



Vilas County Board of Supervisors

330 Court Street • Eagle River, WI 54521
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Vilas County Board
of Supervisors

Ronald De Bruyne
Chairman

Mark M. Rogacki
Vice-Chairman

Steven Doyen
2nd Vice-Chairman

Kenneth Anderson

Alden Bauman

Wallace Beversdorf

Mary Kim Black

Edward Bluthardt, Jr

Gerald Burkett

Rocco Caffarella

Charles Hayes

Paul Hennes

Arthur Kunde

Walter Maciag

William Otterpohl

Charles Rayala, Jr.

Carolyn Ritter

Kim Simac

Erwin Teichmiller

Vernon Wiggerhauser

Racquel Zortman-Bell

REGULAR EVENING MEETING OF THE VILAS COUNTY BOARD OF SUPERVISORS, 6:30 P.M., TUESDAY, AUGUST 26, 2014, PHELPS SCHOOL GYMNASIUM, 4451 OLD SCHOOL ROAD, PHELPS, WISCONSIN

Public meeting notice requirements were fulfilled by posting a notice of this meeting on bulletin boards located in the Vilas County Courthouse, Olson Memorial Library and Eagle River City Hall. Notice of this meeting was posted to the Vilas County Government website. All media outlets and members of the public requesting notification of this meeting were notified on August 20, 2014 more than twenty-four hours prior to the meeting. **The Chair requests that all cell phones and pagers be silenced for the duration of the meeting.**

2nd AMENDED AGENDA

1. Call to Order – Affirmation of Public Meeting Notice
2. Pledge of Allegiance
3. Roll call
4. Approval of the agenda to be discussed in any order at the Chair’s discretion
5. Approval of the minutes of the July 22, 2014 meeting and the August 8, 2014 County Board forum
6. Omit public reading of all resolutions and ordinances unless requested
7. Resolutions and ordinances tabled or postponed to a day certain – None
8. Chairman’s report
9. Committee reports
10. Resolutions and ordinances received after the 10 day deadline, but received in time to properly post to the public – 2014-53 and 2014-54
11. Introduce and act upon all posted resolutions and ordinances

2014-40 ATV / UTV Advisory Referendum

2014-41 Opposition to Proposed Lapse in State Funding to Circuit Court System

2014-42 2014 USGS LiDAR Grant

2014-43 Orthophotography and Digital Building Footprint Data

2014-44 Prohibiting the Creation of and Hiring for New Vilas County Staff Positions for a Six (6) Month Period

2014-45 Advisory Referendum Regarding Medicaid/BadgerCare to Cover Eligible Citizens Up to 138% of Federal Poverty Level **Note – resolution re-submitted under a single signature due to approval by less than the required quorum of members necessary for submittal to the Board. See late resolution 2014-54**

2014-46 Oldenburg Sports Park Baseball Field Fencing

2014-47 Eagle Lake Park Pavilion

2014-48 Sizable Appropriation – Purchase ¾ Ton Pickup Truck

2014-49 2015 Fleet Vehicle Purchase, Vilas County Sheriff’s Office

- 2014-50 Amendment of Standing Rules for Vilas County
- 2014-51 Amendment of Standing Rules for Vilas County
- 2014-52 Budget Amendment – UW Extension *NOTE – resolution returned to committee due to approval by less than the required quorum of members necessary for submittal to the Board*
- 2014-53 Appointment of Humane Officer
- 2014-54 Advisory Referendum Regarding Medicaid/BadgerCare to Cover Eligible Citizens Up to 138% of Federal Poverty Level
- Ordinance 2014-06 All-Terrain Vehicle (ATV)/Utility Terrain (UTV) Ordinance
- Ordinance 2014-07A Chapter 16 – Forest & Land Ordinance
- Ordinance 2014-08A Chapter 7 - Traffic

12. Accept Department Annual Reports

- Tourism & Publicity Department

13. Letters and Communications

14. Next meeting date – Tuesday, September 23, 2014 at 6:30 P.M.

15. Authorize payment of mileage and per diem for this meeting

16. Adjournment

Please note: If you have any special needs, or require special accommodations, please call 715-479-3600 or write to: Vilas County Board of Supervisors, 330 Court Street, Eagle River, WI 54521 or email the Vilas County Clerk at: daalle@co.vilas.wi.us

This regular evening of the Vilas County Board of Supervisors was held in the Arbor Vitae Town Hall, 10675 Big Arbor Vitae Drive, Arbor Vitae, WI, 54568

CALL TO ORDER

Vilas County Board Chairman Ronald De Bruyne called the assembly to order at 6:30 P.M. and instructed the Clerk to read aloud and insert into the minutes the following notification: Public meeting notice requirements were fulfilled by posting a notice of this meeting on bulletin boards located in the Vilas County Courthouse, Olson Memorial Library and Eagle River City Hall. Notice of this meeting was posted to the Vilas County Government website. All media outlets and members of the public requesting notification of this meeting were notified on July 14, 2014, more than twenty-four hours prior to the meeting. The Clerk requested that all present silence their cell phones and pagers for the duration of the meeting.

PLEDGE OF ALLEGIANCE

The Chairman asked all in attendance to stand for the Pledge of Allegiance.

ROLL CALL

Roll call found the following members in attendance: Kenneth Anderson, Wallace Beversdorf, Mary Kim Black, Gerald Burkett, Rocco Caffarella, Ronald De Bruyne, Steven Doyen, Charles Hayes, Paul Hennes, Arthur Kunde, Walt Maciag, William Otterpohl, Charles Rayala, Jr., Carolyn Ritter, Mark Rogacki, Erwin Teichmiller, Kim Simac, Vernon Wiggerhauser and Racquel Zortman-Bell. Alden Bauman and Edward Bluthardt, Jr. were excused. The Clerk reported 19 Supervisors in attendance, constituting a quorum of the County Board.

APPROVAL OF THE AGENDA TO BE DISCUSSED IN ANY ORDER AT THE CHAIR'S DISCRETION

Motion by S. Doyen, seconded by C. Rayala to approve the agenda, with the order of discussion to be at the Chair's discretion. All voted aye. Carried.

APPROVAL OF THE MINUTES OF THE MAY 27, 2014 MEETING AND THE JULY 7, 2014 COUNTY BOARD FORUM

Motion by R. Caffarella, seconded by C. Ritter to approve the minutes of the May 27, 2014 meeting and the July 7, 2014 County Board Forum. All voted aye. Carried.

OMIT PUBLIC READING OF ALL RESOLUTIONS AND ORDINANCES UNLESS REQUESTED

Motion by S. Doyen seconded by C. Hayes to omit the reading of all resolutions and ordinances by the Clerk, unless requested from the floor. All voted aye. Carried.

RESOLUTIONS TABLED OR POSTPONED TO A DAY CERTAIN – None

RESOLUTIONS AND ORDINANCES RECEIVED AFTER THE 10 DAY DEADLINE, BUT RECEIVED IN TIME TO PROPERLY POST TO THE PUBLIC – None

The Chairman took this opportunity to introduce recently hired Human Resources Director Deb Bohn to the Board.

STATE OF THE COURT – PRESENTATION BY HON. JUDGE NEAL NIELSEN III

Judge Nielsen began his presentation at 6:35 P.M. He spoke in regards to circuit court funding issues, current and projected workloads and courthouse security. He urged the County Board to lobby the State to maintain and increase funding for circuit court operations. He also urged the Board to request the assignment of an additional judge to the Vilas County Circuit Court. He concluded his presentation at 7:25 P.M.

CHAIRMAN’S REPORT

Nothing presented

COMMITTEE REPORTS

Social Services Committee: E. Teichmiller reported ongoing efforts by the state to establish Family Care services in the northeastern region.

Finance & Budget Committee: M. Rogacki presented a timeline listing the different phases of the 2015 budgeting process.

Zoning Committee: K. Anderson reported a surge in building permit applications. Zoning Dept. staffing cuts implemented during the building downturn will need to be reconsidered.

ALL RESOLUTIONS AND ORDINANCES, IN THEIR ENTIRETY, ARE ON FILE IN THE COUNTY CLERK’S OFFICE.

Resolutions and Ordinances are posted in the order in which they were acted upon.

RESOLUTION 2014 - 33

Re: Amending the 2006 – 2020 Vilas County Forest Comprehensive Land Use Plan (Chapter 730 Motorized Trails)

WHEREAS, Vilas County has lands enrolled as County Forest pursuant to §28.11, Wis. Stats.; and

WHEREAS, the Vilas County Board of Supervisors on 16 January 2007 adopted Resolution 2007-28 approving the 2006 – 2020 Vilas County Forest Comprehensive Land Use Plan for a period of 15 years; and

WHEREAS, said Plan is a dynamic document to be revised as changing conditions require; and

WHEREAS, subsection (5)(a) of the above referenced State statutes requires said Plan amendments be approved by the County Board of Supervisors and the Department of Natural Resources; and

WHEREAS, A Plan amendment regarding the use of All Terrain Vehicles (ATV’s) has been prepared by the Vilas County Forestry, Recreation & Land Committee and is submitted for approval before the Vilas County Board of Supervisors (see attached).

NOW, THEREFORE, BE IT RESOLVED by the Vilas County Board of Supervisors in session this 22th day of July 2014 that Sections 730.2.1 and 730.2.2 (All Terrain Vehicles (ATV’s) of the 2006 – 2020 Vilas County Forest Comprehensive Land Use Plan be amended as attached.

BE IT FURTHER RESOLVED that the Vilas County Forestry, Recreation & Land Committee is directed to forward these amendments to the Wisconsin Department of Natural Resources for their approval.

SUBMITTED BY: Forestry, Recreation & Land Committee

s/ Steven Doyen, Chair

s/ Rocky Caffarella

s/ Ken Anderson

s/ Art Kunde

s/ Willy Otterpohl

Motion by S. Doyen, seconded by R. Caffarella to adopt. The Chairman read a statement asking the audience to conduct themselves respectfully while the Board debated the resolution. He invited eight individuals, four from each side of the issue, to address the Board for no longer than five minutes apiece. The speakers are listed below in the order that they spoke:

1. Jeff Currie – Town of Cloverland, Vilas County – spoke in opposition to the resolution
2. Darwin Lohse – Town of Lac du Flambeau, Vilas County – spoke in favor of the resolution
3. Al Eschenbauch – Town of Presque Isle, Vilas County - spoke in opposition to the resolution
4. Sandy Garbarek – Town of Land O' Lakes, Vilas County - spoke in favor of the resolution
5. Mary Platner – Town of St. Germain, Vilas County - spoke in opposition to the resolution
6. Dewey Sternberg – Town of Minocqua, Oneida County - spoke in favor of the resolution
7. John Richter – Town of Plum Lake - spoke in opposition to the resolution
8. Randy Harden – Sheboygan, Wisconsin - spoke in favor of the resolution

The comments being heard, the Board discussed the resolution. Motion by C. Hayes, seconded by R. Zortman-Bell to postpone further consideration of Resolution 2014-33 until after November 4, 2014 and following a possible referendum as the matter is put before the voters of Vilas County. Discussion. A roll call vote on the motion returned the following results: 6 voted aye: G. Burkett, C. Hayes, C. Ritter, E. Teichmiller, V. Wiggenhauser and R. Zortman-Bell. 13 voted no: K. Anderson, W. Beversdorf, M. Black, R. Caffarella, R. De Bruyne, S. Doyen, P. Hennes, A. Kunde, W. Maciag, W. Otterpohl, C. Rayala, M Rogacki and K. Simac. Motion to postpone failed.

Discussion. Motion by E. Teichmiller, seconded by V. Wiggenhauser to amend the Vilas County Forest Comprehensive Land Use Plan under 730.2.1 by deleting a portion of that language as follows:

730.2.1

ATVs, 3, 4, and 6 wheelers, motorcross bikes, and other vehicles not registered and licensed for use on public roadways are prohibited on the Vilas County Forest ~~except where allowed as per Vilas County General Code 16.08(10) and 16.06(8)(d).~~

Discussion. 3 voted aye on the motion to amend: C. Hayes, E. Teichmiller and V. Wiggenhauser. 16 voted no. Motion to amend failed.

Discussion. Motion by G. Burkett, seconded by W. Beversdorf to amend the Vilas County Forest Comprehensive Land Use Plan under 730.2.1 by the addition of language as follows:

730.2.1

ATVs, 3, 4, and 6 wheelers, motorcross bikes, and other vehicles not registered and licensed for use on public roadways are prohibited on the Vilas County Forest ~~except where allowed as per Vilas County General Code 16.08(10) and 16.06(8)(d)-~~ and with local government approval.

Discussion. 1 voted aye on the motion to amend: G. Burkett. 18 voted no. Motion to amend failed.

Discussion. Motion by E. Teichmiller, seconded by V. Wiggenhauser to amend Resolution 2014-33 by inserting the following language after line #16:

BE IT FURTHER RESOLVED that prior to submission of these amendments to the Wisconsin Department of Natural Resources for their approval, a series of public hearings shall be conducted by the Forestry, Recreation and Land Committee at the following locations: Arbor Vitae, Manitowish Waters, Eagle River and Conover. A record of the attendance at the public hearings by name, city or town residence, and an indication of support or non-support of these amendments shall be taken and provided to all County Board Supervisors and the public. Should the result of the public hearings demonstrate a majority non-support for the amendments, they shall be withdrawn.

Discussion. A roll call vote on the motion to amend returned the following results: 4 voted aye: G. Burkett, C. Hayes, E. Teichmiller, V. Wiggerhauser. 15 voted no: K. Anderson, W. Beversdorf, M. Black, R. Caffarella, R. De Bruyne, S. Doyen, P. Hennes, A. Kunde, W. Maciag, W. Otterpohl, C. Rayala, C. Ritter, M Rogacki, K. Simac and R. Zortman-Bell and. Motion to amend failed.

Discussion. A roll call vote on the resolution returned the following results: 15 voted aye: K. Anderson, W. Beversdorf, M. Black, G. Burkett, R. Caffarella, R. De Bruyne, S. Doyen, P. Hennes, A. Kunde, W. Maciag, W. Otterpohl, C. Rayala, M Rogacki, K. Simac and V. Wiggerhauser. 4 voted no: C. Hayes, C. Ritter, E. Teichmiller and R. Zortman-Bell. Carried.

At this time, the Chair called for a 5-minute recess.

RESOLUTION 2014 - 39

Re: Town of St. Germain Zoning Ordinance Changes – Dead End Streets and Cul de Sacs

WHEREAS, the attached amendments to the Town of St. Germain Zoning Ordinance Chapter 5 were adopted as final by the St. Germain Town Board on the 7th day of July, 2014, after the Public Hearing that was held before the St. Germain Planning & Zoning Committee on the 9th day of June, 2014; and

WHEREAS, the Vilas County Board of Supervisors must approve these amendments prior to them taking effect and Wis. Stat. §60.62(3) provides for such procedure; and

WHEREAS, the Vilas County Zoning & Planning Committee has reviewed these amendments for conformity with all applicable Vilas County Ordinances and recommends approval of the attached amendments.

NOW, THEREFORE, BE IT RESOLVED by the Vilas County Board of Supervisors in session this 22nd day of July, 2014 that the attached amendments to the Town of St. Germain Zoning Ordinance are approved pursuant to Wis. Stat. §60.62(3).

SUBMITTED BY: Zoning & Planning Committee

s/ Ken Anderson, Chair

s/ Chuck Hayes

Steve Doyen

s/ Carolyn Ritter

Vernon Wiggerhauser

Motion by K. Anderson, seconded by S. Doyen to adopt. Discussion. All voted aye. Carried.

RESOLUTION 2014 - 32

Re: Amendment of Standing Rules for Vilas County

WHEREAS, the Legislative and Judicial Committee has re-evaluated the Standing Rules and Committee Duties of the Vilas County Board of Supervisors in force at the present and deems it necessary to further revise them; and

WHEREAS, the Legislative and Judicial Committee recommends that the standing rules governing the duties of the Legislative and Judicial Committee be amended as follows;

XIII. LEGISLATIVE AND JUDICIAL

1. It shall be the duty of this Committee to examine all legislation and Wisconsin Counties Association policy which may affect or concern Vilas County.
2. This Committee is authorized to represent and pursue the interests of Vilas County before the state and federal legislatures and the Wisconsin Counties Association. This Committee shall make recommendations to the County Board regarding a proposed course of action relating to all such legislation and policy.
3. It shall recommend additions or revisions to the ordinances of the County and the ~~rules~~ Standing Rules & Committee Duties of the Board.
4. It shall act upon such other matters as may be referred to it by the County Board or its Chairperson.
5. Child Support Enforcement, Corporation Counsel and Veterans Service shall report to this committee.

and

WHEREAS, a two-thirds (2/3) vote of the Board of Supervisors is necessary to amend the Standing Rules.

NOW, THEREFORE, BE IT RESOLVED by the Vilas County Board of Supervisors in session this 24th day of June, 2014 that the attached changes to the Standing Rules and Committee Duties be adopted effective immediately.

BE IT FURTHER RESOLVED, that any resolutions adopted by the County Board in the past governing the subject matter of this resolution are hereby rescinded and repealed.

SUBMITTED BY: **Legislative & Judicial Committee**

s/ Mark Rogacki, Chair

s/ Rocco Caffarella

s/ Walt Maciag

s/ Carolyn Ritter

s/ Erv Teichmiller

Motion by C. Rayala, seconded by M. Rogacki to adopt. Discussion. Motion by V. Wiggerhauser, seconded by E. Teichmiller to refer the resolution back to the originating committee for reconsideration. 14 voted aye on the motion to refer back to committee. 5 voted no: K. Anderson, M. Black, R. Caffarella, M. Rogacki and K Simac. Carried. Resolution 2014-32 will be referred back to the Legislative & Judicial Committee.

ORDINANCE 2014-05A

RE: Amendment #85-241: Pickerel Lake Rezone

WHEREAS, from time to time it is necessary to update the Vilas County Zoning Ordinance and maps in order to reflect changes which are deemed appropriate to ensure the public health, safety and welfare; and

WHEREAS, a petition was submitted by Robert Brownell, agent for the Pickerel Lake Preservation Association and received in the Vilas County Zoning Office on February 28, 2014, to amend the official Vilas County Zoning District Map as follows: All properties lying adjacent to Pickerel Lake in Sections 4, 5, and 8, Town 40 North, Range 9 East from

ALL PURPOSE (AP) and GENERAL BUSINESS (GB)

to

SINGLE FAMILY RESIDENTIAL (R-1),

excepting NE¼, NW¼, Section 5, Town 40 North, Range 9 East (also known as Vilas County Computer Parcel 6-128) which will be rezoned from

ALL PURPOSE (AP)

to

FORESTRY (F),

and W½, NW¼, Section 5, Town 40 North, Range 9 East (also known as Vilas County Computer Parcel Number 6-129), which is not subject to the rezone and shall remain

FORESTRY (F),

all in the town of Cloverland, Vilas County, Wisconsin, and

WHEREAS, publication of a Class 2 Notice was made as required by Chapter 985, Wisconsin Statutes, and a copy of the notice was mailed to the Cloverland Town Clerk at least ten days prior to the hearing, and

WHEREAS, the Vilas County Zoning and Planning Committee held a public hearing as required by Section 59.69(5)(e)(2), Wisconsin Statutes at the Cloverland Town Hall, Eagle River, Wisconsin on May 9, 2014 at which time the public was invited to attend and be heard; and

WHEREAS, the proposed rezoning meets the requirements of the 2010 Vilas County Comprehensive Plan Map 7-2, Generalized Future Land Use, and

WHEREAS, the Vilas County Zoning and Planning Committee, after hearing public opinion at the public hearing, recommends approval of the petition for zoning amendment with exceptions.

NOW THEREFORE, THE VILAS COUNTY BOARD OF SUPERVISORS IN SESSION THIS 22ND DAY OF JULY, 2014 DOES HEREBY ORDAIN AS FOLLOWS:

Section 1: Any existing ordinances, codes, resolutions or portions thereof that conflict with this ordinance amendment shall be and are hereby repealed as far as any conflict exists.

Section 2: The official Vilas County Zoning District Map is revised and amended to change the zoning district designation as set forth for all riparian properties along Pickerel Lake in Sections 4, 5, and 8, Town 40 North, Range 9 East, Town of Cloverland, Vilas County, Wisconsin, from All Purpose (AP) and General Business (GB) to Single Family Residential (R-1) excepting the following computer parcels numbered:

6-128, which will be rezoned from All Purpose (AP) to Forestry (F); and

6-81, 6-90-03, 6-90-04, 6-91, 6-111, 6-115, 6-129, 6-130, 6-131, 6-132, 6-164, 6-165, 6-169, the non-riparian portion of 6-102 and 6-149, and the portion of 6-147-001 lying north of 6-147 which shall retain their current zoning district designation as set forth in the attached document.

Section 3: This ordinance amendment shall take effect 40 days upon passage, publication and deliverance of certified copies to the Town of Cloverland unless allowed by law to take effect before that date.

Section 4: If any claims, provisions or portions of this ordinance amendment are adjudged invalid or unconstitutional by a court of competent jurisdiction, the remainder of this ordinance amendment shall not be affected thereby.

SUBMITTED BY: Zoning & Planning Committee

s/ Ken Anderson, Chair

Chuck Hayes

s/ Steve Doyen

s/ Carolyn Ritter

Vernon Wiggerhauser

Motion by S. Doyen, seconded by K. Anderson to adopt. Discussion. Motion by V. Wiggerhauser to refer the ordinance back to the originating committee for reconsideration. The motion was withdrawn. Motion by V. Wiggerhauser, seconded by C. Hayes to amend the ordinance by deleting language beginning at line #39 and through line #47 as follows:

... and General Business (GB) to Single Family Residential (R-1). Excepting the following computer parcels numbered: 6-128, which will be rezoned from All Purpose (AP) to Forestry (F); and 6-81, 6-90-03, 6-90-04, 6-91, 6-111, 6-115, 6-129, 6-130, 6-131, 6-132, 6-164, 6-165, 6-169, the non riparian portion of 6-102 and 6-149, and the portion of 6-147-001 lying north of 6-147 which shall retain their current zoning district designation as set forth in the attached document. Section 3: This ordinance amendment shall take effect 40 days upon passage, publication and deliverance of certified copies to the Town of Cloverland unless allowed by law to take effect before that date. Discussion. All voted no on the motion to amend. Amendment failed. Discussion. 2 voted aye: K. Anderson and M. Rogacki. 17 voted no. Adoption failed.

RESOLUTION 2014 - 34

RE: Vilas County Real Estate Sales/Trades

WHEREAS, lands owned by Vilas County described on the attached prospectus have been appraised for sale or trade; and

WHEREAS, the Vilas County Forestry, Recreation, & Land Committee recommends that these lands be approved for sale or trade at the initial bid opening for not less than the minimum bid price described on the attached prospectus and thereafter as allowed by state law.

NOW, THEREFORE, BE IT RESOLVED by the Vilas County Board of Supervisors in session this 22nd day of July, 2014 that the Vilas County Forestry, Recreation, & Land Committee on behalf of the Vilas County Board of Supervisors take all necessary action to complete the sale of these lands described on the attached prospectus.

SUBMITTED BY: Forestry, Recreation, & Land Committee

s/ Steven Doyen, Chair

s/ Rocky Caffarella

s/ Ken Anderson

s/ Art Kunde

s/ Willy Otterpohl

Motion by S. Doyen, seconded by K. Anderson to adopt. Discussion. All voted aye. Carried.

RESOLUTION 2014 - 35

Re: Authorization to Participate in WDNR County Fish & Game Aids

WHEREAS, the Legislature of the State of Wisconsin enacted legislation providing for allocation to the respective counties in that state on an acreage basis for the county fish and game projects on the condition that the counties match the state allocation; and

WHEREAS, the fish and game management program may include but is not limited to game food seeding, browse improvement cutting and other fish or game habitat creation and improvement; and

WHEREAS, Vilas County desires to participate in county fish and game projects pursuant to provisions of §23.09(12), Wis. Stats.; and

WHEREAS, account #100.35.43584 has been set up for the purpose of distribution and receipt of Fish & Game Funds.

NOW, THEREFORE, BE IT RESOLVED by the Vilas County Board of Supervisors in session this 22nd day of July, 2014 that the Vilas County Forestry, Recreation, & Land Committee of the Vilas County Board of Supervisors be and hereby is authorized to expend the funds hereby appropriated and the funds to be received from the State of Wisconsin, for the improvement of fish and wildlife habitat, and to operate and maintain or to cause to be operated and maintained the project for its intended purpose, contingent upon the matching funds being available in the Forestry Department's budget.

BE IT FURTHER RESOLVED that the Vilas County Forest Administrator is authorized to sign and submit applications to the Wisconsin Department of Natural Resources for said funding.

SUBMITTED BY: Forestry, Recreation & Land Committee

s/ Steven Doyen, Chair

s/ Rocco Caffarella

s/ Kenneth Anderson

s/ Arthur Kunde

s/ William Otterpohl

Motion by S. Doyen, seconded by K. Anderson to adopt. Discussion. All voted aye. Carried.

RESOLUTION 2014 - 36

Re: Authorization to Enter into Twelve (12) Month Contract for LP Fuel

WHEREAS, the Vilas County Board of Supervisors authorized the Sheriff to convert the squad car fleet to a dual fuel system (LP and gasoline) on January 22, 2013. The fleet has been converted and the LP fuel will be purchased through Amerigas of Eagle River, Wisconsin; and

WHEREAS, Amerigas has proposed a contract with Vilas County that will fix the price of propane fuel for the next 12 months at a cost of \$1.91 per gallon. The contract also proposes the purchase of up to 60,000 gallons of fuel in the next 12 months as well as the lease of a Gasboy dispensing unit located at the Arbor Vitae Sheriff's Substation; and

WHEREAS, there are funds allocated for fuel costs in the Sheriff's Office FY2014 budget; additional funding for FY2015 will be allocated in the 2015 budget. Current fuel costs for gasoline are \$3.69 per gallon, and allowing a fixed price through the next year will result in a savings to Vilas County for an alternative fuel for the Sheriff's patrol fleet; and

WHEREAS, the Vilas County Law Enforcement and Emergency Management Committee recommends the approval of a contract for Fixed Price of Propane Fuel through Amerigas of Eagle River.

NOW, THEREFORE, BE IT RESOLVED by the Vilas County Board of Supervisors in session this 22th day of July, 2014, that the Vilas County Sheriff is authorized to enter into a 12- month contract to fix LP fuel costs at \$1.91 per gallon with Amerigas of Eagle River.

SUBMITTED BY: Law Enforcement & Emergency Management Committee

s/ Gerald Burkett, Chair

s/ Ed Bluthardt
s/ Mary Kim Black
s/ Art Kunde
s/ Mark Rogacki

Motion by G. Burkett, seconded by R. De Bruyne to adopt. Discussion. 18 voted aye. 1 voted no: V. Wiggerhauser. Carried.

RESOLUTION 2014 - 37

Re: Approve Contract to Acquire Countywide, 6 Inch, 4 Band Color, Digital Orthophotography and Digital Building Footprint Data

WHEREAS, the Land Records Committee signed a Letter of Intent in July, 2013 to contract with a photogrammetric consultant, Ayres Associates Inc., to proceed with aerial photogrammetric mapping under the Wisconsin Regional Orthophotography Consortium (WROC) 2014-2016; and

WHEREAS, acquiring countywide, 6" pixel resolution, 4 band color, digital orthophotography and digital building footprint data will improve the County's Geographic Information System (GIS), develop of a base map, enhance address assignment and verification for emergency services and tax collection, improve the quality of the land & water conservation programs, and strengthen zoning enforcement activities; and

WHEREAS, the attached contract from Ayers Associates Inc. sets forth a proposal for acquiring countywide, 6" pixel resolution, 4 band color, digital orthophotography and digital building footprint data in Vilas County; and

WHEREAS, the digital orthophotography and digital building footprint data are Foundational Elements listed in the 2010-2015 Vilas County Land Information Modernization Plan; and

WHEREAS, the entire cost of this contract is \$147,000.00, with \$99,660.00 expended in fiscal year 2015 Land Records Budget for the acquisition of countywide, 6" pixel resolution, 4 band color, digital orthophotography, and \$47,340.00 paid in fiscal year 2016 Land Records Budget for building footprint digital data; and

WHEREAS, the Land Records Committee recommends approving the attached contract from Ayers Associates for \$147,000.00, with payments taken from retained fees, which is aid money initiated by the Wisconsin Land Information Program under Wisconsin Statutes §16.967 and §59.72.

NOW, THEREFORE, BE IT RESOLVED by the Vilas County Board of Supervisors in session this 22nd day of July, 2014 that the Land Records Committee is authorized to enter into the attached Amendment to Agreement with Ayers Associates Inc. for 6" pixel resolution, 4 band color, digital orthophotography and digital building footprint data, for all of Vilas County, with the cost of contract not to exceed \$147,000.00, and being paid for out of retained fees from the fiscal years 2015-2016 Land Records Budget, Line Item No. 100.22.51735.0988, Aerial Photography.

SUBMITTED BY: Land Records Committee

s/ Kim Simac, Chair
s/ Charles Rayala
s/ Jerry Burkett

s/ Carolyn Ritter

s/ Steven Doyen

This resolution was removed for consideration before the Board by the Chair of the Land Records Committee.

RESOLUTION 2014 - 38

Re: Budget Amendment – Commission on Aging

WHEREAS, the Greater Wisconsin Agency on Aging Resources, GWAAR, has been authorized to make funds available to the Vilas County Commission on Aging through Title III Grants; and

WHEREAS, the Agency has allocated to Vilas County an increase of \$7,740 for Title III B Supportive Services; an increase of \$3,985 for Title III C1 Congregate meals; an increase of \$4,748 for Title III C2 Home Delivered meals; an increase of \$427 for Title III D Preventive Health; an increase of \$2,471 for Title III E National Family Caregivers Service Program; and a decrease of \$3,155 for Nutrition Services Incentive Program (NSIP); and

WHEREAS, the Vilas County Commission on Aging recommends that the 2014 budget be amended to allow for the increase/decrease in revenue and to authorize a corresponding increase/decrease in expenditures as shown below:

| Revenue or Expense | Line Item Number | Description | Amount |
|-----------------------|---------------------|-----------------------------|--------------------|
| Revenue | 260.51.43540 | Aging-Title IIIB | \$7,740.00 |
| Expense | 260.51.54610.0948 | Travel-IIIB | \$1,000.00 |
| Expense | 260.51.54610.0950 | Supplies/Equip | \$2,000.00 |
| Expense | 260.51.54610.0956 | Health and Wellness IIIB | \$2,740.00 |
| Expense | 260.51.54610.0960 | Other | \$2,000.00 |
| Revenue | 260.51.43541 | Aging-Title III-C-1 | \$3,985.00 |
| Expense | 260.51.54612.0902 | C1 | \$3,985.00 |
| Revenue | 260.51.43542 | Aging-Title III-C-2 | \$4,748.00 |
| Expense | 260.51.54615.0903 | Title III-C2 | \$4,748.00 |
| Revenue | 260.51.43591 | Aging-Title IIID | \$ 427.00 |
| Expense | 260.51.54630.0905 | Title IIID | \$ 427.00 |
| Revenue | 260.51.43555 | Title III E-Federal | \$2,471.00 |
| Expense | 260.51.54625.0904 | Title III E | \$2,471.00 |
| Revenue | 260.51.43544 | Aging, USDA C1 (Fed) | -\$3,155.00 |
| Expense | 260.51.54612.0906 | USDA-C1 | -\$3,155.00 |

NOW, THEREFORE, BE IT RESOLVED by the Vilas County Board of Supervisors in session this 22nd day of July, 2014 that the 2014 budget is amended by the amount of the funds received, and the Finance Director is directed to record such information in the official books of the County for the year ending December 31, 2014.

SUBMITTED BY: Mary Kim Black, Vilas County Supervisor

s/ Mary Kim Black

Motion by E. Teichmiller, seconded by C. Hayes to adopt. Discussion. All voted aye. Carried.

Motion by V. Wigganhauser, seconded by E. Teichmiller to reconsider Resolution 2014-33 and bring it back before the Board for possible action. Discussion. A roll call vote on the motion to reconsider returned the following results: 3 voted aye: C. Hayes, E. Teichmiller and V. Wigganhauser. 16 voted no: K. Anderson, W. Beversdorf, M. Black, G. Burkett, R. Caffarella, R. De Bruyne, S. Doyen, P. Hennes, A. Kunde, W. Maciag, W. Otterpohl, C. Rayala, C. Ritter, M. Rogacki, K. Simac and R. Zortman-Bell. Motion to reconsider failed.

CHAIR'S APPOINTMENTS

- Land & Water Conservation Committee – County Board lake District Representatives – 2 year term – to replace Walt Maciag.
 - Lost Lake District – Paul Hennes
- Public Health Board – 2 year term
 - Phillip Epping, PhD – citizen member
 - Laura K. Magstad, BSN, MSN – citizen member
 - Katie Hom, DVM – citizen member
 - Micheal Schaars, MD – Medical Director/citizen member
 - Deborah Karow, RN – alternate citizen member

Motion by C. Hayes, seconded by M. Rogacki to accept all of the Chair's appointments. All voted aye. Carried.

LETTERS AND COMMUNICATIONS

Citing pending issues with the Olson Memorial Library joint library agreement, K. Anderson recommended that the County Board Library Committee be reactivated. He also announced his appointment as Chair of the County Deer Advisory Committee.

NEXT MEETING DATE

The next County Board meeting is scheduled for 9:00 A.M, Tuesday, August 26, 2014 in the County Board Conference rooms.

PAY MILEAGE AND PER DIEM

Motion by C. Hayes, seconded by S. Doyen pay mileage and per diem for this meeting. All voted aye. Carried. Contact the County Clerk's office for mileage and per diem payment information.

ADJOURNMENT

Motion by C. Ritter, seconded by R. De Bruyne to adjourn. The meeting concluded at 11:42 P.M.

Prepared and submitted by:
David R. Alleman, Vilas County Clerk

Minutes reflect the recorder's notations and are subject to future revision and approval by the Vilas County Board.

This forum, conducted by the Vilas County Board of Supervisors, was held in the Vilas County Courthouse conference rooms, 330 Court Street, Eagle River, WI. No business was transacted nor was any action taken by the board.

PURPOSE

The purpose of this County Board forum was to facilitate a presentation by the Finance Director, authorized by the Finance & Budget Committee, to educate Supervisors in regards to County finances and taxation. Mileage and per diem payments were authorized for County Board members attending this forum.

PUBLIC MEETING NOTICE

Public meeting notice requirements were fulfilled by posting a notice of this forum on bulletin boards located in the Vilas County Courthouse, Olson Memorial Library and Eagle River City Hall. Notice of this forum was posted to the Vilas County Government website. All media outlets and members of the public requesting notification of this forum were notified on July 30, 2014, more than twenty-four hours prior to the forum.

OPENING OF THE FORUM

County Board Chairman Ronald De Bruyne opened the forum at 1:00 P.M. The following 10 board members were in attendance: Ken Anderson, Wally Beversdorf, Rocco Caffarella, Steve Doyen, Paul Hennes, William Otterpohl, Charles Rayala, Jr., Carolyn Ritter and Mark Rogacki. The County Clerk, several Department Heads and members of the public were also present.

PRESENTATION AND DISCUSSION POINTS

County Board Chairman R. De Bruyne initiated the program by presenting his reasons for calling for this forum. With twelve newly elected Supervisors faced with their first budget deliberations, the Chairman felt that some basic County financial education was in order. Finance Director Jason Hilger opened his presentation with a power point titled Finance 101. Questions and discussion took place during and after the presentation. The questions, observations and discussion items put forth by the Supervisors in attendance are summarized below. J. Hilger alternately answered the questions posed, commented on observations made and opinions given, or engaged in the subject under discussion along with the other Supervisors.

K. Anderson: Asked about the final payment date of the Justice Center loan.

M. Rogacki: Observed that current tax levy controls were a product of state legislation.

P. Hennes: Asked about the borrowing and bonding process. Are we through with borrowing?

R. Caffarella: Asked about the reasons for past borrowing.

S. Doyen: Asked clarification of the "borrowing to temporarily increase the levy limit" strategy.

K. Anderson: Observed that any increase in the levy impacts the taxpayer.

M. Rogacki: Stated that the state instituted levy limits as a means of increasing efficiency at the local government level.

K. Anderson: Stated that the mill rate can be confusing to the taxpayer, as they compare their property assessment values with the overall equalized value of the county.

C. Ritter: Stated that the mill rate "is just a number that factors equalized property values".

C. Rayala: Countered that many taxpayers tend to focus on the mill rate.

W. Beversdorf: Observed that in county finances, assets equal the sum of cash equivalents and cash. Liabilities are not necessarily monies owed.

K. Anderson: Stated that undesignated fund balances need not be maintained for "emergency" purposes. Borrowing can be accomplished in emergency situations.

K. Anderson: Asked why department budget carry-overs are prohibited. He asked that the Finance & Budget committee re-examine this prohibition.

C. Ritter: Countered that budget carry-overs needed careful consideration.

W. Beversdorf: Asked if the county adheres to any established policy requiring certain budgeting principles.

K. Anderson: Encouraged department heads to be forthcoming with all known budget needs.

W. Beversdorf: Asked how the county compares with other counties in regards to the amount of budget carry-overs.

K. Anderson: Stated that the county does not need to carry the amount of undesignated fund balance that it does. It should be returned to the taxpayer.

C. Rayala: Complained that the county continues to "raid" Highway Department funds, to fund other non-highway services.

W. Beversdorf: Asked the Finance Director to explain the make-up of the General Fund.

C. Rayala: Stated that the current budgeted amount allowed for highway maintenance does not take into account actual maintenance needs.

R. Caffarella: Stated that if all 21 County Supervisors are not aware of current budgeting issues, chaos may ensue at the budget meeting. He would like preliminary budgeting to be accomplished much earlier.

W. Beversdorf: Stated that productivity and efficiency considerations needed to be included in the budgeting process.

C. Ritter: Stated that non-resident property owners also receive a high level of services, usually at property tax rates much lower than experienced back home.

K. Anderson: Requested that Tom Nitz, a member of the public in attendance, be allowed to speak.

T. Nitz: Encouraged the Board to let the public know about all capital projects and needs. The public needs to know how the money will be spent.

M. Rogacki: Urged full participation by the Board in the budgeting process. He stated that the Finance Director has a difficult job to perform, and reminded the Supervisors that the Finance Director was under the direction of the Finance & Budget Committee. He also urged Supervisors to take up any budget policy issues directly with the Finance & Budget Committee Chair.

CLOSING OF THE FORUM

County Board Chairman R. De Bruyne thanked the assembly for their comments and discussion points. The County Board forum concluded at 3:12 P.M

Prepared and submitted by:

David R. Alleman, Vilas County Clerk

Minutes reflect the recorder's notations and are subject to future revision and approval by the Vilas County Board.

RESOLUTION 2014 - 40

Re: ATV / UTV Advisory Referendum

1 **WHEREAS**, an advisory referendum held in 2004 concerning the use of ATV's on Vilas
2 County owned lands resulted in a majority of those who voted (5,457 or 63% versus 3,200 or
3 37%) voting "no"; and

4 **WHEREAS**, The Vilas County Board of Supervisors in 2004 unanimously adopted
5 Resolution 2004-25 ATV's on County Land, prohibiting the use of ATV's on county owned
6 lands in support of the results of the 2004 advisory referendum; and

7 **WHEREAS**, a resolution adopted by the Vilas County Board on July 22nd, 2014
8 authorized the amendment of the Vilas County Forest 15 Year Comprehensive Land Use Plan,
9 allowing for ATV's/UTV's to be included in the recreational trail planning process as pertains to
10 County owned forest lands; and

11 **WHEREAS**, a limited number (6) of individuals were permitted to express their support
12 or objection to the proposed Vilas County Forest 15 Year Comprehensive Land Use Plan
13 amendments at the July 22nd, 2014 County Board meeting; and

14 **WHEREAS**, a joint ordinance (Chapter 26) is being presented for adoption by the
15 County Board, by the Legislative & Judicial Committee and the Highway Committee, to permit
16 ATV/UTV use on a portion of county trunk highway located in the Town of Phelps; and

17 **WHEREAS**, no public hearings have been scheduled to receive citizen input into this
18 permitting of the use by ATV's/UTV's of Vilas County owned roadways ; and

19 **WHEREAS**, since 2004 no opportunity has been given to the voters of Vilas County to
20 express their position on the matter, either through public hearings or an advisory referendum;
21 and

22 **WHEREAS**, this referendum is advisory and non-binding upon the Vilas County Board
23 of Supervisors.

24 **NOW, THEREFORE BE IT RESOLVED** by the Vilas County Board of Supervisors in
25 session this 26th day of August, 2014 that we direct that an advisory referendum shall be held,
26 pursuant to Wis. Stat. 59.52(25) concurrent with the November 4, 2014 election to ascertain the
27 voter's opinion on the following question:

28 REFERENDUM QUESTION: Shall ATV's/UTV's be permitted to operate on Vilas
29 County owned lands and roadways?

30 **BE IT FURTHER RESOLVED** that the attached explanatory statement shall
31 accompany the advisory referendum question when published in the newspaper according to law.

FISCAL COMMENT:

- Included within Resolution
- See Attached
- Not applicable

Finance Director

H. R. REVIEW

- Approved
- Not applicable

Human Resources Director

APPROVED AS TO FORM

Corporation Counsel

SUBMITTED BY:

Vilas County Supervisors

Chuck Hayes

Erv Teichmiller

Vernon Wiggerhauser

ADVISORY REFERENDUM*

Shall ATVs/UTVs be permitted to operate on Vilas County-owned lands and roadways?

Explanatory Statement

Under Wisconsin law, counties may enact ordinances allowing and regulating the use of all-terrain vehicles (ATVs) and utility-terrain vehicles (UTVs) on trails maintained by or routes designated by the county. ATV/UTV ordinances must meet the standards in Chapter 23.33 of state statutes. Enforcement of ATV/UTV ordinances may be by an officer of the state traffic patrol, a state traffic inspector, a Department of Natural Resources conservation warden, a county sheriff or municipal peace officer. Currently there is no Vilas County ordinance allowing or regulating ATV/UTV use on County-owned lands and roadways.

An *all-terrain vehicle* is a commercially designed and manufactured motor-driven device weighing less than 900 pounds without fluids; is 50 inches wide or less; has a seat designed to be straddled by the operator; and travels on three or more low-pressure or airless tires.

A *utility terrain vehicle* is a commercially designed and manufactured motor-driven device that does not meet federal motor vehicle safety standards in effect on July 1, 2012, that is not a golf cart, low-speed vehicle, dune buggy, mini-truck, or tracked vehicle; is designed to be used primarily off of a highway, and that has, and was originally manufactured with all of the following:

- A net weight of 2,000 pounds or less without fluids and a width of not more than 65 inches;
- Four or more low-pressure or airless tires;
- A tail light, brake light, two headlights, a steering wheel and a cargo box;
- Seat belts or a similar system able to restrain each occupant in the event of an accident; and
- A structure designed to protect the occupant/s in a rollover of the vehicle.

In 2004, Vilas County held an advisory referendum on ATV use on County-owned lands and roadways. Consistent with the results of that referendum, the Vilas County Board voted to prohibit ATV use on County-owned lands and roadways. In July of 2014, the Board voted to include ATVs/UTVs in the planning process for County-owned recreational trails. In addition, the Board received a request for an ordinance authorizing and regulating ATV/UTV use on a section of County trunk highway in the Town of Phelps. Given the passage of time since the last advisory referendum and the renewed debate surrounding ATV/UTV use, public opinion through an advisory referendum is again requested.

A "yes" vote would indicate that you are in favor of allowing ATVs/UTVs to operate on trails and/or routes on Vilas County-owned lands and roadways, as authorized by and through Chapter 23.33 of the Wisconsin Statutes and any applicable county ordinance.

A "no" vote would indicate that you are not in favor of allowing ATVs/UTVs to operate on trails and/or routes on Vilas County-owned lands and roadways, as authorized by and through Chapter 23.33 of the Wisconsin Statutes and any applicable county ordinance.

**County officials are not required to comply with the results of an advisory referendum.*

RESOLUTION 2014 - 41

Re: Opposition to Proposed Lapse in State Funding to Circuit Court System

1 **WHEREAS**, the 2013-15 State Biennial Budget requires the Wisconsin court system to
2 return a total of \$11.8 million to the state general fund over the next two-year period, resulting in
3 budget cuts that could affect the Vilas County circuit court system; and

4 **WHEREAS**, if said budget cuts are made, the Vilas County circuit court system will no
5 longer receive State funding at its previous level in the form of circuit court payments, interpreter
6 assistance, and guardian ad litem assistance; and

7 **WHEREAS**, the proposed reduction of funding and resulting budget cuts would create a
8 significant financial challenge to Vilas County, potentially resulting in an increased tax levy,
9 while striving to meet the challenge of the state levy cap; and

10 **WHEREAS**, it is in the best interests of Vilas County to oppose this proposed budget
11 reduction.

12 **NOW, THEREFORE, BE IT RESOLVED** by the Vilas County Board of Supervisors
13 in session this 26th day of August, 2014, that the Vilas County Board hereby states its opposition
14 to the lapse of Wisconsin judicial branch funding to the State general fund over the next two-year
15 period.

16 **BE IT FURTHER RESOLVED** that the Vilas County Clerk shall forward a copy of this
17 resolution to Vilas County’s State Legislators, Governor Scott Walker, Chief Justice Shirley
18 Abrahamson, the Director of State Courts, and all other Wisconsin Counties.

FISCAL COMMENT:

- Included within Resolution
- See Attached
- Not applicable

Finance Director

H. R. REVIEW

- Approved
- Not applicable

Human Resources Director

APPROVED AS TO FORM

Corporation Counsel

SUBMITTED BY:

Finance & Budget Committee

Mark Rogacki, Chair

Mary Kim Black

Kim Simac

Erv Teichmiller

Vernon Wiggerhauser

Finance Director Fiscal Comment – From articles I have read, counties received \$18.7 million in circuit court support payments from the State in 2008-2009 and only \$16.6 million in 2012-2013. This tells me there has already been some level of cost reduction. Also from what I have read, judicial budgets are made up of 70% state court personnel costs, which cannot be adjusted administratively. This resolution has been supported in many counties and I think has good merit.

RESOLUTION 2014 - 42

Re: 2014 USGS LiDAR Grant

1 **WHEREAS**, the United States Geological Survey (USGS) has announced grant funding
2 for LiDAR data through the 3D Elevation Program; and

3 **WHEREAS**, the application deadline is August 15, 2014; and

4 **WHEREAS**, Vilas County and Oneida County participated in a joint LiDAR data
5 collection project in 2013 acquiring continuous point cloud across 2,131 square miles; and

6 **WHEREAS**, Vilas County and Oneida County will be jointly applying for the USGS 3D
7 Elevation Program Grant, with Oneida County completing the grant application for up to 25% of
8 each of the individual county’s project expenses; and

9 **WHEREAS**, the Land Records Committee recommends that the Vilas County Land
10 Information Officer is granted the authority to coordinate with the Oneida County Land
11 Information Officer to apply for the USGS 3D Elevation Program Grant for reimbursement of up
12 to 25% of the County’s project expenses.

13 **NOW, THEREFORE, BE IT RESOLVED** by the Vilas County Board of Supervisors
14 in session this 26th day of August, 2014 that the Vilas County Land Information Officer is
15 authorized to coordinate with Oneida County to apply for the USGS 3D Elevation Program
16 Grant for purposes of reimbursement of costs associated with the County’s 2013 LiDAR data
17 collection project.

FISCAL COMMENT:

- Included within Resolution
- See Attached
- Not applicable

Finance Director

H. R. REVIEW

- Approved
- Not applicable

Human Resources Director

APPROVED AS TO FORM

Corporation Counsel

SUBMITTED BY:

Land Records Committee

Kim Simac, Chair

Charles Rayala

Jerry Burkett

Carolyn Ritter

Steve Doyen

Finance Director Fiscal Comment – This resolution is requesting authorization to be included in a grant application with Oneida County. Joining with Oneida County should provide a better chance of being awarded a grant. This project has been completed and paid for and there appears to be no reason in my opinion to oppose to this resolution.

RESOLUTION 2014 - 43

Re: Orthophotography and Digital Building Footprint Data

1 **WHEREAS**, the Land Records Committee signed a Letter of Intent in July, 2013 to
2 contract with a photogrammetric consultant, Ayres Associates Inc., to proceed with aerial
3 photogrammetric mapping under the Wisconsin Regional Orthophotography Consortium
4 (WROC) 2014-2016; and

5 **WHEREAS**, acquiring countywide, 6” pixel resolution, 4 band color, digital
6 orthophotography and digital building footprint data will improve the County’s Geographic
7 Information System (GIS), develop of a base map, enhance address assignment and verification
8 for emergency services and tax collection, improve the quality of the land & water conservation
9 programs, and strengthen zoning enforcement activities; and

10 **WHEREAS**, the attached contract from Ayers Associates Inc. sets forth a proposal for
11 acquiring countywide, 6” pixel resolution, 4 band color, digital orthophotography and digital
12 building footprint data in Vilas County; and

13 **WHEREAS**, the digital orthophotography and digital building footprint data are
14 Foundational Elements listed in the 2010-2015 Vilas County Land Information Modernization
15 Plan; and

16 **WHEREAS**, the entire cost of this contract is \$147,000.00, with \$99,660.00 expended in
17 fiscal year 2015 Land Records Budget for the acquisition of countywide, 6” pixel resolution, 4
18 band color, digital orthophotography, and \$47,340.00 paid in fiscal year 2016 Land Records
19 Budget for building footprint digital data; and

20 **WHEREAS**, the Land Records Committee recommends approving the attached contract
21 from Ayers Associates for \$147,000.00, with payments taken from retained fees, which is aid
22 money initiated by the Wisconsin Land Information Program under Wisconsin Statutes §16.967
23 and §59.72.

24 **NOW, THEREFORE, BE IT RESOLVED** by the Vilas County Board of Supervisors
25 in session this 26th day of August, 2014 that the Land Records Committee is authorized to enter
26 into the attached Amendment to Agreement with Ayers Associates Inc. for 6” pixel resolution, 4
27 band color, digital orthophotography and digital building footprint data, for all of Vilas County,
28 with the cost of contract not to exceed \$147,000.00, and being paid for out of retained fees from
29 the fiscal years 2015-2016 Land Records Budget, Line Item No. 100.22.51735.0988, Aerial
30 Photography.

FISCAL COMMENT:

- Included within Resolution
- See Attached
- Not applicable

Finance Director

H. R. REVIEW

- Approved
- Not applicable

Human Resources Director

APPROVED AS TO FORM

Corporation Counsel

SUBMITTED BY:

Land Records Committee

Kim Simac, Chair

Charles Rayala

Jerry Burkett

Carolyn Ritter

Steven Doyen

Finance Director Fiscal Comment: While there is nothing technically wrong with obligating future budgets, the board should be cautioned that they are now committing funds for the years 2015 and 2016. The funding source is presented as retained fees; however, we are not certain what future amount of retained fees will be available to support this contract. Retained fees could also be used to pay for wages and benefits incurred in carrying on the mission of improving mapping and land records modernization, which would likely reduce the future carryover available to fund this project. Projects like this should be reviewed much like all other capital expenditures and not be quickly approved on the premise that an adequate balance of carryover funds will remain available in the future.

June 20, 2014

Barb Gibson
GIS Administrator/Land Information Officer
Vilas County Land Information/Mapping Dept.
330 Court St.
Eagle River, WI 54521



Dear Ms. Gibson:

Thank you for the opportunity to submit a proposal for geospatial services for Vilas County as a part of the Wisconsin Regional Orthophotography Consortium (WROC) in 2015-16. This letter describes the project approach and fees for 6-inch orthophotography and building footprints across the County. The total project area is 1017 square miles. The Ayres/Quantum team will provide the following services.

Proposed Project Services – Orthophotography

Vilas County understands the importance updating its orthophotography base layer and the advantages of doing so as part of WROC. As part of the consortium, the County would like to obtain new color digital orthoimagery in 2015 to enhance the County's GIS base mapping layers and to support its land information needs and the needs of its partners. Please refer to the Exhibit A for a map of the project area.

The county-wide 6-inch orthophotography project approach has advantages over lower resolution coverage with higher resolution buy ups. The county-wide approach provides seamless orthoimagery at high resolution so that all county departments and municipal partners have access to consistent imagery without insets or individual datasets at different specifications. The 6-inch approach also opens up additional cost sharing opportunities with partners that require the higher resolution orthoimagery for their daily operations.

Scope of Work

Ayres Associates will provide the County with color orthophotography at 6-inch resolution across the County project area, plus a 500-foot buffer around the boundary. Digital 4-band orthophotography will be developed from aerial photography acquired using a calibrated, digital photogrammetric camera, in the spring during leaf-off conditions.

The delivered orthophotography will consist of GeoTIFF tiles based on PLSS quarter sections (or other tile format agreed upon). Additionally, we will provide MrSID or alternate format compressed tiles and a project-wide mosaic. The 6-inch orthophotography will conform to ASPRS Class 2 standards for 1" = 100' scale mapping with an ortho image ground sample distance (GSD) of <6 inches. The horizontal accuracy will be measured by root mean statistical error (RMSE), which will be 2.0-feet or less.

Orthophotography DEM

The existing LiDAR generated DTM we have for Vilas County will be the primary terrain surface used for the orthophoto DEM. New software allows to more intelligently process out a DTM from the existing LiDAR bare earth points. In areas where the terrain model may have changed, a new surface will be created and will supplement the lidar DTM. This is done through autocorrelation using the new imagery in combination with photogrammetrically compiled breaklines on road centerlines and other features.

Ground Control

To reduce control costs for the project, Ayres Associates will use airborne global positioning system (ABGPS) and an inertial measurement unit (IMU) that is coupled with the digital sensor. If necessary, we will provide the ground control and targeting for the project using existing control locations or photo-identifiable points.

4-band Orthophotography

As part of the standard aerial image collection, the near-infrared (NIR) band will be captured along with the RGB natural color bands. The cost of processing the NIR band has come down significantly in the last five years. We have included the delivery of 4-band GeoTIFF and MrSID files. These datasets can be viewed in either natural color or color infrared (CIR) band configurations in a single file, rather than in a second CIR dataset.

Partner Funding

Attracting funding partners to WROC 2015 has taken a different strategy than the one implemented for the 2010 program. Regional and local partners will play a more important role, and our strategy is to increase our efforts at finding funding partners that fit this profile. Note, however, that the success of previous consortium efforts has established relationships that may still lead to financial support of the program in 2015.

Many of the key relationships are already in place and are being leveraged to save time and effort. This factor combined with our team's continued efforts at securing new funding partners should provide momentum to secure a wider number of partners. In the end, funding assistance success for WROC 2015 will likely come about from a larger – and more diverse – number of funding partners.

Potential partners in the Vilas County WROC project have been identified as:

Lac du Flambeau Tribe

Chequamegon-Nicolet National Forest

We Energies

WPS

Orthophotography Project Deliverables

Deliverable products included in the estimate are as follows:

- Digital ortho tiles in GeoTIFF (with world file) and MrSID, JPG2, or ECW format
- Project-wide mosaic in MrSID, JPG2, or ECW format
- Ortho tile index in vector format
- FGDC compliant metadata

Proposed Fees:

The following pricing is a not to exceed lump sum amount that is calculated using WROC pricing. Any partner funding that is secured for WROC will be provided to the County to help reduce the overall cost this project.

| | |
|--|---------------------|
| County-wide 6-inch orthophotography, 4-band RGB-NIR: | \$ 104,650.00 |
| Fee reduction for 4-band orthophotography: | \$ 4,990.00 |
| Total: | \$ 99,660.00 |

Ayres Associates will invoice the County for the services listed above in 2015 according to an agreed upon payment schedule.

Proposed Project Services – Digital Building Footprints

We understand Vilas County would like to acquire digital building footprint data as a fundamental element of its land information modernization plan. We have reviewed your request for county-wide building footprints and have designed a custom solution for Vilas County. The county is unique in that it's mostly rural and many of the buildings are irregularly distributed near lake and rivers, typically in heavily forested areas with undulating topography. To increase efficiency in locating and collecting the building footprints, we will utilize the 2013 lidar dataset to guide our technicians to areas where building classifications are located.

We will use mosaics of new leaf-off orthoimagery from the 2015 WROC acquisition to digitize the rooflines of buildings using advanced compilation hardware and software. The buildings will be collected as two dimensional polygons. Using this method, the buildings will match the orthoimagery from 2015. However, the radial displacement in the orthoimagery will shift the building roof line from its true horizontal position relative to the height of the building.

The buildings will be complete and accurate to the building horizontal geometry as each is collected manually by a trained technician. This is currently an advantage over automated lidar extraction and remotely-sensed classification methods that require significant manual clean up and QC review.

Building Footprint Deliverable

ESRI shapefile with county-wide building two dimensional polygons

Proposed Fees:

The following fee is a lump sum amount for the digital building footprint services described above.

County-wide digital building footprints: **\$ 47,340.00**

Ayres Associates will invoice the County for the services listed above in 2016 according to an agreed upon payment schedule.

I hope that we have provided the information you require to proceed with planning for a WROC project in 2015-16. In the event that you require additional information or clarification on the proposal details, please feel free to contact me at 608.443.1207.

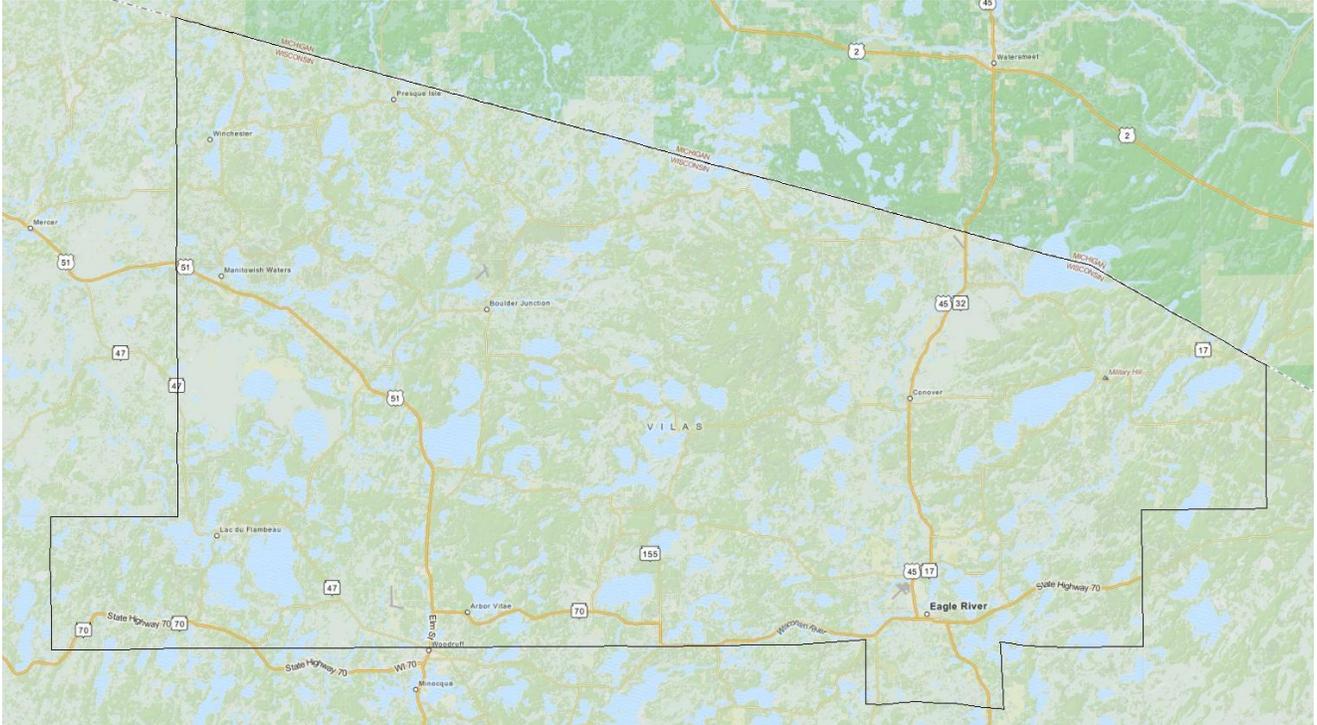
Sincerely,



Zachary Nienow
Ayres Associates Inc
Project Manager
Direct: 608.443.1207
NienowZ@AyresAssociates.com

Exhibit A

Vilas County Project Area, 1017 square miles



AGREEMENT FOR PROFESSIONAL SERVICES

FOR

PHOTOGRAMMETRIC / REMOTE SENSING SERVICES---Vilas County, WI

THIS AGREEMENT is made by and between Vilas County (OWNER) and Ayres Associates Inc, 1802 Pankratz Street, Madison, Wisconsin 53704 (CONSULTANT).

WHEREAS, the OWNER intends to retain the CONSULTANT to provide photogrammetric and remote sensing services for OWNER and

NOW, THEREFORE, the OWNER and CONSULTANT agree to the performance of professional services by CONSULTANT and payment for those services by OWNER as set forth below:

ARTICLE 1 – SCOPE OF SERVICES

1.1 BASIC SERVICES

After written authorization to proceed, CONSULTANT shall:

- 1.1.1 Obtain digital aerial photography during the spring of 2010 suitable for the production of color orthophotography at a 12-inch ground pixel resolution (County-wide: 1018 Sq. Miles). The photography will be obtained during leaf off conditions and when there is no snow on the ground.
- 1.1.2 Collect control for the project using Airborne Global Positioning System (ABGPS), and ground-based GPS technology. The control established will be sufficient to support softcopy aerotriangulation and orthophotography production. The horizontal and vertical coordinates shall be referenced to the County coordinate system (NAD83 in U.S. Survey Foot) and NAVD88.
- 1.1.3 Prepare a softcopy aerotriangulation solution for the aerial photography. The aerotriangulation solution will support digital orthophotography meeting ASPRS standards for the appropriate mapping scale.
- 1.1.4 Prepare PLSS quad-section tiled 12-inch resolution digital orthophotography for 1"= 200' scale mapping for the entire county plus a quarter-mile buffer around the county.

Orthophotography will be provided in color bandwidths(RGB). Orthophotography will also be delivered in black and white bandwidths (derived from the color dataset). The existing 2005 County DEM will be used to rectify the digital orthophoto imagery. The delivery format will be GEOTIFF with world files for all non-compressed images. All orthophoto tiles will be delivered on an appropriate size USB Firewire Drives.

A countywide MrSID compressed color mosaic inclusive of all orthophoto tiles within the county will be provided upon completion of the rectification processing.

- 1.1.5 Prepare FGDC compliant metadata for the deliverable products using the Ayres/AeroMetric standard template.
- 1.1.6 Final deliverable products to OWNER will include:
 - One digital copy of the flight plan, including control layout.
 - DMC Virtual JPEG images(not geo-referenced)
 - One digital copy of the control report.
 - One digital copy of the softcopy aerotriangulation report.
 - One copy of the DEM in both CAD and GIS format.
 - Digital orthophotography in GeoTIFF (12" countywide) in both color and black and white.
 - One MrSID countywide color digital mosaic
 - One copy of FGDC compliant metadata for all digital files in HTML and XML format.

1.2 ADDITIONAL SERVICES

If authorized in writing by OWNER, CONSULTANT shall furnish or obtain from others additional services (if the county decides at a later date to contract for additional services) not included as part of basic services. These services will be paid for by OWNER as indicated in Article 5.

ARTICLE 2 – CHANGES IN THE SCOPE OF SERVICES

2.1 Services Requiring Changes in the Scope of Services

The OWNER or the CONSULTANT may, from time to time, request changes in the scope of services to be performed hereunder. Such changes, while not anticipated, may include an increase or decrease in the amount of CONSULTANT'S compensation. Any such changes must be mutually agreed by and between OWNER and CONSULTANT and shall be incorporated in written amendments to this agreement. Such changes may include:

- 2.1.1 Services to investigate existing conditions or facilities or to verify the accuracy of information furnished by OWNER.
- 2.1.2 Services resulting from significant changes in the general scope, extent or character of the Project.
- 2.1.3 Furnishing services of independent professional associates and consultants for other than Basic Services.
- 2.1.4 Preparing to serve or serving as a consultant or witness for OWNER in any litigation, arbitration or other legal or administrative proceeding involving the Project.
- 2.1.5 Additional services in connection with the Project, including services, which are to be

furnished by OWNER and services not otherwise, provided for in this Agreement.

- 2.1.6 Services resulting from additional partnerships joining the consortium may result in a change of the amount of services provided in this agreement.

ARTICLE 3 - OWNER'S RESPONSIBILITIES

OWNER shall do the following in a timely manner so as not to delay the services of CONSULTANT:

- 3.1 Designate in writing a person to act as OWNER's representative.
- 3.2 Provide all criteria and full information as to OWNER's requirements.
- 3.3 Place at CONSULTANT's disposal all available pertinent information, upon which the CONSULTANT can rely.
- 3.4 Arrange for access to and make all provisions for CONSULTANT to enter upon public and private property as required for CONSULTANT to perform services under this Agreement.
- 3.5 Furnish approvals and permits from all governmental authorities having jurisdiction over the Project and such approvals and consents from others as may be necessary for completion of the Project.
- 3.6 Give prompt written notice to CONSULTANT whenever OWNER observes or otherwise becomes aware of any development that affects the scope or timing of CONSULTANT's services.

ARTICLE 4 - PERIODS OF SERVICE

- 4.1 The provisions of this Article 4 and the compensation for CONSULTANT's services have been agreed to in anticipation of the orderly and continuous progress of the Project. If completion dates are exceeded through no fault of CONSULTANT, compensation provided herein shall be subject to equitable adjustment. The expiration date of this agreement shall be March 31, 2015.
- 4.2. The services called for in Article 1.1.1 –1.1.3 will be completed and submitted by December 30, 2010.
- 4.3. The services called for in Article 1.1.4 – 1.1.6 will be completed and submitted by March 30, 2010.
- 4.4 CONSULTANT's services under this Agreement shall be considered complete when submissions have been accepted by the OWNER.
- 4.5 If OWNER has requested significant modifications or changes in the general scope, extent or character of the Project, the time of performance of CONSULTANT's services shall be adjusted equitably.

4.6 If CONSULTANT's services for the Project are delayed or suspended in whole or in part by OWNER for more than three months for reasons beyond CONSULTANT's control, CONSULTANT shall on written demand to OWNER (but without termination of this Agreement) be paid as provided in paragraph 5.1.1.1.

ARTICLE 5 - PAYMENTS

5.1 Compensation for Services

5.1.1 Basic Services. OWNER shall pay CONSULTANT for Basic Services rendered as follows:

| | |
|---|--------------------|
| 5.1.1.1 Aerial photography, GPS Survey, and Softcopy Aerotriangulation | \$38,175.00 |
| 5.1.1.2 Analytical, orthophotography, and project reporting | \$38,175.00 |
| Total Fees Not to Exceed..... | \$76,350.00 |

5.2 Times of Payments

5.2.1 CONSULTANT shall submit monthly invoices for Basic and Additional Services rendered. OWNER shall make prompt monthly payments in response to CONSULTANT's invoices. Consultant shall begin submitting invoices as the first phase of the Project occurs in Spring 2010, with fees billed not to exceed \$38,175.00 for the 2010 budgetary year. CONSULTANT shall begin submitting monthly invoices as the second phase of the Project occurs in 2011, with fees billed not to exceed \$38,175.00 for the 2011 budgetary year.

5.3 Other Provisions Concerning Payments

5.3.1 If OWNER fails to make any payment due CONSULTANT for services and expenses within thirty days after receipt of Consultant's invoice, the amounts due CONSULTANT will be increased at the rate of 1% per month (12% A.P.R.) from said thirtieth day, and in addition, CONSULTANT may, after giving seven days' written notice to OWNER, suspend services under this Agreement until CONSULTANT has been paid in full all amounts due for services and expenses. If for some reason there is a dispute concerning an invoice and the dispute extends beyond one month, the owner will not be assessed a 1% penalty to that invoice.

5.3.2 In the event of termination by OWNER, CONSULTANT will be reimbursed for all charges and services rendered up to the effective date of termination.

5.3.3 Records pertinent to CONSULTANT's compensation will be kept in accordance with generally accepted accounting practices.

5.3.3 Any changes in compensation must be mutually agreed by and between the OWNER and the CONSULTANT and shall be incorporated in written amendments to this

agreement.

ARTICLE 6 - GENERAL CONSIDERATIONS

6.1 Reuse of Documents

Any reuse of the services and documents provided under this agreement for purposes not intended, will be at the owners sole risk.

6.2 Controlling Law

This Agreement is to be governed by the law of the State of Wisconsin.

6.3 Termination

The obligation to provide further services under this Agreement may be terminated by either party upon seven days' written notice in the event of substantial failure by either party to perform in accordance with the terms hereof through no fault of the terminating party.

This contract may be cancelled by OWNER at any time with cause on 30 days written notice to the consultant. In the event of such cancellation, the CONSULTANT shall be entitled to payment determined on a pro rata basis for work or services satisfactorily performed.

OWNER may immediately terminate this contract if it does not obtain funding from retained fees portion of the Vilas County Land Records budget, or if funding cannot be continued at a level sufficient for payment for the services covered here. Termination must be written or faxed notice to the CONSULTANT within a reasonable time of OWNER receiving notice that sufficient funding is not available. OWNER is not obligated to pay for services that are provided after an effective date of termination, however the CONSULTANT shall be entitled to payment determined on a pro rata basis for work services satisfactorily performed, to the extent that funds are available. OWNER will not be assessed any penalty if the contract is terminated because of the decision of Wisconsin legislature or other funding source not to appropriate funds.

6.4 Indemnification

The CONSULTANT hereby agrees to indemnify the OWNER for all claims arising solely from negligent acts, errors or omissions of the CONSULTANT in the performance of professional services under this agreement.

6.5 Data ownership Assignment

The CONSULTANT assigns ownership of the data to the OWNER and its project participants for all deliverable products produced under this contract. The CONSULTANT agrees that the products and documents shall not be made available to nor used to prepare additional products for any individual or organization at any time without prior written approval by the OWNER.

6.5 Insurance

CONSULTANT shall maintain workers compensation insurance as required by Wisconsin statutes for all employees engaged in the work.

CONSULTANT shall maintain commercial liability, bodily injury and property damage insurance against any claims which might occur in carrying out this agreement. Minimum coverage shall be \$1,000,000 liability for injury or property damage including products liability and completed operations. CONSULTANT must provide motor vehicle insurance for all owned and unowned and hired vehicles that are used in carrying out the contract. Minimum coverage shall be \$1,000,000 per occurrence. Combined single limit automobile liability and property damage.

OWNER reserves the right to require higher or lower limits where warranted.

ARTICLE 7 - EXHIBITS AND SCHEDULES

7.1 The following Exhibits are attached to and made a part of this Agreement.

7.1.1 Attachment A – Detailed Project Specifications – consists of 6 pages

7.1.2 Exhibit B – Project Area Map for Vilas County - consists of 1 page.

7.2 This Agreement (consisting of pages 1 to 6, inclusive), together with the Exhibits and Attachments identified above, constitute the entire agreement between OWNER and CONSULTANT and supersede all prior written or oral understandings. This Agreement and said Exhibits may only be amended, supplemented, modified or canceled by a duly executed written instrument.

IN WITNESS WHEREOF, the parties hereto have made and executed this Agreement as of the day and year first written above.

Vilas County, WI
OWNER

Ayres Associates Inc
CONSULTANT

J. M. Radtke

(Signature)

Kirk M. Contrucci

FRED RADTKE

(Typed Name)

Kirk M. Contrucci

CHAIRMAN, LAND RECORDS

(Title)

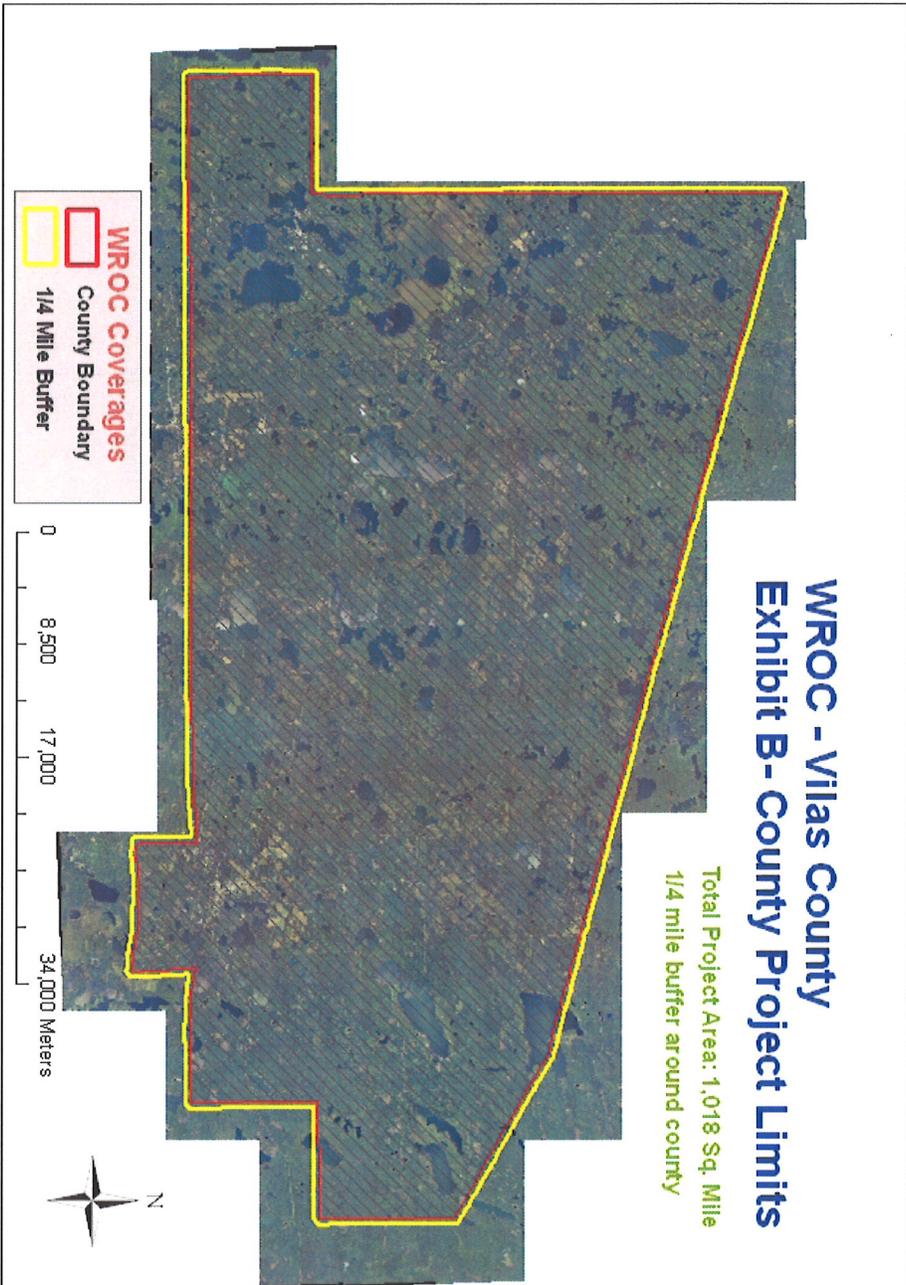
Vice President

(Date)

October 5, 2009

WROC - Vilas County Exhibit B - County Project Limits

Total Project Area: 1,018 Sq. Mile
1/4 mile buffer around county



AMENDMENT TO AGREEMENT

Amendment dated October 25, 2010

The Agreement for Professional Services made as of October 5, 2009 between Vilas County, Wisconsin (OWNER) and Ayres Associates Inc, 1802 Pankratz Street, Madison, Wisconsin 53704 (CONSULTANT) is hereby amended as set forth below. All terms and conditions of the original agreement, not altered or affected by this amendment, shall remain in full force and effect for the duration of the contract term.

ARTICLE 5 – PAYMENTS

5.1 Compensation for Services

5.1.1 Basic Services. OWNER shall pay CONSULTANT for Basic Services rendered as follows:

| | |
|---|--------------------|
| 5.1.1.1 Aerial photography, GPS Survey, and Softcopy Aerotriangulation | \$38,175.00 |
| 5.1.1.2 Analytical, orthophotography, and project reporting | \$22,915.50 |
| Total Fees Not to Exceed..... | \$61,090.50 |

Partnership funding resulting from federal and state partnerships (in the amount of 20% of the countywide digital orthophotography fees) has been factored into the above fee total. The partnership is referred to as the Wisconsin Regional Orthophotography Consortium. In exchange for accepting this cost share, OWNER provides CONSULTANT permission to use OWNER's 12" resolution data to create an 18" resolution dataset that will eventually be placed into the National Map, and state and federal agency access to the 12" resolution data (for internal use only).

In Witness Whereof, the parties hereto have made and executed this Amendment to Agreement as of the day and year first written above.

Vilas County
OWNER

Steve Favorite

Steve Favorite

Land Records Committee Chairperson

10/29/10

Ayres Associates Inc
CONSULTANT

(Signature)

(Typed Name)

(Title)

(Date)

Kirk M. Controcci
Kirk M. Controcci
Vice President
16 Nov 2010

22-1277.0

AMENDMENT TO AGREEMENT

Amendment dated October 21, 2009

The Agreement for Professional Services made as of October 5, 2009 between Vilas County, Wisconsin (OWNER) and Ayres Associates Inc, 1802 Pankratz Street, Madison, Wisconsin (CONSULTANT) is hereby amended as set forth below.

Article 4 – Periods of Services

4.3 The services called for in Article 1.1.4 – 1.1.6 will be completed and submitted by March 30, 2011.

In Witness Whereof, the parties hereto have made and executed this Amendment to Agreement as of the day and year first written above.

| | | |
|--|--------------|---|
| <u>Vilas County, Wisconsin</u> OWNER <u></u> (Signature) | (Signature) | <u>Ayres Associates Inc</u> CONSULTANT <u></u> (Signature) |
| <u>Fred Radtke</u> (Typed Name) | (Typed Name) | <u>Kirk M. Contrucci</u> (Typed Name) |
| <u>Chairman, Land Records</u> (Title) | (Title) | <u>Vice President</u> (Title) |
| <u>11/4/09</u> (Date) | (Date) | <u>10-29-09</u> (Date) |

AMENDMENT TO AGREEMENT

Amendment dated September 6, 2012

The Agreement for Professional Services (Agreement) made as of October 5, 2009 between Vilas County, Wisconsin (OWNER) and Ayres Associates Inc, 1802 Pankratz Street, Madison, Wisconsin (CONSULTANT) is hereby amended as set forth below. All other terms and conditions of the Agreement remain in full force and effect.

ARTICLE 1 - SCOPE OF SERVICES

Change in Basic Services.

- 1.1.7 Acquire and process a surface model using Light Detection And Ranging (LiDAR) technology. A two-foot contour surface will be developed for the entirety of the County, approximately 1017 square miles (including 500-ft buffer).
- LiDAR will be acquired at 1.1-meter posting and will support a bare earth terrain model that meets or exceeds RMSE values as specified by FEMA within Guidelines and Specifications for Flood Hazard Mapping Partners (April 2003) and USGS LiDAR Guidelines and Base Specifications v13.
 - LiDAR will be acquired in the spring of 2013, during leaf-off conditions and no snow cover.
 - Hydro-reinforced breaklines will be compiled. Additional break lines will be compiled as needed to develop surfaces meeting the required accuracies.
 - The LiDAR products will be prepared in horizontal and vertical coordinates shall be referenced to County coordinate system (NAD83 in Feet) and NAVD88.
 - Provide index map of project area in ESRI polygon shapefile, with file names and acquisition dates.
- 1.1.8 Collect ground control (index) points to support the LiDAR calibration.
- 1.1.9 Collect field survey vertical check points in 5-7 of the major land cover classifications within the project area and provide a National Standards for Spatial Data Accuracy (NSSDA) Test Report that meets criteria as outlined in FEMA's Guidelines and Specifications for Flood Hazard Mapping Partners.
- 1.1.10 Prepare FGDC compliant metadata for each deliverable product.
- 1.1.11 Final deliverable products to OWNER will include
- Final classified LiDAR point cloud LiDAR points, in .LAS and shapefile format
 - Raw LiDAR points, in .LAS and shapefile format
 - Breaklines, in ESRI PolylineZ format
 - Countywide 2-foot contours, ESRI PolylineZ files

- Digital Elevation Model (DEM), in ESRI GRID format
- Digital Surface Model (DSM), in ESRI GRID format
- Intensity Images
- copy of FGDC compliant metadata for all digital files in HTML and XML format
- National Standards for Spatial Data Accuracy (NSSDA) Test Report
- All data will be delivered in Vilas County Coordinates.

ARTICLE 4 - PERIODS OF SERVICE

Changes in Periods of Service

4.1 The provisions of this Article 4 and the compensation for CONSULTANT's services have been agreed to in anticipation of the orderly and continuous progress of the Project. If completion dates are exceeded through no fault of CONSULTANT, compensation provided herein shall be subject to equitable adjustment. The expiration date of this agreement shall be March 31, 2016.

4.4.a The services called for in Article 1.1.7 –1.1.11 will be completed and submitted by September 30, 2013.

ARTICLE 5 – PAYMENTS

Changes in Compensation for Services

5.1.1 Basic Services. OWNER shall pay CONSULTANT for Basic Services rendered as follows:

5.1.1.3 LiDAR Services (Articles 1.1.7 – 1.1.11)\$208,598.00

Total Fees Not to Exceed.....\$284,948.00
(includes services already completed under Articles 1.1.1 – 1.1.6)

In Witness Whereof, the parties hereto have made and executed this Amendment to Agreement as of the day and year first written above.

Vilas County
OWNER
Stephen Favorite

(Signature)

Stephen Favorite

(Typed Name)

County Board Chairperson

(Title)

10/01/2012

(Date)

Ayres Associates Inc
CONSULTANT
Kirk M. Contrucci

Kirk M. Contrucci

Vice President

10/2/12

Re: Approve the Project Proposal for Professional Services to acquire countywide digital Light Detection And Ranging (LiDAR) Data and Federal Emergency Management Administration (FEMA) Control Survey and Report

1 **WHEREAS**, the Land Records Committee approved a contract for professional services
2 for the acquisition and processing of LiDAR data and the FEMA Control Survey and Report at
3 the July 20, 2012 Land Records Meeting; and

4 **WHEREAS**, acquiring LiDAR data is a step towards improving Vilas County's
5 Geographic Information System (GIS), development of an elevation base map with 2 foot
6 contour lines improving the data within the United States Geologic Survey (USGS) Topographic
7 Maps; enhancing planning for potential flood hazard areas, shoreland planning, storm water
8 management and runoff planning, communication tower placement, road and recreational trail
9 planning, forest planning, utility planning; providing accurate data to support future flood hazard
10 zoning ordinance enforcement and participation in the National Flood Insurance Program (NFIP)
11 to enable property owners to purchase affordable flood insurance; providing critical data
12 necessary for filing a Letter of Map Amendment (LOMA) to FEMA; aiding search and rescue
13 teams in the field; and

14 **WHEREAS**, Vilas County and Oneida County are coordinating a regional LiDAR
15 project for the purpose of increasing the data collection efficiency and maximizing Land Records
16 funds; and

17 **WHEREAS**, Vilas County is currently under contract for Photogrammetric and Remote
18 Sensing Professional Services from Ayers Associates and AeroMetric; and

19 **WHEREAS**, the attached document from Ayers Associates/Aerometric sets forth a
20 proposal for professional services for the purpose of acquiring and processing LiDAR data and
21 the FEMA Control Survey and Report in Vilas County; and

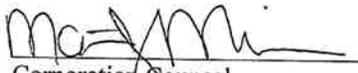
22 **WHEREAS**, the Land Records Committee recommends approving the attached project
23 proposal and pursuing an agreement for professional services with Ayers Associates/Aerometric
24 for \$208,598.00, with funding from retained fees, which is aid money initiated by the Wisconsin
25 Land Information Program for use in Land Information Modernization activities per §59.72 of
26 the Wisconsin State Statutes.

27 **NOW, THEREFORE, BE IT RESOLVED** by the Vilas County Board of Supervisors
28 in session this 18th day of September, 2012, that the Land Records Committee is authorized to
29 enter into an agreement based on the attached project proposal with Ayers Associates/Aerometric
30 for professional services to acquire and process LiDAR data and provide the FEMA Control
31 Survey and Report for all of Vilas County, with the cost of contract not to exceed \$210,000.00,

32 and being paid using retained fees Land Records Budget, Line Item No. 100.51735.988,
33 AERIAL PHOTOGRAPHY.

Fiscal Impact Statement:

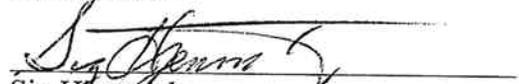
- Included within Resolution
 - See Attached
 - Not applicable
- APPROVED AS TO FORM


Corporation Counsel

SUBMITTED BY:
Land Records Committee


Steven Favorite, Chair

Ed Bluthardt


Sig Hjemyck


Ralph Sitzberger

Fiscal Note/Comment: Land Records has carried over fund balance accumulated from retained fees and this carryover fund balance appears sufficient to fund this project and it will be utilized extensively and almost in its entirety for this project.

AMENDMENT TO AGREEMENT

Amendment dated June 24, 2014

The Agreement for Professional Services (Agreement) made as of October 5, 2009 between Vilas County, Wisconsin (OWNER) and Ayres Associates Inc, 5201 East Terrace Drive, Suite 200, Madison, Wisconsin, (CONSULTANT) is hereby amended as set forth below. All other terms and conditions of the Agreement remain in full force and effect.

ARTICLE 1 - SCOPE OF SERVICES

Change in Basic Services.

- 1.1.12 Obtain digital aerial imagery during the spring of 2015 using a calibrated digital photogrammetric camera. Aerial imagery will be suitable for the production 4-band (RGB-NIR) orthoimagery at 6-inch ground pixel resolution. Aerial imagery will be planned and collected with full stereo-coverage, 30% sidelap and 60% forward overlap (+/- 5%). The aerial image acquisition will be county-wide (1018 square miles).

The aerial imagery will be acquired during spring leaf-off conditions and when the sun angle is 30 degrees or greater above the horizon.

- 1.1.13 Collect control for the project using Inertial Measurement Unit (IMU), Airborne Global Positioning System (ABGPS) and ground-based GPS technology.
- 1.1.14 Prepare an analytical aerotriangulation solution for the aerial imagery to support digital orthoimagery meeting American Society for Photogrammetry and Remote Sensing (ASPRS) Class II standards for the appropriate mapping scale.
- 1.1.15 Prepare 6-inch resolution 4-band (RGB-NIR) digital orthoimagery for 1"= 100' scale mapping for the Vilas County project area which will meet ASPRS Class II standards.
- The orthoimagery tiling structure will follow PLSS sections, delivered in uncompressed, TIFF format (with world file) and will be accompanied by a tiling schematic in ESRI format.
 - Orthoimagery will include MrSID format compressed mosaics of the tiles and the entire ortho project area.
 - Orthoimagery MrSID and TIFF deliverables will extend 500 feet beyond the County boundary.
 - Deliverable products will be referenced to the Wisconsin County Reference System (WISCRS); North American Datum 1983 (HARN); and vertically geo-referenced to the North American Vertical Datum 1988. Units will be Survey Feet.

- 1.1.16 Final deliverable products to OWNER will include:

Orthoimagery Deliverables:

- 6-inch, 4-band orthoimagery tiles in uncompressed GeoTIFF format
- 6-inch, 4-band orthoimagery tiles in compressed MrSID format
- 6-inch, 4-band orthoimagery project wide mosaic in compressed MrSID format.

- Ground control locations in ASCII format
- FGDC compliant metadata
- Tile schematic in ESRI shapefile format

1.1.17 Collect building rooflines using the 6-inch resolution orthoimagery processed from the 2015 flight. The buildings will be digitized from the orthoimagery as two dimensional polygon features. All structures 10' x 10' and larger will be collected at the roofline. All features will be delivered in shapefile format. The building roofline data collection will be county-wide (1018 square miles).

- Deliverable products will be referenced to the Wisconsin County Reference System (WISCRS); North American Datum 1983 (HARN); and vertically geo-referenced to the North American Vertical Datum 1988. Units will be Survey Feet.

1.1.18 Prepare FGDC compliant metadata

1.1.19 Final deliverable products to OWNER will include:

Building Deliverables:

- Digital building footprint polygons in ESRI shapefile format
- FGDC compliant metadata in HTML or XML format

ARTICLE 4 - PERIODS OF SERVICE

Changes in Periods of Service

4.1 The provisions of this Article 4 and the compensation for CONSULTANT's services have been agreed to in anticipation of the orderly and continuous progress of the Project. If completion dates are exceeded through no fault of CONSULTANT, compensation provided herein shall be subject to equitable adjustment, as mutually agreed upon in writing by both parties. The expiration date of this agreement shall be March 31, 2020.

4.4.b The services called for in Article 1.1.12 –1.1.16 will be completed and submitted by December 31, 2015. The services called for in Article 1.1.17 –1.1.19 will be completed and submitted by December 31, 2016.

ARTICLE 5 – PAYMENTS

Changes in Compensation for Services

5.1.1 Basic Services. OWNER shall pay CONSULTANT for Basic Services rendered as follows:

- 5.1.1.4 Orthophotography Services (Articles 1.1.12 – 1.1.16).....\$99,660.00
- 5.1.1.5 Building Collection Services (Articles 1.1.17 – 1.1.19).....\$47,340.00

Total Fees Not to Exceed.....\$431,948.00
(includes services already completed under Articles 1.1.1 – 1.1.11)

In Witness Whereof, the parties hereto have made and executed this Amendment to Agreement as of the day and year first written above.

Vilas County, Wisconsin
OWNER

Ayres Associates Inc
CONSULTANT

(Signature)

(Typed Name)

Kirk M. Contrucci

(Title)

Vice President

(Date)

RESOLUTION 2014 - 44

Re: Prohibiting the Creation of and Hiring for New Vilas County Staff Positions for a Six (6) Month Period

1 **WHEREAS**, the cost of County government impacts heavily on Vilas County taxpayers;
2 and

3 **WHEREAS**, approximately 50% of the total County budget is expended annually on
4 employee wages and benefits; and

5 **WHEREAS**, Vilas County remains under stringent levy limit controls imposed by the
6 State; and

7 **WHEREAS**, the Vilas County Board of Supervisors recently engaged in efforts to
8 reduce the annual growth and costs of County paid wages and benefits as one means of
9 controlling an annual budget deficit, including the approval of a Voluntary Reduction in Force
10 program, the hiring of limited term employees (LTE's) and the outsourcing of several formerly
11 full-time staff positions; and

12 **WHEREAS**, the creation and hiring of new staff positions may cause the County Board
13 to have to annually consider the following budgeting options:

- 14 • Forgo or reduce necessary infrastructure maintenance and improvements and
15 capital equipment purchases as funding is shifted to provide for additional new
16 staff position wage and benefit costs;
- 17 • Reduce services provided to the public as funding is shifted to provide for
18 additional new position wage and benefit costs;
- 19 • Increase reliance on yearly draws from the General Fund and/or borrowing to
20 balance the annual County budget; and
- 21 • Resort to an annual county-wide referendum, asking for public approval to
22 exceed the levy limit; and

23 **WHEREAS**, due to the recent re-hiring of a Human Resources Director and the
24 appointment in April of a new Personnel Committee, it would be advisable and beneficial to
25 allow the HR Director and the Personnel Committee reasonable time to develop a
26 comprehensive employment policy including new staff position creation guidelines; and

27 **WHEREAS**, in recognition of the points presented above, it is recommended by County
28 Board leadership to prohibit the creation of and the hiring for any new County staff positions, for
29 a period of six (6) months beginning immediately, or ending sooner pending Human Resources
30 Director and Personnel Committee development of comprehensive employment policy including
31 position creation guidelines; and

32 **WHEREAS**, exemptions to this new staff position and hiring moratorium are listed
33 below in the action portion of this resolution.

34 **NOW, THEREFORE, BE IT RESOLVED** by the Vilas County Board of Supervisors
35 in session this 26th day of August, 2014 that the creation of and the hiring for new Vilas County
36 staff positions is prohibited effective immediately and continuing for six (6) months from today's
37 date, or ending sooner pending HR and Personnel Committee development of new
38 comprehensive employment and position creation guidelines and County Board approval of the
39 same.

40 **BE IT FURTHER RESOLVED** that hiring for vacancies in previously staffed,
41 currently budgeted positions is permitted during this moratorium.

42 **BE IT FURTHER RESOLVED** that hiring for statutorily mandated new positions is
43 permitted during this moratorium.

44 **BE IT FURTHER RESOLVED** that hiring for new grant funded positions, by which no
45 county dollars are expended for wages and benefits, is also permitted during this moratorium.

46 **BE IT FURTHER RESOLVED** that this resolution supersedes any conflicting County
47 Board bylaw or rule regarding the creation of and hiring for new county staff positions during the
48 moratorium period.

FISCAL COMMENT:

- Included within Resolution
 See Attached
 Not applicable

Finance Director

H. R. REVIEW

- Approved
 Not applicable

Human Resources Director

SUBMITTED BY:

Vilas County Supervisor

Ronald De Bruyne, County Board Chairman

Mark Rogacki, County Board Vice-Chairman

Steven Doyen, County Board 2nd Vice-Chairman

APPROVED AS TO FORM

Corporation Counsel

Finance Director Fiscal Comment – The cost savings are not possible to calculate for this resolution as not all costs are known; however, I anticipate the savings are substantial to the 2015 budget.

RESOLUTION 2014 - 45

Re: Advisory Referendum Regarding Medicaid/BadgerCare to Cover Eligible Citizens Up to 138% of Federal Poverty Level

1 **WHEREAS**, the Federal government, under the Patient Protection and Affordable Care
2 Act (sometimes referred to as Obama Care), makes funding available for the
3 Medicaid/BadgerCare program to serve eligible persons with incomes up to 138% of the federal
4 poverty level; and

5 **WHEREAS**, the Federal government would provide 100% of program costs for the first
6 four years, and 90% of total program costs thereafter; and

7 **WHEREAS**, Vilas County taxpayers have already contributed their share of Federal tax
8 dollars to support the Medicaid/BadgerCare program; and

9 **WHEREAS**, Wisconsin Governor Scott Walker and the Wisconsin State Legislature
10 have rejected federal funds for our most financially vulnerable fellow citizens; and

11 **WHEREAS**, the economic burden of providing care for citizens who no longer qualify
12 for Medicaid/BadgerCare falls to County government programs and local clinics and hospitals;
13 and

14 **WHEREAS**, the Vilas County Board seeks guidance from the electorate as an effective
15 means of determining if Vilas County citizens support acceptance of Federal funds for
16 Medicaid/BadgerCare.

17 **NOW, THEREFORE BE IT RESOLVED** by the Vilas County Board of Supervisors in
18 session this 26th day of August, 2014 that we direct that an advisory referendum shall be held,
19 pursuant to Wis. Stat. 59.52(25) concurrent with the November 4, 2014 election to ascertain the
20 voter's opinion on the following question:

21 REFERENDUM QUESTION: Shall the Governor of the State of Wisconsin and
22 the Wisconsin Legislature accept federal funding for Medicaid/BadgerCare to
23 cover eligible Citizens up to 138% of the federal poverty level?

24 **BE IT FURTHER RESOLVED** that a copy of this resolution be sent to Governor Scott
25 Walker and the elected State and Federal officials representing Vilas County.

26 **BE IT FURTHER RESOLVED** that the attached explanatory statement shall
27 accompany the advisory referendum question when published in the newspaper according to law.

**SUBMITTED BY:
Social Services Committee**

Alden Bauman, Chair

Erv Teichmiller

Mark Rogacki

Kim Simac

Vernon Wiggenhauser

**SUBMITTED BY:
Public Health Committee**

Erv Teichmiller, Chair

Wally Beversdorf

Paul Hennes

Walt Maciag

Racquel Zortman-Bell

Michael Schaars, M.D.

Katie Hom, DVM

Phillip Epping, Ph.D

Laura Magstadt, RN

FISCAL COMMENT:

- Included within Resolution
 See Attached
 Not applicable

Finance Director

H. R. REVIEW

- Approved
 Not applicable

Human Resources Director

APPROVED AS TO FORM

Corporation Counsel

Finance Director Fiscal Comment – This resolution indicates that the Federal government will provide funding for this program for no more than four years. After that time period the Federal government commits to fund 90% of this program going forward. What is not stated and apparently not known is the annual cost to the State at the end of the four year period, based upon the State then having to fund 10% of program costs. Also unknown at this time is the annual amount of local program costs which may or may not be mandated by the State to be paid using County funds. In general, health care costs have increased yearly at rates well above the annual rate of inflation. It should be anticipated that Medicaid/BadgerCare program costs will also escalate accordingly.

ADVISORY REFERENDUM*

Shall the Governor of the State of Wisconsin and the Wisconsin Legislature accept federal funding for Medicaid/BadgerCare to cover eligible citizens up to 138% of the federal poverty level?

Explanatory Statement

Medicaid is a government health insurance program that bases eligibility on disability status and income. In Wisconsin, these federal and state funds are funneled through the Badgercare program. There are federal funds available to add coverage for 84,000 individuals, expanding coverage to nearly all non-disabled adults living at or below 138% of the Federal Poverty Level (FPL). Governor Walker declined the funds, fearing future cuts to the funds would leave the costs to the state. Between 2016 and 2020, the funds are scheduled to decline from 100% to 90% of total costs. States are not prohibited from dropping the coverage if the funds decrease. To compensate for the refusal of the federal funds, Governor Walker's plan lowers eligibility to adults living at 100% of the FPL, but ends the waiting list for anyone living below that limit. This brings about 82,000 people living below the poverty line into coverage, and pushes 87,000 adults above the poverty line out of coverage. Governor Walker believes that individuals not covered by the program will receive federal subsidies to purchase affordable coverage in healthcare exchanges. Many health advocates object to this refusal of funds that would ensure health care coverage.

A "yes" vote would indicate that you are in favor of the Governor of the State of Wisconsin and the Wisconsin Legislature accepting federal funding for Medicaid/BadgerCare to cover eligible citizens up to 138% of the federal poverty level.

A "no" vote would indicate that you are not in favor the Governor of the State of Wisconsin and the Wisconsin Legislature accepting federal funding for Medicaid/BadgerCare to cover eligible citizens up to 138% of the federal poverty level.

**County officials are not required to comply with the results of an advisory referendum.*

RESOLUTION 2014 - 46

Re: Oldenburg Sports Park Baseball Field Fencing

1 **WHEREAS**, Vilas County Board Resolution No. 2013-98 authorized the expenditure of
2 up to \$20,000 to be included in the 2014 Budget for the purpose of 2014 completion of the third
3 baseball field at the Oldenburg Sports Park; and

4 **WHEREAS**, the Forestry, Recreation, & Land Committee has authorized the removal
5 and replacement of chain link fence to facilitate the relocation of the final baseball field from the
6 County Fairgrounds to the Oldenburg Sports Park; and

7 **WHEREAS**, the third and final field has been moved to Oldenburg Sports Park, with
8 associated labor and equipment expenses for fence removal and replacement totaling \$18,500.

9 **NOW, THEREFORE, BE IT RESOLVED** by the Vilas County Board of Supervisors
10 in session this 26th day of August, 2014, that the Forestry, Recreation and Land Department is
11 authorized to pay up to \$18,500 for equipment and labor expenses associated with the removal
12 and replacement of chain link fence for the third baseball field at Oldenburg Sports Park, using
13 funds within the Parks and Recreation Capital Improvements Account #100.30.55200.0820.

FISCAL COMMENT:

- Included within Resolution
- See Attached
- Not applicable

Finance Director

H. R. REVIEW

- Approved
- Not applicable

Human Resources Director

APPROVED AS TO FORM

Corporation Counsel

SUBMITTED BY:

Forestry, Recreation, & Land Committee

Steven Doyen, Chair

Rocky Caffarella, Vice Chair

Ken Anderson

Art Kunde

Willy Otterpohl

Finance Director Fiscal Comment: This item was discussed during the 2014 budget process and was included in the 2014 budget for \$20,000.

RESOLUTION 2014 - 47

Re: Eagle Lake Park Pavilion

1 **WHEREAS**, Eagle Lake Park located in the Township of Washington is a high use Vilas
2 County-owned recreation facility; and

3 **WHEREAS**, the pavilion in Eagle Lake Park is in serious disrepair and as such the
4 Forestry, Recreation, & Land Committee has placed funds in the FY2014 Budget for removal
5 and replacement of the same; and

6 **WHEREAS**, the Forestry, Recreation, & Land Committee has accepted the lowest bid
7 from Pinno Buildings of Rosendale, Wisconsin in the amount of \$17,950.00 for the construction
8 of a new pavilion at Eagle Lake Park and recommends acceptance of said bid.

9 **NOW, THEREFORE, BE IT RESOLVED** by the Vilas County Board of Supervisors
10 in session this 26th day of August, 2014, that the Forestry, Recreation and Land Committee is
11 authorized to enter into a contract with Pinno Buildings of Rosendale, Wisconsin for the
12 construction of a new pavilion at Eagle Lake Park at an amount not to exceed \$17,950.00, using
13 funds within Account #100.30.55200.0820.

FISCAL COMMENT:

- Included within Resolution
- See Below
- Not applicable

SUBMITTED BY:

Forestry, Recreation, & Land Committee

Finance Director

Steven Doyen, Chair

H. R. REVIEW

- Approved
- Not applicable

Rocky Caffarella, Vice Chair

Human Resources Director

Ken Anderson

APPROVED AS TO FORM

Art Kunde

Corporation Counsel

Willy Otterpohl

Finance Director Fiscal Comment: This item was discussed during the 2014 budget process and was included in the 2014 budget for \$17,000. This line item also included funds for a project at Oldenburg Sports Park. The Oldenburg project will be completed \$1,500 under budget; therefore, there are funds available in this line item to pay for the pavilion which is \$950 over budget.

RESOLUTION 2014 - 48

Re: Sizeable Appropriation - Purchase ¾ Ton Pickup Truck

1 **WHEREAS**, the Vilas County Forestry, Recreation, and Land Committee has
2 planned the purchase of a new ¾ ton pickup truck and service body to be used primarily
3 for parks management; and

4 **WHEREAS**, the estimated cost of a new 2014 or 2015 ¾ ton 4 wheel drive
5 pickup truck including service body will not exceed \$30,000.00; and

6 **NOW, THEREFORE, BE IT RESOLVED** by the Vilas County Board of
7 Supervisors, in session this 26th day of August 2014 that an expenditure not to exceed
8 \$30,000.00 is authorized and shall be included in the County’s proposed 2015 Budget, Parks
9 and Recreation Capitol Equipment Expense Account #100.30.55200.0810, for the purpose of
10 paying for a new 2015 or 2014 ¾ ton 4 wheel drive pickup truck in 2015.

11 **BE IT FURTHER RESOLVED** that this 2015 appropriation is contingent upon
12 full Board approval at the October 2014 County Board Budget meeting.

FISCAL COMMENT:

- Included within Resolution
- See Below
- Not applicable

Finance Director

H. R. REVIEW

- Approved
- Not applicable

Human Resources Director

APPROVED AS TO FORM

Corporation Counsel

SUBMITTED BY:

Forestry, Recreation, & Land Committee

Steve Doyen, Chair

Rocky Caffarella, Vice Chair

Ken Anderson

Art Kunde

Willy Otterpohl

Finance Director Fiscal Comment – From the information I received, this truck is still very functional and is not in desperate need of repair or replacement. The vehicle does not incur a significant number of miles annually and has a long useful life which could be utilized here at Vilas County in its current state. With that being said, I would not recommend replacing it at this time or in the near future.

RESOLUTION 2014 - 49

Re: 2015 Fleet Vehicle Purchase, Vilas County Sheriff's Office

1 **WHEREAS**, the Vilas County Sheriff has identified the need to purchase six (6) new patrol
2 vehicles to allow the Sheriff's Office to adequately perform its duties. These six vehicles will replace
3 six vehicles within the fleet that have high mileage in 2014; and

4 **WHEREAS**, the State of Wisconsin has awarded Ewald Automotive Group, LLC the State
5 Bid pricing for the 2015 Dodge Charger Police Package patrol vehicles and 2015 Ford Explorer
6 Utility Police Interceptor patrol vehicles; and

7 **WHEREAS**, the Sheriff recommends the purchase of four (4) 2015 Dodge Charger
8 AWD at \$26,000.00 per vehicle, and two (2) 2015 Ford Explorer Utility Police Interceptor AWD
9 at \$26,217.00 per vehicle including delivery, for a total cost \$156,434.00; and

10 **WHEREAS**, the Vilas County Law Enforcement and Emergency Management
11 Committee recommends approval of the purchase of four (4) 2015 Dodge Charger Police Package
12 patrol vehicles and two (2) 2015 Ford Explorer Utility Police Interceptor patrol vehicles from Ewald
13 Automotive Group, LLC under the current State of Wisconsin Bid for a total cost \$156,434.00.

14 **NOW, THEREFORE, BE IT RESOLVED** by the Vilas County Board of Supervisors
15 in session this 26 day of August, 2014 that the Sheriff is authorized to order six (6) new patrol
16 vehicles from Ewald Automotive Group before October 31, 2014 deadline, at current state bid
17 price not to exceed \$156,434.00, to be paid from the FY2015 budget.

FISCAL COMMENT:

- Included within Resolution
- See Attached
- Not applicable

Finance Director

H. R. REVIEW

- Approved
- Not applicable

Human Resources Director

APPROVED AS TO FORM

Corporation Counsel

SUBMITTED BY:

**Law Enforcement and Emergency
Management Committee**

Jerry Burkett, Chair

Ed Bluthardt, Vice Chairman

Mary Kim Black

Mark Rogacki

Art Kunde

RESOLUTION 2014-50

Re: Amendment of Standing Rules for Vilas County

1 **WHEREAS**, the Legislative and Judicial Committee has re-evaluated the Standing Rules and
2 Committee Duties of the Vilas County Board of Supervisors in force at the present and deems it necessary
3 to further revise them; and

4 **WHEREAS**, the Legislative and Judicial Committee recommends that the standing rules
5 governing the title and duties of the Snowmobile Safety Committee be amended as follows;

6 **VIII. RECREATIONAL TRAILS SNOWMOBILE SAFETY COMMITTEE**

- 7 1. It shall be comprised of a county board supervisor from Forestry, Land and Recreation Committee, and
8 two additional county board supervisors appointed by the County Board Chairperson, the Parks &
9 Recreation Administrator, a member of the ~~Forestry Department~~, Sheriff's Department, Public Health
10 Department and Tourism & Publicity Department, a member of DNR law enforcement, the president/vice-
11 president of the Vilas County Snowmobile Alliance, and four additional representatives from local
12 snowmobile clubs representing the four quadrants of the County and representatives from other
13 permitted trail user groups.
- 14 2. It shall coordinate efforts to enhance public safety on local ~~snowmobile~~ recreational trails.
- 15 3. It shall coordinate efforts to improve communications between law enforcement and local ~~snowmobile~~
16 recreational trail user groups ~~clubs/organizations~~ for the purpose of accident reduction.
- 17 4. It shall support the Vilas County ~~Snowmobile Alliance~~ trail user groups in their efforts to promote safe
18 ~~snowmobiling~~, safer trails and positive public relations regarding all Vilas County ~~snowmobile~~ recreational
19 trails.
- 20 5. It shall be advisory in nature and shall report to the Forestry, Land and Recreation Committee and to ~~the~~
21 Vilas County recreational trail user groups ~~Snowmobile Alliance~~ to promote a united effort to improve
22 ~~snowmobile~~ recreational trail safety.

23 **WHEREAS**, a two-thirds (2/3) vote of the Board of Supervisors is necessary to amend the
24 Standing Rules.

25 **NOW, THEREFORE, BE IT RESOLVED** by the Vilas County Board of Supervisors in
26 session this 26th day of August, 2014 that the attached changes to the Standing Rules and Committee
27 Duties be adopted effective immediately.

28 **BE IT FURTHER RESOLVED**, that any resolutions adopted by the County Board in the past
29 governing the subject matter of this resolution are hereby rescinded and repealed.

FISCAL COMMENT

- Included within Resolution
- Not applicable

Finance Director

APPROVED AS TO FORM

Corporation Counsel

HR REVIEW

- Approved
- Not applicable

Human Resources Director

SUBMITTED BY:
Legislative & Judicial Committee

Mark Rogacki, Chair

Rocco Caffarella

Walt Maciag

Carolyn Ritter

Erv Teichmiller

RESOLUTION 2014-51

Re: Amendment of Standing Rules for Vilas County

1 **WHEREAS**, the Legislative and Judicial Committee has re-evaluated the Standing Rules and
2 Committee Duties of the Vilas County Board of Supervisors in force at the present and deems it necessary
3 to further revise them; and

4 **WHEREAS**, the Legislative and Judicial Committee recommends that the standing rules
5 governing the duties of the Legislative and Judicial Committee be amended as follows;

6 **XIII. LEGISLATIVE AND JUDICIAL**

- 7 1. It shall be the duty of this Committee to examine all legislation and Wisconsin Counties Association policy which
8 may affect or concern Vilas County.
9 2. This Committee is authorized to pursue the interests of Vilas County before the state and federal legislatures
10 and the Wisconsin Counties Association. This Committee shall make recommendations to the County Board
11 regarding a proposed course of action relating to all such legislation and policy.
12 3. It shall recommend additions or revisions to the ordinances of the County and the ~~rules~~ Standing Rules &
13 Committee Duties of the Board.
14 4. It shall act upon such other matters as may be referred to it by the County Board or its Chairperson.
15 5. Child Support Enforcement, Corporation Counsel and Veterans Service shall report to this committee.

16 and

17 **WHEREAS**, a two-thirds (2/3) vote of the Board of Supervisors is necessary to amend the
18 Standing Rules.

19 **NOW, THEREFORE, BE IT RESOLVED** by the Vilas County Board of Supervisors in
20 session this 26th day of August, 2014 that the attached changes to the Standing Rules and Committee
21 Duties be adopted effective immediately.

22 **BE IT FURTHER RESOLVED**, that any resolutions adopted by the County Board in the past
23 governing the subject matter of this resolution are hereby rescinded and repealed.

FISCAL COMMENT

- Included within Resolution
 Not applicable

Finance Director

APPROVED AS TO FORM

Corporation Counsel

HR REVIEW

- Approved
 Not applicable

Human Resources Director

**SUBMITTED BY:
Legislative & Judicial Committee**

Mark Rogacki, Chair

Rocco Caffarella

Walt Maciag

Carolyn Ritter

Erv Teichmiller

RESOLUTION 2014 - 52

Re: Budget Amendment – UW Extension

1 **WHEREAS**, the UW Extension has been authorized to make grants available to Vilas
2 County; and

3 **WHEREAS**, the UW Extension has increased funding to the Vilas County UW
4 Extension for programs and services; and

5 **WHEREAS**, the Vilas County UW Extension Committee recommends that the 2014
6 budget be amended to allow for the increased revenue and to authorize a corresponding increase
7 in expenditures as shown below:

| 8 | Revenue or | Line Item Number | Description | Amount |
|----|------------|-------------------|--------------------------|------------|
| 9 | Expense | | | |
| 10 | | | | |
| 11 | Revenue | 100.31.48319 | Digital Leader Grant | \$2,500.00 |
| 12 | Expense | 100.31.55620.0330 | Comm. Res Agent-Travel | \$1,500.00 |
| 13 | Expense | 100.31.55620.0209 | Community Resource Agent | \$1,000.00 |
| 14 | | | | |

15 **NOW, THEREFORE, BE IT RESOLVED** by the Vilas County Board of Supervisors
16 in session this 26th day of August, 2014 that the 2014 budget is amended by the amount of the
17 funds to be received, and the Finance Director is instructed to record such information in the
18 official books of the County for the year ending December 31, 2014.

19 **BE IT FURTHER RESOLVED** that the County Clerk is instructed to publish a Class 1 notice
20 within 10 days of these amendments informing the public of these particular changes.

FISCAL COMMENT:

- Included within Resolution
- See Attached
- Not applicable

Finance Director

H. R. REVIEW

- Approved
- Not applicable

Human Resources Director

APPROVED AS TO FORM

Corporation Counsel

SUBMITTED BY:

UW Extension Committee

Chuck Hayes, Chair

Racquel Zortman-Bell

Wally Beversdorf

Rocky Caffarella

Carolyn Ritter

Finance Director Fiscal Comment: The grant will allow our local UW-Extension agent to conduct additional efforts to promote broadband communication in Vilas County and will provide for additional salary for his efforts. It should be noted there is no impact to the levy. I think this resolution and grant is a win/win for Vilas County and our UW-Extension agent.

RESOLUTION 2014 - 53

RE: Appointment of Humane Officer

1 **WHEREAS**, the governing body of any political subdivision may appoint one or more
2 humane officers, pursuant to Wis. Stat. §173.03; and

3 **WHEREAS**, Vilas County has been without a Humane Officer since May 1, 2014 and

4 **WHEREAS**, Melissa Klessig has the requisite experience and education necessary to
5 fulfill the duties of Humane Officer, including state certification through the Department of
6 Agriculture, Trade and Consumer Protection; and

7 **WHEREAS**, the attached Purchase of Services contract provides compensation of the
8 Humane Officer on an annual basis in the amount of \$6,000 per year, and there is money within
9 the Public Health Department’s 2014 budget to cover the anticipated expenses associated with
10 this contract; and

11 **WHEREAS**, the Public Health Board respectfully recommends that Melissa Klessig be
12 appointed as Humane Officer for Vilas County.

13 **NOW, THEREFORE, BE IT RESOLVED** by the Vilas County Board of Supervisors
14 in session this 26th day of August, 2014, that Melissa Klessig is appointed as Humane Officer for
15 Vilas County and the attached Purchase of Services Contract is approved.

16 **BE IT FURTHER RESOLVED** that the Public Health Department send a certified copy
17 of this resolution to the Department of Agriculture, Trade and Consumer Protection, Division of
18 Animal Health.

FISCAL COMMENT:

- Included within Resolution
- See Attached
- Not applicable

Finance Director

H. R. REVIEW

- Approved
- Not applicable

Human Resources Director

SUBMITTED BY:

Public Health Board

Erv Teichmiller, Chair

Wally Beversdorf

Walt Maciag

APPROVED AS TO FORM

Corporation Counsel

Racquel Zortman-Bell

Paul Hennes

PURCHASE OF SERVICES CONTRACT

I. Parties

This Contract is made and entered into by and between the Vilas County Public Health Board, hereinafter referred to as the County, and Melissa Klessig, hereinafter referred to as the Humane Officer.

II. Contact Persons and Contract Administrators

The County's representative responsible for administration of this Contract will be the Chair of the Vilas County Public Health Board whose address is 330 Court Street, Eagle River, Wisconsin. The Humane Officer responsible for administration of this Contract will be Melissa Klessig, whose address is 2950 State Hwy 70E Eagle River WI 54521

III. Services To Be Provided

The Humane Officer agrees to perform all duties necessary to enforce Wis. Stat. §95.21 (Rabies), and Chapters 173 (Animals, Humane Officer), 174 (Dogs) and 951 (Crimes Against Animals) of the Wisconsin Statutes, as well as any applicable Vilas County Ordinances, including but not limited to the following:

1. Conduct follow-up procedures on all dogs and cats quarantined under Wis. Stat. § 95.21(5), Wis. Stats., to assure that rabies control procedures have been followed correctly. In enforcing Wis. Stat. §95.21, the Humane Officer shall coordinate rabies control measures with the County Health Department as provided by County ordinance.
2. Available to respond on-call, 24 hours per day, 7 days a week, for response to animal abuse and neglect complaints.
3. Investigate alleged violations of statutes and ordinances relating to animals and, in the course of the investigations, execute inspection warrants under Wis. Stat. §66.0119 if necessary.
4. Assist Vilas County law enforcement with animal abuse and neglect cases as deemed necessary, including but not limited to transporting animals that are held as evidence, communicating with the prosecutor, and testifying in court.
5. If authorized by the County, issue citations under Wis. Stat. §66.0113 for violations of ordinances relating to animals.
6. Maintain records for each animal taken into custody, pursuant to Wis. Stat. 173.17.

IV. Payment for Services Provided

The County shall pay to the Humane Officer an annual fee of six thousand dollars (\$6,000.00) per year for the Humane Officer's services provided under this Contract, payable in monthly installments. Humane Officer will submit a report to the County on a monthly basis, with a detailed description of the services provided.

V. Records

1. The Humane Officer shall maintain such records and financial statements as required by local, state and federal laws, rules, and regulations.
2. The Humane Officer will allow inspection of records and programs, insofar as it is permitted by state and federal law, by representatives of the County, and its authorized agents, in order to confirm the Humane Officer's compliance with the specifications of this Contract.

VI. Discrimination

In connection with the performance of work under this Contract, the Humane Officer agrees not to discriminate against any employee or applicant for employment because of age, race, religion, color, handicap, sex, physical condition, sexual orientation, developmental disability as defined in Section 51.01(5), Wisconsin Statutes, or national origin, marital status, ancestry, arrest record, conviction record, or membership in the National Guard, State Defense Force or any reserve component of the military forces of the United States or this State. The Humane Officer agrees to post in a conspicuous place available for employees and applicants for employment, notices to be provided by the Humane Officer's Administrator setting forth the provisions of the non-discrimination clause.

VII. Renegotiation

This Contract or any part thereof must be renegotiated in the case of:

1. Increased or decreased volume of services;
2. Changes required by local, federal or state laws, regulations or court actions;
3. Changes in the monies available affecting the substance of this Contract.

VIII. Contract Revisions and/or Termination

1. Failure to comply with any part of this Contract may be considered cause for revision, suspension, or termination.
2. Any revision of this Contract must be agreed upon by the County and the Humane Officer by an addendum signed by the authorized representatives of both parties.
3. The Humane Officer shall notify the County whenever it is unable to provide the required quality or quantity of services. Upon such notification, the County and the

- Humane Officer shall determine whether such inability will require a revision or cancellation of this Contract.
4. If the County finds it necessary to terminate the Contract prior to the Contract expiration date for reasons other than non-performance by the Humane Officer, actual costs incurred by the Humane Officer may be reimbursed for an amount determined by mutual agreement of both parties.
 5. This Contract may be terminated by the thirty (30) day written notice of either party.

IX. Conditions of the Parties' Obligations

1. It is understood that the Humane Officer is an independent Contractor and that activities undertaken in the performance of the duties under this Contract are not done as an employee or agent of the County. The County agrees that the Humane Officer shall have sole control of the method, hours worked, time and manner of any performance of activities and shall direct reimbursement for the cost of the same to any party providing services to be handled pursuant to Wis. Stat. §173.24.
2. This Contract is contingent upon authorization of Wisconsin and United States laws and any material amendment or repeal of the same affecting relevant funding or authority of the Vilas County Public Health Board shall serve to terminate this Contract, except as further agreed to by the parties hereto.
3. Nothing contained in this Contract shall be construed to supersede the lawful powers or duties of either party.
4. The County shall ensure that the Humane Officer meets applicable state certification and licensure requirement and shall receive from the Humane Officer a copy of the most recent licensing and/or certification report concerning the Humane Officer.
5. The County shall be notified in writing of all complaints filed in writing against the Humane Officer.
6. It is understood and agreed that the entire Contract between the parties is contained herein, except for those matters incorporated herein by reference, and that this agreement supersedes all oral agreements and negotiations between the parties relating to the subject matter thereof.
7. Humane Officer will provide no less than seven (7) days advance notice to Vilas County Sheriff's Department and Public Health Department in the event that Humane Officer will be temporarily unavailable, for any period of time, to perform services of this Contract.
8. The County will reimburse the Humane Officer for rabies related vaccines or treatments.
9. The Humane Officer will be responsible for providing any and all equipment necessary for the provision of services rendered under this Contract.

X. Indemnity and Insurance

1. The Humane Officer agrees that it will at all times during the existence of this Contract indemnify the County against any and all loss, damages, costs or expenses which the County may sustain, incur or be required to pay by reason of any eligible clients suffering personal injury, death or property loss as a result of the Humane Officer's acts or omissions while any eligible client is participating in or receiving the care and services to be furnished by the Humane Officer under this Contract; however, the provisions of this paragraph shall not apply to liabilities, losses, charges, costs, or expenses caused by the County.
2. The Humane Officer agrees to at all times during the term of this Contract keep in force a liability insurance policy issued by a company authorized to do business in the State of Wisconsin and licensed by the Wisconsin Insurance Department. Upon the execution of this Contract, the Humane Officer will furnish the County with written verification of the existence of such insurance. In the event of any action, suit or proceedings against the County upon any matter herein indemnified against, the County shall, within five (5) working days, cause written notice thereof to be given to the Humane Officer by certified mail. Said insurance policy shall provide coverage of not less than \$1,000,000.

XI. Public Records Request

Contractor shall maintain records in connection with this contract sufficient to meet the requirements of Wisconsin Public Records Law set forth in ss. 19.31 – 19.39 of the Wisconsin Statutes. Contractor shall assist County in complying with Public Records Requests pursuant to Wis. Stat. section 19.36(3).

XII. Notices

Any notice or other communication under this Contract shall be in writing and shall be deemed given upon receipt by a party at the address set forth below:

Vilas County
Public Health Department
302 W. Pine St
Eagle River, WI
54521

Humane Officer
Melissa Klessig
2950 State Hwy 70E
Eagle River WI 54521

XIII. Entire Agreement.

This Contract constitutes the entire agreement between the parties hereto and all prior and contemporaneous agreements, representations, negotiations, and understandings of the parties hereto, oral or written, are hereby superseded and merged herein.

XIV. Term of Contract

This Contract shall be in effect for one (1) year from the date of execution by both parties, and shall be automatically renewed for consecutive one (1) year terms unless either party gives written notice to the other party of its intent not to renew. Notice of non-renewal under this section must be provided to the other party at least 60 days prior to the expiration of the then current term.

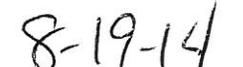


Ery Teichmiller, Chairman
Vilas County Public Health Board



Date


Melissa Klessig, Humane Officer


Date

RESOLUTION 2014 - 54

Re: Advisory Referendum Regarding Medicaid/BadgerCare to Cover Eligible Citizens Up to 138% of Federal Poverty Level

1 **WHEREAS**, the Federal government, under the Patient Protection and Affordable Care
2 Act (sometimes referred to as Obama Care), makes funding available for the
3 Medicaid/BadgerCare program to serve eligible persons with incomes up to 138% of the federal
4 poverty level; and

5 **WHEREAS**, the Federal government would provide 100% of program costs for the first
6 four years, and 90% of total program costs thereafter; and

7 **WHEREAS**, Vilas County taxpayers have already contributed their share of Federal tax
8 dollars to support the Medicaid/BadgerCare program; and

9 **WHEREAS**, Wisconsin Governor Scott Walker and the Wisconsin State Legislature
10 have rejected federal funds for our most financially vulnerable fellow citizens; and

11 **WHEREAS**, the economic burden of providing care for citizens who no longer qualify
12 for Medicaid/BadgerCare falls to County government programs and local clinics and hospitals;
13 and

14 **WHEREAS**, the Vilas County Board seeks guidance from the electorate as an effective
15 means of determining if Vilas County citizens support acceptance of Federal funds for
16 Medicaid/BadgerCare.

17 **NOW, THEREFORE BE IT RESOLVED** by the Vilas County Board of Supervisors in
18 session this 26th day of August, 2014 that we direct that an advisory referendum shall be held,
19 pursuant to Wis. Stat. 59.52(25) concurrent with the November 4, 2014 election to ascertain the
20 voter's opinion on the following question:

21 REFERENDUM QUESTION: Shall the Governor of the State of Wisconsin and
22 the Wisconsin Legislature accept federal funding for Medicaid/BadgerCare to
23 cover eligible Citizens up to 138% of the federal poverty level?

24 **BE IT FURTHER RESOLVED** that a copy of this resolution be sent to Governor Scott
25 Walker and the elected State and Federal officials representing Vilas County.

26 **BE IT FURTHER RESOLVED** that the attached explanatory statement shall
27 accompany the advisory referendum question when published in the newspaper according to law.

SUBMITTED BY:
Vilas County Supervisor

Erv Teichmiller

FISCAL COMMENT:

- Included within Resolution
 See Attached
 Not applicable

s/ Jason Hilger
Finance Director

H. R. REVIEW

- Approved
 Not applicable

Human Resources Director

APPROVED AS TO FORM
s/ Martha Milanowski
Corporation Counsel

Finance Director Fiscal Comment – This resolution indicates that the Federal government will provide funding for this program for no more than four years. After that time period the Federal government commits to fund 90% of this program going forward. What is not stated and apparently not known is the annual cost to the State at the end of the four year period, based upon the State then having to fund 10% of program costs. Also unknown at this time is the annual amount of local program costs which may or may not be mandated by the State to be paid using County funds. In general, health care costs have increased yearly at rates well above the annual rate of inflation. It should be anticipated that Medicaid/BadgerCare program costs will also escalate accordingly.

ADVISORY REFERENDUM*

Shall the Governor of the State of Wisconsin and the Wisconsin Legislature accept federal funding for Medicaid/BadgerCare to cover eligible citizens up to 138% of the federal poverty level?

Explanatory Statement

Medicaid is a government health insurance program that bases eligibility on disability status and income. In Wisconsin, these federal and state funds are funneled through the Badgercare program. There are federal funds available to add coverage for 84,000 individuals, expanding coverage to nearly all non-disabled adults living at or below 138% of the Federal Poverty Level (FPL). Governor Walker declined the funds, fearing future cuts to the funds would leave the costs to the state. Between 2016 and 2020, the funds are scheduled to decline from 100% to 90% of total costs. States are not prohibited from dropping the coverage if the funds decrease. To compensate for the refusal of the federal funds, Governor Walker's plan lowers eligibility to adults living at 100% of the FPL, but ends the waiting list for anyone living below that limit. This brings about 82,000 people living below the poverty line into coverage, and pushes 87,000 adults above the poverty line out of coverage. Governor Walker believes that individuals not covered by the program will receive federal subsidies to purchase affordable coverage in healthcare exchanges. Many health advocates object to this refusal of funds that would ensure health care coverage.

A "yes" vote would indicate that you are in favor of the Governor of the State of Wisconsin and the Wisconsin Legislature accepting federal funding for Medicaid/BadgerCare to cover eligible citizens up to 138% of the federal poverty level.

A "no" vote would indicate that you are not in favor the Governor of the State of Wisconsin and the Wisconsin Legislature accepting federal funding for Medicaid/BadgerCare to cover eligible citizens up to 138% of the federal poverty level.

**County officials are not required to comply with the results of an advisory referendum.*

General Code of Vilas County
ORDINANCE 2014-06

Re: All-Terrain Vehicle (ATV)/Utility Terrain (UTV) Ordinance

1 **WHEREAS**, the County may adopt an all-terrain vehicle (ATV)/utility terrain (UTV) ordinance
2 pursuant to Wis. Stat. §23.33(11) regulating ATVs/UTVs on ATV/UTV routes designated by the County;
3 and

4 **WHEREAS**, the Forestry, Recreation and Land Committee has reviewed this ordinance and
5 recommends adoption; and

6 **WHEREAS**, the undersigned Committees recommend adoption of an ATV/UTV ordinance
7 regulating ATVs/UTVs and designating ATV/UTV routes in Vilas County, as set forth in the attached
8 document.

9 **NOW, THEREFORE, THE VILAS COUNTY BOARD OF SUPERVISORS IN SESSION**
10 **THIS 26TH DAY OF August, 2014 DOES ORDAIN AS FOLLOWS:**

11 **Section 1:** Any existing ordinances, codes, resolutions, or portions thereof that are in conflict with
12 this ordinance shall be and are hereby repealed as far as any conflict exists.

13 **Section 2:** This ordinance shall take effect upon passage and publication as provided by law.

14 **Section 3.** If any claims, provisions, or portions of this ordinance are adjudged invalid or
15 unconstitutional by a court of competent jurisdiction, then the remainder of this ordinance shall not be
16 affected thereby.

17 **Section 4.** Chapter 26 of the Vilas County General Code, Vilas County All-Terrain Vehicle
18 (ATV)/Utility Terrain (UTV) Ordinance, is hereby created as set forth in the attached document.

SUBMITTED BY:
Legislative & Judicial Committee

SUBMITTED BY:
Highway Committee

Mark Rogacki, Chair

Charles Rayala, Chair

Rocky Caffarella

Al Bauman

Walt Maciag

Ron De Bruyne

Carolyn Ritter

Willy Otterpohl

Erv Teichmiller

Vernon Wiggerhauser

Fiscal Impact Statement:

- Inclusion within Resolution
 See Attached Not Applicable

Finance Director

APPROVED AS TO FORM

Corporation Counsel

H.R. Review

- Approved
 Not Applicable

Human Resources Director

CHAPTER 26

VILAS COUNTY ALL-TERRAIN VEHICLE (ATV)/UTILITY TERRAIN VEHICLE (UTV) ORDINANCE

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26.01 Authority and Purpose; State Law Adopted. (a) This ordinance has been created pursuant to County Board authority under Wisconsin Statutes §§59.02, 23.33(11) and 23.33(8)(b), as amended, for the purpose of establishing ATV/UTV routes in Vilas County.

(b) Except as otherwise specifically provided in this chapter, the statutory provisions in Chapter 23 of the Wisconsin Statutes, describing and defining regulations with respect to ATV/UTVs and traffic, and Chapter NR 64, ATVs, WDNR, as amended, exclusive of any provisions therein relating to penalties to be imposed and exclusive of any regulations for which the statutory penalty is a fine or term of imprisonment are hereby adopted and by reference made a part of this chapter as if fully set forth herein.

26.02 ATV/UTV Routes. (a) County trunk highways designated as ATV/UTV routes shall be established and approved by the Vilas County Board of Supervisors. The

Vilas County Highway Committee shall develop policies and procedures for designation of ATV/UTV routes including appropriate criteria for making a designation. Any modification to a designated ATV/UTV route shall be approved by the Vilas County Board of Supervisors. A copy of ATV/UTV routes, along with a map showing their location, shall be kept on file at the Vilas County Highway Department and the Vilas County Sheriff's Office. The Vilas County Highway Department and the Vilas County Sheriff shall have the authority to temporarily close any ATV/UTV route on the County Trunk Highway System, if situation warrants. Any termination of an ATV/UTV route will be done by the Vilas County Board of Supervisors.

(b) Routes Designated. The following road is designated as an ATV/UTV route:

- (i) a three (3.0) mile segment of County Trunk A from the intersection of Strong Road traveling south-east to the western intersection of Eagle Farm Road, and a three and four tenths (3.4) mile segment of County Trunk A from the eastern intersection with Eagle Farm Road to the Forest County line Town of Phelps, Vilas County, Wisconsin.

26.03 ATV/UTV Routes Only on Roadway. All ATVs/UTVs shall operate only on the paved portion of the roadway designated as an ATV/UTV route. Operation on the gravel shoulders, grassy slopes, ditches, or other highway right-of-way is prohibited and illegal.

26.04 Operation of ATVs/UTVs on County Highways. (a) All ATV/UTV operators shall observe posted roadway speed limits for ATV/UTV operation.

(b) All ATV/UTV operators shall ride in single file on the right hand side of the paved portion of the highway.

(c) All ATV/UTV operators shall have their headlight illuminated, and taillight if available, while operating on a county highway.

(d) All ATV/UTV operators at least age 12 and born on or after January 1, 1988 and operating on a county highway are required to have an ATV Safety Certificate. No one under 12 years of age is allowed to operate an ATV/UTV on a county highway. Children between the ages of 12-15 must be accompanied by an adult designated by the parent or guardian when riding on designated road routes. The child still needs safety certification and the accompaniment requirement doesn't apply to off-road trails or while crossing roads.

(e) All ATV/UTV operators under 18 years old shall wear protective headgear while operating on county highways.

26.05 Signage of ATV/UTV Routes. Pursuant to Wis. Stat. §23.33(8)(d), the following restrictions are placed on the use of ATV/UTV routes designated by this ordinance:

(a) Routes shall be marked with uniform all-terrain vehicle route signs in accordance with s. NR 64.12 (7), Wisconsin Administrative Code. The Vilas County Highway Department has sole responsibility for ATV/UTV route signage on County highways.

26.06 Enforcement. This Ordinance shall be enforced by the Vilas County Sheriff's Office.

26.07 Violations/Penalty. The penalty for operating an ATV/UTV off the roadway of a designated ATV/UTV route (i.e., the gravel shoulder, grassy slope, ditch, or other highway right-of-way) or violating any other provision of this ordinance shall result in a

forfeiture as set forth in the Deposit Schedule below, plus court costs.

26.08 Severability. Should any portion of this Ordinance be declared by the Court to be invalid, the same shall not affect the validity of the Ordinance as a whole or any part thereof, other than the part so declared to be invalid.

26.09 Effective Date. This Ordinance becomes effective immediately upon passage by the Vilas County Board of Supervisors and publication.

26.10 Deposit Schedule. The penalty for violation of any provision of this chapter shall be a forfeiture as hereinafter provided, together with court costs:

1. Illegal Operation of an ATV/UTV off roadway: \$25.00
2. Speeding on or off of the roadway in excess of posted or fixed speed limits:
 - a. 1-10 miles per hour \$25.00
 - b. 11-15 miles per hour \$50.00
 - c. 16-19 miles per hour \$75.00
 - d. 20-24 miles per hour \$100.00
 - e. 25 miles per hour and over \$125.00
3. Failure to Operate Single File: \$25.00
4. Failure to Illuminate Headlight or Taillights: \$25.00
5. Operating an ATV/UTV without Safety Certificate: \$25.00 1st offense; \$50.00 2nd and subsequent offenses
6. Operating an ATV/UTV without Protective Headgear: \$25.00 1st offense; \$50.00 2nd and subsequent offenses
7. Damage to Route, Right-of-way or ATV/UTV Sign or Removal of ATV/UTV Route Sign: \$250.00
8. Illegal Possession of ATV/UTV Sign: \$250.00

General Code of Vilas County
ORDINANCE 2014 – 07A

Re: Chapter 16 – Forest & Land Ordinance

1 **WHEREAS**, the Legislative & Judicial Committee recommends that section 16.06(8)(d) and
2 16.08(10) of the Forest & Land Ordinance be amended as described below:

3 **16.06(8)(d) Off Road Vehicles.** No person shall operate or park any unlicensed or licensed motor
4 vehicle within the County Forest Lands except where such use is specifically designated and
5 approved by the Vilas County Forestry, ~~Land Recreation~~ and ~~Land Recreation~~ Committee. All
6 designated trails must adhere to the Vilas County Forest 15 Year Comprehensive Land Use Plan,
7 Vilas County Outdoor Recreation Plan and the Vilas County Trail Policy. “Motor Vehicle”
8 includes but is not limited to trail bikes, motorcycles, mini-bikes, and all-terrain vehicles.
9

10 **16.08(10) Off Road Vehicles.** No person shall operate or park any unlicensed or licensed motor
11 vehicle within the County Forest Lands and recreational areas except where such use is
12 specifically designated and approved by the Vilas County Forestry, Recreation and Land
13 Committee. All designated trails must adhere to the Vilas County Forest 15 Year Comprehensive
14 Land Use Plan, Vilas County Outdoor Recreation Plan and the Vilas County Trail Policy. “Motor
15 Vehicle” includes but is not limited to trail bikes, motorcycles, mini-bikes and all-terrain vehicles.
16

17 **NOW, THEREFORE, THE VILAS COUNTY BOARD OF SUPERVISORS IN SESSION**
18 **THIS 26th DAY OF AUGUST, 2014, DOES ORDAIN AS FOLLOWS:**

19 **Section 1:** Any existing ordinances, codes, resolutions, or portions thereof that are in conflict
20 with this ordinance shall be and are hereby repealed as far as any conflict exists.

21 **Section 2:** This ordinance shall take effect upon passage and publication as provided by law.

22 **Section 3:** If any claims, provisions, or portions of this ordinance are adjudged invalid or
23 unconstitutional by a court of competent jurisdiction, then the remainder of this ordinance shall not be
24 affected thereby.

25 **Section 4:** Section 16.06(8)(d) and 16.08(10) of Chapter 16 of the Forest and Land Ordinance
26 are hereby amended as set forth above.

FISCAL COMMENT

- Included within Resolution
 Not applicable

Finance Director

APPROVED AS TO FORM

Corporation Counsel

HR REVIEW

- Approved
 Not applicable

Human Resources Director

SUBMITTED BY:

Legislative & Judicial Committee

Mark Rogacki, Chair

Rocky Caffarella

Walt Maciag

Carolyn Ritter

Erv Teichmiller

General Code of Vilas County
ORDINANCE 2014 – 08A

Re: Chapter 7 - Traffic

1 **WHEREAS**, the Legislative & Judicial Committee recommends that section 7.05 of the Vilas
2 County Traffic Code, Vehicles on Snowmobile Trails Prohibited, be amended as described below:

3 **7.05 Vehicles on Snowmobile Trails Prohibited.** No person shall operate a bicycle, 4-wheel
4 drive vehicle, passenger car, truck, motorcycle or all-terrain vehicle on approved Vilas County
5 Snowmobile Trails between December 1 and April 15 without the permission of the property
6 owner or lessee.

7
8 **NOW, THEREFORE, THE VILAS COUNTY BOARD OF SUPERVISORS IN SESSION**
9 **THIS 26TH DAY OF AUGUST, 2014, DOES ORDAIN AS FOLLOWS:**

10 **Section 1:** Any existing ordinances, codes, resolutions, or portions thereof that are in conflict
11 with this ordinance shall be and are hereby repealed as far as any conflict exists.

12 **Section 2:** This ordinance shall take effect upon passage and publication as provided by law.

13 **Section 3:** If any claims, provisions, or portions of this ordinance are adjudged invalid or
14 unconstitutional by a court of competent jurisdiction, then the remainder of this ordinance shall not be
15 affected thereby.

16 **Section 4:** Section 7.05 of Chapter 7 of the Traffic Code is hereby amended as follows:

17 **7.05 Vehicles on Snowmobile Trails Prohibited.** No person shall operate a bicycle, 4-wheel
18 drive vehicle, passenger car, truck, motorcycle or all-terrain vehicle on approved Vilas County
19 Snowmobile Trails between December 1 and April 15 without the permission of the property
20 owner or lessee.

FISCAL COMMENT

- Included within Resolution
 Not applicable

Finance Director

APPROVED AS TO FORM

Corporation Counsel

HR REVIEW

- Approved
 Not applicable

Human Resources Director

SUBMITTED BY:

Legislative & Judicial Committee

Mark Rogacki, Chair

Carolyn Ritter

Rocky Caffarella

Walt Maciag

Erv Teichmiller