



# Sawyer County

## Agenda

County Board of Supervisors Meeting

Thursday, February 15, 2024 @ 6:30 PM

Sawyer County Board Room

Revised: Monday, February 19, 2024 8:49 AM

Page

### 1. CALL TO ORDER

- a. To view or participate in the **virtual meeting** from a computer, iPad, or Android device please go to <https://zoom.us/j/95015680309>. You can also use the dial in at **1-312-626-6799** with the Webinar ID: 950 1568 0309. Use \*9 to Raise/lower hand and \*6 to Unmute/mute. If additional assistance is needed please contact the County Clerk's Office at 715-634-4866 prior to the meeting. This meeting will be recorded and will be available on our website at: <https://sawyercountygov.org>.

### 2. ROLL CALL

### 3. PLEDGE OF ALLEGIANCE

### 4. CERTIFICATION OF COMPLIANCE WITH THE OPEN MEETINGS LAW

### 5. MEETING AGENDA

### 6. PUBLIC COMMENTS

- a. At this time, members of the public will be given the opportunity to address the Board. Please adhere to the following when addressing the Board:
  - Comments will be limited to 3 minutes or less per individual.
  - Comments should be directed to the Board as a whole and not directed to individual Board members.
  - The Board cannot respond to your comments during this time.
  - Please sign in and fill out a public comment sheet if you wish to speak on an item.

### 7. CONSIDER APPROVAL OF MINUTES FROM PREVIOUS MEETING

- a. [1.18.24 County Board Minutes DRAFT](#)

## **8. BIRKIE WEEK UPDATE - BEN POPP**

## **9. ZONING COMMITTEE**

- 8 - 13                    a.     Chair Report  
                                 [1-19-24 ZC Minutes 2](#)
- 14 - 26                   b.     Zone District Map Amendment RZN #24-001 Timberdoodle Land Co., LLC - Request to rezone approximately 6.42 acres from Forestry-One to Residential/Recreational-One  
                                 [Staff report for RZN #24-001](#)  
                                 [Resolution for RZN #24-001](#)
- 27 - 40                   c.     Zone District Map Amendment RZN #24-001(S) -Town of Spider Lake. Lee & Lori Seibert - Request to rezone approximately 5.38 acres of Forestry-One to Residential/Recreational-One  
                                 [Town Report for RZN 24-001\(S\)](#)  
                                 [Resolution for RZN #24-001\(S\)](#)
- 41 - 49                   d.     Sawyer County Zoning Floodplain Ordinance Amendment referenced as Sawyer County Code of Ordinances - Appendix A - Floodplains - Sec. 1.5(2)(b)(4) amending official map section for the adoption of the dam failure analysis (DFA) for Fishtrap Lake Dam.  
                                 [Fishtrap Lake DFA](#)  
                                 [Floodplain Ordinance Amendment Resolution ZC signed](#)

## **10. PUBLIC WORKS COMMITTEE**

- 50 - 51                   a.     Chair Report  
                                 [2.7.24 Public Works Minutes DRAFT](#)
- 52 - 140                   b.     Highway Ordinance and Fees Permits (Items 1-3 discussion and possible action)  
                                 [1\) Res 2024- Approving Highway Ordinances111403](#)  
                                 [2\) OrdinanceHighwayAccessControl111259](#)  
                                 [3\) Res 2024- Establishing Highway Permit Fees](#)  
                                 [4\) Reference Document - Access Control Policy 111133](#)  
                                 [5\) Reference Document - Highway Service Agreement 111336](#)  
                                 [6\) Reference Document - ROW111131](#)  
                                 [7\) Reference Document - ROWWood111130](#)  
                                 [8\) Reference Document - Hauling Permit 111123](#)  
                                 [9\) Reference Document - WCHA Utility 111404](#)

## **11. PUBLIC SAFETY COMMITTEE**

- 141 - 142                   a.     Chair Report  
                                 [2.1.24 Public Safety Minutes DRAFT](#)

## **12. LAND, WATER, AND FOREST RESOURCES COMMITTEE**

- 143 - 144 a. Chair Report  
[2.7.24 LWFRC Minutes DRAFT](#)
- 145 - 155 b. Release of Reserved Rights for Flowage Easements & Gravel Pits on a Parcel in the Town of Winter (discussion & possible action)  
[1\) Deed](#)  
[2\) Town of Winter - Recorded Documents in Chain of Title](#)
- 156 c. Resolution for Participation in the Department of Natural Resources Municipal Dam Grant Program (Discussion/possible action)  
[Resolution municipal dam grant](#)

## **13. HEALTH AND HUMAN SERVICES BOARD**

- 157 - 158 a. Chair Report  
[2.6.24 HHS Minutes DRAFT](#)

## **14. FINANCE COMMITTEE**

- 159 - 160 a. Chair Report  
[02.2024 Finance Meeting Minutes DRAFT](#)
- 161 - 162 b. Resolution Designating 2023 Fund Balance (discussion and possible action)  
[Res 2024 - Designating Fund Balance 2023](#)
- 163 - 165 c. Resolution Establishing Salaries for Election Officials (discussion & possible action)  
[Res 2024- Establishing Elected Official Wages Resolution 2024](#)

## **15. ECONOMIC DEVELOPMENT & UW EXTENSION COMMITTEE**

- 166 - 167 a. Chair Report  
[2.5.24 Economic Dev.UWEX Minutes DRAFT](#)

## **16. OUT-OF-COUNTY VEHICLE POLICY (DISCUSSION & POSSIBLE ACTION)**

- 168 - 169 a. [Res 2024- Amending County Vehicle Policy and the 2024 Budget to Accommodate Change in Policy](#)

## **17. EMPLOYEE PAID-TIME-OFF POLICY (DISCUSSION AND POSSIBLE ACTION)**

## **18. COUNTY ADMINISTRATOR'S REPORT**

**19. CORRESPONDENCE, REPORTS FROM CONFERENCES AND MEETINGS****20. ADJOURNMENT****DISCLAIMER:**

*Copy sent via email to: County Clerk and News Media. Note: Any person wishing to attend whom, because of a disability, requires accommodation should call the Sawyer County Clerk's Office (715.634.4866) at least 24 hours before the scheduled meeting so appropriate arrangements can be made.*

***Mission Statement:*** *The Sawyer County Board of Supervisors will strive to provide excellent services and responsible leadership to protect and enhance Sawyer County citizens, businesses, and resources, while preserving our unique heritage.*

**Minutes of the January 18<sup>th</sup> meeting of the Sawyer County  
Board of Supervisors  
Board; Sawyer County Courthouse/Virtual**



**Voting Committee Members**

| <b>Present (X)</b>                                   | <b>District</b> | <b>Wards</b>                                                       |
|------------------------------------------------------|-----------------|--------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Dale Schleeter   | 01              | T Lenroot W-1, T Hayward W-7, C Hayward W-5                        |
| <input checked="" type="checkbox"/> Kay Wilson       | 02              | T Lenroot W-2, T Round Lake W-1                                    |
| <input checked="" type="checkbox"/> Tweed Shuman     | 03              | T Hayward W-1 & 2                                                  |
| <input checked="" type="checkbox"/> Stacey Hessel    | 04              | T Hayward W-3 & 4                                                  |
| <input checked="" type="checkbox"/> Jason Weaver     | 05              | T Hayward W-5 & 6                                                  |
| <input checked="" type="checkbox"/> Marc D. Helwig   | 06              | C Hayward W-1 & 2                                                  |
| <input checked="" type="checkbox"/> Thomas W. Duffy  | 07              | C Hayward W-3 & 4                                                  |
| <input checked="" type="checkbox"/> Marshal Savitski | 08              | T Bass Lake W-1 & 2                                                |
| <input checked="" type="checkbox"/> Brian Bisonette  | 09              | T Bass Lake W-3 & 4                                                |
| <input checked="" type="checkbox"/>                  | 10              | T Sand Lake, T Edgewater W-1                                       |
| <input checked="" type="checkbox"/> Chris Rusk       | 11              | T Edgewater W-2, T Bass Lake W-5, T Meteor, T Couderay, V Couderay |
| <input checked="" type="checkbox"/> John Righeimer   | 12              | T Spider Lake, T Round Lake W-2, T Winter W-1                      |
| <input type="checkbox"/> Ron Kinsley                 | 13              | T Hunter, T Radisson W-1, T-Ojibwa W-1, V Radisson                 |
| <input checked="" type="checkbox"/> Ron Buckholtz    | 14              | T Radisson W-2, T Ojibwa W-2, T Weirgor, V Exeland, T Meadowbrook  |
| <input checked="" type="checkbox"/> Ed Peters        | 15              | T Winter W-2, T Draper, V Winter                                   |

**Call to Order/Pledge of Allegiance**— Chair Tweed Shuman called the meeting to order at 6:30 pm. Roll call was taken; quorum was met.

**Certification of Compliance** with the open meeting law was met.

**Public Comments –**

**Minutes from the previous meeting dated: December 21, 2023**

Motion to approve made by: Mr. Duffy Second by: Mr. Savitski  
Motion carried without negative vote.

**Appointments -**

Northern Water Library Service – Mr. Albarado presented this appointment. A motion was made by Mr. Kinsley; second by Mr. Helwig to re-appoint Diane DeLong for another term. Motion carried without negative vote.

Sawyer County Housing Authority Board of Commissioners – Mr. Albarado presented this appointment. A motion was made by Mr. Schleeter; second by Mr. Buckholtz to re-appoint Mike Stamp to fill the remaining term of retiring outgoing member Angie Ruid until July of 2025. Motion carried without negative vote.

District 10 County Board Supervisor – A motion was made by Mr. Helwig; second by Mr. Savitski to appoint Chuck Van Etten to fill the remaining term of Michael Maestri who resigned from District 10. Chuck Van Etten will then fill the remaining terms of these committees after the resignation of Michael Maestri. Motion carried without negative vote.

Recognition of Retiring K-9 Oscar – Sheriff Mrotek recognized retiring K-9 officer, Oscar, who was handled by Deputy Dennis Nelson. Deputy Nelson provided a summary of Oscar's term, being deployed over 750 times during his service. A new K-9 is being assigned in this position.

#### **Economic Development & UW Extension Committee -**

Chair Report – Mr. Duffy advised that we are only weeks away from the 50<sup>th</sup> anniversary of the Birkebeiner and then introduced Ben Popp for an update of the race. Despite lack of snow, they have held six events thus far this year. There is a record 15,000 skiers coming; previously the highest was 11,000. With the making of snow, they are hopeful that with another 8-12" of snow, the trail would be usable. A re-enactment of the opening ceremony will take place downtown on the Wednesday of Birkie week, and a determination of events running can be made as late as February 17<sup>th</sup>. Mr. Duffy reported that HLVCB provided a written marketing report, the website traffic showed 98,000 users for the year. NWRP advised that the next waste collection will take place in September. SCLCO-EDC has applied for grant funds for projects.

#### **Zoning Committee -**

Chair Report – Mr. Buckholtz advised that the committee continues to work through an ordinance for tourist rooming houses. An analysis of the Fish Trap Dam will be conducted.

Zone District Map Amendment RZN #23-005 Steven Arnold Friendshuh Trust – This request was presented by Mr. Kozlowski; denied at Committee level. A motion was made by Mr. Buckholtz; second by Mr. Helwig to deny this rezone request. An electronic vote was taken and passed to deny this request by 14:1 with "yes" votes from Van Etten, Bisonette, Wilson, Savitski, Kinsley, Buckholtz, Shuman, Schleeter, Peters, Helwig, Duffy, Hessel, Weaver and Rusk; "nay" vote from Righeimer.

Zone District Map Amendment RZN #23-013 Cedar Falls Building Systems Inc. - This request was presented by Mr. Kozlowski; approved at Committee level. A motion was made by Mr. Buckholtz; second by Ms. Hessel to approve this rezone request. An electronic vote was taken and passed 15:0 with "yes" votes from Van Etten, Bisonette, Wilson, Savitski, Kinsley, Buckholtz, Shuman, Schleeter, Peters, Helwig, Duffy, Hessel, Weaver, Rusk and Righeimer.

#### **Public Safety Committee -**

Chair Report – Mr. Buckholtz advised that the judges have been meeting with the drug court team and it should be running soon. Collections operations have begun in the Clerk of Court office. Lynnette Poppe was recognized during her retirement from the Dispatch office. The 2024 dog license sales have begun.

#### **Public Works Committee -**

Chair Report – Mr. Kinsley advised that the Committee discussed the highway department holiday hour process, as well as the out-of-county vehicle policy. The Airport Master Plan discussion remains ongoing.

#### **Land, Water, and Forest Resources Committee --**

Chair Report – Mr. Peters reported that the year 2023 Register of Deed fees ended above budget. All tax bills have been printed and mailed from the Treasurer's office. Recreational trails are open yet for ATVs since there was no snow at this time. Timber sales were high, ending 2023 over budget. The aquatic invasive species grant was approved by the DNR.

Sawyer County Forest 2024 Annual Work Plan – The Annual 2024 SCF Annual work plan was presented for review; it was approved at Committee level. Mr. Peters advised that the Committee accepted and approved the 2024 Annual Plan. A motion was made by Mr. Peters; second by Mr. Helwig to approve the 2024 Annual work plan. A voice vote was taken and passed without negative vote.

Sawyer County Forest/WDNR Annual Partnership Meeting Minutes – A motion was made by Mr. Peters; second by Mr. Buckholtz to approve these minutes. A voice vote was taken and passed without negative vote.

**Health & Human Services Board --**

Chair Report – Ms. Wilson reported that a presentation was made by Doctor Malcom regarding the LCO daycare facilities that were closed due to RSV and other respiratory illnesses. The Senior Resource Center is looking for cooks for the Stone Lake Center. There are currently six individuals in transition facilities. YouthJustice is busy receiving referrals; FoodShare services statistics were shared. The 2023 budget continues to look like it will be on target.

**Finance Committee --**

Chair Report – Mr. Kinsley advised that they have moved the Elected Officials hours calculation to a 40-hour work week to base the next salary adjustment on. Mr. Albarado advised that plans for any 2023 surplus funds will come back to the Finance Committee for discussion next month; some ideas for excess funds may include dam repairs, increasing the highway department fund balance, designating a separate sales tax fund, and segregating some funds for the ambulance services.

Resolution to Establish a Trust Fund to Deposit Unexpended 85.21 Grant Funds – Mr. Albarado presented this resolution that satisfies the requirement to put any surplus 85.21 funds into a separate trust fund. A motion was made by Ms. Hessel; second by Mr. Righeimer to approve the resolution to establish the trust fund for unused 85.21 grant funds. A voice vote was taken and carried without negative vote.

**County Administrator's Report -**

A written report was provided and reviewed by Mr. Albarado. He reviewed the remaining courthouse remodel projects that are underway. We will be recruiting for two part-time deputy positions. He reported on the grievance that was filed by Deputy Schick, and we are in the process of scheduling a meeting of the Administration Committee on this subject. A county-wide employee training day is being planned, specifically on safety training for active shooter events; the board will be invited. Corporate Counsel continues to work on ordinance projects. The Airport Master Plan public meeting has changed to Wednesday, March 6<sup>th</sup>, as well as a meeting with the advisory group. The County expects to receive \$98,814 to compensate the loss of tax revenue as a result of the Evers decision regarding taxation on tribal lands. A new radio communications company has been secured for our EMS services.

**Other Topics for Discussion Only –**

**Adjournment – 7:32 pm**

**Next Meeting:** February 15, 2024    **Time:** 6:30 pm    **Location:** Board Room  
Minutes recorded by Lynn Fitch, County Clerk

**MINUTES OF PUBLIC HEARING  
Sawyer County Zoning Committee  
January 19, 2024**

**Zoning Committee Members**

Ronald Buckholtz, Chairman  
Stacey Hessel  
Tweed Shuman  
Kay Wilson  
John Righeimer

**Zoning Administration**

Jay Kozlowski, Zoning & Conservation Administrator  
Kathy Marks, Deputy Zoning & Conservation Administrator

**Preliminary Matters**

a) Call to Order and Roll Call

Buckholtz called the Public Hearing before the Sawyer County Zoning Committee to order at 8:30AM in the Sawyer County Courthouse, 10610 Main St. Hayward, Wisconsin. Roll Call finds: Buckholtz, Hessel – virtual, Tweed Shuman, and Kay Wilson. John Righeimer – absent. From the Zoning Office: Kozlowski and Marks. Legal counsel, Rebecca Roeker for Sawyer County – virtual.

b) Pledge of Allegiance.

c) Statement of Committee and Hearing Procedure and Statement of Hearing Notice. Those persons wishing to speak will be afforded the opportunity provided they identify themselves. The Public Hearing Notice was published as a Class 2 Notice in accordance with Chapter 985 of the Wisconsin Statutes in the Sawyer County Record and Sawyer County Gazette.

d) Approval of December 15, 2023 minutes. Motion by Hessel to approve the December 15, 2023 Zoning Committee minutes. Second by Shuman. All in favor.

e) Public Comment. None.

**REZONE APPLICATIONS**

a) A Public Hearing in the Town of Round Lake. RZN #24-001. Timberdoodle Land Co. LLC. Part of the SW ¼ of the NE ¼, Part Lots 1-2 CSM 13/158 #3175; S13, T41N, R06W; Parcel #024-641-13-1304; Tax ID #44891; 8.09 total acres; Zoned Forestry One (F-1) & Residential/Recreational One (RR-1). Purpose of request of this rezone is to combine the zoning with the parcel South of River Road. This will give better building options without impacting the lakeside. Kozlowski reads the application, staff report, Town opinion, No neighbor opinions returned. Motion by Shuman to open the public hearing portion of the application, second by Hessel. All in favor. No owner or agent present. No audience comments. Motion to close the public hearing portion of the application by Wilson, second by Shuman. All in favor. Kozlowski reads the discussion/action portion of the application. Discussion held by Committee and Kozlowski. Motion



by Wilson to approve the application, second by Hessel. Wilson speaks of the Town meeting and deed restrictions by the Town. Rebecca Roecker, counsel advises. Findings of Fact: 1) Promote the public health, safety, convenience and general welfare. 2) Encourage planned and orderly land use development. 3) Protect property values and the property tax base. 4) Permit the careful planning and efficient maintenance of highway systems. 5) Ensure adequate highway, utility, health, educational and recreational facilities. 6) Recognize the needs of agriculture, forestry, industry and business in future growth. 7) Encourage uses of land and other natural resources which are in accordance with their character and adaptability. 9) Encourage the protection of groundwater resources. 10) Preserve wetlands. 11) Conserve soil, water and forest resources. 12) Protect the beauty and amenities of landscape and man-made developments. 13) Provide healthy surroundings for family life. Roll call finds: Buckholtz – yes, Hessel – yes, Wilson – yes, Shuman – yes. All in favor.

#### **CONDITIONAL USE APPLICATIONS**

a) A Public Hearing in the Town of Sand Lake. CUP #24-001. Kevin Kramer Trust. The NE ¼ of the NE ¼, S23, T39N, R09W; Parcel #026-939-23-1101; Tax ID #28896; 40 total acres; Zoned Residential/Recreational One (RR-1). Permit desired for construction of a 245' telecommunication tower. The tower will be owned by Vertical Bridge/The Towers LLC. The tenant on the tower will be Verizon Wireless. Per section 17.8 (B) (10) of the Sawyer County Zoning Ordinance and Sawyer County Zoning Telecommunication Ordinance. Kozlowski reads the application, staff report, Town opinion and Neighbor opinion letters. Motion by Shuman to open the application, second by Wilson. All in favor. Scott Steeno, agent speaks in favor of the application. Discussion with Committee and Kozlowski held. Agent states they are not opposed to the conditions in staff report. Comment by Bob Deeg, questions if Tower can be made to look like a tree. No other comments. Motion to come out of the public hearing by Wilson, second by Shuman. All in favor. Kozlowski reads the discussion/action of the application. Motion by Shuman to approve the application with conditions of: 1) Land Use Permit for telecommunication facility is required. 2) A separate site address/fire # is required for the tower location. 3) Prior to issuing the Land Use Permit the applicant or owner of the telecommunication facility shall provide a bond, irrevocable letter of credit, of their suitable financial guarantee as to ensure the removal of facility if it falls into disuse and restoration back to pre-construction state in the amount of \$20,000. 4) All other town, County, State, Federal Laws are followed including: Town approval of the CUP case. DOT approval for Highway Access onto State HWY 70 or alternative Town Driveway Approval from Breezy Point Lane. Setback distance from property lines at a minimum of 130' as indicated as part of the "fall zone letter". Findings of Fact: 1) Promote the public health, safety, convenience and general welfare. 2) Encourage planned and orderly land use development. 3) Protect property values and the property tax base. 4) Permit the careful planning and efficient maintenance of highway systems. 5) Ensure adequate highway, utility, health, educational and recreational facilities. 6) Recognize the needs of agriculture, forestry, industry and business in future growth. 7) Encourage uses of land and other natural resources which are in accordance with their character and adaptability. 8) Provide adequate light and air, including access to sunlight for solar

collectors and to wind for wind energy systems. 9) Encourage the protection of groundwater resources. 10) Preserve wetlands. 11) Conserve soil, water and forest resources. 12) Protect the beauty and amenities of landscape and man-made developments. 13) Provide healthy surroundings for family life. 14) Promote the efficient and economical use of public funds. Second by Hessel. Roll call finds: Hessel – yes, Wilson – yes, Shuman – yes, Buckholtz –yes. All in favor.

b) A Public Hearing in the Town of Hayward, CUP #24-002. Bob Thompson & Sons Inc. & Robert & Elaine Thompson Trust. Part of the SE ¼ of the SE ¼. Lots 1-4 CSM 6-149 #1195; S31, T41N, R09W; Tax ID #13079; 6.97 total acres; Zoned Commercial One (C-1). Part of the SW ¼ of the SW ¼ & the NW ¼ of the SW ¼, Lot A CSM 6/151 #1196; S12, T41N, R09W; Parcel #010-941-32-3304; Tax ID# 13123; 3.26 total acres; Zoned Industrial One (I-1). Part of the NW ¼ of the SW ¼, Lot 1-4 CSM 6/77 #1154; S32m T41N, R09W; Parcel #010-941-32-3204; Tax ID #13118; 19.20 total acres; Zoned Forestry One (F-1) & Industrial One (I-1). The NW ¼ of the NW ¼; S32, T41N, R09W' Parcel #010-941-32-2201; Tax ID#13105; 40 total acres; Zoned Forestry One (F-1). Part of the NE ¼ of the NW ¼, Lot 1 CSM 31-30 #7660; S32, T41N, R09W; Parcel #010-941-32-2103; Tax ID #40450; 13.74 total acres; Zoned Agricultural One (A-1). Permit is desired for the five (5) year renewal of conditional use permit #01-010 for the location of a non-metallic mineral extraction operation, including rock crusher and hot mix plant. The CUP was originally approved at public hearing on May 18, 2001. Kozlowski reads the application, staff report, and Town opinion. No neighbor opinions returned. Motion to open the public hearing portion of the application by Shuman, second by Hessel. All in favor. Douglas Kurtzweil comments regarding staff report. No other comments. Motion by Shuman to close the public hearing portion of the application, second by Wilson. All in favor. Kozlowski reads the discussion/action portion of the application. Discussion held by Committee and Kozlowski. Motion by Shuman to approve the application with conditions of: 1) Maintain compliance with NR 135 (reclamation plan). 2) Maintain compliance with a Plan of Operation including normal hours of operation from 6AM-7PM, Monday through Friday. 3) Crushing to occur Monday – Saturday, 6AM-7PM between the months of April-November. 4) Maintain compliance with Department of Natural Resources Chapter 30. 5) All other town, County, State, Federal Laws are followed. Findings of Fact: 1) Promote the public health, safety, convenience and general welfare. 2) Encourage planned and orderly land use development. 3) Protect property values and the property tax base. 4) Permit the careful planning and efficient maintenance of highway systems. 5) Ensure adequate highway, utility, health, educational and recreational facilities. 6) Recognize the needs of agriculture, forestry, industry and business in future growth. 7) Encourage uses of land and other natural resources which are in accordance with their character and adaptability. 8) Provide adequate light and air, including access to sunlight for solar collectors and to wind for wind energy systems. 9) Encourage the protection of groundwater resources. 10) Preserve wetlands. 11) Conserve soil, water and forest resources. 12) Protect the beauty and amenities of landscape and man-made developments. 13) Provide healthy surroundings for family life. 14) Promote the efficient and economical use of public funds. Second by Hessel. No

other discussion held. Roll call finds: Wilson – yes, Shuman – yes, Hessel – yes, Buckholtz – yes. All in favor.

c) A Public Hearing in the Town of Winter. CUP #24-003. Town of Winter – Winter Shop Pit. Part of the SW ¼ of the NE ¼; S28, T39N R05W; Parcel #032-539-28-1301; Tax ID #35443; 39.50 total acres; Zoned Agricultural One (A-1). Part of the NW ¼ of the SE ¼; S28, T39N, R05W; Parcel #032-539-28-4201; Tax ID #35463; 39.86 total acres; Zoned Agricultural One (A-1); Part of the SW ¼ of the SE ¼ North of Hwy 70 & Part of Lot 2 CSM 23/69 #6327; Parcel #032-539-28-4305; Tax ID #35469; 11.07 total acres; Zoned Agricultural One (A-1). Permit is desired for the five (5) year renewal of conditional use permit #96-002 for the location of a non-metallic mineral extraction operation, including rock crusher and bituminous plant. The CUP was originally approved at public hearing on November 15, 1996. Kozlowski reads the application, staff report, and Town opinion. No neighbor opinions returned. Motion to open the public hearing portion of the application by Wilson, second by Shuman. All in favor. No representative present. No comments. Motion to close the public hearing portion of the application by Wilson, second by Shuman. All in favor. Kozlowski reads the discussion/action portion of the application. Motion by Hessel to approve the application with conditions of: 1) Maintain compliance with NR 135 (reclamation plan). 2) Maintain compliance with Plan of Operation including normal hours of operation from 7AM-3:30PM, Monday – Friday, from May – August. 3) Crushing to occur 7AM-7PM periodically Monday-Friday, from May-August. 4) Maintain compliance with Department of Natural Resources Chapter 30. 5) All other town, County, State, Federal Laws are followed. Findings of Fact: 1) Promote the public health, safety, convenience and general welfare. 2) Encourage planned and orderly land use development. 3) Protect property values and the property tax base. 4) Permit the careful planning and efficient maintenance of highway systems. 5) Ensure adequate highway, utility, health, educational and recreational facilities. 6) Recognize the needs of agriculture, forestry, industry and business in future growth. 7) Encourage uses of land and other natural resources which are in accordance with their character and adaptability. 8) Provide adequate light and air, including access to sunlight for solar collectors and to wind for wind energy systems. 9) Encourage the protection of groundwater resources. 10) Preserve wetlands. 11) Conserve soil, water and forest resources. 12) Protect the beauty and amenities of landscape and man-made developments. 13) Provide healthy surroundings for family life. 14) Promote the efficient and economical use of public funds. Second by Wilson. Roll call finds: Shuman – yes, Hessel – yes, Buckholtz – yes, Wilson – yes. All in favor.

d) A Public Hearing in the Town of Hayward. CUP #24-004. Town of Hayward – County Hill Road Pit. The NE ¼ of the NE ¼; S30, T41N, R09W; Parcel #010-941-30-1101; Tax ID #13023; 40 total acres; Zoned Forestry One (F-1). Permit desired for the five (5) year renewal of conditional use permit #04-003 for the location of a non-metallic mineral extraction operation, including rock crusher and hot mix plant. The CUP was originally approved at public hearing on October 17, 2004. Kozlowski reads the application, staff report, and Town opinion. No neighbor opinions returned. Motion to open the public

hearing portion of the application by Shuman, second by Buckholtz. All in favor. Rob Lang, agent for the Town of Hayward spoke in favor of the application. Discussion with Committee held. No other comments. Motion by Wilson to close the public hearing portion of the application, second by Shuman. All in favor. Kozlowski reads the discussion/action portion of the application. Motion to approve the application by Shuman with conditions of: 1) Maintain compliance with NR 135 (reclamation plan). 2) Maintain compliance with Plan of Operation including normal hours of operation from 6AM-6PM, Monday through Friday. 3) Crushing to occur Monday – Sunday, 6AM-7PM when crushing is needed. 4) Maintain compliance with Department of Natural Resources Chapter 30. 5) All other town, County, State, Federal Laws are followed. Findings of Fact: 1) Promote the public health, safety, convenience and general welfare. 2) Encourage planned and orderly land use development. 3) Protect property values and the property tax base. 4) Permit the careful planning and efficient maintenance of highway systems. 5) Ensure adequate highway, utility, health, educational and recreational facilities. 6) Recognize the needs of agriculture, forestry, industry and business in future growth. 7) Encourage uses of land and other natural resources which are in accordance with their character and adaptability. 8) Provide adequate light and air, including access to sunlight for solar collectors and to wind for wind energy systems. 9) Encourage the protection of groundwater resources. 10) Preserve wetland. 11) Conserve soil, water and forest resources. 12) Protect the beauty and amenities of landscape and man-made developments. 13) Provide healthy surroundings for family life. 14) Promote the efficient and economical use of public funds. Second by Hessel. No discussion. Roll call finds: Hessel – yes, Buckholtz – yes, Wilson – yes, Shuman – yes. All in favor.

e) A Public Hearing in the Town of Draper. CUP #24-005. Great Lakes Rural NMTC Forestlands LLC. Property Description: The SE ¼ of the NW ¼ and the NE ¼ of the SW ¼, S26, T39N, R04W; Parcel #'s 006-439-26-2401 and 006-439-26-3101; Tax ID's #6879 and #6880; each 40 acres for a total of 80 acres all zoned Forestry One (F-1). Permit desired for the five (5) year renewal of conditional use permit #01-009 for the location of a non-metallic mineral extraction operation, including rock crusher and bituminous plant. The CUP was originally approved at public hearing on May 18, 2001 and most recently on January 18, 2019. Kozlowski reads the application, staff report, Town opinion and Opinion letter. Motion by Shuman to open the public hearing portion of the application, second by Wilson. All in favor. Sean Hagen, agent speaks in favor of the application. Discussion with Committee and Kozlowski held. Steve Beining, Supervisor of Town of Draper speaks in favor. John Borgen, neighbor has concerns of the application. Discussion continues. Motion to close the public hearing portion of the application by Shuman, second by Wilson. All in favor. Kozlowski reads the discussion/action of the application. Motion by Hessel to approve the application with conditions of: 1) Maintain compliance with NR 135 (reclamation plan). 2) Maintain compliance with Plan of Operation including normal hours of operation from 6AM-9PM, Monday through Sunday. 3) Crushing to occur during normal hours of operation. 4) Maintain compliance with Department of Natural Resources Chapter 30. 5) All other

town, County, State, Federal Laws are followed. Findings of fact: 1) Promote the public health, safety, convenience and general welfare. 2) Encourage planned and orderly land use development. 3) Protect property values and the property tax base. 4) Permit the careful planning and efficient maintenance of highway systems. 5) Ensure adequate highway, utility, health, educational and recreational facilities. 6) Recognize the needs of agriculture, forestry, industry and business in future growth. 7) Encourage uses of land and other natural resources which are in accordance with their character and adaptability. 8) Provide adequate light and air, including access to sunlight for solar collectors and to wind for wind energy systems. 9) Encourage the protection of groundwater resources. 10) Preserve wetlands. 11) Conserve soil, water and forest resources. 12) Protect the beauty and amenities of landscape and man-made developments. 13) Provide healthy surroundings for family life. 14) Promote the efficient and economical use of public funds. Second by Buckholtz. No other discussion. Roll call finds: Buckholtz – yes, Wilson – yes, Shuman - yes, Hessel yes. All in favor.

Buckholtz calls for recess for 5 minutes at 9:45am

Buckholtz calls meeting back to order at 9:50am

#### **NEW BUSINESS**

a) Ordinance Amendment for “multi-dwelling development” (Discussion/Possible Action to send to Towns). Kozlowski explains and reads changes for this version of the multi-dwelling development ordinance amendment. Rebecca Roeker, legal counsel advises. Public Comments by: Steve Beining, Town of Draper supervisor, Ben Kurtzweil Town of Hayward resident, Rachel Toczek, Hunter property owner, Linda Zillmer, Edgewater property owner, Douglas Kurtzweil, resident of Town of Hunter. Discussion continues. Motion by Buckholtz to postpone decision until Zoning Administrator & Counsel go over the proposed amendment. Second by Shuman. All in favor.

b) Any other business that may come before the Committee for discussion. None.

Buckholtz adjourned meeting at 10:25am

Minutes prepared by: Kathy Marks, Deputy Zoning & Conservation Administrator.



## **Rezone Request STAFF REPORT FOR COUNTY BOARD**

Prepared By: Jay Kozlowski, Sawyer County Zoning & Conservation Administrator

**File: # RZN 24-001**

**Applicant:**

Timberdoodle Land CO LLC  
17681 120<sup>th</sup> Ave  
Chippewa Falls, WI 54729

**Property Location & Legal Description:**

Town of Round Lake. Part of the SW ¼ of the NE ¼, Part Lots 1-2 CSM 13/158 #3175; S13, T41N, R06W; Parcel #024-641-13-1304; Tax ID #44891; 8.09 total acres; Zoned Forestry One (F-1) & Residential/Recreational One (RR-1).

**Request:**

Purpose of request is to rezone all of the approximately 6.42 acres of Forestry One (F-1) to Residential/Recreational One (RR-1), specifically the land north of River Road. This proposed rezone is to then combine the zoning with the parcel South of River Road (RR-1). This will give better building options without impacting the lakeside. With approval of the rezone the applicant would proceed with a 4-lot certified survey map of this area. The shoreland/wetland overlay district is not subject to change as part of this request.

**Summary of Request & Project History:**

The applicant is requesting to rezone the above described 6.42 acres of F-1 to RR-1. As the current property sits with current zone districts, the parcel could still be divided into 4 lakeshore parcels with 1 of the lake shore parcels containing the 6.42 acres of F-1. The F-1 zone district requirements would need a minimum of 5 acres and a 300' width. Thus, the zone district change is being requested. With approval of the rezone the anticipated 4 lot split would extend across River Road and provide more acreage and additional buildable area to each lot. See attached maps located in packet for proposed lot split.

The Town of Round Lake comprehensive plan future land use shows this area as "Private Forest". Private Forest as part of the Town of Round Lake Comp Plan are "areas where the town has seen growth in residential development in forested areas and it is anticipated that growth will

occur and continue. In order to protect that natural resource base in these areas and to promote low density developments, it is recommended that development be limited to a minimum lot size of five acres with one single-family dwelling and no further subdivision of the lot within that area.”

With that being said, there are other properties in this location that already have RR-1 zoned land that extends to the North of River Road and even smaller lots than what is anticipated. The Zoning Committee’s recommendation should take the Town’s decision into consideration when looking at the proposed rezone request and what the Town wants to see for future development in this area. Again, even if the rezone is not approved the lakeshore side and the land South of River Road could still be subdivided. The approved rezone request would ultimately extend the lakeshore lots across River Road.

The current surrounding use is light residential and forestry. There are several wetland complexes that exists on this property. The shoreland/wetland overlay district is not subject to change with this request and applicant would still need to abide by all DNR wetland fill requirements and Sawyer County Zoning Shoreland-Wetland Protection Ordinance.

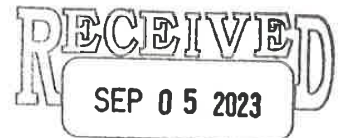
#### **Zoning Committee Public Hearing Info:**

There were 7 additional notification letters sent out to property owners within 300’ of the property, 0 comment were returned

The Town of Round Lake approved the rezone request on January 11, 2024

At the Sawyer County Zoning Committee Public Hearing on January 19, 2024 it was recommended for approval of a vote of 5-0 with the findings of fact of:

1. Promote the public health, safety, convenience and general welfare;
2. Encourage planned and orderly land use development;
3. Protect property values and the property tax base;
4. Permit the careful planning and efficient maintenance of highway systems;
5. Ensure adequate highway, utility, health, educational and recreational facilities;
6. Recognize the needs of agriculture, forestry, industry and business in future growth
7. Encourage uses of land and other natural resources which are in accordance with their character and adaptability;
8. Encourage the protection of groundwater resources;
9. Preserve wetlands;
10. Conserve soil, water and forest resources;
11. Protect the beauty and amenities of landscape and man-made developments;
12. Provide healthy surroundings for family life;



SAWYER COUNTY  
ZONING ADMINISTRATION

Rezoning Application # 23-011 24-001  
Town of Round Lake  
Sawyer County

**Return Original**

To: Sawyer County Zoning and Conservation  
10610 Main Street, Suite 49  
Hayward, WI 54843

Phone: 715-634-8288  
E-mail: Kathy.marks@sawyercountygov.org

Owner: Timberdoodle Land Co. LLC

Address: 17681 120th Ave. Chippewa Falls, WI 54729  
Phone: 715-308-3010 Email: jim@schettlersurveying.com

Legacy PIN # 024641131304 Acreage: 8.09

Change from District F-1 to RR-1

Property Description: Portion of lot 1 of C.S.M. #3175, approximately 6.42  
acres subject to rezoning request

**Purpose of**

Request: This rezoning is to combine the zoning with the parcel  
south of River Road. This will give better  
building options without impacting the lakeside

**\*Please Print & Sign (Property Owner)**

The above hereby make application for a rezoning. The above certify that the listed information and intentions are true and correct. The above person(s) hereby give permission for access to the property for onsite inspection by Municipal Officials.

Name, Address, Phone & Email of Agent:

James Schettler J Schettler  
17681 120th Ave.  
Chippewa Falls, WI 54729  
Phone: 715-308-3010 Email: jim@schettlersurveying.com

Fee \$500.00  
1/22

Date of Public Hearing Nov. 15, 2023  
Jan. 19, 2024



# Real Estate Sawyer County Property Listing

Today's Date: 11/17/2023

Property Status: **Next Year**

Created On: 11/6/2023 10:38:10 AM



## Description

Updated: 11/6/2023

|                   |                                                          |
|-------------------|----------------------------------------------------------|
| <b>Tax ID:</b>    | 44891                                                    |
| <b>PIN:</b>       | 57-024-2-41-06-13-1 03-000-000040                        |
| Legacy PIN:       | 024641131304                                             |
| Map ID:           |                                                          |
| Municipality:     | (024) TOWN OF ROUND LAKE                                 |
| STR:              | S13 T41N R06W                                            |
| Description:      | PRT SWNE PRT LOTS 1-2 CSM 13/158 #3175                   |
| Recorded Acres:   | 8.090                                                    |
| Calculated Acres: | 0.000                                                    |
| Lottery Claims:   | 0                                                        |
| First Dollar:     | No                                                       |
| Waterbody:        | Moose Lake<br>West Fork - Chippewa River                 |
| Zoning:           | (F-1) Forestry One<br>(RR1) Residential/Recreational One |
| ESN:              | 402                                                      |



## Tax Districts

Updated: 11/6/2023

|        |                                   |
|--------|-----------------------------------|
| 1      | State of Wisconsin                |
| 57     | Sawyer County                     |
| 024    | Town of Round Lake                |
| 572478 | Hayward Community School District |
| 001700 | Technical College                 |



## Recorded Documents

Updated: 11/6/2023

|                                      |                          |
|--------------------------------------|--------------------------|
| <b>QUIT CLAIM DEED</b>               |                          |
| Date Recorded: 10/25/2023            | <a href="#">447027</a>   |
| <b>WARRANTY DEED</b>                 |                          |
| Date Recorded: 10/3/2023             | <a href="#">446684</a>   |
| <b>PLAT OF SURVEY</b>                |                          |
| Date Recorded: 9/19/2023             | <a href="#">13416-31</a> |
| <b>PERSONAL REPRESENTATIVES DEED</b> |                          |
| Date Recorded: 1/9/2006              | <a href="#">336217</a>   |

Child History Record Count: 2 -

## HISTORY [Expand All History](#)

White=Current Parcels

Pink=Retired Parcels

**Tax ID:** 24135 **Pin:** 57-024-2-41-06-13-2 04-000-000060 **Leg. Pin:** 024641132406 **Map ID:** .8.6  
**Tax ID:** 24111 **Pin:** 57-024-2-41-06-13-1 03-000-000030 **Leg. Pin:** 024641131303 **Map ID:** .3.3

44891 This Parcel Parents Children



## Ownership

Updated: 11/6/2023

|                                 |                   |
|---------------------------------|-------------------|
| <b>TIMBERDOODLE LAND CO LLC</b> | CHIPPEWA FALLS WI |
|---------------------------------|-------------------|

## Billing Address:

**TIMBERDOODLE LAND CO LLC**  
 17681 120TH AVE  
 CHIPPEWA FALLS WI 54729

## Mailing Address:

**TIMBERDOODLE LAND CO LLC**  
 17681 120TH AVE  
 CHIPPEWA FALLS WI 54729



## Site Address \* Indicates Private Road

N/A



## Property Assessment

Updated: N/A

### 2023 Assessment Detail

| Code | Acres | Land | Imp. |
|------|-------|------|------|
| N/A  |       |      |      |

### 2-Year Comparison

|                  | 2022 | 2023 | Change |
|------------------|------|------|--------|
| <b>Land:</b>     | 0    | 0    | 0.0%   |
| <b>Improved:</b> | 0    | 0    | 0.0%   |
| <b>Total:</b>    | 0    | 0    | 0.0%   |

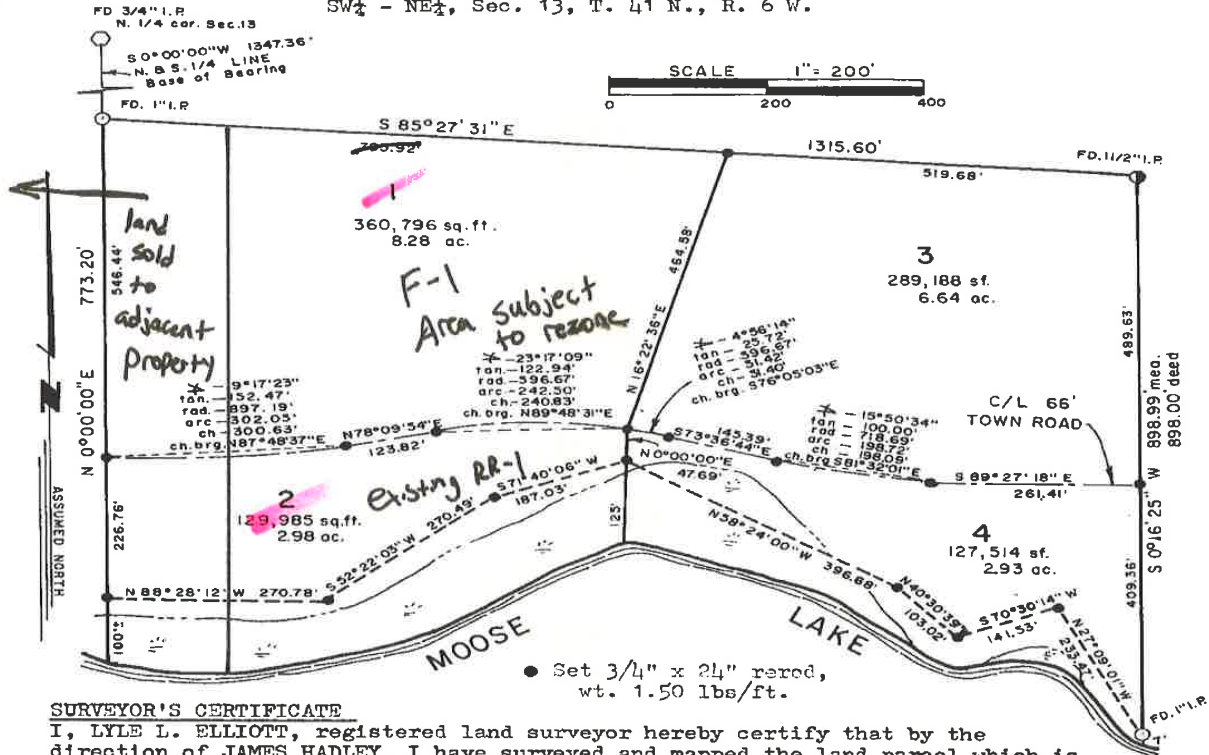


## Property History

| Parent Properties                                 | Tax ID                |
|---------------------------------------------------|-----------------------|
| <a href="#">57-024-2-41-06-13-1 03-000-000030</a> | <a href="#">24111</a> |
| <a href="#">57-024-2-41-06-13-2 04-000-000060</a> | <a href="#">24135</a> |

# SAWYER COUNTY CERTIFIED SURVEY MAP

SW $\frac{1}{4}$  - NE $\frac{1}{4}$ , Sec. 13, T. 41 N., R. 6 W.



## SURVEYOR'S CERTIFICATE

I, LYLE L. ELLIOTT, registered land surveyor hereby certify that by the direction of JAMES HADLEY, I have surveyed and mapped the land parcel which is represented by this Certified Survey Map:  
The exterior boundaries of the land parcel surveyed and mapped is described as follows:  
A part of the SW $\frac{1}{4}$  of the NE $\frac{1}{4}$ , Section 13, Township 41 North, Range 6 West, Town of Round Lake, County of Sawyer, State of Wisconsin, and more particularly described as follows: Commencing at the North Quarter corner said Section 13, thence S 0°00'00" W 1347.36 feet to the point of beginning; thence S 85°27'31" E 1315.60 feet; thence S 0°16'25" W 898.99 feet to the shore of Moose Lake; thence N 27°09'01" W on a meander line of said Lake 233.47 feet; thence S 70°30'14" W on said meander line 141.53 feet; thence N 40°30'39" W on said meander line 103.02 feet; thence N 58°24'00" W on said meander line 396.68 feet; thence S 71°40'06" W on said meander line 187.03 feet; thence S 52°22'03" W on said meander line 270.49 feet; thence N 88°28'12" W on said meander line 270.78 feet; thence N 0°00'00" E 773.20 feet to the point of beginning, said parcel contains 20.83 acres more or less, including all land from said meander line to the waters edge, and subject to any easements or restrictions of record.  
I have fully complied with the provisions of Section 236.34 of the Wisconsin revised Statutes and the subdivision ordinance of Sawyer County in surveying and mapping same.

219174

Register's Office  
Sawyer County

Received for record this 3rd day of July, A.D. 1990 at 1:30 o'clock P.M. and recorded in vol. 13 of Cert. Survey on page 153  
C. Fred J. [Signature]  
Register

Deputy



*Lyle L. Elliott*  
Lyle L. ELLIOTT, land surveyor  
Registration S-1300

Date: June 23, 1990

I hereby certify that this survey is correct to the best of my knowledge and belief.

7-3-90

*David Heath*  
Sawyer Co. [Signature]

3125

Certified Survey Map

158

# REZONE DESCRIPTION

Part of Lot 1 of Certified Survey Map number 3175 recorded in Volume 13 on Page 158 as Document number 219174. Located in part of the Southwest 1/4 of the Northeast 1/4 of Section 13, Town 41 North, Range 6 West, Town of Round Lake, Sawyer County, Wisconsin



## DESCRIBED PARCEL

Part of Lot 1 of Certified Survey Map number 3175 recorded in Volume 13 on Page 158 as Document number 219174, located in the Southwest 1/4 of the Northeast 1/4 of Section 13, Town 41 North, Range 6 West, Town of Round Lake, Sawyer County, Wisconsin. The parcel is more particularly described as follows:

Commencing at the North 1/4 corner of said Section 13; thence, S03°10'35"E, 1347.59 feet to a found 1 1/4" iron pipe at the Northwest corner of Lot 1 of Certified Survey Map number 3175; thence, S88°38'57"E along the north line of said Lot 1, 150.00 feet to a found 1" iron pipe at the POINT OF BEGINNING; thence, S88°38'57"E along the north line of said Lot 1, 645.92 feet to a found 1" iron pipe; thence, S13°11'10"W, 464.58 feet to the centerline of River Road and the beginning of a curve, concave southerly, having a radius of 596.67 feet and a long chord which bears S86°38'41"W for a distance of 241.01 feet; thence, along the arc of said curve and said centerline, 242.50 feet; thence, S74°59'20"W along said centerline, 123.79 feet to the beginning of a curve, concave northwesterly, having a radius of 897.19 feet and a long chord which bears S79°40'22"W for a distance of 152.09 feet; thence, along the arc of said curve and said centerline, 152.39 feet; thence, N03°10'11"W, 541.82 feet to the POINT OF BEGINNING. Said parcel contains 6.42 acres, more or less. Said parcel is subject to any easements or restrictions of record.

## DESCRIBED PARCEL

6.42 acres

Lot 1  
Certified Survey Map #3175

Lot 3  
Certified Survey Map #3175

Lot 3  
Certified Survey Map #3175

River Road

CURVE DATA  
ARC LENGTH=242.50'  
RADIUS=596.67'  
CHORD BEARING= S86°38'41"W  
CHORD LENGTH=241.01'  
CENTRAL ANGLE 231.09°

CURVE DATA  
ARC LENGTH=152.39'  
RADIUS=897.19'  
CHORD BEARING= S79°40'22"W  
CHORD LENGTH=152.09'  
CENTRAL ANGLE 97.43°



## SURVEYOR'S CERTIFICATE:

I, James M. Scheffler, Professional Land Surveyor in the State of Wisconsin, do hereby certify that by the order of James Shaw, I have surveyed and mapped and made this survey according to the official records and that to the best of my knowledge and belief the accompanying map is a true and correct representation thereof. I also certify that I have complied with provisions of Chapter A-E7 of the Wisconsin Administrative Code.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

James M. Scheffler, Wisconsin Professional Land Surveyor, S-2897

## LEGEND

- Found 1" outside diameter iron pipe
- Found 1 1/4" outside diameter iron pipe

SCALE 1"=150'

BEARINGS ARE REFERENCED TO  
THE NATIONAL GRID  
ASSUMED TO BEAR S88°38'57"E.

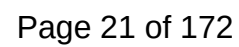
Scheffler Land Surveying, LLC  
17681 120th Avenue  
Chippewa Falls, WI 54729

Field work completed 11-1-2023



This aerial map displays a series of land parcels, each identified by a unique alphanumeric code. A prominent red boundary outlines a specific area in the upper-left quadrant. The map includes several labels: 'HYDRO' is written vertically in the center; 'RIVER RD' is written vertically along a road on the left; 'PINE POINT RD' is written horizontally at the bottom; and 'ROW' (Right-of-Way) is written diagonally at the bottom right. Numerous parcel numbers are visible, including 02464113101, 02464113102, 02464113103, 02464113104, 02464113105, 02464113106, 02464113201, 02464113202, 02464113203, 02464113204, 02464113205, 02464113206, 02464113207, 02464113208, 02464113209, 02464113210, 02464113211, 02464113212, 02464113213, 02464113214, 02464113215, 02464113216, 02464113217, 02464113218, 02464113219, 02464113220, 02464113221, 02464113222, 02464113223, 02464113224, 02464113225, 02464113226, 02464113227, 02464113228, 02464113229, 02464113230, 02464113231, 02464113232, 02464113233, 02464113234, 02464113235, 02464113236, 02464113237, 02464113238, 02464113239, 02464113240, 02464113241, 02464113242, 02464113243, 02464113244, 02464113245, 02464113246, 02464113247, 02464113248, 02464113249, 02464113250, 02464113251, 02464113252, 02464113253, 02464113254, 02464113255, 02464113256, 02464113257, 02464113258, 02464113259, 02464113260, 02464113261, 02464113262, 02464113263, 02464113264, 02464113265, 02464113266, 02464113267, 02464113268, 02464113269, 02464113270, 02464113271, 02464113272, 02464113273, 02464113274, 02464113275, 02464113276, 02464113277, 02464113278, 02464113279, 02464113280, 02464113281, 02464113282, 02464113283, 02464113284, 02464113285, 02464113286, 02464113287, 02464113288, 02464113289, 02464113290, 02464113291, 02464113292, 02464113293, 02464113294, 02464113295, 02464113296, 02464113297, 02464113298, 02464113299, 02464113300, 02464113301, 02464113302, 02464113303, 02464113304, 02464113305, 02464113306, 02464113307, 02464113308, 02464113309, 02464113310, 02464113311, 02464113312, 02464113313, 02464113314, 02464113315, 02464113316, 02464113317, 02464113318, 02464113319, 02464113320, 02464113321, 02464113322, 02464113323, 02464113324, 02464113325, 02464113326, 02464113327, 02464113328, 02464113329, 02464113330, 02464113331, 02464113332, 02464113333, 02464113334, 02464113335, 02464113336, 02464113337, 02464113338, 02464113339, 02464113340, 02464113341, 02464113342, 02464113343, 02464113344, 02464113345, 02464113346, 02464113347, 02464113348, 02464113349, 02464113350, 02464113351, 02464113352, 02464113353, 02464113354, 02464113355, 02464113356, 02464113357, 02464113358, 02464113359, 02464113360, 02464113361, 02464113362, 02464113363, 02464113364, 02464113365, 02464113366, 02464113367, 02464113368, 02464113369, 02464113370, 02464113371, 02464113372, 02464113373, 02464113374, 02464113375, 02464113376, 02464113377, 02464113378, 02464113379, 02464113380, 02464113381, 02464113382, 02464113383, 02464113384, 02464113385, 02464113386, 02464113387, 02464113388, 02464113389, 02464113390, 02464113391, 02464113392, 02464113393, 02464113394, 02464113395, 02464113396, 02464113397, 02464113398, 02464113399, 02464113400, 02464113401, 02464113402, 02464113403, 02464113404, 02464113405, 02464113406, 02464113407, 02464113408, 02464113409, 02464113410, 02464113411, 02464113412, 02464113413, 02464113414, 02464113415, 02464113416, 02464113417, 02464113418, 02464113419, 02464113420, 02464113421, 02464113422, 02464113423, 02464113424, 02464113425, 02464113426, 02464113427, 02464113428, 02464113429, 02464113430, 02464113431, 02464113432, 02464113433, 02464113434, 02464113435, 02464113436, 02464113437, 02464113438, 02464113439, 02464113440, 02464113441, 02464113442, 02464113443, 02464113444, 02464113445, 02464113446, 02464113447, 02464113448, 02464113449, 02464113450, 02464113451, 02464113452, 02464113453, 02464113454, 02464113455, 02464113456, 02464113457, 02464113458, 02464113459, 02464113460, 02464113461, 02464113462, 02464113463, 02464113464, 02464113465, 02464113466, 02464113467, 02464113468, 02464113469, 02464113470, 02464113471, 02464113472, 02464113473, 02464113474, 02464113475, 02464113476, 02464113477, 02464113478, 02464113479, 02464113480, 02464113481, 02464113482, 02464113483, 02464113484, 02464113485, 02464113486, 02464113487, 02464113488, 02464113489, 02464113490, 02464113491, 02464113492, 02464113493, 02464113494, 02464113495, 02464113496, 02464113497, 02464113498, 02464113499, 024641

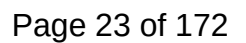






An aerial photograph of a land area, likely a riverbank or wetland. A large parcel in the center is outlined in red. The map is overlaid with a grid of yellow lines, and various parcel numbers are labeled in yellow text. A road labeled 'RIVER RD' runs vertically through the center. A body of water labeled 'HYDRO' is on the right. Other labels include 'PINE POINT RD' at the bottom right and 'ROW' at the bottom. The red-outlined parcel is located between the river and the 'RIVER RD'. The parcel numbers are: 02464113101, 02464113102, 02464113103, 02464113104, 02464113105, 02464113106, 02464113107, 02464113108, 02464113109, 02464113110, 02464113111, 02464113112, 02464113113, 02464113114, 02464113115, 02464113116, 02464113117, 02464113118, 02464113119, 02464113120, 02464113121, 02464113122, 02464113123, 02464113124, 02464113125, 02464113126, 02464113127, 02464113128, 02464113129, 02464113130, 02464113131, 02464113132, 02464113133, 02464113134, 02464113135, 02464113136, 02464113137, 02464113138, 02464113139, 02464113140, 02464113141, 02464113142, 02464113143, 02464113144, 02464113145, 02464113146, 02464113147, 02464113148, 02464113149, 02464113150, 02464113151, 02464113152, 02464113153, 02464113154, 02464113155, 02464113156, 02464113157, 02464113158, 02464113159, 02464113160, 02464113161, 02464113162, 02464113163, 02464113164, 02464113165, 02464113166, 02464113167, 02464113168, 02464113169, 02464113170, 02464113171, 02464113172, 02464113173, 02464113174, 02464113175, 02464113176, 02464113177, 02464113178, 02464113179, 02464113180, 02464113181, 02464113182, 02464113183, 02464113184, 02464113185, 02464113186, 02464113187, 02464113188, 02464113189, 02464113190, 02464113191, 02464113192, 02464113193, 02464113194, 02464113195, 02464113196, 02464113197, 02464113198, 02464113199, 02464113200, 02464113201, 02464113202, 02464113203, 02464113204, 02464113205, 02464113206, 02464113207, 02464113208, 02464113209, 02464113210, 02464113211, 02464113212, 02464113213, 02464113214, 02464113215, 02464113216, 02464113217, 02464113218, 02464113219, 02464113220, 02464113221, 02464113222, 02464113223, 02464113224, 02464113225, 02464113226, 02464113227, 02464113228, 02464113229, 02464113230, 02464113231, 02464113232, 02464113233, 02464113234, 02464113235, 02464113236, 02464113237, 02464113238, 02464113239, 02464113240, 02464113241, 02464113242, 02464113243, 02464113244, 02464113245, 02464113246, 02464113247, 02464113248, 02464113249, 02464113250, 02464113251, 02464113252, 02464113253, 02464113254, 02464113255, 02464113256, 02464113257, 02464113258, 02464113259, 02464113260, 02464113261, 02464113262, 02464113263, 02464113264, 02464113265, 02464113266, 02464113267, 02464113268, 02464113269, 02464113270, 02464113271, 02464113272, 02464113273, 02464113274, 02464113275, 02464113276, 02464113277, 02464113278, 02464113279, 02464113280, 02464113281, 02464113282, 02464113283, 02464113284, 02464113285, 02464113286, 02464113287, 02464113288, 02464113289, 02464113290, 02464113291, 02464113292, 02464113293, 02464113294, 02464113295, 02464113296, 02464113297, 02464113298, 02464113299, 02464113300, 02464113301, 02464113302, 02464113303, 02464113304, 02464113305, 02464113306, 02464113307, 02464113308, 02464113309, 02464113310, 02464113311, 02464113312, 02464113313, 02464113314, 02464113315, 02464113316, 02464113317, 02464113318, 02464113319, 02464113320, 02464113321, 02464113322, 02464113323, 02464113324, 02464113325, 02464113326, 02464113327, 02464113328, 02464113329, 02464113330, 02464113331, 02464113332, 02464113333, 02464113334, 02464113335, 02464113336, 02464113337, 02464113338, 02464113339, 02464113340, 02464113341, 02464113342, 02464113343, 02464113344, 02464113345, 02464113346, 02464113347, 02464113348, 02464113349, 02464113350, 02464113351, 02464113352, 02464113353, 02464113354, 02464113355, 02464113356, 02464113357, 02464113358, 02464113359, 02464113360, 02464113361, 02464113362, 02464113363, 02464113364, 02464113365, 02464113366, 02464113367, 02464113368, 02464113369, 02464113370, 02464113371, 02464113372, 02464113373, 02464113374, 02464113375, 02464113376, 02464113377, 02464113378, 02464113379, 02464113380, 02464113381, 02464113382, 02464113383, 02464113384, 02464113385, 02464113386, 02464113387, 02464113388, 02464113389, 02464113390, 02464113391, 02464113392, 02464113393, 02464113394, 02464113395, 02464113396, 02464113397, 02464113398, 02464113399, 02464113400, 02464113401, 02464113402, 02464113403, 02464113404, 0





**SAWYER COUNTY BOARD OF SUPERVISORS  
RESOLUTION NO. \_\_\_\_\_**

**Case #24-001      Owner Name: Timberdoodle Land Co., LLC.**

**RESOLUTION TO AMEND SAWYER COUNTY OFFICIAL ZONING MAP**

**WHEREAS**, Wisconsin law permits Sawyer County (the "County") to adopt certain zoning ordinances and amend its existing zoning ordinances, including amendments to the County's official zoning map;

**WHEREAS**, the owner of real property located at (the "Property"), Part of the SW ¼ of the NE ¼, Parcel #024-641-13-1304; Tax ID #44891; 8.09 total acres; Zoned Forestry One (F-1) & Residential/Recreational One (RR-1). and as more fully described as set forth in Exhibit A, which is attached hereto and incorporated herein, requested a rezoning of the Property's zoning designation from Forestry One (F-1) to RR-1 Residential/Recreation One (the "Zoning Designation Amendment");

**WHEREAS**, the Sawyer County Zoning Committee (the "Zoning Committee"), at its meeting on January 19, 2024, reviewed the proposed Zoning Designation Amendment for the Property;

**WHEREAS**, the Zoning Committee voted to recommend ~~approval~~/denial of the proposed Zoning Designation Amendment to the Sawyer County Board of Supervisors ("County Board"); as determined by findings of Fact included as Exhibit B.

**WHEREAS**, the County Board determined, at its meeting on February 15, 2024, that adopting the proposed Zoning Designation Amendment for the Property is warranted to protect the health, welfare and safety of its citizens.

**NOW, THEREFORE BE IT RESOLVED**, by the Sawyer County Board of Supervisors approves the following:

1. Amendment to Official Zoning Map. The Property's zoning designation shall be amended to RR-1 Residential/Recreational One.
2. Additional Actions. The Sawyer County Department of Zoning and Conservation Administrator (or his/her designee) shall take all necessary steps to ensure that the amendment adopted herein is completed.

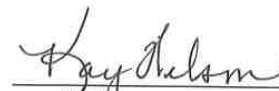


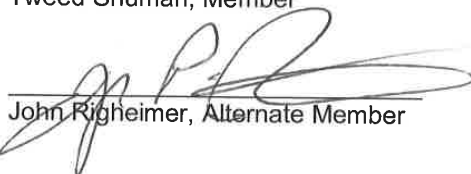
This Resolution is recommended for adoption by the Sawyer County Board of Supervisors at its meeting on February 15, 2024 by this Sawyer County Zoning Committee on this January 19, 2024.

  
Ronald Buckholtz, Chairman

  
Stacey Hessel, Vice Chairman

\_\_\_\_\_  
Tweed Shuman, Member

  
Kay Wilson, Member

  
John Richeimer, Alternate Member

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This Resolution is hereby adopted by the Sawyer County Board of Supervisors this 15th day of February, 2024.

\_\_\_\_\_  
Tweed Shuman,  
Sawyer County Board of Supervisors Chairman

\_\_\_\_\_  
Lynn Fitch, County Clerk

**EXHIBIT A**

**Property Description**

Case #RZN 24-001

Owner: Timberdoodle Land Co., LLC.

Property Description: Part of the SW ¼ of the NE ¼, Part Lots 1-2 CSM 13/158 #3175; S13, T41N, R06W; Parcel #024-641-13-1304; Tax ID #44891; 8.09 total acres; Zoned Forestry One (F-1) & Residential/Recreational One (RR-1). *Request to rezone approx.*

*6.42 acres from F-1 to RR-1.*

Town of Spider Lake  
Background Report for Seibert Petition for Rezone

Petition for Rezone for Lee & Lori Seibert

1. The applicants (also the property owners) are Lee & Lori Seibert.
2. The application is for a rezone of a property with RR-1 and F-1 designation. Applicant wishes to rezone entire parcel to RR-1 to enable subdivision.
3. The location of the parcel is on Neumaier Road, Town of Spider Lake (tax id 42569, legacy parcel number 028 642 32 1205)
4. The property is a legal lot of record.
5. The scope of the rezone is limited to the single parcel.
6. The subject property is 14.43 acres.
7. Immediately to the west are large RR-2 parcels, one for the Reel Livin' Resort and Campground (and RV park) and the Reel Livin Condominium Association (with ten owners).
8. The following standards apply to this proposal:
  - a. Town of Spider Lake Land Use Ordinance 17-88
    - i. Part I, Sections 12 (AMENDMENTS), 13 (PUBLIC HEARINGS/NOTICES) and 15 (ZONE DISTRICTS)
    - ii. Part II, Section 12 (DIMENSIONAL REQUIREMENTS)
  - b. Sawyer County Zoning Rezone Procedure and Shoreland Wetland Protection Ordinance
9. The following plans and policies apply to this proposal:
  - a. Town of Spider Lake Comprehensive Plan
    - i. Map 9.1-Generalized (and Future) Land Use, pg 100
    - ii. Planning Assumptions, pg 15
    - iii. Residential Land Use Projections, pg 62
    - iv. Shoreland Residential Land Use, pg 95
  - b. Sawyer County Zoning Map

The Public Hearing notice below appeared in the December 20 and 27, 2023 editions of the Sawyer County Record and a public hearing was held on January 3, 2024:

Rezone Petition: Land owner: Lee & Lori Seibert. Located in the NW¼ of the NE¼, Sec 32, T42N, R06W. Description: PRT NENE, PRT NWNE, PRT SWNE, LOT 2, CSM 34/241, #8169. Legacy PIN: 028642321205. Site address: 12858N Neumaier Rd, 14.36 Acres, Zoned F-1 Forest One District and RR-1 Residential Recreational One. Purpose of the request is to rezone the entire parcel to RR-1 in order to subdivide.

The County Zoning Map indicates two zone districts within this parcel, although origins of the zone districts (and maps) are not clear.

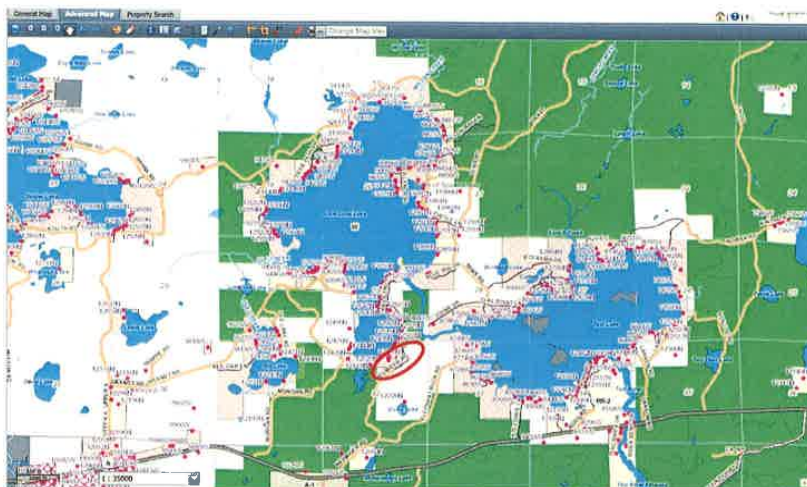


Of the 14.36 acres, property value assessments note two acres of G1- Residential and the remaining 12.36 as G5-Undeveloped and G6-Productive Forest.

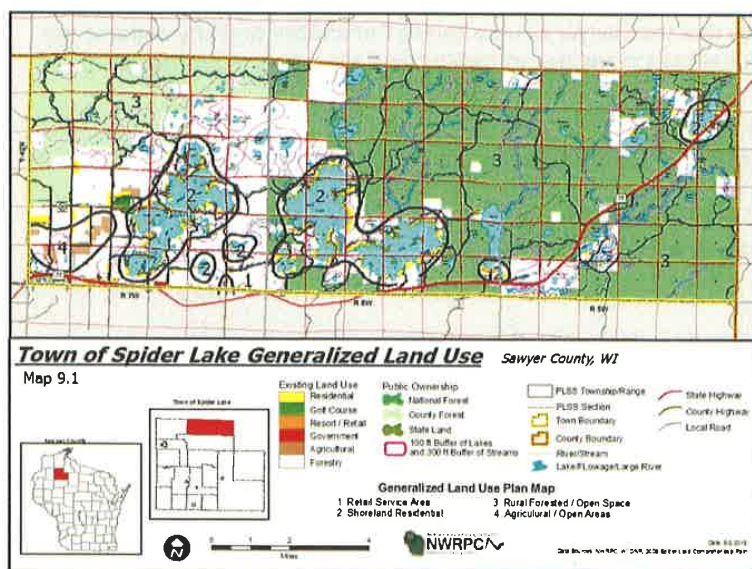
| Parcel Report                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |       | Download / Print                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |         |      |       |      |      |                |       |        |         |                |       |       |   |                      |       |        |   |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------|------|-------|------|------|----------------|-------|--------|---------|----------------|-------|-------|---|----------------------|-------|--------|---|
| Real Estate Sawyer County Property Listing                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |       | Property Status: Current                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |         |      |       |      |      |                |       |        |         |                |       |       |   |                      |       |        |   |
| Today's Date: 12/18/2023                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |       | Created On: 10/7/2016 1:59:40 PM                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |         |      |       |      |      |                |       |        |         |                |       |       |   |                      |       |        |   |
| <b>2 Description</b> Updated: 7/19/2022<br><b>Tax ID:</b> 42569<br><b>PIN:</b> 57-028-2-42-06-32-1 02-000-000050<br><b>Legacy PIN:</b> 028642321205<br><b>Map ID:</b><br><b>Municipality:</b> (028) TOWN OF SPIDER LAKE<br><b>STR:</b> S32 T42N R06W<br><b>Description:</b> PRT NENE, PRT NWNE, PRT SWNE LOT 2 CSM 34/241 #8169<br><b>Recorded Acres:</b> 14.360<br><b>Lottery Claims:</b> 1<br><b>First Dollar:</b> Yes<br><b>Zoning:</b> (F-1) Forestry One (RR1) Residential/Recreational One<br><b>ESN:</b> 401 |       | <b>4 Ownership</b> Updated: 7/19/2022<br><b>LEE &amp; LORI SEIBERT</b> HAYWARD wi<br><b>Billing Address:</b> LEE & LORI SEIBERT<br>12389N NEUMAIAER RD SEIBERT<br>HAYWARD wi 54843<br><b>Mailing Address:</b> LEE & LORI SEIBERT<br>12389N NEUMAIAER RD<br>HAYWARD wi 54843                                                                                                                                                                                                                                                                                 |         |      |       |      |      |                |       |        |         |                |       |       |   |                      |       |        |   |
| <b>7 Tax Districts</b> Updated: 10/7/2016<br>1 State of Wisconsin<br>57 Sawyer County<br>028 Town of Spider Lake<br>572478 Hayward Community School District<br>001700 Technical College                                                                                                                                                                                                                                                                                                                            |       | <b>4 Site Address</b> * indicates Private Road<br>12389N NEUMAIAER RD HAYWARD 54843<br><b>4 Property Assessment</b> Updated: 10/2/2023<br><b>2023 Assessment Detail</b> <table border="1"> <thead> <tr> <th>Code</th> <th>Acres</th> <th>Land</th> <th>Imp.</th> </tr> </thead> <tbody> <tr> <td>G1-RESIDENTIAL</td> <td>2.000</td> <td>20,000</td> <td>250,400</td> </tr> <tr> <td>G5-UNDEVELOPED</td> <td>6.000</td> <td>1,500</td> <td>0</td> </tr> <tr> <td>G6-PRODUCTIVE FOREST</td> <td>6.360</td> <td>15,900</td> <td>0</td> </tr> </tbody> </table> |         | Code | Acres | Land | Imp. | G1-RESIDENTIAL | 2.000 | 20,000 | 250,400 | G5-UNDEVELOPED | 6.000 | 1,500 | 0 | G6-PRODUCTIVE FOREST | 6.360 | 15,900 | 0 |
| Code                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Acres | Land                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Imp.    |      |       |      |      |                |       |        |         |                |       |       |   |                      |       |        |   |
| G1-RESIDENTIAL                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 2.000 | 20,000                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 250,400 |      |       |      |      |                |       |        |         |                |       |       |   |                      |       |        |   |
| G5-UNDEVELOPED                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 6.000 | 1,500                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 0       |      |       |      |      |                |       |        |         |                |       |       |   |                      |       |        |   |
| G6-PRODUCTIVE FOREST                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | 6.360 | 15,900                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 0       |      |       |      |      |                |       |        |         |                |       |       |   |                      |       |        |   |
| <b>2 Recorded Documents</b> Updated: 3/11/2013                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |       | <b>4 Property History</b><br>Parent Properties Tax ID                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |         |      |       |      |      |                |       |        |         |                |       |       |   |                      |       |        |   |



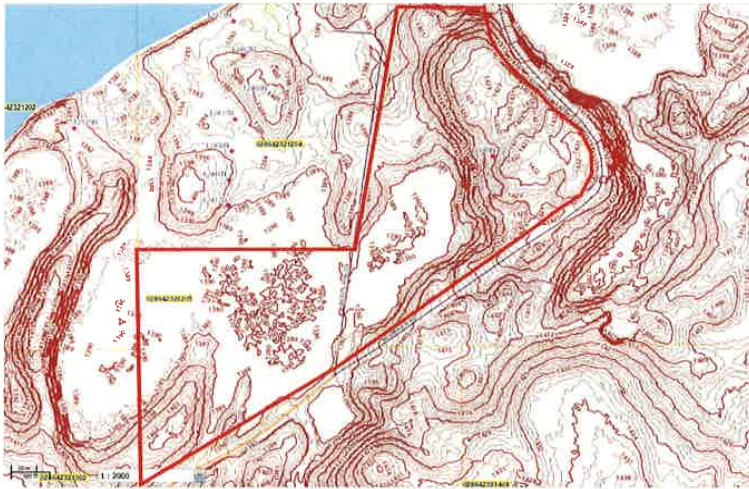
When viewed in context of surrounding area, the parcel is at the boundary of 'Shoreland Residential' and Forestry. (White is F-1 zone district, and Green is National Forest in map below).



The Town of Spider Lake Comprehensive Plan Map 9.1 indicates the General (and Future) Land Use, and the Seibert parcel is similarly close to / within the boundary.



The only 'developable' high ground on the parcel for a new dwelling is the southwest corner of the property adjacent to Neumaier Road (see topo view below):



The Town of Spider Lake Board of Supervisors reviewed the Petition at their regular Board Meeting on January 10, 2024. Following discussion, the Board supports the Petition with conditions, and recommends that the Sawyer County Zoning Committee similarly endorse the rezone of the Seibert parcel 028942321205 (tax ID 42569) from RR-1 / F-1 to entirely RR-1.

The recommended conditions are:

1. the parcel be evaluated with a PERC soil test to determine the suitability of sanitation system
2. a survey grade plot plan be undertaken to define the available buildable area
3. any proposed structure must be residential dwelling, not storage building with habitable space

The first two elements are already in process by the owner.

DRAFT Minutes from the January 10 Town of Spider Lake Board Meeting are attached.

## TOWN BOARD MEETING MINUTES

Wednesday, January 10, 2024

7:00 pm

1. The Town of Spider Lake Board of Supervisors monthly meeting was called to order by Town Chair Tim Sheldon at 7:00 pm. Present were Chair Tim Sheldon, Supervisors Deb Amery, Lee Seibert, Sarah Delaney and Mark Johns, Treasurer Kathy Overman and Clerk Ann Schultz.

2. **Motion** to approve the agenda for the Town Board Meeting on Wednesday, January 10, 2024, made by Sarah Delaney with the addition of the public input session and seconded by Mark Johns. All ayes. Motion carried.

3. Pledge of Allegiance

4. Public comment session: none.

5. **Motion** to approve the minutes from the Town Board Meeting on Wednesday, December 13th, 2023 made by Deb Amery and seconded by Mark Johns. All ayes. Motion carried.

6. Treasurer's Report presented by Kathy Overman

- Year to date \$921,529.75 as of December 31, 2023.

7. Vouchers presented by Clerk Schultz

- Expenditures in the amount of \$156,760.36 were presented for inspection by the Board. **Motion** to approve the vouchers and any that come in late was made by Deb Amery and seconded by Lee Seibert. All ayes. Motion carried.

8. Clerk's Report presented by Ann Schultz

- **Motion** to approve Liquor licenses for Ghost Lake Lodge Property Management, LLC, Wade A Whiddon, Agent, dba Ghost Lake Lodge (license not issued until after closing date), Dough Girl, LLC, Robert T Champion, Agent, dba Spider Lake Golf Course and Wayzata Bay Consulting, LLC, Michael M Burkauskas, Agent, dba Blackiron Bar & Grill made by Deb Amery and seconded by Sarah Delaney. All ayes. Motion carried.
- **Motion** to approve Operator License for Blackiron Bar & Grill – Gregory T Forseth made by Tim Sheldon and seconded by Mark Johns. All ayes. Motion carried.
- Election update: No February Primary, April 2nd Spring Election – 3 Supervisor candidates on our ballot: 1. Quentin Johnson; 2. Deb Amery; and 3. Bruce Van Fleet
- WTA District meetings, Lakewoods, 4/5 (\$65) – need at least one Supervisor to obtain a Board of Review recertification (Mark Johns did it last year).
- Lumen Technology/Century Link update – trunk line to bring service has been completed by Lumen/Century Link. Service to homes is done by BrightStar and they are not interested in updating our services at the current time. Thank you, Charlie Brandt, Jim, and Don who spent time wiring the new building at no cost to the Town.

9. Committee Reports

- a. Roads Committee presented by Deb Amery

- Budget Update – total budget for 2024 for Roads \$491,926. Huge thank you to Bob for building a 32' workbench for the new building from scrap wood from the new building!
  - Update on the equipment purchase process – working on getting responses on the new process. If anyone is interested in this, please reach out to Deb Amery. Huge thank you to the Roads Department who came in \$5,537 under budget in 2023!
- b. Plan & Review Commission presented by Sarah Delaney
- The P&RC hosted a public hearing on a Petition for Rezone (from RR-1/F-1 to RR-1) by applicants Lee & Lori Seibert.
  - The Seibert's intent is to subdivide and sell the southwestern portion of the ~14 ac parcel, enabling a dwelling/residence to be built (currently proposed as 3.5 ac parcel). Nine response letters received for the proposal; eight opposed. Primary concerns centered on preserving Northwoods character and protecting the environment. A large portion of the existing parcel is wetland; concern expressed on negative impacts of development. Seibert confirmed he plans no more development beyond the SW portion subdivision. P&RC supported the petition and recommends that the Town Board support the rezone to the Sawyer County Zoning Committee. Sarah Delaney moved to approve the rezoning of the Seibert property, seconded by Tim Sheldon. Discussion: Recommendation to amend the motion to add three conditions: that the parcel be evaluated with a PERC soil test to determine the suitability of sanitation system, a survey grade plot plan be undertaken to define the available building area, and any proposed structure must be residential dwelling, not storage building with habitable space. Chairman Sheldon suggested Lee Seibert recuse himself due to his personal interest. Has the buyer met with Mike Gardner? No. PERC test has been scheduled, and a survey has been requested by the Seiberts. Delaney moved to recommend the rezone with recommended conditions; Sheldon seconded. All ayes (Seibert abstained). Motion carried.
  - Zoning Administrator's Report – one permit reviewed and approved for Mark Santas: LUP 23-040\_REV – Accessory Building (Revision to LUP 23-040; larger size and new placement)
  - CAFO Operations Ordinance 01-2024 – FAQs are in the packet and Delaney provided an overview of the Ordinance and its contents. The purpose is to protect the public, the natural resources and property values AND create strong livestock ordinance that would withstand scrutiny. Sarah Delaney moved to endorse moving forward with the proposed DRAFT Ordinance 01-2024: Concentrated Animal Feeding Operations (CAFO) Ordinance, seconded by Deb Amery. All Ayes. Motion carried. The draft documents will be posted on the website, with written comments requested by February 2. A public hearing will be planned for Feb 7, 2024.
- c. Facilities, Maintenance, & Solid Waste presented by Mark Johns
- Facilities Report: New Building – walk through completed with Walters Construction as construction is completed and under budget. It's a shared building. Three main priorities: (1) Provide a safe working environment and allow our road team to enter the building with plows on trucks. (2) Expand our facilities for the Fire Department including shower, bathroom and laundry facilities for post

emergency clean up, as well as space to maintain and repair our fire trucks. (3) All of the Town's equipment is now under roof and protected inside and under our "lean to".

- Don Fogal asked the builders to leave the extra wood and Bob built the amazing workbench at no extra cost to the Town.
  - Butterfield Well – Larger 3 HP pump at no extra cost (originally 2.5 HP to be installed) to provide greater water supply to all buildings. A huge improvement for our town. For decades our Toad and Fire Departments have worked with inadequate facilities. A big thank you to all committee members and the community for making this happen.
  - Town Cabinet for legal posting at Boulder Lodge, glass had fallen out of it. Mark put it back together and in good working order now. Mark and Don put new gutters on the Town Hall – hinged gutters that can be retracted for winter.
  - Transfer Station Report – Holiday surge to be sure (Santa was good and New Year's was rung in with gusto). Please be sure that recyclables are clean when they are brought to the Transfer Station.
  - All facilities are protected with three generators for the first time.
- d. Health & Safety presented by Lee Seibert –
- Ice thickness is increasing, and groomers have been out. Fire danger is low. Fire Department – budget that was approved was different from the budget that should have been due to Lee's illnesses and hospitalizations. A lot of items from the Roads Department have been moved to the new building, opening up a lot of space for the Fire Department.
  - The \$500 deposit for ArmorCoating the floor of the Fire Department has not been paid and it should be looked into paying to hold our place in line to get it done in spring. Total cost of the flooring would be \$16,127.95. Lee moved that we make the deposit of \$500, seconded by Sarah Delaney. Discussion: Racks to be installed will not affect the flooring. Project would not begin for several months – it would be a spring project. Mark would like to see an entire overall plan for the building – what does the Fire Department want to change and what outcomes would they like to see? A comprehensive plan presented to the Board would be very helpful for the Board to review. Sarah Delaney, Deb Amery, and Tim Sheldon all voted Aye to paying the deposit. Mark Johns voted against. Motion carried.
  - Chief: Mike Schmidt, EMS Director: Rex Clevenger, Treasurer: David Thearin, Secretary: Deb Amery
- e. Finance & Insurance presented by Tim Sheldon
- Finance Committee updates – Building final cost was \$474,931, including an \$8,992 generator as an unanticipated expense.
  - Wildfire Risk Reduction Grant -Wildfire Risk Reduction application for the 2024 project year cycle. A team of fire program specialists reviewed 58 applications requesting \$519,000 in project funding. Each project was evaluated according to how well it fit within the 2024 Wildfire Risk Reduction guidelines, its ability to reduce wildfire risk in high fire risk areas, and whether it supports the work identified in Community Wildfire Protection Plans and Firewise USA sites. Due to a record level of funding requests and a lesser amount of available grants funds, we did have to make some cuts, particularly in the "fuels reduction" category.



Town of Spider Lake was FULLY FUNDED for \$11,900: • You requested \$5,400 for Brush Collection Days• You requested \$5,500 for Roadside Fuels Reduction• You requested \$1,000 for Home Ignition Zone Assessments

- Ghost Lake Dam – The agreement between the Town of Spider Lake and Boulder Properties, LLC to purchase and lease six piers with insurance has been completed and submitted to the DNR. Closes an 18-month effort to formalize the Ghost Lake Dam agreement. Many thanks to Michelle and Terry Conroy, Town Attorney John Carlson and Deb Amery as well as DNR staff members Robert Hoffman and Jacob Duffner who made this happen.
- Town of Round Lake Cell Tower-discussing sharing equipment to defray the costs.
- Would supervisors like to change the meeting time to 6pm rather than 7pm on Wednesdays? Tim Sheldon **moved** the Town Board meeting time be shifted from 7 pm to 6 pm, seconded by Deb Amery. Discussion: it will be harder during the summer to get in at 6. All ayes. Motion carried.

10. New Business/Announcements

- Ad Hoc Vision Assessment Committee update - Sarah Delaney presented that all Town Survey items have been posted to the Town's website.

11. **Motion** to adjourn made by Mark Johns and seconded by Deb Amery. All ayes. Motion carried.

**Next meeting will be Wednesday, February 14<sup>th</sup> at 6 pm.**

Respectfully submitted,  
Bianca Cleary, Deputy Clerk  
January 11, 2024

## Real Estate Sawyer County Property Listing

Today's Date: 2/1/2024

Property Status: Current

Created On: 10/7/2016 1:59:40 PM



## Description

Updated: 7/19/2022

|                          |                                                          |
|--------------------------|----------------------------------------------------------|
| <b>Tax ID:</b>           | 42569                                                    |
| <b>PIN:</b>              | 57-028-2-42-06-32-1 02-000-000050                        |
| <b>Legacy PIN:</b>       | 028642321205                                             |
| <b>Map ID:</b>           |                                                          |
| <b>Municipality:</b>     | (028) TOWN OF SPIDER LAKE                                |
| <b>STR:</b>              | S32 T42N R06W                                            |
| <b>Description:</b>      | PRT NENE, PRT NWNE, PRT SWNE LOT 2 CSM 34/241 #8169      |
| <b>Recorded Acres:</b>   | 14.360                                                   |
| <b>Calculated Acres:</b> | 14.345                                                   |
| <b>Lottery Claims:</b>   | 1 <b>LC Note</b>                                         |
| <b>First Dollar:</b>     | Yes                                                      |
| <b>Zoning:</b>           | (F-1) Forestry One<br>(RR1) Residential/Recreational One |
| <b>ESN:</b>              | 401                                                      |



## Tax Districts

Updated: 10/7/2016

|        |                                   |
|--------|-----------------------------------|
| 1      | State of Wisconsin                |
| 57     | Sawyer County                     |
| 028    | Town of Spider Lake               |
| 572478 | Hayward Community School District |
| 001700 | Technical College                 |



## Recorded Documents

Updated: 7/12/2022

|                                |                        |
|--------------------------------|------------------------|
| <b>WARRANTY DEED</b>           |                        |
| Date Recorded: 7/1/2022        | <a href="#">439971</a> |
| <b>LAND CONTRACT</b>           |                        |
| Date Recorded: 3/18/2021       | <a href="#">430598</a> |
| <b>DECLARATION OF EASEMENT</b> |                        |
| Date Recorded: 3/15/2021       | <a href="#">430530</a> |
| <b>EASEMENT</b>                |                        |
| Date Recorded: 9/28/2017       | <a href="#">408908</a> |
| <b>CERTIFIED SURVEY MAP</b>    |                        |
| Date Recorded: 10/5/2016       | <a href="#">403291</a> |
| <b>NOTE</b>                    |                        |
| Date Recorded: 8/10/2016       |                        |
| <b>WARRANTY DEED</b>           |                        |
| Date Recorded: 3/4/2013        | <a href="#">383799</a> |

Child History Record Count: 4 -

## HISTORY

White=Current Parcels Pink=Retired Parcels

- Tax ID:** 30527 **Pin:** 57-028-2-42-06-32-1 03-000-000030 **Leg. Pin:** 028642321303 **Map ID:** .3.3
- Tax ID:** 30523 **Pin:** 57-028-2-42-06-32-1 02-000-000010 **Leg. Pin:** 028642321201 **Map ID:** .2.1
- Tax ID:** 30522 **Pin:** 57-028-2-42-06-32-1 01-000-000020 **Leg. Pin:** 028642321102 **Map ID:** .1.2
- Tax ID:** 42500 **Pin:** 57-028-2-42-06-32-1 02-000-000030 **Leg. Pin:** 028642321203

42569 This Parcel Parents Children



## Ownership

Updated: 7/19/2022

LEE &amp; LORI SEIBERT HAYWARD wi

## Billing Address:

LEE & LORI SEIBERT  
12389N NEUMAIER RD  
HAYWARD wi 54843

## Mailing Address:

LEE & LORI SEIBERT  
12389N NEUMAIER RD  
HAYWARD wi 54843



## Site Address \* indicates Private Road

12389N NEUMAIER RD HAYWARD 54843



## Property Assessment

Updated: 10/2/2023

## 2023 Assessment Detail

| Code                 | Acres | Land   | Imp.    |
|----------------------|-------|--------|---------|
| G1-RESIDENTIAL       | 2.000 | 20,000 | 250,400 |
| G5-UNDEVELOPED       | 6.000 | 1,500  | 0       |
| G6-PRODUCTIVE FOREST | 6.360 | 15,900 | 0       |

## 2-Year Comparison

|                  | 2022    | 2023    | Change |
|------------------|---------|---------|--------|
| <b>Land:</b>     | 45,700  | 37,400  | -18.2% |
| <b>Improved:</b> | 172,400 | 250,400 | 45.2%  |
| <b>Total:</b>    | 218,100 | 287,800 | 32.0%  |



## Property History

|                                   |                       |
|-----------------------------------|-----------------------|
| <b>Parent Properties</b>          | Tax ID                |
| 57-028-2-42-06-32-1 02-000-000030 | <a href="#">42500</a> |







• TOSL Rezone Application #24-01

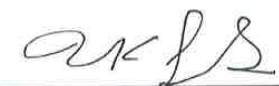
Town of Spider Lake

TO: Sawyer County Zoning & Conservation Administration  
10610 Main Street, Suite 49  
Hayward, Wisconsin 54843  
Attn: Kathy Marks  
E-mail: [Kathy.marks@sawycountygov.org](mailto:Kathy.marks@sawycountygov.org)

**Owner: Lee & Lori Seibert      Phone: 515-571-1211      Email: [leeseibert@msn.com](mailto:leeseibert@msn.com)**

Rezone Petition: Land owner: Lee & Lori Seibert. Located in the NW¼ of the NE¼, Sec 32, T42N, R06W.  
Description: PRT NENE, PRT NWNE, PRT SWNE, LOT 2, CSM 34/241, #8169. Legacy PIN: 028642321205. Site address: 12389N Neumaier Rd, 14.36 Acres, Zoned F-1 Forest One District and RR-1 Residential Recreational One. Purpose of the request is to rezone the entire parcel to RR-1 in order to subdivide and sell/develop for a single family dwelling.

By Action of the Town of Spider Lake Board, Petition is ☒ Approved      ( ) Tabled      ( ) Denied

|                                                                                                              | <u>Yes</u>                          | <u>No</u> |                                                                                                                   | <u>Yes</u>                          | <u>No</u> |
|--------------------------------------------------------------------------------------------------------------|-------------------------------------|-----------|-------------------------------------------------------------------------------------------------------------------|-------------------------------------|-----------|
| <br>Tim Sheldon, Chairman | <input checked="" type="checkbox"/> | ( )       | <br>Mark Johns, Supervisor    | <input checked="" type="checkbox"/> | ( )       |
| <br>Deb Amery, Supervisor | <input checked="" type="checkbox"/> | ( )       | <br>Sarah Delaney, Supervisor | <input checked="" type="checkbox"/> | ( )       |

RECUSED: Lee Seibert, Supervisor

Dated: January 31, 2024  
Special Town Board Meeting

**SAWYER COUNTY BOARD OF SUPERVISORS  
RESOLUTION NO. \_\_\_\_\_**

**Case # 24-001(5) Owners Name: Lee & Lori Seibert**  
**Spider Lake**

**RESOLUTION TO AMEND SAWYER COUNTY OFFICIAL ZONING MAP**

**WHEREAS**, Wisconsin law permits Sawyer County (the "County") to adopt certain zoning ordinances and amend its existing zoning ordinances, including amendments to the County's official zoning map;

**WHEREAS**, the owner of real property located at The NE ¼ of the NE ¼, Part of the NW ¼ of the NE ¼, Part of the SW ¼ of the NE ¼, Lot 2 CSM 34-241 #8169; S32, T42N, R06W; Parcel #028-642-32-1205; Tax ID #42569; 14.36 total acres; Zoned Forestry One (F-1) and Residential/Recreational One (RR-1) the "Property", and as more fully described as set forth in Exhibit A, which is attached hereto and incorporated herein, requested a rezoning of the Property's zoning designation from Forestry One (F-1) to Residential/Recreational One (RR-1) (the "Zoning Designation Amendment");

**WHEREAS**, the Spider Lake Plan & Review Commission ("Zoning") at its meeting on January 31, 2024, reviewed the proposed Zoning Designation Amendment for the Property;

**WHEREAS**, the Spider Lake Plan & Review Commission voted to recommend approval/denial of the proposed Zoning Designation Amendment to the Sawyer County Board of Supervisors ("County Board"); and

**WHEREAS**, the County Board determined, at its meeting on February 15, 2024, that adopting/denying the proposed Zoning Designation Amendment for the Property is warranted to protect the health, welfare and safety of its citizens.

**NOW, THEREFORE BE IT RESOLVED**, by the Sawyer County Board of Supervisors approves/denies the following:

1. Amendment to Official Zoning Map. The Property's zoning designation shall be amended to RR-1.
2. Additional Actions. The Sawyer County Department of Zoning and Conservation Administrator (or his/her designee) shall take all necessary steps to ensure that the amendment adopted herein is completed.



---

This Resolution is hereby adopted/disapproved by the Sawyer County Board of Supervisors this  
15th day of February 15, 2024.

---

|                                             |                          |
|---------------------------------------------|--------------------------|
| Tweed Shuman,                               | Lynn Fitch, County Clerk |
| Sawyer County Board of Supervisors Chairman |                          |

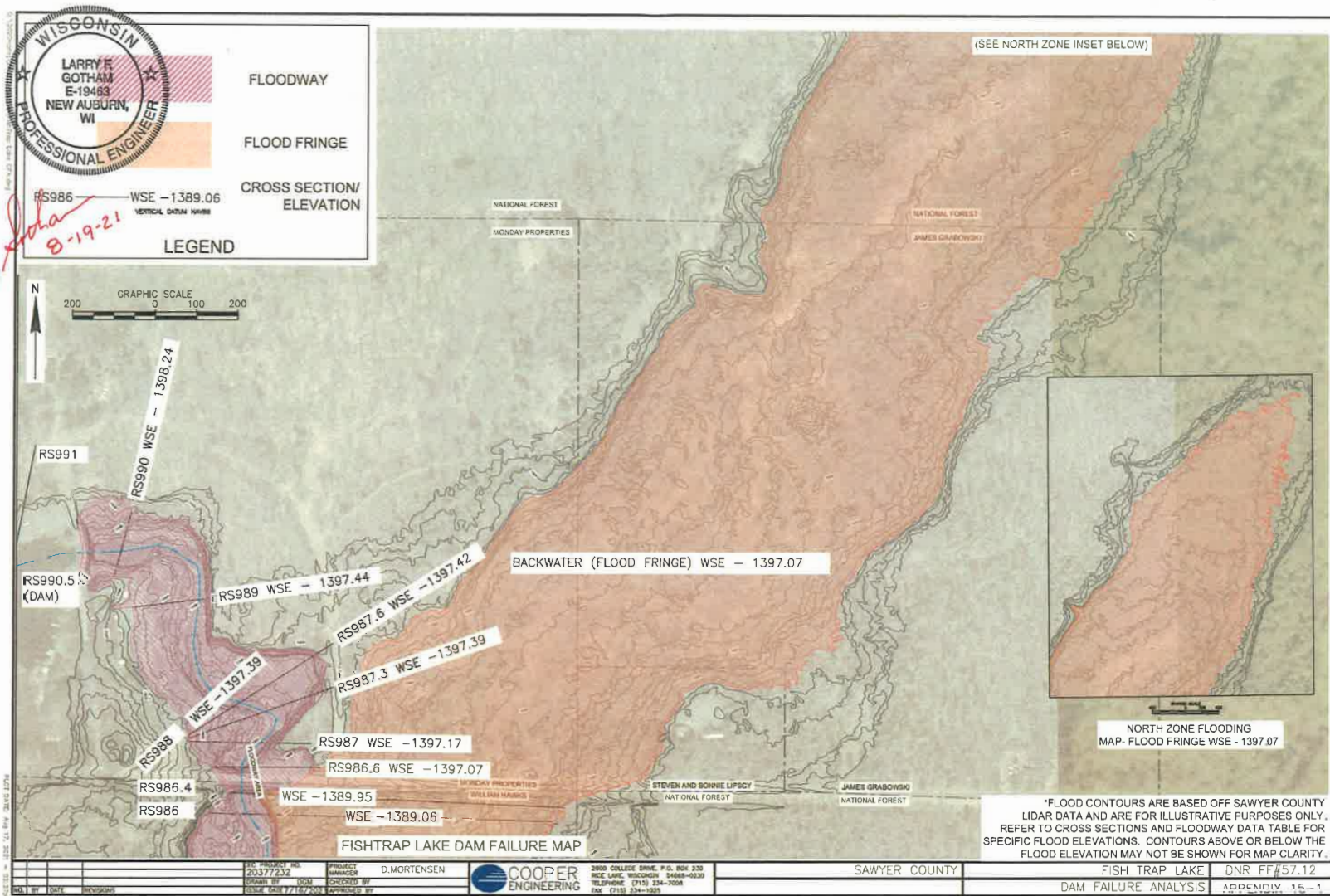
EXHIBIT A

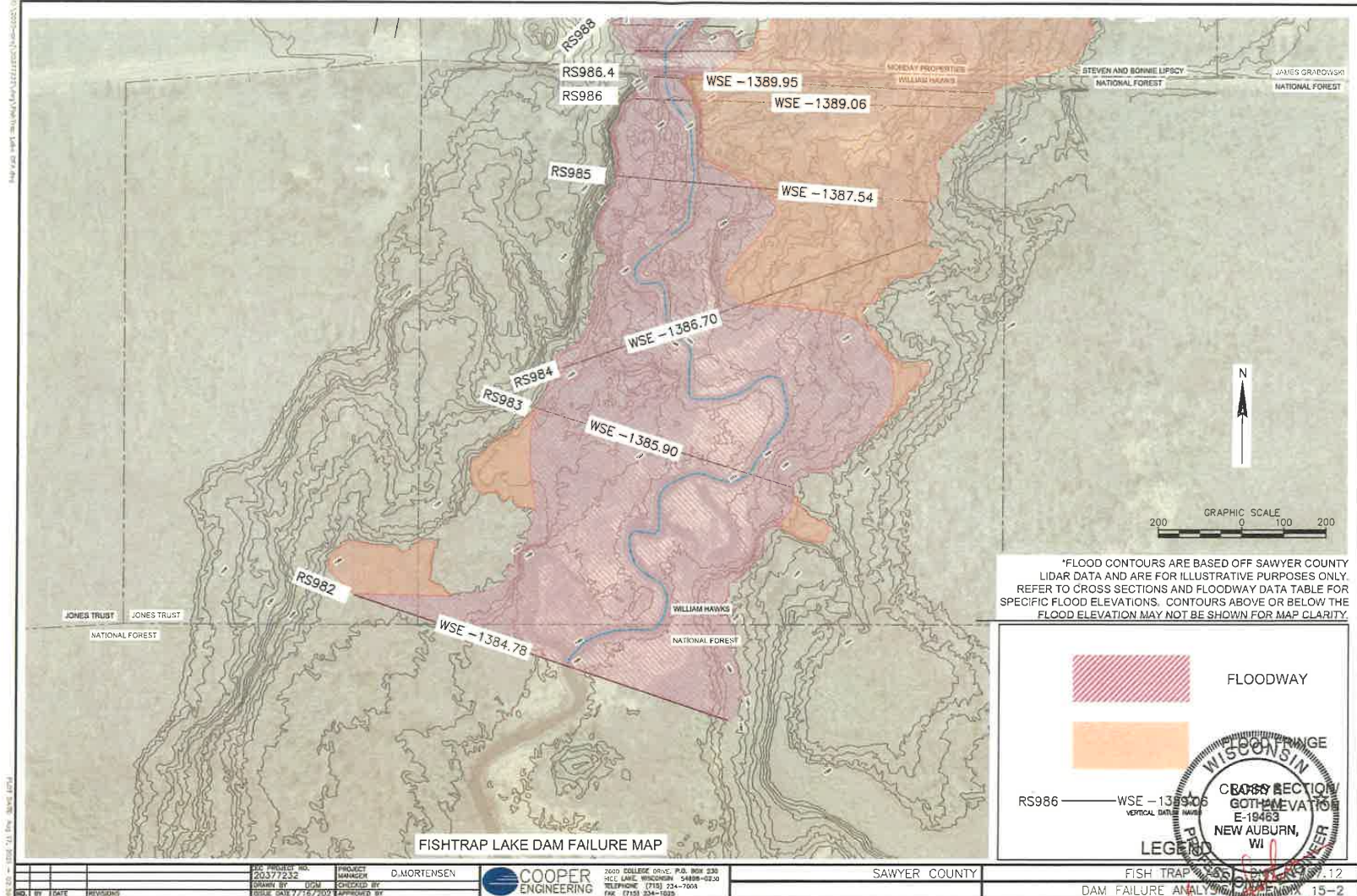
Property Description

Owners: Lee & Lori Seibert

Town of Spider Lake

The NE ¼ of the NE ¼, Part of the NW ¼ of the NE ¼. Part of the SW ¼ of the NE ¼, Lot 2  
CSM 34-241 #8169; S32, T42N, R06W; Parcel #028-642-32-1205; Tax ID #42569; 14.36 total  
acres; Zoned Forestry One (F-1) and Residential/Recreational One (RR-1) Request to Rezone  
approx 5.38 acres from F-1 to RR-1.





|                      |  |                             |  |                    |  |                                                                                                                           |  |
|----------------------|--|-----------------------------|--|--------------------|--|---------------------------------------------------------------------------------------------------------------------------|--|
| PROJECT NO. 20377232 |  | PROJECT MANAGER D.MORTENSEN |  | SAWYER COUNTY      |  | FISH TRAP LAKE DAM FAILURE ANALYSIS                                                                                       |  |
| DRAWN BY JCM         |  | CHECKED BY JCM              |  | DATE 11/16/2021    |  | 15-2                                                                                                                      |  |
| DATE 11/16/2021      |  | APPROVED BY                 |  | COOPER ENGINEERING |  | 2000 COLLEGE DRIVE, P.O. BOX 238<br>WILLIAM HAWES, WISCONSIN 54989-0238<br>TELEPHONE (715) 234-7004<br>FAX (715) 234-1025 |  |



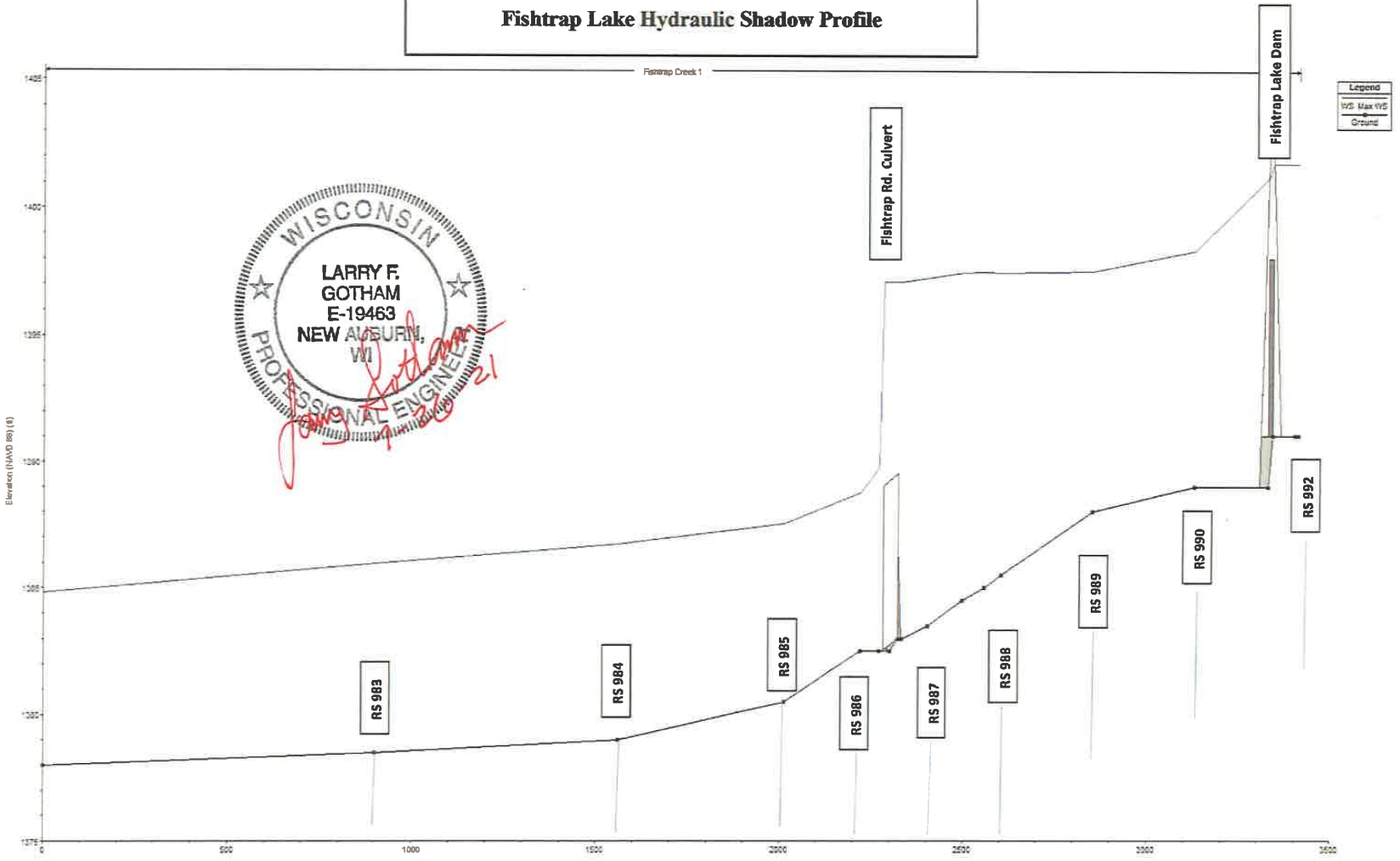
| FLOODING SOURCE             |                       | FLOODWAY     |                           |                                         | DAM FAILURE<br>WATER SURFACE ELEVATION |                                    |                                 |                    |
|-----------------------------|-----------------------|--------------|---------------------------|-----------------------------------------|----------------------------------------|------------------------------------|---------------------------------|--------------------|
| CROSS SECTION<br>STATIONING | DISTANCE, FEET*       | WIDTH (FEET) | SECTION AREA<br>(SQ FEET) | MEAN<br>VELOCITY<br>(FEET/SEC)          | REGULATORY<br>(FEET NAVD)              | WITHOUT<br>FLOODWAY<br>(FEET NAVD) | WITH<br>FLOODWAY<br>(FEET NAVD) | INCREASE<br>(FEET) |
| Fishtrap Creek              |                       |              |                           |                                         |                                        |                                    |                                 |                    |
| 992                         | 0                     | 648.54       | 5018.70                   | 0.06                                    | 1401.74                                | 1401.74                            | 1401.74                         | 0.00               |
| 991                         | 10                    | 648.54       | 5018.70                   | 0.06                                    | 1401.74                                | 1401.74                            | 1401.74                         | 0.00               |
| 990.5                       | Fishtrap Lake Dam     |              |                           |                                         |                                        |                                    |                                 |                    |
| 990                         | 283                   | 163.80       | 830.36                    | 7.69                                    | 1398.24                                | 1398.24                            | 1398.24                         | 0.00               |
| 989                         | 559                   | 186.16       | 841.74                    | 8.49                                    | 1397.44                                | 1397.44                            | 1397.44                         | 0.00               |
| 988                         | 807                   | 269.58       | 1888.48                   | 4.47                                    | 1397.39                                | 1397.39                            | 1397.39                         | 0.00               |
| 987.6                       | 852                   | 344.04       | 2627.01                   | 3.21                                    | 1397.42                                | 1397.42                            | 1397.42                         | 0.00               |
| 987.3                       | 912                   | 326.72       | 2399.90                   | 3.12                                    | 1397.39                                | 1397.39                            | 1397.39                         | 0.00               |
| 987                         | 1007                  | 210.94       | 1366.36                   | 6.40                                    | 1397.17                                | 1397.17                            | 1397.17                         | 0.00               |
| 986.6                       | 1077                  | 295.09       | 1419.53                   | 7.08                                    | 1397.07                                | 1397.07                            | 1397.07                         | 0.00               |
| 986.5                       | Fishtrap Road Culvert |              |                           |                                         |                                        |                                    |                                 |                    |
| 986.4                       | 1139                  | 74.60        | 307.66                    | 18.74                                   | 1389.95                                | 1389.95                            | 1389.95                         | 0.00               |
| 986                         | 1189                  | 154.32       | 526.77                    | 13.45                                   | 1389.06                                | 1389.06                            | 1389.06                         | 0.00               |
| 985                         | 1399                  | 334.21       | 1298.71                   | 7.07                                    | 1387.54                                | 1387.54                            | 1387.54                         | 0.00               |
| 984                         | 1849                  | 447.98       | 1858.45                   | 5.00                                    | 1386.70                                | 1386.70                            | 1386.70                         | 0.00               |
| 983                         | 2509                  | 641.69       | 2072.91                   | 4.53                                    | 1385.90                                | 1385.90                            | 1385.90                         | 0.00               |
| 982                         | 3409                  | 935.99       | 2200.83                   | 4.62                                    | 1384.78                                | 1384.78                            | 1384.78                         | 0.00               |
| SAWYER COUNTY WISCONSIN     |                       |              |                           | FISHTRAP LAKE DAM FAILURE FLOODWAY DATA |                                        |                                    |                                 |                    |
|                             |                       |              |                           | FISHTRAP CREEK                          |                                        |                                    |                                 |                    |

\*Feet downstream of RS 992 on Fishtrap Lake





Fishtrap Creek- Sawyer County, WI  
Fishtrap Lake Hydraulic Shadow Profile



**State of Wisconsin**  
**DEPARTMENT OF NATURAL RESOURCES**  
810 West Maple Street  
Spooner WI 54801

Tony Evers, Governor  
Adam N. Payne, Secretary  
Telephone 608-266-2621  
Toll Free 1-888-936-7463  
TTY Access via relay - 711



October 26, 2023

Mr. Jay Kozlowski  
Zoning and Conservation Administrator  
10610 Main Street, Suite #49  
Hayward, WI 54843

Subject: Fishtrap Lake Dam, Field File: 57.12, Key Sequence #: 299. Sawyer County, Floodplain Mapping.  
Ordinance Adoption Notice.

Dear Mr. Kozlowski,

On September 7, 2021, the Department of Natural Resources (Department) approved the dam failure analysis for the Fishtrap Lake Dam, located across the Fishtrap Creek, in the SW 1/4 of the NW 1/4 of Section 13, Township 40N, Range 05W, Sawyer County, Wisconsin. Based on the results of the approved study the dam was assigned a final hazard rating of High Hazard.

The areas of potential dam failure inundation (hydraulic shadow) are adequately reflected on a map with additional information such as stationing, water surface elevations, maximum velocities, and floodway widths presented in a floodway data table. This information is provided in the following enclosures:

1. Map signed August 19, 2021 and titled "*Fishtrap Lake Dam Failure Map*".
2. Floodway data table signed July 26, 2021 and titled "*Fishtrap Lake Dam Failure Floodway Data*".
3. Flood profiles signed July 26, 2021 and titled "*Fishtrap Lake Hydraulic Shadow Profile*."

Under the requirements of chapter 87.30, Wisconsin Statutes and chapter NR 116.05, Wisconsin Administrative Code, the materials submitted with this letter need to be reviewed and any comments on technical aspects of the study shall be provided to the Department within **thirty (30) days** from the date this decision was delivered. After the 30-day review and comment period, the above referenced materials shall be formally adopted into the floodplain zoning ordinance within **six (6) months**.

To add the dam failure analysis into the ordinance amendment, the above sentences one through three need to be included in the official map section **at a minimum**. However, I suggest using the following language:

Fishtrap Lake Dam failure analysis approved by the Department of Natural Resources on September 7, 2021, including:

1. Map signed August 19, 2021 and titled "*Fishtrap Lake Dam Failure Map*".
2. Floodway data table signed July 26, 2021 and titled "*Fishtrap Lake Dam Failure Floodway Data*".
3. Flood profiles signed July 26, 2021 and titled "*Fishtrap Lake Hydraulic Shadow Profile*."

To assist you in the adoption process, refer to chapter NR 116, Wisconsin Administrative Code and the procedures outlined in "Adopting an Ordinance. A Step-by-Step Guide" found attached to this notice. Please pay particular attention to the Class 2 notice requirements for public hearings. The second publication must be at least one week before the hearing. A certified copy of the ordinance amendment adopting the study, a notarized affidavit of publication of the public hearing and a notarized affidavit of publication of the ordinance adoption must then be sent to me for final administrative review and approval.

#### NOTICE OF APPEAL RIGHTS

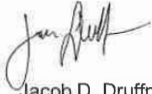
If you believe that you have a right to challenge this decision, you should know that the Wisconsin statutes and administrative rules establish time periods within which requests to review Department decisions must be filed. For judicial review of a decision pursuant to sections 227.52 and 227.53, Wisconsin Statutes, you have 30 days after the decision is mailed, or otherwise served by the Department, to file your petition with the appropriate circuit court and serve the petition on the Department. Such a petition for judicial review must name the Department of Natural Resources as the respondent.

To request a contested case hearing pursuant to section 227.42, Wisconsin Statutes, you have 30 days after the decision is mailed, or otherwise served by the Department, to serve a petition for hearing on the Secretary of the Department of Natural Resources. All requests for contested case hearings must be made in accordance with section NR 2.05(5) and served on the Secretary in accordance with section NR 2.03, Wisconsin Administrative Code. The filing of a request for a contested case hearing does not extend the 30-day period for filing a petition for judicial review.

This decision was emailed on October 26, 2023.

STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES

For the Secretary



Jacob D. Druffner  
Water Management Engineer

Encl.: Dam Failure Shadow, Floodway Data Table, Dam Failure Profile, and Adopting an Ordinance. A Step-by-Step Guide

Copy to: Larry Gotham, P.E., P.L.S., Morgan & Pamley, LTD.  
Michele VanHorn - Madison office, via email [Michele.VanHorn@wisconsin.gov](mailto:Michele.VanHorn@wisconsin.gov)

**SAWYER COUNTY BOARD OF SUPERVISORS  
RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION TO AMEND SAWYER COUNTY FLOODPLAIN ORDINANCE,  
SECTION 1.5 (2) (b) Official Map Section of Sawyer County Floodplain Ordinance.**

**WHEREAS**, Wisconsin law permits Sawyer County (the “County”) to adopt certain zoning ordinances and amend its existing zoning ordinances;

**WHEREAS**, the County desires to amend its existing Floodplain Ordinance Section 1.5 (2) (b) official map section;

**WHEREAS**, the Sawyer County Zoning Committee (the “Zoning Committee”), at its meeting on February 7, 2024, reviewed the proposed Ordinance revisions to section 1.5 (2) (b) the official map section of the Sawyer County Floodplain Ordinance and a copy of the proposed Ordinance Revisions are attached hereto and incorporated into this Resolution as Exhibit A; Exhibit A would be added to the Sawyer County Floodplain Ordinance as Section 1.5(2)(b)(4).

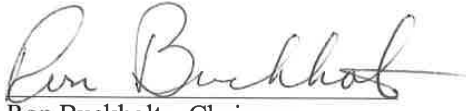
**WHEREAS**, the Zoning Committee voted to recommend approval of the Ordinance Revisions to the Sawyer County Board of Supervisors (“County Board”); and

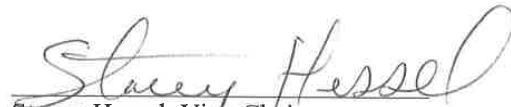
**WHEREAS**, the County Board determined, at its meeting on February 15, 2024, that adopting the Ordinance Revisions in the form set forth in Exhibit A are warranted to protect the health, welfare and safety of its citizens.

**NOW, THEREFORE BE IT RESOLVED**, by the Sawyer County Board of Supervisors that the Sawyer County Ordinances shall be amended as follows:

1. Adoption of Section: 1.5(2)(b)(4) shall be adopted in the Sawyer County Floodplain Zoning Ordinance also referenced as Appendix A – Floodplains\* as part of the Code of Ordinances of Sawyer County Wisconsin.
2. Additional Actions. The Sawyer County Department of Zoning and Conservation Administrator (or his/her designee) shall take all necessary steps to ensure that the Ordinance Revisions adopted herein are completed.

This Resolution is recommended for adoption by the Sawyer County Board of Supervisors at its meeting on February 15, 2024 by this Sawyer County Zoning Committee on this February 7, 2024.

  
Ron Buckholtz, Chairman

  
Stacey Hessel, Vice-Chairman

\_\_\_\_\_  
Tweed Shuman, Member

  
Kay Wilson, Member

  
John Righeimer, Member

\_\_\_\_\_  
Chuck Van Etten, Alternate Member

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This Resolution is hereby adopted by the Sawyer County Board of Supervisors this 15th day of February, 2024.

\_\_\_\_\_  
Tweed Shuman,  
Sawyer County Board of Supervisors Chairman

\_\_\_\_\_  
Lynn Fitch,  
County Clerk



## **EXHIBIT A**

### **Proposed Zoning Ordinance Revision/Amendment**

Fishtrap Lake Dam Failure Analysis, prepared by Morgan & Parmley/Cooper Engineering on August 19, 2021; WDNR Field File Number 57.12. The Dam Failure map dated August 19, 2021 and titled "Fishtrap Lake Dam Failure Map (Appendix 15-1 and 15-2)", Dam Failure profiles dated July 26, 2021 and titled "Fishtrap Lake Hydraulic Shadow Profile", and floodway data table dated July 26, 2021 and titled, "Fishtrap Lake Dam Failure Floodway Data". Approved by Department of Natural Resources: September 7, 2021 should be used. Located in ZA's Office. Sawyer County Zoning Committee Public Hearing: 2/7/2024  
Adopted by Sawyer County Board of Supervisors: **TBD**

**Minutes of the February 7, 2024 meeting of the Sawyer County  
Public Works Committee  
Of the Sawyer County Board of Supervisors  
Board Room; Sawyer County**



**Voting Committee Members Present:**

- ☒ Chair: Ron Kinsley
- ☒ Ed Peters– Vice Chair
- ☒ Marc Helwig
- ☐ Chris Rusk
- ☒ Brian Bisonette

**Others Present:**

Andy Albarado  
John Pinnow  
Lynn Fitch  
Derek Leslie  
Linda Zillmer

**Others Present:**

**Call to Order** – Chair Ron Kinsley called the meeting to order at 6:30 pm.

**Certification of Compliance** with the open meeting law was met. Roll Call was taken; quorum was met.

**Meeting Agenda –**

**Public Comments – Linda Zillmer, Elizabeth Crawford**

**Minutes from the previous meeting dated: January 10, 2024**

Motion to approve made by: Mr. Helwig      Second by: Mr. Peters  
Motion carried without negative vote.

**Maintenance Department Report -**

A written report was provided and included projects completed, including collaboration with contractors on remodeling projects yet to complete. A new roof has been installed on the maintenance garage and two of the pursuit vehicles ordered for the Sheriff's Department for 2024 have been delivered to General Communications for upfitting.

**Sawyer County Airport Report -**

A written report was provided and reviewed. Airport operations are down due to the unseasonal weather but this will also reduce operational costs on site. A design review meeting for the runway rehabilitation was held and a schedule for the project was identified in the report. A list of 68 residents within 500' of airport property was identified to receive the invitation to the March Public meeting.

**Highway Commissioner's Report -**

A written report was provided. The winter maintenance budget is in line and they are considering purchasing a new skid steer to complete brushing at the airport and along roadways. Signs on STH 48 from STH 40 to the Washburn County line will be replaced this summer. A new bridge inspector contractor has been hired. There was a PIM meeting on February 1<sup>st</sup> at the Radisson town hall to discuss reconstruction of STH 40 at Elm Creek that is scheduled for 2027. Mr. Pinnow has been working with LCO on the Safe Streets for All grant.

Resolution to Allow Work to be Completed for Towns – Rolled into item c.

Ordinance Development and Fees for Permits - Mr. Albarado explained that the ordinance establishes the County's role in issuing permits. The ordinance would go to the board for approval. They did work with legal counsel in the development of these documents. A motion was made by Mr. Helwig to approve the Resolution Approving Highway Ordinances and forward to County Board; second by Mr. Peters. Motion carried without negative vote. Mr. Albarado presented the Resolution Establishing Highway Permit Fees. A motion was made by Mr. Peters to approve the Resolution Establishing Highway Permit Fees and forward to County Board; second by Mr. Helwig. Motion carried without negative vote.

Seasonal Road Ban – Mr. Albarado advised that communications were made with a garbage contractor regarding the road bans. LCO has passed another resolution that will give them the authority to make decisions on roads within the reservation and allow them to issue their own permits. A separate issue arose in having access to roads for the LCO Health Center build so it can continue moving forward; it was concluded that LCO will cover any road repair damages that result from overweight vehicles accessing the Health Center driveway from County Roads B & K. A letter was drafted to this effect and included in the packet. LCO has provided positive comments about working with Mr. Pinnow. He continues to work with surrounding counties regarding access with road bans on.

**Courtroom Remodeling Update -**

Ribbon Cutting – Mr. Albarado provided a review of projects completed; a date for the ribbon cutting ceremony has not yet been established.

**Future Agenda Items – Roundabout**

**Correspondence, reports from conferences and meetings -**

**Adjournment – 7:10 pm**

**Next Meeting:** March 13, 2024      **Time:** 6:30 pm      **Location:** Board Room  
Minutes recorded by Lynn Fitch, County Clerk

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**WHEREAS**, Wis. Stat. § 83.025 grants authority to Sawyer County (the “County”) to adopt, operate and maintain a county trunk highway system, and Wis. Stat. § 59.03(2) grants authority to the County to adopt ordinances regulating the use and preservation of county highways;

**WHEREAS**, the County must take steps to protect and preserve the investment in the CTH System, and must act to protect public health, welfare and safety, and to preserve investment made in the CTH System;

**WHEREAS**, included with the Highway Ordinances for review and comment are the following: (1) Application/Permit to Work on Highway Right-of-Way; (2) Application/Permit to Construct, Operate, and maintain Utilities Within the Highway Right-of-Way; (3) Application/Permit For Connection to County Trunk Highway; (4) Utility Accommodation Policy; and (5) sample Highway Service Agreement (collectively, the “Additional Documents”);

**WHEREAS**, the Highway Ordinances were discussed at the County Public Works Committee meeting on February 7, 2024, and the County Public Works Committee voted to recommend to the County Board of Supervisors that the County Board of Supervisors approve and adopt the Highway Ordinances.

1. Approval of the Highway Ordinances. The Sawyer County Board of Supervisors hereby approves and adopts the Highway Ordinances attached hereto as Exhibit A.

- 47           2.     Health, Welfare and Safety. The Sawyer County Board of Supervisors finds that  
48                     the County's approval and adopting of the Highway Ordinances is beneficial to  
49                     the health, welfare, safety and other interests of Sawyer County's residents,  
50                     taxpayers and visitors.  
51  
52           3.     Additional Actions. The Sawyer County Highway Commissioner, or the Sawyer  
53                     County Highway Commissioner's designee, shall take all necessary steps to  
54                     ensure that Sawyer County Board of Supervisor's action and decision set forth  
55                     herein is completed.  
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58     The Sawyer County Board of Supervisors this 15<sup>th</sup> day of February, 2024 hereby adopts this  
59     Resolution and approves and adopts the Highway Ordinances attached hereto as Exhibit A.  
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61

62  
63     \_\_\_\_\_  
64     Tweed Shuman                                     Lynn Fitch  
65     Sawyer County Board of Supervisors Chairman     Sawyer County Clerk  
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68  
69     This Resolution and approval of the Highway Ordinances was recommended for adoption by the  
70     Sawyer County Board of Supervisors at its meeting on February 15, 2024, by this Sawyer  
71     County Public Works Committee on the 7<sup>th</sup> day of February, 2024.  
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75     \_\_\_\_\_  
76     Ron Kinsley, Chairperson                                     Ed Peters, Vice Chairperson  
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80     Brian Bisonette, Member                                     Marc Helwig, Member  
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84     Chris Rusk, Member  
85

86     **EXHIBIT A: SAWYER COUNTY CODE OF ORDINANCES, CHAPTER 20 – ROADS**  
87     **AND BRIDGES: ARTICLE 3 – HIGHWAY ACCESS CONTROL; ARTICLE 4 –**  
88     **HIGHWAY CONTRACTS (ATTACHED)**  
89



**SAWYER COUNTY CODE OF ORDINANCES  
CHAPTER 20 – ROADS AND BRIDGES**

**ARTICLE 3 – HIGHWAY ACCESS CONTROL**

**20-3-1 General Provisions and Definitions.**

- A. Title. This Ordinance shall be known as, cited, and referred to as the Sawyer County Highway Access Control Ordinance, and referred to herein as the Ordinance.
- B. Statutory Authority. This Ordinance is adopted under the authority of the provisions set forth in Wis. Stat. Ch. 59, Wis. Stat. Ch. 66, Wis. Stat. Ch. 83, Wis Stat. § 86.07(2), and Wis. Stat. § 86.16.
- C. Purpose. The purpose of this Ordinance is to restrict and regulate access onto and the use of any part of the Sawyer County Trunk Highway system in order to promote public safety, convenience, general welfare, and economic viability, by protecting the public investment of existing and proposed highways and associated infrastructure, by preventing costly road improvements, and to provide for safe and efficient ingress and egress to CTHs.
- D. Interpretation. The restrictions, requirements and regulations contained in this Ordinance are intended to apply to objects, structures, uses and activities wholly or partially contained in the right-of-way of the Sawyer County highway system except where specifically indicated. Any object, structure, use or activity partially lying in the right-of-way shall be considered to be entirely within the right-of-way.
- E. Severability. If any section, provision, or portion of this Ordinance is adjudged invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.
- F. Effective Date. The effective date of this Ordinance shall be \_\_\_\_\_.
- G. Definitions. The following terms shall be applied as indicated throughout this Ordinance:
  - 1. *Access* means a Driveway, Road or other ways or means of approach to provide physical entrance or exit to one or more Parcels.
  - 2. *Access Control Policy* means the policy setting forth Access spacing, frequency standards and design standards described in Sec. 20-3-2 herein.
  - 3. *Access Permit* means a permit from the Highway Commissioner granting authority to construct and/or modify and maintain an Access onto a CTH.

4. *Committee* means the Sawyer County Public Works Committee, as the designated standing committee with jurisdiction over the CTH system pursuant to Wis. Stat. § 83.015.
5. *County* means Sawyer County, Wisconsin.
6. *County Trunk Highway (CTH)* means any segment of the Sawyer County Trunk Highway system pursuant to Wis. Stat. § 83.025. This definition also includes bridges or other infrastructure that is part of the Sawyer County Trunk Highway System.
7. *Driveway* means any Access to a Parcel for motorized or non-motorized vehicles.
8. *Highway Commissioner* means the Sawyer County Highway Commissioner and its designees.
9. *Parcel* means the area of land within the property lines of a given piece of property.
10. *Permittee* means a person, business or corporation issued a permit pursuant to this Ordinance.
11. *Road* means any public or private road, street, alley, expressway, highway, avenue, parkway, lane, drive, boulevard, circle, bypass, or other pathways intended for the use of motorized or nonmotorized vehicles to obtain Access to two or more Parcels.
12. *Utility Accommodation Policy* means the policy setting forth utility accommodation in CTHs described in Sec. 20-3-4 herein.
13. *Utility Permit* means a permit from the Highway Commissioner granting authority to construct and/or modify a utility on a CTH, as described in Sec. 20-3-4 herein.
14. *Work in Right-of-Way Permit* means a permit issued by the Highway Commissioner granting authority to conduct work or make improvements in the CTH right-of-way.

**20-3-2 Connection, Driveway and Road Access Regulations and Policies.**

- A. Access Permit Required. Except as set forth in Sec. 20-3-2(B), no person, entity, business or corporation shall construct, alter, or modify an Access without an Access Permit issued by the Highway Commissioner. Entrance upon or departure from a CTH shall be prohibited except at locations specifically designated by this Ordinance or the Access Control Policy. No Access point, Driveway or Road may be opened, expanded, or connected with any CTH without an Access Permit.

- B. Existing Access. Any lawful use of an Access to a CTH (via driveway or road) prior to the effective date of this Ordinance may be continued.
- C. Vacated Access. If the Highway Commissioner considers the use of an Access to have been discontinued for a period of at least one (1) year, the Highway Commissioner shall notify the owner by certified mail that the Access may be considered vacated. The Highway Commissioner shall allow the owner thirty (30) days to reply. If, after this time period and after consideration of the owner's reply, if any, the Highway Commissioner decides that the Access has been discontinued for at least one (1) year, the Access may be considered vacated and removed.
- D. Change of Use. Any change in the use of a Parcel to which the Access point, Driveway or Road serves shall require issuance of a new Access Permit. Any expansion of an Access point, Driveway or Road shall be considered a change in use.

The Highway Commissioner shall determine if there has been a change in use to an Access which will affect safe and efficient ingress and egress to and use of a CTH. This determination shall be based primarily on a significant change in the volume of traffic or the type of vehicle using that Access. Upon such determination, the Highway Commissioner may grant an Access Permit for the change of use, require modifications to the Access to meet standards of this ordinance or deny the request for the change of use unless otherwise provided herein.

- E. Conditions. The Highway Commissioner may place conditions upon an Access Permit that the Highway Commissioner determines are reasonable and necessary to protect public health, safety, and welfare, and for the preservation of the CTH infrastructure system. Each Access Permit shall contain the statement and be subject to the condition that the work shall be constructed subject to such rules and regulations as may be prescribed by the Highway Commissioner and be performed and completed to the Highway Commissioner's satisfaction.
- F. Application. Application for an Access Permit shall be made to the Highway Commissioner on a form prescribed by the Highway Commissioner. The Highway Commissioner may charge a non-refundable application fee, a renewal fee, or other permit fee. The Highway Commissioner shall render a decision to approve or deny the Access Permit application within thirty (30) days of the Highway Commissioner's receipt of a complete application.
- G. Access Control Policy. The Highway Commissioner shall develop and maintain the Access Control Policy. The Access Control Policy shall set forth all County policies relating to Access spacing, Access frequency, Access design, and any other standards the Highway Commissioner deems necessary for the safe and effective implementation of this Ordinance, the safe use of CTHs, and the safe ingress and egress to CTHs. All provisions of the Access Control Policy shall comply with

applicable state or federal law. Any modification to the Access Control Policy shall require Committee approval.

- H. Maintenance. The County shall not be responsible for any maintenance or repair, including routine maintenance such as removal of snow, ice or sleet, from any private Access, Driveway, Road, or portion thereof made pursuant to an Access Permit issued under this Ordinance.

### **20-3-3 Work in CTH Right-of-Way.**

- A. Permit Required. No person, entity, business or corporation shall make any temporary or permanent alteration, excavation, fill or install any culvert, or in any way disturb any CTH or CTH right-of-way without a Work in Right-of-way Permit issued by the Highway Commissioner. No structure, object, excavation, or item of landscaping shall be constructed, reconstructed, altered, placed, installed, or planted within a CTH or CTH right-of-way without a Work in Right-of-way Permit issued by the Highway Commissioner.
- B. Conditions. The Highway Commissioner may place conditions upon the Work in Right-of-Way Permit that the Highway Commissioner determines are reasonable and necessary to protect public health, safety, and welfare, and for the preservation of the CTH infrastructure system. Each Work in Right-of-Way Permit shall contain the statement and be subject to the condition that the work shall be constructed subject to such rules and regulations as may be prescribed by the Highway Commissioner and be performed and completed to the Highway Commissioner's satisfaction. In the case of temporary alterations, the Permittee shall restore the CTH to its former condition upon completion of work.
- C. Application. Application for a Work in Right-of-Way Permit shall be made to the Highway Commissioner on a form prescribed by the Highway Commissioner. The Highway Commissioner may charge a non-refundable application fee, a renewal fee, or other permit fee. The Highway Commissioner shall render a decision to approve or deny the Work in Right-of-Way Permit application within thirty (30) days of the Highway Commissioner's receipt of a complete application.
- D. Utility Installation. Any utility installation or relocation required in the right-of-way shall be the Permittee's responsibility prior to completing the work in right-of-way. Permittee shall also obtain a Utility Permit pursuant to Sec. 20-3-4 herein prior to commencing any work in the right-of-way.
- E. Damages. Permittee shall be liable for all damages which occur during the progress of said work or as a result of the work in the CTH or CTH right-of-way.

### **20-3-4 Utilities on County Highways.**

- A. Permit Required. No person, entity, business or corporation may construct or operate lines, wires, or fiber for telecommunications service, as defined in Wis.

Stat. § 182.017(1g)(cq), telegraph, telephone, or electric lines, or pipes or pipelines, for the purpose of transmitting voice, video, data, messages, water, liquid manure, heat, light, or power along, across, under, or within the limits of a CTH without a Utility Permit.

- B. No Interference. Any equipment, lines, wires, fiber, pipes or other materials used for the installation and maintenance of a utility shall not interfere with the use of a CTH by the public, nor with the use of the adjoining land by the owner thereof.
- C. Compliance with Applicable Law. Any construction, maintenance or operation of any lines, wires, or fiber for telecommunications service, as defined in Wis. Stat. § 182.017(1g)(cq), telegraph, telephone, or electric lines, or pipes or pipelines, for the purpose of transmitting voice, video, data, messages, water, liquid manure, heat, light, or power shall comply with all applicable state and federal laws, as each may be amended, including but not limited to all rules and regulations promulgated by the Wisconsin Public Service Commission.
- D. Application. Application for a Utility Permit shall be made to the Highway Commissioner on a form prescribed by the Highway Commissioner. The Highway Commissioner may charge a non-refundable application fee, a renewal fee, or other permit fee. The Highway Commissioner shall render a decision to approve or deny the Utility Permit application within thirty (30) days of the Highway Commissioner's receipt of a complete application.
- E. Conditions. The Highway Commissioner may place conditions upon a Utility Permit that the Highway Commissioner determines are reasonable and necessary to protect public health, safety, and welfare, and for the preservation of County Highways and the CTH infrastructure system. Each Utility Permit shall contain the statement and be subject to the condition that the work shall be constructed subject to such rules and regulations as may be prescribed by the Highway Commissioner and be performed and completed to the Highway Commissioner's satisfaction.
- F. Utility Accommodation Policy. The County hereby adopts the Wisconsin County Highway Association Utility Accommodation Policy, a copy of which is attached hereto as Exhibit A, and as may be amended, as the County's Utility Accommodation Policy. The Utility Accommodation Policy may be modified upon recommendation of the Highway Commissioner and with Committee approval. All provisions of the Utility Accommodation Policy shall comply with applicable state and federal laws.

#### **20-3-5 Other Use of County Highways and Permitting Authority.**

- A. Permit Authority. The Highway Commissioner is hereby granted authority to require a permit for any use of a portion of the CTH which, in the Highway Commissioner's reasonable discretion, poses a threat to public health and safety, and welfare, and to ensure the preservation of the CTH infrastructure system. The

permits the Highway Commissioner may require include, but are not limited to, the following:

1. Seasonal weight restriction permits.
  2. Oversize/overweight load permits.
  3. Hauling permits.
  4. Special events or other detours of traffic permits.
- B. Applications and Fees. The Highway Commissioner shall prescribe an application for each permit required and may require a fee to be paid at the time an application is submitted for review. The Highway Commissioner may set other application requirements or fee provisions. The Highway Commissioner shall render a decision to approve or deny a permit application under this subsection within thirty (30) days of the Highway Commissioner's receipt of a complete application.
- C. Conditions. The Highway Commissioner may place conditions upon any permit issued pursuant to the authority granted in this Sec. 20-3-5 that the Highway Commissioner determines are reasonable and necessary to protect public health, safety, and for the preservation of the CTH infrastructure system.
- D. Administration and Enforcement Provisions. The provisions set forth in Sec. 20-3-6 of this Ordinance shall apply to any other permit issued by the Highway Commissioner under the authority granted in this Sec. 20-3-5.

#### **20-3-6 Administration and Enforcement.**

- A. Administration. The Highway Commissioner is hereby authorized to administer this Ordinance.
- B. Maintenance. The County shall not be responsible for any maintenance or repair of any private Access, Driveway, Road, made pursuant to a permit issued under this Ordinance. The County shall not be responsible for the maintenance or repair of any improvement, modification or other alteration that is placed, installed or planted pursuant to a permit issued under this Ordinance
- C. Fees. Any fees for work completed by the County Highway Department shall be paid for by the Permittee upon billing by the Highway Commissioner based on the current fee schedule. Payment in full for all fees is required prior to installation or any work being completed. Failure of Permittee to pay any fee or portion thereof may result in termination of a permit.
- D. Appeals. Any person, entity, business or corporation aggrieved by any decision made in the administration of this Ordinance may be appealed to the Committee. Appeals shall be filed within thirty (30) calendar days following the decision being appealed. Appeals shall be filed in writing and contain the information set forth in this Section 20-3-6(D), or any other information the Highway Commissioner or



Committee may reasonably request. The appeal shall specify the legal description of the Parcel, any Access location in question, the location of the proposed improvement or modification to the CTH, any other necessary facts, and the reason given for the appeal. The Committee shall make a decision on the appeal within forty-five (45) calendar days from the day the appeal was filed. The appeal fee shall be as stated in the fee schedule and shall be due and payable at the time of filing of the appeal. The Permittee shall pay all costs and expenses associated with the appeal or incurred by the County, its agents or representatives, as a result of the appeal.

- E. Violations. In the case of any violation of this Ordinance or any violation of the terms of a permit issued under the authority of this Ordinance, the Highway Commissioner may revoke the permit and institute appropriate legal action up to and including removal of any item contrary to this Ordinance. Each day in which a violation continues to exist shall constitute a separate offense.
- F. Penalties. Unless otherwise set forth in this Ordinance, any person, entity, business, or corporation found violating any part(s) of this Ordinance shall be punishable by a forfeiture in an amount not less than \$50.00 nor more than \$500.00, plus costs, fees and surcharges that may apply, per occurrence. Each day that a violation occurs is a separate occurrence. If the violation of this Ordinance involves the installation, excavation or fill of a culvert or any other alteration made to any part of a CTH in violation of this Ordinance or without a valid permit, then, in addition to any forfeiture under this subsection, the CTH may be restored by the Highway Commissioner at the expense of the violator. The costs to restore the CTH may be included in any citation or may be recovered under other lawful means, including small or large claims actions or debt collection.

## **ARTICLE 4 – HIGHWAY CONTRACTS**

### **20-4-1 General Provisions and Definitions.**

- A. Statutory Authority. This Ordinance is adopted under the authority of the provisions set forth in Wis. Stat. § 83.035.
- B. Purpose. The purpose of this Ordinance is to establish the Highway Commissioner's authority to enter into contracts with cities, villages and towns within the County for construction and maintenance of streets and highways within the County.
- C. Severability. If any section, provision, or portion of this Ordinance is adjudged invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.
- D. Effective Date. The effective date of this Ordinance shall be \_\_\_\_\_.

- E. Definitions. The following terms shall be applied as indicated throughout this Ordinance:
1. *Committee* means the Sawyer County Public Works Committee, as the designated standing committee with jurisdiction over the CTH system pursuant to Wis. Stat. § 83.015.
  2. *County* means Sawyer County, Wisconsin.
  3. *Highway Commissioner* means the Sawyer County Highway Commissioner and its designees.

#### **20-4-2 Contracts to construct and Maintain Streets and Highways**

- A. Contracts Authorized. Pursuant to the provisions of Wis. Stat. § 83.035, the Highway Commissioner, with the approval of the Committee, is hereby authorized to execute contracts with cities, villages and towns within Sawyer County for the purpose of enabling the County to construct and maintain streets and highways in such municipalities. Maintenance shall include the furnishing of any road supplies and equipment to such municipalities. Any contract entered into pursuant to this Sec. 20-4-2 shall comply with all applicable state and federal laws.
- B. Limitation. The Sawyer County Highway Department shall undertake no construction or maintenance for municipalities in excess of the County aid authorized by the County Board of Supervisors.
- C. Payment. All contracts executed with any municipality for work pursuant to this Article 4 shall provide that payment in full must be made to the County within 120 days of the completion of such work. If a municipality fails to make payment in full within the above-prescribed 120 days, the County Highway Department shall do no further work of any type nor furnish any road supplies or equipment for or to such municipalities. If a municipality fails to make payment in full within the above-prescribed 120 days, any unpaid balance outstanding shall bear interest at the rate of five percent (5%) per annum until paid.

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**Resolution 2024 - \_\_\_\_\_**

**ESTABLISHING HIGHWAY PERMIT FEES**

**WHEREAS**, Wis. Stat. § 83.025 grants authority to Sawyer County (the “County”) to adopt, operate and maintain a county trunk highway system, and Wis. Stat. § 59.03(2) grants authority to the County to adopt ordinances regulating the use and preservation of county highways;

**WHEREAS**, the County has under its jurisdiction a County trunk highway system (the “CTH System”);

**WHEREAS**, the County has adopted Highway Ordinances for the issuance of various permits including: (1) Application/Permit to Work on Highway Right-of-Way; (2) Application/Permit to Construct, Operate, and maintain Utilities Within the Highway Right-of-Way; (3) Application/Permit For Connection to County Trunk Highway; (4) Hauling Permit.

**WHEREAS**, these permits cost time and resources to issue and establishing a permit would assist in recovering the issuance cost

**WHEREAS**, these permit fees were discussed at the County Public Works Committee meeting on February 7, 2024, and the County Public Works Committee voted to recommend to the County Board of Supervisors that the County Board of Supervisors adopt the permit fees below and that the Sawyer County Fee Schedule be adopted to reflect these Highway Permit Fees.

**NOW, THEREFORE, BE IT RESOLVED**, the County Board of Supervisors of the County of Sawyer does establish Highway Permit Fees as follow:

|                                                |          |
|------------------------------------------------|----------|
| Right-of-Way Permit                            | \$25.00  |
| Wood Permit                                    | \$25.00  |
| Driveway Permit                                | \$50.00  |
| Hauling Permit                                 | \$50.00  |
| Hauling Permit (Waste Hauler-1 time -Seasonal) | \$500.00 |
| Utility Permit                                 |          |
| Permit Application & Review Fee*               | \$50.00  |
| Fee Per Inspection **                          | \$100.00 |
| Open Cuts Across Paved Roadways***             | \$350.00 |

\*Permit not required for trimming & brushing operations

\*\*Fee per inspection – there shall be no charge for final site inspection. If, however, the right-of-way has not been property restored at the time of inspection and additional inspections are required, a \$100.00 fee shall be charged for each subsequent inspection until the right-of-way has been successfully restored.

\*\*\*Open cuts will require a restoration agreement between the utility and the Highway Department in addition to the permit fee.

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This Resolution and approval of the Highway Ordinances was recommended for adoption by the Sawyer County Board of Supervisors at its meeting on February 15, 2024, by this Sawyer County Public Works Committee on the 7<sup>th</sup> day of February, 2024.

\_\_\_\_\_  
Ron Kinsley, Chairperson

\_\_\_\_\_  
Ed Peters, Vice Chairperson

\_\_\_\_\_  
Brian Bisonette, Member

\_\_\_\_\_  
Marc Helwig, Member

\_\_\_\_\_  
Chris Rusk, Member

---

The Sawyer County Board of Supervisors this 15<sup>th</sup> day of February, 2024 hereby adopts this Resolution and approves and adopts the Highway Ordinances attached hereto as Exhibit A.

\_\_\_\_\_  
Tweed Shuman  
Sawyer County Board of Supervisors Chairman

\_\_\_\_\_  
Lynn Fitch  
Sawyer County Clerk

## SAWYER COUNTY ACCESS CONTROL POLICY

### Section 1 – Authority and General

- A. The terms, conditions and provisions of this Access Control Policy (the “Policy”) are subject to any applicable laws, including but not limited to Chapter 20, Article 3 of the Sawyer County Ordinances, as may be amended. This Policy is adopted pursuant to Wis. Stat. § 86.07(2) and Sec. 20-3-2 of the County Ordinances assist in the regulation and control of access to Sawyer County Highways in order to promote the public safety, convenience, general welfare and economic viability and to protect the public investment in existing and proposed County highways and infrastructure. The design standards underlying the regulations shall promote the orderly and safe movement of vehicles to and from private property in a manner that creates as little interference to through highway traffic as is possible and to control the use of drainage structures and appurtenances as may be necessary to preserve the physical structure of county trunk highways.
- B. Access permits, also known as driveway permits, are issued under the authority of Wis. Stat. § 86.07(2). The Sawyer County Highway Commissioner (“Highway Commissioner”), through the Sawyer County Highway Department (“Highway Department”) has the authority over and is responsible for the maintenance of the County trunk lettered highway system and all other County-owned town roads (referred to hereinafter collectively as “County highway”). The Highway Commissioner, individually and through its designees within the Highway Department, oversees the access permit process, including surveillance and issuance of permits.
- B. Driveway changes noted through monitoring are investigated to ensure that they have been authorized and that they do not adversely affect the use of the highway. All changes must conform to the standards set forth by this policy and the Highway Commissioner's discretion.
- C. The purpose of the design standards is to promote orderly and safe movement in and out of private and public properties, to minimize interference with highway traffic, and to preserve the physical structure of the highway for convenience, general welfare, and economic viability.

### Section 2 – Permit Process

- A. Any owner of the land adjacent to County highway right-of-way who wishes to construct a driveway, or change its surface type, or work in the right-of-way shall apply to the Highway Department for a permit. Anyone requesting a permit should complete an application in compliance with this policy and the Wisconsin Statutes and file the application with the Highway Department. The Highway Commissioner will review the application using the guidelines set forth herein and pursuant to the requirements in the County Ordinances. No person shall commence or continue construction of any driveway, road, connection or access point, or request or allow others to commence or continue

construction of any driveway, road, connection or access point on that person's property, unless a permit has been issued in accordance with this policy.

B. Procedure to follow in considering a permit for a driveway.

(1) The property owner or owner's agent shall apply for a permit. The application should be filled out completely and returned to the Highway Department.

(2) Each application shall include a copy of the parcel/layout or sketch of property, showing exact location of the proposed access, any existing access and any other pertinent information. The application shall contain a description of the proposed work on the right-of-way, culvert requirements including size and length, intersection clearances, distances to driveways, and details of the proposed installation, including reference to attached sketches, if any. The Highway Commissioner may require scale drawings or other information prior to making a determination whether to grant the permit.

(3) A non-refundable permit fee shall be submitted with each application in accordance with the following schedule:

(2) The property owner or owner's agent shall obtain a zoning determination. That zoning determination must accompany the completed permit application when it is turned in to the Highway Department. A zoning determination will not be required for surface change to an existing approved driveway.

(3) The permit application will be reviewed by the Highway Department for conformance with this policy and with all applicable state, federal, and local laws, regulations, and policies.

(4) The Highway Department if requested may review the permit request with the applicant so that all needed information can be obtained and all requirements and restrictions can be explained.

(5) Applications for permits may be approved only by the Sawyer County Highway Commissioner or by one assistant if such assistant is so designated by the Highway Commissioner and approved by the Sawyer County Public Works Committee. The Highway Commissioner or the designated assistant shall indicate approval by signature before any permit may be issued.

(6) The Highway Department will retain a copy of the application on file. The permittee shall retain a copy.

C. During the review process, the following criteria should be considered:

(1) Zoning. The Highway Department shall support local zoning ordinances and shall not conflict with local zoning restrictions. Any conflicts with future projects, access control, scenic easements, certified survey map restrictions, subdivision plat restrictions, highway easements or recorded covenants shall be resolved before issuance of the permit.



- (2) Access to property. Conforms to \_\_\_\_\_.
  - (3) Sight distance. Conforms to table in \_\_\_\_\_.
  - (4) Driveway grade. A driveway approach grade or intersecting area at the edge of the shoulder shall be provided adjacent to the highway to ensure drainage away from the highway surface.
- D. If the application is approved as provided in Subsection B(3), a permit will be issued. The applicant shall construct the driveway utilizing a pre-approved traffic control procedure explained by an authorized Highway Department employee. Each permit will be valid for one driveway location only.
  - E. Construction must proceed in accordance with this policy and in conformance with all specifications, limitations, and conditions set out in the application and permit, unless modification is approved in writing by the Highway Commissioner or the person designated under Subsection B(5). The Highway Department shall inspect the site of each driveway before and during construction to ensure compliance.
  - F. If the application is denied, the Highway Department shall notify the applicant and explain the reason for denial.
  - G. A permit is valid for construction of a driveway within one year of issuance. After one year has expired, the permit will no longer be valid and a new permit must be applied for and issued before construction may be commenced or continued.
  - H. The applicant shall pay to the Highway Department a fee for each permit application according to a fee schedule as established by the Sawyer County Highway Committee.
  - I. This section applies to all new driveway construction. A new driveway is defined to include expansion, surface type change, and/or relocation of an existing driveway where either edge or both edges of the driveway will be moved 20 feet or more from the location of the corresponding edge of the existing driveway, or when the expansion or relocation would result in any violation of \_\_\_\_\_ of this policy.

### Section 3 - Existing Driveway Regulations

- A. This section applies only to driveways which were constructed prior to the effective date of \_\_\_\_\_.
- B. No driveway constructed before the effective date of Sawyer County Ordinance No. \_\_\_\_\_ may be altered unless a permit has been issued for the driveway and the driveway meets the standards prescribed by this policy. This does not pertain to surface maintenance, for example grading existing gravel or sealing the existing asphalt surface. Driveway surface maintenance is permissible without issuance of a permit. A surface type change does require a permit.

- C. The County shall not be liable for injury to persons or property due to headwalls or riprap at the ends of driveway culverts, if the owner is notified to remove them. This type of construction is not permitted under this policy.
- D. Maintenance of driveways is the responsibility of the property owner or occupant, and maintenance of side roads is the responsibility of the local governing body.

#### Section 4 – Permit Requirements

The permittee in making the application agrees to the following:

- A. The permittee shall furnish all materials, do all work, and pay all costs in connection with the construction of the driveway and its appurtenances on the right-of-way.
- B. The permittee shall make the installation without jeopardy to or interference with traffic using the highway. Highway surfaces, shoulders, ditches, and vegetation disturbed shall be restored to equivalent of original condition by the permittee.
- C. No revisions or additions shall be made to the driveway or its appurtenances on the
- D. The Highway Department reserves the right to make such changes, additions, repairs, and relocations within statutory limits to the driveway or its appurtenances on the right-of-way as may at any time be considered necessary to permit the relocation, reconstruction, widening, and maintaining of the highway or to provide proper protection to life and property on or adjacent to the highway.
- E. The permittee, his successors, or assigns agree to hold harmless the County of Sawyer and its duly appointed agents and employees against any action for personal injury or property damage sustained by reason of the exercise of the permit.
- F. The Highway Department does not assume any responsibility for the removal or clearance of snow, ice, or sleet or the opening of windrows of such materials upon any portion of any driveway or entrance along with any County highway even though snow, ice, or sleet is deposited or windrowed on said driveway or entrance by its authorized representatives engaged in normal winter maintenance operations.
- G. The permit shall contain the statement and be subject to the condition that the work shall be constructed subject to the rules and regulations prescribed by the County Highway Department and be performed and completed to the County Highway Department's satisfaction.
- H. In case of temporary alterations, the highway shall be restored to its former condition and the permittee shall be liable to Sawyer County for all damages which occur during the progress of said work or as a result thereof.
- I. Nothing herein shall abridge the right of the Highway Department, the County Board, or Public Works Committee to make such additional rules, regulations and

conditions as may be deemed necessary and proper for the preservation of highways and for the safety of the public.

#### Section 5 – Locations, Designs, and Construction

A. Sight distance requirement. Access driveways to highways from abutting properties shall comply with the following sight distance requirements that are consistent with American Association of State Highway and Transportation Officials (AASHTO) Geometric Design of Highways and Streets Stopping Sight Distance:

| Design Speed (mph) | Stopping Sight Distance (feet) |
|--------------------|--------------------------------|
|--------------------|--------------------------------|

|    |     |
|----|-----|
| 25 | 155 |
| 30 | 200 |
| 35 | 250 |
| 40 | 305 |
| 45 | 360 |
| 50 | 425 |
| 55 | 495 |
| 60 | 570 |
| 65 | 645 |
| 70 | 730 |

(2) Stopping sight distance will be determined by the following method. Sight distance shall be measured from a point 10 feet from the edge of the traveled way in the proposed access location and measured from a height of 3.50 feet to the height of an object 3.50 feet on the County trunk highway.

B. Number and width of driveways per land use. The maximum number and width of access driveways per land use to highways and service roads shall be as follows:

(1) Type of access definitions.

(a) Commercial: an application occupied with or engaged in commerce or work intended for commerce. The following are intended to be examples and are not all inclusive: retail businesses, wholesale businesses, apartment complexes (more than

four units) or condominium complexes (more than four units), and service businesses.

(b) Schools: an access established for an elementary school, middle school, junior high school, and high school or accredited college/technical school.

(c) Industrial: an operation that is engaged in industrial production; something has to be made or assembled at this location.

(d) Churches: a place of assembly for religious observances specifically built to accommodate more people than may legally reside on the property.

(e) Park uses: an area open for use by the general public for recreation.

(f) Residential uses: when the sole use of the property is for a residence or residences up to four units.

(g) Agricultural uses: for uses concerned with the practice of producing/raising crops and/or raising livestock.

(2) The maximum number and width of access driveways per land use to highways and service

C. Driveway surfaces. The surface of the driveways can be a flexible bituminous asphalt type of pavement or gravel type. There will not be any portland cement surfaces accepted within the right- of-way unless the County trunk highway had been laid with portland cement.

D. Driveway slope. The surface of the driveway connecting with rural type highway sections shall slope down and away from the highway shoulder a sufficient amount and distance to preclude ordinary surface water drainage from the driveway area flowing onto the highway roadbed. Every driveway shall have sloped sides at a minimum of 4:1 grade ratio or flatter and should be laid as shown on \_\_\_\_\_

E. Culverts, drainage, curbs and gutters. The driveway shall not obstruct or impair drainage in highway side ditches or roadside areas. Driveway culverts, where necessary, require endwalls and shall in no case be less than the equivalent of fifteen-inch diameter pipe. When any curb or gutter is removed for constructing a driveway, the new connection shall be restored.

F. Backfill material. Backfill material for all types of driveways shall be a cohesive granular gravel type material not exceeding one inch in diameter. Construction debris and/or waste concrete shall not be allowed.

G. Preexisting lots of record. This policy shall not be enforced in such a way as to deny access to lots of record which are in existence prior to the adoption of Sawyer County Ordinance \_\_\_\_\_.

H. Corner lots. Where a parcel abuts more than one public road and where such roads are classified differently, access shall be required onto the road with the lowest classification, where possible.

I. Vision. Corners must be free of all obstructions at each access point.

J. Identified bicycle routes. Driveway accesses proposed and approved on identified bicycle routes per the Sawyer County Bicycle Plan will require a paved apron. The apron width will be eight feet and the responsibility of the applicant. Failure to comply with this condition will result in the revocation of the driveway permit.

K. Commercial, industrial, schools, churches and parks.

1. Application. This section applies to rural type highway classification driveways serving commercial or industrial, schools, churches, and park establishments.

2. Width of drive. Commercial driveways will not have a width less than 24 feet or greater than 40 feet measured at right angles to the center line of the driveway, except as increased by radii.

3. Return radius. No return radius projected between the edge of highway pavement and the driveway shall be greater than 40 feet.

4. Angular placement of drive. The center line of that part of the driveway lying on the County right-of-way shall be at approximately right angles to the pavement.

L. Residential

1. Application. This section applies to rural type highway classification driveways serving residential property.

2. Width of drive. Residential driveways shall not have a width less than 16 feet or greater than 36 feet measured at right angles to the center line of the driveway except as increased by radii.

3. Return radius. No return radius projected between the edge of highway pavement and the driveway shall be greater than 30 feet.

4. Angle placement. The center line of that part of the driveway lying on the County right-of-way shall be at approximately right angles to the pavement.

M. Agricultural.

1. Application. This section applies to rural type highway classification driveways serving agricultural property.

2. Width of driveway. Agricultural driveways shall not have a width less than 24 feet or greater than 50 feet measured at right angles to the center line of the driveway except as increased by radii.

3. Return radius. No return radius projected between the edge of highway pavement and the driveway shall be greater than 40 feet.

4. Angle placement. The center line of that part of the driveway lying on the County right-of-way shall be at approximately right angles to the pavement.

#### Section 6 - Review of permit denial.

A. If the Highway Department denies a request for a permit under this policy or revokes a permit issued under this policy, the Sawyer County Public Works Committee shall, upon written request by the applicant within 30 days after the denial, review the Highway Department's decision. A written request shall be deemed made when it is received at the Highway Department office.

C. Within 30 days after the hearing the Sawyer County Public Works Committee shall make its decision regarding the request. It may reverse, confirm, or modify the decision of the Highway Department. The Highway Department shall thereafter take action in conformance with the Committee's decision.

#### Violations and penalties; enforcement.

A. Any person who violates \_\_\_\_\_ of this policy shall be punished by a forfeiture of not less than \$50 nor more than \$500 for each offense. In case of a continuing violation, each day that the violation continues may be considered a separate violation.

B. This policy may be enforced by injunction issued by the Sawyer County Circuit Court or any other court having jurisdiction.

C. Any property altered by construction or other action in violation of this policy must be restored to its former condition at the property owner's expense. If the owner of the property fails to restore such property to its former condition within 30 days after notice to do so is given by the Highway Department, then the Highway Department may in its discretion restore the property to its former condition and recover the cost of doing so from the owner.

#### Rules of construction; repealer.

A. The prohibitions expressed in this policy do not apply to the Highway Department and its authorized personnel in the performance of their duties.



B. Nothing in this policy shall be construed to conflict with any state statute or County ordinance. If any rule is held invalid by operation of law or by any court of jurisdiction, the remainder of the rules shall not be affected thereby.

C. All rules, regulations and ordinances previously adopted conflicting with the provisions of the County highway policy, not in accordance with Subsection B above, are hereby rescinded. Sawyer County Ordinance \_\_\_\_\_ is hereby repealed and replaced by this article.

D. The County driveway policy shall be effective upon the date of publication.

## HIGHWAY SERVICE AGREEMENT

This Highway Service Agreement (“Agreement”) is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_, by and between the Sawyer County Highway Department (hereinafter “County”) and the Town of \_\_\_\_\_ (hereinafter “Town”). The Town and the County may be referred to herein singularly as a “Party” or collectively as the “Parties”.

### RECITALS

WHEREAS, the County is authorized by Wis. Stat. § 66.0131, Wis. Stat. § 66.0301(2), Wis. Stat. § 83.018 and Wis. Stat. § 83.035 to sell road building and maintenance supplies on open account to the Town, and to contract with the Town for furnishing services to the Town; and

WHEREAS, the Sawyer County Highway Commissioner is authorized to enter into contracts on behalf of the County under Wis. Stat. § 83.01(1)(c) and Wis. Stat. § 83.015(2), and under Sec. 20-4-2 of the Sawyer County Ordinances, as may be amended; and

WHEREAS the Town desires to contract with the County for services as directed by the Town and according to the terms and conditions set forth herein.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficient of which is acknowledged by the Parties, it is agreed by and between the Town and the County as set forth below.

### AGREEMENT

1. Recitals: The Recitals set forth above are hereby incorporated into this Agreement.
2. Term: This Agreement shall commence on the date on which all Parties have executed this Agreement and shall remain in effect for a period of \_\_\_\_\_ years from the date set forth above unless terminated pursuant to Paragraph 9 below. This Agreement shall automatically renew for successive terms of \_\_\_\_\_ years unless either Party notifies the other Party in writing of its intention to not renew the Agreement at least six (6) months prior to the expiration date.
3. Work Covered: The County will provide maintenance and construction services to the Town as directed by the Town, and as agreed to by the County. The services are more particularly described in Exhibit A, which is attached hereto and incorporated herein.
4. Town Liaison: The Town shall designate a person to act as a liaison between the Town and the County relative to the services desired, performance, and special assignments which the Town desires.
5. Compensation for Services. The Town shall pay the County for all the services and materials provided by the County in accordance with the terms set forth in Sec. 20-4-2 of the County Ordinances. The County shall bill the Town for actual costs on a “time and

material basis” for services in accordance with the current established labor rates, material rates, and machinery rates. Rates are formulated and verified in accordance with the Wisconsin Department of Transportation (“WisDOT”) regulations: whereby labor costs include actual wages along with fringe benefits; material costs include the cost of the goods sold calculations; and specific equipment rates are determined and adjusted quarterly through the WisDOT statewide machinery rates in the corresponding WisDOT Highway Maintenance Manual. The Town shall submit payment in accordance with Sec. 20-4-2 of the County Ordinances.

6. Equal Opportunity Statement: During the term of this Agreement, with regard to any employment decisions related to this Agreement, all Parties agree not to discriminate on the basis of age, national origin or ancestry, handicap, sex, physical condition, developmental disability, or sexual orientation as defined in Wisconsin Statutes 51.01(5).
7. Notices: Notices, invoices and payments required by this Agreement shall be deemed delivered by means agreed to by the Parties. This can include U.S. Mail, E-mail, fax, or personal delivery as agreed by the Parties.
8. Indemnification; Claims:
  - a. The Town shall defend, hold harmless, and indemnify the County against any and all claims, liabilities, damages, judgments, causes of action, costs, loss, and expense including reasonable attorneys’ fees imposed upon or incurred by the County arising from or related to the actions, inactions, negligent or intentional tortuous acts or omissions of the Town’s officers, employees, representatives or agents in performing the services of this Agreement. The Town acknowledges and accepts the broad nature of this indemnification and hold harmless clause, and voluntarily makes this covenant and expressly acknowledges that it is a condition of this Agreement and the County’s performance of the services described herein.
  - b. Each Party shall promptly notify the other of any claim arising under this Agreement, and each Party shall fully cooperate with the other in the investigation, resolution, and defense of any claim or action.
  - c. This Agreement does not waive any governmental or sovereign immunity. Both Parties retain all applicable governmental immunities, defenses, and statutory limitations available, including those set forth in Wis. Stat. § 893.80, Wis. Stat. §895.52 and Wis. Stat. §345.05, as each may be amended.
  - d. The obligations in this Paragraph 8 shall survive the termination of this Agreement as to any act or omission by either Party to this Agreement which occurs prior to termination and which triggers any of the obligations contained in this Paragraph.

9. Termination: Either Party may terminate this Agreement for any reason during the term of the Agreement with such termination to be effective on December 31<sup>st</sup> of the year provided that a minimum of six (6) months written notice is given to the other Party of the intent to terminate the Agreement. Any materials ordered or work already requested and scheduled shall be completed and paid for as set forth in Paragraph 5 above.
10. Agreement Not Assignable: This Agreement is for inter-governmental cooperative services as set forth in Wis. Stat. § 66.0301 and is not assignable without the expressed written consent of both Parties.
11. Forced Majeure: Any failure or delay in performance due to contingencies beyond a Party's reasonable control, including strikes, riots, terrorist acts, compliance and applicable laws or governmental orders, fires, and acts of God, shall not constitute a breach of this Agreement. Both Parties agree that any acts of God or Force Majeure shall be addressed in a cooperative and timely manner.
12. Entire Agreement: The entire agreement of the Parties is contained in this Agreement and supersedes any and all oral agreements and negotiations between the Parties relating to the subject matter hereof. The Parties expressly agree that this Agreement shall not be amended in any fashion except in writing executed by all Parties.
13. Applicable Law: The Parties shall comply with all applicable laws, statutes, codes, regulations or orders of any governmental entity having jurisdiction in the performance of the work and services herein. This Agreement shall be construed pursuant to Wisconsin law.

SAWYER COUNTY:

Date Signed: \_\_\_\_\_ By: \_\_\_\_\_  
Highway Commissioner

TOWN OF

Date Signed: \_\_\_\_\_ By: \_\_\_\_\_  
Name, Town Board Chairperson

By: \_\_\_\_\_  
Name, Town Clerk

## EXHIBIT A - SERVICES

**APPLICATION/PERMIT TO WORK ON HIGHWAY RIGHT-OF-WAY**  
**SAWYER COUNTY HIGHWAY DEPARTMENT**

|                                                                                                                                                                                                                                                                                                                                                       |                        |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|
| Location Description-Quarter Section, Township, Range                                                                                                                                                                                                                                                                                                 | Purposed Work Location |
| Applicant Name and Address                                                                                                                                                                                                                                                                                                                            | Start Date             |
|                                                                                                                                                                                                                                                                                                                                                       | Completion Date        |
| Type of Work Proposed<br><br><br>Permit holder must perform work in a safe, good and workmanlike manner adhering to all traffic laws and other applicable laws. A class 2 ANSI safety vest must be worn at all times. All work must take place in daylight hours with no impact on traffic.<br>Permit must remain with the holder at time of removal. |                        |
| Special Provisions or Conditions (attach additional pages if necessary)                                                                                                                                                                                                                                                                               |                        |

**It is understood and agreed that approval is subject to the applicant's full compliance with the Sawyer County Code of Ordinances, and all other applicable laws, statutes, codes, rules, regulations and permit requirements of any governmental entity having jurisdiction over the subject matter or activity described in this permit. The applicant shall also comply with all permit provisions which may be added by Sawyer County. Any alterations of this form that are not authorized by the Sawyer County Highway Commissioner may result in revocation of this permit.**

\_\_\_\_\_  
 Applicant Signature

\_\_\_\_\_  
 Date

\_\_\_\_\_  
 Phone Number

---

**SAWYER COUNTY HIGHWAY DEPARTMENT PERMIT APPROVAL**

\_\_\_\_\_  
 Authorized County Signature

\_\_\_\_\_  
 Date

\_\_\_\_\_  
 Title

**THIS PERMIT IS REVOCABLE**

**APPLICATION/PERMIT TO WORK ON HIGHWAY RIGHT-OF-WAY  
WOOD PERMIT  
SAWYER COUNTY HIGHWAY DEPARTMENT**

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                        |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|
| Location Description-Quarter Section, Township, Range                                                                                                                                                                                                                                                                                                                                                                                                                                     | Purposed Work Location |
| Applicant Name and Address                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Start Date             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Completion Date        |
| <p>Type of Work Proposed</p> <p>Permit holder must perform work in a safe, good and workmanlike manner adhering to all traffic laws and other applicable laws. A class 2 ANSI safety vest must be worn at all times. All work must take place in daylight hours with no impact on traffic.</p> <p>Permit must remain with the holder at time of removal.</p> <p>If any timber is located on or near US Forest or Tribal Land, a separate permit must be obtained through said office.</p> |                        |
| Special Provisions or Conditions (attach additional pages if necessary)                                                                                                                                                                                                                                                                                                                                                                                                                   |                        |

**The applicant understands and agrees by signing below that approval is subject to the applicant's full compliance with the Sawyer County Code of Ordinances, and all other applicable laws, statutes, codes, rules, regulations and permit requirements of any governmental entity having jurisdiction over the subject matter or activity described in this permit. The applicant shall also comply with all permit provisions which may be added by Sawyer County. Any alterations of this form that are not authorized by the Sawyer County Highway Commissioner may result in revocation of this permit.**

\_\_\_\_\_  
Applicant Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Phone Number

---

**SAWYER COUNTY HIGHWAY DEPARTMENT PERMIT APPROVAL**

\_\_\_\_\_  
Authorized County Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title

**THIS PERMIT IS REVOCABLE**



**SAWYER COUNTY HIGHWAY DEPARTMENT  
HAULING PERMIT**

**RETURN EMAIL: [highwaymanager@sawyercountygov.org](mailto:highwaymanager@sawyercountygov.org) or RETURN FAX: (715) 634-4824**

Date Permit Is In Force \_\_\_\_\_

Time Permit Is In Force \_\_\_\_\_

Company Name \_\_\_\_\_

Phone No. \_\_\_\_\_ Email \_\_\_\_\_

Vehicle License No. \_\_\_\_\_

Route From \_\_\_\_\_

To \_\_\_\_\_

Freight or Commodity Hauled \_\_\_\_\_

Total Weight Allowed \_\_\_\_\_ # of Axles \_\_\_\_\_

Load Size \_\_\_\_\_

Number of Trips \_\_\_\_\_

Special Conditions or Terms \_\_\_\_\_

The permittee agrees to comply with all terms and conditions contained herein and signifies this by signing below:

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)

Authorization \_\_\_\_\_  
(For Sawyer County)

\_\_\_\_\_  
(Date)

Permit # \_\_\_\_\_

Terms and Conditions

1. This permit must be available for inspection by any law enforcement officer or any authorized agent of the Sawyer County Highway Department and must be carried in the vehicle. The permit is invalid if it is not presented when requested.
2. The permit is only valid for the commodity stipulated, time and date, and number of trips listed.
3. The permit is only valid for the vehicle stipulated and the specific route on the permit.
4. The permit is only valid for the county highways listed on the permit in Sawyer County.
5. Violation of the terms or conditions of this permit will result in a minimum of 1 year suspension of any special hauling permits.
6. Special hauling permits are granted on a case by case basis and the Sawyer County Highway Department has no obligation written or implied to grant such permits.

Wisconsin County Highway Association  
Utility Accommodation Policy



*Effective January 1, 2022 – Supersedes January 1, 2000 & August 21, 2012*

*Email: [info@wiscohwy.org](mailto:info@wiscohwy.org)*

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## SECTION 1 – DEFINITIONS

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### A. General Definitions

Unless otherwise provided herein, the definitions accepted by the American Association of State Highway and Transportation Officials (AASHTO) can be used as a guide.

### B. Specific Definitions

#### 1. Applicant

The individual or entity which will own the utility facility which is proposed to be placed in the County Right-of-Way.

#### 2. Clear Zone

That portion of the right-of-way free of non-traversable hazards and fixed objects. These areas provide drivers a reasonable opportunity to stop safely or otherwise regain control of their vehicle when it leaves the traveled way. The clear zone generally varies with the type of highway, terrain traversed, road geometrics, and operating conditions.

Chapter 11 of the Wisconsin Department of Transportation Facilities Development Manual should be used as the guide for establishing clear zones.

#### 3. County

means the individual County Department that has statutory jurisdiction over the right of way and road access for that specific County (i.e. Highway Department or Public Works Department, etc.)

#### 4. Emergency Utility Work

Unforeseen action by a utility deemed necessary to restore an existing utility facility to service and/or protect the general public.

#### 5. Freeway

A divided highway with full access control and with grade separations or interchanges at all intersections.

#### 6. Highway(s)

##### a. State Trunk Highways

The State Trunk Highway system as authorized under Section §84.02, Wisconsin Statutes. This includes the entire area within the highway right-of-way.

1. Federally marked highways, such as “U.S.” or “I”, are part of the State Trunk Highway System and are designated by letters and numbers such as I-94, USH 12, or STH 54.

## SECTION 1 – DEFINITIONS

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### Specific Definitions (continued)

2. “Connecting Highways” in Section §86.32, Wisconsin Statutes, are local jurisdictional streets that lie within the corporate limits of a City or Village and by agreement with WisDOT, are maintained by the local authority.

***Note: The Wisconsin Department of Transportation’s “Official State Trunk Highway System Maps” denote all connecting highways within Wisconsin.***

#### b. County Trunk Highways

The county trunk highways as authorized under Section §83.025, Wisconsin Statutes. This includes the entire area within the highway right-of-way.

1. County marked highways are a part of the County Trunk Highway (CTH) system and are designated by letters such as CTH “A”, CTH “BB”, or CTH “OOO”.

#### c. Town Roads

The town roads as authorized under Section §82.03(1), Wisconsin Statutes. This includes the entire area within the highway right-of-way.

1. Town roads marked by each town and are designated by name such as Smith Road, Maple Lane, or Oak Ridge Drive.

### 7. Permit

The document by which the Applicant grants the applicant permission to work within, use, occupy, or cross the highway. Permit shall be valid for one year from the date of the permit application.

### 8. Pipeline

A utility facility installed to carry or convey a fluid, gas, or other material, generally underground, including the casing and the product being conveyed.

### 9. Private Utility Facilities

Facilities which convey or transmit the commodities as defined by utility (see #16) but are owned and operated by an individual(s) or non-utility business and are not accessible to the public.

### 10. Responsible Person

A person having control over a utility project that is not administered by the County.

### 11. Right-of-Way

A general term denoting acquired interests or rights in land (either all or partial) that are necessary to build, maintain, and operate a highway facility. It is not just a fee interest or a permanent highway interest but encompasses all necessary rights of both a permanent and temporary nature.



## SECTION 1 – DEFINITIONS

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### B. Specific Definitions (continued)

#### 12. Traveled Way

The portion of the roadway for the movement of vehicles which includes auxiliary lanes and ramps but excludes the shoulders. The traveled way usually lies between the edge line striping.

#### 13. Roadway

The traveled way plus shoulders.

#### 14. Utility

Any corporation, company, individual or association, including their lessees, trustees or receivers, or any sanitary district, cooperative association, town, village, or city that owns, operates, manages, or controls any plant or fixed equipment within this state for the conveyance of communications, electric power, light, heat, fuel, gas, oil, petroleum products, water, steam, fluids, sewerage, drainage, irrigation, or similar facilities.

The owners or operators of cable television systems, cellular phone, and paging (wireless) systems, publicly owned fire or police signal systems, traffic and street lighting facilities, or privately owned facilities which perform any of the utility functions above.

#### 15. Utility Construction

Any use by a utility of labor or materials to install or to provide for the installation of a new or upgraded utility facility or to replace all or a portion of an existing facility.

#### 16. Utility Facilities

##### a. Transmission Facilities

A utility facility which generally carries the product from the source to the distribution network. Additional terms are “communication feeder”, “toll”, and “trunk lines”.

##### b. Distribution Facilities

A utility facility which distributes the utility product from a transmission facility to points convenient for its customers.

##### c. Service Facility

A utility facility which serves a single customer via a connection with a distribution line. Additional terms for a service line include “lateral” and “drop”.

#### 17. Utility Maintenance

Any use by a utility of labor or materials for repairs or replacement of parts of an existing utility facility to retain its use as intended, limited to the work types as further defined herein.

#### 18. Utility Operation

Any activity by a utility to assure the function of an existing utility for its intended purpose.

## SECTION 2 – INTRODUCTION

---

### A. Overview of Utility Accommodation

The County operates the highway system under its jurisdiction to provide a safe and convenient means for the vehicular transportation of people and goods, and utility companies provide essential services to the public. Both the County and utility companies typically provide facilities which consider present as well as future needs. Cooperation between these two entities is essential if the public is to be served at the lowest possible cost consistent with their respective public service needs, obligations, and interests. Although the County strives to accommodate utility facilities whenever possible, the permitted use and occupancy of highway right-of-way for non-highway purposes is subordinate to the primary interests and safety of the traveling public.

### B. Purpose of the Utility Accommodation Policy

The purpose of the Utility Accommodation Policy is to prescribe the policies and procedures that shall be met by any utility whose facility currently occupies, or will occupy in the future, any highway right-of-way or bridge over which the County has jurisdiction.

The Policy applies to all public and private utilities as defined in Section 01(B) (9) and (15). It also applies to all existing utility facilities retained, relocated, replaced, or altered, and to new utility facilities installed in County right-of-way.

Highway facilities (e.g. lighting, traffic signals, changeable message boards, etc.) operated by the County for the purpose of ensuring motorist safety shall not be bound by the policies and procedures contained within the Policy.

### C. Utility Accommodation Statutes

The County regulates the use, occupation, and utility accommodation of the county trunk highway system under sec. §66.0831, §84.08, §85.15, §86.07(2), §86.16, and §182.017, Wis. Stats.

### D. Utility Accommodation

Typically, the County utilizes the following policy when handling requests for utility accommodation or managing facilities that are already located in the right-of-way:

#### 1. Permits

The County permits utility facilities on its highways when:

- a. Such use and occupancy does not adversely affect the primary functions of the highways or materially impair their safety, operational, or visual qualities.
- b. There would be no conflict with the provisions of Federal, State, or local laws or regulations or the accommodation provisions stated herein.
- c. The occupancies would not significantly increase the difficulty or future cost of highway construction or maintenance.

## SECTION 2 – INTRODUCTION

---

### **D. Utility Accommodation (continued)**

A utility shall abide by the current version of the Policy each time a permit is authorized for its work. When future changes are made to the Policy, an existing utility facility is not required to meet the new version unless proposed changes to that facility require a new permit from the County.

#### **2. Additions**

Nothing in the Policy shall be construed as limiting the rights of the County to impose restrictions or requirements in addition to and/or deviations from those stated herein in any permit where the County deems it advisable to do so. An appropriate explanation for such action should be provided to the utility.

#### **3. Alterations**

The permitted facilities shall, if necessary, be altered by the utility to facilitate alteration, improvement, safety control, or maintenance of the highway as may be ordered after permit approval. All costs for construction, maintaining, altering, and relocating the permitted facilities shall be the obligation of the applicant, unless a specific County-executed utility parcel or agreement otherwise provides.

### SECTION 3 – IDEMNIFICATION

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The Applicant shall save and hold the County, its officers, employees, and agents harmless from all liability, damage, loss, expense, claims, demands, and actions of any nature whatsoever arising out of any acts or omissions of Applicant in any way connected with the work to be performed pursuant to this permit, or the construction or maintenance of facilities by the Applicant, in the County right-of-way which is the subject of this permit. Notwithstanding the foregoing, Applicant shall not be obligated to indemnify the County or its officers, employees, or agents for that portion of any liability, damage, loss, expense, claims, demands, or actions caused by the negligent, wanton, intentional, or otherwise wrongful acts or omissions of the County, or its officers, employees, or agents.

The County remains responsible for issues relating to road design but will not incur liability on behalf of Utility simply by granting a permit; unless, the grant of that permit is otherwise negligent or improper.

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## SECTION 4 – GENERAL INFORMATION

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### A. Buried Line Locating Notification

Each Applicant for a permit to work on a County highway shall provide a reliable line-locate notification service by either or both of the following means:

1. If the Applicant has membership in a one-call utility notification service, it shall enter the current telephone number(s) for the service on the face of each County permit application form. The applicant shall also provide written notification to the County upon or in advance of any subsequent changes in the one-call contact information such as cessation of membership, changes in the contact telephone number(s), etc.
2. If the Applicant lacks membership in a one-call utility notification service at the time of application for a County permit, or has membership but desires to provide a second resource for line locates, they shall:
  - a. Provide operational area maps which accurately specify the area(s) in which the applicant has lines or a franchise to install lines. A minimum of one such map shall be furnished to the County. The Applicant shall advise the County of any future changes in its operational area(s) and supply updated maps showing the current conditions, and
  - b. Enter on the face of each permit application form the current telephone number(s) and email address to be contacted to obtain specific line locates from the Applicant. The Applicant should notify the County of any change to contact information.
3. If requested, work with County to provide project data file indicating the line location in a mutually agreeable format.

### B. Design Responsibility

The utility shall be responsible for the design of the facility to be installed or adjusted within the right-of-way. The Utility shall be responsible for determination of the right-of-way. The County shall be responsible for review of the utility's proposal and for permit approval. County approval of the permit does not warrant that the right-of-way shown as part of the application is correct.

### C. Utility Facility Condition Requirements

All utility facilities shall be kept in a good state of repair both structurally and from the standpoint of appearance.

### D. Chemical Treatment and Cutting of Trees

Utilities shall be prohibited from chemical treatment or cutting of trees on County highways without a permit from the County except as provided under maintenance type activities (see policies 61 through 64), and the utility shall provide the County with MSDS sheets for chemicals being used along with an annual spraying plan.

### E. Draining Wetlands

The installation of privately owned lines or conduits in the right-of-way for the purpose of draining wetlands is prohibited.

## **SECTION 5 – EMERGENCY WORK**

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Emergency situations may arise when immediate action to protect the safety of the general public requires utility operations within a County highway that are not in full compliance with the provisions of the Policy. Nothing herein shall be construed as requiring a utility to delay such emergency repair.

Emergency repairs may be performed within the right-of-way when physical conditions or time considerations prevent application for the usual permit. However, as soon as feasible, the utility shall advise the County of the emergency, its plans or actions for alleviating the dangerous situation(s), and make arrangement(s) for the control and protection of traffic or pedestrians affected by its proposed operations. When the Policy requires a permit for such work, a permit shall be obtained as soon as possible, and any alterations deemed necessary through the permit approval process shall be made.

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## SECTION 6 – ABANDONED FACILITY

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### A. Aboveground Facilities

If a utility discontinues use of an aboveground facility, the facility shall be entirely removed from the right-of-way within one year after its use is discontinued unless written approval for a time extension is granted by the County or unless a permit is requested by the purchaser and approved by the County.

### B. Underground Facilities (This section does not waive a utility's rights under ss. §182.0175.)

Effective January 1, 2000, a record of underground utility facilities abandoned in the right-of-way shall be maintained in a utility's permanent files until the facility is completely removed from the ground. The record should be of similar quality and detail as any other map or plan submitted to the County for permit approval. The approximate location provided by the utility shall be within a ten (10) foot wide corridor (i.e., five feet either side as measured perpendicular to a facility). If a utility facility is to be abandoned as a part of a permit for a new facility, it shall be field located, and its location shall be shown on the permit request for the new facility.

Upon request by the County, each utility and the County requesting the information, shall agree on the method of transferring the abandoned facility information in accordance with the mapping capabilities of the utility. A utility shall update the map annually if requested by the County. The utility may place a disclaimer on the abandonment map such as:

“The locations on this map cannot be relied upon for any purpose except general information and planning that an abandoned utility facility is in the right-of-way. The user remains obligated to call Digger's Hotline at least three working days prior to any excavation. All utility facilities uncovered in the right-of-way shall be handled as active or energized until confirmed by a utility representative that it is an abandoned or temporarily de-energized facility.”

Upon request by the County, the utility shall provide a map (noted above) indicating all facilities abandoned prior to January 1, 2000 on record, if the utility has maintained such records.

When the County intends to perform work in an area potentially occupied by the utility, it may call the utility to request confirmation of any abandoned facilities in that area. The utility shall respond to the request within 10 calendar days and shall provide the County with a more detailed record of the abandoned facilities in that area, if available.

When an unidentified utility facility is exposed or damaged, the County shall call the utility to have a representative visit the site and identify its facility. The utility should physically respond to the site, if required, or contact the County representative within two hours, and in all cases, shall physically respond to the site within six hours after notification, if required.

The County shall not require a utility to physically remove any abandoned underground facility so long as a permanent record of it is maintained and it does not prevent the construction or modification of any highway improvement and/or structure. However, abandoned appurtenant facilities such as manholes and pull boxes shall be filled in or removed in accordance with the Wisconsin Department of Transportation's Standard Specifications for Road and Bridge Construction, current edition.

### C. Structure Attachments

Utility facilities abandoned on a structure shall be removed within 60 days of the abandonment unless otherwise approved by the County. All removal costs shall be the responsibility of the utility.

## SECTION 7 - COMPLIANCE

---

### A. Authority

Representatives of the County have the authority to enforce the Utility Accommodation Policy and those specific provisions related to individual utility permits. These representatives (a.k.a. inspectors) include the county highway commissioner and his/her designee. It also includes the project engineer when utility permits are part of construction projects.

All utilities, including all consultants, contractors, and subcontractors working for utilities, are required to abide by the Policy and those specific provisions related to individual utility permits.

A County policy adopting this “WCHA Utility Accommodation Policy” and noting exceptions shall precede it.

The utility must first appeal to the permit reviewer, highway commissioner, and the county highway committee with assistance of their corporation counsel. In the final appeal process under Wis Stats. §86.16(5) the utilities can appeal to WisDOT Division of Hearings and Appeals, if they feel a county is not treating them fairly.

### B. Failure to Comply

At the County option, the following measures may be taken if a utility fails to comply with the Policy or its permit provisions:

#### 1. Verbal Request for Corrective Action

The request shall include:

- a. The reason(s) why the present or completed operation is (was) not in compliance with the Policy or the permit provisions,
- b. What steps shall be taken to correct the situation, and
- c. What additional action may be taken if step b is disregarded (items 2 through 7 listed as follows).

#### 2. Written Reprimand

A written reprimand shall be sent to the utility for violating the Policy or its permit provisions when the utility does not comply with the verbal request.

The written reprimand shall contain the same information as the verbal request and shall serve as documentation for the violation. The County shall be responsible for writing and sending this reprimand.



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## SECTION 7 – COMPLIANCE

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### B. Failure to Comply (continued)

#### 3. Suspension of Work Activities

If a responsible person of an inspected work site fails to comply with a verbal request, the inspector may order the suspension of all work activities at the site. If this occurs, the county highway commissioner shall be informed of the situation.

If the county highway commissioner cannot be contacted, the patrol supervisor, engineer, or permit coordinator shall be notified.

The County shall then contact an authority of the utility to explain why the operation was suspended and what action needs to be taken before work can resume.

#### 4. Removal of Installed Facilities

Any facility installed by a utility shall be in the location shown on the approved permit. If such a facility is discovered in an **unacceptable** location and the utility is notified, the utility shall have thirty (30) calendar days response time to decide on its corrective action. Once corrective action is agreed upon by the County, the Utility shall act on the corrective action within (10) calendar days. If the utility fails to take corrective action within the forty (40) calendar days, the County shall take action to have that facility relocated or removed at the utility's expense.

The permittee shall remove the improperly placed facility and put it in an approved location. If the utility fails to relocate its facility, the County shall have the facility removed and bill the permittee for such work.

#### 5. Permit Revocation

When a utility continues to be in noncompliance with the Policy or its permit provisions, the County may revoke the utility's permit. The utility may reapply for a permit to the County when it can demonstrate a good faith effort to comply.

#### 6. Public Service Commission (PSC) Notification

Continued violations by a utility of the Policy or its permit provisions may cause the County to notify the PSC and request its assistance in correcting the situation.

#### 7. Withholding Approval of Future Permits

Continued violations by a utility of the Policy or its permit provisions may cause the County to withhold approval of permit applications for that utility until the violations are corrected to the satisfaction of the County. The severity and number of written reprimands against a utility may serve as a guide in determining future permit approval.

### C. Procedures

When a utility site is inspected by the County or its representative to determine compliance with the Policy, the following procedures may be utilized:

#### 1. Inspection of Work in Progress

Upon reaching a work site, the inspector shall locate a responsible person and ask to review and discuss the utility operation. If applicable, a review of a copy of the permit which the utility or its contractor is required to have available at the site shall also be performed.

## SECTION 7 – COMPLIANCE

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### C. Procedures (continued)

If the inspector decides that changes to the operation are needed in order to bring it into compliance with the Policy or provisions of its permit, then a verbal request is the first corrective measure which shall be taken (see B.1.).

#### 2. Inspection of Completed Work

After a permitted operation has been completed, the utility is required to notify the County that work on the permit is complete and the job site is subject to an inspection by the County. If the work was done in violation of the Policy or the provisions of a utility's permit, then a verbal request is the first corrective measure which shall be taken (see B.1.). The utility shall have thirty (30) calendar days response time to decide on its corrective action and an additional ten (10) calendar days to initiate that action.

### D. Immediate Action (Work in Progress)

When a utility operation or installation is not in compliance with the Policy or the provisions of its permit and is adversely affecting public safety, the inspector shall take immediate action.

If a responsible person refuses to comply with the verbal request and does not take immediate corrective measures to ensure public safety, the inspector shall then call the local law enforcement agency to have the utility or its contractor(s), subcontractor(s), or consultant(s) removed from the County right-of-way. The inspector shall also take corrective measures to return the highway to a safe operating condition.

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## SECTION 8 – ENVIRONMENTAL CONDITIONS

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### A. Introduction

This policy specifies responsibilities and the procedures that a utility shall follow when environmental conditions are encountered in the right-of-way. These conditions include but are not limited to: 1) archeological sites, 2) historic structures, 3) contaminated soils, 4) underground storage tanks (UST's), and 5) leaking underground storage tanks (LUST's).

### B. County Responsibility

The County shall notify a utility when its facilities may be affected by a proposed improvement project. If the utility confirms that its facilities are in the vicinity of the improvement, the County shall transmit the utility at least that portion of the improvement plan that concerns those facilities. The County shall also provide any additional and duplicate plan information needed by the utility to design and lay out the removal, relocation, or adjustment of the existing utility facilities and the placement of relocated or additional facilities within the project limits. This includes furnishing a utility with information regarding any environmental conditions if site assessments are performed as a required part of the County project investigation. This information shall be considered for **“informational purposes only”** since data may change from the time an investigation is completed until the time a report is reviewed.

### C. Utility Responsibility

The utility shall be responsible to perform a site assessment for its own facilities. Utilities which obtain a permit from the County shall be solely responsible for surveying the right-of-way for environmental conditions solely for its own purpose where utility construction or utility maintenance will occur to determine if said area is an endangered species habitat. The utility shall be fully responsible for preservation or mitigation of said habitat in compliance with regulations promulgated by the Wisconsin Department of Natural Resources (DNR).

### D. Site Assessments

When a utility needs to do site assessments (investigations), the procedures listed in the Wisconsin Department of Transportation's Facilities Development Manual may be used as a guide. Specifically, Chapter 26 has information on archeological and historical assessments, and Chapter 21, Section 35, has information regarding contaminated site assessments. Copies of these can be obtained from the Wisconsin Department of Transportation.

The County recommends that site assessments be performed by a qualified historian, archeologist, or environmental consultant if the utility does not employ personnel specifically qualified for this work.

## SECTION 8 – ENVIRONMENTAL CONDITIONS

### E. Discovery of Environmental Conditions

Whether the discovery of environmental conditions occurs during a site assessment, facility installation, or maintenance operation, **ALL WORK SHALL BE SUSPENDED IMMEDIATELY**. Failure to do so may result in financial responsibility (see Section G) for the utility due to subsequent site assessments, mitigation, remediation, or possible fines. Specifically, if a utility fails to comply with Section E of this policy, it may be responsible for a percentage of the costs due to the utility's action. A checklist has been developed to help utilities obtain the necessary information which may be asked of them by site investigators. The checklist has been included in the County's Addendum as Environmental Conditions Discovery Checklist.

If the site poses a possible health risk, the local police and fire departments shall be notified immediately, and the utility shall take the necessary steps to provide for the safety of people and property in the area. After suspended operations, the utility shall contact the County and the offices listed below depending upon the type of conditions discovered:

| <b>NOTIFICATION TABLE (NOTE: CALL ALL THAT APPLY)</b>                              |                                                                  |
|------------------------------------------------------------------------------------|------------------------------------------------------------------|
| Utility Discovers Environmental Conditions while Working on County of Right-of-Way |                                                                  |
| Category                                                                           | Please Call                                                      |
| <b>Archeological Sites or Historic Structures</b>                                  |                                                                  |
| Historic structure                                                                 | State Historic Preservation Office<br>608-264-6507               |
| Archeological site                                                                 | State Historic Preservation Office<br>608/264-6507               |
| Burial                                                                             | Burial Sites Preservation Office<br>608-264-6507 or 800-342-7834 |
| <b>Contaminated Soils, UST's, LUST's, etc.</b>                                     | DNR                                                              |
| Local Department of Natural Resources Office <sup>1</sup>                          | See the county's addendum for contacts                           |
| 1. Required under Wisconsin law.                                                   |                                                                  |

The County will notify the utility when it can resume its operation.

### F. Utility Facility Placement Options

Unless the County has taken charge of the remediation or mitigation process due to a County project, a utility that decides to locate its facility through an affected area, shall document in its permit application that it has contacted the DNR and has received the proper authorization to locate in the area along with its proposed construction methods. The utility will be responsible for all associated costs.

### G. Financial Responsibility

When a utility performs an initial site assessment on County right-of-way - either with a project of its own or because a County project is not required to obtain environmental information - the utility shall bear the cost of the assessment. If an environmental site is exposed, a DNR assessment must be performed. No matter who performed the initial assessments or even if they were not done, a utility that discovers any environmental conditions shall **not** be responsible for assessment, mitigation, or remediation costs provided it had complied with Section E of this policy and avoids the site by placing its facility in another permitted location. The following table specifies who may have to pay for assessment, mitigation, or remediation costs depending upon the situation:

## SECTION 8 – ENVIRONMENTAL CONDITIONS

| <b>FINANCIAL RESPONSIBILITY TABLE</b><br>Utility Discovers Environmental Conditions while Working on Department of Right-of-Way<br>AND DECIDES TO LOCATE IN THE AFFECTED AREA                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                       |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------|
| Category/Activity                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Who Pays for the Activity?                            |
| <b>Archeological Sites or Historic Structures</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                       |
| A) Site Assessments (Identification or evaluation surveys) <sup>1</sup>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                       |
| - Utility project but no Department project                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Utility                                               |
| - Department Project                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Utility or Department <sup>2</sup>                    |
| B) Mitigation <sup>1</sup>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                       |
| - State Historic Preservation Office order                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Utility                                               |
| - No State Historic Preservation Office order                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Utility                                               |
| <b>Contaminated Soils, UST's, LUST's, etc.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                       |
| C) Site Assessments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                       |
| - Utility project but no Department project                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | RP <sup>4</sup> or Department or Utility <sup>3</sup> |
| - Department Project                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | RP <sup>4</sup> or Department or Utility <sup>3</sup> |
| D) Remediation                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                       |
| - Department of Natural Resources order                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | RP <sup>4</sup> or Department or Utility <sup>3</sup> |
| - No Department of Natural Resources order                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Utility                                               |
| 1. County policy is to <b>not</b> spend available resources for assessments or mitigation, but rather to preserve archeological sites and historic structures in place. This is in accordance with Section 106 of the National Historic Preservation Act.<br><br>2. Applicable only when the County is required to obtain environmental information for its project.<br><br>3. <u>Specifically</u> , if a utility fails to comply with Section E of this policy, it may be responsible for a percentage of the costs depending upon how much worse the situation became due to the utility's action.<br><br>If the County is <b>not</b> the RP <sup>4</sup> , then a utility which incurs costs due to encountering contaminated soils, UST's or LUST's will have to recover them from the RP <sup>4</sup> .<br><br>4. RP = Responsible Party (owner of the source of the hazard as determined by DNR) |                                                       |

## SECTION 9 – PERMIT REQUIREMENTS

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### **A. Need for a Permit**

A utility shall obtain a permit from the County before any use or occupancy of County highways is allowed. This includes utilities that want to occupy an existing pole line or duct system (e.g. CATV attaching to another utility company's existing poles). Exceptions to this are enumerated in Sections 61 through 64.

### **B. Permit Authorization to Use and/or Occupy Right-of-Way**

By issuance of a permit, the County formally indicates that, subject to all applicable permit conditions, a specified use and/or occupancy of right-of-way is not adverse to the highway interests at the time of the permit approval.

The County does not warrant that public title to the right-of-way is free and clear, does not certify that it has sole ownership, and does not indicate any intention to defend the utility in its peaceful use and occupancy of said lands.

The permit does not transfer any land, nor give, grant, or convey any land right, right in land, or easement subject to applicable statutes.

Written authorization from the County does not relieve the utility from compliance with all applicable federal and state laws and codes and local laws and ordinances which affect the design, construction, materials, or performance of its work. The County authorization shall not be construed as superseding any other governmental agency's more restrictive requirements.

The utility should retain a copy of the permit in its files during the entire time the facility is located in, over, or under the County right-of-way and shall have a copy available at the job site during construction.

All utility permits issued by the County are revocable for cause as provided herein. Section 07 highlights the steps that may be used by the County in order to revoke a permit.

## SECTION 10 – REQUIRED INFORMATION

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### A. General Policy

A utility's request to use and occupy the right-of-way cannot be considered until adequate information is provided regarding its proposed work. The amount of detail will vary with the complexity of the installation and the highway involved, but must include the appropriate permit application form, dimensioned drawings or sketches, and installation information so that the effect of the highway operation, traffic safety, and visual qualities can be evaluated.

### B. Permit Application Form

Utilities shall only use the single-page permit application form provided by the County. Alteration of the permit application form by the applicant is prohibited and shall be just cause for application rejection or permit revocation.

The current permit application form is found in the WCHA UAP Appendix, section 93 and can be duplicated as needed.

One original permit application form, signed by an **authorized office or representative of the applicant**, plus two copies of the drawings, sketches, or installation information shall be submitted per application to the County. The telephone and pager number of the applicant's local contact person and person in charge of construction shall be included on each permit application form.

See Section 12 on Page 20 for annual service connection permit information.

### C. Permit Limits

The permit application form shall include the limits (project endpoints) of all proposed work. If the utility facility extends into more than one county, a separate permit application form shall be submitted for each county. Furthermore, a separate permit must be submitted for each project on a different highway and/or for non-contiguous projects.

The permit authorizes only the described work of and for the applicant indicated on the face of the permit. The permit shall not grant authority for the present or future installation of any other facility.

### D. Permit Drawings

Each permit application shall contain adequate drawings showing the proposed location of the utility facility within the right-of-way with respect to the existing highway or any proposed highway improvement and any existing utility facilities. The details shall include dimensions from the proposed utility installation to the right-of-way line; whether the right-of-way is dedicated, prescriptive, or statutorily defined, and to the edge of the traveled way.

For highway crossings, a cross-section detail showing depth of bury or overhead clearance is required along with the location of any bore pits (if needed). A distance reference from the crossing to the nearest public roadway intersection is also required.

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## SECTION 10 – REQUIRED INFORMATION

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### **E. Installation Information**

The utility shall provide the following installation information:

1. This information shall include, but is not limited to, a general description of the location, size, type, nature, and extent of the utility facilities to be installed or to be adjusted.
2. The County may require a utility to provide a description of proposed construction procedures, special traffic control and protection measures, proposed access points, coordination of activities with the highway contractor, or trees to be removed.
3. When an attachment to a structure is proposed, the County shall request additional information. This information may include, but is not limited to, bridge number, weight of lines, hanger spacing, hanger details, and expansion/contraction details.

See Policy 23 for additional requirements regarding structure attachments.

### **F. English Units**

The County is expecting to work exclusively with English units which shall be used on all permit application forms and submittals.



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## SECTION 11 – ANNUAL SERVICE CONNECTION PERMIT (ASCP)

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### A. General Policy

A utility shall obtain a permit from the County before installing any type of service line that requires a connection from an existing distribution facility within the right-of-way. However, the County recognizes that a utility must respond promptly to its customers when they request service connections for their homes or businesses. In order to help expedite the process, a utility may apply for an annual service connection permit (ASCP) from the County which bypasses the normal permit approval process and fax each proposed service location permit.

This policy does not affect Section 5, Emergency Work. Approvals for emergency service connections should still be handled by a phone call to the County.

All work described in this policy shall comply with the entire Utility Accommodation Policy. An ASCP issued to a utility does not supersede the authority of other governmental agencies' more restrictive requirements.

### B. Application Information

A utility shall use the County standard permit application form (see Appendix) to apply for an ASCP which shall be sent to the County for review. The ASCP shall only be effective during the calendar year and in the county in which it is issued. A copy of the ASCP shall be kept on the job site at all times.

The County may reject an ASCP application if a utility has been delinquent in rectifying previous or current installations which violate the Policy (e.g. site restoration). In addition, the County may suspend or permanently revoke an ASCP due to Policy violations.

### C. Coverage

The ASCP shall pertain to **service connections only**. In addition, an extension of the existing distribution line up to 300 feet is allowed to facilitate the installation of the service. Both overhead and underground short-side (same side of highway and the distribution line) service connections are allowable. Long-side (opposite side of highway as the distribution line) service connections are also allowable but may be limited to underground installations.

### D. Implementation

Once an ASCP has been approved by the County, a utility shall implement the following process to obtain approval for installing a service connection. A utility shall submit, by email, fax or other method, a location sketch of the proposed service for County review at least three business days prior to the start of the work. A copy of the utility's work order may be sufficient for this. The information provided shall include the:

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## SECTION 11- ANNUAL SERVICE CONNECTION PERMIT (ASCP)

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### D. Implementation (continued)

1. Utility's ASCP number.
2. County name and town, range, and section numbers, address of property, municipality or township in which property is located.
3. Distance from the nearest intersection to the service line.
4. Name of the utility and representative who needs the County reply along with that person's telephone number, email or fax numbers.
5. A map or sketch of the project location that depicts the placement of the service line relative to right-of-way and the traveled way.

An ASCP does not authorize a utility to start work. The highway commissioner or his/her designee shall notify the utility within three working days of receipt of the utility service connection request when it is okay to proceed with the proposed service work - usually by telephone or return fax unless another method is specified by the utility. If the utility does not hear from the highway commissioner or designated representative prior to commencing work, it should call the County.

### E. Work Restrictions

If a utility cannot meet **all** of the conditions listed below, then it shall obtain a regular permit for that specific service connection. Under an ASCP, all work shall be done:

1. Without any interference or disruption to traffic. Exceptions may be granted for low-volume (500 ADT or less), two-lane rural highways.
2. Without open cutting the pavement, paved shoulders, or medians.
3. For long-side connections, using untrenched construction techniques only. Any boring machine that is used shall not be guided from the highway surface. The use of the median area is prohibited per Section 24.B - even to check or guide the boring machine. Boring shall be accomplished no closer to the highway than the toe of in slope or back of curb in accordance with Section 53.B. The bore shall be perpendicular to the highway.

Overhead, long-side service connections may be allowed on low-volume (500 ADT or less), two-lane rural highways during off-peak travel hours. Traffic plans or road closure permits may be necessary from the local road authority.

## SECTION 11 – ANNUAL SERVICE CONNECTION PERMIT (ASCP)

|                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                             |                   |                             |                                                            |                               |                                                                                            |                            |                                                                                        |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|-------------------|-----------------------------|------------------------------------------------------------|-------------------------------|--------------------------------------------------------------------------------------------|----------------------------|----------------------------------------------------------------------------------------|
| <p style="text-align: center;"><b>COUNTY HIGHWAY DEPT</b></p> <p style="text-align: center;"><b>APPLICATION/PERMIT to CONSTRUCT, OPERATE,<br/>and MAINTAIN UTILITIES WITHIN HIGHWAY<br/>RIGHT-OF-WAY</b></p> <p>Applicant/Company: _____</p> <p>Address: _____</p> <p>Office Phone: _____</p> <p>Cell Phone: _____</p> <p>Plans Prepared By: _____</p> <p>Company: _____</p> <p>Phone: _____</p> <p>Email: _____</p> | <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center; background-color: #f2f2f2;"><b>LOCATION INFORMATION</b></td> </tr> <tr> <td>Highway(s): _____</td> </tr> <tr> <td>Town/Village/City of: _____</td> </tr> <tr> <td style="text-align: center;">_____ ¼ of the _____ ¼ Sec _____ T _____ N _____ R _____ E</td> </tr> <tr> <td style="text-align: center; background-color: #f2f2f2;"><b>ADDITIONAL INFORMATION</b></td> </tr> <tr> <td>Annual Service Connection Permit? <input type="checkbox"/> Yes <input type="checkbox"/> No</td> </tr> <tr> <td>Utility Work Order # _____</td> </tr> <tr> <td>Fee Required? <input type="checkbox"/> Yes <input type="checkbox"/> No Amount \$ _____</td> </tr> </table> | <b>LOCATION INFORMATION</b> | Highway(s): _____ | Town/Village/City of: _____ | _____ ¼ of the _____ ¼ Sec _____ T _____ N _____ R _____ E | <b>ADDITIONAL INFORMATION</b> | Annual Service Connection Permit? <input type="checkbox"/> Yes <input type="checkbox"/> No | Utility Work Order # _____ | Fee Required? <input type="checkbox"/> Yes <input type="checkbox"/> No Amount \$ _____ |
| <b>LOCATION INFORMATION</b>                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                             |                   |                             |                                                            |                               |                                                                                            |                            |                                                                                        |
| Highway(s): _____                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                             |                   |                             |                                                            |                               |                                                                                            |                            |                                                                                        |
| Town/Village/City of: _____                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                             |                   |                             |                                                            |                               |                                                                                            |                            |                                                                                        |
| _____ ¼ of the _____ ¼ Sec _____ T _____ N _____ R _____ E                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                             |                   |                             |                                                            |                               |                                                                                            |                            |                                                                                        |
| <b>ADDITIONAL INFORMATION</b>                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                             |                   |                             |                                                            |                               |                                                                                            |                            |                                                                                        |
| Annual Service Connection Permit? <input type="checkbox"/> Yes <input type="checkbox"/> No                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                             |                   |                             |                                                            |                               |                                                                                            |                            |                                                                                        |
| Utility Work Order # _____                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                             |                   |                             |                                                            |                               |                                                                                            |                            |                                                                                        |
| Fee Required? <input type="checkbox"/> Yes <input type="checkbox"/> No Amount \$ _____                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                             |                   |                             |                                                            |                               |                                                                                            |                            |                                                                                        |

**DESCRIPTION OF PROPOSED WORK (Check and fill out all that apply)**

UTILITY TYPE: ☐ Electric ☐ Gas/petroleum ☐ Communications ☐ Water ☐ Sanitary sewer ☐ Private line  
☐ Transmission ☐ Distribution ☐ Service *Facility Size/Capacity:* \_\_\_\_\_  
(diameter, # fibers, psi, Kv, etc.)

ORIENTATION: ☐ Overhead ☐ Underground ☐ Parallel to hwy centerline ☐ Hwy crossing ☐ Bridge attachment ☐ Tunnel

WORK TYPE: ☐ New construction ☐ Improve/repair existing ☐ Maintenance ☐ Removal ☐ Abandon in place

CONSTRUCTION METHOD(S): ☐ Plow ☐ Trench ☐ Bore ☐ Suspend on poles/towers ☐ Open cut hwy ☐ Cased

☐ Tree cutting/removal ☐ Chemical treatment of trees/brush *Erosion Control Designation:* ☐ Major ☐ Minor

Provide additional narrative if needed: \_\_\_\_\_

NAME AND PHONE NUMBER OF UTILITY REPRESENTATIVE  
RESPONSIBLE FOR CONSTRUCTION: \_\_\_\_\_

Estimated Starting Date: \_\_\_\_\_ Estimated Completion/Restoration Date: \_\_\_\_\_

The Applicant understands and agrees that the permitted work shall comply with all permit provisions and conditions of the Utility Accommodation Policy of the above-named county in effect at the time of this application, and with any special provisions listed below or attached hereto, and any and all plans, details, or notes attached hereto and made a part thereof.

By: \_\_\_\_\_  
(Signature of Applicant/Company Authorized Representative) (Title) (Date)

(Typed/Printed Name of Person Signing Above or Electronic Signature Code) (Authorized Applicant/Company Representative Telephone Number)

**DO NOT WRITE BELOW THIS LINE**

**PERMIT APPROVAL BY PERMITTING AUTHORITY**

The foregoing application is hereby approved, and permit issued by the Permitting Authority subject to full compliance by the Applicant with all provisions and conditions stated in the Utility Accommodation Policy of the above-named county including the Indemnification as included in Section 03 of the WCHA Utility Accommodation Policy in effect on the date of this application.

Supplemental Provisions Attached: ☐ Yes ☐ No

By: \_\_\_\_\_  
(Authorized Representative for County)

\_\_\_\_\_  
(Title) (Date)

Date Revised: 1/5/01 clm

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|                                                                                                                                                        |
|--------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>FEE RECEIVED: \$</b> _____<br><b>CHECK NUMBER:</b> _____<br><b>DATE ISSUED:</b> _____<br><b>HWY PROJECT #:</b> _____<br><b>PERMIT NUMBER:</b> _____ |
|--------------------------------------------------------------------------------------------------------------------------------------------------------|

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## SECTION 11 - ANNUAL SERVICE CONNECTION PERMIT (ASCP)

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### PERMIT PROVISIONS AND CONDITIONS OF ISSUANCE:

Pursuant to Wisconsin Statutes, WisDOT Highway Maintenance Manual, and other County Regulations, this permit is granted to allow performance of the specific work described or referenced herein. The following standard provisions and any included special provisions shall govern:

1. Comply with the conditions and requirements of the WCHA Utility Accommodation Policy (UAP).
2. Permitted facilities shall, if necessary, be altered at the expense of the Applicant/Owner to permit alteration, improvement, or maintenance of the highway as may hereafter be ordered. The entire cost of constructing and maintaining the permitted facilities shall be the obligation of the Applicant/Owner; unless a contract for such costs has been executed by County.
3. Permitted Utility location shall be installed at the furthestmost horizontal location from the centerline, shall maintain a consistent centerline offset, shall meet the minimal offset and cover requirements of the UAP, and shall not deviate in position from the approved Permit submittal documents without written COUNTY consent and approval.
4. No open cutting for a crossing will be allowed where the pavement is too narrow to maintain one-way traffic at all times, unless County has granted permission for a detour. Wherever the pavement is opened, spoil shall be hauled away and the trench shall be backfilled with sand, gravel, or structural fill (compacted in layers).
5. Pavement removed shall be replaced in accordance with County specifications.
6. Applicant shall provide ALL NECESSARY SIGNS, FLAGMEN, AND LIGHTS required per conformance with the "Manual on Uniform Traffic Control Devices". When a detour is allowed, local newspapers shall be notified, by the Applicant, in advance of the work being started.
7. All disturbed areas shall be returned to their present condition or better, subject to the satisfaction of County representative. Access to all private drives and public street intersections shall be maintained, and all areas completely restored.
8. Trenching, tunneling, of excavating shall be performed in accordance with requirements of OSHA, Wisconsin Department of Commerce, this policy, and any applicable local regulations.
9. Copy of the permit approval, along with any plans and special provisions, shall be available on the job site.
10. Upon completion of the work, Applicant/Owner shall file a written notice of completion with the County.
11. Other jurisdictions that may have permit authority are to be contacted; for example, DNR, Township, County Land & Water Conservation.
12. Issuance of a Permit does not exempt Applicant/Owner from any other Federal, State, County, or Local Agency Permits or approval processes.

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## SECTION 11 – ANNUAL SERVICE CONNECTION PERMIT (ASCP)

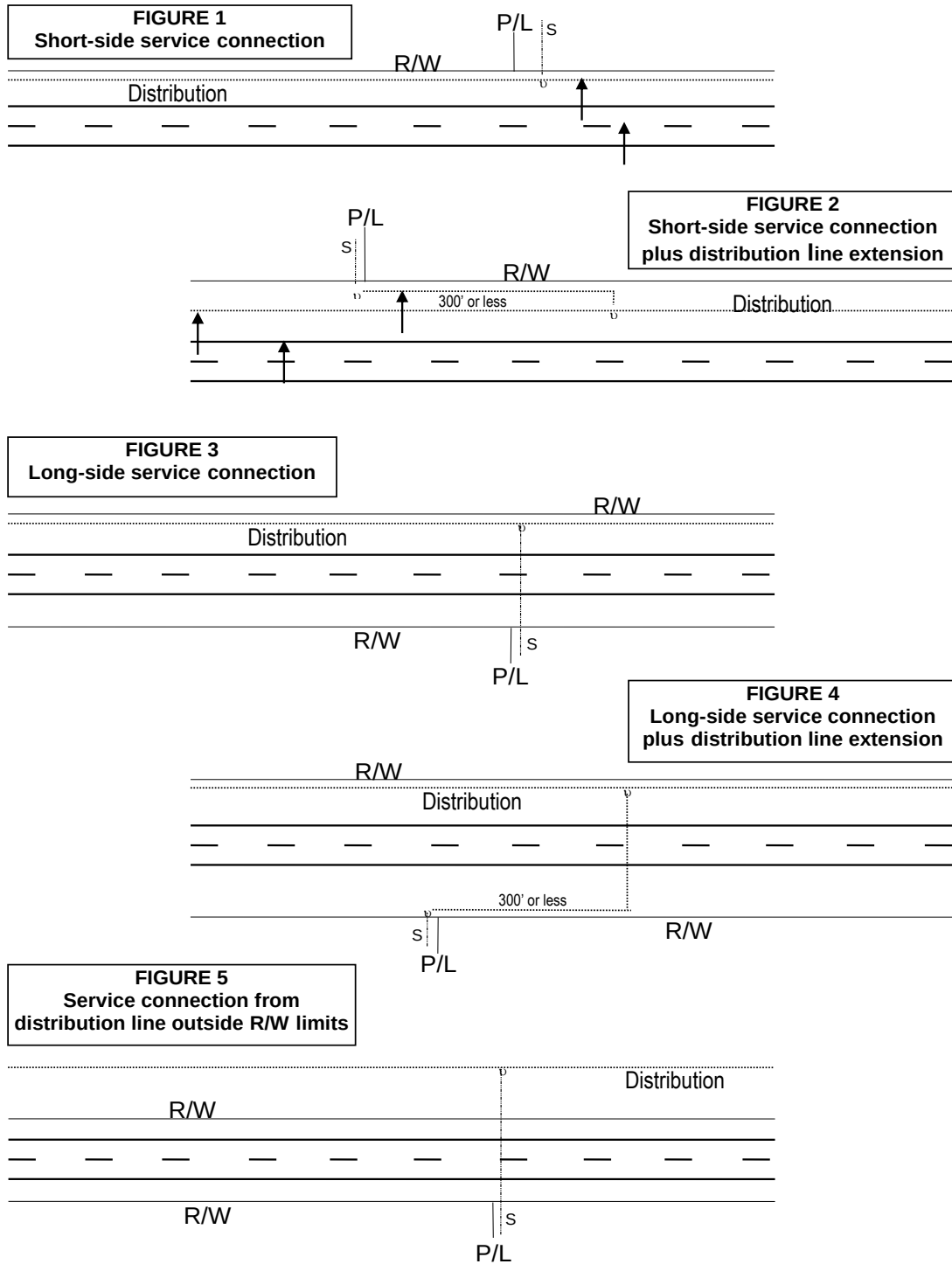
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### INDEMNIFICATION:

1. APPLICANT shall indemnify, hold harmless and defend COUNTY, its boards, commissions, agencies, officers, employees, and representatives against any and all liability, loss (including, but not limited to, property damage, bodily injury, and loss of life), damages, costs, or expenses which COUNTY, its officers, employees, agencies, boards, commissions, and representatives may sustain, incur or be required to pay by reason of APPLICANT engaging in the activities authorized by the Permit or which arise out of or are connected with, or are claimed to arise out of or be connected with any of the work done by the APPLICANT, or the construction or maintenance of facilities by APPLICANT, pursuant to the Permit, on, under, or over highway right-of-way, provided, however, that the provisions of this paragraph shall not apply to liabilities, losses, costs, or expenses caused or resulting from the acts or omissions of County, its agents, boards, commissions, officers, employees, or representatives. Without limiting the generality of the foregoing, the liability, damage, loss, expense, claims, demands, and actions indemnified against shall include all liability, damage, loss, expense, claims, demands, and actions for damage to any property, lines, or facilities placed by or on behalf of the APPLICANT pursuant to the permit, for any loss of data, information, or material; for trademark, copyright, or patent infringement; for unfair competition or infringement of any other so-called “intangible” property right; for defamation, false arrest, malicious prosecution or any other infringement of personal or property rights of any kind whatever. APPLICANT shall at its own expense investigate all such claims and demands, attend to their settlement or other disposition, defend all actions based thereon and pay all charges of attorneys and all other costs and expenses of any kind arising from any such liability, damage, loss, claims, demands, and actions. The obligation of APPLICANT under this paragraph shall survive the expiration or termination of the Permit.
2. In order to protect itself and COUNTY, its officers, boards, commissions, agencies, employees, and representatives under the indemnity provisions of paragraph 1, above, APPLICANT will at all times during the term of the Permit keep in full force and effect comprehensive general liability and auto liability insurance policies issued by a company or companies authorized to do business in the State of Wisconsin and licensed by the Wisconsin Insurance Department, with liability coverage provided for therein in the amounts of at least \$1,000,000 Combined Single Limit (CSL). Covered afforded shall apply as primary. COUNTY shall be given ten (10) days advance notice of cancellation or non-renewal. Upon issuance of the Permit, APPLICANT shall furnish COUNTY with a certificate of insurance listing COUNTY as an additional insured and, upon request, certified copies of the required insurance policies. If APPLICANT insurance is underwritten on a Claims-Made basis, the Retroactive Date shall be prior to or coincide with the date of issuance of the Permit, and the Certificate of Insurance shall state that coverage is Claims-Made and indicate the Retroactive date. APPLICANT shall maintain coverage for the duration of the Permit and two years thereafter. APPLICANT shall furnish COUNTY, annually on the Policy renewal date, a Certificate of Insurance as evidence of coverage. It is further agreed that APPLICANT shall furnish COUNTY with a 30-day notice of aggregate erosion, in advance of the Retroactive Date, cancellation, or renewal. It is also agreed that on Claims-Made policies, either APPLICANT or COUNTY may invoke the tail option on behalf of the other party and that the Extended Reporting Period premium shall be paid by the APPLICANT. In the event any action, suit, or other proceeding is brought against COUNTY upon any matter herein indemnified against, COUNTY shall give reasonable notice thereof to APPLICANT and shall cooperate with APPLICANT attorneys in the defense of the action, suit, or other proceeding. APPLICANT shall furnish evidence of adequate Worker’s Compensation Insurance.
3. In case of any sublet work under the Permit, APPLICANT shall furnish evidence that every subcontractor has in force and effect insurance policies providing coverage identical to that required of APPLICANT.
4. The parties do hereby expressly agree that COUNTY, acting at its sole option and through its Risk Manager, may waive all requirements contained in paragraphs 1-3, above, such waiver to be in writing only.

## SECTION 11 – ANNUAL SERVICE CONNECTION PERMIT (ASCP)

KEY: R/W = right-of-way      P/L = property line      S = service      v = pedestal, pole or valve



## **SECTION 13 – APPLICATION MODIFICATION**

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The County has the right to modify the utility's permit application as necessary to protect the highway interests. The modifications may be more restrictive than what was originally proposed.

The permit, as approved, shall embody the conditions to which the utility shall comply in order to use or occupy the right-of-way.

Changes to the permit could include, but are not limited to, changing the traffic control plan, utility location due to conflicts, or utility locations due to field conditions; for small cellular systems see Section 61.

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## SECTION 20 – LOCATION REQUIREMENTS

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### A. General Location

Utility facilities shall be located in such a manner in order to minimize the need for later adjustment to:

1. Accommodate proposed highway improvements and widening.
2. Permit servicing or expanding such lines without obstruction or interference to the free flow of highway traffic.
3. Provide adequate vertical and horizontal clearance between an underground utility facility and a structure or other highway facility to allow maintenance of all facilities.
4. Be outside of the 45-degree cone of support for the footings of all highway structures.

### B. Crossing Location

Utility facilities shall cross the highway on a line as nearly perpendicular to the highway alignment as possible.

Conditions which are generally unsuitable or undesirable for underground crossings should be avoided. Crossing locations to be avoided include:

1. Deep cuts.
2. Near footings of bridges or retaining walls.
3. Across highway intersections at grade or ramp terminals.
4. At cross drains where the flow of water may be obstructed.
5. Within basins of an underpass drained by a pump.
6. In wet or rocky terrain where it will be difficult to attain minimum bury.

### C. Underground Longitudinal Location

The longitudinal location of underground utility facilities within the right-of-way shall provide as much clearance from the traveled way as conditions will allow. Such lines shall be on uniform alignment and be located at or as near as practical to the right-of-way line.

To maintain a reasonably uniform utility alignment, location variances may be allowed when the normal right-of-way limits varies.



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## SECTION 20 – LOCATION REQUIREMENTS

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### D. Aboveground Longitudinal Location

The longitudinal location of aboveground utility facilities shall be outside of the clear zone. Such lines shall be on uniform alignment and be located at or as near as practical to the right-of-way line. Exceptions may be granted when no other location is feasible or when the clear zone extends to the right-of-way line.

If any aboveground utility facility is within the clear zone or is determined to be in a location that has a higher-than-average accident potential, the County may require:

1. The utility facility to be of approved yielding or breakaway construction, or
2. The utility facility to be protected by a County-approved barrier such as beam guard, crash cushion, etc.

To maintain a reasonably uniform utility alignment, location variances may be allowed when the normal right-of-way limit varies.

### E. Existing Utilities

When a utility facility exists within the right-of-way of an existing or proposed highway, it may remain provided it does not adversely affect highway safety based on sound engineering judgment and economic considerations of the roadway improvement cost and utility moving cost. The existing facility shall be relocated if:

1. It conflicts with any construction or construction related activities, or
2. It is located longitudinally under the pavement or shoulder for a reconditioning or reconstruction project, or
3. It does not meet current clear zone standards for a new or reconstructed highway.

### F. Subsurface Utility Engineering

The use of subsurface utility engineering (SUE) to locate buried facilities is approved by the County. Any utility installation using SUE shall be noted on the permit application form.

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## SECTION 21 – APPURTENANCES

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### A. General Policy

Appurtenant facilities such as pedestals, manholes, vents, drains, rigid markers, valve and regulator pits, etc. should be located outside of the clear zone and near or at the right-of-way line. Manholes, valve pits, etc. should be installed so that their uppermost surfaces are flush with the adjacent undisturbed surface.

All utility pedestals, cabinets, transformers, and other aboveground (i.e., not flush with the ground) structures located within the highway right-of-way shall be adequately marked. Markers shall be installed and maintained by the utility owner. Counties will not be liable for damage done to aboveground utility structures that are not adequately marked.

### B. Buildings

Buildings shall not be located on the right-of-way. Exceptions may be granted in cases where the building can be located on County-owned right-of-way other than a county trunk highway. Examples of this include, but are not limited to, Park-n-Ride lots, rest areas, and remnant parcels. Buildings shall still be located outside of any clear zone, if applicable.

### C. Cabinets

Cabinets should not be located on the right-of-way. When cabinets are allowed on the right-of-way they shall be placed at a location not vulnerable to an errant vehicle and at or as near as practical to the right-of-way line. Foundations beneath cabinets shall be flush with the existing ground or proposed ground slope if associated with a roadway construction project.

### D. Manholes

Manholes shall not be located in the pavement and should not be located in the shoulders of heavily traveled highways. Exceptions may be made on highways where manholes are essential parts of existing lines. New manhole installations shall be avoided at highway intersections.

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## SECTION 22 – VERTICAL LOCATION

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### A. Underground

The depth of bury for underground facilities within the right-of-way shall be a minimum of 24 inches as measured from the finished ground surface to the top of the facility except under ditch bottoms where it shall be a minimum of 30 inches at the time of installation.

The depth of bury for underground facilities crossing the highway shall be a minimum of 30 inches as measured from a straight line connecting the lowest points of the finished ground or pavement surface on each side of the right-of-way to the top of the facility at the time of installation.

When a permit is requested by a utility and a future road project is anticipated, the utility may be required to bury deeper in accordance with the County plans.

Where minimum bury is not feasible, the facility shall be rerouted or protected with a casing, concrete slab, or other suitable measures. In solid rock, the depth of bury may be reduced if adequate protection is provided. All utilities shall obtain prior approval from the County before burying any facility less than the minimum depth required.

### B. Overhead

Vertical clearances for overhead utility facilities installed after January 1, 2000, shall comply with all applicable state and national electrical codes. In all cases, facilities crossing over the highway shall at no time be less than 17 feet above the high point of the traveled way.

Pre-existing facility clearances before January 1, 2000, are grandfathered under the applicable state and national electric codes in effect at the original date of installation. Unless otherwise agreed to by the utility and the County, facility clearances affected by the normal and emergency work activities as defined in the maintenance section of this policy, which do not require a new permit, are also grandfathered.

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## SECTION 23 – INSTALLATION OF STRUCTURES

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### A. General Definitions

Attachments to highway structures should be avoided. However, attaching utility lines to highway structures may be permitted when they do not materially affect the:

1. Structure design and appearance.
2. Safe operation of traffic.
3. Efficiency of maintenance.

The utility shall be responsible for all County costs associated with such attachments. This includes, but is not limited to, additional design time, increased bridge deck thickness, and future bridge maintenance (painting and inspection).

### B. Installation Location Requirements

When a utility facility is attached to a structure, the installation shall be located:

1. Beneath the structure floor.
2. Inside the outer girders or beams or within a cell.
3. At an elevation above low superstructure steel or masonry which would not inhibit bridge inspections or repairs.

A utility facility may be located within the highway structure's deck for new construction or deck reconstruction projects if the utility notifies the County in advance of or while the structure is being designed.

### C. Installation Openings

The openings created in the bridge abutments to allow passage of the permitted facility shall be of the minimum size necessary.

1. The opening in the abutment around the permitted facility shall be completely filled to seal the opening and effectively preclude the leakage of any moisture or backfill material through the abutment.
2. If the utility sleeves the facility through the abutment, the sleeve shall be tight sealed into the abutment. Any space between the sleeve and facility it encloses shall be sealed.

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## SECTION 24 – MEDIAN INSTALLATIONS

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### A. General Policy

On both crossing installations and longitudinal installations, poles, guys, or other related facilities shall not be located in a highway median. The County may grant an exception for a crossing installation on a freeway or expressway. See Sections 32(b) and 35 for freeways.

### B. Median Work

No work shall be performed in the median of any highway without prior approval from the County.

When median work is authorized, it shall conform to the following provisions unless otherwise stated within a utility's permit:

1. The permittee or its contractor shall notify the County at least 3 working days prior to the expected beginning of work in the median and shall provide an approximate completion date for the work. The phone number has been included in the Appendix as the County Contact Information.
2. All equipment, operations, and spoil material shall be located within the center area of the median.
3. No openings, vehicles, equipment, or materials of any type shall be located within the median overnight.
4. All vehicles used to conduct the work operation shall be equipped with conspicuously visible roof-mounted revolving or strobe lights. These lights shall be in operation just prior to and during the work operation. Hazard warning lights on the vehicles shall also be operating.
5. Provide a Temporary Traffic Control (TTC) plan that includes the proper advance, warning, and work area signage in accordance with standards and recommendations of the U.S. DOT FHWA Manual of Uniform Traffic Control Devices (MUTCD) and the Wisconsin Supplement to the MUTCD; or comply with the standards and requirements of the most recent version of the Wisconsin Department of Transportation (WisDOT) Work Zone Field Manual for construction site control measures.
6. Any vehicle of the department or a county or municipal highway department that by reason if it's use upon a highway creates vehicular traffic hazard requiring the exercise of unusual care in approaching, overtaking or passing may be equipped with flashing green warning lamps to *only* be used by WisDOT or county or municipal highway department vehicles when working on a highway.

## **SECTION 25 – BREAKAWAY CONSTRUCTION**

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Breakaway or yielding facilities along the highway should be set as far back as feasible to prevent a pole or other device from falling onto the traveled way when struck by an errant vehicle.

Foundations beneath breakaway poles shall be flush with the ground.

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## SECTION 26 – SCENIC CONSIDERATIONS

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### A. General Policy

When feasible, the County strives to enhance visual qualities of the highway system by:

1. The retention and/or planting of trees, shrubs, and other vegetation.
2. The selection of special alignments and corridors.
3. The acquisition of scenic easements.

Utilization of highways by utilities requires that the type and size of its facilities and the manner and extend of its installations shall not materially impair the scenic quality, appearance, or view of highway roadsides and adjacent areas.

### B. Scenic Areas

Areas which have been acquired or set aside for their scenic quality, such as scenic strips, overlooks, rest areas, recreation areas, public parks, historic sites, etc., and the right-of-way which traverses these areas, are in a special category and new utility installations shall not be permitted except as provided in this section.

1. New underground utility installations may be permitted within scenic areas when the installation does not require extensive removal or alteration of trees or other natural features visible to the highway user and does not impair the visual quality of the lands being traversed.
2. New overhead installations shall be prohibited at such locations where there is a feasible and prudent alternative to the use of the scenic areas by the overhead facility. When this is not the case, installations will be considered only where:
  - a. Other locations are unusually difficult, unreasonably costly, or are undesirable from the standpoint of visual quality.
  - b. An underground installation is not technically feasible, or it is unreasonably costly.
  - c. The proposed installation can be made at a location (and will employ suitable designs and materials) which gives adequate protection to the visual qualities of the area being traversed.
3. These controls shall also be followed in the location and design of utility installations that are needed for a highway purpose, such as for continuous highway lighting, or to serve a weigh station or rest or recreational area.

## **SECTIONS 30-35 – FREEWAYS**

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These sections are not being printed with this policy but are hereby accepting Wisconsin Department of Transportation's current version of these sections and the reader is directed to them.

See WisDOT Utility Accommodation Policy.



## **SECTION 40-44 - EXPRESSWAYS**

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These sections are not being printed with this policy but are hereby accepting Wisconsin Department of Transportation's current version of these sections and the reader is directed to them.

See WisDOT Utility Accommodation Policy.

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## SECTION 50 – CONSTRUCTION REQUIREMENTS

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### **A. Permit at Job Site**

When the County issues a permit to a utility for its proposed work, a complete copy of the permit shall be in the possession of the utility's work force, consultant, contractor, or subcontractor at all times when utility work is being performed within the right-of-way. This includes the Annual Service Connection Permit (see Section 11) when appropriate.

### **B. Use of Highway Median**

Any use of a highway median is prohibited unless specifically authorized by a permit. See Section 24(B) for specific conditions that shall be met if median work is permitted.

### **C. Use of Temporary Guard Poles**

No guard pole shall be set within the right-of-way unless specifically authorized by a permit. By definition, a guard pole is used to prevent aerial lines from falling onto the traveled way. Any guard poles permitted in the clear zone shall comply with Section 20(D).

### **D. Unexpected Field Conditions**

Any modification of the terms of the approved permit to meet changed or unexpected field conditions shall require prior approval from the County.

### **E. Blasting**

Blasting on the right-of-way is prohibited unless specifically authorized by a permit.

### **F. Survey Markers**

No survey marker (e.g. right-of-way marker, benchmark, etc.) shall be disturbed unless prior approval has been obtained from the County. In addition, other survey markers [e.g. United States Geological Survey (USGS), County, etc.] located in the County right-of-way shall not be disturbed unless prior approval is obtained from their owner(s).

Any survey marker that is disturbed, removed, or destroyed shall be restored by the utility at its expense under the supervision of a registered professional land surveyor or county surveyor. (Reference: Wis. Stats. sec. §59.635 and §236.32, Stats.)

### **G. Vegetation**

No tree or shrub shall be sprayed, cut, trimmed, or damaged to facilitate the installation of a utility facility unless specifically authorized by a permit. Vegetation which is proposed to be damaged or destroyed may have to be replaced at the discretion of the County. When the removal of a tree is permitted, the stump shall be removed and the hole properly backfilled or cut flush with the ground as directed and approved by the County. At no time shall trees or other vegetation be cut on County right-of-way without approval of the County.

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## SECTION 50 – CONSTRUCTION REQUIREMENTS

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### **G. Vegetation (continued)**

Utilities should be aware of rare or endangered plant species or animal and insect species that feed off of native vegetation in the right-of-way that must be protected or avoided by law. Utilities may receive assistance in identifying these areas by calling the local Department of Natural Resources office (contact information has been provided in the County's Addendum) DNR Service Center Location Information in the county's addendum). The chipping or grinding of trees may be allowed by the County on a permit-by-permit basis. This includes spreading the resulting mulch evenly over the right-of-way such as not to leave mounds or humps or interfere with drainage or road maintenance activities.

### **H. Highway Signs**

A utility shall not remove any highway sign unless approved in its permit.

## SECTION 51 – TRAFFIC CONTROL

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### A. Authority

All traffic control for utility work performed on County highways shall abide by:

1. The current FHWA Manual on Uniform Traffic Control Devices (MUTCD) any supplements thereto, and the Wisconsin Supplement to the MUTCD.
2. Section 643 in the current edition of the Wisconsin Department of Transportation's Standard Specifications for Highway and Structure Construction.
3. Alternatively, and at the County's determination, traffic control may be in accordance with appropriate diagrams found in the Wisconsin Department of Transportation titled "Work Zone Field Manual, Current Edition".
4. All Flaggers shall be certified in accordance with the Wisconsin Department of Transportation standards or guidelines.
5. The specific provisions within this section.

The standards set forth in the Wisconsin MUTCD and any supplements thereto are minimum guidelines, and additional traffic control shall be used when necessary or if required by County.

### B. General Policy

All utility work shall be planned and prosecuted with full regard for safety and to keep interference with highway traffic to a minimum. On heavily traveled highways, utility work interfering with traffic may not be allowed during periods of peak traffic flow. Any such work allowed shall be planned so that closure of intersecting streets, road approaches, or other access points is minimized. No utility work shall begin until all required warning signs, devices, and methods adequate to protect the public are in place and fully functional. These shall be maintained until all utility work is completed.

All operations shall be performed without closing all or obstructing part of any highway traffic lane unless it is approved by the County and proper traffic control is specified.

All warning signs shall have reflectorized sheeting which, **beginning January 1, 2003, shall comply with 643.2.12.2 of the Wisconsin Department of Transportation's Standard Specifications for Highway and Structure Construction, current edition.** Warning signs shall be removed, covered, turned, or laid flat when workers or workers' vehicles are not at the job site or when the signs' messages are not relevant. All barricades and barrels shall be reflectorized with Type H reflective sheeting as a minimum. Cones used during nighttime operations shall be at least 28" in height and reflectorized.

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## SECTION 51 – TRAFFIC CONTROL

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### C. Traffic Control Selection

#### 1. Factors

When selecting the appropriate traffic control, the applicant shall implement the minimum standards for traffic control by utilizing an appropriate temporary lane closure layout as shown in the MUTCD or WisDOT WZFM, based on the conditions and considerations at the project location, including but not limited to;

|                                       |                                    |
|---------------------------------------|------------------------------------|
| Physical characteristics of the road. | Posted speed limit.                |
| Available sight distance.             | Weather.                           |
| Traffic volume.                       | Light conditions.                  |
| Time of day.                          | Lane closure may require flagging. |

#### 2. Long Term Duration

All stationary daytime utility work which takes longer than one hour to perform should utilize traffic control plans designed in accordance with MUTCD standards and utilizing the MUTCD or WisDOT WZFM guidance for traffic control as it may apply. The County may require a more extensive traffic control plan if any of the following situations occur:

- a. Utility work performed during nighttime hours.
- b. Traffic control which is required overnight to protect the work zone(s) during non-work times.
- c. Utility work performed in a continuously moving work zone. This excludes moving from one stationary work zone to another.
- d. Utility work which cannot be adequately protected by using the six traffic control diagrams.

#### 3. Short Term Duration

Daytime utility work that will be completed in one hour or less usually may not require the use of a formal traffic control plan. The utility is still responsible for providing traffic control adequate to protect public safety and meeting minimum criteria in accordance with either the MUTCD or WisDOT WZFM.

As part of this traffic control, advance signage, warning signage and all utility vehicles shall have their high intensity flashing (strobe or revolving) and hazard warning lights operating. Additional traffic control such as guard (shadow) vehicles and impact attenuators may also be utilized.

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## SECTION 52 – WORK SITE SAFETY

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### **A. General**

The utility is responsible to assure that the work site is always secure against any hazard to the public until all of the work is completed. Vehicles, equipment, and materials which are in active use at the work site shall be regulated by the utility as to assure consistently safe conditions.

Sheeting, shoring, bulkheads, or temporary/permanent concrete barriers, etc. may be ordered by the County if considered necessary to protect the highway and the traveling public and shall be provided by and at the cost of the utility.

### **B. Equipment/Material Storage**

Utility hardware or equipment which is located at the work site but not in immediate (same day) use should be stored in a safe location off of the right-of-way. If this is not practical, the equipment or material may be stored beyond the clear zone and as close to the fence or right-of-way line as possible.

### **C. Vehicle/Equipment Visibility**

Vehicles and equipment shall have their high intensity flashing (strobe or revolving) and hazard warning lights operating when they are within the clear zone during work operations.

### **D. Individual Conduct**

All County, utility, and contractor personnel who are out of their vehicles and within the right-of-way should wear their retro-reflective safety vests or garments meeting ANSI/ISEA 107-2015 for type “R” in Performance Class 2 or 3 in accordance with the standards for minimum criteria of PPE as found in either the MUTCD or WisDOT WZFM at all times.

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## SECTION 53 – SPECIAL PROVISIONS

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### A. Trenched Construction

Trenched construction and backfill shall provide for the:

1. Restoration of the structural integrity of the highway facility (see backfilling in County's Addendum)
2. Security of the facility against deformation likely to cause leakage.
3. Assurance against the trench entrapping excessive moisture or becoming a drainage channel.
4. Assurance against highway drainage being blocked by the backfill.

When necessary, trenches for underground utility facilities shall be backfilled with material excavated from the trench and necessary outlets shall be provided to prevent entrapment of water. Underdrains shall also be provided where necessary.

The utility installation shall conform to the Wisconsin Department of Transportation's applicable Standard Specifications for Highway and Structure Construction, current edition, for earthwork, culverts, or other utility work within the right-of-way.

Backfill, compaction and restoration shall be completed to the satisfaction of the County. Alternatively, the County may require that backfill and repaving be performed by county forces at the expense of the utility.

### B. Untrenched Construction

Untrenched construction shall be required for all underground utility crossings of all highways that have a paved surface and are open to traffic unless specifically authorized in the permit.

Untrenched installation of utility facilities may be accomplished by tunneling, driving, coring, and/or dry boring. Wet boring under the highway shall be prohibited unless specifically authorized in the permit.

Boring shall result in a close fit to the facility being installed. Untrenched construction shall, as a minimum, extend beneath the entire highway prism (from toe of inslope to toe of inslope or from back of curb to back of curb). Ground openings or pits for such work should be located outside of the clear zone and shall not interfere with highway drainage.

When specifically authorized by the County, the extent of the untrenched crossing may be reduced or eliminated where such construction methods are impractical or physically restricted by the terrain.

### C. Non-Metallic Lines

Any non-metallic pipe, cable, or other kind of utility line which lacks a continuous and integral metallic component capable of detection by locating instruments shall be accompanied in its location by a continuous detectable metallic tracer wire or metallic tape. The County may allow an alternative method of utility detection provided that the method recommended by the Utility meets basic requirements for utility location and is easily locatable at all times without impact

## SECTION 53 – SPECIAL PROVISIONS

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### **. D. Casing**

Where crossings by underground lines are encased in protective conduit or duct, the encasement shall extend at least two feet beyond the toe of slope or three feet beyond the ditch line. On curbed sections it shall extend at least one foot outside the outermost back of curbs.



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## SECTION 54 – CLEANUP AND RESTORATION

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### A. Work Site Cleanup

All debris, refuse, and waste resulting from the utility's activities shall be removed from the site and the motorists' view within two weeks of completion of work, unless otherwise provided by the permit. Burning of cuttings, brush, or other debris shall not be permitted within the limits of the right-of-way. Also see Section 50(G) regarding chip spreading.

All replaced poles shall be completely removed from the highway. No replaced pole shall be allowed to remain, in whole or in part, and it shall not be sawed off. The pole's hole shall be properly backfilled and compacted. All anchor rods shall be removed or cut off a minimum of one foot below ground level.

### B. Highway Restoration

The utility shall be responsible for restoring the highway and the adjacent right-of-way to its original condition (as close as possible) **within two weeks** after completion of the facility installation. Exceptions may be allowed (e.g. in the case of bad weather) with prior approval from the County. Failure of the utility to make prompt and satisfactory restorations of the highway or adjacent right-of-way may cause the County to arrange for restoration by others at the utility's expense. For late season work, exhibiting restoration issues in the spring following the completion of work, the Utility shall be responsible for restoration for a period of six months from the completion of the fall work (late season shall mean any work completed after December 1<sup>st</sup> of the prior year)

Any curb, gutter, pavement, sidewalk, driveway, gravel base, ballast, shouldering material, or other highway element disturbed by the utility shall be restored to the qualities, grades, compactions, conditions, etc. in accordance with the Wisconsin Department of Transportation's Standard Specifications for Highway and Structure Construction, current edition. Any subsequent subsidence, heaving settling or other faulting or movements attributable to the permitted work shall be repaired in a manner satisfactory to the County at the utility's expense. Backfilling Details in the county's addendum shall be used as a guide for backfilling excavation operations (see Appendix).

Any turfed area of the highway disturbed by the utility shall be restored with topsoil to the depth that existed prior to construction within the right-of-way and reseeded to perennial grass or sodded to the satisfaction of the County. Trees or vegetation which are damaged or destroyed shall be replaced in-kind unless specified in the utility's permit. Once replaced, the utility shall also maintain turfed areas, trees, and vegetation until they achieve sustained growth.

If, in the opinion of the County the permitted work or facilities are found to obstruct highway drainage, unduly increase the difficulty of highway maintenance, or in any other manner adversely affect a highway interest, the utility shall, upon notice, cure the fault as directed and restore the highway facility to the satisfaction of the County.

## SECTION 55 – EROSION CONTROL AND STORM WATER MANAGEMENT

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### A. Authority

A utility shall assure that proper erosion control and storm water management measures comply with standards and statutes of the Wisconsin Department of Natural Resources and that they are implemented at all times during work operations. The utility shall also be responsible for providing erosion control and storm water management measures to protect all restored areas upon completion of the project until the replacement vegetation achieves sustained growth.

### B. Implementation

The County has divided utility operations into two categories -- minor and major -- for the purpose of determining erosion control and storm water management plan requirements. **When submitting its permit application form, a utility shall check the appropriate box for the category in which it feels the proposed operation belongs.** Based upon the information submitted, the County has the option to change the category.

Should a change become necessary, the utility has some options. If the change is from the minor to major category, the utility may elect to submit an erosion control plan. It could also amend or revise and resubmit its permit application form provided a change in work methods could place the utility operation into the minor category. If the change is from major to minor, the utility may still use its proposed erosion control plan.

If disturbing more than one acre of land area, an erosion control permit may be required from the appropriate county permit authority and/or the Wisconsin Department of Natural Resources. The Utility is responsible for determining which local or state permit(s) are required for each of its projects and acquiring those needed permit(s) in advance of starting work.

### C. Major Projects

#### 1. Definition

**Major projects are defined as excavations which will not be restored in the same day or immediately the next day.** Examples of utility projects that may fall under the major category include, but are not limited to, the following:

1. Grading on right-of-way.
2. Large, open pavement/shoulder cuts.
3. Large boring operations and boring pits.
4. Trenching operations.
5. Any project adjacent to a waterway which is **not** classified as “routine” under the DNR Waterway Crossings Agreement.

#### 2. Specific Guidelines

Some key elements are highlighted as follows:

*A utility shall submit an erosion control plan along with its permit application form. The plan may be either in written or pictorial format or both formats.* A utility may use Chapter 10 of the Wisconsin Department of Transportation’s Facilities Development Manual (FDM) or Standard Erosion Control Plan guidance documents and Best Management Practice references from the Wisconsin Department of Natural Resources as a guide in the proper selection, installation, and maintenance of erosion control and storm water management measures.

## SECTION 55 – EROSION CONTROL AND STORM WATER MANAGEMENT

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### Major Projects (continued)

Drawings for some erosion control devices are also available in FDM Chapter 16. Joint County/utility field meetings may also be needed to review proposed erosion control and storm water management plans as that work pertains to the drainage of highways and the associated connected waterways of highways.

*Required erosion control and storm water management measures shall be installed at the job site prior to the commencement of work. After installation of the erosion control, measures are completed at a site or when the temporary erosion control measures are no longer required for their intended purpose, the utility shall remove all temporary erosion control measures.*

A utility should be aware that after the installation or alteration of a facility a considerable amount of time (e.g. one to three months) may lapse between restoration of the right-of-way and removal of temporary erosion control measures. The County will not consider a utility project to be “final” until the right-of-way has been restored **and** all temporary erosion control measures have been removed. Failure to remove temporary erosion control measures after restoration has been completed and vegetation been taken; shall be handled under the guidelines listed in Section 07.

*After completion of construction activities and the installation of permanent erosion control and storm water management measures, the utility shall promptly notify the County which will render an inspection of the site. The purpose of this inspection is to ensure that all permanent erosion control and storm water management measures are adequate and functioning properly.*

### D. Minor Projects

#### 1. Definition

The County is aware of various utility operations that disturb minor amounts of soil or, in fact, no soil. These “minor” projects shall not require a formal erosion control plan; however, a utility shall follow the guidelines listed in the next section. **Minor projects are defined as excavations which will be restored in the same day or immediately the next day.** Examples of utility projects that may fall under the minor category include, but are not limited to, the following:

1. Overhead crossings.
2. Pole installations
3. Plowing operations.
4. Trenching operations.
5. Any project adjacent to a waterway which is classified as “routine” under the DNR Waterway Crossings Agreement.
6. Hand digging.
7. Small boring operations (moles).
8. Small open pavement/shoulder cuts.

The DNR defines “routine” water crossings as simple plowed-in or directional bored crossings.

## **SECTION 55 – EROSION CONTROL AND STORM WATER MANAGAEMENT**

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### **2. Guidelines for Erosion Control**

The utility shall respond to any soil disturbance by promptly replacing the soil and topsoil and/or temporary seeding and mulching the soil. This includes repairing equipment and vehicle tracks which also may disturb soil.

Erosion control devices such as hay or straw bales and silt fence shall be present at the job site or be immediately accessible in case changing weather conditions force a utility to take immediate action to project bare or loose soil. Soil piles left overnight shall be covered or protected with silt fence, etc. to prevent possible runoff especially when located near or adjacent to surface waterways.

## **SECTION 60 – SPECIFIC REQUIREMENTS**

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The following sections, 61 through 64, cover the various specific requirements relevant to communications, electric, fluids and gases, and private utility facilities.

## SECTION 61 - COMMUNICATIONS

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### A. Standards

The minimum standards for the design, construction, operation, and maintenance of communication-type utility facilities shall be those embodied in the Wisconsin Administrative Code for each of the various utilities and phases of utility activities covered therein. When the codes, ordinances, or laws of governmental agencies having jurisdiction are more restrictive, they shall govern. When neither the Wisconsin Administrative Codes nor the local governmental regulations apply, the communication facility shall at least conform with the currently applicable National Electrical Safety Code.

Small cellular carriers are be governed by State Statute and shall participate in the Utility Accommodation Policy requirements. Specifically, locating of these structures in the right-of-way are subject to the following conditions of proof for applicability of need at any given location:

1. Capacity needs: the cellular network is taxed on capacity needs and the request to improve such.
2. Carrier is to supply a Radio Frequency Study (RF) that shows the need for the additional site(s); if requested to do so by the County.
3. Engineering Study:
  - a. any design parameters for communication towers must be fulfilled and submitted (tower, mount, geo-technical, foundation, etc).
  - b. If the cellular provider desires to install equipment on County (highway) facilities; then, each facility must have its design parameters for communication towers analyzed and submitted.
4. Carrier's broadcast responsibilities are
  - a. to identify ALL requirements for install and maintenance of a small cell, and justify the equipment list meets UAP requirements and specifications.

### B. Type of Construction

For aboveground (overhead) installations, the following should be considered:

#### 1. Single Pole

Any longitudinal installations of overhead lines within the right-of-way should utilize single pole construction.

#### 2. Joint Use

Joint use pole construction should be used:

- a. At locations where more than one utility or type of facility is involved.
- b. When the right-of-way widths approach the minimum needed for safe operations or maintenance requirements.
- c. When separate installations require extensive removal or alterations of trees.

### C. Down Guy Locations

Guy wires to ground anchors and other supporting or bracing devices shall not be placed between a pole and traveled way where they would encroach upon the clear zone unless specifically authorized by the County utilizing breakaway technology.

## SECTION 61 - COMMUNICATIONS

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### D. Maintenance Activities

Certain maintenance and other type of utility activities are considered minor in nature and shall be allowed to be performed without an additional permit provided that such maintenance shall be performed in accordance with this policy. However, should any of these selected maintenance activities be performed on facilities located within freeway right-of-way or significantly impact the free flow of traffic on any other highway (closure of a travel lane, diversion of traffic, etc.), a permit shall first be obtained from the County.

**No additional permit is required for:**

1. Repair or replacement of overhead service wire.
2. Repair or replacement of overhead cable and terminal hardware two spans or less.
3. Replace pole, same location, maximum of 10 poles per 5-mile section.

*Note: Once a new pole is installed, all attached facilities (electric, telephone, CATV, etc.) shall be transferred to the new pole in a timely manner. The old pole shall then be completely removed in accordance with Section 54(A).*

4. Locate buried facilities.
5. Stake route for proposed buried cable.
6. Connect and test wiring at buried cable pedestal locations.
7. Crossarm, bracket, and hardware repair/replacement.
8. Add anchor, guy, or brace between pole and right-of-way line or no closer to traveled way than pole.
9. Trench a pole to maintain or increase roadside clearance.
10. Repair or replace overhead conductor 2 spans or less.
11. Line patrolling.
12. Inspection of manholes (includes water removal, cable tagging, and minor modifications, etc.).
13. Electrolysis surveys.
14. Test for location of underground lines.
15. Paint poles, towers, or crossarms.
16. Straighten pole, crossarm, or brace.
17. Test or treat existing pole.
18. Remove debris from overhead line.
19. Repair or add grounds.

## SECTION 61 - COMMUNICATIONS

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20. Resag, reattach, or rearrange conductor.

### **Maintenance Activities (continued)**

21. Repair cable bonding.
22. Survey lines.
23. Replace pole tags and signs.
24. Reinforce existing pole.
25. Mark location of proposed pole; proposed cable.
26. Grass cutting or snow plowing.
27. Trim trees or remove brush for existing line.
28. Minor repair of lines (installation of buried splices, etc.)
29. Sign and marker installation/replacement.
30. Replace/remove line in existing duct.
31. Surveying and resetting reclosures.
32. Abandonment of underground facilities shall be done in accordance with Section 06(B) of this policy.



## SECTION 62 – ELECTRIC

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### A. Standards

The minimum standards for the design, construction, operation, and maintenance of electric-type utility facilities shall be those embodied in the Wisconsin Administrative Code for each of the various utilities and phases of utility activities covered therein. When the codes, ordinances, or laws of governmental agencies having jurisdiction are more restrictive, they shall govern. When neither the Wisconsin Administrative Codes or the local governmental regulations apply, the electrical power facility shall at least conform with the currently applicable National Electrical Safety Code.

### B. Additional Permit Information

For transmission-type installations, the permit application form shall specify the proposed operating voltage or voltages.

### C. Type of Construction

For aboveground (overhead) installations, the following should be considered:

#### 1. Single Pole

Joint use single pole construction should be used:

- a. At locations where more than one utility or type of facility is involved.
- b. When the right-of-way widths approach the minimum needed for safe operations or maintenance requirements.
- c. When separate installations require extensive removal or alteration of trees.

### D. Down Guy Locations

Guy wires to ground anchors and other supporting or bracing devices shall not be placed between a pole and the traveled way where they would encroach upon the clear zone unless specifically authorized by the County utilizing breakaway technology.

### E. Maintenance Activities

Certain maintenance and other type of utility activities are considered minor in nature and shall be allowed to be performed without an additional permit same as Section 61(D). However, should any of these selected maintenance activities be performed on facilities located within freeway right-of-way (except #37) or significantly impact the free flow of traffic on any other highway (closure of a travel lane, diversion of traffic, etc.), a permit shall first be obtained from the County.

## SECTION 62 – ELECTRIC

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### E. Maintenance Activities (continued)

**No additional permit is required for:**

1. Switching.
2. Fuse replacement.
3. Transformer replacement.
4. Crossarm, bracket, and hardware repair/replacement.
5. Add anchor, guy, or brace between pole and right-of-way line or no closer to traveled way than pole.
6. Trench a pole to maintain or increase roadside clearance.
7. Replace pole, same location, maximum of 10 poles per 5-mile section.

*Note: Once a new pole is installed, all attached facilities (electric, telephone, CATV, etc.) shall be transferred to the new pole and the old pole removed within 60 days. The old pole shall be completely removed in accordance with Section 54(A).*

8. Repair or replacement of overhead conductor 2 spans or less.
9. Line patrolling.
10. Manhole inspection (includes water removal, cable tagging, minor modifications, etc.).
11. Electrolysis surveys.
12. Test for location of underground lines.
13. Paint poles, towers, or crossarms.
14. Straighten pole, crossarm, or brace.
15. Test or treat existing pole.
16. Clean insulators.
17. Remove debris from overhead line.
18. Repair or add grounds.
10. Resag, reattach, or rearrange conductor.
20. Sample or test insulating oil.
21. Repair cable bonding.
22. Install or remove transformer or regulator.
23. Survey lines.

## SECTION 62 - ELECTRIC

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### **E. Maintenance Activities (continued)**

24. Replace outdoor lighting bulbs and cleaning glass.
25. Repair or replace outdoor lighting control.
26. Reset time clock or control switch.
27. Replace pole tags or signs.
28. Reinforce existing pole.
29. Mark location of proposed pole/proposed cable.
30. Grass cutting or snow plowing
31. Trim trees or remove brush for existing line.
32. Sign and marker installation/replacement.
33. Minor repair of lines (splice, etc.).
34. Replace/remove line in existing duct.
35. Repair or replace overhead service.
36. Reading service meters (access from expressway or free shoulders is allowed during non-peak rush hours only).
37. Locate buried facilities.
38. Surveying and resetting reclosures.
39. Abandonment of underground facility shall be performed in accordance with Section 06(B) of this policy.

## SECTION 63 – FLUIDS AND GASES

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### A. Standards

The minimum standards for the design, construction, operation, and maintenance of fluid- and gas-type utility facilities shall be those embodied in the Wisconsin Administrative Code for each of the various utilities and phases of utility activities covered therein. When the codes, ordinances, or laws of governmental agencies having jurisdiction are more restrictive, they shall govern.

In addition to the Wisconsin Administrative Codes and local governmental regulations, the utility installations shall at least meet the following requirements:

1. Water lines shall conform with the currently applicable specifications of the American Water Works Association and the Wisconsin Underground Contractors Association's Standard Specifications for Water and Sewer Construction in Wisconsin; most recent version and addendums.
2. Pressure pipelines shall conform with the currently applicable requirements of Title 49, Code of Federal Regulations of the Office of Pipeline Safety.
3. Liquid petroleum pipelines shall conform with the currently applicable recommended practice of the American Petroleum Institute for pipeline crossings under railroads and highways.
4. Sanitary and storm sewers shall conform with the currently applicable specifications of the Wisconsin Underground Contractors Association's Standard Specifications for Water and Sewer Construction; most recent version and addendums.

### B. Irrigation and Drainage Pipes, Ditches, and Canals

Irrigation and drainage facilities installed across the right-of-way generally shall be designed and constructed in accordance with the Wisconsin Department of Transportation's specifications as shown in Chapter 16, Standard Detail Drawings, of the Facilities Development Manual. Appurtenances which would constitute a hazard to traffic shall not be permitted within the clear zone and should be located outside of the right-of-way. Where ditch rider roads are adjacent to ditches or canals that cross the highway, consideration shall be given to safety, traffic, operations, and economic features when providing for the continuity of such roads.

### C. Requirements for Appurtenances

Vent standpipes are not required for casings but when used, the vent shall be located and constructed to not interfere with maintenance of the highway nor be concealed by vegetation. These pipes should stand near a fence or the right-of-way line.

If drains are provided for casings, tunnels, or galleries enclosing carriers of liquids, liquefied gases, or heavy gases, they shall not outfall into highway ditches or natural water courses.

**D. Special Treatment of Pipelines**

**1. General Policy**

Special treatment of pipelines beneath highways, including interstates and other freeways and including any median, should not be required provided the pipe would be installed by jacking and/or dry boring the carrier pipe to an essentially snug fit.

**2. Special Treatment**

The County shall require special treatment such as casing, cathodic protection, thickened wall carrier pipe, coating and wrapping, concrete sleeves, or caps of particular pipe crossings if, in the determination of the County, such installation shall be more protective of the highway or of the safety and convenience of the traveling public. Some examples of locations where special treatment may be required include, but are not limited to, the following:

- a. Locations where a pipeline (whether crossing or a portion of pipe paralleling the highway) would pass in close proximity to a substructural part of a highway structure. This refers to pipes underground and not to pipes suspended on a highway structure, the latter of which should not require special treatment.
- b. Locations where a pipeline would pass beneath the slope wall below a highway structure.
- c. Locations where restraints inhibit a pipe from being placed or remaining at the depth required by code.
- d. Locations where the ground conditions are known to be particularly unstable.
- e. Locations where restraints inhibit a water pipe from being placed or remaining below the frost line.

**E. Attachments to Structures**

Pipelines that will be attached to a highway structure shall not exceed a maximum internal pressure of 150 PSIG. Pipelines carrying pressures in excess of 150 PSIG shall be considered only if no other alternative location off the structure is feasible.

**F. Maintenance Activities**

Certain maintenance and other types of utility activities are considered minor in nature and shall be allowed to be performed without an additional permit. However, should any of these selected maintenance activities be performed on facilities located within freeway right-of-way or significantly impact the free flow of traffic on any other highway (closure of a travel lane, diversion of traffic, etc.), a permit shall first be obtained from the County.

**No additional permit required for:**

1. Leak surveys (vehicle or walk patrol), line patrolling.
2. Pressure surveys (gauge check or setting of charts).
3. Odorant checks.
4. Regulator maintenance (change out, lockup check, spring change, etc.).

## SECTION 63 – FLUIDS AND GASSES

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### F. Maintenance Activities (continued)

5. Valve maintenance (activation check, grease, replacement, etc.).
6. Line purging.
7. Exposed line survey and maintenance (on bridges, exposed valve assembly, etc.).
8. Line locates and facility marking.
9. Up rating pressure of main (monitoring).
10. Abandonment of underground facilities in place shall comply with Section 06(B) of this policy.
11. Pit (vault) maintenance (water removal, painting, minor modifications).
12. Minor cutouts and repair of lines (installation of clamps, welds, etc.).
13. Cathodic protection checks and related repair.
14. Sign and marker installation/replacement.
15. Relief vent line inspections.
16. Maintenance and repair of telemetering equipment.
17. Land surveying.
18. Painting aboveground facilities.
19. Grass cutting or snow plowing.
20. Trim trees or remove brush for existing line.

## SECTION 64 – PRIVATE UTILITY FACILITIES

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### A. General

Private utility-type facilities may be allowed to cross County highways and are not subject to approval by the Federal Highway Administration (FHWA).

All private utility facilities shall follow the requirements of the Policy and shall be designed, constructed, operated, and maintained as described in the specific policies for communications, electric, fluid or gas lines, whichever more closely resembles the facility.

### B. Occupation Fees

Private utility installations may be assessed a fee by the County for right-of-way crossing or occupation. The fee for each installation shall be determined on county-by-county basis and may be based upon, but not limited to, the following:

1. The value of the facility.
2. Complexity of the installation.
3. County review time.
4. Comparison with the value of private easements adjacent to the proposed location.
5. Comparison with fee schedules for other similar utility installations in Wisconsin and across the nation.

### C. Additional Requirements

Based upon the proposed private utility installation's potential for damage to the highway, adjacent right-of-way, or the environment, the County may require the following to be submitted with a permit application form:

1. Evidence of commercial general liability, workers compensation and employer's liability, and commercial motor vehicle liability insurance.
2. A certificate of insurance which names the County as an additional insured.
3. Approval from the Wisconsin Department of Natural Resources that the project will have no significant impact upon the environment.

**Minutes of the February 1, 2024 meeting of the Sawyer County  
Public Safety Committee  
Of the Sawyer County Board of Supervisors  
Assembly Room; Sawyer County**



**Voting Committee Members Present:**

- ☒ Chair: Ron Buckholtz
- ☐ Vice Chair: Marc Helwig
- ☒ Ed Peters
- ☐ Jason Weaver - excused
- ☒ Marshal Savitski

**Others Present:**

|                         |                   |
|-------------------------|-------------------|
| Andy Albarado - virtual | Greg Ripczinski   |
| Lynn Fitch              | Doug Mrotek       |
| Joe Sajdera             | Marge Kelsey      |
| John Yackel             | John Froemel      |
| Stacey Hessel - virtual | Nicole Ripczinski |

**Call to Order** – Chair Ron Buckholtz called the meeting to order at 9:00 am. Roll Call taken. Quorum was met.

**Certification of Compliance** with the open meeting law was met.

**Meeting Agenda**

**Public Comment –**

**Minutes from the previous meeting dated: January 4, 2024**

Motion to approve made by: Mr. Savitski      Second by: Mr. Peters  
Motion carried without negative vote.

**Circuit Court --**

Judge's Report – Judge Yackel reported that their first person was introduced into the drug court system. Yesterday's jury trial went smoothly.

Courthouse Remodel Update – Mr. Albarado reported that the floor has been completed; the last of the HVAC repairs have been done, and the AV systems upgrades have been completed.

**Clerk of Court's Office Reports -**

A written report was provided. There are six jury trials scheduled for February at this time; revenue collected through SDC and TRIP/DOR for the period 12/27/23-1/23/24 is \$9,225.82.

**Sheriff's Department Report –**

Patrol Report – A written report was provided and reviewed by Lt. Ripczinski. Total crashes from 2023 was 305, with 81 personal injuries and 5 fatalities. They are currently proceeding as if the Birkie will run as expected until they are notified of that changes in plans.

Jail Report – A written report was provided and reviewed by Chief Sajdera. We currently have 6 individuals on electronic monitoring and one on Huber.

Joint Power Agreements – Ms. Ripczinski has sent out the agreements for signatures for annual renewal. A motion was made by Mr. Peters; second by Mr. Savitski. Motion carried without negative vote.

Communication Systems Specialist Report – This contract has been switched to GenComm who has been working with the Sheriff's Department and the Fire Association, which held a meeting in Exeland.

Code Enforcement Specialist – A written report was provided. Brandon Blicharz is no longer in the position but a replacement will be sought. The Sheriff's office will help with animal intake in the meantime.



Ordinance Update – Animal Control – No update at this time.

**Criminal Justice Coordinating Council** – No update at this time.

**Emergency Management --**

Written reports were provided and reviewed. Two trainees have moved to regular part-time positions and applications have been received for the vacant overnight shifts. They have been working closely with the American Birkebeiner for planning, as well as many different agencies who partook in three different table-tops for preparedness. They have also been meeting with Townships during their monthly town board meetings for introductions; assisting them with Emergency Operations Plans as needed. Dispatch call volume is slightly down from last year.

**Child Support Department Report --**

A written report was provided. Total November support due was \$374,137.64 and collected was \$267,726.42.

**Emergency Services --**

Ambulance Report and Ambulance Billing – A written report was provided and reviewed by Mr. Froemel. Last year's calls averaged about 3 runs per day. They are considering moving the Stone Lake ambulance toward the Exeland area to increase potential coverage.

Medical Examiner Report – He provided a review of what we can expect in transfers with the closing of medical facilities in Eau Claire.

**Out-of-County Vehicle Policy Update -**

Mr. Albarado provided an update. The Finance Committee requested additional information on financial impact. The cost for hiring a new deputy appears to be \$16,185; additional cost for take-home costs is \$23,855.60 for the existing five deputies.

**Meeting Date/Time** – The next meeting of the Public Safety Committee will be Thursday, March 7<sup>th</sup> at 9:00 am in the Board Room.

Meeting adjourned at 9:37 am.

Minutes recorded by Lynn Fitch, County Clerk

**Minutes of the February 7, 2024 meeting of the Sawyer County  
Land, Water & Forest Resources Committee  
Of the Sawyer County Board of Supervisors  
Board Room; Sawyer County**



**Voting Committee Members (X) Present:**

- ☒ Chair: **Ed Peters**
- ☒ Vice Chair – Marc Helwig
- ☒ Kay Wilson
- ☒ Brian Bisonette
- ☒ Jason Weaver - virtual
- ☐

**Others Present:**

|                         |                       |
|-------------------------|-----------------------|
| Lynn Fitch              | Andy Albarado-virtual |
| Jay Kozlowski           | Seth Sesker           |
| Cathy LaReau            |                       |
| Brody Fischer           |                       |
| Greg Peterson           |                       |
| Brian DeVries @ 8:34 am |                       |

**Call to Order** – Chair Ed Peters called the meeting to order at 8:30 am.

**Certification of Compliance** with the open meeting law was met. Roll Call was taken; a quorum was met.

**Meeting Agenda –**

**Public Comments –**

**Minutes from the previous meeting dated: January 10, 2024**

Motion to approve made by: Mr. Helwig      Second by: Ms. Wilson  
Motion carried without negative vote.

**Register of Deeds Update -**

A written report was provided detailing activity in the office of ROD.

**Events - None**

**Land Records and County Surveyor Department Report -**

Surveyor's Report – A written report was provided. Mr. DeVries advised that at the end of 2023 we submitted the WLIP grant funds to get our land records online. This year we received \$10,000 which went toward surveying activities. They applied for and received a \$1000 training grant and the base budget grant for \$57,937.

Real Property Lister Report – A written report was provided. Work on updating assessments has been ongoing.

**Sawyer County Forestry Department -**

Recreational Trails Report – Ms. LaReau advised that the clubs removed all stakes from lakes and many of the ice fishing contests have cancelled due to safety concerns.

County Forestry – A written report was provided. Mr. Peterson advised that they had 17 active sales in January totaling 1520 acres. The road bans going on early will present a hardship on loggers so requests for extensions without increase are arriving in the office. Inspections are on target and the conditions are allowing for lots of field work to be completed. They are currently working on harvesting record requests for the first carbon credit reporting year.

DNR Forestry – Mr. Fischer advised that they have been out in the field most days due to easy access without the snowfall.

Emergency Fire Warden Renewal – this item will move forward to County Board.

**Release of Reserved for Flowage Easements & Gravel Pits on a Parcel in the Town of Winter-** Mr. Albarado advised that this involves a parcel of land sold to reservations. This would release land from 1945 for any flowage rights and rights to gravel pits reserved in the Quit Claim Deed from Sawyer County to John Dietz. A motion was made by Mr. Helwig to approve the Quit Claim Deed and forward to County Board; second by Mr. Bisonette. Motion carried without negative vote.

**Zoning/Conservation Department -**

County Report – A written report was provided and reviewed. They are still working for a representative to sit on the Committee for the agricultural representative. Tree sale inventory is almost sold out and updates are ongoing on other Dam inspection, operation and maintenance plans.

Resolution for Participation in the Department of Natural Resources Municipal Dam Grant Program - As part of the municipal dam grant, a resolution was presented for application to the State municipal dam grant. Work would be done on Fishtrap Lake Dam. Mr. Koslowski shared a photo of the area and explained the replacement process. They would expect approximately \$700,000 in costs for the replacement. The resolution authorizes Mr. Koslowski to apply for the grant reimbursement. A motion was made by Mr. Helwig to approve the resolution authorizing participation in the DNR municipal dam grant program; second by Ms. Wilson and forward to the County Board. Motion carried without negative vote.

Wildlife Damage Claims – A list of claims was provided for review. These are pass-through claims of \$67,094.26 from the State. Mr. Sesker presented the list for approval. A motion was made by Mr. Helwig to approve the claim list as presented; second by Mr. Bisonette. Motion carried without negative vote.

Nelson Lake Drawdown Proposal – Mr. Koslowski presented the 2024-25 fall/winter draw-down proposal to repair broken boat launch ramps. This request is in conjunction with the Nelson Lake Association and the Nelson Lake Resort Association. They will work the DNR and the lake association to complete the work. A motion was made by Mr. Helwig to approve the request to present the draw-down proposal to the DNR; second by Mr. Bisonette. Motion carried without negative vote.

USDA Report – No update

LCO Report – Mr. Bisonette advised that LCO contacted the BIA regional director and were assured that they would start getting responses on the issues that have been submitted. They have also been working with the Alliance on a resolution for the ATV trails supporting the county's application, and they are looking at changing some of the ATV/UTV codes and will be working with Ms. LaReau on that project.

**Future Agenda Items –**

**Other Topics for Discussion Only -**

**Adjournment – 9:16 am**

**Next Meeting: March 13, 2024      Time: 8:30 am      Location: Board Room**  
Minutes recorded by Lynn Fitch, County Clerk

## QUIT CLAIM DEED

Document Number

Document Name

**THIS DEED**, made between County of Sawyer, in the State  
of Wisconsin

and Secluded Land Company, LLC, a Wisconsin Limited Liability Company ("Grantor," whether one or more),

Grantor, quit claims to Grantee the following described real estate, together with the rents, profits, fixtures and other appurtenant interests, in \_\_\_\_\_ Sawyer County, State of Wisconsin ("Property") (if more space is needed, please attach addendum):

This conveyance is intended to release any flowage rights and any rights to gravel pits reserved in that certain Quit Claim Deed from Sawyer County to John Dietz recorded July 21, 1945, in Volume 75 on page 368, as Document No. 77916; and in that certain Quit Claim Deed from Sawyer County to John Dietz recorded February 10, 1947 in Volume 75 on page 568, as Document No. 82630.

Recording Area

Name and Return Address

Secluded Land Company, LLC  
P.O. Box 10  
DeSoto, WI 54624

032-438-12-3301,  
032-438-12-4301

Parcel Identification Number (PIN)

This is not homestead property.  
~~(is)~~ (is not)

Dated \_\_\_\_\_

\_\_\_\_\_ (SEAL) \_\_\_\_\_ (SEAL)  
\* \_\_\_\_\_

\_\_\_\_\_\*\_\_\_\_\_(SEAL)\_\_\_\_\_\*\_\_\_\_\_ (SEAL)

## AUTHENTICATION

Signature(s) \_\_\_\_\_

authenticated on \_\_\_\_\_

TITLE: MEMBER STATE BAR OF WISCONSIN

(If not, \_\_\_\_\_  
authorized by Wis. Stat. § 706.06)

THIS INSTRUMENT DRAFTED BY:

Attorney John P. Ebben  
P.O. Box 92, DeSoto, WI 54264

(Signatures may be authenticated or acknowledged. Both are not necessary.)

NOTE: THIS IS A STANDARD FORM. ANY MODIFICATIONS TO THIS FORM SHOULD BE CLEARLY IDENTIFIED. FOR

\*Type name below signatures.

Ebben Law Office, S.C., 9986 State Road 35 De Soto, WI 54624  
John Ebben

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STATE OF WISCONSIN )  
 ) ss.  
 Sawyer COUNTY )

Personally came before me on \_\_\_\_\_,  
the above-named \_\_\_\_\_

to me known to be the person(s) who executed the foregoing instrument and acknowledged the same.

Notary Public, State of Wisconsin  
My Commission (is permanent) (expires: \_\_\_\_\_ )

Town of Winter -

NUMBER

77916

## QUIT CLAIM DEED

THIS INDENTURE, Made this 21st day of July A. D. 1945 between the County of Sawyer, in the State of Wisconsin, party of the first part, and John Dietz of Wauwatosa, Wisconsin, party of the second part.

WITNESSETH, That the said party of the first part for and in consideration of the sum of Eighty and No/100 Dollars, to the said County of Sawyer, in the State of Wisconsin, party of the first part, in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, hereby doth give, grant, convey, release and quit claim unto the said party of the second part, the following described Real Estate, situated in the County of Sawyer and State of Wisconsin, to-wit:

Southwest Quarter of Southwest Quarter (SW $\frac{1}{4}$  of SW $\frac{1}{4}$ ) Section Twelve (12)  
Township Thirty-eight (38) North, Range Four (4) West.

This deed is issued in accordance with a resolution, adopted by the Board of Supervisors of the County of Sawyer, at a meeting held on the 21st day of August A. D. 1941, excepting and reserving any Road Right-of-way, Flowage Easements, or Gravel Pits needed in the future by Sawyer County.

IN TESTIMONY WHEREOF, I Adolph Sandstrom, County Clerk of the County of Sawyer, have executed this deed pursuant to and in virtue of authority in me vested, by the statute of the State of Wisconsin, by resolution hereinbefore mentioned, and for and in behalf of the County of Sawyer aforesaid, have hereunto subscribed my name officially, and affixed the corporate seal of said County, at the City of Hayward, in said County of Sawyer, the day and year first above written.

In Presence of

Arnold AndersonBernice Hanson

Official  
Seal  
Affixed

Adolph Sandstrom

County Clerk, Sawyer County, Wisconsin.

STATE OF WISCONSIN, } ss.  
COUNTY OF SAWYER

BE IT REMEMBERED, THAT on the 21st day of July A. D. 1945, personally came before me Adolph Sandstrom, County Clerk, aforesaid, to me known to be the person and officer who executed the above deed and acknowledged that he executed the same, as the County Clerk of the County of Sawyer, State of Wisconsin, in and for and on behalf of said County, for the purposes therein mentioned.

Received for Record this 21st day of July A. D. 1945, at 11:10 o'clock P. M.

Ray Olson

Register of Deeds.

Laura C. McLaggan

Deputy.

Notarial  
Seal  
Affixed

Arnold H. Anderson

Notary Public

Sawyer County, Wisconsin.

My Commission expires 4/27/47

NUMBER

82630

## QUIT CLAIM DEED

THIS INDENTURE, Made this 10th day of February A. D. 1947 between the County of Sawyer, in the State of Wisconsin, party of the first part, and John Dietz of Wauwatosa, Wisconsin party of the second part.

WITNESSETH, That the said party of the first part for and in consideration of the sum of One Hundred Twenty and no/100 Dollars, to the said County of Sawyer, in the State of Wisconsin, party of the first part, in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, hereby doth give, grant, convey, release and quit claim unto the said party of the second part, the following described Real Estate, situated in the County of Sawyer and State of Wisconsin, to-wit:

The Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$  SE $\frac{1}{4}$ ) Section Twelve (12) Township Thirty-eight (38) North of Range Four (4) West.

This deed is issued in accordance with a resolution, adopted by the Board of Supervisors of the County of Sawyer, at a meeting held on the 21st day of August A. D. 1941, excepting and reserving any Road Right-of-way, Flowage Easements, or Gravel Pits needed in the future by Sawyer County.

IN TESTIMONY WHEREOF, I, Arnold H. Anderson, County Clerk of the County of Sawyer, have executed this deed pursuant to and in virtue of authority in me vested, by the statute of the State of Wisconsin, by resolution hereinbefore mentioned, and for and in behalf of the County of Sawyer aforesaid, have hereunto subscribed my name officially, and affixed the corporate seal of said County, at the City of Hayward, in said County of Sawyer, the day and year first above written.

In Presence of

Walter J. Duffy Betty Simonson  
Walter J. Duffy Betty Simonson

Corporate  
Seal  
Affixed

Arnold H. Anderson  
Arnold H. Anderson  
 County Clerk, Sawyer County, Wisconsin.

STATE OF WISCONSIN, } ss.  
 COUNTY OF SAWYER

BE IT REMEMBERED, THAT on the 10th day of February A. D. 1947, personally came before me Arnold H. Anderson, County Clerk, aforesaid; to me known to be the person and officer who executed the above deed and acknowledged that he executed the same, as the County Clerk of the County of Sawyer, State of Wisconsin, in and for and on behalf of said County, for the purposes therein mentioned.

Received for Record this 10th day ofFeb A. D. 1947 at 1:30 o'clock P. M.Laura C. McLaggan

Register of Deeds.

Deputy.

Notarial  
Seal  
Affixed

Walter J. DuffyWalter J. Duffy

Notary Public

Sawyer County, Wisconsin.

My Commission expires Aug. 29, 1948

**This Article of Agreement,**

Made and concluded this 13 day of SEPT. 1977, A. D. 1977, by and between JOHN DIETZ part Y of the first part, and JAMES J. SCHMITT part X of the second part.

Witnesseth, First, That the said part Y of the second part hereby agree, and bind himself, and his legal representatives, to pay or cause to be paid, to the said part Y of the first part, his heirs, or assigns, the sum of Twenty-Seven Thousand (\$27,000) Dollars, in the manner following: Seven Thousand (\$7,000) Dollars, at the sealing and delivery hereof; the balance of Twenty Thousand Dollars (\$20,000) is to be paid over a five (5) year period. Said payments of principal shall be as follows: Two Thousand Dollars (\$2,000) to be paid on the 15th day of March, 1978, and a like amount to be paid every six (6) months thereafter until paid in full on September 15, 1982.

In addition to the above semi-annual payments, party of the second part shall pay interest on the unpaid principal at the rate of six per cent (6%) per annum.

There shall be no pre-payment privileges for the first three (3) years of this contract.

The said payments to be made to the part Y of the first part, at Wauwatosa, Wisconsin and the same being intended to apply, when fully completed as the purchase money for the following tract, piece or parcel of land, situated in the County of SAWYER and State of Wisconsin, to-wit:

The South One-half (1/2) of the Southwest One-quarter (1/4) and the South West Quarter of the South East Quarter (SW 1/4 SE 1/4) of Section Twelve (12), Township Thirty-eight (38) North, Range Four (4) West in the County of Sawyer and State of Wisconsin.

Excepting and reserving therefrom any road right-of-way, flowage easements, or gravel pits needed in future by Sawyer County.

The said part Y of the second part further agree that he will pay, when due and payable, all taxes and assessments which have been assessed or levied on the above described premises since the 1st day of January, A. D. 1977, and also all such as may be hereafter assessed or levied thereon or upon the interest of said part Y of the first part in said premises; and also all taxes and assessments now or hereafter assessed or levied against any mortgage which may exist against said premises or against the note, or the indebtedness secured by such mortgage or against the interest in said premises of any party holding a mortgage against said premises during the term of this contract, and promise, and agree, that the interest of the part Y of the first part and the interest of the part X of the second part in said real estate and the interest of any party holding a mortgage against said real estate during the term of this contract, shall be assessed for taxation and taxed together, without separate valuation as unincumbered real estate and shall be paid by the said part Y of the second part and the said part Y of the second part hereby waive all rights of offsets or deductions because of the payment of any such taxes and assessments, until the aforesaid purchase money shall be fully paid, in the manner above stated.

The part Y of the second part further agree that the said part Y of the first part shall insure and keep insured against loss or damage the building now on said premises and such as may hereafter be erected thereon during the life of this contract in the sum of at least Twenty Thousand (\$20,000) Dollars, against loss or damage by fire.

He, in the name of the part Y of the first part as owner in fee, with clause in said policy that the said part Y of the second part has a land contract interest therein and the loss, if any, under such insurance shall be payable to the said part Y of the first part to the extent of his interest and the surplus, if any, to the said part Y of the second part, subject, however, to the rights of mortgagees, if any, respecting such insurance; such policy or policies to be held by the said part Y of the first part, his heirs, legal representatives or assigns, as collateral to this contract, and the said part Y of the second part shall pay the premium on such policy or policies when due, and in case of the failure or neglect of the said part Y of the second part to pay such premiums when due, said part Y of the first part, his heirs, legal representatives or assigns may pay the same and charge the cost thereof with interest thereon at the legal rate, to the said part Y of the second part, and the same shall be considered and taken to be an additional part of the consideration of this contract.

The part...Y... of the second part further agree...S... to hold the said premises from the date hereof, as the tenant... by sufferance of the said part...Y... of the first part, subject to be removed as a tenant... holding over, by process under the statute in such case made and provided, whenever default shall be made in the payment of any of the installments of purchase money, interest, taxes, assessments or insurance premiums as above specified, and also to keep the building... fences and improvements on said premises in as good repair and condition as they now are, except ordinary wear and decay, and not to do any act whatsoever which tends to depreciate the value of said premises.

Second, That the said party... of the first part hereby agree...S... and binds himself and his... heirs, executors and administrators, that in case the aforesaid sum of ~~Twenty-Seven Thousand (\$27,000)~~ Dollars, with the interest and other moneys shall be fully paid and all the conditions herein provided shall be fully performed at the times and in the manner above specified, ~~he~~ will on demand, thereafter cause to be executed and delivered to the said part...Y... of the second part, or ~~his~~ heirs or legal representatives, a good and sufficient Warranty Deed, in fee simple, of the premises above described, free and clear of all legal liens and incumbrances, except the taxes and assessments herein agreed to be paid by the part...Y... of the second part, and except any liens or incumbrances created by the act or default of the part...Y... of the second part, ~~his~~ heirs, legal representatives or assigns

Third, It is distinctly agreed and understood by and between the parties hereto, that if the said party... of the second part shall fail to make any of the payments of purchase money and interest above specified, at the times and in the manner above specified, or fail to pay the taxes and assessments, or fail to insure and keep insured the premises herein as above stipulated, or fail to pay any or all insurance premiums herein specified, or violate any other terms or conditions herein contained, this agreement shall at the option of the said part...Y... of the first part be henceforth utterly void without any notice whatsoever, and all payments thereon forfeited, subject to be revived and renewed only by the act of the part...Y... of the first part, or the mutual agreement of both parties; and whenever such default or violation shall occur, the part...Y... of the second part shall have no further right to collect rents from tenants, if any, of the said real estate, or any part thereof, but such rents shall be collected by, and belong to the part...Y... of the first part.

The said party... of the second part further promise...S... and agree...S... that in case of the commencement of an action to foreclose this contract and also in case of the foreclosure thereof, ~~he~~ will pay in addition to the taxable costs and expenses incurred, a reasonable sum of money as attorney's fees.

In Witness Whereof, the said parties have hereunto set their hands and seals this 13<sup>th</sup> day of SEPTEMBER, A. D. 1927.

SIGNED AND SEALED IN PRESENCE OF

John A. Pfannerstill

John Dietz (SEAL)

James J. Schmitt (SEAL)

(SEAL)

(SEAL)

State of Wisconsin,

ss.

Shushulke County.

Personally came before me, this 13<sup>th</sup> day of SEPTEMBER, A. D. 1927, the above named JOHN DIETZ and JAMES J. SCHMITT

to me known to be the persons... who executed the foregoing instrument and acknowledged the same.

John A. Pfannerstill  
Notary Public, Shushulke County, Wis.

My commission expires 11<sup>th</sup> FEBRUARY, A. D. 1928.

This instrument was drafted by JOHN A. PFANNERSTILL, Attorney at Law

161288

161288 2 of 2

JOHN DIETZ

TO

JAMES J. SCHMITT

Premises Cabin and Lands in  
Town of Winter, County  
of Sawyer, Wisconsin

Land Contract

This instrument should be immediately placed on file to avoid trouble and litigation.

This space reserved for  
Register of Deeds

Register's Office  
Sawyer County  
Recorded this 16 day of  
Sept A. D. 1927 at 9:00 o'clock  
A. M. and recorded in 274  
is on page 90-100  
John J. Dietz  
10-2-28

Deputy

JOHN A. PFANNERSTILL  
7610 West State Street  
Wauwatosa, Wis. 53213

Return to JD  
John A. Pfannerstill  
7610 West State St.  
Wauwatosa, Wis. 53213

VOL 284 PG 100



DOCUMENT NO.

184348

STATE BAR OF WISCONSIN FORM 1—1982  
WARRANTY DEED

THIS SPACE RESERVED FOR RECORDING DATA

This Deed, made between

John Dietz

Grantor,

and

James J. Schmitt

Grantee,

Witnesseth, That the said Grantor, for a valuable consideration...

conveys to Grantee the following described real estate in Sawyer  
County, State of Wisconsin:

The South One-half (1/2) of the Southwest  
One-quarter (1/4) and the South West Quarter  
of the South East Quarter (SW 1/4 SE 1/4) of  
Section Twelve (12), Township Thirty-eight (38)  
North, Range Four (4) West in the County of  
Sawyer and State of Wisconsin.

Tax Parcel No: .....

Excepting and reserving therefrom any road right-  
of-way, flowage easements, or gravel pits needed  
in future by Sawyer County.

This Deed is given in fulfillment of that certain Land Contract  
between the parties hereto, dated September 13, 1977, recorded  
in the Office of the Register of Deeds for Sawyer County on  
September 16, 1977, Volume 286 of Deeds, Page 99-100, Document  
No. 161288.

TRANSFER  
\$ 27.00  
FEE

This is not homestead property.  
(is) (is not)

Together with all and singular the hereditaments and appurtenances thereunto belonging;  
And, John Dietz  
warrants that the title is good, indefeasible in fee simple and free and clear of encumbrances except municipal  
and zoning ordinances, easements and restrictions of record,  
if any.

and will warrant and defend the same.

Dated this 29th day of September, 1982.

(SEAL)

John Dietz

(SEAL)

(SEAL)

(SEAL)

## AUTHENTICATION

Signature(s) John Dietzauthenticated this 29th day of September, 1982

TITLE: MEMBER STATE BAR OF WISCONSIN

(If not,  
authorized by § 706.06, Wis. Stats.)THIS INSTRUMENT WAS DRAFTED BY  
John A. Pfannerstill(Signatures may be authenticated or acknowledged Both  
are not necessary.)

## ACKNOWLEDGMENT

STATE OF WISCONSIN

Oncida County, ss.Personally came before me this 29th day of  
September, 1982, the above namedJohn Dietzto me known to be the person who executed the  
foregoing instrument and acknowledge the same.Chapman L. Soder  
VIRJEAN F. SODERNotary Public Oncida County, Wis.  
My Commission is permanent. (If not, state expiration  
date: 11/00, 1986..)

\*Names of persons signing in any capacity should be typed or printed below their signatures.

WARRANTY DEED

184348 1 of 1  
STATE BAR OF WISCONSIN  
FORM No. 1—1982Wisconsin Legal Blank Co. Inc.  
Milwaukee, Wis.

Document Number

## QUITCLAIM DEED



412534

**PAULA CHISSER  
REGISTER OF DEEDS  
SAWYER COUNTY, WI  
05/25/2018 11:33 AM  
RECORDING FEE: 30.00  
TF EXEMPT 16  
PAGES 1**

Reserved for recording data

Return to: Robert L. Feind, Jr.  
Houseman & Feind, LLP  
1650 9<sup>TH</sup> Avenue, PO Box 104  
Grafton, Wisconsin 53024-0104

Tax (Parcel) ID No.: 33369.33370.33373

032-438-12-3301  
032-438-12-3401  
032-438-12-4301

**JAMES J. SCHMITT** ("Grantor," whether one or more) quitclaims to **JAMES J. SCHMITT, Trustee of the Schmitt Revocable Trust**, dated 4/24/18, as amended, all of Grantor's interest in the following described real estate in **SAWYER** County, State of Wisconsin:

The South One-half (1/2) of the Southwest one-quarter (1/4) and the South West Quarter of the South East Quarter (SW 1/4 SE 1/4) of Section Twelve (12), Township Thirty-eight (38) North, Range Four (4) West in the county of Sawyer and State of Wisconsin.

Excepting and reserving therefrom any road right-of-way, flowage easements, or gravel pits needed in future by Sawyer County.

This is not homestead property.

Dated: May 14, 2018.

\_\_\_\_\_  
(Seal)  
\*  
\_\_\_\_\_  
(Seal)  
\*

### AUTHENTICATION

Signature of \_\_\_\_\_  
authenticated on \_\_\_\_\_, 200\_\_.

\*  
Title: Member, State Bar of Wisconsin, or \_\_\_\_\_  
authorized by Wis. Stat. §706.06.

This Instrument was Drafted by:  
**Robert L. Feind, Jr., Houseman & Feind, LLP**  
Grafton, Wisconsin  
Attorney at Law

\* Type or print name of person signing

\_\_\_\_\_  
(Seal)  
\*James J. Schmitt  
\_\_\_\_\_  
(Seal)  
\*

### ACKNOWLEDGMENT

STATE OF WISCONSIN }  
COUNTY OF Waukesha } s.s.

Personally came before me, on May 15, 2018, the above-named James J. Schmitt  
known to me to be the persons who executed the foregoing and who acknowledged the same.  
\_\_\_\_\_  
\* Robert L. Feind, Jr.  
Notary Public, State of Wisconsin  
My commission [is permanent/expires                     ].



State Bar of Wisconsin Form 7-2003  
TRUSTEE'S DEED

Document Number

Document Name

**435146**  
**PAULA CHISSER**  
**REGISTER OF DEEDS**  
**SAWYER COUNTY, WI**  
**10/08/2021 09:50 AM**  
**RECORDING FEE 30.00**  
**TF EXEMPT 11**  
**PAGES: 1**

**THIS DEED**, made between Robert L. Feind, Jr.  
as Trustee of SCHMITT REVOCABLE TRUST, dated 4/24/18, as amended  
\_\_\_\_\_, ("Grantor," whether one or more),  
and John D. Schmitt and David J. Schmitt, as tenants in common

\_\_\_\_\_, ("Grantee," whether one or more).  
Grantor conveys to Grantee, without warranty, the following described real estate,  
together with the rents, profits, fixtures and other appurtenant interests, in  
Sawyer County, State of Wisconsin ("Property") (if more space is  
needed, please attach addendum):

The Southwest Quarter of the Southwest Quarter (SW1/4 SW1/4) of Section Twelve  
(12), Township Thirty-eight (38) North, Range Four (4) West, located in the Town of  
Winter, Sawyer County, Wisconsin.

AND

The Southeast Quarter of the Southwest Quarter (SE1/4 SW1/4) of Section Twelve  
(12), Township Thirty-eight (38) North, Range Four (4) West, located in the Town of  
Winter, Sawyer County, Wisconsin.

AND

The Southwest Quarter of the Southeast Quarter (SW 1/4 SE 1/4) of Section Twelve  
(12), Township Thirty-eight (38) North, Range Four (4) West, located in the Town of  
Winter, Sawyer County, Wisconsin.

Recording Area

Name and Return Address

Robert L. Feind, Jr.  
Houseman & Feind, LLP  
1650 - 9th Avenue  
Grafton, WI 53024

032-438-12-3301, 032-438-12-~~3401~~032-438-12-4301  
Parcel Identification Number (PIN)

Dated 9/22/2021  
SCHMITT REVOCABLE TRUST

by: Robert L. Feind, Jr. (SEAL) \_\_\_\_\_ (SEAL)  
\* Robert L. Feind, Jr., Trustee

\_\_\_\_\_, (SEAL) \_\_\_\_\_ (SEAL)  
\* \_\_\_\_\_

AUTHENTICATION

Signature(s) \_\_\_\_\_

authenticated on \_\_\_\_\_

\*  
TITLE: MEMBER STATE BAR OF WISCONSIN  
(If not, \_\_\_\_\_  
authorized by Wis. Stat. § 706.06)

THIS INSTRUMENT DRAFTED BY:  
Robert L. Feind, Jr., Houseman & Feind, LLP  
Grafton, WI 53024

ACKNOWLEDGMENT

STATE OF WISCONSIN )  
 ) ss.  
OZAUKEE COUNTY )

Personally came before me on 9/22/2021  
the above-named Robert L. Feind, Jr., Trustee

to me known to be the person(s) who executed the foregoing  
instrument and acknowledged the same.

Carolyn Schreiner-Picciolo  
\* Carolyn Schreiner-Picciolo

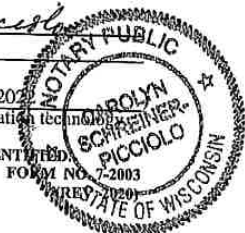
Notary Public, State of Wisconsin  
My Commission (is permanent) (expires: 09/25/2022)

☐ This notarial act involved the use of communication technology.  
(Signatures may be authenticated or acknowledged. Both are not necessary.)

NOTE: THIS IS A STANDARD FORM. ANY MODIFICATIONS TO THIS FORM SHOULD BE CLEARLY IDENTIFIED.  
TRUSTEE'S DEED  
Type name below signatures.

© 2020 STATE BAR OF WISCONSIN \*

435146 1 of 1



1/9/24, 12:01 PM

STATEMENT RE

## Real Estate Tax Statement

SAWYER COUNTY, WISCONSIN

Printed: 1/9/2024 12:01:04 PM

SCHMITT, DAVID J

**Tax ID: 33369**

**Legacy PIN: 032438123301**

**PIN: 57-032-2-38-04-12-3 03-000-000010**

**DAVID J SCHMITT**  
13720 JAMES ST  
BROOKFIELD WI 53005

### Property Description

**Site Address:** 2812W COUNTY HWY W

**Municipality:** TOWN OF WINTER

**Description:** (Not for use on Legal Documents)

SWSW S12-T38N-R04W

SWSW

**Document:** 435146

**Acreage:** 40.000

### 2023 Assessments

| Code                                | Acres         | Land          | Impr.         | Total          |
|-------------------------------------|---------------|---------------|---------------|----------------|
| G1 - RESIDENTIAL                    | 1.000         | 4,500         | 36,500        | 41,000         |
| G6 - PRODUCTIVE FOREST              | 39.000        | 51,700        | 0             | 51,700         |
| <b>Total Values:</b>                | <b>40.000</b> | <b>56,200</b> | <b>36,500</b> | <b>92,700</b>  |
| <b>Estimated Fair Market Value:</b> |               |               |               | <b>130,200</b> |

### Ownership

|                        |                |                     |
|------------------------|----------------|---------------------|
| <b>DAVID J SCHMITT</b> | 13720 JAMES ST | BROOKFIELD WI 53005 |
| <b>JOHN D SCHMITT</b>  | 6501 N 81ST ST | MILWAUKEE WI 53223  |

### TAX RECORDS - KEY TO CODES

|                                 |                                  |                                          |
|---------------------------------|----------------------------------|------------------------------------------|
| <b>RE</b> = Real Estate         | <b>SA</b> = Special Assessments  | <b>PF</b> = Private Forest               |
| <b>LC</b> = Lottery Credit      | <b>SC</b> = Special Charges      | <b>MFLO</b> = Managed Forest Land Open   |
| <b>FD</b> = First Dollar Credit | <b>DU</b> = Delinquent Utilities | <b>MFLC</b> = Managed Forest Land Closed |

### \*\*\* THERE ARE NO PRIOR DELINQUENT PAYMENTS DUE \*\*\*

| 2023 TAXES | GRE      | (FD)    | (LC)   | RE       | SA   | SC   | DU   | PF   | MFLO | MFLC | TOT      |
|------------|----------|---------|--------|----------|------|------|------|------|------|------|----------|
| Tax Due:   | 1,140.35 | (53.02) | (0.00) | 1,087.33 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 1,087.33 |
| Tax Paid:  |          |         |        | 1,087.33 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 1,087.33 |
| Balance:   |          |         |        | 0.00     | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00     |

Tax ID 33369 Total Due For 2023 Tax: 0.00

### \*\*\* THERE ARE NO TAXES DUE ON TAX ID 33369 \*\*\*

### Sawyer County Treasurer

JANEEN ABRIC, 10610 MAIN STREET SUITE 16

PO BOX 935

HAYWARD WI 54843-0935

Phone: (715) 634-4868

### Credit Card Pay Site

<https://sawyercountygov.org/payonline>

1/9/24, 12:01 PM

STATEMENT RE

## Real Estate Tax Statement

SAWYER COUNTY, WISCONSIN

Printed: 1/9/2024 12:01:52 PM

SCHMITT, DAVID J

**Tax ID: 33370**

Legacy PIN: 032438123401

PIN: 57-032-2-38-04-12-3 04-000-000010

DAVID J SCHMITT  
13720 JAMES ST  
BROOKFIELD WI 53005

### Property Description

Site Address: N/A

Municipality: TOWN OF WINTER

Description: (Not for use on Legal Documents)

SESW S12-T38N-R04W

SESW

Document: 435146

Acreage: 40.000

### 2023 Assessments

| Code                                | Acres  | Land   | Impr. | Total  |
|-------------------------------------|--------|--------|-------|--------|
| G6 - PRODUCTIVE FOREST              | 40.000 | 53,000 | 0     | 53,000 |
| <b>Total Values:</b>                | 40.000 | 53,000 | 0     | 53,000 |
| <b>Estimated Fair Market Value:</b> |        |        |       | 74,400 |

### Ownership

|                 |                |                     |
|-----------------|----------------|---------------------|
| DAVID J SCHMITT | 13720 JAMES ST | BROOKFIELD WI 53005 |
| JOHN D SCHMITT  | 6501 N 81ST ST | MILWAUKEE WI 53223  |

### TAX RECORDS - KEY TO CODES

|                          |                           |                                   |
|--------------------------|---------------------------|-----------------------------------|
| RE = Real Estate         | SA = Special Assessments  | PF = Private Forest               |
| LC = Lottery Credit      | SC = Special Charges      | MFLO = Managed Forest Land Open   |
| FD = First Dollar Credit | DU = Delinquent Utilities | MFLC = Managed Forest Land Closed |

### \*\*\* THERE ARE NO PRIOR DELINQUENT PAYMENTS DUE \*\*\*

| 2023 TAXES | GRE    | (FD)   | (LC)   | RE     | SA   | SC   | DU   | PF   | MFLO | MFLC | TOT    |
|------------|--------|--------|--------|--------|------|------|------|------|------|------|--------|
| Tax Due:   | 651.98 | (0.00) | (0.00) | 651.98 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 651.98 |
| Tax Paid:  |        |        |        | 651.98 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 651.98 |
| Balance:   |        |        |        | 0.00   | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00   |

Tax ID 33370 Total Due For 2023 Tax: 0.00

### \*\*\* THERE ARE NO TAXES DUE ON TAX ID 33370 \*\*\*

### Sawyer County Treasurer

JANEEN ABRIC, 10610 MAIN STREET SUITE 16

PO BOX 935

HAYWARD WI 54843-0935

Phone: (715) 634-4868

Credit Card Pay Site

<https://sawyercounty.gov.org/payonline>

1/9/24, 12:02 PM

STATEMENT RE

## Real Estate Tax Statement

SAWYER COUNTY, WISCONSIN

Printed: 1/9/2024 12:02:00 PM

SCHMITT, DAVID J

**Tax ID: 33373**

Legacy PIN: 032438124301

PIN: 57-032-2-38-04-12-4 03-000-000010

### Property Description

Site Address: N/A

Municipality: TOWN OF WINTER

Description: (Not for use on Legal Documents)

SWSE S12-T38N-R04W

SWSE

Document: 435146

Acreage: 40.000

### 2023 Assessments

| Code                                | Acres  | Land   | Impr. | Total  |
|-------------------------------------|--------|--------|-------|--------|
| G6 - PRODUCTIVE FOREST              | 40.000 | 53,000 | 0     | 53,000 |
| <b>Total Values:</b>                | 40.000 | 53,000 | 0     | 53,000 |
| <b>Estimated Fair Market Value:</b> |        |        |       | 74,400 |

DAVID J SCHMITT  
13720 JAMES ST  
BROOKFIELD WI 53005

### Ownership

|                 |                |                     |
|-----------------|----------------|---------------------|
| DAVID J SCHMITT | 13720 JAMES ST | BROOKFIELD WI 53005 |
| JOHN D SCHMITT  | 6501 N 81ST ST | MILWAUKEE WI 53223  |

### TAX RECORDS - KEY TO CODES

RE = Real Estate  
LC = Lottery Credit  
FD = First Dollar Credit

SA = Special Assessments  
SC = Special Charges  
DU = Delinquent Utilities

PF = Private Forest  
MFLO = Managed Forest Land Open  
MFLC = Managed Forest Land Closed

\*\*\* THERE ARE NO PRIOR DELINQUENT PAYMENTS DUE \*\*\*

| 2023 TAXES | GRE    | (FD)   | (LC)   | RE     | SA   | SC   | DU   | PF   | MFLO | MFLC | TOT    |
|------------|--------|--------|--------|--------|------|------|------|------|------|------|--------|
| Tax Due:   | 651.98 | (0.00) | (0.00) | 651.98 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 651.98 |
| Tax Paid:  |        |        |        | 651.98 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 651.98 |
| Balance:   |        |        |        | 0.00   | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00   |

Tax ID 33373 Total Due For 2023 Tax: 0.00

\*\*\* THERE ARE NO TAXES DUE ON TAX ID 33373 \*\*\*

### Sawyer County Treasurer

JANEEN ABRIC, 10610 MAIN STREET SUITE 16

PO BOX 935

HAYWARD WI 54843-0935

Phone: (715) 634-4868

Credit Card Pay Site

<https://sawyercountygov.org/payonline>

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Sawyer County Board of Supervisors  
Resolution NO. \_\_\_\_\_

**Resolution for Sawyer County Authorizing for Participation in the  
Department of Natural Resources MUNICIPAL DAM GRANT PROGRAM**

WHEREAS, SAWYER COUNTY owns Fishtrap Lake DAM and requests financial assistance under s. 31.385 and s. 227.11, Wis. Stats., and ch. NR 335, Wis. Adm. Code, for the purpose of dam REPAIR AND MODIFICATION; and

WHEREAS, the state share for such a project may not exceed 50 percent (50%) of the first \$1,000,000.00 of total eligible project costs nor 25 percent (25%) of the next \$2,000,000.00 of total eligible project costs;

NOW, THEREFORE, BE IT RESOLVED, that SAWYER COUNTY HEREBY AUTHORIZES

Jay Kozlowski, Zoning and Conservation Administrator to:

- Submit an application to the DNR for financial aid under ch. NR 335, Wis. Adm. Code;
- sign grant agreement documents;
- take all necessary action to complete the project associated with any grant agreement; and
- submit reimbursement claims along with necessary supporting documentation.

BE IT FURTHER RESOLVED THAT SAWYER COUNTY agrees to pay a share of the eligible costs which is equal to the total project cost minus the state share.

This Resolution is recommended for adoption by the Sawyer County Board of Supervisors at its meeting on \_\_\_\_\_, 20\_\_ by this Sawyer County Land, Water, and Forest Resource Committee on this \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Ed Peters, Chairman

\_\_\_\_\_  
Marc Helwig, Vice-Chairman

\_\_\_\_\_  
Brian Bisonette, Member

\_\_\_\_\_  
Kay Wilson, Member

\_\_\_\_\_  
Jason Weaver, Member

This Resolution is hereby adopted by the Sawyer County

Board of Supervisors this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

By a vote of: \_\_\_\_\_ in favor \_\_\_\_\_ against \_\_\_\_\_ abstain

\_\_\_\_\_  
Tweed Shuman,  
Sawyer County Board of Supervisors Chairman

\_\_\_\_\_  
Lynn Fitch,  
County Clerk

**Minutes of the February 6, 2024 meeting of the Sawyer County  
Health and Human Services Committee  
Of the Sawyer County Board of Supervisors  
Board Room; Sawyer County**



**Voting Committee Members Present:**

- ☒ Chair: **Dale Schleeter**
- ☒ Vice Chair: Kay Wilson
- ☒ Marshal Savitski
- ☒ Chuck Van Etten
- ☐ Chris Rusk
- ☐ Bill Trepanier
- ☒ Dawn Petit - Virtual
- ☒ Carol Pearson
- ☐ Sabrina Dunlap

**Others Present:**

Andy Albarado -virtual    Tweed Shuman  
Lynn Fitch  
Julia Lyons  
Julie McCallum  
Sarah Inczauskis  
Harry Malcomb  
Alicia Carlson-virtual  
Carol Martin-virtual

**Call to Order** – Chair Dale Schleeter called the meeting to order at 6:30 pm.

**Certification of Compliance** with the open meeting law was met. Roll Call was taken; a quorum was met.

**Meeting Agenda**

**Public Comments –**

**Minutes from the previous meeting dated: January 9, 2024**

Motion to approve made by: Ms. Pearson                      Second by: Ms. Petit  
Motion carried without negative vote.

**Committee Reports -**

LCO Liaison –

Senior Resource Center -

A written report was provided. The SRC will receive a meal reimbursement increase from Includa from \$14.88 to \$17 as of February 1<sup>st</sup>. A schedule of fundraising activities was listed as well as recent donations received.

**Administration** – A written list of services is attached to the board packet. Ms. Lyons advised that they are developing an acronym list for board members. They recently held a training on trauma informed care, and next will be looking individually at departments to ensure they have trauma-informed care in place. They also reviewed the HIPAA training and are making sure their privacy notices are current. The leadership team acknowledged all staff for employment terms for various lengths of service. The hospital closures in the Eau Claire area are under discussion as to how we could be affected.

**Adult Long-term Care –**

**Behavioral Health Care** – Ms. Lyons provided a report on screen, highlighting that ADRC received 19 January referrals. The ADRC of the North will be receiving additional state funding and they are reviewing ways to use the funds in the region. Upcoming training dates were shared. She shared the written report regarding clinics and services for behavioral health.

**Mental Health Cost by Client** – A 2023 monthly expense report was provided projecting \$2,673,155.74 for the year. Some of the expenses are recovered through billing mechanisms and they will try to include that in future reports.



Crisis Contacts – A 2023 county crisis contact was provided and reviewed. There were 23 total contacts using 135 hours of staff time, ten more than last year. The number of hours dealing with the cases equaled 176 hours, the majority being after hours. They had 43 total hospitalizations, 55 mobile crisis situations.

**Child Protective Services -**

A written summary and verbal update was provided for the month of December; a total of 25 children were placed on out-of-home care. The 2023 CPS expense report was also provided.

**Youth Justice -**

A verbal report was provided. A December list of referrals and ongoing supervision cases was shared; a total of 80 YJ referrals occurred in 2023, up from the 70 in 2022, but down from the 84 in 2021. 76% of our referrals are considered moderate to high risk kids.

**Economic Support -**

A written report was provided identifying the department statistics for December. They processed 1,025 FoodShare applications and 1,192 BadgerCare Plus applications.

**Public Health -**

A written report was provided showing that influenza-like activity has been decreasing across Wisconsin though Sawyer remains high. As of January 29, 2024, the county has a total of 961 licensed tourist rooming houses. The department is hosting ten nursing students from LCO University for clinical rotations. They held a regional operations coordination exercise recently.

**Fiscal -**

Written reports were provided.

**Future Agenda Items**

**Meeting Date/Time** – The next meeting of the Health and Human Services Board will be Tuesday, March 12<sup>th</sup>, at 6:30 pm in the Board Room.

Meeting adjourned at 7:24 pm  
Minutes recorded by Lynn Fitch, County Clerk

**Minutes of the February 8, 2024 meeting of the Sawyer County  
Finance Committee  
Of the Sawyer County Board of Supervisors  
Assembly Room; Sawyer County**



**Voting Committee Members (X) Present:**

- ☒ Chair: **Ron Kinsley**
- ☒ Vice Chair, John Righeimer
- ☒ Stacey Hessel
- ☒ Tom Duffy
- ☒ Dale Schleeter

**Others Present:**

Andy Albarado  
Lynn Fitch  
Mike Markgren  
Linda Zillmer  
Ron Buckholtz

**Call to Order** –Chair Kinsley called the meeting to order at 8:30 am.

**Certification of Compliance** with the open meeting law was met. Roll Call taken and quorum was met.

**Meeting Agenda –**

**Public Comments – Linda Zillmer, Casey Culhane, Kevin Hagman,**

**Minutes from the previous meeting dated: January 11, 2024**

Motion to approve made by: Mr. Righeimer Second by: Ms. Hessel  
Motion carried without negative vote.

**Finance Department Report -**

**Sales Tax Distribution** – A written report was provided and showed that sales tax was down from the previous year. If the trend continues as recently has been, we would be below budget at the end of the year.

**Budget Updates** – A written report was provided and reviewed by Mr. Markgren. We are in a good position at this point with expenses and revenue. HHS is running a deficit but they have built up a funds balance.

**Capital Improvement Plan Update – Purchases** – A list of planned purchases was provided; we purchased a squad, some IT equipment and heat pumps, and had an airport State match in January. The total was \$191,628.65.

**Tourism Analysis** – Mr. Markgren provided a presentation and various graphs. Sawyer County is second highest county in tourism dollar impact in the counties compared showing it is a leader among our neighboring counties. A graph of how our tourism tax dollars are spent categorically was included. Retail and other trade industry spending correlate closely to the sales tax spending pattern. Historically, the percentage of sales tax revenue of accommodations and food services to retail has remained consistent. Over the last three years, inflation has negatively affected the trends.

**Resolution Designating 2023 Fund Balance-** Mr. Markgren presented a Resolution to Designate General Fund Balance to allow unanticipated excess revenues be assigned to three projects: put \$500 in Resource Development Fund for dam projects, \$450,000 in Highway Funds, and \$150,000 in the Courthouse Addition Fund. A motion was made by Stacey Hessel to approve the resolution with a correction in the date; second by Mr. Righeimer and forward to County Board. Motion carried without negative vote.

**Investment Update -**

A written report was provided in the packet. Investment income remains strong with the good rates offered showing \$92,219 in interest earned last month with a YTD total of \$1,093,274.

**Elected Officials Wage Review -**

A Resolution Establishing Official Wages was presented by Mr. Markgren. Rusk and Sawyer have been on the low end of wages for these officials. An elected official salary summary worksheet was shared with committee members. A motion was made by Ms. Hessel to approve the recommended wage set for 40 hours at \$67,863 for 2025, \$69,220 for 2026, \$70,605 for 2027 and \$72,017 for 2028; second by Mr. Righeimer and forward to County Board.

**Out-of-County Vehicle Policy -**

Mr. Markgren presented a worksheet identifying costs of hiring a deputy at \$16,185, and costs of providing the take-home squad policy at \$23,855.60. A list of neighboring county policies was included showing Rusk, Washburn, Barron and Burnett allowing the policy and Price, Bayfield and Ashland not yet permitting it. A motion was made by Ms. Hessel to approve allowing the out-of-county squad policy/cost within a 25-mile radius and forward it to County Board; second by Mr. Righeimer. Motion carried without negative vote. Mr. Albarado provided a potential Resolution Amending County Vehicle policy and the 2024 Budget to Accommodate Take-Home Vehicles for consideration in reviewing potential language changes.

**EMS-Ambulance**

A written presentation was provided and reviewed by Mr. Markgren. There is a concern about the amount of aging bills in the 120 days and older category. He anticipates a “catch-up” billing collection in the near future. Other collection trends are looking positive. At this time \$373,849.07 in revenue has been collected and the amount written off has started to increase.

**Future Agenda Items – Financial Update of the Remodel, Airport Master Plan**

**Correspondence, reports from conferences and meetings -**

**Adjournment – 9:47 am**

**Next Meeting:** March 14, 2024      **Time:** 8:30 am      **Location:** Board Room  
Minutes recorded by Lynn Fitch, County Clerk

**RESOLUTION TO DESIGNATE GENERAL FUND BALANCE**

**WHEREAS**, Sawyer County has a fund balance policy which states "It is the goal of the County to achieve and maintain an unassigned fund balance on the General Fund equal to 20 to 30% of expenditures"; and,

**WHEREAS**, unanticipated excess revenues received during 2023 put the estimated General Fund unassigned fund balance for 2023 at the top end of the range; and,

**WHEREAS**, it is recommended Sawyer County designate as Assigned Fund Balance the following items as of the end of 2023:

|                                         |           |
|-----------------------------------------|-----------|
| Resource Development Fund- Dam Projects | \$500,000 |
| Highway Fund                            | \$450,000 |
| Courthouse Addition Fund                | \$150,000 |

Fiscal Impact: None-Designate Fund Balance

**NOW, THEREFORE BE IT RESOLVED**, the Sawyer County Board of Supervisors determines, adopts, and directs the following:

1. Recitals. The Recitals set forth above are true and accurate, and are therefore incorporated into the Resolution and shall be used not just for reference.
2. Approval of Designations. The County Board hereby approves the Assigned Fund Balance designations identified above as of December 31, 2023.

This Resolution is recommended for adoption by the Sawyer County Board of Supervisors at its meeting on February 15, 2024, by this Sawyer County Finance Committee this 8th day of February, 2024.

\_\_\_\_\_  
Ron Kinsley, Member

\_\_\_\_\_  
Tom Duffy, Member

\_\_\_\_\_  
Stacey Hessel, Member

\_\_\_\_\_  
Dale Schleeter, Member

\_\_\_\_\_  
John Righeimer, Member

31 This Resolution is hereby adopted by the Sawyer County Board of Supervisors this 15<sup>th</sup> day of  
32 February,  
33 2024.

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35 \_\_\_\_\_  
36 Tweed Shuman  
Sawyer County Board of Supervisors

\_\_\_\_\_  
Lynn Fitch  
Sawyer County Clerk



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26 Information contained in this Resolution was recommended for adoption by the Sawyer County Board of  
27 Supervisors at its meeting on February 15, 2024, by the Sawyer County Administration and Finance  
28 Committees on February 8, 2024.

29 Administration Committee

30 \_\_\_\_\_

31 Tweed Shuman, Chairman

\_\_\_\_\_

Ron Buchholz, Vice Chair

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33 \_\_\_\_\_

34 Tom Duffy, Member

\_\_\_\_\_

Ron Kinsley, Member

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36 \_\_\_\_\_

37 Dale Schleeter, Member

Finance Committee

38 \_\_\_\_\_

39 Ron Kinsley, Member

\_\_\_\_\_

Tom Duffy, Member

40 \_\_\_\_\_

41 Stacey Hessel, Member

\_\_\_\_\_

Dale Schleeter, Member

42 \_\_\_\_\_

43 John Righeimer, Member

44 \_\_\_\_\_

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46 This Resolution is hereby adopted by the Sawyer County Board of Supervisors this 15<sup>th</sup> day of February,  
47 2024

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49 \_\_\_\_\_

50 Tweed Shuman,  
51 Sawyer County Board of Supervisors Chairman

\_\_\_\_\_

Lynn Fitch,  
Sawyer County Clerk





**Minutes of the February 5, 2024 meeting of the Sawyer County  
Economic Development and UW-Extension Committee  
Of the Sawyer County Board of Supervisors  
Board Room; Sawyer County**



**Voting Committee Members Present:**

- ☒ Chair: Tom Duffy
- ☒ VC -- John Righeimer
- ☒ Stacey Hessel
- ☐ Brian Bisonette
- ☐ Chris Rusk - virtual

**Others Present:**

Andy Albarado -virtual  
Lynn Fitch  
Lori Baltrusis  
Cathy LaReau  
Ann Larsen  
Matt Kures – virtual

Sherry Beckman  
Adam Lamoreaux  
Jim Ferguson  
Molly Lank-Jones  
Donna Knuckey  
Ann Larsen

**Call to Order** – Chair Duffy called the meeting to order at 8:30 am.

**Certification of Compliance** with the open meeting law was met. Roll Call was taken. Quorum was met.

**Meeting Agenda** --

**Public Comments** --

**Minutes from previous meeting** – A motion was made by Ms. Hessel to approve the minutes of the January 8, 2023, meeting; second by Mr. Righeimer. Motion carried without negative vote.

**Sawyer County Agricultural Fair Association Report -**

**University of Wisconsin-Extension Department Report -**

Ms. Baltrusis advised that August 7<sup>th</sup> the Extension Northwoods Showcase will take place. Matt Kures shared a PowerPoint presentation regarding Sawyer County's population and economy. He reviewed the change in population over time; Sawyer had a larger growth in the last decade than most of the State of Wisconsin, largely during the pandemic and because of the recreation amenities offered. Net migration by age groups and community patterns were reviewed; individuals working remotely from home increased significantly. Sawyer had a job opening spike in openings prior to the pandemic and it has remained fairly high. Unemployment rate patterns in Sawyer have followed the rest of the state and nation; we have more job openings in the State than we have employable individuals; population of individuals age 65 and over has increased more notably in northern and central Wisconsin. Labor availability in Sawyer County will continue to be an issue going forward due to our age demographics. Sawyer County has one of the highest share of seasonal/rental housing units in the entire U.S. Sawyer County is very low on the home affordability index due to the high cost of homes in the area.

**Hayward Lakes Visitors & Convention Bureau -**

A written report was provided and focused on the NW ITBEC marketing. A snowmobile/ATV map of the 14 participating counties is produced by this group as well as a silent sport vacation guide. The 2024 budget was itemized. The 58<sup>th</sup> Governor's Fishing Opener will be held in Burnett County this year and Sawyer will host in 2026 (the 60<sup>th</sup> anniversary). A pie chart of 2023 highest activities in the county was provide with snowmobile and ATV volume being the highest.

**Northwest Regional Planning Commission Report -**

No update

**Economic Development Corporation Report -**

Mr. Lamoreaux advised that he attended the Governor's Conference and housing/daycare were some of the top priorities of the conference. He feels that we will need to be more creative in developing housing options for our county. Several local organizations have written a letter identifying businesses that have undergone economic duress due to the lack of snow this year; there are 60-90% reductions in revenue this season in some areas, and locals have been encouraged to help support these businesses. The EDC was granted a \$25,000 Thrive grant (\$50,000 for two years) for an incubator program which will be located at the LCO tribal plaza on Hwy B.

**Library Updates -**

A Winter Library written report was provided in the packet; it identifies their calendar of events and current programming. A circulation report was included. A Weiss Community Library written report of circulation statistics and an event/programming calendar was provided at the meeting, reviewed by Ms. Larsen.

**Motorized Trail and Non-Motorized Trail Report -**

Ms. LaReau advised that the lack of snow has prompted local businesses to develop alternative reasons for people to visit. Many groups have secured lodging for these visits. All lakes have been un-staked; ice fishing tournaments have also cancelled. Mr. Duffy advised that a Birkie announcement will be made on the 12<sup>th</sup> regarding which activities will be held. Cable has had enough snow for some skiing, and the Birkie will still draw a large number of visitors to our area.

**Broadband Update -**

No Update

**Historical Society -**

Mr. Ferguson advised that they received a \$1000 donation this year, and a local author provided a presentation from her book on local history. Their next speaker will be John Dettloff regarding his book on the history of the Chippewa Flowage on April 11<sup>th</sup>.

**LCO Update -**

No update

**Meeting Date/Time** – The next meeting of the Economic Development and UW-Extension Committee will be Monday, March 11<sup>th</sup>, at 8:30 am in the Board Room.

Meeting adjourned at 9:49 am  
Minutes recorded by Lynn Fitch, County Clerk

**AMENDING COUNTY VEHICLE POLICY AND THE 2024 BUDGET TO ACCOMMODATE CHANGE IN POLICY**

**WHEREAS**, the County allows vehicles to be assigned to employees for use to fulfill their job duties, and

**WHEREAS**, current policy allows assigned vehicles to be taken home if in the best interest of the County and advantageous for the employee to perform their job, and

**WHEREAS**, County personnel policy requires Sheriff's deputies to live within 25 miles of the County line, but if a deputy does not reside within the County boundaries their squad vehicles must remain within the County boundary, and

**WHEREAS**, in order to attract and retain employees it has been discussed to revise the take home vehicle policy and vehicles to go to employee residences outside of the County, and

**WHEREAS**, the Public Safety Committee has recommended that Deputies who reside outside of the County be allowed to take their squad car to their residence, and

**WHEREAS**, current policy will need to be amended to allow this change as would a 2024 budget amendment to accommodate the increased cost due to the change in policy.

**NOW, THEREFORE BE IT RESOLVED**, that the Board of Supervisors does hereby amend the County Personnel Policy as below to allow assigned employees to be taken home outside of the County boundaries.

**I. NEW EMPLOYEE RECRUITMENT AND ONBOARDING**

**RESIDENCY REQUIREMENT**

3. Department Policies. The following departments or positions will have the following requirements:

- a. Sheriff Office Deputy employees will need to live within 25 miles by road of the county line. ~~However, if an employee does not reside within the County boundaries the county squad car must remain within County boundaries.~~

Newly hired employees will be required to meet the residency requirements within one year of hire.

**IV. FACILITIES EQUIPMENT AND VEHICLES**

**USE OF COUNTY VEHICLES**

36 4. Commuting for Sheriff and Highway Department Employees. Use of County vehicles  
37 for purposes of commuting between an employee's residence and principal place of  
38 work, provided such use is in the best interests of the County, will require authorization  
39 of the Department Director and County Administrator. In order to ensure appropriate  
40 fiscal control, a reporting system including: vehicle identification, vehicle mileage,  
41 purpose, principal operator of the vehicle, and business and commuting mileage driven,  
42 will be developed and used by each employee.

43 There may be occasions when it is advantageous to the County for an employee to take  
44 a County-owned vehicle to his/her home with the Department Director's permission.  
45 This typically occurs when a worksite is closer to the employee's home than the County  
46 Courthouse or employee's work-base and will save significant transportation time  
47 during the workday. If an employee takes a County-owned vehicle home the use of the  
48 vehicle at that point is taxable under applicable IRS regulations, he/she must report the  
49 trip(s) on his/her payroll sheet for that pay period.

50 Employee use of County vehicles for purposes of commuting between an employee's  
51 residence and principal place of work will be subject to the applicable provisions of the  
52 Internal Revenue Code and Regulations as may be subsequently amended or modified.

53 With approval, employees assigned a take home vehicle for the purposes of performing  
54 their job duties under this section will be allowed to take their vehicle to their residence  
55 if they reside outside of the County.

56 **BE IT FURTHER RESOLVED**, that the 2024 Budget be amended to provide additional funds to the Sheriff  
57 and Highway Departments operational budgets for the increase expenses of take home vehicles.

58 Additional Funds from the General Fund

59 Sheriff Department \$7,000

60 Highway Department \$2,500

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65 This Resolution is hereby adopted by the Sawyer County Board of Supervisors this 15th day of February,  
66 2024.

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69 \_\_\_\_\_  
Tweed Shuman, Sawyer County Board of Supervisors Lynn Fitch, County Clerk

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## County Administrator's Report



**February 15, 2024**

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### **Courthouse Renovation**

Punch list items have been

Two punch list items remain (floors and HVAC) completed, A/V 99% completed as well.

Proceeding to closeout, final invoices on project.

Planning ribbon cutting/open house in May.

### **Personnel**

Recruiting for

Clerk of Court –PT Deputy – RIP (interviews but no hires)

Sheriff – Dispatch/Jailer

Ambulance - All positions, but primary need is Paramedic

Code/Ordinance Enforcement Specialist

Deputy Director- HHS

Sheriff's Department and EMS have been out at Career Fair's this week promoting opportunities with the County.

Grievance filed by Sawyer County Deputy Sheriff's Association. Admin. Committee to hear on Tuesday, February 20<sup>th</sup>.

HR Manual Review – sponsored by insurance company

**Training** – Countywide employee training day being planned – March 6<sup>th</sup>

- Active Shooter/Lockdown
- Workplace generational issues
- Bloodborne Pathogens
- First Aid/CPR
- Wellness
- Jail/Courtroom Tours
- MS Office applications

### **Budget**

Wrap up of 2023 underway, projections look good.

### **Corporation Counsel(s) –**

Billy Boy dam and associated water levels -waiting for DNR response

Land Use/Zoning items.

### **Ordinance review/development**

Currently developing/reviewing:

Animal Control Ordinance, Zoning Ordinance, Highway Access Ordinance (permits for driveway/utility access), Tourist Rooming House  
Internal policy assistance

#### **Criminal Justice Collaborating Council**

Diversion and Treatment (Recovery) Court are both up and running.  
Fentanyl campaign also continues.

#### **Airport**

Master Plan work continues, next meeting of advisory group along with a Public Information Workshop will be held on Wednesday, March 6. This is the third meeting and a fourth meeting is anticipated to be in May/June of 2024. Both the March and May/June Master Plan Committee meetings include public meetings/hearings.

There is a website with updates and information regarding the Master Plan at [www.sawyercounty.airportstudy.net](http://www.sawyercounty.airportstudy.net)

#### **Economic Development**

SC/LCO EDC received a WEDC (Wisconsin Economic Development Corporation) Thrive grant – assistance to develop a business incubation program/site. Partners with LCO and County.

Additional discussions on pursuing public/private partnerships for housing development.

#### **Broadband**

No update on last round of applications or BEAD maps/funds.

#### **LCO**

Some discussion on Road Bans.

#### **Ethics Committee**

Meeting held to review complaint and Counsel response.

Also, review and approve new Conflict of Interest and Economic Disclosure form.

Planning for new board orientation/training in April.

#### **Other noteworthy items being worked on**

Safety review - by department

Proceeding with space adjustments for offices and safety improvements in Courthouse

Radio Network – GenComm new communications/radio vendor

Carbon Credits – plots completed – update with Anew on 2/16

#### **Wisconsin Counties Legislative Exchange**

Legislative updates by party/house leaders

Housing/Economic Development initiatives

Cybersecurity continues to be an issue for Counties

Incorporating AI.

Legislative Bills

Register of Deeds-split of transfer fees with State – will be moving towards 50/50 split

Forward Analytics - explosion in aging population, challenges for services and housing

Work on court fees/costs – more support for County court costs.

Meetings with legislators

Thank you for Shared Revenue changes – BUT – formula still broken

No snow winter

ATV/UTV issues-trails

Challenges presented by HSHS/Prevea closures in Chippewa Valley

Some of conference can be viewed on Wisconsin Eye <https://wiseye.org/>

Information also on Wisconsin Counties Association website -

<https://www.wicounties.org/past-event-materials/>