An existing structure that was lawfully placed when constructed but that does not comply with the required shoreland setback may be maintained, repaired, replaced, rebuilt, or remodeled if the activity does not expand the footprint of the nonconforming structure. Further, an existing structure that was lawfully placed when constructed but that does not comply with the required shoreland setback may be vertically expanded unless the vertical expansion would extend more than 35 feet above grade level. Counties may allow expansion of a structure beyond the existing footprint if the expansion is necessary to comply with applicable state or federal requirements.

NOTE: Section 59.692 (1k)(a)1.b. and d.) prohibits counties from requiring any approval or imposing any fee or mitigation requirement for the activities specified in section 14.4. However, it is important to note that property owners may be required to obtain permits or approvals and counties may impose fees under ordinances adopted pursuant to other statutory requirements, such as floodplain zoning, general zoning, sanitary codes, building codes, or even stormwater erosion control.

NOTE: NR 115.05(1)(b)1m lists structures that are exempt from the shoreland setback. These structures are considered conforming structures and are not considered nonconforming structure. Structures that were granted variances or illegally constructed structures are not considered nonconforming structures.

- (3) **Lateral Expansion Of Nonconforming Principal Structure Within The Setback.** (NR 115.05(1)(g)5.) An existing principal structure that was lawfully placed when constructed but that does not comply with the required building setback per s. 16.10(5), (6), (7), and (8) may be expanded laterally, provided that all of the following requirements are met:
- (a) The use of the structure has not been discontinued for a period of 12 months or more if a nonconforming use.
- (b) The existing principal structure is at least 35 feet from the ordinary high-water mark.
- (c) Lateral expansions are limited to a maximum of 200 sq. ft. over the life of the structure. No portion of the expansion may be closer to the ordinary high-water mark than the closest point of the existing principal structure.
- (d) The county shall issue a permit that requires a mitigation plan that shall be approved by the county and implemented by the property owner by the date specified in the permit. The mitigation plan shall meet the standards found in s. 16.15.
- (e) All other provisions of the shoreland ordinance shall be met.
- (4) **Expansion Of A Nonconforming Principal Structure Beyond Setback.** (NR 115.05(1)(g)5m.) An existing principal structure that was lawfully placed when constructed but that does not comply with the required building setback under s. 16.10(5), (6), (7), and (8), may be expanded horizontally, landward or vertically provided that the expanded area meets the building setback requirements per s. 16.10(5), (6), (7), and (8) and that all other

provisions of the shoreland ordinance are met. A mitigation plan is not required solely for expansion under this paragraph but may be required per s. 16.11.

- (5) **Relocation Of Nonconforming Principal Structure.** (NR 115.05(1)(g)6.) An existing principal structure that was lawfully placed when constructed but that does not comply with the required building setback per s. 16.10(5), (6), (7), and (8) may be relocated on the property provided all of the following requirements are met:
- (a) The use of the structure has not been discontinued for a period of 12 months or more if a nonconforming use.
 - (b) The existing principal structure is at least 35 feet from the ordinary high-water mark.
 - (c) No portion of the relocated structure is located any closer to the ordinary high-water mark than the closest point of the existing principal structure.
 - (d) The county determines that no other location is available on the property to build a principal structure of a comparable size to the structure proposed for relocation that will result in compliance with the shoreland setback requirement per s. 16.10(5).
 - (e) The county shall issue a permit that requires a mitigation plan that shall be approved by the county and implemented by the property owner by the date specified in the permit. The mitigation plan shall meet the standards found in s. 16.15 and include enforceable obligations of the property owner to establish or maintain measures that the county determines are adequate to offset the impacts of the permitted expansion on water quality, near-shore aquatic habitat, upland wildlife habitat, and natural scenic beauty. The mitigation measures shall be proportional to the amount and impacts of the replaced or relocated structure being permitted. The obligations of the property owner by the date under the mitigation plan shall be evidenced by an instrument recorded in the office of the County Register of Deeds.
 - (f) All other provisions of the shoreland ordinance shall be met.
- (6) **Maintenance, Repair, Replacement Or Vertical Expansion Of Structures That Were Authorized By Variance.** (s. 59.692(1k)(a)2. and (a)4.) A structure of which any part has been authorized to be located within the shoreland setback area by a variance granted before July 15, 2015 may be maintained, repaired, replaced, restored, rebuilt, or remodeled if the activity does not expand the footprint of the authorized structure. Additionally, the structure may be vertically expanded unless the vertical expansion would extend more than 35 feet above grade level. Counties may allow expansion of a structure beyond the existing footprint if the expansion is necessary to comply with applicable state or federal requirements.
- NOTE: Section 59.692(1k)(a)2 prohibits counties from requiring any approval or imposing any fee or mitigation requirement for the activities specified in s. 16.14(6). However, it is important to note that property owners may be required to obtain permits or approvals and counties may impose fees under ordinances adopted pursuant to other statutory requirements, such as floodplain zoning, general zoning, sanitary codes, building codes, or even stormwater erosion control.
- (7) **Wet Boathouses.** The maintenance and repair of nonconforming boathouses which extend beyond the ordinary high-water mark of any navigable waters shall be required to comply with s. 30.121, Wis. Stats.

16.15 Mitigation

- (1) **General Standards.** (s. 59.692(1v), Wis. Stats., NR 115.05 (1)(e)3.,(g)5.,(g)6.) When the county issues a permit requiring mitigation under ss. 16.10(5), 16.10(6), 16.11(5), 16.14(3), and 16.14(5), the property owner must submit a mitigation plan application that is reviewed and approved by the county. The application shall include the following:
- (a) A site plan that describes the proposed mitigation measures:
 - 1. The site plan shall be designed and implemented to restore natural functions lost through development and human activities.
 - 2. The mitigation measures shall be proportional in scope to the impacts on water quality, near-shore aquatic habitat, upland wildlife habitat, and natural scenic beauty.
 - (b) An implementation schedule and enforceable obligation on the property owner to establish and maintain the mitigation measures.
 - 1. The enforceable obligations shall be evidenced by an instrument recorded in the office of the Register of Deeds.
- (2) **Mitigation Options.**
- (a) Vegetative buffer required as mitigation under open sided provision (s. 16.10(5)(a)2.d.). The property owner shall choose and implement two (2) of the following:
 - 1. Restoration of native primary vegetative buffer to county vegetative buffer standards per s. 16.15(4).
 - 2. The associated private onsite waste treatment system must be evaluated and upgraded as appropriate in compliance with ch. SPS 383, Wis. Administrative Code.
 - 3. Stormwater management practices (e.g., rain gardens, water diversions of overland flow).
 - (b) Horizontal expansion of principal structure located between 35 and 75 feet from the ordinary high-water mark and which is less than 35 feet in height (s. 16.14(3)).
 - 1. Removal of all nonconforming accessory structures located in the shore setback area. This requirement shall not apply to a detached garage which is in good repair and located at least as far from the ordinary high-water mark as the principal structure on the property.
 - 2. The property owner shall choose and implement two (2) of the following:
 - a. Restoration of native primary vegetative buffer to county vegetative buffer standards per s. 16.15(4).
 - b. The associated private onsite waste treatment system must be evaluated and upgraded as appropriate in compliance with ch. SPS 383, Wis. Administrative Code.
 - c. Stormwater management practices (e.g., rain gardens, water diversions of overland flow).
 - (c) Replacement or relocation of principal structure located between 35 and 75 feet from the ordinary high-water mark and which is less than 35 feet in height.
 - 1. Removal of all nonconforming accessory structures located in the shore setback area. This requirement shall not apply to a detached garage which is in good repair and located at least as far from the ordinary high-water mark as the principal structure on the property.
 - 2. The property owner shall choose and implement two (2) of the following:
 - a. Restoration of native primary vegetative buffer to county vegetative buffer standards per s. 16.15(4).
 - b. The associated private onsite waste treatment system must be evaluated and upgraded as appropriate in compliance with ch. SPS 383, Wis. Administrative Code.
 - c. Stormwater management practices (e.g., rain gardens, water diversions of overland flow).
 - (d) Impervious surface area greater than 15% and/or less than or equal to 30%, and greater than 30% for highly developed shorelands (s. 16.11(3) and (4)).
 - 1. Removal of all nonconforming accessory structures located in the shore setback area. This requirement shall not apply to a detached garage that is in good repair and located at least as far from the ordinary high-water mark as the principal structure on the property.
 - 2. The property owner shall choose and implement two (2) of the following:
 - a. Restoration of native primary vegetative buffer to county vegetative buffer standards per s. 16.15(4).
 - b. The associated private onsite waste treatment system must be evaluated and upgraded as appropriate in compliance with ch. SPS 383, Wis. Administrative Code.
 - c. Stormwater management practices (e.g., rain gardens, water diversions of overland flow).

- (3) **Implementation Schedule.** The approved Shoreland Buffer Restoration Site Plan must be started within 1 year from the issue date of the applicable permit. All plantings and any other activities in the Shoreland Buffer Restoration Site Plan must be completed within 2 years of the permit issue date.
- (4) **Establishment Of A Vegetative Buffer Zone.**
- (a) The owner(s) or their agent must submit a plan that will be implemented by the owner of the property to establish, preserve, enhance, and/or restore a vegetative buffer zone that covers at least 70% of the half of the shoreland setback area that is nearest to the water. The plan must be approved by the County Zoning Office.
- (b) For the plan to be approved:
1. It must be binding on the owner, his/her heirs, successors, and assignees, and must authorize entrance onto the property by zoning staff for inspections to assure compliance with the plan.
 2. The agreement shall be written and recordable on forms provided by the County Zoning Office and recorded with the Register of Deeds. This also applies to preservation of an existing natural buffer.
 3. Failure to comply with the plan and/or subsequent removal of vegetation from the vegetative buffer zone will cause the County Zoning Office to revoke the special zoning permit and order the removal of any structure(s) authorized by a special zoning permit.
- (c) To be considered for approval a plan to establish, preserve, enhance, and/or restore a vegetative buffer zone shall, at a minimum, contain:
1. A binding agreement with the owner, his/her heirs, successors, and assignees, must authorize entrance onto the property by zoning staff for inspections to assure compliance with the plan. The agreement shall be written and recordable on forms provided by the County Zoning Office and recorded with the Register of Deeds. This also applies to preservation of an existing natural buffer.
 2. A description of how the landowner intends to carry out the project, including methods, materials, and equipment to be used.
 3. A proposed schedule and sequence of work activities.
 4. The names, descriptions, and densities of native species to be utilized in the restoration work, including ground cover, shrubs, and tree layers.
 5. A description of the site before the project begins and a description of the proposed site once the buffer is completed.
 6. The erosion control measures that will be used during construction of the permitted structure and vegetative buffer zone to control sediment, runoff, and protect water quality.
- (d) To be considered for approval a plan to establish, preserve, enhance, and/or restore an existing native vegetative buffer zone shall, at a minimum, contain:
1. A description of how the homeowner intends to maintain the buffer including "no mow" plans.
 2. There shall be supplemental plantings of native species every 100 sq. ft. which at a minimum will result in the following:
 - a. One (1) tree (minimum 3 species).
 - b. Two (2) shrubs (minimum 4 species), and
 - c. Seventy (70) plugs of ground cover or approved seed mix.
 3. Removal of non-native species (e.g. purple loostripe).
 4. The erosion control measures that will be used during construction of the permitted structure and any disturbance in the vegetative buffer zone due to planting or removal of non-natives to control sediment, runoff, and protect water quality.
- (e) The plan must be implemented, the vegetative buffer planted, and the vegetation must be in a viable, growing condition for at least one growing season before a special zoning permit to build a structure is granted.
- (f) A shoreland grading (earth disturbance) permit may be required to implement a vegetative buffer zone plan.
- (g) Removal of the shoreyard structure will not relinquish the recorded agreement or permit the removal, destruction, degradation, and/or reduction in size of the shoreland vegetative buffer.

16.16 Administrative Provisions.

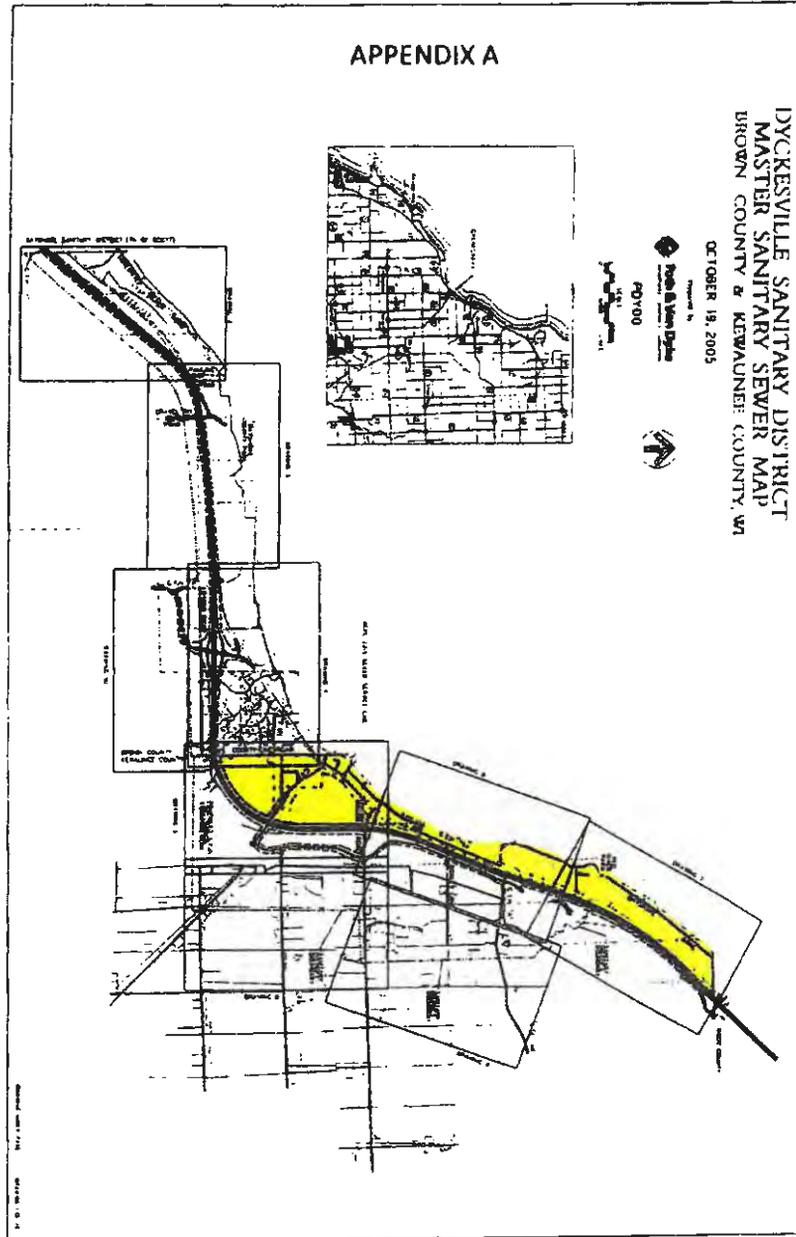
- (1) **Zoning Office.** There is hereby created the zoning office as authorized by s. 59.69, Wis. Stats., and a board of adjustment as authorized by s. 59.694, Wis. Stats. The appointment of a zoning administrator and such additional staff as the workload may require. The zoning office shall exercise the following duties and powers:
- (a) Advise applicants as to the provisions of this ordinance and assist them in preparing permit applications and appeal forms.
 - (b) Issue permits and inspect properties for compliance with this ordinance. A system of permits for new construction, development, reconstruction, structural alteration, or moving of buildings and structures. A copy of applications shall be required to be filed in the office of the county zoning administrator, unless prohibited by s. 59.692(1k), Wis. Stats.
 - (c) Keep records of all permits issued, inspections made, work approved, and other official actions.
 - (d) A variance procedure which authorizes the board of adjustment to grant such variance from the terms of the ordinance as will not be contrary to the public interest where, owing to special conditions and the adoption of the shoreland zoning ordinance, a literal enforcement of the provisions of the ordinance will result in unnecessary hardship. Provide copies of variances, special exceptions, and decisions on appeals for map or text interpretations and map or text amendments within 10 days after they are granted or denied to the appropriate office of the Department.
 - (e) Have access to any structure or premises during regular work hours for the purpose of performing his/her duties. Regular inspection of permitted work in progress to insure conformity of the finished structures with the terms of the ordinance.
 - (f) Investigate and report violations of this ordinance to the appropriate county zoning committee and the district attorney or corporation counsel as necessary.
- (2) **Shoreland Permits.**
- (a) *When required.* Except where another section of this ordinance specifically exempts certain types of development from this requirement (as in s. 16.05(3)(a) and (b)), a shoreland permit shall be obtained from the zoning office before any new development, as defined in s. 16.02, or any change in the use of the existing building or structure, is initiated.
 - (b) *Application.* An application for a shoreland permit shall be made to the zoning administrator upon forms furnished by the county.
 1. Erosion control is required as per Best Management Practices.
 - (c) *Fees.* As established in the Kewaunee County Shoreland Zoning & Sanitary Fee Schedule.
 - (d) *Expiration Of Permit.* Shoreland permits shall expire 24 months from date of issuance.
- (3) **Relaxation Of Standards For Persons With Disabilities Applies To All Shoreland Areas.** The zoning office may issue a shoreland permit to relax the standards of this ordinance in order to provide reasonable accommodation of persons with disabilities as required by provisions of federal and state law. Such relaxation shall be consistent with federal guidelines for accommodation of persons with disabilities and shall, where practicable, be terminated when the facility is no longer in use by a disabled person. A person applying for a permit for construction under this section shall establish the nature and extent of the disability and that the relaxation requested is the minimum necessary to provide reasonable use of the facility.
- (4) **Special Exception Permits.**
- (a) *Application For A Special Exception Permit.* Any use listed as a special exception permit in this ordinance shall be permitted only after an application has been submitted to the zoning administrator and a special exception permit has been granted by the board of adjustment.
 - (b) *Standards Applicable To All Special Exceptions.* In passing upon a special exception permit, the board of adjustment shall evaluate the effect of the proposed use upon:

1. The maintenance of safe and healthful conditions.
 2. The prevention and control of water pollution including sedimentation.
 3. Compliance with local floodplain zoning ordinances and opportunity for damage to adjacent properties due to altered surface water drainage.
 4. The erosion potential of the site based upon degree and direction of slope, soil type, and vegetative cover.
 5. The location of the site with respect to existing or future access roads.
 6. The need of the proposed use for a shoreland location.
 7. Its compatibility with uses on adjacent land.
 8. The amount of liquid and solid wastes to be generated and the adequacy of the proposed disposal systems.
 9. Location factors under which:
 - a. Domestic uses shall be generally preferred.
 - b. Uses not inherently a source of pollution within an area shall be preferred over uses that are or may be a pollution source.
 - c. Use locations within an area tending to minimize the possibility of pollution shall be preferred over use locations tending to increase that possibility.
- (c) **Conditions Attached To Special Exceptions.** Upon consideration of the factors listed above, the board of adjustment shall attach such conditions, in addition to those required elsewhere in this ordinance, as are necessary to further the purposes of this ordinance. Violations of any of these conditions shall be deemed a violation of this ordinance. Such conditions may include specifications for, without limitation because of specific enumeration: type of shore cover; specific sewage disposal and water supply facilities; landscaping and planting screens; period of operation; operational control; sureties; deed restrictions; location of piers, docks, parking, and signs; and type of construction. To secure information upon which to base its determination, the board of adjustment may require the applicant to furnish, in addition to the information required for a shoreland permit, the following information:
1. A plan of the area showing surface contours, soil types, ordinary high-water marks, ground water conditions, subsurface geology, and vegetative cover.
 2. Location of buildings, parking areas, traffic access, driveways, walkways, piers, open space, and landscaping.
 3. Plans of buildings, sewage disposal facilities, water supply systems, and arrangement of operations.
 4. Specifications for areas of proposed filling, grading, lagooning, or dredging.
 5. Other pertinent information necessary to determine if the proposed use meets the requirements of this ordinance.
- (d) **Notice, Public Hearing, And Decision.** Before acting upon an application for a special exception permit, the board of adjustment shall hold a public hearing. Notice of such public hearing specifying the time, place, and matters to come before the board, shall be given as a Class 2 notice under Ch. 985, Wis. Stats. Such notice shall be provided to the appropriate district office of the Department at least 10 days prior to the hearing. The board shall state in writing the grounds for granting or refusing a special exception permit.
- (e) **Recording.** When a special exception permit is approved, an appropriate record shall be made of the land use and structures permitted and such permit shall be applicable solely to the structures, use, and property so described. A copy of any decision on a special exception permit shall be provided to the appropriate district office of the Department within 10 days after it is granted or denied.
- (f) **Revocation.** Where the conditions of a special exception permit are violated, the special exception permit shall be revoked by the board of adjustment.
- (5) **Variances.**
- (a) **Decision.** The board of adjustment may grant upon appeal a variance from the dimensional standards of this ordinance where an applicant convincingly demonstrates that:
1. Literal enforcement of the provisions of the ordinance will result in unnecessary hardship on the applicant.
 2. The hardship is due to special conditions unique to the property.
 3. Such variance is not contrary to the public interest.
- (b) **Notice, Hearing, And Decision.** Before acting on an application for a variance, the board of adjustment shall hold a public hearing. Notice of such hearing specifying the time, place, and matters of concern, shall be given a Class 2 notice under Ch. 985, Wis. Stats. Such notice shall be provided to the appropriate district office of the Department at least 10 days prior to the hearing. The board shall state in writing the reasons for granting or refusing a variance and shall provide a copy of such decision to the appropriate Department office within 10 days of the decision.
- (6) **Board Of Adjustment.** The county executive shall appoint a board of adjustment consisting of five members under s. 59.694(3), Wis. Stats. The county board shall adopt such rules for the conduct of the business of the board of adjustment as required by s. 59.694(3), Wis. Stats.
- (a) **Powers And Duties:**
1. The board of adjustment shall adopt such additional rules as it deems necessary and may exercise all of the powers conferred on such boards by s. 59.694(3), Wis. Stats.
 2. It shall hear and decide appeals where it is alleged there is error in any order, requirements, decision, or determination made by an administrative official in the enforcement or administration of this ordinance.
 3. It shall hear and decide applications for special exception permits pursuant to s. 16.16(4).
 4. It may grant a variance from the dimensional standards of this ordinance pursuant to s. 16.16(5).
 5. In granting a special exception permit or variance, the board may not impose conditions which are more restrictive than any of the specific standards in the ordinance. Where the ordinance is silent as to the extent of restriction, the board may impose any reasonable permit conditions to affect the purpose of this ordinance.
- (b) **Appeals to the Board of Adjustment.** Appeals to the board of adjustment may be made by any person aggrieved or by an officer, department, board or bureau of the county affected by any decision of the zoning administrator or other administrative officer. Such appeal shall be made within a reasonable time, as provided by the rules of the board, by filing with the officer whose decision is in question, and with the board of adjustment, a notice of appeal specifying the reasons for the appeal. The zoning administrator or other officer whose decision is in question shall promptly transmit to the board all the papers constituting the record concerning the matter appealed.
- (c) **Hearing Appeals And Applications For Variances And Special Exception Permits.**
1. The board of adjustment shall fix a reasonable time for a hearing on the appeal or application. The board shall give public notice thereof by publishing a Class 2 notice under Ch. 985, Wis. Stats., specifying the date, time, and place of the hearing and the matters to come before the board. Notice shall be mailed to the parties in interest. Written notice shall be given to the appropriate district office of the Department at least 10 days prior to hearings on proposed shoreland variances, special exceptions (conditional uses), and appeals for map or text interpretations.
 2. A decision regarding the appeal or application shall be made as soon as practical. Copies of all decisions on shoreland variances, special exceptions (conditional uses), and appeals for map or text interpretations shall be submitted to the appropriate district office of the Department within 10 days after they are granted or denied.
 3. The final disposition of an appeal or application to the board of adjustment shall be in the form of a written resolution or order signed by the chairman and secretary of the board. Such resolution shall state the specific facts which are the basis of the board's determination and shall either affirm, reverse, vary, or modify the order, requirements, decision, or determination appealed, in whole or in part, dismiss the appeal for lack of jurisdiction or prosecution or grant the application.
 4. At the public hearing, any party may appear in person or by agent or by attorney.

- (7) Fees. As established in the Kewaunee County Shoreland Zoning & Sanitary Fee Schedule.
- 16.17 Changes And Amendments. The county board may from time to time, alter, supplement or change the boundaries of use districts and the regulations contained in this ordinance in accordance with the requirements of s. 59.692, Wis. Stats., ch. NR 115, Wis. Adm. Code and s. 16.05(5) of this ordinance where applicable.
- (1) Amendments to this ordinance may be made on petition of any interested party as provided in s. 59.692, Wis. Stats.
 - (2) Every petition for a text or map amendment filed with the county clerk shall be referred to the county zoning agency. A copy of each petition shall be mailed to the appropriate office of the Department within 5 days of the filing of the petition with the county clerk. Written notice of the public hearing to be held on a proposed amendment shall be provided to the appropriate district office of the Department at least 10 days prior to the hearing.
 - (3) A copy of the county board's decision on each proposed amendment shall be forwarded to the appropriate district office of the Department within 10 days after the decision is issued.
- 16.18 Enforcement And Penalties. Any development, any building or structure constructed, moved or structurally altered, or any use established after the effective date of this ordinance in violation of the provisions of this ordinance, by any person, firm, association, corporation (including building contractors or their agents) shall be deemed a violation. The zoning administrator or the county zoning agency shall refer violations to the district attorney or corporation counsel who shall expeditiously prosecute violations. Any person, firm, association or corporation who violates or refuses to comply with any of the provisions of this ordinance shall be subject to a forfeiture of not less than ten (\$10.00) dollars nor more than two hundred (\$200.00) dollars per offense, together with the taxable costs of action. Each day which the violation exists shall constitute a separate offense. Every violation of this ordinance is a public nuisance and the creation thereof may be enjoined and the maintenance thereof may be abated pursuant to s. 59.97(11), Wis. Stats. As appropriate, the Kewaunee County Uniform Citation Ordinance shall apply to the enforcement of this ordinance.
- 16.19 Effective Date. This ordinance, upon passage and publication by the County Board of Supervisors of Kewaunee County, Wisconsin, shall be effective in all of the unincorporated areas within Kewaunee County.

APPENDIX A ATTACHED

APPENDIX A



ORDINANCE NO.

KEWAUNEE COUNTY SALES AND USE TAX ORDINANCE

THE KEWAUNEE COUNTY BOARD OF SUPERVISORS DO HEREBY ORDAIN AS FOLLOWS:

STATUTORY AUTHORIZATION. This ordinance is adopted pursuant to the authorization of subchapter V of chapter 77 of the Wisconsin Statutes.

NOW, THEREFORE, BE IT RESOLVED, by the Kewaunee County Board of Supervisors, duly assembled this 20th day of September 2016, that the Board hereby adopts the Kewaunee County Sales and Use Tax Ordinance, as set forth in the attachment hereto.

EFFECTIVE DATE. This ordinance shall become effective April 1, 2017.

Respectfully Submitted,
Finance & Public Property Committee
HASKE, LUFT, MASTALIR, RASMUSSEN, ROMDENNE

Chapter 35

County Sales and Use Tax Ordinance

-
- 35.01 Authority
 - 35.02 Purpose
 - 35.03 County Sales and Use Tax
 - 35.04 Sales and Use Tax Rate
 - 35.05 Conformity to State Laws
 - 35.06 Effective Date
-

- 35.01 Authority. This ordinance is enacted under the authority of subchapter V of chapter 77 of the Wisconsin Statutes, and acts amendatory thereto.
- 35.02 Purpose. The sole purpose of enacting this ordinance is to utilize revenues from the county sales and use tax to reduce the property tax levy.
- 35.03 County Sales and Use Tax. Pursuant to, and in strict conformity with, the provisions of subchapter V of chapter 77 of the Wisconsin Statutes, Kewaunee County does hereby elect to impose a county sales and use tax in the manner and to the extent permitted by subchapter V of chapter 77 of the Wisconsin Statutes.
- 35.04 Sales and Use Tax Rate. The sales and use tax imposed by this ordinance shall be at the rate of 0.5%.
- 35.05 Conformity To State Laws. It is the express intent of Kewaunee County that the construction, application, and administration of this ordinance to all persons in all situations shall conform to the laws of the State of Wisconsin in all respects, and it shall be so construed, applied and administered.
- 35.06 Effective Date. This ordinance shall become effective April 1, 2017.

Supervisor Rasmussen made a motion to refer the 0.5% Sales and Use Tax for an advisory referendum for the 2016 Fall General Election – See Handout. Supervisor Cravillion seconded the motion, discussion followed. Roll call vote: 5 ayes (Cravillion, Doell, Jahnke, Rasmussen, Shillin), 14 nays. Motion failed.

Consideration of Resolutions:

RESOLUTION NO. 14-08-2016

RESOLUTION IN HONOR OF THE HONORABLE DENNIS J. MLEZIVA ON HIS RETIREMENT FROM THE KEWAUNEE COUNTY CIRCUIT COURT

TO THE HONORABLE KEWAUNEE COUNTY BOARD OF SUPERVISORS:

WHEREAS, Judge Dennis J. Mleziva was born and raised in the Town of Montpelier, Kewaunee County and in 1968 was a member of the first graduating class of newly formed Luxemburg - Casco High School; and

WHEREAS, Judge Dennis J. Mleziva started his legal career in the Village of Casco in 1975 upon his graduation from the University of Wisconsin Law School; and

WHEREAS, Judge Dennis J. Mleziva served as the Kewaunee County District Attorney/Corporation Counsel from 1977 to 1979; and

WHEREAS, Judge Dennis J. Mleziva was elected Kewaunee County Circuit Court Judge in 1992 where he served with honor and distinction for 24 years until his retirement on July 31, 2016; and

WHEREAS, Judge Dennis J. Mleziva is a man of integrity, honor, and generosity, and is a well-respected and beloved member of the legal community; and

WHEREAS, Judge Dennis J. Mleziva's legacy is his service to our community, his commitment to the rule of law, and his consummate professionalism.

NOW, THEREFORE, BE IT RESOLVED, by the Kewaunee County Board of Supervisors, duly assembled this 16th day of August 2016, that the Board hereby conveys its deepest gratitude to Judge Dennis J. Mleziva for his distinguished and dedicated service to the citizens of Kewaunee County, and honors him on his retirement from the Kewaunee County Circuit Court.

Respectfully Submitted,

Kewaunee County Board of Supervisors

BENES, CRAVILLION, DOBBINS, DOELL, HASKE, JAHNKE, KIRCHMAN, LUFT, MASTALIR, PAAPE, PAGEL, PAIDER, RASMUSSEN, ROMDENNE, SHILLIN, SINKULA, TESKE, THOMAS, WAGNER, WEIDNER

Supervisors Wagner moved to unanimously approve the above resolution and Jahnke seconded for adoption.

Roll call vote: 19 ayes, 0 nays, 1 absent. Motion carried.

RESOLUTION NO. 15-08-2016

A RESOLUTION HONORING THE CONTRIBUTIONS OF LOCAL LAW ENFORCEMENT OFFICERS

TO THE HONORABLE KEWAUNEE COUNTY BOARD OF SUPERVISORS:

WHEREAS, the Kewaunee County Sheriff's Department, the Algoma Police Department, the Luxemburg Police Department and the Kewaunee Police Department protect and serve our communities; and

WHEREAS, the brave, talented and professional men and women who serve as our law enforcement officers selflessly put their lives on the line to maintain our safety and quality of life; and

WHEREAS, the contributions of our law enforcement officers extends beyond the line of duty and enriches our communities with their families, community leadership and volunteerism; and

WHEREAS, our law enforcement officers continue to serve bravely day in, day out, regardless of the new and evolving dangers facing law enforcement personnel.

NOW, THEREFORE, BE IT RESOLVED by the Kewaunee County Board of Supervisors, duly assembled this 16th day of August 2016, that the Board honors the law enforcement officers that serve and protect our communities.

Respectfully Submitted,
Law Enforcement & Emergency Management Committee
BENES, JAHNKE, RASMUSSEN, SINKULA

Supervisors Teske moved and Romdenne seconded for adoption. Roll call vote: 19 ayes, 0 nays. Motion carried.

RESOLUTION NO. 16-08-2016

A RESOLUTION GRANTING THE PETITION FOR BRIDGE AID – TOWN OF CARLTON

TO THE HONORABLE KEWAUNEE COUNTY BOARD OF SUPERVISORS:

WHEREAS, the Town Board of the Town of Carlton has petitioned the Kewaunee County Highway Commissioner for bridge aid to repair or construct the St. Peters Road Bridge located in Section(s) 5 & 6 in the Town of Carlton pursuant to §82.08, Wisconsin Statutes; and

WHEREAS, Section 82.08(3), Wisconsin Statutes, provides the Town and the County shall each pay one-half of the cost of construction or repair of a bridge; and

WHEREAS, the estimated local cost of said bridge construction is \$80,000.00. The remaining costs for this project will be paid with federal project funding; and

WHEREAS, the Town of Carlton hereby petitions the Honorable Kewaunee County Board of Supervisors to raise \$40,000.00 to cover the County's share of said cost of the bridge construction and/or repairs.

NOW, THEREFORE, BE IT RESOLVED, by the Kewaunee County Board of Supervisors, duly assembled this 16th day of August 2016, that the Board hereby approves the petition of the Town of Carlton and agrees to contribute the sum of \$40,000.00 representing the County's share of the costs to construct and/or repair the aforementioned bridge.

BE IT FURTHER RESOLVED, the \$40,000.00 shall be paid from the County Aid Bridge Fund.

Respectfully Submitted,
Highway and Solid Waste Committee
BENES, KIRCHMAN, MASTALIR, PAAPE, ROMDENNE

FISCAL IMPACT STATEMENT
The \$80,000 estimate may increase and additional funding may be required for this project. This project is funded 20% locally (town & county) and 80% from federal dollars. Design and engineering costs are being incurred at this time. The Highway Department has anticipated this bridge and has budgeted \$10,000 per year for the last four years.

Supervisors Sinkula moved and Paape seconded for adoption. Roll call vote: 19 ayes, 0 nays. Motion carried.

RESOLUTION NO. 17-08-2016

**A RESOLUTION APPROVING TRANSFER OF BUDGETED FUNDS
Highway Roads & Bridges – Bridge Engineering**

TO THE HONORABLE KEWAUNEE COUNTY BOARD OF SUPERVISORS:

WHEREAS, in accordance with Section 65.90(5)(a), Wis. Stats., the amounts of the various appropriations and the purposes for such appropriations stated in a budget may not be changed unless authorized by a vote of two-thirds of the entire membership of the County Board of Supervisors; and

WHEREAS, The Finance and Public Property Committee considered and hereby recommends transferring \$80,000 from the Highway Roads and Bridges Fund Balance to the Highway Bridges Account for funding bridge program design as detailed in the Highway Commissioner's Memorandum dated August 2016.

NOW, THEREFORE, BE IT RESOLVED, by the Kewaunee County Board of Supervisors duly assembled this 16th day of August 2016, that the Board approves transferring \$80,000 from the Highway Roads and Bridges Fund Balance to the Highway Bridges Account; and

BE IT FURTHER RESOLVED, that within 10 days the County Clerk shall file a Class 1 notice of this transfer of budgeted funds.

Respectfully Submitted,
Finance and Public Property Committee
HASKE, LUFT, MASTALIR, RASMUSSEN, ROMDENNE

FISCAL IMPACT STATEMENT:
See attached memorandum and fiscal note.

Supervisors Kirchman moved and Luft seconded for adoption. Roll call vote: 19 ayes, 0 nays. Motion carried.

RESOLUTION NO. 18-08-2016

**A RESOLUTION APPROVING TRANSFER OF BUDGETED FUNDS
LIO – Strategic Initiative Grant**

TO THE HONORABLE KEWAUNEE COUNTY BOARD OF SUPERVISORS:

WHEREAS, in accordance with Section 65.90(5)(a), Wis. Stat., the amounts of the various appropriations and the purposes for such appropriations stated in a budget may not be changed unless authorized by a vote of two-thirds of the entire membership of the County Board of Supervisors; and

WHEREAS, The Finance and Public Property Committee considered and hereby recommends acceptance of a Strategic Initiative Grant from the Wisconsin Department of Administration for the purpose of snapping Kewaunee County parcel lines to Kewaunee County GPS monument locations; and

WHEREAS, the Finance and Public Property Committee recommends adjusting the budget to reflect additional revenue of \$50,000.00 from the acceptance of the Grant and additional expenses of \$50,000.00 to fulfill the requirements of the Grant.

NOW, THEREFORE, BE IT RESOLVED, by the Kewaunee County Board of Supervisors duly assembled this 16th day of August 2016, that the Board accepts the Grant and approves the budget adjustments as described by the Finance Director in the attachment to this resolution; and

BE IT FURTHER RESOLVED, that within 10 days the County Clerk shall file a Class 1 notice of this transfer of budgeted funds.

Respectfully Submitted,
Finance and Public Property Committee
HASKE, LUFT, MASTALIR, RASMUSSEN, ROMDENNE

FISCAL IMPACT STATEMENT:
Receipt and expenditures of \$50,000 Grant from the
Department of Administration.
See attached fiscal note and memorandum

Supervisors Pagel moved and Romdenne seconded for adoption. Roll call vote: 19 ayes, 0 nays. Motion carried.

Communications:

Resolutions from other counties (5)

Kewaunee County Events:

Zoobilee – August 27, 2016 from 10:00 a.m. – 4:00 p.m. at Bruemmer Park

Kite Festival in Algoma on August 20

Back to School Program – August 17, 2016 at Lake Haven Hall

Farmer's Market – First Thursday of the month through October in the Human Services parking lot

Family Fun Night – August 19, 2016 at 4:00 p.m., kick off the football season at the LC Sports Complex

VIP Poker Run – August 20, 2016

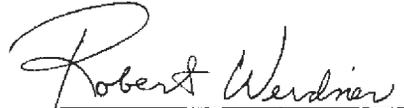
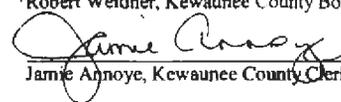
Chairman's Comments:

None

Supervisors Wagner moved and Benes seconded that the October Budget Hearing and County Board Meeting will be held on October 18, 2016 at 5:00 p.m. The November County Board Session will be held on November 10, 2016 at 5:00 p.m. and the December County Board Session will be held on December 20, 2016 at 5:00 p.m. Motion carried.

Supervisors Doell moved and Paape seconded to adjourn. Motion carried.

Board adjourned at 8:56 p.m.


Robert Weidner, Kewaunee County Board Chairman

Jamie Annoye, Kewaunee County Clerk

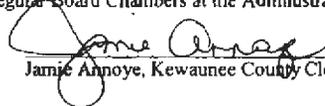
CERTIFICATION

STATE OF WISCONSIN:

SS

COUNTY OF KEWAUNEE:

I, Jamie Annoye, County Clerk in and for Kewaunee County, Wisconsin do hereby certify that the following is a true and correct copy of the minutes of the meeting of the Kewaunee County Board of Supervisors held in regular Board Chambers at the Administration Center in Kewaunee on August 16, 2016.


Jamie Annoye, Kewaunee County Clerk

KEWAUNEE COUNTY BOARD OF SUPERVISORS



Robert Weidner-Chairman

Linda Sinkula-Vice-Chairman

September 20, 2016

Honorable Members of the Kewaunee County Board:

Pursuant to Wis. Stats. 59.54 (8), I hereby make the following appointments to the "Local Emergency Planning Committee."

Classification

Term (9/12/2016 - 9/12/18)

Elected Local Official (group 1)

Kaye Shillin
Pat Benes

Law (group 2)

Matt Joski
John Massart

Emergency Management (group 2)

Tracy Nollenberg
Terri Marcusen

Fire (group 2)

Greg Hlinak

Transportation (group 2)

Todd Every

Environmental (group 2)

David Allen

Community Groups (group 4)

Jack Novak - Rotary Club
Joy Krieger - Chamber

Print Media (group 3)

Karen Ebert Yancey

Facility Operators (group 5)

Green Bay Water Utility - Tom Landwehr
Luxemburg Water Utility - Rick Simonar
Algoma Utility - Peter Haack
Agropur Inc - Ted Winkelman
Kewaunee Power Station - Ted Maloney
Kewaunee Water Utility - Matt Murphy

Public Health (group 2)

Cindy Kinnard

Respectfully submitted,

Robert Weidner, Kewaunee County Chairman



KEWAUNEE COUNTY ADMINISTRATOR'S OFFICE

Scott Feldt
County Administrator

September 20, 2016

Honorable Members of the Kewaunee County Board

Pursuant to Wisconsin Act 314, I hereby make the following appointments to the Kewaunee County Land Information Council.

TERM
July 1, 2016 – June 30, 2018

CLASSIFICATION

NAME

County Board

John Pagel

Real Property Lister/Land Information

Steve Hanson

Realtor

Jack Novak

Public Safety

Sheriff Matt Joski

Surveyor

Kip Inman

Register of Deeds

Janet Wolf

County Treasurer

Michelle Dax

Citizen Member

Brian Dax

Other Members

Dave Myers, Promotion & Recreation Director
Chris VanErem, Jail Administrator
Glenn Selner, Zoning Administrator
Tracy Nollenberg, Emergency Management Director
Todd Every, Highway Commissioner
Davina Bonness, County Conservationist
Scott Feldt, County Administrator
Ross Loining, Information Technology Director

Sincerely,

Scott Feldt
Kewaunee County Administrator

Kewaunee County is an Equal Opportunity Employer

Kewaunee County
810 Lincoln Street
Kewaunee, WI 54216

PHONE (920) 388-7164
FAX (920) 388-7101
WEB SITE <http://www.kewauneeco.org>



ORDINANCE NO.

KEWAUNEE COUNTY SHORELAND ZONING ORDINANCE

THE KEWAUNEE COUNTY BOARD OF SUPERVISORS DO HEREBY ORDAIN AS FOLLOWS:

- 1 **STATUTORY AUTHORIZATION.** This ordinance is adopted pursuant to the authorization in Wis.
- 2 Stat. §59.692 to implement Wis. Stats. §§59.692 and 281.31.
- 3
- 4 **NOW, THEREFORE, BE IT RESOLVED,** by the Kewaunee County Board of Supervisors, duly
- 5 assembled this 20th day of September 2016, that the Board hereby adopts the Kewaunee County
- 6 Shoreland Zoning Ordinance, as set forth in the attachment hereto.
- 7
- 8 **FURTHER,** the attached Kewaunee County Shoreland Zoning Ordinance supersedes and repeals
- 9 all prior Kewaunee County Shoreland Zoning Ordinances including Kewaunee County Ordinance
- 10 104-1-69.
- 11
- 12 **EFFECTIVE DATE.** This ordinance shall take effect October 1, 2016.

Respectfully Submitted,

EXTENSION EDUCATION & ZONING COMMITTEE

Thomas J. Romdenne, Chair

Gerald Paape

Ron Paider

Charles R. Wagner

APPROVED AS TO FORM

Jeffrey R. Wisnicky
Corporation Counsel

FISCAL IMPACT STATEMENT:

	Y E S	N O	A B S E N T	A B S T A I N
Benes, P				
Cravillion, D.				
Dobbins, M.				
Doell, D.				
Haske, V.				
Jahnke, S.				
Kirchman, L.				
Luft, L.				
Mastalir, J.				
Paape, G.				
Pagel, J.				
Paider, R.				
Rasmussen, C.				
Romdenne, T.				
Shillin, K.				
Sinkula, L.				
Teske, L.				
Thomas, D.				
Wagner, C.				
Weidner, R.				
TOTALS				



Kewaunee County Clerk, Jamie Annoye
Kewaunee County Administration Building
810 Lincoln St.
Kewaunee, WI 54216
Office: (920) 388-7123 Fax: (920) 388-7195

Bev Dolski, Payroll Technician

Debbie Miller, Account Clerk

Janine Bowers, Account Clerk III/Deputy

**FOR A FULL COPY
OF THE ORDINANCE
PLEASE CONTACT
THE COUNTY
CLERK'S OFFICE,
THANK YOU.**



ORDINANCE NO.

KEWAUNEE COUNTY SALES AND USE TAX ORDINANCE

THE KEWAUNEE COUNTY BOARD OF SUPERVISORS DO HEREBY ORDAIN AS FOLLOWS:

- 1 **STATUTORY AUTHORIZATION.** This ordinance is adopted pursuant to the authorization of
- 2 subchapter V of chapter 77 of the Wisconsin Statutes.
- 3
- 4 **NOW, THEREFORE, BE IT RESOLVED,** by the Kewaunee County Board of Supervisors, duly
- 5 assembled this 20th day of September 2016, that the Board hereby adopts the Kewaunee County
- 6 Sales and Use Tax Ordinance, as set forth in the attachment hereto.
- 7
- 8 **EFFECTIVE DATE.** This ordinance shall become effective April 1, 2017.

Respectfully Submitted,

FINANCE & PUBLIC PROPERTY COMMITTEE

Lee Luft, Chair

Thomas J. Romdenne

Chris Rasmussen

John E. Mastalir

Virginia Haske

APPROVED AS TO FORM

Jeffrey R. Wisnicky
Corporation Counsel

FISCAL IMPACT STATEMENT:

	Y E S	N O	A B S E N T	A B S T A I N
Benes, P				
Cravillion, D.				
Dobbins, M.				
Doell, D.				
Haske, V.				
Jahnke, S.				
Kirchman, L.				
Luft, L.				
Mastalir, J.				
Paape, G.				
Pagel, J.				
Paider, R.				
Rasmussen, C.				
Romdenne, T.				
Shillin, K.				
Sinkula, L.				
Teske, L.				
Thomas, D.				
Wagner, C.				
Weidner, R.				
TOTALS				

Chapter 35

County Sales and Use Tax Ordinance

- 35.01 Authority
 - 35.02 Purpose
 - 35.03 County Sales and Use Tax
 - 35.04 Sales and Use Tax Rate
 - 35.05 Surplus Sales and Use Tax Collection
 - 35.06 Conformity to State Laws
 - 35.07 Effective Date
 - 35.08 Sunset
 - 35.09 Notice to the Secretary of Revenue
-

- 35.01 Authority. This ordinance is enacted under the authority of subchapter V of chapter 77 of the Wisconsin Statutes, and acts amendatory thereto.
- 35.02 Purpose. The sole purpose of enacting this ordinance is to utilize revenues from the county sales and use tax to reduce the property tax levy.
- 35.03 County Sales and Use Tax. Pursuant to, and in strict conformity with, the provisions of subchapter V of chapter 77 of the Wisconsin Statutes, Kewaunee County does hereby elect to impose a county sales and use tax in the manner and to the extent permitted by subchapter V of chapter 77 of the Wisconsin Statutes.
- 35.04 Sales and Use Tax Rate. The sales and use tax imposed by this ordinance shall be at the rate of 0.5%.
- 35.05 Surplus Sales and Use Tax Collection. Sales and use tax collections in excess of budget forecasts shall be used to increase Kewaunee County fund balances and may not be appropriated for any other purpose in the year they are collected.
- 35.06 Conformity To State Laws. It is the express intent of Kewaunee County that the construction, application, and administration of this ordinance to all persons in all situations shall conform to the laws of the State of Wisconsin in all respects, and it shall be so construed, applied and administered.
- 35.07 Effective Date. This ordinance shall become effective April 1, 2017.
- 35.08 Sunset. The Kewaunee County Sales and Use Tax shall sunset and be repealed effective December 31, 2021.

35.09 Notice to the Secretary of Revenue. The Kewaunee County Clerk is directed to provide the secretary of revenue a certified copy of this ordinance at least 120 days prior to its effective date. The Kewaunee County Clerk is likewise directed to provide a certified copy of this ordinance at least 120 days prior to its repeal on December 31, 2021.

Highway/Landfill Committee Minutes

August 4, 2016

The Highway Committee meeting was called to order at 8:00 AM by Chairman Larry Kirchman. Members present included: Larry Kirchman, Gary Paape, Tom Romdenne, John Mastalir, and Pat Benes. Also present was Highway Commissioner Todd Every, Patrol Superintendent Joe Dax, Office Manager Mary Meyer and Recording Secretary Jenny Salentine.

Adoption of Agenda & Approval of Minutes: Gary Paape made a motion to adopt today's Agenda and approve the July 14th Highway Committee minutes. Second by Tom Romdenne. Motion carried unanimously.

Public Comments: None

Reports:

Patrol Superintendent Joe Dax had the following to report:

- ❖ Town Work:
 - St. Peter's Rd., West Kewaunee Town, was reclaimed, 1,000 tons of gravel was used plus the road is paved, needs to be shouldered
 - Hill Rd., Montpelier Town, was reclaimed & paved
 - County Line Rd., Red River Town, was reclaimed, needs 500 ton of gravel
 - Repaired Guardrail in Carlton Town on Church Rd. due to an accident
 - Crews are ditch-mowing in the Town of Casco today
- ❖ County Work:
 - Repaired Guardrail & Bridge Deck on CTH "AB" due to an accident
 - Reclaimed 4 miles of CTH "D" & milled off both ends. Paving will start soon
 - Presently working on building turn lanes and preparing for blacktop on CTH "D"
- ❖ Other Updates:
 - We have poured a concrete pad for the DNR out house area on Park Lane
 - We are working on sealing & raising the load-out platform by Cell 5 at the landfill.
 - We need to finish trimming up topsoil & seed the borrow site at the landfill as well

Office Manager Mary Meyer had the following to report:

- ❖ Hand-outs:
 - Roads and Bridges Budget Report (January 1 thru May 28, 2016)
 - Roads and Bridges Budget Report (January 1 thru June 25, 2016)

Commissioner Todd Every had the following to report:

- ❖ Highway
 - ✓ Hand-Outs:
 - County Roads & Bridges Revenue & Expense Report (June 2016) prepared by Paul Kunesh, Finance Director
 - 2016 Equipment Auction Summary
 - ✓ We will begin the budgeting process for 2017
 - ✓ Reminder: We will have a project tour at our next meeting, August 18th
 - ✓ Equipment Auction Summary Update:
 - 13 pieces of equipment sold so far
 - Will be looking at specs for tri-axel trucks
 - We will need to create a budget for funds received from the sales
- ❖ Landfill:
 - ✓ Hand-Outs:
 - Solid Waste Fund Revenue & Expenditures Report (June 2016) prepared by Paul Kunesh, Finance Director
 - Tonnage & Charge Summary (by refuse) July 1 – 31, 2016
 - Tonnage & Charge Summary (by refuse) January 1 – July 31, 2016
 - Tonnage & Charge Summary (by refuse) January 1 – July 31, 2015
 - We are \$110,000 more than last year at the time
 - ✓ Almost complete w/ the borrow site construction
 - ✓ The DNR is reviewing our request for a new clay borrow pit site

Chairman Kirchman asked about the Engine Breaking Signs which have been brought up at previous committee meetings. Discussion followed.

Chairman Kirchman asked about the gas line project on CTH "S" and if the company doing the work has been cleaning up satisfactorily when finished. We have been experiencing some issues w/ WPS.

Committee member Pat Benes asked about a complaint from a resident on CTH "C" just south of the Hot-Mix plant regarding 2 deep & wide cracks. Commissioner Every & Patrol Superintendent Joe Dax have reviewed the area, crack-filling is not an option. We could possibly tar & chip it.

Discuss Village of Luxemburg Main Street Project Request: Since our last meeting, we have recently received the bid costs. We could possibly have a draft agreement ready for review at our next committee meeting.

Discuss City of Algoma request for sidewalk on CTH "S" Bridge Project: We received a letter from Wayne Schmidt, Algoma City Mayor in regards to the committee's decision at our previous meeting to continue as planned to have one sidewalk on one side of the bridge. After discussion, the Highway Committee Members suggest Mr. Feldt, County Administrator, responds to the Mayor's letter stating the committee stands by their original decision with a sidewalk on one side only. The letter should also include the City of Algoma is to choose which side they'd like the sidewalk on.

Review / discuss Committee Roles and Responsibilities (Revised): All committee members received a copy from administration detailing the updated roles & responsibilities of the *Highway & Solid Waste Committee*. These roles & responsibilities were revised by administration. Chairman Kirchman stated he prefers the old language better as did other committee members. The committee does not agree w/ the revisions made. The May 18th Highway & Solid Waste Committee minutes reflect an approved motion accepting the rules & regulations as written and presented on May 18th. The Document presented today is not what was approved on May 18th. No new action was taken. Committee members will discuss this topic at Personnel, Advisory, and Legislative Committee.

Approve & Sign Vouchers: Highway Vouchers paid by check: \$231,210.64. Highway Vouchers paid by credit card: \$39,078.18. Solid Waste Vouchers paid by check: \$67,941.44. Solid Waste Vouchers paid by credit card: \$259.40. Motion to approve vouchers as presented made by Tom Rondenne. Second by Pat Benes. All in favor. Motion carried unanimously.

Approve Travel Requests: None

Any other business as allowed by law: Committee Member John Mastalir asked if we are going to review our Landfill tipping fees. Commissioner Every responded saying we'll discuss this during our 2017 Budget process. Mr. Mastalir shared information he's received from Outagamie County regarding their fee increases.

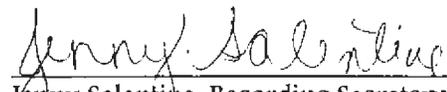
Chairman Kirchman attended the County Highway Safety Committee meeting recently where an accident on CTH "C" & "K" was discussed heavily. There are safety concerns regarding the intersection with the upcoming Farm Technology Days in 2017 and the additional traffic. It was suggested at this meeting perhaps the Highway Dept considers putting in rumble strips or perhaps a flashing stop sign. The Traffic Safety Commissioner will be reviewing this topic at upcoming meetings.

Next Meeting Dates:

- ❖ Thursday, August 18th @ 8:00 AM, including project tour
- ❖ Thursday, September 1st @ 8:45 AM
- ❖ Thursday, September 22nd @ 8:45 AM

Adjournment: Motion made to adjourn today's meeting by Gary Paape. Second by Tom Rondenne. All in favor. Motion carried. Meeting adjourned at 9:45 AM.

Respectfully submitted:


Jenny Salentine, Recording Secretary

Highway/Landfill Committee Minutes

August 18, 2016

The Highway Committee meeting was called to order at 8:00 AM by Chairman Larry Kirchman. Members present included: Larry Kirchman, Gary Faape, Tom Romdenne, John Mastalir, and Pat Benes. Also present was Highway Commissioner Todd Every, Patrol Superintendent Joe Dax, Office Manager Mary Meyer and Recording Secretary Jenny Salentine.

Adoption of Agenda & Approval of Minutes: John Mastalir made a motion to adopt today's Agenda and approve the August 4th Highway Committee minutes. Second by Tom Romdenne. Motion carried unanimously.

Public Comments: None

Reports:

Patrol Superintendent Joe Dax had the following to report:

- ❖ We have been working extensively on the CTH "D" project for the past 2 weeks
- ❖ We have been ditch mowing in the Towns of Casco & Franklin, this is their 2nd cut
- ❖ We will be ditch mowing "fence to fence" on County Roads as time & man-power allows
- ❖ Monday the crew will be finishing the details of the CTH "H" Bridge, we will begin paving the approaches and wedging on CTH "H"
- ❖ Upcoming Work: The surface mat on CTH "K" is next on our paving list
- ❖ 3 of our LTE's (limited term employees) have been helping w/ the paving crew

Office Manager Mary Meyer had the following to report:

- ❖ Employment Update:
 - We had received 10 applications for the .5 FTE Account Clerk II position
 - 4 candidates were selected for testing, 2 of those candidates declined
 - The 2 candidates completed the required testing & will be interviewed this afternoon
- ❖ Hand-outs:
 - Roads and Bridges Budget Report (January 1 thru July 23, 2016)

Commissioner Todd Every had the following to report:

- ❖ Highway:
 - ✓ The Preliminary Draft Roads & Bridges Budget for 2017 will be presented at our next Committee Mtg
 - ✓ Commissioner Every has been working with Mary Meyer, Office Manager and Paul Kunesh, Finance Director in creating a draft budget for the Internal Service Fund
 - ✓ Commissioner Every invited committee members to take a look at the updated County Highway's Assoc. Website
 - ✓ The next 4 items have been listed on the WI Surplus Online Auction Site. They include: #68 Scraper, #96 Tractor, #99 Shoulder Maintainer Grader, & #154 Small Asphalt Roller
- ❖ Solid Waste:
 - ✓ Hand-Outs:
 1. Account Aging Report – Receivables, as of 8/3/2016
 - ✓ The WI-DNR has notified Kewaunee County Solid Waste it needs to have a Storm-water Permit for the landfill. Ayres Associates will be assisting with the permit application and permit requirement to obtain the permit.

Committee Member Gary Faape asked about this "Town Hall" Style meeting state wide in all 72 counties related to the next WISDOT budget and the topic of transportation related revenues in the state. Commissioner Every will be the point of contact for Kewaunee County. More to come on this topic.

Mr. Benes discussed an email he received from resident William Iwen with concerns about culvert pipes at CTH "KK" & 12th Rd. Commissioner Every had reviewed the area and the cross drain pipe is a Town of Pierce culvert.

Discuss Village of Luxemburg Main Street Project Request: Commissioner Every gave the following status update since our previous committee meeting. Bids for the project were received by the Village. Using the bid process, Robert E. Lee & Assoc. had broken down the costs per square yard for the County Highway portion of the project (center 22' of pavement). This included milling 3" of asphalt and paving 3" of new asphalt. Using the bid prices, estimated costs for the county highway is approximately \$107,000.00. Commissioner Every's estimate for the work was less than the

estimate using the contractor pricing. Therefore, Commissioner Every along w/ Administrator Scott Feldt & County Board Chairman Bob Weidner have met with representatives from the Village to discuss the difference in dollar amounts and to come to a compromise. We are waiting for the village to respond. No further action taken.

Discuss 2017 Solid Waste Budget and Fee Schedule: Copies of the Preliminary Draft Solid Waste Budget was provided for all committee members. A copy of our current 2016 Solid Waste Fee Schedule was also provided to all committee members. Discussion on the budget & existing fees followed. The committee is considering increasing the fee schedule to be effective January 1st, 2017. Committee Member John Mastalir suggested the Committee considers adding a fee for yard waste, we currently do not charge anything. A motion to approve the Preliminary Solid Waste Budget for 2017 was made by John Mastalir, second by Gary Paape. All in favor. Motion carried unanimously.

Project Tour: Commissioner Every and the Committee took a project tour. Project areas visited included:

- Landfill borrow pit reclamation
- CTH H bridge deck replacement
- CTH S – Dyckesville
- CTH X – pavement issues in swamp east of Duvall
- CTH D paving project

Approve & Sign Vouchers: Highway Vouchers paid by check: \$8,669.21. Highway Vouchers paid by credit card: \$6,149.36. Solid Waste Vouchers paid by check: \$1,716.74. Solid Waste Vouchers paid by credit card: \$104.07. Motion to approve vouchers as presented made by Tom Romdenne. Second by Pat Benes. All in favor. Motion carried unanimously.

Approve Travel Requests: None

Any other business as allowed by law:

Future Agenda Items to include:

- ❖ Hunting on County Property (ie: County Pits, Mines, Etc.)
- ❖ Work by private contractors within county right-of-way.
- ❖ County S Bridge in Algoma

Next Meeting Dates:

- ❖ Thursday, September 1st @ 8:45 AM
- ❖ Thursday, September 22nd @ 8:45 AM
- ❖ Thursday, October 6th @ 8:45 AM
- ❖ Wednesday, October 19th @ 8:45 AM

Adjournment: Motion made to adjourn today's meeting by John Mastalir. Second by Tom Romdenne. All in favor. Motion carried. Meeting adjourned at 12:25 PM.

Respectfully submitted:


Jenny Salentine, Recording Secretary

Regular Board of Health Minutes September 12, 2016

The monthly meeting of the Board of Health was called to order at Noon at the Public Health & Human Services Building on Monday, September 12, 2016 by Chairperson Gary Paape.

Members present were: Gary Paape, Kaye Shillin, Kathy Janosky, Cindy Kinnard, Shirley Kirchman, Linda Teske, Douglas Doell, Julie Janicsek, and Donna Thomas.

Members excused: Dr. Kurt Kurowski.

Public present were: None.

A motion was made by Linda Teske and seconded by Kathy Janosky to approve the agenda as mailed. The motion carried.

No citizen input.

A motion was made by Julie Janicsek and seconded by Kaye Shillin to approve the August 8, 2016 minutes as mailed. The motion carried.

August Monthly Report was given by Cindy Kinnard. WIC numbers increased slightly but numbers continue to drop state-wide. New outreach has been discussed to increase awareness to Kewaunee County residents. Communicable Diseases are high for the month of August due to mostly GI illnesses. Immunization numbers increased due to school starting and college students. Question about the August 16, 2016 table top exercise and Cindy indicated that area agencies attended a large group meeting to discuss how to handle an ammonia spill or similar situation at Agropur. There being no further questions from the Board, a motion was made by Kathy Janosky and seconded by Kaye Shillin to approve the August Monthly Report as presented. The motion carried.

Cindy updated the Board regarding the recent well contaminations. On August 12, 2016, 15 letters were sent out to residents that lived within a ½ mile radius of a well that tested positive for e.coli. It was found by the DNR that the e.coli positive well was not up to code and that their septic tank was failing. Cindy further advised that a press conference was held at our building on Wednesday, September 7, 2016 concerning Peninsula Pride Farms and their program to help local residents with bacterial contamination well issues. Attached is a handout given out at the press conference and that will be available locally to individuals explaining the program.

Cindy Kinnard updated the Board as to diseases in the County/area. Cindy indicated that the Zika virus is a mosquito born virus and there are a few cases reported in Wisconsin but came from people who traveled to the Caribbean. Kewaunee County currently has no cases but travel advisories have been set for anyone traveling to Florida. Lyme Disease cases have quieted down for the month of August. Cindy further reported that the influenza vaccine has been delivered and we will be starting clinics as of October 1, 2016. We are able to bill Medicare Part B or individuals can pay \$30.00 per shot. Cindy further advised the Board that the nasal flu has been removed as it was found to be only 3% effective last year.

Comments from Dr. Kurowski: None.

Travel request(s): Three travel requests were reviewed (1) October 25, 2016 for Cynthia Farrell and Marcia Dorner to attend a Fit Families Training Seminar in Wausau; (2) September 29, 2016 for Cynthia Farrell to attend a State Prenatal Care Coordination Conference in Stevens Point; (3) October 20, 2016 for Cindy Kinnard and Cynthia Farrell to attend a Statewide Lead Poisoning Conference in Waupaca; (4) Cindy Kinnard to attend the third and final New Health Officer training in Madison on November 17 and 18. A motion was made by Kaye Shillin and seconded by Shirley Kirchman to approve the travel as requested. Motion carried.

A motion was made by Douglas Doell and seconded by Donna Thomas to approve the monthly bills. The motion carried.

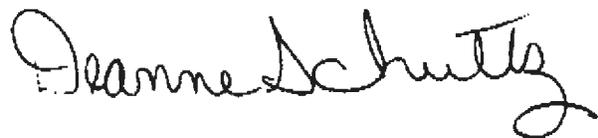
No overtime to report.

The next meeting dates were scheduled on October 17, 2016 at Noon and Tuesday, November 15, 2016 at Noon.

Other items as authorized by law: Cindy Kinnard advised the Board that the Back to School Program was held on August 17, 2016 at Lakehaven Hall. The Program helped 143 families and 320 children be ready for the first day of school. We received donations in excess of \$4,000 and over 4,400 supplies were donated this year.

A motion was made by Kathy Janosky and seconded by Donna Thomas to adjourn the meeting. The meeting was adjourned at 12:50 pm. The motion was carried.

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read "Jeanne Schuttz". The signature is written in black ink and is positioned below the typed name "Jeanne Schuttz".

Water Well: How it works

Follow these steps to get clean drinking water in Kewaunee County

1. If you think your water may be contaminated with E. coli bacteria, get your well water tested.

To arrange for testing:

- New, first-time mothers will be contacted by the County Health Department and offered a chance to have their well water tested for free.
- Homeowners can obtain a test kit from the Health Department, Land & Water Conservation Department, or private companies.

2. Report test results to the Health Department or the Land & Water Conservation Department:

- Results of free, paid or private tests are reported to the homeowner.
- To be eligible for "Water Well" assistance, testing must be completed by a certified laboratory.*
- Homeowners should report a positive E. coli result to the Health Department or Land & Water Conservation Department.
- Only those who report results will be eligible for the "Water Well" assistance.
- It is up to the homeowner to decide whether to forward the report to the County Health or Land and Water departments, or the Wisconsin Department of Natural Resources (DNR)

* The laboratory must be certified under Ch. ATCP 77 Wis. Adm. Code.

3. When the Health Department or Land & Water Conservation Department receives a report and test results from a private residence in the county indicating it is contaminated with E. coli:

- The Health Department or Land & Water Conservation Department will notify the owner and provide information so the owner can contact DNR. The county agency accepting the intake call will notify other county agencies per the Kewaunee County Well Contamination Event Protocol. The county protocol will be initiated.
- The Health Department or Land & Water Conservation Department will:
 - Advise the homeowner not to drink the water.
 - Advise the homeowner to contact the DNR to report the contamination.
 - Provide information needed for the homeowner to contact Peninsula Pride Farms to arrange home delivery of safe water as soon as possible.

HOMEOWNER RESPONSIBILITIES

Testing: Homeowners must have their water tested for E. coli.

Reporting: If the test for E. coli is positive, they must report results to the Health Department or Land & Water Conservation Department. To be eligible for the Water Well program, homeowners also must report results to the DNR.

Soft water: To operate, the water treatment system requires "soft water" – water without an appreciable quantity of dissolved minerals, such as iron. The homeowner may be required to install a water softener at their own expense if they have "hard water" and do not already have a properly functioning softener.

- Peninsula Pride Farms will not be responsible for treating hard water.

Partial system cost: Homeowners pay 50% (estimated at \$750) of the water treatment system cost.

Extended service costs: Homeowners assume service costs after 12 months.

Well replacement: If an inspection reveals that the well is damaged or broken, the homeowner may be encouraged to replace it at their own expense.



**PENINSULA
PRIDE FARMS**

4. Regardless of the suspected source of the E. coli, from agriculture or non-agriculture sources, Peninsula Pride Farms will:

- Arrange to have Culligan deliver water to the residence.
- Pay for water delivery service for up to three months or until any well defects are corrected. Peninsula Pride Farms will be invoiced directly for the bottled water service.
- Contact Champion Pump to arrange for a complete well inspection paid for by Peninsula Pride Farms.

5. Champion Pump will inspect the well and send the inspection report to the homeowner/landowner, and the Land & Water Department.

- If the well is broken (cracked casing, broken well cap, etc.), Champion Pump will notify the owner, so the owner can repair any defects at their own expense.
- They will not be eligible for further assistance from Peninsula Pride Farms if the problem is fixed.
- Some homeowners may be eligible for needs-based financial assistance from the DNR to replace their wells
- If the well is not broken and the homeowner wishes to apply for a water treatment system, Champion Pump will contact the DNR.

6. The DNR will review the request for a residential water treatment system and evaluate it based on applicable statutes and administrative codes.

- The DNR may conduct its own inspection and investigation of the source of E. coli.
- Upon approval for water treatment, the DNR will notify the homeowner. Upon request from the homeowner, Peninsula Pride Farms will be notified and will arrange for installation of a Viqua VH410 in-home ultraviolet ("UV") water treatment system, to be professionally installed by a Culligan representative.
- The water treatment system will be installed by Culligan. For the water system, Peninsula Pride Farms will pay for:
 - Installation costs: a maximum of \$1,000, including a pre-filter. (Estimated costs are \$700-\$800).
 - Treatment system cost: One half of the cost of the Viqua VH410 water treatment system. (Estimated total cost is approximately \$1,495. The homeowner will be required to pay half.)
 - The first 12 months of Culligan service: Up to \$200 in service costs, including any necessary lamp replacement (estimated at \$180). The homeowner will assume ongoing costs after 12 months.
 - Removal of the treatment system: If the homeowner does not want to keep the treatment system or pay for any necessary Culligan service after one year, Peninsula Pride Farms will pay for its removal and will pay for the homeowner's half of the system cost.
 - The Peninsula Pride Farms Water Well program does not include well replacement. If the well does not receive DNR approval for water treatment, homeowners may elect to replace the well at their own expense. Some homeowners may be eligible for needs-based financial assistance from the DNR to replace their wells.

FOR MORE INFORMATION

Kewaunee County Health Department
810 Lincoln St.
Kewaunee, WI 54216
Phone: 920-388-7160
Website: <http://www.co.kewaunee.wi.gov>

Kewaunee County Land & Water Conservation Department
625 Third Street
Luxemburg, WI 54217
Phone: 920-845-9700
Website: <http://www.co.kewaunee.wi.gov>



**PENINSULA
PRIDE FARMS**

CHILD SUPPORT COMMITTEE MEETING

September 12, 2016

PUBLIC HEALTH AND HUMAN SERVICES CENTER

The meeting of the Child Support Committee was called to order by Chairperson Gary Paape on September 12, 2016 at 12:55 P.M. Members present included: Gary Paape, Kaye Shillin, Linda Teske, Donna Thomas, Doug Doell, and Cindy Kudick, Child Support Coordinator.

A motion was made by Kaye Shillin and seconded by Doug Doell, to approve the agenda. The motion carried.

A motion was made by Kaye Shillin and seconded by Doug Doell, to approve the July, 2016 minutes. The motion carried.

Cindy Kudick reported the monthly stats for the month of August. The collections for the month were \$161,034.34 with a collection rate of 87.76%. Ms. Kudick reported that total Family Cases filed are 62 and the Paternity Cases are 6 as of this date.

A motion was made by Donna Thomas and seconded by Doug Doell to approve the monthly reports. The motion carried.

The committee reviewed the rules and responsibilities of the Child Support Committee. Gary Paape highlighted changes and presented to committee the changes he will be submitting.

Discussion was held regarding the purchasing of new computers in the Child Support Agency.

It was noted that Cindy Kudick will submit to each member a copy of her 2017 budget for their review.

A motion was made by Linda Teske, and seconded by Donna Thomas to approve the bills. The motion carried.

There are no travel requests or overtime to report.

The next meetings set will be October 17, 2016 and November 15, 2016 at noon at the Health and Human Services Center.

A motion was made to adjourn the meeting at 1:16 P.M. by Kaye Shillin and seconded by Doug Doell and approved by all.

Respectfully submitted



VETERANS SERVICE COMMITTEE MEETING

September 12, 2016

KEWAUNEE COUNTY PUBLIC HEALTH AND HUMAN SERVICES CENTER

Call to Order:

The meeting was called to order at 1:20 p.m. by Chairman Gary Paape.

Roll Call:

Members present were Chairman Gary Paape, Doug Doell, Kaye Shillin, Linda Teske, Donna Thomas and Administrative Assistant Tara LaCrosse for CVSOS Jane Babcock.

Approval of Agenda:

A brief discussion was held that the Veterans Department budget needs to be presented to the committee prior to being submitted. Chairman Paape requested that CVSOS Jane Babcock submit the budget to all committee members as soon as possible.

A motion was made by Donna Thomas and seconded by Doug Doell to approve the agenda. The motion carried.

Approval of August's Meeting Minutes:

A motion was made by Linda Teske and seconded by Donna Thomas to approve the minutes. The motion carried.

Approval of Bills:

A motion was made by Doug Doell and seconded by Kaye Shillin to approve the bills as presented. The motion carried.

Department Operations:

A brief discussion was held on the monthly award spreadsheet and office activity for the last month.

Tara informed the committee of the training day that the Veterans Office is hosting on September 29, 2016 from 9:00 am to 11:00 am and 1:00 pm to 3:00 pm in the Large Human Services Conference Room. Chairman Paape requested a copy of the letter that was mailed out to the community so he can present it to the County Board. Linda requested a second copy be sent to her for the church she represents as she didn't recall receiving the letter. Currently there are 15 attendees for the morning session and 9 for the afternoon session. About 55 invites were mailed out.

A brief discussion was also held as to what is done in the office when a veteran passes away.

Travel Requests:

From October 3 – October 7, 2016 the Fall WICVSO Conference will be held in Green Lake.

On October 11, 2016 there will be a meeting at the Green Bay VA Clinic for CVSO's to provide feedback to VA Leadership in regards to the VA Clinics/Hospitals. The new Administrative Director will also be there.

A motion was made by Donna Thomas and seconded by Kaye Shillin to approve the travel requests as presented. The motion carried.

Overtime:

None

Such Other Matters as Authorized by Law:

None

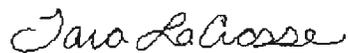
Next Meeting Dates:

Next meetings scheduled for October 17, 2016 and November 15, 2016 at 12:00 p.m. at Kewaunee County Public Health and Human Services Center

Adjournment:

A motion to adjourn was made by Donna Thomas, and seconded by Doug Doell. The motion carried and the meeting adjourned at 1:42 p.m.

Respectfully Submitted,



Tara LaCrosse
Administrative Assistant/Recording Secretary

Agriculture & Extension Education Committee Meeting
September 7, 2016
3:00 P.M.
Kewaunee County Administration Center
Committee Room

Minutes

1. Call to Order – Meeting called to order at 3:00 PM by Chair Tom Romdenne.
2. Roll Call – Ron Paider, Tom Romdenne, Gary Paape, Chuck Wagner, Jill Jorgensen, Aerica Bjurstrom, Claire Thompson
3. Approval of Agenda and August meeting minutes – Motion to approve made by Gary Paape, seconded by Ron Paider. Motion approved.
4. Citizen Input - none
5. Educators Reports – Written reports presented. Claire brought the closing of the Farm Market Kitchen to the committee's attention. She has been working with the Farm Market Kitchen to sell the business.
6. Review and Approve 2017 Budget – A budget was presented to the committee with cuts to the Foghorn newsletter, research station, printing, postage, support fees, and educational materials. A motion was made by Gary Paape to approve the 2016 Adopted Budget expenses with no cuts to office expenditures, seconded by Chuck Wagner. The committee then had discussion and Gary Paape made a friendly amendment to approve the \$500 cut to support fees and \$50 cut to educational materials, and proposing a budget of \$294,637.56. Seconded by Chuck Wagner. Motion approved.
7. Review list of office items to be discarded/donated per county policy – The UW-Extension Office presented a list of obsolete items (see attached) to the committee for dispersal. The office will go through the appropriate routes of office item dispersal per the county's policies. Motion to approve dispersal of items made by Chuck Wagner, seconded by Ron Paider. Motion approved.
8. Joint Kewaunee Door Meeting - September 8 – Reminder the joint meeting begins at 1 PM at the fairgrounds in the 4-H Room followed by the farm tour at Junion Homestead Dairy.
9. Overtime - none
10. Approval – Travel - none
11. Approval – Bills. Motion to approve the bills made by Chuck Wagner, seconded by Gary Paape. Motion approved
12. Set/Confirm Future Committee Meeting Dates
October 5, 3 PM
November 2, 3 PM
13. Adjourn – Motion to adjourn made by Ron Paider, seconded by Chuck Wagner. Meeting adjourned at 4:19 PM.

Attachment: UW-Extension Office Dispersal Items

Respectfully Submitted,

 9/7/16
Aerica Bjurstrom

UW-Extension Dispersal Items

9/7/16

Items in storage closet

Plastic literature racks – 9 of them

Small wooden podium

Heavy metal stand with four legs

Overhead projector

Monitor/TV

Color printer – non-functional

Four color printer cartridges (new, for non-functional printer)

Technology

Small monitor

Yashica camera - needs film

Cassette tape recorder – 2

Laptop HP CRVSA-02T1-90 (Purchased in 2005)

Aerica Bjurstrom
Agriculture Agent
Prepared for September 7, 2016

Farm Technology Days – Farm Technology Days committees are now meeting monthly and I attend as many meetings as I can. I participated in the Algoma Shanty Days parade for FTD and handed out informational material to parade goers. The Education Committee consists of Extension Agents from northeast Wisconsin and state specialists in Madison. The committee developed a plan to focus on precision agriculture focusing on conservation. The committee also plans to plant cover crops. I staked out the field with an agronomist and two Extension agents to plan where the crops will be planted this fall. All committees will begin meeting monthly starting in January through the show.

Beef Cow/Calf Meetings – As a member of the Beef Team, I am responsible for planning and carrying out beef cow/calf meetings during the summer months. This year I planned fall meetings focusing on direct marketing beef off the farm. Speakers will feature a presentation on a marketing plan for selling beef off the farm. The local host agent will present that program and I lined up Department of Ag, Trade and Consumer Protection representatives to present on inspection laws and farm sale laws. The meetings will be held in seven locations around Wisconsin between September 6 and September 23.

Farm Management Meetings - Met with two farms in August for Farm Management meetings. These farms have been making changes in management practices to improve cow comfort, resulting in more milk production and less feet and leg problems. I am working with two additional farms on forage harvest options to ensure they have a plan in place to harvest quality forage to keep milk production consistent.

Digital Dermatitis (DD) Project – Collected data from three farms for the DD project I'm conducting. Digital Dermatitis is a costly disease that causes lameness and hoof health issues in cows and heifers. It is spread through wet manure and mud and can be controlled through a variety of management practices such as foot baths and keeping cow walking/standing surfaces clean as possible. While DD is not curable once a cow contracts it, it can be controlled and managed. Data collection should be concluded in September and I will be writing a series of articles and presentations based off the data collected.

EOC Disaster Response – Participated in a training/overview of disaster response in Kewaunee County. As part of the agriculture team, I would work with the Farm Service Agency to assess damage regarding crops, livestock, and farm buildings.

Kewaunee County 4-H Youth Development Extension Update

Jill Jorgensen, 4-H Youth Development Agent

September 7, 2016

Teen Association Teaching at Local Day Care: In August, I worked with the 4-H Teen Association to create two pilot activity lessons for a local day care. To prepare, the teens considered the age and skill level of the children and created activities that the teens would feel comfortable teaching and the kids would find interesting. The first session focused on animals and the teens read a story, brought in small animals to teach about, and made related crafts with the kids. Between the sessions I met with the teens to help them reflect on what happened in the first session, think through changes they wanted to make, and prepare for the second session. The second session featured hands-on science fun and focused on chemical reactions and changing substances. This was a great teaching opportunity and provided an opportunity to work on life skills like teaching to a specific age level, planning & organizing, communication, and adaptability. The day care students had fun at the sessions and asked when we were coming again. This was a great pilot and an ongoing project we are considering continuing into the school year.

WI State 4-H Horse Association Meeting: I am the advisor for the Youth WI State 4-H Horse Association. 4-H Horse project youth members from throughout the state are invited to attend the meeting. In addition, youth from throughout the state are selected by their county and district to be the representatives to the state association and board members. I met with the youth members at their summer meeting to discuss upcoming state shows, fundraisers, community service, bylaws, and events for the year. Kewaunee County is actively involved on the State Horse Association level with both older youth members and adults. Two teen horse project members currently serve as district and state youth directors on the State Youth Association.

State Fair: Kewaunee County had an outstanding representation of youth exhibits at the 2016 State Fair. Kewaunee County had 35 youth exhibiting in five different animal areas. Many of the youth in the animal categories earned blue and red ribbons. In addition, youth earned numerous best of breed, best of show, and top showmanship awards in their species. These youth do an outstanding job each year educating fair goers about animal project areas, setting a positive example for others, and taking exemplary care of their animals. Often, fair goers have not been exposed to these types of animals and agriculture. The youth exhibitors are able to provide them with information about their animals and answer any questions they may have.

In addition, 15 non-animal projects were exhibited at State Fair. The 15 projects were chosen from all of the Best of Show exhibits at the Kewaunee County Fair to go on to competition and be displayed among Best of Show projects from throughout the state. Three projects were awarded additional merit awards at State Fair.

Back-to-school store program: This program provides the necessary school supplies to Kewaunee County youth that lack the resources to attain the needed items. In addition, there are other community groups and county programs at the program that provides items such as such and information of dental care and healthy snacks. One of the main reasons for becoming involved with the program was the Kewaunee 4-H Teen Association saw this as a place where they could lend their hands to greater service to their community. The teens know how important it is for all students to start the school year with the same necessary supplies as their classmates. Therefore, the teens donated their time to help work at the distribution day and the event takedown. This was a great opportunity for the teens to help with event that encourages members to pause and consider the county from a broader perspective and the needs of our communities.

Re-Enrollments: We are working with the 4-H club to re-enroll 4-H members for 2017. Families will continue to enroll online through the 4-H Online Enrollment system. This allows families to have easier access to their information to readily make any needed changes. We work with members and leaders to be successful in completing their enrollments and provide meetings as necessary to make sure everyone can enroll.

Re-enrolling members will need to be enrolled by October 31st to be able to show at the 2017 Kewaunee County Fair. New members are able to enroll throughout the year. However, new members need to enroll by February 1st, 2017 to be eligible to show at the 2017 Kewaunee County Fair.

Upcoming Events:

4-H Fall Fest Open House: Preparations are being made for the annual 4-H Open House. The committee is meeting to prepare brochures, fliers, and letters to send to clubs and community members. The open house will be held on October 8, 2016 beginning at 1:00pm at the Kewaunee County Fairgrounds in Luxemburg. This is an opportunity for anyone who is interested in learning about 4-H to meet different clubs and their leaders, learn about different projects, make small projects, and find out more about the 4-H organization as a whole.



University of Wisconsin, U.S. Department of Agriculture and Wisconsin counties cooperating. UW-Extension provides equal opportunities in employment and programming including Title IX and ADA.

Renee Koenig, Family Living Educator, UW-Extension Kewaunee County

Activities report for September 7, 2016

Aging Adults and Caregivers –I am continuing to work on local and statewide workgroups involved in creating aging-friendly communities including dementia awareness, caregiver support groups and educational workshops. Several classes for caregivers are being offered this fall.

Nutrition and Physical Activity - My responsibilities to promote health include teaching Strong Bones classes, participating in the Algoma Live Well initiatives, partnering with both the public health department and ADRC, and I also co-teach Spanish speaking families with UW-Extension's WNEP nutrition educator, Imelda Delchambre.

Farm Technology Days- I continue to work with the Family Living Tent committee to plan the 2017 show. Please feel free to share your ideas with me about the Family Living Tent's educational exhibits and stage performances, mercantile vendors, and opening ceremony.

Divorcing and Separating Parents – I am continuing to teach classes called, "Parents Forever" for divorcing and separated parents. I am working with a statewide team to research the impact of supplemental education delivered to co-parents in the form of text messages.

Back to School Supplies Program–I helped with the Back to School Supplies program again this year. I am involved with Literacy Partners to promote dental health to children and families at the event. I also help collect supplies and donations by connecting area organizations. More than 300 students received supplies this year.

Preparing Children to Stay Home Alone –I had a display at the Back to School program to inform parents about the Home Alone program. The Home Alone program helps parents prepare their children for self-care. I helped develop an online video based curriculum with UW-Extension colleagues in Calumet and Manitowoc counties. I will be presenting at the National Extension Association of Family and Consumer Sciences conference in Big Sky, Montana in September.

Family Routines – To help families prepare for the transition back-to-school after the summer break, I developed literature including tips on morning and bedtime routines. This information was shared in several media outlets including the Door County Daily News.

Trauma Informed Parenting – I am working with the human services department to plan a series of parenting classes starting in October. The training is part of Wisconsin's comprehensive approach to address the needs of children, families and their communities.

Home and Community Education – The Kewaunee County Association for Home and Community Education, Inc. (HCE) held an Executive Board meeting in August as well as an educational program, community events, and a summer fundraiser. My ongoing role with the HCE is advisor and liaison to the University.

Kewaunee County Agriculture and Extension Committee
Activities Report for August, 2016
Claire Thompson, Community Development Educator
Kewaunee County Cooperative Extension

Economic and Organizational Development:

- Continued research and facilitation for Kewaunee County Sheriff's Department Fit for Duty initiative; continued planning to implement the program beginning Sept 1st.
- Provided business planning education to two entrepreneurs in Kewaunee County. Facilitation and planning assistance to the Kewaunee County Economic Development Organization Business and Education Summit.
- Education, facilitation and process assistance for the LIVE Well Algoma Community Initiative.

Local Food System Economy:

- Continued facilitation and supervisory support to the Healthy Lunchroom initiative in Algoma as part of the Farm to School Initiative in place of Nutrition Coordinator position which was not re-hired.
- Continued education and organizational support to Living Lakes Heritage and the Farm Market Kitchen with wind-up process. Continued to assist processors with finding a new location. Thompson has been liaising between FMK processors and NWTC to ensure a smooth transition for businesses affected by the closing.
- Provided food business consultations to four entrepreneurs affected by the closing of the Farm Market Kitchen.

Other:

- Participation in UWEX CRD Standards, Rank and Promotion Committee.
- Participated in Tenure Advisory Committee mentoring sessions for two UWEX CNRED faculty members.

Zoning Committee Meeting
Kewaunee County Administration Committee Room
September 7, 2016
Minutes

Call to Order:

Chairman Tom Romdenne called the meeting to order at 4:21 P.M.

Roll Call:

Members included: Tom Romdenne, Gary Paape, Ron Paider, Chuck Wagner, and Glenn Selner, Kewaunee County Zoning Administrator.

Approval of Agenda:

A motion was made by Gary Paape and seconded by Chuck Wagner to approve the agenda.
Motion carried.

Approval of Minutes:

A motion was made by Gary Paape and seconded by Chuck Wagner to approve the minutes.
Motion carried.

Department Report:

Glenn Selner and the committee started to review the Zoning and Sanitary Fee Schedule for 2017. The committee recessed at 4:29 P.M. to attend the Kewaunee County Shoreland Zoning public hearing scheduled to start at 4:30 P.M. Meeting resumed at 4:58 P.M. Further discussion took place on the Zoning and Sanitary Fee Schedule for 2017. A motion was made by Chuck Wagner and seconded by Ron Paider to increase several of the zoning and sanitary fees which will take effect on January 1, 2017. Motion carried.

Glenn Selner and the committee reviewed the proposed 2017 Zoning Budget. A motion was made by Ron Paider and seconded by Gary Paape to recommend to the County Board the proposed 2017 Zoning Budget as presented. Motion carried.

Glenn discussed a recent Board of Adjustment variance hearing that was held in August for Brian & Reyne Peters. The variance was approved.

Glenn requested to attend the WCCA Fall Conference in October. A motion was made by Ron Paider and seconded by Gary Paape to approve Glenn's travel request. Motion carried.

Next Meeting Dates:

October 5, 2016 and November 2, 2016 at 3:45 P.M. Kewaunee County Administration Committee room.

Adjournment:

A motion was made by Ron Paider and seconded by Gary Paape to adjourn. Motion carried.
Meeting adjourned at 5:32 P.M.

Respectfully submitted:

Andrea Schmidt, Recording Secretary

Andrea Schmidt

Kewaunee County Board of Adjustment Minutes

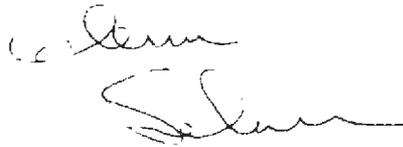
A meeting of the Kewaunee County Board of Adjustment was held on Monday, August 29, 2016 at 9:30 A.M. to view the site of Brian & Reyne Peters, Red River Township.

Board members present were Randy Hallet, Hub Jauquet, Ken Papham, Eric Corroy, Gary Ledvina, and Glenn Selner, Kewaunee County Zoning Administrator.

Brian & Reyne Peters On-Site Meeting

The meeting was held so the committee could view the site before the public hearing.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Glenn Selner".

Glenn Selner, Acting Secretary

Kewaunee County Board of Adjustment Minutes

A meeting of the Kewaunee County Board of Adjustment was held on Wednesday, August 31, 2016 at 7:00 P.M. to hear the variance appeal of Brian and Reyne Peters, Red River Township.

Board members present were Randy Hallet, Hub Jauquet, Ken Paplham, Eric Corroy, Gary Ledvina, and Glenn Selner, Kewaunee County Zoning Administrator.

Brian Peters Hearing

Present: Brian & Reyne Peters

Chairman Randy Hallet opened the hearing at 7:09 P.M. and informed the attendants of the Board's authority and rules of the hearing.

Glenn Selner read the public hearing notice. Glenn stated he sent notices to 14 neighboring property owners, the Town of Red River, and the Department of Natural Resources.

Glenn explained Brian Peters recently purchased this property and wants to construct a 16 foot addition to his garage. The new addition would be 40'6" from the center line of the town road and 6'11" from the lot line. The Kewaunee County Shoreland Zoning Ordinance requires a 63 foot setback from the center line of a town road and a minimum lot line setback of 8 feet.

Brian Peters stated there is no basement or crawl space in the house. They also have 2 children that drive so they need extra storage space and additional garage space. The garage addition would be the same width as the existing garage, just extended out 16 feet. The previous owner added some interior rooms and removed some of the existing garage storage space that they need.

Glenn Selner stated there was a previous Board of Adjustment hearing for this property in 1991 where a variance was given to the owner to construct a building 46 feet from the center line and 6 feet from the lot line. The owner never fully used the variance as he built 8 feet from the lot line and 56 feet from the center line of the road.

Eric Corroy questioned the actual location of the town road and the survey shows the center line of the road should actually be 4 feet closer to the house.

A lot of discussion was about using the present location and center line of the town road or whether to use the survey to determine the proper setback. Also a concern was the available driveway parking area that was left for cars.

After much debate, a motion was made by Hub Jauquet and seconded by Ken Paplham to approve the variance to construct a garage addition 40'6" from the center line of the present road location. The vote was 4-1 with Eric Corroy voting against the approval.

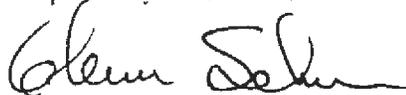
The following condition was attached:

1. The owner has to create an additional 10 feet of parking area on his driveway so vehicles won't park close to the edge of the road.

The hearing adjourned at 8:12 P.M.

Following the hearing, the Board of Adjustment held an informal organizational meeting to elect a secretary to replace Lyle Schmiling who passed away about 1 month ago. Hub Jauquet nominated Eric Corroy, seconded by Ken Paplham, to be secretary of the Board of Adjustment. The vote was unanimous.

Respectfully submitted,



Glenn Selner, Acting Secretary

Kewaunee County Land and Water Conservation Regularly Scheduled Committee Meeting
Kewaunee County Fairgrounds Office September 13 2016 9:00 AM
Minutes

1) Call to Order: Meeting called to order at 9:00 AM by Chairman John Pagel

2) Roll Call: Committee Members present: John Pagel, Ron Paider, Lee Luft, Charles Wagner, & Clark Riemer

LWCD Staff present: County Conservationist, Davina Bonness; Kewaunee County Board Members Gary Paape, Donna Thomas, Mary Ellen Dobbins, Larry Kirchman, and County Board Chairman Robert Weidner; & Joe Johnson from the NRCS

3) Approval/Repair of Agenda: Motion to approve the September 13th agenda was made by Chuck Wagner and seconded by Ron Paider. Committee vote was unanimous in favor of the motion.

4) Approval/Repair of Meeting Minutes: Motion to approve the August 9th, 2016 meeting minutes was made by Ron Paider and seconded by Chuck Wagner. Committee vote was unanimous in favor of the motion.

5) Public Comments regarding the regularly scheduled Land and Water Conservation Meeting:

There were 8 public comments that discussed AgroPur chloride discharges, Peninsula Pride Farms "water well" program, Chapter 23, banning spray irrigation, membership of Peninsula Pride farms, and encouraging LCC members to pass the Resolution regarding the East Twin River.

6) Department Reports:

a) *Animal Waste Storage Permits:*

- i) *Cornette Dairy: \$2500 for a new (approximately 6 million gallon) earthen manure storage*
- ii) *SMJ Arabians -- \$1000 for a 3 month stacking pad for the ordinance*

b) *Farmland Preservation/Standards and Prohibitions Walkovers:*

Twenty total walkovers have been completed since the last update. Of those, eighteen were in Full Compliance and two are in Compliance Schedules. These two were given schedules based on waterways that have been worked through or are showing signs of erosion.

c) *Conservation Plans for Approval: Christopher Wotachek*

d) *Notice of Non-Compliance Updates:* Two (2) NONC were issued for 2 landowners regarding insufficient Nutrient Management Plans.

e) *Public Health & Groundwater Protection Ordinance*

Agamaite stacking location:

Davina Bonness handed out 1 variance requests for spreading and/or stacking locations. The committee discussed each variance. All maps and descriptions will be kept at the Land & Water Conservation Department.

1. Motion to approve Agamaite's Public Health & Groundwater Ordinance Stacking Variance Request was made by Lee Luft and seconded by Chuck Wagner. Committee vote was unanimous in favor of the motion.

7) Cooperating Agency Reports:

a) **USDA Natural Resources Conservation Service (NRCS):** Joe Johnson explained EQIP deadline was last Friday, additional money was added to the cropland funding source, soil health sign up in spring 2017. CREP buffers and contracts are being worked on, and there is an increase interest in cover crops.

8).Other Matters to Discuss (if needed)

1. Lee Luft handed out "a Resolution requesting the Wisconsin DNR to Immediately Initiate a Water Quality/Aquatic Life survey of the East Twin River and Unnamed Tributaries to the East Twin River in Kewaunee County".

LCC and members of the County Board discussed the Resolution and its content and made decisions regarding language changes.

****County Board Chairman Mr. Weidner and the LCC agreed that after Mr. Luft will make the discussed and approved changes and that Mr. Wisnicky would review the Resolution's final language before going before the LCC for a vote in the October 2016 meeting.**

B. Land & Water Conservation Committee Charter.

The LCC discussed and made one change to the Purpose. Davina will make the changes and send the document to Mr. Wisnicky and Mr. Feldt.

Motion to approve the Land & Water Conservation Committee Charter as amended was made by Chuck Wagner and seconded by Ron Paider. Committee was unanimous in favor of the motion.

C. Review current LWCD Animal Waste Storage Facility Ordinance Fees

The LCC reviewed and discussed the current fee schedule.

A motion was made to keep the current Animal Waste Storage Facility Ordinance fees the same by Chuck Wagner and seconded by Lee Luft. Committee was unanimous in favor of the motion.

9). Scheduling of Future Committee Meetings: October 11th @ 9:00am; November 8th @ 9:00am

10). Approval of Bills: Motion to accept the September 13th bills as presented was made by Lee Luft and seconded by Ron Paider. Committee vote was unanimous in favor of the motion.

11). Chairman's Wrap-Up Comments: No comments

12) Adjournment: A motion to adjourn the meeting at 10:55am was made by Chuck Wagner and seconded by Lee Luft. Motion carried unanimously.

Respectfully submitted by Davina Bonness – Kewaunee County, County Conservationist



**Law Enforcement/ Emergency Management Committee Minutes
September 14, 2016**

The Law Enforcement/Emergency Management Committee meeting was held on September 14, 2016 in the Integrity Meeting Room, at the Kewaunee County Courthouse.

Call to Order: Linda Sinkula called the meeting to order at 3:00 p.m.

Members Present: Linda Sinkula, Pat Benes, County Board Chair; Bob Weidner, Sheriff Matt Joski, Chief Deputy David Cornelius, & EOC Director Tracy Nollenberg, Excused: Scott Jahnke, Chris Rasmussen

Public Comment: No public comment.

Travel/Training Request: The Sheriff's Department requested Lt. Chris VanErem to attend the Jail Administrator's Conference being held on October 12-14 in Wisconsin Dells. This conference has been attended every year in the past by former Jail Administrator, Joe Trembl, and this will be Lt. VanErem's first conference. Pat Benes made the motion to approve this travel request, motion was seconded by Bob Weidner, motion carried.

Emergency Management had no travel requests this month.

Agenda:

Law Enforcement:

- a.) Staffing Update: Sheriff Joski reports that Deputy Austin Lawrence and Deputy Jacob Jandrin are in the midst of their training. They should be completed near the end of November, which is earlier "calendar week" wise, due to the new work schedule in the jail/dispatch. The third person that was hired, will begin training around the first of the year, and he is aware of this timeframe. The deputy involved with the grievance that was mentioned last month, dropped the grievance, and submitted his resignation.
- b.) Monthly Financial Report: Sheriff Joski shared the financial report through the end of July. He pointed out the overtime budget is at 122%, and training is at 108% on the expenditures side, which are mainly due to not being fully staffed in the jail, and having to train so many new people with the departure and retirements of those holding those training positions in the past. Sheriff Joski will be requesting some line item transfers prior to the end of the year for these. Joski also noted on the jail revenue side, the warrant fees are down at this time, mainly due to Judge Mleziva's retirement and the new Judge, Keith Mehn not having done warrants since. This is expected to rise once Judge Mehn is presented with them by the Clerk of Court. A question was asked

about the fees for Translators. It was explained there has been a higher use of their services, as there was one particular large investigation where the investigators had to use the Translators during interviews of a number of people.

- c.) Review of 2017 Proposed Budget: The proposed 2017 budget has been given to Administrator Feldt and Finance Director, Kunesh and changes by them, and approval has been made. Some points Sheriff Joski noted, was the Gas & Fuel line was decreased by \$5,000, mainly due to the drop in fuel prices currently. The budget was lowered in the expenditures for the Evidence storage facility. The sheriff's department will have an energy audit done on this building to determine what can be done to bring the cost to heat the building down. The capital outlay main costs include the squad 5 year rotation, where 2 new Dodge Chargers at \$48,574, and the 8 year rotation for an unmarked squad (this is a used vehicle) at \$17,000 will be purchased. A motion was made by Pat Benes to send the 2017 budget as approved by the law enforcement committee to the County Board, motion was seconded by Bob Weidner. Motion carried.
- d.) Status of 21st Century Policing Initiative: Sheriff Joski shared a print out of an email he received after the recent meeting with representatives from 21st Century. They were pleased with how Kewaunee County Sheriff's Department has already met many of the aspects of the 2 pillars they were focusing on this trip. They are looking to have more "policies" for certain things, but many of them are for issues that large communities struggle with. They will be coming back to Kewaunee County sometime in March of 2017. Committee members shared it was a good experience to meet with them.
- e.) 911 System Update: The transition to the "Next Generation 911" system is still an improvement which needs to be addressed. This situation of the old 911 systems going bad is a real problem. There is a movement being made by WCA to push the Governor to put the "911 Police and Fire" service fees (which are charged on all phone bills), back into a fund to be used for these Next Gen updates, and what it was initially intended for. Kewaunee County has been quoted from Bay Electronics it would cost \$199,000 per 911 (we have had 2 in the past), and Bay Com cost would be \$123,000 per 911. Jason at Bay Electronics has informed Kewaunee County they can service and keep our current 911 system going for now. It is the hopes of WCA to have these monies come back to 911, and the funds could be pro-rated to each 911 area, and allocated accordingly.
- f.) Request Establishment of Eligibility List for Jailer/Dispatch position: Due to the fact the last person on the current eligibility list will start training in January 2017, Sheriff Joski requested to start the process of establishing a new eligibility list. The department has been aggressive in talking with the area trainers at both LTC and NWTC for leads on eligible students in the past, and will continue to keep in contact with these instructors. A motion was made by Bob Weidner for the sheriff's department to create an eligibility list for the jail/dispatch position. Seconded by Pat Benes. Motion carried.

- g.) Sheriff Joski did share a report on the average daily inmate population for the month of August, 2016. The total for all inmates in August averaged 32.71, which includes the Huber inmates. This is above our capacity of 22 beds and 3 holding. Chief Deputy Cornelius also informed the committee that the contract with Algoma Police Department has been renewed for another 24 months, and the agreement was signed by the Sheriff, Administrator Feldt, and the Algoma Mayor.

Emergency Management:

- a.) Monthly Financial Report: Director Nollenberg gave the financial report for the EOC through the end of July. She noted there were two deposits made in amounts of \$13,000 and \$52,089 by the State and SARA. They will continue to do line transfer maintenance. There were some errors on recent phone bills and they were double-entered. This was caught, and Janine is aware of the problem, and was correcting it. Nollenberg also noted they received a grant from the state in the amount of \$3,000.
- b.) Status of City, Village, Municipality EOP updates: Nollenberg reports there are 6 left to do.
- c.) Status of Off Site Facility Updates: There was one that was not up to date, and that has been taken care of and submitted at the end of August.
- d.) Nims Compliancy Update: EOC is still working on a number of people to get them to complete this and get compliant. Nollenberg explained if we are ever in a situation where we would need assistance, we could be denied funding if our county is not compliant in the future, so this is very important.
- e.) Potential tour of Point Beach Nuclear, for all new & existing County Board personnel: The tour has been set to be on October 5 at 9:00 a.m. No other people (such as spouses) will be allowed on this tour. Nollenberg is requesting a "head count" as she will have to register all attending by name and Social Security numbers etc.
- f.) Nollenberg shared her 2017 Budget which was submitted to Paul Kunesh. She explained the various changes in the EOC budget compared to last year. A motion was made by Pat Benes to send the EOC 2017 budget as approved by the law enforcement/EOC committee to the County Board, motion was seconded by Bob Weidner. Motion carried
- g.) Disaster Assessment Team Status: Five people have been taken off of the current disaster team, and the EOC will be reaching out to the area communities to replace those five members.

Approval of Bills:

Bob Weidner made the motion to approve the payment of bills for both Law Enforcement and Emergency Management, seconded by Pat Benes. Motion carried.

Next Meeting: The next meeting will combine the October/November meetings, and be held on October 26, 2016 at 9:30 a.m. at the Emergency Management office in Luxemburg.

Other Matters as Authorized by Law: Pat Benes brought up he noticed in reading minutes, that the resolution to support law enforcement had been on the Law Enforcement committee meeting agenda, but had not been addressed as Sheriff Joski was not present, but that it had been brought to the County Board, when it had not been presented by the committee. A brief discussion took place on how this had occurred.

Bob Weidner also stated he had been reading the recent memo of understanding between Human Services and Law Enforcement regarding fraud in programs managed by Human Services. He was curious if there was a lot of miss-use in our county. It was explained how these situations are handled, and there are definitely incidents each year. Law enforcement only gets involved if Human Services has found an issue, and then law enforcement will investigate these fraud claims.

Adjourned: Bob Weidner made the motion to adjourn the meeting. Motion seconded by Pat Benes, motion carried. Meeting adjourned at 4:15 p.m.

Minutes provided by: Recording Secretary, Mary Berkovitz

:mab

**KEWAUNEE COUNTY
FINANCE & PUBLIC PROPERTY COMMITTEE - MEETING MINUTES**

Date: [September 8, 2016](#) Time: [8:00 AM](#)

Kewaunee County Administration Center Conference Room

Call to Order: The meeting was called to order at 8 AM by Chairman Lee Luft

Roll Call: Members present: Lee Luft, John Mastalir, Tom Romdenne Excused: Chris Rasmussen
Absent: Virginia Haske Others present: Scott Feldt, Paul Kunesh, Gerald Paape, Matt Joski, Mary
Ellen Dobbins

Approve the Agenda: Motion by John Mastalir, second by Tom Romdenne to adopt the September 8, 2016 agenda. Motion carried.

Virginia Haske arrived at 8:05.

Approve Minutes: Motion by Tom Romdenne, second by John Mastalir to adopt the August 10, 2016 Finance Committee minutes with one correction: the UWX computer request should be \$6,000 rather than \$6,0000. Motion carried.

Overtime Report: Administrator Feldt reviewed the August overtime report. The new Jail schedule is expected to reduce overtime through the remainder of the year. Highway looks OK so far this year, but the winter season is unpredictable. The sheriff spoke briefly on staffing, employees & overtime.

Monthly Financial Report: Finance Director Kunesh reviewed the July 2016 financial reports in summary. No red flags through July. The 2017 budget process includes department estimates of the 2016 year end results and those are looking on track as well.

Review & approve \$3300 request for scanning-ROD: Motion by Virginia Haske second by Tom Romdenne to approve the use of the remaining Redaction Fee Fund balance of \$3300.39 for scanning. Motion carried

Discuss the need for a second public forum RE 2017 budget: Members discussed calls and comments received. Algoma TV recorded the forum held in Luxemburg and has made it available on line and local cable. Consent of the committee was to not have a second forum, but to promote the availability of the Algoma TV recording.

Update on the 2017 County budget process: Most departments are in & most of those are reviewed. The budget will be handed out to the County Board at the September 20th meeting & plans are to give it to the Finance Committee a few days earlier along with highlights. The Finance Committee will meet before the October County Board meeting to review & discuss the budget.

Review & discuss the Kewaunee County Capital Improvement Plan 2017-2021:

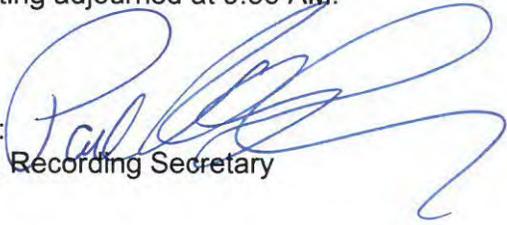
Finance director and Administrator handed out the first Capital Improvement Plan (CIP) & a draft Capitalization policy. Capital Improvements are typically larger ticket items with mid to long term replacement. The purpose of the plan is to provide a 5 year view of what capital purchases or projects are anticipated in the next five years, as well as an estimated cost. The CIP is a plan & not a budget, so all items listed will still need to go through the budget process. The draft Capitalization policy is documenting the accounting and reporting policy & procedures for capitalizing used in the County's financial reporting system. Most if not all are already being followed & would now be formally documented. Approval of the policy will be on the October agenda.

Approve Additional Bills for Payment: Motion by Tom Romdenne second by Virginia Haske to approve the bills as presented. Motion carried.

Next Meetings: Sept 20th 5PM—regular meeting
Sept 28th 4PM-Insurance & budget review
Oct 13th 8AM—regular meeting
Nov 4th 8AM – regular meeting

Public Comment: Committee members discussed receiving comments about the Algoma bridge decision.

Adjournment: Motion by Tom Romdenne, second by Virginia Haske to adjourn the meeting. Motion carried. Meeting adjourned at 9:36 AM.

Submitted by: 
Paul Kunesh, Recording Secretary

KEWAUNEE COUNTY
HUMAN SERVICES COMMITTEE MINUTES
September 14th, 2016

The meeting was called to order by Chairperson Kaye Shillin at 8:30 a.m. Present for the meeting were Mark Buchanan, Mary Ellen Dobbins, Virginia Haske, Shirley Kirchman, Lee Luft, Rose Quinlan, Paul Ravet, Kaye Shillin, Mary Ann Szydel, Linda Teske and Donna Thomas.

Also present: Tracy Nelson, Bob Mattice, Scott Feldt and Jack Schad.

Absent: None

Excused: None

A motion was made by Paul Ravet and seconded by Mary Ellen Dobbins to approve the agenda and minutes as mailed. Motion carried.

There was no In-Service this month.

Bob then discussed the 2017 Budget and Plan. A public hearing was held on August 16th. There was one person that commented on the transportation for disabled and elderly and how it is very much appreciated. We also received a letter from Willow Tree looking for some funding for a program they offer for structured forensic interviews for abused and neglected Children. A narrative and summary by programs of the budget were handed out which was discussed. Bob mentioned that there will be some changes in program areas. We will be adding Adult Protective Services hours due to an increased need in that area resulting in less hours available for the person to perform CCS duties. The CCS Director position will include time for therapy which had previously been part of a part time contracted mental health counselor position that we have not been able to fill. State Department of Children and Families will require subsidized guardianship costs that are part of the foster care program costs, increase costs in residential care and out of home placement, increased revenue in the CCS program, family care payment increase and capital outlay. After discussion it was recommended to send to the County Administrator and Finance Committee.

There was a handout explaining the Resolution in Support of Increased Funding in the Children and Family Aids Allocation. Bob explained the importance of this extra funding for our county. Wisconsin Counties Association drafted this resolution and was asking for recommendation on sending it to the County Board for approval. A motion was made by Lee Luft seconded by Virginia Haske to approve the Increase in State Child Protective Services Funding. Motion carried.

We handed out a press release for the Wisconsin Alliance for Drug Endangered Children Recognition for Kewaunee County. This is a statewide initiative in which Kewaunee County was one of 5 counties recognized in mid August at the Wisconsin Alliance for Drug Endangered Children Conference this year. This is made up of numerous county offices and schools in our county responding to the needs of children living in residences where illegal drugs are manufactured, possessed, distributed, or used at particular risk of abuse and neglect.

Bob announced personnel changes Terry Olson has resigned from our Transportation Program. We have had two staff that will be returning after being off for family leave. We also are in the process of filling positions for

Social Worker and CCS Director. Bob wanted to also mention that there are two foster parents that attended training to be special needs adoptive parents. These foster parents were so thankful to Kewaunee County staff for their support and communication to assist them in their very challenging role as a foster parent. He also wanted to thank Jack Schad for all of his help in the past year while we searched for a Director.

There were no contract approvals this month.

Motion made by Shirley Kirchman and seconded by Mary Ellen Dobbins to approve the vouchers, credit card vouchers and travel requests as requested.

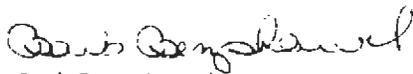
There were no public comments or other items.

There were no Other Items as Authorized by Law.

The two following Human Services Board meetings were set for Wednesday, October 12th at 8:30 a.m. and November 9th at 8:30 a.m. Motion made by Mary Ann Szydel and seconded by Virginia Haske to approve these meeting dates and times. Motion carried.

Motion made by Mary Ann Szydel and seconded by Mary Ellen Dobbins to adjourn the meeting. The meeting adjourned at 9:45 a.m.

Respectfully submitted,


Barb Benzshawel

Promotion & Recreation Committee Minutes

August 17, 2016

The Promotions and Recreation Committee meeting was called to order at 5:30 p.m. by Chairman Scott Jahnke. Members present included: Chairman Scott Jahnke, Supervisor Larry Kirchman, Supervisor Ron Paider, Supervisor Doug Doell and Supervisor Dennis Cravillion. Also present were Promotions & Recreation Director Dave Myers and Tourism Coordinator/PIO Jennifer Schneider. No guests.

Adoption of Agenda & Approval of Minutes:

Supervisor Kirchman made a motion to adopt today's agenda and approve the July 19, 2016 Promotions & Recreation Committee Minutes. This was seconded by Supervisor Paider. All were in favor. Motion carried unanimously.

Public Comments: None

Approval of design idea and purchasing of Welcome to Kewaunee County signs with budgeted funds:

Supervisor Kirchman made a motion to accept Link Media Outdoor Wisconsin to provide two signs similar to the draft submitted with multi-colored waves and vinyl lettering and not to exceed \$10,000.

This was seconded by Supervisor Doell. All were in favor. Motion carried unanimously.

Discuss way to generate revenue at ATV Park:

See ATV Park Revenue Ideas Points of Discussion sheet

Discuss vandalism at Krohn's & West Alaska Lake:

See Vandalism Concerns Points of Discussion sheet

Discuss clean-up of shoreline at Heidmann Lake:

See Shoreline Improvement Ideas Points of Discussion sheet

Travel Request: None

Director's Report:

See Director's Report

Approve & Sign Vouchers:

Motion to approve and sign vouchers as presented made by Supervisor Paider. This was seconded by Supervisor Cravillion. All were in favor. Motion carried unanimously.

Next Meeting Date:

September 13, 2016 at 5:30 p.m.

Any other business as allowed by law:

Local 5 Live will be live at Bruemmer Park Zoo on Monday, August 29th from 9 a.m. – 10 a.m. for a Zoobilee preview.

Other upcoming events include, Luxemburg Speedway Racing, Soar on the Shore, VIP Poker Run, Zoobilee, Harvest Fest at Parallel 44, Wet Whistle Wine Festival, Harvest Fest at Cold Country Wines and Heritage Days.

"Kewaunee Co Tourism" has surpassed 700 Likes on Facebook!!!

Adjournment:

Motion to adjourn today's meeting was made by Supervisor Kirchman. This was seconded by Supervisor Paider. Meeting adjourned at 7:30 p.m.

9/8/16 Jennifer
Schneider

ATV Park Revenue Ideas

- Charge group a yearly land rental charge similar to Ryan Park Soccer Lease
- Charge group for utilities – this would be an estimated price (currently costs are shared with the Landfill)
- Charge park user fees for ATV/UTV/Off-Road Motorcycles/Mountain Bike Trail Users
- Keep Portion of donation tube totals (currently ATV club keeps all donation money)
- Charge club for race events held at park (currently park is used for 2 races per year held by ATV Club and Anschutz Motorsports)

Heidmann lake Shoreline Improvement Ideas

Right now we have 4 known options available:

1: Manually remove a 30 width of plant growth to clear a small section, preferably near the boat launch. Other than cost of labor, there is no permit required for this action. We would have to purchase some lake weed removal tools (cutter, rake etc..) and manually remove and dispose of plant material.

2: File a permit with the WDNR to dredge shoreline to remove material and then backfill shoreline area with pea gravel/riprap etc.. Costs would include a permit (\$600-\$700), labor, machinery, fill and disposal offsite of dredged materials (plants/mud, etc...) I have not inquired for estimates as to this cost yet. The one major issue here is that the DNR has told me that this will be a hard sell, no one in our area of the state has dredged a large area of shoreline on a lake like this before (at least that has been recorded in recent times) I am led to believe that if this is allowed that we would only be allowed to dredge a small section, not a significant section of the shoreline.

3: File a permit with the WDNR to eliminate vegetation with approved chemicals. Costs would include a permit (\$130), licensed aquatic plant removal company (cost unknown at this time) and labor to remove plant material. I am led to believe that with this method we would be allowed to treat a much larger area, thus giving us more space for shore fishing.

4: Do nothing, leave all as is with no action.

Vandalism Concerns at Krohns and West Alaska Lakes

- Met on Tuesday August 2nd with Sherriff Joski and Patrol Superintendent Jason Veaser regarding vandalism and other issues at 2 lake locations. We have fielded numerous calls this summer about vandalism, unruly behavior, noise, and pets running free in parks jumping on people etc.
- Idea of meeting was to begin to find ways to curb illegal behavior/actions at these 2 locations, Matt provided me with a copy of police calls to a number of our park locations to give us a better idea of what we are dealing with. We have had 81 incident reports at Krohns in roughly 5 years and 21 at the West Alaska Location.
- Some ideas presented are as follows: install security cameras, install better lighting, provide extra patrol coverage on weekends/nights, install better signage explaining park rules and regulations, educate park users with complaints to gather information and contact county dispatch
- Problems at these locations include: remote location, very few neighboring property owners with visibility of areas, very poor lighting, no electrical service



KEWAUNEE COUNTY PROMOTIONS & RECREATION DEPARTMENT

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Director's Report (July 19th – August 17th)

Winter Park

Roger Post has finished the beginner's ski hill and is now finishing enlarging the parking lot. Now we have to pick some rocks and get grass planted on the hill. We will be installing temporary fencing until next season to allow the ground to settle.

Fairgrounds

The race promoters have continued having a great season so far with the exception of the two canceled races due to rain. We have a race scheduled this upcoming Friday and rent and utilities payments have been submitted in a timely fashion. Jerry did find a leak in one of the main water lines under the dairy barn, but was able to fix that issue. This is something that we will be monitoring due to the age of the lines.

Snowmobile Alliance

We have submitted our supplemental paperwork to see if the state will fund any of the bills over our \$44,075 state trail aid we already received and paid out to our clubs. We are still unsure if we will receive any additional aid, but we are hoping for at least a percentage to be paid back to us.

Bruemmer Park

We have some sad news, Buddy the fox has passed away. We are looking into adding a new fox to the exhibit so our other fox will have a companion. The goats we received last month have been a big hit, they are very friendly and seem to be a very good draw for the zoo. We are still monitoring the water/plumbing situation due to a break in one of the main water lines. For the time being we are doing well, but this definitely needs to be addressed in the near future.

Red River Park

Highway has ground up the old pavement on the road along the outer edges of the park. We will be adding gravel if needed. This project should help with the potholes and poor road conditions that have been an issue here for years.

West Alaska Lake

We also had Highway grind up the old blacktop around the launch area at West Alaska Lake. During the last heavy rainstorm we developed a large washout near the launch area that needed to be repaired. Highway was working on County D already so this was made a little easier having equipment on site to fix things up before they became an issue. We again may need to add some more gravel to a few outlying areas of the road to fill in potholes

Ahnapee Trail

The Kewaunee Snowmobile Club has cut the trail for the second time this year. The trail has been doing well and we seem to have had fewer trees down this year compared to last summer so far. Mike also re-decked a smaller bridge in the Kewaunee Section that was looking rough.

Upcoming Events

Zoobilee August 27th, Races 8/19, 8/26

General Park

We have been working hard to keep up with grass cutting and general maintenance at a lot of locations – we are down 2 mowers right now, but still making due. We will definitely need to start replacing mowers that are 12 plus years old by next year. They are just not holding up and repairing older mowers is starting to add up fast.



Kewaunee County Groundwater Task Force Meeting Minutes

Wednesday, August 4th, 2016 1:00 PM
Kewaunee County Administration Building
810 Lincoln Street - Kewaunee, WI 54216
Large Conference Room

The 2016 Kewaunee County Groundwater Task Force membership now includes:

Davina Bonness, Aerica Bjurstrom, Cindy Kinnard, Bob Garfinkel, Andy Wallander, Dick Swanson, Mary Ellen Dobbins, Ron Paider, Randy Hallet, and Lee Luft

- 1) **Call To Order** at 1:00 PM by Chairman Luft
- 2) **Roll Call** – Excused absences: Aerica Bjurstrom, Bob Garfinkel, Andy Wallander
- 3) **Approval/Repair of August 4th, 2016 Agenda:** Motion to approve agenda by Mary Ellen Dobbins, seconded by Cindy Kinnard. Motion carried unanimously.
- 4) **Approval/Repair of July 8th, 2016 Meeting Minutes:** Motion to approve the July 8th minutes by Dick Swanson and seconded by Mary Ellen Dobbins. Motion carried unanimously.
- 5) **Discuss recent ground and surface water related events or issues.**

A) USDA Natural Resources Conservation Service Kewaunee County Water Quality Improvement Project.

- a. Davina updated the Groundwater Task Force (GWTF) on the continuing efforts of NRCS to define the current surface water contamination levels in an effort to set achievable goals for reducing surface water contamination. This work is on-going and Davina said progress is being made on this difficult and time-consuming part of the process. There will be a NRCS – Kewaunee County Technical Advisory Group meeting on September 22nd.

B) DNR established five work groups to address Kewaunee County's ground and surface water problems at our August 5th, 2015 meeting. GWTF Members discuss updates from the three active work groups since the May 4th, 2016 Groundwater Task Force meeting.

- a. Short Term Solutions to obtain clean water for citizens living with unsafe wells. (Davina Bonness, Cindy Kinnard, John Pagel, Dick Swanson, and Ron Heuer were members of this workgroup).
- b. Best Management Practices for agriculture in dealing with Kewaunee County's vulnerable areas. (Davina Bonness was a member of this workgroup).
- c. Compliance and enforcement issues. (Davina Bonness and Lee Luft were members of this group).

Communication, getting accurate information to the public and information hub for all other group's recommendations.

Davina Bonness and Chair Luft discussed the 64 page report containing the final recommendations of the three DNR-Kewaunee County Workgroups. Letter from DNR Secretary Stepp regarding the recommendations was distributed. Discussion followed to include:

- Green Bay Press Gazette article with quotes from lobbying groups regarding their efforts to reduce the scope of the DNR-Kewaunee County Workgroup recommendations before public hearings on the recommendations begin. A letter from DBA in opposition to the recommendations was distributed.

Some recommendations were scaled back following meetings with Governor Walker per DBA spokesperson.

- Mary Ellen Dobbins read a letter from a Madison paper confirming the scaling back of the recommendations.
- Cindy Kinnard is working on securing a grant from the State Department of Health. Nitrates are a big issue.

d. Alternative Technologies for waste treatment, disposal, and spreading.

Davina indicated that the Alternative Technologies Workgroup continues to meet. The purpose of this work group is to evaluate new manure treatment/application options that could reduce the impact of manure spreading on ground and surface water quality. This Alternative Technologies workgroup will look at:

1. Things being done successfully elsewhere.
2. New and promising technologies.
3. Asking the question; are we implementing new technologies in a timely and proper manner?

C) Update of November 13th/14th and November 20th/21st Private Well Water Test results and further updates on the July 2016 well testing:

- Davina updated the GWTF on the first round of well testing conducted in November of 2015. Test results as shown by well depth are not yet available. It is necessary to locate and document the well drilling logs for all the wells that were tested and this is a time consuming effort. An additional 30 wells that tested positive in November 2015 for bacteria are now being tested for viruses. Results should be available soon. An earlier test of 30 wells that had tested positive for bacteria in the November 2015 testing showed that 11 of those 30 wells contained either salmonella or bovine rotavirus. Letters were sent to homes in a ½ mile radius of any positive virus or e-coli tests in the initial test of 30 wells and this will be the case again for any positive virus tests from the latest 30 wells that are being tested.
- Davina updated the GWTF on the second round of Kewaunee County well tests that is now on-going. Approximately 400 wells are being tested now for Nitrates and bacteria. Initially 1001 letters requesting home owners to participate in this July well test were mailed and this has resulted in the list of 400 home owners now participating. Wells in areas with 0 to 5 feet of soil will be tested as will wells in areas with 5 to 20 feet of soil and areas with 20 feet or more of soil so it can be determined if a relationship exists between soil depth and well contamination.

Davina has also recently reported that 25.6% of the samples from a recent voluntary well test of 129 households (paid for by the homeowners) showed some form of contamination (high Nitrate levels or bacteria) that would make the water unsafe for drinking/cooking.

Davina reported that the “auto testing” of wells is moving forward so that frequent water tests from a limited number of wells can be taken on a regular basis. The equipment needed to do the auto testing is being trialed now and hopefully it can be placed in homes in the near future. County Board member Chuck Wagner is one of those who has agreed to in-home auto testing of his well water.

D) Update on clean water access project in Algoma headed by Algoma Public Schools.

Nick Cochart forwarded an e-mail indicating that the clean water project was still actively serving families and he commented as follows, “FYI, we have more wells testing + for e coli in Lincoln Township. I think we may be getting to the point that every home will

have to have a robust water filtration system if you plan to live in Lincoln Township --- truly sad to think about the level of destruction done to our water supply. Nick.

E) Progress on Project Phoenix

Project Phoenix envisions piping or transporting liquid manure to a centralized manure process facility or multiple facilities in Kewaunee County where the methane gas would be captured, cleaned, and compressed for re-sale as a "green fuel." A five month study on the feasibility of this approach was funded for Kewaunee County by the Public Service Commission.

Chairman Luft reported at the June Groundwater Task Force meeting that he was made aware by the County Administrator, Scott Feldt that the work performed by the contractor selected to carry out the project Phoenix study was deemed to be "unacceptable" by the Public Service Commission (PSC). The PSC told Administrator Feldt that due to deficiencies in the scope of the work performed by Roach and Associates, the PSC would not pay for this study. Following this news, Roach and Associates submitted an invoice to the County for \$25,000 in payment for the work it had performed to date. In the meantime, the County Administrator and County Board Chairman hired a second firm, Dynamic Solutions, LLC to carry out the project.

UPDATE: Dynamic Solutions as now completed the project to the satisfaction of the PSC and the funds for the study were provided to Kewaunee County and then in turn to Dynamic Solutions. The Kewaunee County Finance Committee denied the \$25,000 invoice from Dynamic Solutions in July.

F) The DNR and Kewaunee County Land and Water Conservation Department are continuing to conduct on farm inspections and conducting more manure hauling audits. The Land and Water Conservation Department is conducting spot checks/audits of both land applications and the contract manure haulers.

G) Resolution in support of a new aquatic life test of the East Twin Watershed:

Background: Agropur Permit Issues: During the May 4th Groundwater Task Force meeting, Chairman Luft passed out information to new members regarding the recent DNR approval for a 250% increase in the flow of Chloride into a tributary of the East Twin River. The East Twin River is already listed as an impaired waterway by the EPA and there are some DNR reports and other citizen reports that would indicate aquatic life has already been impacted in this watershed. It would be helpful if the Groundwater Task Force could get definitive information on the health of the aquatic life in the East Twin watershed, especially in those areas near the higher Chloride emissions. At the June 8th Groundwater Task Force meeting, Chairman Luft asked for a vote to authorize the Chairman to prepare a Resolution asking the Wisconsin DNR to thoroughly evaluate the aquatic life of the East Twin River and the un-named tributary to the East Twin River that receives the effluent from the Agro-Pur plant. A motion was made to authorize Chairman Luft to prepare such a resolution for the approval of the Groundwater Task Force by Dick Swanson and was seconded by Andy Wallander. The vote to approve creation of a draft resolution was unanimous from all members present.

Chairman Luft had completed a sample draft resolution for consideration by the Groundwater Task Force at the June 8th meeting. The task force recommended several changes and additions with Chairman Luft incorporated into the revised recommendations/resolution.

At the July 8th meeting a motion was made by Andy Wallander and seconded by Bob Garfinkel to have the Kewaunee County Corporation Counsel review the revised recommendations and place them into the appropriate Kewaunee County resolution format. The vote in favor was 7 to 1. Motion carried.

At the August 4th GWTF meeting Chairman Luft indicated he would present the approved East Twin River resolution to the Land and Water Conservation Committee for consideration.

H) Consideration by the task force of a resolution in support of the DNR-Kewaunee County Workgroup recommendations. Chairman Luft asked the task force members to consider whether to issue a recommendation to the Land and Water Conservation Committee to support those recommendations of the three DNR-Kewaunee County Workgroups that has significant majority support from within the Workgroups, e.g. either complete consensus or at a minimum 2/3 majority. This subject was discussed at the August 4th meeting and a draft recommendation/resolution was approved and will be forwarded to the Land and Water Conservation Committee.

I) Other issues for discussion?

- a. Previously, Cindy Kinnard and Chairman Luft discussed the idea of sending a letter to well owners to encourage well testing. Cindy indicated mailing costs could be a concern for her Department. Health Services could request the additional funds or there is a potential to obtain donations. A mailing may now take on some added importance given the findings of Salmonella and/or Rotavirus in some Kewaunee County wells. At our August 4th meeting Cindy Kinnard indicated the grant she had sought for mailing costs had been denied. She will continue to look for grant funding.
- b. Chairman Luft discussed the possibility of holding evening meetings of the Groundwater Task Force and potentially holding these meetings in locations throughout Kewaunee County. This was a suggestion from Mary Ellen Dobbins at our April 6th meeting.

6) Discuss progress in achieving approved Groundwater Task Force goals.

- A. **Goal:**Groundwater Task Force will establish a website that will provide a “one stop” source for updates on Kewaunee County’s ground and surface waters. **Champions: Cindy Kinnard and Aerica Bjurstrom.**
 - a) Cindy Kinnard indicated that the final report with all the recommendations of the three DNR-Kewaunee County Workgroups had been posted to the Groundwater Task Force web site.
- B. **Goal:**Groundwater Task Force will publish no less than one press release per month to update Kewaunee County residents on the activities of the Task Force, County, State, and Federal entities working to improve groundwater and surface water in Kewaunee Co. **Champion: Lee Luft**

Proposed News Releases

- a) Well Test Results by soil depth. *Information is not yet available for posting.*
- b) Posting of the final version of the recommendation/resolution regarding new testing of the East Twin River that is to be sent to the Land and Water Conservation Committee.
- c) If approved publish recommendations in a resolution format in support of the DNR – Kewaunee County Workgroup recommendations.

7) Public Comments:

- a. Mick Sagrillo expressed concern that the recommendations of the DNR-Kewaunee County Workgroup that focused on Best Practices and Sensitive Areas were “cherry picked” by Andrew Craig off the DNR and that some key recommendations may not be implemented.
- b. Nancy Utesch discussed educational efforts aimed at improved understanding of well issues and public health.
- c. Lynn Utesch spoke about attending a meeting in Bayfield County regarding CAFO expansions and water concerns. Forty people spoke out against the siting of a major hog CAFO near to Lake Superior while two spoke in favor. Those in favor were a lobbying group and the Farm Bureau.
- d. Sue Weisser spoke about a number of issues to include; an ordinance or resolution from the County Board to support the recommendations of the three DNR-Kewaunee County Workgroups, getting letters to residents regarding the importance of well testing, getting letters to landowners about their responsibilities, establishing a county ordinance that will allow enforcement of the State’s manure application and storage regulations, County Board ordinance to ban aerial spraying of liquid manure, improve well abandonment procedures in Kewaunee County.

8) **Other matters to discuss:** None.

9) **Set next meeting date:** Thursday September 7th, 2016 at 1:00 PM at the Kewaunee County Administration Building.

10) **Adjournment:** Motion to adjourn by Randy Hallet, seconded by Mary Ellen Dobbins. Motion carried unanimously.