

MEETING OF THE PRICE COUNTY BOARD OF SUPERVISORS

November 14, 2023

Meeting Minutes

County Board Room 101, 126 Cherry St, Phillips, WI 54555

Meeting called to order at 9:00 a.m. by Alan Barkstrom, County Board Chair.

Invocation: Pastor Tenut, Anchor of Truth Church.

Pledge of Allegiance recited by those in attendance.

Roll Call: Present (12): Alan Barkstrom, Doug Erickson, Brian Ernst, Jason Hastings, Paula Houdek, Robert Kopisch, Mark Kyle, Larry Palecek, Jordan Spacek, Patricia Stephan, Ginny Strobl, Dennis Wartgow. Excused: Jeff Hallstrand. Also present: Nick Trimmer.

Approval of Minutes October 17, 2023: Motion Kopisch/Houdek to approve the minutes from the October 17, 2023 meeting as presented. Motion carried on voice vote.

Communications and Announcements: None.

Public Comments: None.

Public hearing declared open at 9:05 a.m. for the proposed 2024 Budget. No correspondence, communication or comments received.

Public hearing declared closed at 9:10 a.m.

Public hearing declared open at 9:15 a.m. for:

1. An Ordinance to Amend the Code of the County of Price, Chapter 530 Thereof, Entitled Zoning, to Change Article XV Conditional Uses, Section 69 Short-term Rental
2. An Ordinance to Amend the Code of the County of Price by Deleting and Repealing Chapter 218 Thereof Entitled "Alarms"
3. An Ordinance to Amend the Code of the County of Price by Adding Chapter 403 Peace and Good Order Article XV Offenses Against State Laws Subject to Forfeiture
4. An Ordinance to Amend the Code of the County of Price by Adding Chapter 403 Peace and Good Order Article XV Possession and Sale of Hemp-derived Cannabinoid Substances
5. An Ordinance (A Local Law) to Amend the Code of the County of Price by Deleting and Repealing Chapter 469 Thereof Entitled, "Vehicles, Abandoned", and Adding a New Article VI Thereof Entitled "Abandoned motor vehicles" in Chapter 473 Thereof Entitled "Vehicles and Traffic".

No correspondence, communication or comments received.

Public hearing declared closed at 9:19 a.m.

Ordinances:

Ordinance 2023-04

An Ordinance to Amend the Code of the County of Price, Chapter 530 Thereof, Entitled Zoning, to Change Article XV Conditional Uses, Section 69 Short-term Rental

Be it ordained (enacted) by the Price County Board of Supervisors, as follows:

Section 1. Chapter 530 Zoning of the Code of the County of Price, is hereby amended to change Article XV Conditional Uses, Section 69 Short-term rentals as follows:

§530-69. Short-term Rentals.

In order to have fair and consistent regulation of all short-term rentals of single-family residences, all short-term rentals must have a valid conditional use permit and shall adhere to the provisions as follows:

- A. Approval of conditional use permits for short-term rental is only granted to the applicant. Conditional use permits for short-term rentals expire at time of property transfer.
- B. Each rental must adhere to state regulations in collecting all applicable state and local taxes, including local room taxes.
- C. Each rental must comply with all County ordinances, state laws, state statutes, state administrative rules, and federal regulations.
- D. Each rental must adhere to Wisconsin Department of Health Services requirements.
- E. Outdoor parking for overnight and day guests shall be limited to designated parking/driveway areas on the short-term rental property. Parking for short-term rental occupants and guests is not allowed on any public road or public right-of-way.
- F. Overnight occupancy of tents, campers or recreational vehicles is not permitted on short-term rental property.
- G. Neither the property that is subject to the conditional use permit, nor any property owned by the property owner within Price County, shall have any delinquent property taxes, fees, penalties or forfeitures owed to the County or room tax due to any local government entity.
- H. Each rental must list the maximum number of renters in the conditions.
- I. Failure to adhere to the provisions established in this section may result in the action of the Price County Land Use and UW Extension Committee terminating the conditional use permit for the parcel upon which noncompliance has been documented.

J. Items to be submitted with conditional use permit application:

- 1) If the property is served by a private onsite wastewater treatment system (POWTS) that is greater than 10 (ten) years old, an existing POWTS evaluation form must be submitted with the conditional use permit application.
- 2) If the existing septic system does not have a soil test meeting the requirements of the Wisconsin Administrative Code for Safety and Professional Services Chapter SPS 385, Soil and Site Evaluations, a soil boring, conducted by a certified soil tester, will need to be provided with the existing POWTS evaluation form.
- 3) Copy of the seller's permit issued by the Wisconsin Department of Revenue and municipal room tax permit (if imposed by the municipality where parcel is located).

Section 2. Effective date.

This ordinance shall become effective upon the date of publication.

Submitted by the Price County Land Use / UW-Extension Committee: s/Dennis Wartgow, Chair; Alan Barkstrom; Doug Erickson; Robert Kopisch; Ginny Strobl. Reviewed by County Administrator: s/Nicholas Trimner. Adopted by the Price County Board of Supervisors on this 14th day of November 2023. s/Alan Barkstrom, County Board Chair; Jean Gottwald, County Clerk.

Motion Kyle/Erickson to consider ordinance for adoption.

Motion Kopisch/Spacek to approve amendments to the originally submitted ordinance as presented. Roll call vote on amendment: Yes (12): Barkstrom, Erickson, Ernst, Hastings, Houdek, Kyle, Kopisch, Palecek, Spacek, Stephan, Strobl, Wartgow. No (0). Motion carried. Roll call vote on ordinance adoption: Yes (12): Barkstrom, Erickson, Ernst, Hastings, Houdek, Kyle, Kopisch, Palecek, Spacek, Stephan, Strobl, Wartgow. No (0). Motion carried.

Ordinance 2023-05

An Ordinance to Amend the Code of the County of Price by Deleting and Repealing Chapter 218 Thereof Entitled "Alarms"

Be it ordained (enacted) by the Price County Board of Supervisors:

Section 1.

The Code of the County of Price is hereby amended by deleting and repealing Chapter 218, Alarms.

Section 2.

Effective Date.

This ordinance (local law) shall become effective upon the date of publication.

Submitted by the Price County Law Enforcement Committee: s/Larry Palecek, Chair; Doug Erickson; Brian Ernst; Robert Kopisch; Ginny Strobl. Reviewed by County Administrator: s/Nicholas Trimner.

Adopted by the Price County Board of Supervisors on this 14th day of November 2023. s/Alan Barkstrom, County Board Chair; Jean Gottwald, County Clerk.

Motion Strobl/Spacek to consider ordinance for adoption. Roll call vote on ordinance adoption: Yes (12): Barkstrom, Erickson, Ernst, Hastings, Houdek, Kyle, Kopisch, Palecek, Spacek, Stephan, Strobl, Wartgow. No (0). Motion carried.

Ordinance 2023-06

An Ordinance to Amend the Code of the County of Price by Adding Chapter 403 Peace and Good Order Article XV Offenses Against State Laws Subject to Forfeiture

Be it ordained (enacted) by the Price County Board of Supervisors as follows:

Section 1. The Code of the County of Price is hereby amended by adding Article XV Offenses Against State Laws Subject to Forfeiture.

§ 403-62. Offenses against state laws subject to forfeiture enumerated.

The following statutes defining offenses against the peace and good order of the state are adopted by reference to define offenses against the peace and good order of the County. Any future amendments, revisions or modifications of the statutes incorporated herein by reference are intended to be made part of this chapter.

<u>Statute Section</u>	<u>Subject</u>
254.92	Purchase or possession of tobacco products by a person under 18 prohibited
941.10	Negligent handling of burning material
941.12(2) and (3)	Interfering with firefighting
943.01(1)	Damage to property
943.017	Graffiti
943.125	Entry into locked coin box
943.15	Entry onto a construction site or into a locked building, dwelling or room
943.20	Theft (value under \$500)
943.21	Fraud on hotel or restaurant keeper, recreational

	attraction, taxicab operator, or gas station (value under \$500)
943.37	Alteration of property identification marks
946.41	Resisting or obstructing officer

§ 403-63. Violations and penalties.

Anyone causing, creating or maintaining a violation of this article shall be subject to a forfeiture as provided in Chapter 290 of the County Code, together with cost of prosecution.

Section 2. Effective date.

This ordinance shall be effective as of date of publication.

Submitted by the Price County Law Enforcement Committee: s/Larry Palecek, Chair; Doug Erickson; Brian Ernst; Robert Kopisch; Ginny Strobl. Reviewed by County Administrator: s/Nicholas Trimner.

Adopted by the Price County Board of Supervisors on this 14th day of November 2023. s/Alan Barkstrom, County Board Chair; Jean Gottwald, County Clerk.

Motion Palecek/Houdek to consider ordinance for adoption.

Motion Spacek/Ernst to approve amendments to the originally submitted ordinance as presented. Roll call vote on amendment: Yes (12): Barkstrom, Erickson, Ernst, Hastings, Houdek, Kyle, Kopisch, Palecek, Spacek, Stephan, Strobl, Wartgow. No (0). Motion carried. Roll call vote on ordinance adoption: Yes (12): Barkstrom, Erickson, Ernst, Hastings, Houdek, Kyle, Kopisch, Palecek, Spacek, Stephan, Strobl, Wartgow. No (0). Motion carried.

Ordinance 2023-07

An Ordinance to Amend the Code of the County of Price by Adding Chapter 403 Peace and Good Order Article XV Possession and Sale of Hemp-derived Cannabinoid Substances

Be it ordained (enacted) by the Price County Board of Supervisors as follows:

Section 1. The Code of the County of Price is hereby amended by adding Article XV

§ 403-64. Possession prohibited

Possession, use, and/or the sale of marijuana, hashish (any form thereof), and derivatives of tetrahydrocannabinol from the cannabis plant are prohibited as stated herein.

§ 403-65. Definitions.

As used in this article, the following terms shall have the meanings indicated:

**MARIJUANA**

All parts of the Cannabis Sativa L., whether growing or not; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin. It does not include the mature stalks of the plant, fiber produced by the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalk (except the resin extracted therefrom), fiber, oil or cake or the sterilized seeds of the plant, which is incapable of germination. It also includes any hemp-derived cannabinoids including, but not limited to the following:

- A. A cannabinoid other than Delta-9 Tetrahydrocannabinol (THC), or an isomer derived from such cannabinoid (including but not limited to Delta-8 THC, Delta-10 THC, Hexahydrocannabinol (HHC), HHC-O, THCA, THC-O, THCP, THCv); or
- B. A hemp-derived product containing Delta-9 tetrahydrocannabinol in a concentration of 0.3% or less; but
  - 1) Does not include non-intoxicating cannabinoids, including cannabidiol (CBD), which is an active ingredient in cannabis, but does not cause intoxication by itself, is not addictive, and does not contain other isomers as set forth herein.

**HASHISH**

A purified resin prepared from the flowering clusters and top leaves of the female cannabis plant and intoxicant.

**PRACTITIONER**

A physician, dentist, veterinarian, podiatrist, scientific investigator, or other person licensed, registered, or otherwise permitted to distribute, dispense, conduct research with respect to or administer a controlled substance in the course of professional practice or research in this County. Also, a pharmacy, hospital, or other institution licensed, registered, or otherwise permitted to distribute, dispense, conduct research with respect to or administer a controlled substance in the course of professional practice or research in this County.

**DRUG PARAPHERNALIA**

All equipment, products and materials of any kind which are used, intended for use, or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, texting, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled substance, as defined in Wis. Stats. Ch. 961 in violation of this article. It includes, but is not limited to,

hypodermic syringes, needles and other objects used, intended for use or designed for use in parenterally injecting controlled substances into the human body.

§ 403-66. Unlawful acts.

- A. Possession. It is unlawful for any person to possess, use or sell marijuana and/or hashish (any form thereof), hemp-derived cannabinoids, and derivatives of tetrahydrocannabinol from the cannabis plant such as, but not limited to, Delta-8 and Delta-10 THC, unless obtained directly from, or pursuant to, a valid prescription or order of, a practitioner while acting in the course of his or her professional practice, or except as otherwise authorized by Wis. Stats. Ch. 961.
- B. Sale. It is unlawful to sell or deliver marijuana and/or hashish (any form thereof), hemp-derived cannabinoids, and derivatives of tetrahydrocannabinol from the cannabis plant such as, but not limited to, Delta-8 and Delta-10 THC, except as specifically allowed by Wis. Stats. Ch. 961.

§ 403-67. Prohibited Activities.

- A. Possession of drug paraphernalia. No person may use, or possess with intent to use, drug paraphernalia to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale, or otherwise introduce into the human body a controlled substance in violation of this article.
- B. Manufacture, sale, or delivery of drug paraphernalia. No person may sell, deliver, possess with intent to deliver, or manufacture with the intent to deliver drug paraphernalia, knowing that it will be used to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale or otherwise introduce into the human body a controlled substance in violation of this article.
- C. Advertisement of drug paraphernalia. No person may place in any newspaper, magazine, handbill, or other publication, or upon any outdoor billboard or sign, any advertisement, knowing that the purpose of the advertisement, in whole or in part, is to promote the sale of objects designed or intended for use as drug paraphernalia.
- D. Exemption. This section does not apply to manufacturers, practitioners, pharmacists, owners of pharmacies and other persons whose conduct is in accordance with Wis. Stats. Ch. 961. This subsection does not prohibit the possession, manufacture, or use of hypodermics in accordance with Wis. Stats. Ch. 961.

§ 403-68. Enforcement; violations and penalties.

- A. Injunction. The provisions of this article may be enforced by injunction in any court of competent jurisdiction.
- B. Seizure. Any drug and/or paraphernalia used in violation of this article shall be seized and forfeited to the County.
- C. Penalty. Any person who violates this article or who violates any condition upon which he is granted a license may be subject to a forfeiture as provided in Chapter 290 of the County Code.

Section 2. Effective date.

This ordinance shall be effective as of date of publication.

Submitted by the Price County Law Enforcement Committee: s/Larry Palecek, Chair; Doug Erickson; Brian Ernst; Robert Kopisch; Ginny Strobl. Reviewed by County Administrator: s/Nicholas Trimner.

Adopted by the Price County Board of Supervisors on this 14th day of November 2023. s/Alan Barkstrom, County Board Chair; Jean Gottwald, County Clerk.

Motion Kopisch/Ernst to consider ordinance for adoption.

Motion Spacek/Erickson to approve amendments to the originally submitted ordinance as presented. Roll call vote on amendment: Yes (12): Barkstrom, Erickson, Ernst, Hastings, Houdek, Kyle, Kopisch, Palecek, Spacek, Stephan, Strobl, Wartgow. No (0). Motion carried. Roll call vote on ordinance adoption: Yes (12): Barkstrom, Erickson, Ernst, Hastings, Houdek, Kyle, Kopisch, Palecek, Spacek, Stephan, Strobl, Wartgow. No (0). Motion carried.

#### Ordinance 2023-08

An Ordinance (A Local Law) to Amend the Code of the County of Price by Deleting and Repealing Chapter 469 Thereof Entitled, "Vehicles, Abandoned", and Adding a New Article VI Thereof Entitled "Abandoned motor vehicles" in Chapter 473 Thereof Entitled "Vehicles and Traffic".

Be it ordained (enacted) by the Price County Board of Supervisors as follows:

Section 1. The Code of the County of Price is hereby amended by deleting and repealing Chapter 469, Licenses Vehicles, Abandoned.

Section 2. The Code of the County of Price is hereby amended by adding the new Article VI to Chapter 473 to replace Chapter 469 hereinabove repealed, to be Chapter 473, Vehicles and Traffic, Article VI Abandoned motor vehicles to read as follows:

Chapter 473. Vehicles and Traffic

Article VI Abandoned Motor Vehicles

§ 473-23. Definitions. As used in this article, the following terms shall have the meanings indicated:

ABANDONED VEHICLE

Any vehicle that has been left unattended on any road or highway in the County of Price or upon public or private property without the permission of the owner or other person charged with the lawful jurisdiction thereof for more than 48 hours.

ROAD

Any public highway or alley and shall mean the entire width between the boundary lines of any public way where any part thereof is open to the public for the purpose of vehicular traffic.

TOWING AGENCY

Any towing agency authorized by the County of Price to tow vehicles on the County's behalf.

UNATTENDED

Unmoved from its location with no obvious sign of continuous human use. For purposes of this article, a vehicle shall be presumed unattended if it is found in the same position 48 hours after issuance of a traffic ticket or citation and if such traffic ticket or citation remains placed upon the windshield during said 48 hours.

VEHICLE

Any vehicle which is self-propelled, including a motor vehicle as defined in the Wisconsin Statutes, and also means every device in, upon, or by which any person or property is or may be transported, and every type of equipment on wheels, including farm machinery, whether or not such vehicle is registered under Wisconsin law.

§ 473-24. Abandonment of vehicles on road or highways prohibited.

No person shall leave unattended any vehicle on any public road or highway or private or public property in the County of Price for such time and under such circumstances as to cause the vehicle to reasonably appear to have been abandoned.

§ 473-25. Exceptions. This section shall not apply to:

- A. A vehicle in an enclosed building or a vehicle stored on a premises licensed for storage of junk or junked vehicles and fully in compliance with County zoning regulations or to a vehicle parked in a paid parking lot or space where the required fee has been paid.
- B. Any vehicle left unattended for more than 48 hours on any public road or public ground when designated as not abandoned by the Sheriff's Department.

§ 473-26. Emergency removal.

- A. Every sworn member of the Sheriff's Department is hereby authorized to remove or have removed any vehicle whose location or existence jeopardizes public safety by either creating an unsafe condition or by significantly hindering the efficient movement of traffic.
- B. Any vehicle that has been removed for this purpose and remains unclaimed for 10 (ten) days at the impoundment site after certified mail notice has been sent to the owner and lienholders of record shall be considered abandoned and shall be dealt with according to the provisions of this article.

§ 473-27. Removal, impounding and storage of motor vehicles.

- A. Authority to remove or impound.
  - 1) Abandoned vehicles.
    - i. Every sworn member of the Sheriff's Department is hereby authorized to remove or to have removed any abandoned, wrecked, inoperative, junked, dismantled, or partially dismantled vehicle left at any place within the County of Price which reasonably appears to be in violation of this article or to be lost, stolen, or unclaimed.
    - ii. Any County law enforcement officer who discovers any such vehicle on any public road or highway or private or public property in the County of Price may cause the vehicle to be removed to an impoundment location until lawfully claimed or disposed of in accordance with this article and the procedures of the Sheriff's Department.
- B. Prior to having the vehicle towed, the Sheriff's Department shall determine whether the vehicle is lost, stolen or unclaimed.
  - 1) Vehicles which are determined to be stolen or needed for investigation shall be towed to the County's impound lot, and a fee for towing shall be paid to the towing agency. They shall be held until such time as the Sheriff's Department determines they may be disposed of pursuant to this section or pursuant to state or federal law.
  - 2) Vehicles which are not stolen or needed for investigation shall be towed to the County's impound lot, and a fee for towing shall be paid to the towing agency. Such vehicles shall be disposed of pursuant to § 473-29A.

§ 473-28. Storage, notice and reclaiming of abandoned and/or unregistered vehicles.

- A. Storage and reclaiming. Any vehicle which is determined by the Sheriff's Department to be abandoned shall be retained in storage for a period of 10 (ten) days after the Sheriff's Department sends a certified mail notice to the owner and lienholders of record. A fee in an amount set by the County Board for storage of an impounded vehicle shall be charged. Any such vehicle which may be lawfully reclaimed may be released upon the payment of all accrued charges, including any forfeiture imposed for the violation of this article, towing, storage, and notice charges, and upon presentation of the vehicle title or other satisfactory evidence to the Sheriff's Department to prove ownership or secured party interest in said vehicle. In the case of unregistered vehicles, satisfactory evidence that the vehicle is currently registered, or that an application for registration (including satisfactory emissions inspections) and the applicable fee has been delivered or mailed to the Department of Motor Vehicles, or that the vehicle is exempt from registration, must be presented.
- B. Notice to owner or secured party. Certified mail notice, as referred to herein, shall be made by the Sheriff's Department and shall notify the owner and lienholders of record of the following:
  - 1) That the vehicle has been deemed abandoned or unregistered and impounded by the County of Price, giving the year, make, model, and serial number of the vehicle and where the vehicle is being held, and shall inform the owner and any lienholders of their right to reclaim the vehicle.
  - 2) That if the vehicle is not wanted for evidence or other reason, the vehicle may be reclaimed upon the payment of all accrued charges, including towing, storage, and notice charges, within 10 (ten) days of the date of notice.
  - 3) That the failure of the owner or lienholders to exercise their rights to reclaim the vehicle under this section shall be deemed a waiver of all right, title, and interest in the vehicle and a consent to the sale of the vehicle. Each retained vehicle not reclaimed by its owner or lienholder may be disposed of under this section.

§ 473-29. Disposal of abandoned and/or unregistered vehicles.

- A. Any vehicle impounded by the County may be sold by public auction sale or public sale calling for the receipt of sealed bids. A Class 1 notice, including the description of the vehicle, the name(s) and address(es) of the titled owner and secured party of record, if known, and the time of sale, shall be published before the sale. Any interested person may offer bids on each vehicle to be sold. At such sale, the highest bid for any such motor vehicle shall be accepted unless the same is deemed inadequate by the County Sheriff or his designee, in which event all bids may be rejected. If all bids are rejected or no bid is received, the County may either readvertise the sale, adjourn the sale to a definite date, sell the vehicle at a private sale or junk the vehicle.
- B. When any vehicle is to be sold pursuant to Subsection A, a public notice shall be posted at the Sheriff's Department and at the County Courthouse. The posting of the notice shall be in the same form as the certified mail notice sent to the owner or lienholders of record. Any listing of vehicles to be sold by the County shall be made available to any interested person or organization who or which makes a written request for such list to the County Sheriff or his designee.
- C. Upon sale of a vehicle pursuant to Subsection A, the County shall provide the purchaser with a completed seized/abandoned/unregistered vehicle transfer certificate enabling the purchaser to obtain a regular certificate of title for the vehicle.
- D. The purchaser shall have 10 (ten) days to remove the vehicle from the storage area but shall pay the storage fee set forth in § 473.28A for each day the vehicle remains in storage after the second business day subsequent to the sale date. Ten days after the sale the purchaser shall forfeit all interest in the vehicle and the vehicle shall be deemed to be abandoned and may be sold again.

§ 473-30. Report of sale or disposal.

Within five days after the direct sale or disposal of a vehicle as provided for herein, the County Sheriff or his designee shall advise the State of Wisconsin Department of Transportation, Division of Motor Vehicles, of such sale or disposal on a form supplied by said Division. A copy of the form shall be given to the purchaser of the vehicle enabling the purchaser to obtain a regular certificate of title for the vehicle.

§ 473-31. Owner responsible for impoundment and disposal costs.

- A. The owner of any abandoned vehicle is responsible for the ordinance violation and all costs of impounding and disposing of the vehicle. Costs not covered from the sale of the vehicle may be recovered in a civil action by the County against the owner.
- B. Payment of removal and impoundment costs is not required when the vehicle has been impounded for purposes of law enforcement investigation.

§ 473-32. Violation and penalties.

Anyone causing, creating or maintaining a violation of this article shall be subject to a forfeiture as provided in Chapter 290 of the County Code, together with cost of prosecution.

Section 2. Effective date.

This ordinance shall be effective as of date of publication.

Submitted by the Price County Law Enforcement Committee: s/Larry Palecek, Chair; Doug Erickson; Brian Ernst; Robert Kopisch; Ginny Strobl. Reviewed by County Administrator: s/Nicholas Trimner.

Adopted by the Price County Board of Supervisors on this 14th day of November 2023. s/Alan Barkstrom, County Board Chair; Jean Gottwald, County Clerk.

Motion Strobl/Ernst to consider ordinance for adoption.

Motion Strobl/Spacek to approve amendments to the originally submitted ordinance as presented. Roll call vote on amendment: Yes (12): Barkstrom, Erickson, Ernst, Hastings, Houdek, Kyle, Kopisch, Palecek, Spacek, Stephan, Strobl, Wartgow. No (0). Motion carried. Roll call vote on ordinance adoption: Yes (12): Barkstrom, Erickson, Ernst, Hastings, Houdek, Kyle, Kopisch, Palecek, Spacek, Stephan, Strobl, Wartgow. No (0). Motion carried.

Resolutions:

Resolution 43-23  
2023 Property Tax Levy

BE IT RESOLVED, by the Price County Board of Supervisors, duly assembled in Annual Session, this 14<sup>th</sup> day of November 2023, that the budget prepared by the Executive Committee, which has been approved by action of the Price County Board of Supervisors, be and hereby levied against the tax districts in Price County, and that the County Clerk be and hereby is authorized and directed to appropriate the levy to each tax district as provided by law:

2023 Property Tax Levy, payable in 2024: \$11,761,701

Submitted by: s/Alan Barkstrom, Chair; Price County Board of Supervisors

Reviewed by County Administrator: s/Nicholas Trimner

Adopted by the Price County Board of Supervisors this 14<sup>th</sup> day of November 2023.

s/Alan Barkstrom, County Board Chair; Jean Gottwald, County Clerk.

Motion Spacek/Palecek to consider resolution for adoption. Roll call vote on resolution adoption: Yes (12): Barkstrom, Erickson, Ernst, Hastings, Houdek, Kyle, Kopisch, Palecek, Spacek, Stephan, Strobl, Wartgow. No (0). Motion carried.

Resolution 44-23

Authorize the Issuance of Tax Deed for 2020

WHEREAS, the Treasurer of Price County has issued 2020 tax certificates on properties for nonpayment of real estate taxes; and

WHEREAS, the owners or claimants of the parcels have not satisfied redemption of said tax certificates and that said parcels continue to remain unredeemed.

NOW, THEREFORE BE IT RESOLVED, by the Price County Board of Supervisors that the County Clerk be and is hereby ordered to issue tax deed against the properties listed as attached on the unredeemed tax certificates for 2020 and also those prior years pursuant to §75.14 Wisconsin Statutes, excepting that no tax deed will be taken for any property with visible evidence of contamination or determined to not be in the best interest of the County; and

BE IT FURTHER RESOLVED that the Executive Committee will have final authority in deciding if said tax deed properties are processed as tax deed pursuant to §75.14 Wisconsin Statutes or processed as In Rem pursuant to §75.521 Wisconsin Statutes.

Submitted by the Price County Executive Committee. s/Alan Barkstrom, Chair; Brian Ernst; Jeffrey Hallstrand; Paula Houdek; Larry Palecek. Reviewed by County Administrator: s/Nicholas Trimner.

Adopted by the Price County Board of Supervisors on this 14th day of November 2023. s/Alan Barkstrom, County Board Chair; Jean Gottwald, County Clerk.

Motion Strobl/Ernst to consider resolution for adoption. Roll call vote on resolution adoption: Yes (12): Barkstrom, Erickson, Ernst, Hastings, Houdek, Kyle, Kopisch, Palecek, Spacek, Stephan, Strobl, Wartgow. No (0). Motion carried.

Resolution 45-23

Approve Buildings and Grounds Maintenance Projects to be Funded with Money Transferred from the  
Capital Improvement Fund

WHEREAS, it is the responsibility of the Price County Buildings and Grounds Department to keep and maintain all County properties and buildings for the safe use by County residents; and

WHEREAS, it has been determined that the following projects, with anticipated approximate costs of necessary

Courthouse and Normal Buildings Parking Lots	\$300,000
Normal Building Boiler	\$225,000
Courthouse Boiler Ventilation	\$ 25,000; and

WHEREAS, the Buildings and Grounds Committee has reviewed and approved these projects; and

WHEREAS, to fund these projects, it has been deemed necessary, and in the best interest of the County, that such funds be transferred from the Capital Improvement Fund in an amount not to exceed \$550,000.

NOW THEREFORE BE IT RESOLVED that the Price County Board of Supervisors approve the projects presented in the amount of \$550,000 with funds of up to \$550,000 to be transferred from the Capital Improvement Fund.

Submitted by the Price County Executive Committee. s/Alan Barkstrom, Chair; Brian Ernst; Jeffrey Hallstrand; Paula Houdek; Larry Palecek. Reviewed by County Administrator: s/Nicholas Trimmer.

Adopted by the Price County Board of Supervisors on this 14th day of November 2023. s/Alan Barkstrom, County Board Chair; Jean Gottwald, County Clerk.

Motion Strobl/Kopisch to consider resolution for adoption. Roll call vote on resolution adoption: Yes (12): Barkstrom, Erickson, Ernst, Hastings, Houdek, Kyle, Kopisch, Palecek, Spacek, Stephan, Strobl, Wartgow. No (0). Motion carried.

#### Resolution 46-23

##### 2024 - 2025 County Board Chair Salary and County Board Supervisor Per Diem

WHEREAS, it is the responsibility of the Administrative Committee to review the County Board Chair's annual salary and the County Board Supervisors per diem; and

WHEREAS, is the responsibility of the Price County Board of Supervisors to set the salaries for elected officials pursuant to Wis. State Statutes 59.15, "prior to the earliest time for filing nomination papers"; and WHEREAS, the County Board Chair's annual salary is currently \$6,000 plus ~~\$100~~ \$75 per meeting day per diem for County Board meetings and ~~\$75~~ \$50 per meeting day per diem for committee meetings he/she serves on and;

WHEREAS, the County Board Supervisors per diem is ~~\$100~~ \$75 per meeting day per diem for County Board meetings and ~~\$75~~ \$50 per meeting day per diem for committee meetings he/she serves on; and WHEREAS, the Administration Committee has reviewed the salary of the County Board Chair and the County Board Supervisors per diems as outlined above and forwards, as a recommendation, to the County Board for their consideration.

NOW THEREFORE BE IT RESOLVED, by the Price County Board of Supervisors does hereby authorize the County Board Chair annual salary to be \$6,000 and the County Board Supervisor per diem to be \$100 for County Board meetings, \$75 for all other authorized committee/board/commission/ad hoc meetings attended, an additional \$25 for serving as chairperson of any standing committee/board/ad hoc of the County Board (excluding the Executive Committee) and \$25 for any subsequent authorized meeting(s) held the same day as another authorized meeting, except when held on the same day as a County Board meeting, to be effective for the two-year term beginning April 16, 2024.

Submitted by the Price County Administration Committee. s/Dennis Wartgow, Chair; Jeffrey Hallstrand; Paula Houdek; Mark Kyle; Jordan Spacek. Reviewed by County Administrator: s/Nicholas Trimmer.

Adopted by the Price County Board of Supervisors on this 14th day of November 2023. s/Alan Barkstrom, County Board Chair, Jean Gottwald, County Clerk.

Motion Kopisch/Spacek to consider resolution for adoption.

Motion Wartgow/Kopisch to amend as presented. Roll call vote on amendment: Yes (12): Barkstrom, Erickson, Ernst, Hastings, Houdek, Kyle, Kopisch, Palecek, Spacek, Stephan, Strobl, Wartgow. No (0).

Motion carried. Roll call vote on amended resolution adoption: Yes (11): Barkstrom, Erickson, Hastings, Houdek, Kyle, Kopisch, Palecek, Spacek, Stephan, Strobl, Wartgow. No (1): Ernst. Motion carried.

#### Resolution 47-23

##### Adopt Revised Employee Handbook

WHEREAS, the Administration Committee has been charged by the Price County Board of Supervisors with the responsibility of developing, maintaining and enforcing policies and guidelines for personnel management and has also been charged with the responsibility of periodically reviewing said policies and procedures; and

WHEREAS, the Administration Committee has determined the need for various additions and/or edits to the language in the existing policies; and

WHEREAS, the Administration Committee has reviewed and approved the attached revisions to the Price County Employee Handbook and recommends them for adoption by the County Board.

NOW THEREFORE BE IT RESOLVED that the Price County Board of Supervisors adopt the revisions to the Price County Employee Handbook as presented, with an effective date of January 1, 2024.

Submitted by the Price County Administration Committee. s/Dennis Wartgow, Chair; Jeffrey Hallstrand; Paula Houdek; Mark Kyle; Jordan Spacek. Reviewed by County Administrator: s/Nicholas Trimmer.

Adopted by the Price County Board of Supervisors on this 14th day of November 2023. s/Alan Barkstrom, County Board Chair, Jean Gottwald, County Clerk.

Motion Houdek/Strobl to consider resolution for adoption. Roll call vote on resolution adoption: Yes (12): Barkstrom, Erickson, Ernst, Hastings, Houdek, Kyle, Kopisch, Palecek, Spacek, Stephan, Strobl, Wartgow. No (0). Motion carried.

#### Resolution 48-23

##### Designating General Fund Money for Parcel Replanting (Tract 6-23)



WHEREAS, Price County has 92,267 acres of land entered into the Wisconsin County Forest Law (Wis. State Statute §28.10 and §28.11); and

WHEREAS, the timber management program for the Price County Forest is governed by the Wisconsin DNR's Silvicultural and Forest Aesthetics handbook which states:

Artificial regeneration is the most reliable and most commonly practiced method to regenerate red pine stands. Proper site selection, site preparation and competition control are important for artificial regeneration to be successful; and

WHEREAS, included in the 2023 Fall Timber Sale bid packet is Tract #6-23, which includes 60 acres of red pine and spruce plantation, and will need to be artificially regenerated to maintain productivity; and

WHEREAS, as a result of the 2023 Fall Timber Sale, at least \$43,795 will be paid to the County for stumpage cut on Tract #6-23, with an associated cost of \$39,000 for regeneration planting; and NOW THEREFORE BE IT RESOLVED that when the time comes to artificially regenerate the 60 acre Tract #6-23, money from the General Fund, not to exceed \$39,000 will be transferred to the Forestry Department to cover the related expenses.

Fiscal Impact: \$39,000

Submitted by: Price County Forestry and Parks Committee: s/Jeffrey Hallstrand, Chair; Jason Hastings; Jordan Spacek; Patricia Stephan; Ginny Strobl. Reviewed by County Administrator: s/Nicholas Trimner. Reviewed by the Price County Executive Committee. s/Alan Barkstrom, Chair; Brian Ernst; Jeffrey Hallstrand; Paula Houdek; Larry Palecek. Reviewed by County Administrator: s/Nicholas Trimner. Adopted by the Price County Board of Supervisors on this 14th day of November 2023. s/Alan Barkstrom, County Board Chair; Jean Gottwald, County Clerk.

Motion Kopisch/Ernst to consider resolution for adoption. Roll call vote on resolution adoption: Yes (12): Barkstrom, Erickson, Ernst, Hastings, Houdek, Kyle, Kopisch, Palecek, Spacek, Stephan, Strobl, Wartgow. No (0). Motion carried.

#### Resolution 49-23

#### Price County Assuming Ownership and Associated Responsibilities of the Lower Steve Creek Flowage Dam

WHEREAS, in March of 2022, a dam owned and operated by the Wisconsin Department of Natural Resources (DNR) on Lower Steve Creek failed; and

WHEREAS, after inspection by the DNR, the following occurred:

- The DNR put temporary measures in place to stabilize the dam and surrounding area, and the impoundment was drawn down, and
- The DNR was ordered to repair the dam, abandon the dam, or transfer ownership of the dam to a party who would take responsibility for the dam, and
- The DNR determined that the cost of repairs was too high for its dam safety program to fund, and
- The DNR intended to pursue dam abandonment; and

WHEREAS, in March of 2023, the DNR notified Price County of the opportunity to assume ownership and associated responsibilities of the dam located on Lower Steve Creek Flowage (NE 1/4 of the SE 1/4 of Section 28, T34N, R2W) with the understanding that the County would be responsible for meeting the stipulations in the dam safety order by January 1, 2025, which include:

- engage services of an engineer registered with the State of Wisconsin to develop plans and specifications and submit an application for repair/reconstruction or abandonment/removal of the Lower Steve Creek Flowage Dam
- submit an application for transfer of the permit of the Lower Steve Creek Flowage Dam and assume any outstanding items from the order
- upon DNR approval of the plans and specifications and permit issuance by the Department, select a competent contractor to complete the work; and

WHEREAS, with an extension of time to consider accepting dam ownership, the County was able to reach out to the legislators representing Price County to a request State funding in the amount of \$750,000 for the Lower Steve Creek Flowage Dam project, which was approved for the project in the 2024-2025 state biennial budget.

NOW THEREFORE BE IT RESOLVED, that the Price County Board of Supervisors accept the state funding of \$750,000 designated for the Lower Steve Creek Flowage Dam project and move forward with the process for transfer of ownership and responsibility of the dam located on Lower Steve Creek Flowage (NE 1/4 of the SE 1/4 of Section 28, T34N, R2W) from the Wisconsin Department of Natural Resources to Price County; and

BE IT FURTHER RESOLVED, that Price County will work with the Wisconsin Department of Natural Resources to comply with the DNR Order for Dam Reconstruction or Abandonment; and

BE IT FURTHER RESOLVED, that Price County acknowledges the receipt of an agreement from the Town of Kennan (attached) specifying that the Town will not hold Price County liable for any damages to Wolf Creek Lane, which is the access to the Lower Steve Creek Flowage Dam, the Town will maintain Wolf Creek Lane and will not discontinue the road without the written consent of Price County.

Submitted by: Price County Forestry and Parks Committee: s/Jeffrey Hallstrand, Chair; Jason Hastings (remote); Jordan Spacek; Patricia Stephan; Ginny Strobl. Reviewed by the Price County Executive Committee. s/Alan Barkstrom, Chair; Brian Ernst; Jeffrey Hallstrand; Paula Houdek; Larry Palecek. Reviewed by County Administrator: s/Nicholas Trimner. Adopted by the Price County Board of Supervisors on this 14th day of November 2023. s/Alan Barkstrom, County Board Chair; Jean Gottwald, County Clerk.

Motion Strobl/Ernst to consider resolution for adoption.

Motion Spacek/Ernst to approve amendments to originally submitted resolution as presented. Roll call vote on amendment: Yes (11): Barkstrom, Erickson, Ernst, Hastings, Kyle, Kopisch, Palecek, Spacek, Stephan, Strobl, Wartgow. No (1): Houdek. Motion carried.

James Yach, DNR Secretary's Director - Northern Wisconsin and Derek Johnson, DNR available for questions.

Motion Ernst/Erickson to postpone until further information is available on what costs are covered by the grant. Roll call vote: Yes (6): Erickson, Ernst, Houdek, Kyle, Spacek, Wartgow. No (6): Barkstrom, Hastings, Kopisch, Palecek, Stephan, Strobl. Motion failed.

Discussion on anticipated costs of project, maintenance and potential abandonment.

Roll call vote on resolution adoption: Yes (7): Barkstrom, Erickson, Ernst, Hastings, Spacek, Stephan, Strobl. No (5): Houdek, Kopisch, Kyle, Palecek, Wartgow. Motion carried.

#### Resolution 50-23

##### Authorized Signatory for American Carbon Registry

WHEREAS, per County Board Resolution #58-21, Develop a Forest Carbon Offset Project for Price County Owned Lands, the Price County Board of Supervisors authorized the Price County Forest and Parks Administrator and County Administrator on behalf of Price County, in consultation with Price County Corporation Counsel, to develop a 40 year forest carbon offset project for all appropriate County Forest lands for participation in the voluntary carbon market under the American Carbon Registry (ACR) Improved Forest Management (IFM) program, and

WHEREAS, per County Board Resolution #58-21, the County Administrator is authorized to negotiate and execute an eight-to-12-year contract directly with Bluesource, LLC (who merged with Element Markets to form Anew Climate, LLC) to assist in the development of said forest carbon project, and

THEREFORE BE IT RESOLVED, that moving forward, the Price County Board of Supervisors approve the Price County Forest and Parks Administrator be hereby authorized to act on behalf of Price County as signatory on forest carbon offset project documents and other related instruments necessary to successfully execute, administer and manage the project throughout its term, including but not limited to contracts, agreements, obligations and/or other reports, including American Carbon Registry's Terms of Use, Risk Mitigation Agreement and annual Monitoring Report documents.

Submitted by the Price County Forestry and Parks Committee: s/Jeffrey Hallstrand, Chair; Jordan Spacek; Patricia Stephan; Ginny Strobl. Reviewed by County Administrator: s/Nicholas Trimner. Adopted by the Price County Board of Supervisors on this 14th day of November 2023. s/Alan Barkstrom, County Board Chair; Jean Gottwald, County Clerk.

Motion Kyle/Stephan to consider resolution for adoption. Roll call vote on resolution adoption: Yes (11): Barkstrom, Erickson, Ernst, Houdek, Kyle, Kopisch, Palecek, Spacek, Stephan, Strobl, Wartgow. No (1): Hastings. Motion carried.

#### Amend Resolution 36-23

##### 2024 Price County Highway Department Road Construction Projects to be Financed with Short-Term Debt

WHEREAS, the Executive Committee has identified the need for financing a portion of the 2024 Highway Department road construction projects to the potential extent of ~~\$2,000,000~~ \$3,100,000; and WHEREAS, the Executive Committee has reviewed the financial impact of the proposed construction projects and recommends financing the projects through the use of short-term debt.

NOW THEREFORE BE IT RESOLVED, that the Price County Board of Supervisors authorizes the Executive Committee to proceed with the implementation of financing 2024 Highway Department road construction projects in an amount not to exceed ~~\$2,000,000~~ \$3,100,000 to be financed through the issuance of short-term debt and to include such debt payment in the 2025 Price County budget.

Fiscal Impact: ~~\$2,040,000~~ \$3,115,000 (2025 budget)

Original signatures on file.

Amendment submitted by the Price County Executive Committee. s/Alan Barkstrom, Chair; Brian Ernst; Jeffrey Hallstrand; Paula Houdek; Larry Palecek. Reviewed by County Administrator: s/Nicholas Trimner.

Adopted by the Price County Board of Supervisors on this 14th day of November 2023. s/Alan Barkstrom, County Board Chair; Jean Gottwald, County Clerk.

Motion Ernst/Erickson to consider resolution for amendment. Roll call vote on resolution amendment: Yes (12): Barkstrom, Erickson, Ernst, Hastings, Houdek, Kyle, Kopisch, Palecek, Spacek, Stephan, Strobl, Wartgow. No (0). Motion carried.

Appointments:

1. Veterans Service Commission – three-year terms to expire 12/31/2026 (Debra Metzker, David Schmidt, Mitchell Surman)
2. Indianhead Federated Library System Board of Trustees – three-year term to expire 12/31/2026 (Susan Marshall)
3. Price County Board of Canvass – two-year term 2024-2025 (Sandra Behling, Shirley Smith)

Motion Kopisch/Spacek to approve the appointments as presented. Motion carried by voice vote.

Miscellaneous:

1. Forestry and Parks – 2024 Annual Work Plan: Motion Spacek/Ernst to approve the 2024 Annual Work Plan as presented. Motion carried by voice vote.
2. County Board Meeting Schedule 2024-2025: Motion Erickson/Ernst to approve the County Board 2024-2025 meeting schedule as presented. Motion carried by voice vote.

Committee of the Whole at 11:27 a.m.

1. Board Chair Report – Chair Barkstrom: Attended meeting with Catkins Board of Trustees to discuss extent of their services. BART transportation consortium meeting.
2. County Administrator's Report – Nick Trimner.
  - a. 2023 Financial Summary: Unexpected costs to Catkins for housing cats for pending court case, which has been postponed to December 21st. No other unexpected costs. Several large projects have been finished. Sales tax and stumpage revenue doing well.
  - b. Updates:
3. Committee Chair Reports:
  - a. Administration – Wartgow: Will start work on updates to Supervisor Policy and Procedure Manual.
  - b. Buildings & Grounds – Spacek: Reviewed completed and pending projects. Prepping for winter maintenance.
  - c. Executive – Barkstrom: Presentation from Bug Tussel with information to bring more communication towers to Price County. Reviewed resolutions approved.
  - d. Forestry & Parks – Spacek: Fall timber bid packets approved, with bids to be received by December 7. Parks prepared for winter.
  - e. Health and Human Services – Houdek: Approved designating ARPA funds to community groups planning ADA compliant playgrounds. Continue to recruit for various positions. Closed session – presentation of social worker client case(s).
  - f. Highway & Transportation – Palecek: Shoulders, tree trimming, culvert replacement, assisting municipalities and DNR, ditching, mowing, bridge work, brushing, plows out for first winter storm, two 2024 truck purchases awarded. Airport finished fall maintenance and ready for winter. Dam drawdown completed. Jobs Dam required inspection.
  - g. Land Use & UW-Extension – Wartgow: Land divisions, exceptions and permit approvals. Revoked three short-term rental permits for failure to supply septic inspection. Approved USDA wildlife damage program. Approved UW-Extension contract. Continue to discuss programming.
  - h. Law Enforcement – Palecek: Work on ordinance updates. New District Attorney Matthew McElroy. Recruiting for DA and Clerk of Court open positions. Squad car purchases are hard to find. Recruiting for correction/dispatch positions.

Convene out of Committee of the Whole at 11:58 a.m.

Date of Next Meeting: February 20, 2024 at 9:00 a.m. in the County Board Room

Meeting adjourned at 11:59 a.m.

Respectfully submitted: Jean Gottwald, County Clerk